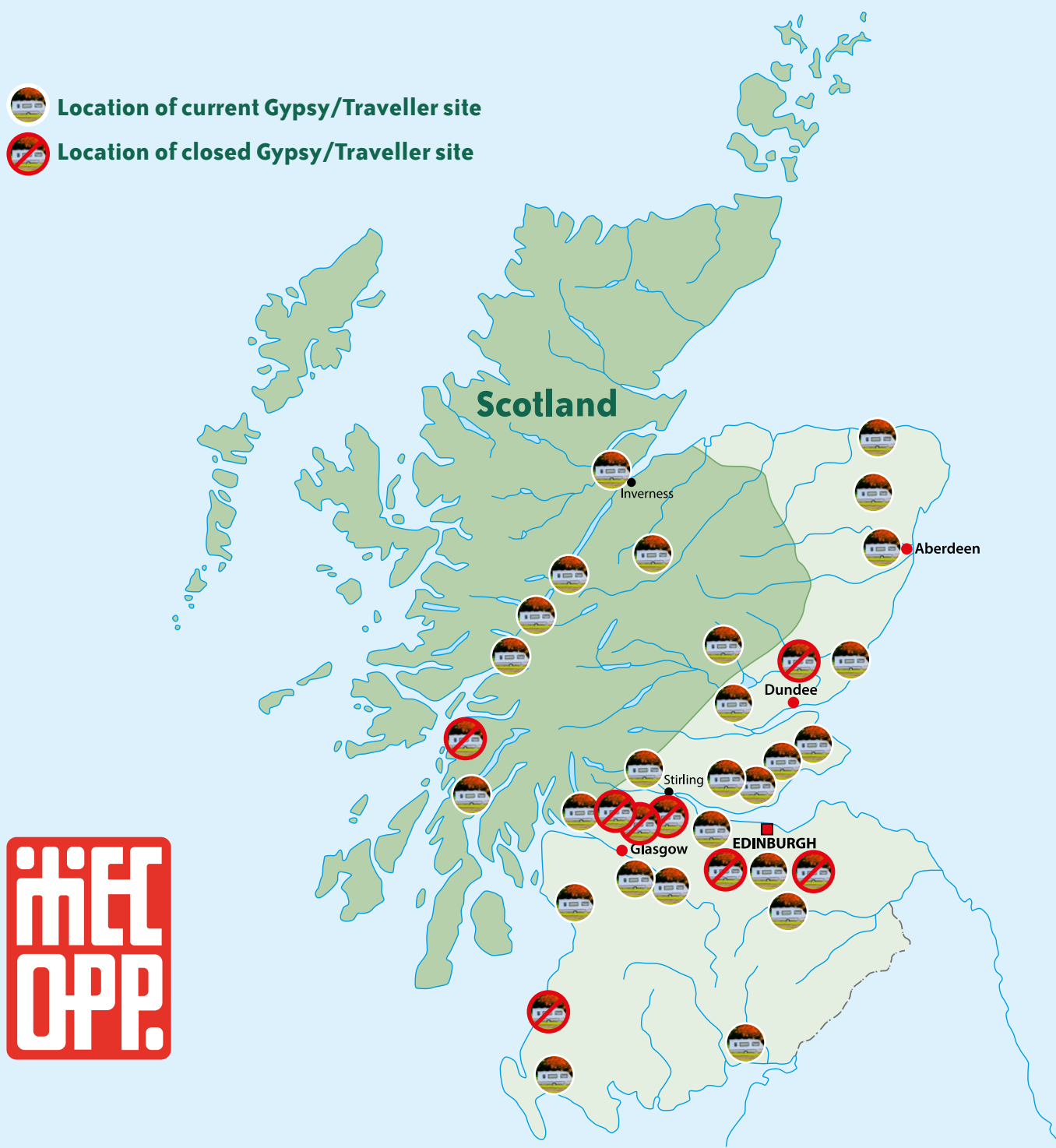


Gypsy/Traveller Accommodation Paper 3:

A Capacity Crisis in Gypsy/Traveller Accommodation



Introduction

The aim of this briefing paper is to provide guidance to local authorities on how to improve capacity for culturally appropriate accommodation for members of the Gypsy/Traveller community.

