

# PERTH AND KINROSS COUNCIL

## Housing & Social Wellbeing Committee

25 January 2023

### UPDATE ON PARTICIPATION IN THE GYPSY/TRAVELLER NEGOTIATED STOPPING PROJECT AND APPROVAL FOR A TRANSIENT SITE FOR VISITING GYPSY TRAVELLERS

Report by Head of Environmental and Consumer Services  
(Report No. 23/10)

#### 1. PURPOSE

- 1.1 This report provides an update to members of the Committee on Perth and Kinross Council's participation with the Gypsy/Travellers Negotiated Stopping Pilot and seeks approval for a transient site at North Muirton, Perth.

#### 2. RECOMMENDATIONS

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| 2.1 | <p>It is recommended that the Housing &amp; Social Wellbeing Committee:</p> <ul style="list-style-type: none"><li>• agrees continued participation in the Scottish Governments/COSLA's Negotiated Stopping Places Pilot until full evaluation is conclude in September 2023</li><li>• approves the development of a transient site within the boundary of the Food &amp; Drink Park, Arran Road, Perth.</li></ul> |
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#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:

- Section 4: Background/Main Issues
- Section 5: Proposals
- Section 6: Conclusion

#### 4. BACKGROUND / MAIN ISSUES

- 4.1 In the Scottish Government's (SG) action plan entitled ['Improving the Lives of Scotland's Gypsy/Travellers \(2019-21\)'](#), it is recognised by national and local governments that, in a modern and inclusive Scotland, there is no place for the widespread exclusion, deprivation, and social antipathy suffered by Gypsy/Travellers. The Council has a responsibility to provide services to all members of the community, including those travelling through the area temporarily.

- 4.2 In recent years, it has become apparent the needs of the Gypsy/Travellers are changing, and that the current arrangements are not adequately meeting these needs. In turn, this is also creating additional pressures on Council services, as well as frustration within local communities.
- 4.3 Perth & Kinross has a history of Gypsy/Travellers visiting and working in the area and has a large number of Gypsy/Travellers who have settled within various local communities.
- 4.4 Approximately 20 temporary Gypsy/Traveller encampments arrive in Perth & Kinross each year, with a large percentage now stopping in Perth City, particularly at North Muirton. The size of the encampments can vary from 2 to 6 caravans on average, to larger, lengthier encampments comprising of multiple groups of 11 to 16 caravans. The average length of stay is around 50 days, which has significantly increased in recent years. Appendix 1 provides details of encampment locations, numbers and length of stays.
- 4.5 For each encampment, there are significant resource implications for a variety of council services along with considerable costs in removing waste and supplying sanitation.
- 4.6 The need for a transient site has been recognised by the Council for some time. In 2019, the previous Housing and Communities Committee approved the Council's participation in a Negotiated Stopping Pilot (Report No 19/145 refers), which would be overseen by the Scottish Government (see committee paper [here](#)). It was hoped that this pilot would strengthen and support implementation of national guidance on managing temporary encampments in Scotland.
- 4.7 Negotiated stopping places are an alternative to the traditional enforcement-based approach to 'unauthorised' encampments. The approach involves open dialogue and negotiation between the Council and Gypsy/Travellers who pass through the area. The core principles of the pilot focused on encouraging Gypsy/Travellers to:
- stop in an acceptable location (and not reuse this location within a year)
  - stay for an agreed period of time (no greater than 28 days) and,
  - adhere to a code of conduct specified by the Council which requires residents to sign up to a variety of agreements e.g., to prevent damage to the site, minimise nuisance to neighbouring properties etc.
- 4.8 The core principles would also enable local authorities to provide vital services and support to encampment residents, as well as avoid the need for protracted legal action, particularly when encampments were in unsuitable locations.

- 4.9 Unfortunately, participation in the negotiated stopping pilot highlighted that there were no obvious appropriate stopping places identified, and agreed upon, by visiting Gypsy/Travellers and council officers. To address this issue, an officer working group was established to identify potential stopping sites. A site option appraisal was conducted and involved the screening of 25 potential sites against a range of criteria (e.g., location, health & safety, ground conditions, existing use and feedback from local community and ward members etc). This process was assisted by two Gypsy/Travellers from a local permanent Gypsy/Traveller site and local Gypsy/Traveller groups. The appraisal identified three potential site options:
1. North Muirton, Perth.
  2. North Forr, Crieff and
  3. Turfhill, Kinross.
- 4.10 However, it was quickly established from recorded encampment data and feedback that there was less demand for a site in Kinross or Crieff.
- 4.11 It also became apparent that the needs of the visiting Gypsy/Travellers were changing, contrary to the principles of the pilot, in that:
- stays were getting lengthier - well beyond the proposed 28 days, especially in Perth City and
  - there was a reluctance of visiting Gypsy/Travellers to sign the Code of Conduct as a result of having no control of the site or land when they were not present.
- 4.12 Although core support requirements are offered to every encampment, the desired support from services cannot always be effectively provided. This is because negotiations are often focused on reactive issues or residents immediate short term needs until they move on. In these circumstances, officers have no opportunity to build up a rapport or trust with residents to fully establish their longer-term needs.
- 4.13 During the pandemic, PKC supported an encampment comprising of 11 families for a period of 9 months. This support was delivered in line with the Scottish Government Guidance Covid 19 Framework for Local Decision Making on Gypsy/Traveller Support. This guidance encouraged local authorities to support Gypsy/Travellers in settled camps to provide sanitation, health advice and other appropriate services without the threat of eviction. Given the positive impact of the guidance, it has remained in operation, and has been viewed as good practice.
- 4.14 As a result of this guidance, and feedback received, the officer working group concluded that the approach to responding and supporting visiting Gypsy/Travellers should be reviewed. It was also clear that the Negotiated Stopping criteria was not meeting the current needs of visiting Gypsy/Travellers, or the local community.
- 4.15 As such, officers believe that the development of a transient site would be a more appropriate solution to meeting the needs of visiting Gypsy/Travellers.

