

South Ayrshire Council

Report by Assistant Director – Place
to Leadership Panel
of 8 March 2022

Subject: Services to Gypsy/ Travellers – Site to Support and Accommodate Gypsy/ Traveller Encampments

1. Purpose

1.1 The purpose of this report is to provide the Leadership Panel with details of a potentially suitable site for a designated area to support and accommodate Gypsy/Traveller encampments in South Ayrshire.

2. Recommendation

2.1 It is recommended that the Panel:

2.1.1 considers the information presented and confirms the preferred location;

2.1.2 approves the development of a Transit site at the preferred location as suggested in section 4.2 and requests officers ;

2.1.3 requests officers to undertake consultation with the local community and the Gypsy/ Traveller community on the preferred location;

2.1.4 requests officers to carry out full design and feasibility study for the preferred location; and

2.1.5 requests that officers report back to the Leadership Panel by June 2022.

3. Background

3.1 The Leadership Panel of 15 June 2021 considered and approved the report entitled *'Services to Gypsy/Travelers – Update from Member/Officer Working Group and Proposed Future Actions'*.

3.2 It was agreed that the Member/Officer Working Group (MOWG) should work to identify and consider potentially suitable sites to provide a designated area to support and accommodate Gypsy/Traveller encampments in South Ayrshire, and bring proposals to a future meeting of the Leadership Panel.

3.3 In 2019, the Scottish Government and Convention of Scottish Local Authorities (COSLA) published a joint action plan entitled *'Improving the Lives of Scotland's*

Gypsy/Travellers (2019–2021)'. One of the key areas within the plan is to provide more and better accommodation.

- 3.4 The MOWG Group has acknowledged that existing provision for settled travellers at Houdston Reid-Lea, Girvan is sufficient to meet demand. However, one of the immediate 'gaps' in provision, is around the availability of a designated area to support and accommodate Gypsy/Traveller encampments that occur in South Ayrshire. As part of the process in managing unauthorised encampments, dialogue has taken place with Gypsy/Travellers, who have indicated that a site within Ayr or Prestwick or around the outskirts of these areas would be favourable.
- 3.5 Through the process of identifying potentially suitable sites to offer a 'negotiated stopping approach or a more formal transit site provision, contact has been made with the landowners/agents of Bargany Estate and Cassillis Estate. Both have confirmed that they do not have any land holdings suitable and appropriate for this purpose. In addition, enquiries were made with the National Farmers Union on potential sites within the local farming community, however they have also advised that no suitable land is available. An enquiry was also made to a landowner at Mosshill Industrial Estate, who has confirmed that the land is not available for sale. A number of private landowners have also been contacted as part of the process.
- 3.6 The MOWG has reported back to the Leadership Panel on 15 June and 24 August 2021 and Members should refer to both papers for further background information and the decision-making process undertaken to date. The previous paper in August presented 5 potential locations with members deciding to discount 4 of the locations to leave the proposal for Cockhill Farm, Ayr.
- 3.7 Panel also requested that all elected members be allowed a further opportunity to submit suggested locations and that officers consider any further options not brought forward previously. An additional 3 sites, all under private ownership were presented and discussed at the MOWG and subsequently ruled out following engagement with the landowner. This left the Cockhill Farm site and the MOWG requested that a full members briefing be arranged to provide all elected members the relevant information on the site and allow the opportunity to discuss and give their view on the potential location. The members briefing was held on 23 February 2022.

4. Proposals

- 4.1 As outlined in previous papers, there is a clear need for a designated area and a level of support provision for Gypsy/Travellers. This could be in the form of a 'Negotiated Stopping Place' with the provision of basic amenities or a transit/temporary stopping site. Following contact with COSLA Officials, it has been confirmed that the Scottish Government's new funding streams for Gypsy/Traveller accommodation offers an opportunity for bids to be made for transit/temporary stopping site provision. The first round for Government funding has now closed therefore any bids by South Ayrshire Council will be in subsequent rounds.
- 4.2 The costs associated with 'Negotiated Stopping' are not eligible for that fund, as this is regarded as a multi-agency approach to managing provision of services to Gypsy/Travellers who are spending short periods of time camping roadside. This approach would not typically incur capital costs, and at this time it is not regarded as a form of eligible accommodation. Therefore, costs associated with establishing the 'negotiated stopping place' approach would require to be met by the Council

from its' own budgets. Given the opportunity for Scottish Government funding it is proposed that should the preferred location progress, that this is on the basis of a Transit site and that the appropriate grant funding be sought from the Scottish Government.

