

Aberdeenshire Gypsy/Traveller Site Provision Strategy 2021-2026

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1 Introduction

1.1 Legal Background

- 1.1.1 Gypsy/Travellers have been in Scotland for many centuries and still retain their own cultures and customs. The term 'Gypsy/Traveller' refers to distinct groups - such as Romany Gypsies, Scottish and Irish Travellers - who regard the travelling lifestyle as being part of their ethnic identity. There are also other types of Traveller, such as Occupational Travellers, Show-people and New Age Travellers: distinct groups who do not regard themselves as Gypsy/Travellers and do not receive protection under equalities legislation.
- 1.1.2 Under the Equality Act 2010 it is unlawful to discriminate against people because of protected characteristics such as age, race, religion or belief, disability, sex, marriage, civil partnership, gender reassignment, or sexual orientation. The Act also imposes a duty on listed public authorities, including local authorities, to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. Gypsy/Travellers are recognised as an ethnic group under the definition of 'race' in the Act.
- 1.1.3 Under the Homelessness (Scotland) Act 2003, a person is homeless if he/she has accommodation but it consists of a moveable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he/she is entitled or permitted both to place it and to reside in it. Although some Gypsy/Travellers live in houses outwith the travelling season, for many their only accommodation all year round is a caravan and are therefore deemed homeless if they have nowhere official to place and reside in their caravan.

1.2 Strategic Context

- 1.2.1 The Aberdeenshire Council Plan 2020-2022 prioritises:
- Everyone having access to appropriate accommodation and housing support where required
 - work to reduce poverty and inequalities in our communities.
- 1.2.2 The Aberdeenshire Local Housing Strategy 2018-2023 commits that:
- Minority ethnic communities will have access to appropriate land, housing and support, encouraging social integration.
 - Gypsy/Travellers normally resident in Aberdeenshire and Gypsy/Travellers visiting the area have accommodation that meets their needs, culture and lifestyle.
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- 1.2.3 The Scottish Government's Housing to 2040 vision commits to improve and widen access to Gypsy/Traveller accommodation.
- 1.2.4 Providing more and better accommodation forms part of the joint Scottish Government and COSLA action plan 'Improving the Lives of Gypsy/Travellers' 2019-2021 which commits to:
- Ensure the needs of Gypsy/Travellers are appropriately and collectively resourced
 - Understand the accommodation needs and preferences of Gypsy/Travellers to inform future provision
 - Make sure the planning system works better for Gypsy/Traveller communities
- 1.2.5 Partnership working is a key aspect of progressing these outcomes and delivering on the Gypsy/Traveller Site Provision Strategy. The Council's Gypsy/Traveller Officer Group meets on a quarterly basis and has representation from all services within the council, as well as members from Police Scotland, NHS Grampian and representation from the Gypsy/Traveller Community and Grampian Regional Equality Council. This group takes forward actions from Aberdeenshire Council's overarching Gypsy/Traveller Action Plan.
- 1.2.6 The Gypsy/Traveller Sub Committee, consisting of eight Councillors, meets on a quarterly basis and takes forward actions in the Gypsy/Traveller Sub Committee Action Plan, which mirrors the Council's Gypsy/Traveller Officer Group Action Plan. Representatives from Health, Education and Police Scotland, attend the meetings and other services on request.
- 1.2.7 The Gypsy/Traveller Interagency Group includes members from the three local authorities in the Grampian area – Aberdeenshire, Aberdeen City and the Moray Councils, Police Scotland, NHS Grampian and Grampian Regional Equality Council (GREC).
- 1.2.8 Aberdeenshire Council officers and the Gypsy/Traveller Liaison Officer engage with the members of the Travelling community on a regular basis. This involves consultation exercises as well as more in-depth meetings regarding specific issues.
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2 The Need for Gypsy/Traveller Sites

2.1 Unauthorised Encampments

2.1.1 Aberdeenshire Council strives to provide a balance between the needs of members of the settled community and those of Gypsy/Travellers who want to stay on a temporary encampment when in Aberdeenshire but are restricted in where they can legally encamp. Aberdeenshire Council recognises Gypsy/Travellers right to a nomadic life and respects the fact that Gypsy/Travellers may wish to maintain a travelling way of life. Camping is seen as an expression of the Gypsy/Travellers' cultural identity. Public agencies acknowledge that there should be no discrimination against Gypsy/Travellers because of their way of life and culture. However, the Council acknowledges the concerns and anxieties of the settled community in relation to some unauthorised encampments. The same standards of behaviour should be expected from all members of the community. Aberdeenshire Council has a [Code of Conduct](#) for unauthorised encampments, providing guidelines on dealing with unauthorised encampments.

