



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EQUAL OPPORTUNITIES COMMITTEE

Thursday 24 January 2013

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EQUAL OPPORTUNITIES COMMITTEE

3rd Meeting 2013, Session 4

CONVENER

*Mary Fee (West Scotland) (Lab)

DEPUTY CONVENER

*Marco Biagi (Edinburgh Central) (SNP)

COMMITTEE MEMBERS

*John Finnie (Highlands and Islands) (Ind)

*Alex Johnstone (North East Scotland) (Con)

John Mason (Glasgow Shettleston) (SNP)

*Siobhan McMahon (Central Scotland) (Lab)

*Dennis Robertson (Aberdeenshire West) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Kevin Anderson (Midlothian Council)

James Dornan (Glasgow Cathcart) (SNP) (Committee Substitute)

Iona MacPhail (Argyll Community Housing Association)

Douglas Scott (Scottish Borders Council)

CLERK TO THE COMMITTEE

Douglas Thornton

LOCATION

Committee Room 4

Scottish Parliament

Equal Opportunities Committee

Thursday 24 January 2013

[The Convener *opened the meeting at 09:00*]

Interests

The Convener (Mary Fee): Good morning, everyone. Welcome to the third meeting in 2013 of the Equal Opportunities Committee. I remind everyone to set electronic devices to flight mode or switch them off completely.

I welcome Alex Johnstone, who is now a member of the committee. I put on record my thanks to Annabel Goldie MSP who has left the committee. I also welcome James Dornan as a committee substitute. Do you have any interests to declare?

James Dornan (Glasgow Cathcart) (SNP): I have nothing to declare that is not on the register of members' interests.

The Convener: Thank you.

Where Gypsy Travellers Live

09:01

The Convener: The main item on our agenda is an evidence session on where Gypsy Travellers live, with witnesses representing local authorities and partner organisations at a strategic level.

I want to start with some introductions. At the table we have our clerking and research team, together with two official reporters. We are also supported by broadcasting services and the security office. My name is Mary Fee and I am the committee convener. I ask members and witnesses to introduce themselves in turn, starting on my right. It would be helpful if witnesses could give a brief summary of their involvement with Gypsy Travellers.

Marco Biagi (Edinburgh Central) (SNP): I am the MSP for Edinburgh Central and the deputy convener of the committee.

Dennis Robertson (Aberdeenshire West) (SNP): Good morning. I am the MSP for Aberdeenshire West.

Alex Johnstone (North East Scotland) (Con): I am an MSP for North East Scotland.

John Finnie (Highlands and Islands) (Ind): Madainn mhath. I am a Highlands and Islands MSP.

James Dornan: I am the MSP for Glasgow Cathcart.

Douglas Scott (Scottish Borders Council): I am from the Scottish Borders Council. I am referred to as a senior consultant on the agenda, but I look after community planning and engagement, oversee equalities and advise on economic and social matters, too.

We see the policy for Gypsy Travellers as very much linked into our equalities work across the board in the council and across community planning partners, too. We are trying to embed Gypsy Travellers into our cross-cutting equalities theme, and I will speak later in more detail about that.

Iona MacPhail (Argyll Community Housing Association): I am Argyll Community Housing Association's regional manager and, formerly, a travelling person site manager in Argyll.

We operate three travelling person sites totalling 30 pitches across Argyll. We are the only registered social landlord in Scotland that operates travelling person sites.

Kevin Anderson (Midlothian Council): I am head of housing and community safety.

We have a site, which is a shared service with East Lothian Council, based at Smeaton, on the boundary of both local authorities. The day-to-day operational management is carried out by East Lothian Council. The strategic policy setting for the local housing strategy to incorporate the needs and demands of the Gypsy Travelling community are accounted for in Midlothian Council's strategy and policy section. I also have experience with Perth and Kinross Council and Dundee City Council, where we had direct management engagement with travelling person sites.