- 4.3 Following feedback from the MOWG and the subsequent members briefing, Panel is asked to confirm Cockhill Farm, Ayr as the preferred location of a site to support Gypsy/ Traveller encampments. Following approval, it is proposed to carry out a consultation with the local community and the Gypsy/ Traveller community on the preferred location. At the same time, a full design and feasibility study will be undertaken to determine site layout, establish accurate costings and consider any road and traffic implications. Officers will also engage with CoSLA and the Scottish Government to ensure that detailed proposals meet national guidelines and align with the grant application process for capital funding.

5. Legal and Procurement Implications

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

6. Financial Implications

- 6.1 The design and feasibility study will be in the region of £50,000 and will be met from within current resources.
- 6.2 The estimated capital cost relating to the provision of a transit/temporary stopping site is in the region of £900,000. Scottish Government grant funding is available; however, any shortfall will be required to be met by the Council. Revenue costs will be established once full design and feasibility study has been completed and an appropriate revenue budget will require to be identified.
- 6.3 The estimated capital cost relating to the provision of a 'negotiated stopping place' approach is in the region of £420,000 and at present there is no funding allocated within the Capital Programme for this purpose. Ongoing revenue costs is estimated at £3,000 per week when the site is in use. Further options can be explored to reduce revenue costs, including the purchase and storage of these facilities when not in use, however an appropriate revenue budget will require to be identified.
- 6.4 The ultimate financial implications will depend on which option is progressed, therefore an update on the financial implication and source of funding will be included in the report to Leadership Panel in June 2022.

7. Human Resources Implications

- 7.1 Not applicable.

8. Risk

8.1 *Risk Implications of Adopting the Recommendations*

- 8.1.1 Although the preferred site has been identified, there is a risk that further site investigations or considerations may impact on its ultimate suitability. In addition, the information contained in previous reports is based on unauthorised encampment activity since 2019. Proposals outlines in this

paper are based on the travel pattern and recurring encampments of the current Gypsy/ Travelling community. If this were to change, it should be acknowledged that this may well impact on the needs and demand for site provision in the future.

- 8.1.2 It should also be noted that the provision of a designated area of land for negotiated stopping or transit/temporary stopping site provision may not entirely provide a solution to, or prevent, future unauthorised encampments.

8.2 ***Risk Implications of Rejecting the Recommendations***

- 8.2.1 If the recommendations are rejected, this is likely to impact on the Council's pace of progress to improve experiences and outcomes for Gypsy/Travellers.

9. **Equalities**

- 9.1 A full equalities impact assessment has been carried out on the proposals contained in the report and is attached as [Appendix 1](#).

10. **Sustainable Development Implications**

- 10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy, or strategy.

11. **Options Appraisal**

- 11.1 A list of potentially suitable sites are outlined at [Appendix 1](#). An options appraisal has been carried out to identify the strengths, weaknesses and planning considerations that relate to each of the identified sites.

12. **Link to Council Plan**

- 12.1 The matters referred to in this report contribute to Commitments 1 and 6 of the Council Plan: Fair and Effective Leadership/ Leadership that Promotes Fairness; and A Better Place to Live/ Enhanced environment through social, cultural, and economic activities.

13. **Results of Consultation**

- 13.1 If approved, full consultation will be undertaken with the local community as well as the Gypsy/ Traveller community.
- 13.2 Consultation has taken place with Councillor Julie Dettbarn, Portfolio Holder for Adults' Health and Social Care, Councillor Ian Cochrane, Portfolio Holder for Environment, and Councillor Philip Saxton, Portfolio Holder for Housing and Community Wellbeing, and the contents of this report reflect any feedback provided.

14. **Next Steps for Decision Tracking Purposes**

- 14.1 If the recommendations above are approved by Members, the Assistant Director – Place will ensure that all necessary steps are taken to ensure full implementation

of the decision within the following timescales, with the completion status reported to the Leadership Panel in the 'Council and Leadership Panel Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Undertake design and feasibility study for preferred location	June 2022	Service Lead – Professional Design Services
Undertake consultation with local community and Gypsy/ Traveller community	June 2022	Service Lead – Housing Services
Provide update to the Leadership Panel	June 2022	Assistant Director - Place

Background Papers [Scottish Government/ COSLA Joint Action Plan – Improving the Lives of Gypsy/ Travellers: 2019-2021 – October 2019](#)

[Report to Leadership Panel of 15 June 2021 – Services to Gypsy/ Travellers – Update from Member/ Officer Working Group and Proposed Future Actions](#)

[Report to Leadership Panel of 24 August 2021 – Services to Gypsy/ Travellers – Potential Sites to Support and Accommodate Gypsy/ Traveller Encampments](#)

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Date: 1 March 2022

South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. See information here: [Interim Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018.

