

ANGUS COUNCIL

Policy & Resources Committee – 19 March 2002

SCOTLAND'S GYPSY TRAVELLERS

REPORT BY DIRECTOR OF HOUSING.

ABSTRACT

This report details the Council response to the recommendations contained in the ninth term report of the Advisory Committee on Scotland's Travelling People.

1) RECOMMENDATION

It is recommended that the Committee notes the contents of the report and agrees to the implementation of the recommendations made by the Working Group. It is also recommended that the attached Policy Statement, Policy Development Statement and Position Statement are referred to the Board of the NHS Tayside and the Tayside Joint Police Board.

2) BACKGROUND

The Advisory Committee on Scotland's Travelling People, which was established in 1971, produced its ninth, and last report to cover the work carried out in 1998/99. As it was known that the Committee would not continue its term of office beyond 1999 the report made recommendations regarding the future provision for Gypsy Travellers.

The Committee considered the future for pitch targets and the policy of toleration and non-harassment of Gypsy Travellers and concluded that they should now be discontinued. Accordingly the Committee has suggested proposals to replace pitch targets and the policy of toleration and non-harassment.

Angus Council has convened a Working Group to consider the contents of the Report with representatives from the following Council Departments:

- ◆ Chief Executive's Department (includes Community Safety Development Officer and Health Development Officer)

- ◆ Department of Planning and Transport
- ◆ Housing Department
- ◆ Department of Law and Administration
- ◆ Education Department
- ◆ Department of Environmental and Consumer Protection
- ◆ Social Work Department

The term “Gypsy Traveller” in this report, as in the Advisory Committee’s Report, refers only to traditional Romany/Gypsy/Tinker Travellers and not “New Age” Travellers. “New Age” Travellers are the subject of separate protocols between Angus Council and Tayside Police.

A consultation exercise was undertaken in November 2001 in which Gypsy Travellers at the Council’s Gypsy Travellers’ site at Tayock in Montrose were asked about their views on the proposals identified by the Gypsy Travellers Working Group. The response was widely positive, and where several respondents made the same suggestions, these have been incorporated, where practicable, into the final policy and procedures proposed here. A summary of the results of the Consultation are attached as Appendix 3.

3) ADVISORY COMMITTEE REPORT

The principal recommendations of the Advisory Committee that require to be addressed by local authorities are as follows:

- The future needs of Gypsy Travellers should be addressed as part of the process of Community Planning and preparation of relevant statutory plans.
- Procedures should be agreed for dealing with unauthorised encampments.

In particular the following specific recommendations require to be considered by Angus Council and partner organisations:

- a) Local Authorities should produce guidelines available to all agencies dealing with unauthorised encampments. (Section 5)
- b) Monitoring procedures are required to evaluate how Gypsy Travellers are being fairly represented. (Section 6)
- c) Local planning authorities must make provision for Gypsy Traveller sites in the relevant statutory plan. (Section 7)
- d) Health Boards should make overt inclusion of Gypsy Travellers and their health needs, and ensure that members of the travelling community have access to the same services as the wider community. (Section 8)
- e) Local authorities should make overt inclusion of Gypsy Travellers and their particular educational needs and ensure, as far as is practicable, the inclusion of Gypsy Traveller children in schools and in education in its wider sense. (Section 9)
- f) Local authorities should undertake survey of Gypsy Traveller numbers each year in January and July.

4) ANGUS RESPONSE

Underpinning the Advisory Committee Report and influencing the subsequent recommendations is the view that Gypsy Travellers “must and should be seen as valued members of society and given the same respect, rights and freedoms as any other member of society”. Consequently by embracing the spirit of the report it will be necessary for the Council to recognise its duties to this cultural group and for the travelling community to recognise its responsibilities as part of the Angus community.

To this end, the Working Group proposes that the Policy Statement, the Procedures for Dealing with Unauthorised Encampments and the Policy Development Statement, are agreed and adopted by the Council as a Corporate Policy. (These documents are attached as Appendix 1.) In accordance with that policy, the Working Group proposes that the following action is taken:

A Group be formed, to be chaired by the Director of Housing, with representatives from all relevant agencies with the following remit:

- a) Take forward the agreed recommendations from this report;
- b) Consider what action is appropriate with regard to specific identified unauthorised Gypsy Traveller encampments The Department of Law and Administration has provided guidance regarding what actions are available to the Council in dealing with unauthorised encampments;
- c) Development of shared information sources across all agencies;
- d) Promotion of shared objectives in respect of Gypsy Travellers;
- e) Monitor unauthorised Gypsy Travellers encampments and maintain statistical records for the purpose of future management;

It is proposed that the following tasks are prioritised:

- ◆ The compilation of an advisory leaflet for Gypsy Travellers coming into the area, outlining what services are available to them and what their responsibilities are with regard to behaviour etc.
- ◆ The development of a questionnaire for Gypsy Travellers to ensure their views are represented and included in planning and to consult on provision of services to Gypsy Travellers.

It is suggested that the Group has regard to the Scottish Executive’s Equal Opportunities Committee Report 2001, “Inquiry into Gypsy Travellers and Public Sector Policies” and the subsequent Scottish Executive Response in taking its work forward.

5) PROGRESS TO DATE

A position statement, outlining the Advisory Committee’s specific recommendations and the current position of the Council and the other agencies, and what gaps in the service have been identified, is attached as Appendix 2.

6) FINANCIAL IMPLICATIONS

It is anticipated that all financial implications will be met through existing Departmental budgets.

7) HUMAN RIGHTS IMPLICATIONS

It is considered that in following the recommendations in this report, the Council would not be acting in any way that is incompatible with Human Rights.

8) CONSULTATION

All Chief Officers have been consulted in the formulation of the proposed Policy and Report.

Note:- The following background paper, as defined by Section 50(d) of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), was relied on to a material extent in preparing this report.

Ninth Term Report of the Advisory Committee on Scotland's Travelling People

Scottish Executive Equal Opportunities Committee 1st Report 2001, Inquiry into Gypsy Travellers and Public Sector Policies

Scottish Executive Response to the Equal Opportunities Committee Report 2001, Inquiry into Gypsy Travellers and Public Sector Policies