The Convener: Thank you very much. What we hear today will help us understand better the strategic challenges that local authorities face in planning accommodation and service provision for Gypsy Travellers and whether the suggested approaches that we have heard thus far would help in moving those forward.

Committee members have a number of questions for the witnesses. I will start with Dennis Robertson, who wants to ask about planning, and then move on to Alex Johnstone, who will ask about the identification of sites.

Dennis Robertson: As the convener has indicated, my questions are about planning. How do Gypsy Travellers fit into your council's planning strategy? For instance, when you look at the allocation of new housing or new sites, do you consider Gypsy Travellers in the overall planning of accommodation?

Douglas Scott: We get a lot of Gypsy Travellers travelling through the Borders. They stay for short periods of time and they look for employment. There are unauthorised encampments. We work in close partnership with the police, the voluntary sector, the health sector and so on—also with the chair of our voluntary equalities group within the Borders and make links with the Gypsy Travelling community.

This year, we carried out a questionnaire survey to try to get a better understanding of the accommodation needs of Gypsy Travellers. We found from that survey that Gypsy Travellers are happy moving from place to place from a work point of view. There is demand for water provision, for standing pipes and for toilet provision. We are not getting the feeling from them that they are looking for permanent sites. It is more short-term, transient sites that they are looking for. That is the real challenge for us.

We have an official site with 10 pitches that we operate in Innerleithen but, as I said, from a planning point of view we find that Gypsy Travellers are looking not for permanent site provision but for more transient sites. We have gone as far as talking to the owner of a private

caravan site in Galashiels, who has indicated that he is willing to have Gypsy Travellers on his site.

Gypsy Travellers are used to moving from site to site. That is our experience so far. Our evidence-led approach suggests that from the Borders perspective—it will be different in different parts of the country—it is more a question of short-term sites and supporting Gypsy Travellers on those sites.

Dennis Robertson: It appears that you have had some engagement with the Gypsy Travellers and that you are taking into account their specific needs. However, you mentioned that travelling through the Borders is a fairly regular pattern of travel within the Gypsy Traveller community and yet the sites remain unauthorised. Would it not be advantageous to add some facilities to the areas that Gypsy Travellers regularly visit and make those areas "permanent" transient sites?

Douglas Scott: Over the past four years, we have monitored the sites that Gypsy Travellers go to. We make contact every time there is an encampment. Our liaison person links to the Gypsy Travelling encampment. An industrial area within the Borders is most popular. We try to encourage them to go to other places, but they seem to be quite happy there. We operate a tolerance policy with respect to that.

It is difficult, because payment comes into play as well. I do not know whether the encampment people want to pay for a site. That is an issue as well.

Dennis Robertson: However, Gypsy Travellers are looking for provision of standing water, toilet facilities, refuse collection and so on, which would make things better in terms of integration in the community. If they are continually going to a specific area, do you not recognise the value of making one of those specific areas—or maybe even several—into a semi-permanent, or certainly transient, site, with the facilities that they require?

Douglas Scott: At the moment, within the central Borders there is a big private site in Galashiels that is willing to take Gypsy Travellers. We indicate to people in the encampment that they should look at that, but we have had no—

Dennis Robertson: But that is not where they want to be.

Douglas Scott: No, it is not. They seem to be quite happy doing what they are doing. That is the evidence that we have at the moment.

Dennis Robertson: Okay. What are the other authorities' planning strategies in relation to accommodating Gypsy Travellers?

Kevin Anderson: In Midlothian Council the priority is the provision of a permanent site. The

current site is leased, and as we have moved closer to the end of the lease period we have had difficulties identifying an appropriate site.

We have had direct engagement with users of the existing site. In Midlothian, we do not have the transient population that Mr Scott talked about; we seem to have a settled community on the site. There are 20 pitches, but during the past four years there has been only about 50 per cent occupancy. The existing site is on the boundary of the East Lothian Council and Midlothian Council areas at Smeaton—I understand that your predecessor committee made a site visit there in 2001.