1. Policy details

Policy Title	Services to Gypsy/Travellers – Potential Sites to Support and Accommodate Gypsy/Traveller Encampments
Lead Officer (Name/Position/Email)	Kevin Carr, Assistant Director – Place – kevin.carr@south-ayrshire.gov.uk

2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	-	Yes
Disability	-	Yes
Gender Reassignment (Trans/Transgender Identity)	-	Yes
Marriage or Civil Partnership	-	Yes
Pregnancy and Maternity	-	Yes
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	-	Yes
Religion or Belief (including lack of belief)	-	Yes
Sex – gender identity (issues specific to women & men or girls & boys)	-	Yes
Sexual Orientation – person's sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	-	Yes
Thematic Groups: Health, Human Rights & Children's Rights	-	Yes

3. What likely impact will this policy have on people experiencing different kinds of social disadvantage? (Fairer Scotland Duty). Consideration must be given particularly to children and families.

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	-	Yes
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	-	Yes
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	-	Yes
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	-	Yes
Socio-economic Background – social class i.e. parent’s education, employment and income	-	Yes

4. Do you have evidence or reason to believe that the policy will support the Council to:

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
Eliminate unlawful discrimination, harassment and victimisation	Positive – High
Advance equality of opportunity between people who share a protected characteristic and those who do not	Positive – High
Foster good relations between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Positive – High
Increase participation of particular communities or groups in public life	Positive – High
Improve the health and wellbeing of particular communities or groups	Positive – High
Promote the human rights of particular communities or groups	Positive – High
Tackle deprivation faced by particular communities or groups	Positive – High

5. Summary Assessment

<p>Is a full Equality Impact Assessment required? (A full Equality Impact Assessment must be carried out if impacts identified as Medium and/or High)</p>	YES
<p>Rationale for decision:</p> <p>This report relates to Services to Gypsy/Travellers – Potential Sites to Support and Accommodate Gypsy/Traveller Encampments, the Council’s decision could potentially lead to extending provision of accommodation and support to a specific group. The Council’s decision has equality implications.</p>	
<p>Signed : Kevin Carr Assistant Director</p> <p>Date: 24 February 2022</p>	

**South Ayrshire Council
Equality Impact Assessment including Fairer Scotland Duty**

Section One: Policy Details*

Name of Policy	Services to Gypsy/Travellers – Potential Sites to Support and Accommodate Gypsy/Traveller Encampments
Lead Officer (Name/Position)	Kevin Carr, Assistant Director – Place – kevin.carr@south-ayrshire.gov.uk
Support Team (Names/Positions) including Critical Friend	Michael Alexander – Service Lead – Housing Services Pauline Draper – Co-ordinator - Housing

*The term Policy is used throughout the assessment to embrace the full range of policies, procedures, strategies, projects, applications for funding or financial decisions.

What are the main aims of the policy?	To identify a potential site to provide a designated area to support and accommodate Gypsy/Traveller encampments in South Ayrshire.
What are the intended outcomes of the policy?	The Council is being requested to support the provision of more and better accommodation for Gypsy/Travellers.

Section Two: What are the Likely Impacts of the Policy?

Will the policy impact upon the whole population of South Ayrshire and/or particular groups within the population? (please specify)	The identification of a suitable site to provide a designated area to support and accommodate Gypsy/Traveller encampments in South Ayrshire, will ensure that an adequate and safe area is available. Given the relatively small numbers proposed, the policy is expected to have minimal impact on the whole population of South Ayrshire.
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Considering the following Protected Characteristics and themes, what likely impacts or issues does the policy have for the group or community?

List any likely positive and/or negative impacts.

Protected Characteristics	Positive and/or Negative Impacts
Age: Issues relating to different age groups e.g. older people or children and young people	In accordance with established policies, services will be provided to households regardless of age. For children the impact is likely to be positive with access to a designated safe area, with links to amenities and services including local schooling and other activities.
Disability: Issues relating to disabled people	A designated area with access to basic or enhanced facilities will be positive.

