

**PE1364/W**

**SCOTTISH GOVERNMENT RESPONSE TO THE ISSUES RAISED BY THE  
PUBLIC PETITIONS COMMITTEE: PETITION PE 1364**

**Response to points discussed at Public Petitions Committee Meeting 1<sup>st</sup>  
March 2011**

**1. Increased provision of Authorised Sites:** The Scottish Government agrees with the comments expressed by Alex Johnstone MSP and Nigel Don MSP that the long term accommodation solution for the travelling community is the provision of more authorised sites. This is a core issue. If there are sufficient good quality sites of the right size and location for Gypsies/Travellers to go to, this would reduce the incidence of unauthorised camping. In these circumstances the police could legally move on those who chose to pitch up without prior approval from a landowner. This would consequently result in a reduction in friction between the settled and travelling communities.

**2. Consultation with Landowners:** Nigel Don MSP refers to the scope for dialogue / consultation with private landowners, particularly as it relates to the provision of short stay sites. The Scottish government's "Guidance for Managing Unauthorised Camping" (2004) identifies landowners as one of the stakeholder groups which local authorities should ensure are consulted when considering proposed policies and development of local strategies. In its previous submission to the Committee (see PE1364/Q) the Scottish Government provided full details of the revised and strengthened arrangements which local authorities require to follow in relation to provision of sites for Gypsies/Travellers, including assessing accommodation needs, and making appropriate accommodation provision through local housing strategies and development plans.

**3. Consultation with the Gypsy/Traveller Community:** The Scottish Government echoes the Committee's concerns regarding the difficulties in identifying leaders within the Gypsy/Traveller community with whom to consult. Given the diverse nature of this community and its constituent cultures, we need to be innovative, adept and sensitive when conducting dialogue with representatives of the travelling community to ensure that as broad a range of interests as possible are heard. This would serve to strengthen and enhance 'buy-in' from both the travelling and settled communities.

**4. A Charter of Conduct:** The petitioner's suggestion for some form of code of conduct between the settled and travelling communities would be both useful and helpful in bringing both communities together. It is worth noting that some local authorities already have a local code in place as recommended in the "Guidance for Managing Unauthorised Camping" (2004).

Additionally, the strategy adopted by the Aberdeen/Aberdeenshire Gypsy/Traveller Issues Working Party specifically refers to the production of a 'Good Neighbour Guide' as a key element to consolidating the initial gains and future planning for improved community relations.

## **Response to Second Round of Points raised in the Petitioner's Latest Submission (PE 1364/V)**

### **5. Progress:**

**a** The petitioner's acknowledgement of the positive progress being made in a number of areas is welcomed. The Scottish Government intends to continue to support the positive steps being taken by local agencies (including local authorities and Grampian Police) in Aberdeen and Aberdeenshire since last year's difficulties emerged.

**b** The publication of the Aberdeen/Aberdeenshire Gypsy Traveller Issues Working Party Strategy on 22 March 2011 specifies the comprehensive steps being taken by local agencies to promote good relations between the settled and Gypsy/Traveller communities. The strategy recognises key areas for attention, including:

- Improving community liaison and mediation arrangements.
- Enhancing current site provision and capacity.
- Improving communications between key public authorities, ie Councils and Police Service.
- Improving operational procedures to deliver the most effective response to situations (unauthorised camping) as they arise.
- Identifying and sharing good/best practice.
- Delivering pro-active media handling.
- Identifying key elements in a long term strategy to consolidate initial gains, and future planning for improved community relations.

The strategy can be accessed from the Scottish Government's website at <http://www.scotland.gov.uk/Topics/Built-Environment/Housing/16342/management/gt/wpstrategy>

The strategy identifies a range of actions for each of the parties, to tackle both short term and longer issues; and it demonstrates that the provision of additional capacity was not the sole emphasis or focus of the working party. Issues surrounding the practical application of the guidelines and related points for clarification were also discussed by the working party.

**6 Lack of Authorised Sites:** A lack of sites (both short stay and permanent) has been identified as a factor which the petitioner believes is undermining operational decisions. The Scottish Government recognises that the provision of appropriate sites is a critical issue and that is why it has supported the provision of new sites (and the upgrading of existing sites) through recent grant assistance to local authorities. The Scottish Government

made available a bidding pot of £1 million per year for sites during the period 2008/9 to 2009/10 to local authorities; and during both 2010/11 and 2011/12 a further £1 million per year has been distributed to local authorities for Gypsy Traveller sites as part of the Local Government Settlement. Furthermore, additional monies have been made available to councils in the North East to support particular projects by re-distribution of under-spending by other local authorities and thereby supporting priority needs.

**7 Guidance on Unauthorised Camping:** The Scottish Government recognises that it would be helpful to provide further clarification in relation to the “presumption against prosecution” and interpretation of the national guidance on unauthorised camping in order to support and inform the implementation of local operational strategies. This has been identified as an action within the Aberdeen/Aberdeenshire local strategy (see web link above, reference Theme D, action point 2).

Following discussion with CoSLA about the need to update the ‘Guidance for Managing Unauthorised Camping’ (2004), the Scottish Government intends to refresh this guidance in the near future. The Scottish Government will undertake this process by deploying a web-based consultation which will also address the need to update and share good / best practice guidance in this area.

**8 Practical Issues:** The petitioners concerns and recommendations are noted. As confirmed above these concerns, including the “minority issue”, would be addressed through the forthcoming update of the guidance.

**9 Establishing Authorised Sites:** The petitioner makes a number of relevant points in relation to lack of community trust and buy-in when local authorities seek to secure a long term workable solution to the establishment of permanent sites in their areas.

**10 Working to Create Buy In:** The petitioner’s observations around communities working together and promoting buy-in are noted. Please refer to the Scottish Government’s response to these points at paragraphs 2 & 3 above.

**11 Recording Concerns:** The Aberdeen/Aberdeenshire Gypsy / Traveller Issues Working Party Strategy identifies a range of actions which are aimed at improving operational procedures to deliver the most effective response to unauthorised camping when it occurs.

**12 Charter of Conduct:** Please refer to the Scottish Government’s response at paragraph 4 above.