MECOPP works to support the Gypsy/Traveller community, including those with both caring and health needs. A common theme encountered by the Gypsy/Traveller staff team has been concerns raised by members of the community in finding a place to call home. Part of the issue is a lack of access to social landlord sites (run by either local authorities or housing associations) and part of the issue is the challenges in developing their own accommodation options privately (particularly through the planning process).

According to the most recent census, there are 3,343 people identifying as being from the Gypsy/Traveller ethnic group in Scotland¹. However it is recognised by the Scottish Government that this is likely to be a significant underestimate and that the population size could be between 15,000 to 20,000 (with factors to explain the lower census figure including the mobile lifestyle of the community, the need to hide identity due to fear of discrimination or a disconnect with the benefit of completing these types of surveys)². While members of the community live in diverse accommodation (including in 'brick and mortar' housing), for many, there is a need for living in accommodation that meets their cultural needs.

This paper will argue that it is essential that a concerted effort is made to ensure greater capacity of accommodation for members of the Gypsy/Traveller community, by extending the provision available from local authorities and also by ensuring that the unmet need for Gypsy/Traveller accommodation is accounted for in the planning process. Much of the work includes lived experience that has come directly from the engagement MECOPP has taken with members of community, including through the *Men Aloud Project* (this project focuses on engagement work with men from the Gypsy/Traveller community).

¹ National Records of Scotland (2024), 'Scotland's Census 2022'.

² Scottish Government (2024), 'Improving the lives of Gypsy/Travellers 2: action plan 2024-2026', <https://www.gov.scot/publications/improving-the-lives-of-scotlands-gypsy-travellers-2-action-plan-2024-2026/pages/5/>

Policy Context

A number of policy developments relevant to the Scottish Gypsy/Traveller community have been implemented in recent years that must be accounted for by local authorities. These have included National Planning Framework 4, the Scottish Government/COSLA Joint Action Plan for Gypsy/Travellers, the Equality Act and the declaration of a Housing Emergency in Scotland.

The most recent policy development being the latest joint action plan between the Scottish Government and COSLA to improve the lives of Gypsy/Travellers³. This commitment by the Scottish Government and COSLA highlights issues raised by members of the community, including the need for more accommodation, the need for more choice in accommodation and the need for better communication and understanding around the planning system. Objectives in the plan that specifically relate to capacity include:

- **OBJECTIVE 1** – Continue to fund the Gypsy/Traveller Accommodation Fund demonstration projects in Aberdeen City, Clackmannanshire, Fife, Highland, Perth and Kinross, and South Lanarkshire and gather information from them to share with future projects .
- **OBJECTIVE 2** – Work together with COSLA to gather the evidence and look at options for a follow up fund from 2026 onwards (this includes taking steps for funding for Gypsy/Traveller accommodation under the Affordable Housing Supply Programme in the next parliament).
- **OBJECTIVE 4** – Commission research to create an Accommodation Needs Toolkit (this will help local authorities identify accommodation needs and include them in their Housing Needs and Demand Assessments, Local Housing Strategies and Development Plans).
- **OBJECTIVE 5** – Act on the research findings and recommendations generated from the Negotiated Stopping Pilot.
- **OBJECTIVE 6** – Support preparation of a new guide to the planning system for communities.
- **OBJECTIVE 7** – Share advice on contacting communities and cultural awareness for planners.

The National Planning Framework 4 takes direct account of the accommodation needs of members of the Gypsy/Traveller community⁴. Policy 16, focused on quality homes, states “Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.” Furthermore, NPF4 states that Local Development Plans should consider the following: “Diverse needs and delivery models should be taken into account across all areas, as well as allocating land to ensure provision of accommodation for Gypsy/Travellers and Travelling Showpeople where need is identified.”

