

ANNEX B

Executive – Thursday 26 January 2023 5.30pm

Transcription of relevant Gypsy and Traveller discussion

Item 73: Public Participation (17:35pm)

(From 5.50 minutes into recording):

Public speaker: Abbie North:

“Thanks everybody for making your 3 minutes available – its not a lot of time! I came here and I spoke at the meeting of the Local Plan Working Group on 16th January and some of you will have received the letter I wrote to Cllr Ayre afterwards and what I will emphasise today is that I can’t agree with you more, Neil with what you said after I made my speech – it’s a moral abdication of responsibility to fail to provide traveller sites as part of inclusive, mixed, truly multicultural communities of York in the future. So I’ve spoken to. Its clear from the plans that we have in front of us today that that is what the planning department chooses to do. That is what the plan says to us. What we are doing. Where we have got promised is brand new family sites as part of promised multicultural communities. What we are actually getting is 30 new pitches at Osbaldwick, which is one of the most deprived sites we’ve seen in this country. That is an abdication of moral responsibility – there is no doubt about that. Now since the meeting last week I’ve been very busy. I’ve spoken to the developers, its not their responsibility, they agree with me on that. They have confirmed for me that they won’t be putting traveller pitches on their housing developments, not only is there not enough space to do that there. They don’t have the expertise or the will to do it and they can’t see how it is enforceable that the Council is going to do it when they are trying to build houses. Its not going to happen. I’ve spoken to the housing team at the Council, the people responsible for managing the site at Osbaldwick and they would be very grateful indeed if we could tell them that we aren’t going to make this awful situation at Osbaldwick so much worse for them to manage by putting 30 new pitches there. And finally, I’ve been to Osbaldwick yesterday and I’ve spoken to some of the people there and in particular, I’ve spoken to one little boy he’s 12 year old, his name is Marcus and I asked him to show me round the site and

how things would be better there for you. We don't want any more pitches at Osbaldwick.

What I'm saying today is that we aren't going to build any more pitches at Osbaldwick, we aren't going to let you do that. We won't let you do that. We won't be building pitches on strategic sites, the developers aren't going to allow that. What we need is a policy that works so that we can build travellers sites the way they are intended to be provided. The local paper has published today an article saying about our concerns – in particular, that we don't have a policy that is going to work. The Council has said we can't fit that into the exclusion policy. Policy D allows for a rural exceptions policy that is GB4 allowing for affordable housing development in the Green Belt where appropriate circumstances which can be proven. That can apply to traveller sites also. The only way you can justify policy H5b is by reference to Paragraph 63 of NPPF which talks about affordable housing. If we are going to say that's an enforceable part of our policy, which can only be made enforceable by reference to affordable housing - if traveller sites can be provided in that way they can also be provided in the Green Belt under policy GB4. Please make that explicit in policy and we can get on and do our jobs and make sure there is proper, culturally appropriate provision for travellers in this city for the future. Thank you very much."

Item 75: City of York Local Plan (17:57)

(From approx. 29.00 minutes into recording)

Neil Ferris, Corporate Director of Place: *"With respect of G&T community representations, we have considered the representations made by Abbie last week and tonight, in respect of CYC policy on Green Belt and the provision of G&T sites within the GB as an exception – that was the Council's original position in 2018 - subsequently, our QC, now KC and inspectors agreed & asked us to re-examine that policy because it was not compliant with NPPF, so the policy in front of you and now incorporated into the Plan is compliant in respect of the Green Belt exceptions. In respect of sites and those from, by developers, we have been in discussion with strategic site developers in recent weeks and we would entirely agree with Abbie that they are not happy but they have all recognised that from a policy perspective, they have to comply to get their planning permissions, as I made the point at LPWG last week. We have put the highest level of protection in respect of those policies for members to consider*

when applications come forward. If they do not have provision for those travellers sites within the red line then you have strong grounds for refusal. In respect of the site at Osbaldwick, its fair to say and I recognised at last weeks LPWG and the housing team that work for me, recognise that the site at Osbaldwick is in need of improvement, both in terms of managerial and the conditions of the site itself. We have significant offsite provision in terms of funding from other sites, YC being a good example, that would go a long way to put significant investment into that site and far from those housing officers not welcoming the opportunity to build more travellers sites at Osbaldwick, it was the Housing Management team came forward and demonstrated that the site could be accommodated on the land we proposed to allocate in the LP. There is absolutely no doubt across the housing management team that it is a challenging prospect to manage it, but a bigger site with more resources on it would give us the best opportunity to manage it. In respect of moving on, St Peters School” (31.41)

From 1.18.45 minutes into recording:

Cllr Craghill: *“Just want to respond to the speaker from York Travellers Trust, about allocation of sites on the strategic sites – Neil, think you said that failure to provide sites within red line would be grounds for refusal, can you clarify the robustness of that because the policy does make some reference to developers being asked to alternatively, if they think they can’t do that within the red line, to identify and deliver a site elsewhere, the policy does also refer to commuted sums, so can you just clarify what you said about if that policy will robustly deliver those strategic sites”.*

Neil Ferris: *“Yes, the policy applies to strategic sites – which predominantly apply to GB sites which currently have no infrastructure, so in terms of officers perspective and having early engagement with developers, they will really, really struggle to come up with a rationale as to why they cannot provide a site for G&T pitches. It’s effectively a blank canvas and you can design the community, and as I said at the Working Group and thank you to Abbie for recognising my expectations and hopes for this policy – that will ensure we have integrated communities that are effectively varied - that’s a really important point of plan making is that we aim to that achievement. There is*

however, because in terms of absolutes, planning policy is a question of avoiding absolutes, there is an opportunity for those developers to come together or individually and look at specific offsite provision. It has to be specific offsite provision within the authority area identified for the development, so effectively white land. There could be alternatives that members through the planning process feel that are suitable, or better suited than the site itself, however when you get to the extent of this offsite provision, the inspectors themselves, in respect of our own requirement for provision of sites, required us to specifically identify that there was capacity at Osbaldwick & Clifton to provide the sites we need. Their view was that without identifying specific pitches, our plan risks being found unsound and I think that taking that rationale and logic through to the strategic sites, I feel that this policy and our legal advisers and planning officers have advised that actually to have an offsite provision in cash terms with no site identified would be solid grounds for saying that the application was not acceptable and didn't comply with policies because any site identified with no offsite provision would effectively, well where is that going to be? But we cannot predetermine what these would be – it's a matter for the committee at the time, but we are advised that these are the strongest ways of articulating the policy and the inspectors have confirmed, or given us no indication that the policies as proposed are not suitable and do not comply the requirements. The developers are reluctantly recognising that this is something they are going to have to address".