Through the screening process, and data gathered by the working group, it has been identified that the most desirable site is land north of the existing Food & Drink Park, Arran Road, Perth. This piece of land is commonly used by visiting Gypsy/Travellers as:

- it is a historical stopping off site with a rural aspect close to the River Almond
- it is close to local services and can be easily accessed
- there are no residential homes in the immediate vicinity (as preferred by encampment residents)
- there is access on to the main road networks and sufficient area for small animals to be accommodated
- there is a variety of work opportunities in and around the city

- 4.16 The Food and Drink Park at North Muirton was initially developed to provide circa 21 acres (gross) of development land to encourage local businesses to produce and supply their products to the local and national market. Perth and Kinross is renowned for leisure and tourism and the Food and Drink Park helps promote and encourage local businesses to supply this industry, which in turn supports local employment.
- 4.17 A further 10 acres (gross) of land was subsequently acquired from Scottish Water for an expansion to the site. The extended site has now been expanded to include not just for Food and Drink uses but also for general industrial use, which again supports local employment.
- 4.18 It is anticipated that the Travellers site will have minimal impact on the existing users and future sites, due to its location at the north-eastern corner of the Park. The proposed site has existing screening to the north and eastern boundaries. In addition, it is proposed that a sympathetic screening will be designed to the western and southern boundaries to reduce any perceived impact on existing and future occupiers.
- 4.19 A plan has been attached in Appendix 4 which shows the location of the proposed Gypsy/Travellers site in relation to the sites which have been sold and those that are still available for sale.
- 4.20 Despite the above, concerns have been raised about the presence of a transient site within this area. These concerns relate to the potential impact on current businesses and attracting new development opportunities to the area.
- 4.21 To discuss and explore these concerns further, consultation regarding a proposed site, was undertaken with PKC officers, local businesses, and relevant council elected members. The local Community Council was also informed of the proposal. In general, it was accepted that a transient site in this location would be an improvement for all concerned. Businesses acknowledged that, in the absence of such a site, it was highly likely that unauthorised encampments would continue. Therefore, a managed site, sympathetically landscaped, provided with appropriate amenities would be more desirable.

## **5. PROPOSALS**

- 5.1 It is proposed that the Council acknowledge that the implementation of the Negotiated Stopping Pilot has not met the needs of local visiting Gypsy/Travellers, but it has provided a forum to identify and assess their changing needs.
- 5.2 The Scottish Government and COSLA are keen that Perth & Kinross Council continue their participation in the pilot until its conclusion in September 2023, in order to provide essential evaluation feedback. There is an indication that a number of other Local Authorities are experiencing similar challenges and additional transient sites across Scotland may be recommended as part of the conclusion of the pilot. Notwithstanding our withdrawal in September 2023, the principles of the pilot will continue to be adopted, wherever appropriate.
- 5.3 The North Muirton site, located to the most northerly boundary of the Food and Drink Park, has been identified as a potential suitable site, particularly as the over-riding factor for any potential site is the Gypsy/Travellers willingness to use the site. The Food and Drink Park is by far the most popular site with Gypsy/Travellers visiting Perth City.
- 5.4 It is acknowledged that significant investment in the provision of a transient site would be required. However, there is also the potential to develop a site on a phased basis, over a longer period, which may be more financially viable.
- 5.5 Appendix 3, Table 1 contains three potential site options comprising a different range of site facilities, summarised as follows:
- Option 1 – The costliest option to provide a fully developed site which meets and exceeds current and national guidance and standards by providing additional on-site management and support facilities and optimising pitch capacity and usage.
  - Option 2 - This option meets current national standards and guidance and provides the desired number of pitches, but does not provide the on-site management support facilities. However, there is potential to add the remaining site facilities detailed in Option 1, at a later date, in order to future proof the service.
  - Option 3 - The cheapest option which meets standards, but only accommodates a small number of caravans. However, similar to Option 2, it has capacity for additional pitches and on-site management facility to be added at a later date.
- 5.6 The preferred option is Option 2. This is for the provision of 6 pitches, 6 caravans, which will accommodate one large or two smaller families to stay on-site with adequate service provision but excludes the costs for an additional building to accommodate a management presence and communal space for residents. However, a management presence at the site will still be provided, despite the lack of accommodation. This will be managed through

the use of SMART technology, sensors, as well as routine checks and monitoring, along with staff undertaking welfare checks.