³ Ibid.

⁴ Scottish Government (2023), ‘National Planning Framework 4’, <https://www.gov.scot/publications/national-planning-framework-4/pages/3/>

The Scottish Parliament has also declared a Housing Emergency in Scotland. 12 local authorities have also declared a housing Emergency in their area. Some of the reasons for this include demand for social housing outstripping supply, rent increases in the private rented sector and higher mortgage interest rates⁵.

Adequate housing, including tackling homelessness, is widely regarded as a key health determinant. This case is made by the World Health Organization⁶ as well as UK Government analysis⁷.

Finally the Equality Act 2010 has led to the Public Sector Equality Duty which means that all public authorities must have due regard in the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities⁸. With members of the Gypsy/Traveller community having the protected characteristic of race, as well as many others having other protected characteristics such as disability, gender etc, this is an essential consideration.

⁵ Scottish Parliament Information Centre (2024), 'Scotland's Housing Emergency', <https://spice-spotlight.scot/2024/06/27/scotlands-housing-emergency/>

⁶ World Health Organization (2024), 'Determinants of Health', <https://www.who.int/news-room/questions-and-answers/item/determinants-of-health>

⁷ Public Health England (2017), 'Health profile for England: 2017: Chapter 6: Social determinants of health', <https://www.gov.uk/government/publications/health-profile-for-england/chapter-6-social-determinants-of-health#sustainable-communities-and-places>

⁸ UK Government (2015), 'Equality Act 2010: Guidance', <https://www.gov.uk/guidance/equality-act-2010-guidance#public-sector-equality-duty>

Current available capacity

Recent trends suggest that actions by certain local authorities have run contradictory to the Gypsy/Traveller Joint Action Plan and its commitments. As previously mentioned, this has made commitments towards more and better provision of Gypsy/Traveller sites. However, there has been an overall reduction in capacity in local authority and private provision of both sites and pitches across Scotland in recent years.

The Scottish Government reviewed the capacity of sites in 2019. At the time this had the following findings⁹:

- ▶ Gypsy/Traveller sites reduced from 31 to 29 between 2009 and 2019;
- ▶ 20 out of 32 local authorities have one or more public Gypsy/Traveller sites;
- ▶ Between 2008 and 2019 the number of pitches reduced from 459 to 397 (-14%);
- ▶ The majority of pitches available in 2019 were permanent (373) with a minority being temporary (24);
- ▶ Occupancy rates increased from 85% to 88%;
- ▶ 90 households were registered in 2019 as being on waiting lists (a household can include multiple generations of families);
- ▶ There were 88 planning applications recorded for private sites over the previous 10-15 years. Of these 35 (40%) were approved, 6 (7%) were pending and 34 (39%) were refused. Of the 34 that were refused, 29 were appealed and 18 of appeals successfully overturned the refusal.

Since this review by the Scottish Government, there have been further reductions in capacity that have directly contravened the case made in the Joint Action Plan.

One example is the Gypsy/Traveller site that has been shared between Midlothian and East Lothian has closed, reducing capacity by 8 pitches, with both local authorities seeking to terminate the lease on the site¹⁰. It should be noted that each pitch will generally provide a home for an extended family incorporating 'elders/cared for' and eldest child and spouse. The reduction in capacity of 8 pitches will likely affect in the region of 80 people and three generations on each, particularly affecting both unpaid carers and cared for people.

In 2024, Dundee Council has closed the Balmuir Wood Site, reducing the capacity by 14 pitches (once again affecting 14 extended families). This has been done without any planning, particularly on housing those affected by this action to ensure that culturally appropriate accommodation will be provided. At the time of writing this is having a direct impact on the community including increasing homelessness and poverty, both significant health determinants (particularly in the current poor economic climate alongside high incidences of poor mental health).