2.1.2 The volume of unauthorised encampments over the last decade is shown below by year and by area.

Table 1: Unauthorised encampments in Aberdeenshire 2010-2019

Year	Number
2010	30
2011	23
2012	53
2013	45
2014	28
2015	37
2016	61
2017	65
2018	22
2019	21

Table 2: Unauthorised encampments by area

Area	Proportion
Banff and Buchan	17%
Buchan	22%
Formartine	19%
Garioch	13%
Kincardine and Mearns	24%
Marr	4%

- 2.1.3 While there is a spread of encampment locations across five of the six administrative areas within Aberdeenshire, the proportion of unauthorised encampments by area reflects the movement patterns of Gypsy/Traveller communities along the A90, A93, A96 and A947 corridors and in to traditional stop-off locations.
- 2.1.4 While there has been a drop off in the numbers of unauthorised encampments and occupancy levels of the local authority sites since 2017, there is some unmet need in between the current local authority and private sites.
- 2.1.5 The majority of encampments take place between January and October.

2.2 What Gypsy/Travellers Say

- 2.2.1 A wide range of research and feedback has been gathered from Gypsy/Travellers and other communities over the years to inform the development of this strategy. This includes:
 - 2.2.2 In July 2015, 24 Gypsy/Travellers in Aberdeen and Aberdeenshire, from 12 different groups of Gypsy/Travellers took part in a consultation exercise to assess the accommodation needs of the Travelling community. Results showed that 100% of all participants thought there should be an increase in site provision in both Aberdeen and Aberdeenshire. There was no clear preference on whether they should be developed and managed privately or by the local authorities. A further survey was carried out with Gypsy/Travellers during summer 2017. This found that as a whole the most desirable type of site for participants was a local authority provided permanent site, but when taken alongside data on the number of encampments over recent years, and feedback to the 2015 consultation, there is a demand for a range of provision. Given the number and size of encampments at present, it seems likely that there will continue to be a shortfall of provision.
 - 2.2.3 This reinforces earlier research carried out in 2009 that recommended providing a mix of small, family orientated sites as well as larger sites to accommodate Gypsy/Travellers who travel in varying sizes of groups. This should include a mix of fully serviced and stopover sites.
 - 2.2.4 Aberdeenshire's Citizens' Panel's 38th edition of 'Viewpoint' included a section on Gypsy/ Traveller site provision. The questions posed sought the opinion of residents in Aberdeenshire on current provision provided to Gypsy/Travellers along with feedback on future provision. Results showed that residents of Aberdeenshire believe that there should be more Gypsy/Traveller site provision in Aberdeenshire.

3 Current Site Provision

3.1 Local Authority Provision

- 3.1.1 Aberdeenshire Council currently provides two sites at Greenbanks, Banff (20 pitches) and at Aikey Brae (10 pitches). The Greenbanks site opens April to September, is managed by a Site Assistant, and was upgraded to fully comply with the Scottish Government minimum site standards in 2019/20. Aikey Brae is a stopover site that was established in 2018. Each pitch has a chemical toilet, an electric point and access to water. The Gypsy/Traveller Liaison Officer manages the site and is available to provide support, advice and signposting to occupants. In the long term it is planned to invest in further upgrading the facilities at Aikey Brae should funding become available. This reflects feedback from residents on the site in recent years.
- 3.1.2 In Scotland a total of 20 local authorities and registered social landlords provide one or more Gypsy/Traveller sites, while the remaining 12 local authority areas do not have any public site provision. Fife, Highland and Aberdeenshire have the greatest provision, accounting for nearly a third of all public site pitches in Scotland. The Council will continue to work with other local authorities to ensure that need is met on a regional and national basis.

3.2 Private Provision

- 3.2.1 There is a range of private provision across Aberdeenshire. This includes sites at Boyndie (14 pitches), New Pitsligo (2 pitches), Peterhead (2 pitches), Boddam, Peterhead (4 pitches), Kemnay (7 pitches) and North Esk, St Cyrus (20 permanent and 9 stopover).

4 Future Site Provision

4.1 Impact of Increased Provision on Unauthorised Encampments

- 4.1.1 Management and control of any site provision has been proven to improve standards and conditions for all stakeholders. Well managed, authorised Gypsy/Traveller sites will not only help meet the accommodation needs of the Travelling community but will help reduce tensions between settled and Travelling communities.
- 4.1.2 The opportunities being presented by the provision of authorised stopover sites include the ability to create very positive links with education, primary health and social work services. The opportunity will also be given to create positive links with settled communities, to share cultures and to acknowledge diversity.

4.2 Local Development Plan Sites

- 4.2.1 Four sites have been identified under the Aberdeenshire Local Development Plan 2017. They are:

Location	LDP reference
Inverurie	OP4 at Crichtie, Inverurie, A halting site for Gypsy/Travellers is required within the Thainstone/Crichtie employment area, which is made up of sites OP12, OP13 and BUS6-

	10, or the area of unallocated land between sites BUS5 and BUS6.
Blackdog	OP1 land at Blackdog Land for a Gypsy/Traveller transit site will be required to be made available on part of the site, prior to the development of the fourth phase, as outlined in the agreed masterplan.
Ellon	Provision of a Gypsy/Traveller site at Balmacassie (site OP4) is pending considering as part of the Proposed Local Development Plan 2020 examination.
Chapleton	OP 1 Chapleton. There is also a requirement for a halting site for Gypsy/Travellers to be provided within the employment land.