Gender Reassignment – Trans/Transgender: Issues relating to people who have proposed, started or completed a process to change his or her sex	It is anticipated that this policy would impact positively on any Gypsy/Travellers who have proposed, started or completed the process to change his or her sex.
Marriage and Civil Partnership: Issues relating to people who are married or are in a civil partnership	It is anticipated that this policy would impact positively on Gypsy/Travellers who are or wish to be married or in a civil partnership.
Pregnancy and Maternity: Issues relating to woman who are pregnant and/or on maternity leave	It is anticipated that access to maternity services within the local authority area, where appropriate, will be a positive benefit to those involved.
Race: Issues relating to people from different racial groups, (BME) ethnic minorities, including Gypsy/Travellers	Previous involvement and experience in managing services to Gypsy/Travellers and dealing with unauthorised encampments has allowed multi-agency working arrangements and support networks to be established to provide support in this area.
Religion or Belief: Issues relating to a person's religion or belief (including non-belief)	It is expected that this will be positive in all respects.
Sex: Gender identity: Issues specific to women and men/or girls and boys	It is expected that this will be positive in all respects.
Sexual Orientation: Issues relating to a person's sexual orientation i.e. LGBT+, heterosexual/straight	It is expected that this policy will have a positive impact on individuals of all sexual orientations.

Equality and Diversity Themes Relevant to South Ayrshire Council

Health Issues and impacts affecting people's health	It is expected that the provision of a designated area within South Ayrshire to support and accommodate encampments will have a significant positive impact on the Gypsy/Travellers health and increase their ability to access health services.
Human Rights: Issues and impacts affecting people's human rights such as being treated with dignity and respect, the right to education, the right to respect for private and family life, and the right to free elections.	The policy should significantly improve the human rights of those choosing to occupy site provision.

Socio-Economic Disadvantage

Low Income/Income Poverty: Issues: cannot afford to maintain regular payments such as bills, food and clothing.	Depending on the approach developed and adopted by the Council, further consideration will be required around charging and affordability.
Low and/or no wealth: Issues: enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	Gypsy/Travellers residing in South Ayrshire will have access to welfare benefits and other supports.

<p>Material Deprivation: Issues: being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies</p>	<p>Gypsy/Travellers residing in South Ayrshire will have access to welfare benefits and other supports.</p>
<p>Area Deprivation: Issues: where you live (rural areas), where you work (accessibility of transport)</p>	<p>Gypsy/Travellers residing in South Ayrshire will have access to welfare benefits and other supports.</p>

Section Three: Evidence Used in Developing the Policy

<p>Involvement and Consultation In assessing the impact(s) set out above what evidence has been collected from involvement, engagement or consultation? Who did you involve, when and how?</p>	<p>The Council has established a Member/Officer Working Group which has considered the needs of Gypsy/Travellers. Taking account of the Scottish Government and Convention of Scottish Local Authorities (COSLA) published joint action plan entitled '<i>Improving the Lives of Scotland's Gypsy/Travellers (2019–2021)</i>', the Council has identified gaps in existing provision and the need to provide more and better accommodation to respond to unauthorised encampments. Experience, feedback and data gathered from previous unauthorised encampments has been used to establish partnership arrangements with a range of services and agencies to ensure that a high quality of services is provided.</p> <p>As part of the current and previous work undertaken on the provision of services to Gypsy/Travellers, information held on previous involvement is held from a range of services, agencies and support organisations.</p>
<p>Data and Research In assessing the impact set out above what evidence has been collected from research or other data. Please specify what research was carried out or data collected, when and how this was done.</p>	<p>Information and data is held on previous encampments and the responses made by services and agencies.</p>
<p>Partners data and research In assessing the impact(s) set out in Section 2 what evidence has been provided by partners? Please specify partners</p>	<p>Data has been provided previously on the outcomes, support needs and level of services provided previously to families who were part of unauthorised encampments.</p>
<p>Gaps and Uncertainties Have you identified any gaps or uncertainties in your understanding of the issues or impacts that need to be explored further?</p>	<p>No</p>

Section Four: Detailed Action Plan to address identified gaps in:

a) evidence and

b) to mitigate negative impacts

No.	Action	Responsible Officer(s)	Timescale
1			
2			
3			
4			

Note: Please add more rows as required.

Section Five - Performance monitoring and reporting

Considering the policy as a whole, including its equality and diversity implications:

When is the policy intended to come into effect?	
When will the policy be reviewed?	
Which Panel will have oversight of the policy?	