⁹ Scottish Government (2019), 'Gypsy/Traveller Sites in Scotland', <https://www.gov.scot/publications/gypsy-traveller-sites-scotland/pages/3/>

¹⁰ Midlothian Council Papers (2024), 'Whitecraig Traveller Site: Report for Decision', <https://midlothian.cmis.uk.com/live/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoS hgo=wSUZAWcaLs8gl2%2bflqKC%2fwvx6621475lAqbjUuLcNYG04ielHyklw%3d%3d&rUzwRPf%2bZ3zd4E7lkn8Lyw%3d%3d=pwRE6AGJFLDNIh225F5QMaQWCIPHwdhU fCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFfXsDGW9IXnlg%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjM PoYv%2bAJvYtyA%3d%3d=ctNJFF55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJFF55vVA%3d&WGew moAfeNR9xqBux0r1Q8Za60lavYmz=ctNJFF55vVA%3d&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJFF55vVA%3d>

Some of the reduced provision also appears to have taken place after sites have been redeveloped to ensure they meet minimum site standards. This has been to accommodate larger pitches as well as local authorities requiring to ensure they are in line with current fire regulations. While the improvements at the sites are to be welcomed (see our previous report on repairs and maintenance¹¹), this has led to a perpetuated reduction in capacity which has not been addressed.

It is clear that the current available capacity of local authorities cannot accommodate all members of the Gypsy/Traveller community who require this form of accommodation and that there is unmet demand.

¹¹ MECOPP (2024), 'Gypsy/Traveller Accommodation Paper 1: Maintenance on Gypsy/Traveller sites', https://static1.squarespace.com/static/62f4f5fa696d570e19a69429/t/66c5acc65deeb725916008f3/1724230854500/MECOPP_GT_Paper_01_Maintenance_LA_Sites.pdf

Local Authority Responses to Capacity Issues

A number of local authorities have put out responses to capacity issues that exist. These will be summarised in this section.

Both East Lothian and Midlothian have stated that they plan on replacing the previous joint provision for a site with new sites although further details are still awaiting publication¹². This continues to raise concerns with a lack of publicly available information.

Grampian Regional Equality Council completed alongside Aberdeenshire Council, Aberdeen Council, Moray Council and Aberdeen University an Accommodation Needs Assessment recognised the capacity issues and which included in its recommendations¹³:

- ▶ Reviewing how the Local Development Plan could include Gypsy/Traveller sites as part of the wider accommodation developments
- ▶ Supporting members of the Gypsy/Traveller community in realising private developments including working in partnership with organisations such as Planning;
- ▶ Working with the Gypsy/Traveller community to explore to improve management of encampments including more informal stopping spaces;
- ▶ Agreement for joint protocols for encampments and needs assessments.

Perth and Kinross Council have responded in taking some active steps to address capacity issues in the area. Their Local Development Plan makes specific reference to supporting planning applications for Gypsy/Traveller sites if they meet certain conditions¹⁴. It has also been previously noted in their Gypsy/Traveller strategy issues regarding a reduction in private site capacity in the area (a loss of around 40 temporary pitches over 15 years) and a requirement for more temporary pitches¹⁵.

With the Planning System remaining an issue for many in the community, work is currently taking place between North and South Lanarkshire Councils to co-develop a guide to planning for communities which will be released in 2025. This will form the basis of Objective 7 of the current Scottish Government Gypsy/Traveller Action Plan¹⁶.

¹² Midlothian Council Papers (2024), 'Whitecraig Traveller Site: Report for Decision'.

¹³ Grampian Regional Equality Council (2017), 'Grampian Gypsy/Traveller Accommodation Needs Assessment', <https://www.aberdeenshire.gov.uk/media/24204/grampiangypsytavelleraccommodationneedsassessment201719updated.pdf>

¹⁴ Perth and Kinross Council (2019), 'Perth and Kinross Local Development Plan 2', https://www.pkc.gov.uk/media/45242/Adopted-Local-Development-Plan-2019/pdf/LDP_2_2019_Adopted_Interactive.pdf?m=1576667143577