- 5.7 Of cost significance is the provision of an access road to the proposed site which has been costed at approximately £450,000. However, discussions are ongoing to determine if contributions from the creation of the Cross Tay Link Road, through community benefits fund, could be utilised to assist in the construction. There are also issues regarding on site drainage and this matter would need to be addressed as part of the site assessment and scoping exercise.
- 5.8 With regard to the availability of funding, discussions with COSLA Officials have confirmed that the Scottish Government's new funding streams for Gypsy/Traveller accommodation (2021-2026) offers an opportunity for bids to be made for transient site provision (negotiated stopping sites are not eligible). There is also a clear appetite from the Scottish Government for Local Authorities to create transient provision and, in anticipation, PKC has submitted a note of interest only at this stage. It is, therefore, important to note that no confirmed funding has yet been identified for the project. Therefore, potential funding options would need to be brought back to elected members for any of the options identified above to be taken forward.

## **6. CONCLUSION**

- 6.1 This report confirms that participation in the Negotiated Stopping Places Pilot has provided the opportunity to gather valuable information which identifies the modern needs of Gypsy/Travellers and the benefits in providing alternative, longer stay accommodation options. However, it highlights that the Negotiated Stopping criteria does not meet the current needs of visiting Gypsy/Travellers, or the local community and, as such, PKC should withdraw from the pilot, following its conclusion, in September 2023.
- 6.2 The report also notes that the provision of a transient site, within the Food and Drink Park, in North Muirton, Perth, which is developed in line with national guidance and standards, would meet the needs of Gypsy/Travellers much more effectively. This approach would provide support and assistance which meets current recommendations, foster better relations with settled communities and provide a more managed approach to the current ongoing demands placed on Council services and budgets. Further work is being undertaken to identifying funding opportunities for the transient site and access road.

**Author(s)**

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**Approved**

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Barbara Renton	Executive Director (Communities)	17 January 2023

**APPENDICES**

- Appendix 1 – Local Temporary Encampment data.
- Appendix 2 – Location of proposed transient site - Food and Drink Park, Arran Road, Perth
- Appendix 3 - Table 1 and 2 Proposed Transient Site – Option provision and appraisal
- Appendix 4 - Location of the proposed Gypsy/Travellers site in relation to the sites which have been sold and those that are still available for sale.

## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>None</b>
Workforce	<b>None</b>
Asset Management (land, property, IST)	<b>Yes</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>Yes</b>
Strategic Environmental Assessment	<b>None</b>
Sustainability (community, economic, environmental)	<b>None</b>
Legal and Governance	<b>None</b>
Risk	<b>None</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>Yes</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

## 2. Strategic Implications

### Community Plan/Single Outcome Agreement

- 2.1 The proposal aims to provide a better solution for the Gypsy/Traveller community and therefore would directly contribute to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of:
- 2.2 “Creating a safe and sustainable place for future generations”.

### Corporate Plan

- 2.3 As above, the proposal in this report would directly contribute to the achievement of the Council’s Corporate Plan priority:
- 2.4 “Creating a safe and sustainable place for future generations”.



### **3. Resource Implications**

#### Financial

- 3.1 It is important to note that no confirmed capital funding has been identified for the development of a transient site, therefore at this stage agreement is simply being sought for approval to develop a site. Potential capital funding is available from the Scottish Government, and it is possible that funding would also be required from the Council. Any funding requirement would be the subject of a future report to elected members.

#### Workforce

- 3.2 There are no human resource implications at this stage.

#### Asset Management (land, property, IT)

- 3.3 There are no asset management implications at this stage.

### **4. Assessments**

#### Equality Impact Assessment

- 4.1 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- in the way best calculated to delivery of the Act's emissions reduction targets;
  - in the way best calculated to deliver any statutory adaptation programmes; and
  - in a way that it considers most sustainable.

- 4.2 The information contained within this report has been considered under the Act. However, no action is required as the act does not apply to the matters presented in this report.

#### Legal and Governance

- 4.3 Head of Legal and Governance was consulted on this report.

#### Risk

- 4.4 Not applicable.

### **5. Consultation**

### Internal

- 5.1 Heads of Service and senior managers from Communities have been consulted on the content of this report.
- 5.2 An officer working group was created to determine the needs of visiting Gypsy/Travellers. This group comprised officers from Regulatory Services, Housing, Greenspace, Equalities, Estates and was chaired by the Head of Environmental and Consumer Services.

### External

- 5.3 Discussions have taken place with local elected members, the local Community Council and local businesses with regard to the proposal in this report. All parties recognise the current on-going issues at the Food and Drink Park and acknowledge that the proposals in this report offer a better alternative to the current arrangements.

## **6. Communication**

- 6.1 The recommendation to continue participation in the Negotiated Stopping Places Pilot, will be communicated with all relevant internal and external stakeholders.

## **7. BACKGROUND PAPERS**

- 7.1 <https://www.gov.scot/publications/improving-lives-scotlands-gypsy-travellers-2019-2021>