- 4.2.2 Although these will contribute to meeting long-term need, particularly in the central Aberdeenshire area, they are unlikely to meet need in the short to medium term. There remains a need for more immediate provision. The Grampian Gypsy/Traveller Accommodation Needs Study (2017) commended this approach to meeting need but recommended that this approach should be strengthened.
- 4.2.3 Research from Planning Aid Scotland shows that there is a general preference among Gypsy/Travellers for private sites, with the desire for self-sufficiency and independence often cited as reasons for this. Furthermore, private sites are seen as giving a level of security to their residents, allowing them to avoid potential conflict with other Gypsy/Traveller families, which can occur on public sites, and to ensure that future generations will have accommodation when they form their own families.
- 4.2.4 This strategy will continue to support Gypsy/Travellers who wish to build private sites, giving consideration as to how Gypsy/Traveller communities can realise aspirations around private site development, including working in partnership with agencies such as Planning Aid Scotland.
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5 Proposed Site Locations

5.1 North Aberdeenshire

- 5.1.1 In light of the high level of local authority and private provision in the north of Aberdeenshire, further sites run by the local authority are not considered to be a focus of this strategy.
- 5.1.2 It is accepted that there remains need across Aberdeenshire and any private provision proposed through the planning system would be supported by this strategy on this basis.

5.2 Central Aberdeenshire

- 5.2.1 Given the absence of local authority provision and limited private provision in central Aberdeenshire, this strategy will continue to focus on additional provision in this area. It is acknowledged that some of the long-term need is likely to be met through the Local Development Plan process, but there remains a short and medium term need that is unlikely to be met.

5.3 South Aberdeenshire

- 5.3.1 It is acknowledged that the North Esk site at St Cyrus helps to meet the needs of Gypsy/Travellers in the south of Aberdeenshire.
- 5.3.2 It is accepted that there remains need across Aberdeenshire and any private provision proposed through the planning system would be supported by this strategy on this basis.

5.4 Other

- 5.4.1 The strategy will support the joint Scottish Government and COSLA efforts in its action plan to map and, where possible, reopen traditional stopping sites. It will also continue to monitor the pilots on negotiated stopping to understand its potential in Aberdeenshire.
 - 5.4.2 The strategy will promote further investment into the sites at Aikey Brae and Greenbanks and seek to access funding opportunities that become available.
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6 Guidance on Site Development, Consultation and Approval

6.1 Site Development Guidance

- 6.1.1 Scottish Government produced guidance on minimum standards on Improving Gypsy/Traveller Sites, in 2015. The level of provision and amenities on Gypsy/Traveller sites will vary. However, until such times as up-to-date Scottish Government guidance on site provision is published, minimum site provision will meet that detailed within Aberdeenshire Council's Stopover Site Development Guidance.
- 6.1.2 There are three main types of Gypsy/Traveller site provision. Each of the three types of site would be managed effectively based on the level of amenities provided and the size of site. Three options for developing a Gypsy/Traveller site are:
- Permanent sites provide residents with permanent accommodation. These can be run by Local Authorities or registered social landlords, or privately owned by their residents. Gypsy/Travellers typically stay on-site for the majority of the year, only travelling for a few weeks.
 - Transit sites are permanent developments which are only used temporarily by their residents, usually when they are en route between more long-term locations. They provide more basic amenities than permanent sites.
 - Stopping places are pieces of land where Gypsy/Travellers have traditionally stayed for short periods of time. A Stopover site would have basic amenities. This includes pitches that would have access to a water stand-pipe, refuse facilities and portable toilets. People typically stay on site for shorter periods.
- 6.1.3 To bring Council owned areas up to an acceptable standard of provision any planning application would be required to be submitted with evidence to support the 'test' in the Local Development Plan that it should "allow reasonable access to employment, education, community facilities and the main road network". At its meeting on 21 February 2019, the Gypsy/Traveller Sub-Committee was consulted on the proposed wording for this policy in the Local Development Plan 2021.
- 6.1.4 The Gypsy/Traveller Accommodation Study (2009) and Grampian Gypsy/Traveller Accommodation Needs Assessment (2017) recommended sites accommodate 7-15 pitches. Feedback suggests a range of sizes and types of provision is preferable in meeting need.

6.2 Site Consultation and Approval

- 6.2.1 The suitability of areas of land as potential sites are discussed initially by the Council's Gypsy/Traveller Officer Group including Area Managers and partner organisations. The formal reporting of proposed sites is through the Council's Gypsy/Traveller Sub-Committee.
- 6.2.2 Gypsy/Traveller site provision is of regional significance. If planning applications are submitted, Aberdeenshire Council will make a decision on the planning applications. The relevant Area Committee comments would be sought.
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