¹⁵ Perth and Kinross Community Planning Partnership (2018), 'Gypsy/Traveller Strategy for Perth and Kinross', <https://perth-and-kinross.cmis.uk.com/Perth-and-Kinross/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=Re1BQu%2f535ox4Tdlm7eUrbp2w%2bWWa45PU1E82gweNWdMogai0ApfA%3d%3d&rUzwrPf%2bZ3zd4E7lkn8LWw%3d%3d=pwRE6AGJFLDNIh225F5QMaQWCtPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSFFxsDGW9lXnlG%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJff55vVA%3d&FgPIIEJYlotS%2bYGoBi5olA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJff55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJff55vVA%3d&WGewmoAfeNQ16B2MHuCPMRKZMwaG1PaO=ctNJff55vVA%3d>

¹⁶ Scottish Government (2024), 'Improving the lives of Gypsy/Travellers 2: action plan 2024-2026'.

Experiences of community

While a number of local authorities and the Scottish Government make clear there is unmet need in terms of capacity for the Gypsy/Traveller community in Scotland, and there is some discussion of solutions both from a planning policy perspective and in terms of site provision, there is a clear disconnect when it comes to the experiences of many members of the Gypsy/Traveller community. MECOPP had been integral in numerous engagement exercises and has captured the community's voice:

Men Aloud Project

MECOPP has engaged directly with male members of the Gypsy/Traveller community through the *Men Aloud Project*. This has taken place from April 2023 and has engaged between 150 and 200 community members. This initiative aimed to understand and address the barriers that Gypsy/Traveller men face in community engagement, particularly regarding planning issues and mental health. The engagement took the form of facilitated community meetings, one-on-one consultations, and collaborative workshops with local authorities.

Some of the findings of this engagement include:

- ▶ Retrospective planning applications made up the majority of planning applications made by the Gypsy/Traveller community, often due to families moving onto land without understanding planning requirements until served by enforcement notices.
- ▶ Members of the Gypsy/Traveller community have reported negative experiences when dealing with planning and planning enforcement officers, leading to issues with trust as well as concerns about excessive planning conditions (such as on screening requirements being enforced). In one workshop 85% of participants reported feeling intimidated by planning enforcement processes.
- ▶ A negative health impact as 7 out of 10 families who have dealt with planning enforcement report the stress of the experience has had negative physical or mental health impacts on them. This shows the correlation between having the security of a home and positive health outcomes.
- ▶ A lack of guidance or support is an issue with families reporting that they intend to comply with regulations but lack the understanding or support required to do so. Issues include a lack of alternatives to digital access when many of the community are digitally excluded, as well as literacy issues for some.

Lack of culturally appropriate accommodation options

There is a historic level of frustration amongst many in the community that there is a lack of culturally appropriate accommodation available to them. For many in the community, being pressured into moving into 'brick and mortar' housing would be akin to a member of the settled community being pressured into moving into a trailer or caravan. Some of the experiences include the following:

"Part of the national action plan is doing up sites which is great for the people who live there. What about the people who are living at the sides of the roads?"

"We have nowhere for travellers to move. There aren't any transit sites."

"The Travelling community is only going to grow but there is nowhere to put us."

"Uncertainty and no security."

Challenges in planning process

As previously mentioned in experiences of the Men Aloud Project, navigating the planning system has also been an issue raised. This is particularly problematic for those wishing to set up homes on private yards. This includes communication issues, a concern that excessive use of planning conditions are set on applications made by the Gypsy/Traveller community and issues relating to discrimination. The experiences include:

"It's harder to get planning applications through for Travellers. People around are more likely to object. Councillors put pressure on the planning department to kick people out."

"We feel like our voices aren't heard in the planning process. It's like we're invisible."

"The enforcement actions affect our mental health and well-being. It's stressful not knowing if we'll lose our homes."

"It's racism. Doesn't matter what I am doing. As soon as I say Gypsy/Traveller I get nowhere."

"We need more support in navigating these processes; it can feel so overwhelming."

"When they take the time to understand us, we can work together for solutions."

"Every time we go through planning, it feels like we are starting from scratch. Consistency would help."

Recommendations

A clear inequality exists for the Gypsy/Traveller community when it comes to capacity of culturally appropriate accommodation. This is essential for the wellbeing of the community maintain and endorse this heritage and recognised ethnic minority group under the Equality Act. There has been a significant reduction in capacity in recent years, particularly in local authority site provision. Some of this has been related to a reduction in the pitches available on sites and some has been due to the sudden closure of sites by local authorities. To adhere and contribute to current Scottish policy context and comply with the Equality Act, we would urge the Scottish Government and local authorities to take into account the following recommendations:

- ▶ Any time where there are major changes proposed, such as site redevelopments/closures, there should be a full Equality Impact Assessment completed. As members of the Gypsy/Traveller community are a recognised ethnic minority, it is essential that any adverse impacts under the Equality Act be considered and mitigated against.
- ▶ With capacity being an identified priority of the Gypsy/Traveller Joint Action Plan, a mechanism should be put in place to ensure sufficient oversight and monitoring of capacity issues. This should be considered within the upcoming Scottish Housing Bill, and we would urge the Scottish Government and COSLA to work together in setting up the necessary framework. This could potentially form part of the work of the Scottish Housing Regulator.
- ▶ We would suggest that with significant waiting lists and in the context of the Scottish Housing Emergency, there must be a reversal of the trend by local authorities to reduce the number of pitches available at sites. Where sites are being redeveloped with larger pitches, local authorities should consider solutions such as increasing the site footprint to maintain or ideally increase the number of pitches available. There is a wide recognition that there is a need for more social housing, and from an equalities perspective we must see the same recognition for Gypsy/Traveller sites. With the capacity being reduced in recent years, there has been a clear contradiction with the Action Plan's commitment to more and better homes.
- ▶ In regards to the full closure of sites in recent years by local authorities, there must be a change of direction. Local authorities should take action by either reopening sites that have been closed or finding replacement locations. HRA capital funding could be considered for this work, and there could also be consideration from the Scottish Government to provide capital funding support. This would be a fairer and arguably more sensible approach looking at the longer term.
- ▶ The *Men Aloud Project* indicates that there needs to be further support mechanisms in planning. Part of this work should include paying due regard in local development plans to Policy 16 of NPF4. However there is further work that can and should take place. This includes working with community members to create a more accessible and streamlined planning application process for private yards as well as more consideration for those who have moved onto land due to homelessness before making a planning application. There should also be consideration of using discretionary powers to assist the community create homes that, while different from the majority, meet the same fundamental need for shelter. There should also be attempts to help ensure the planning process runs smoothly

without delays which can negatively impact the health of members of the community, as well as create anxiety and prejudice building within the settled community. We would also advise reducing excessive screening requirements which mainly serve to isolate members of the community. Often these have been significantly more stringent than requirements for 'brick and mortar' housing developments and this serves to exacerbate inequalities and promote racism towards the community.

- ▶ Work such as the Men Aloud Project also shows that work to improve inclusivity should also be a consideration of local authorities including planning departments. Local authorities may wish to consider working directly with the community or via a third party organisation to help ensure voices are heard. There are other changes that can be made, such as inclusive language including referring to 'homes' rather than 'houses'. Challenging any racially motivated complaints/objections will also help support inclusivity with the community.
- ▶ Training on cultural awareness and cultural competency for those involved in capacity issues is integral to better working relations with the community. MECOPP engaged with planning officers in 2024 to provide support in cultural awareness and this is something that we would continue to encourage. Consideration should also be given to providing similar training to housing staff that are working with Gypsy/Traveller sites as well as with others involved in the planning process (including elected members).
- ▶ Local authorities must also put in place plans when there are major changes to sites (i.e. closures, redevelopments etc) to support members of the community. This includes ensuring provision of culturally appropriate accommodation and taking as many steps as possible to minimise the health and wellbeing impacts on the community.