The feedback from the Gypsy Traveller occupants is fairly favourable, because the site is fairly discreet and is accessible in the context of the infrastructure for roads, schools and shops. There are no difficulties with the local community or the services that are provided in that regard.

On your point about planning, we have had contact and dedicated sessions in the context of the local housing strategy, and we want to ensure that we can incorporate that work into the community planning process, in relation to education and maximising employment opportunities.

Dennis Robertson: Do you have a maintenance programme for the site?

Kevin Anderson: Yes. We are in negotiations to extend the lease, and our having a longer lease is predicated on there being further capital investment on the site. Ownership would have been desirable but has not been conceded by the owner. The feedback from the Gypsy Travellers who occupy the site is that they would prefer to stay there, albeit that there are features in the site, particularly power lines, that are detrimental to the site being accepted in the local community.

Dennis Robertson: Is there maintenance to ensure that the facilities on the site—for toilets, refuse, water and so on—more than meet minimum standards?

Kevin Anderson: Yes. We had a session in mid-December with the occupants, and precisely those issues were identified as the priorities. There are currently gravel pitches, but the preference is for tarmac hard standing and for upgrading the amenity blocks, which contain bathroom and kitchen facilities. We took account of the feedback that we got in the context of priorities in relation to the capital funding that is available to upgrade the site once we are able to conclude the extended lease. Negotiations with the site owner are nearing conclusion.

The Convener: Mr Anderson, you said that the site is at Smeaton. Are you talking about Dalkeith colliery?

Kevin Anderson: I am indeed.

The Convener: I have never heard the site referred to as Smeaton.

Kevin Anderson: It has a number of names—another one is Old Whitecraig—but it is the old Dalkeith colliery.

The Convener: Thank you for clarifying that. Do you want to add anything, Ms MacPhail?

Iona MacPhail: We are in a unique position, in that we are a housing association that runs sites. We work in close partnership with Argyll and Bute Council, which has the planning role. In the context of planning, the priority is to provide support and services for Travellers rather than new pitches and transit pitches. We work closely with council colleagues on issues to do with health, access and our new strategy for Travellers. The priority is services, not new pitch provision.

Dennis Robertson: Am I right in thinking that you have about 30 pitches in Argyll and Bute?

Iona MacPhail: Yes, across three sites.

Dennis Robertson: Does that provision accommodate the transient population?

Iona MacPhail: Demand varies across the sites. Ledaig, near Oban, is half full, and is a site where people are very settled and stay long term. Lochgilphead is two thirds full and has a mixture of settled and transient occupants. In Torlochan, in Dunoon, people have traditionally been much more transient and have come and gone over much shorter periods.

Dennis Robertson: Am I right in thinking that you also have Gypsy Travelling people in more permanent, bricks-and-mortar housing?

Iona MacPhail: That is correct. In the past 10 years, we have seen a drift from our sites into permanent housing. We have successfully settled Travellers in houses in our communities.

09:15

James Dornan: Further to that, I ask the other witnesses whether they are experiencing the same thing. Are Gypsy Travellers moving into more permanent bricks-and-mortar accommodation?

Kevin Anderson: Over the past three years, three households have been accommodated in permanent accommodation through Midlothian Council's allocation policy and process. On the site provision, the bricks-and-mortar facilities are the amenity blocks that adjoin each pitch, and they do not extend beyond that.

James Dornan: I was asking about people moving from sites to permanent accommodation.

Douglas Scott: We still do not have hard information on such movements. This year, we had 10 unauthorised encampments. Those happen in the summer, and we have found that about half the people stay elsewhere, in more settled accommodation. People tend to come into our area in the summer, which we think might be linked to the school holidays. Every area is different. Some people move from temporary accommodation to temporary accommodation but, for others, their travelling is more seasonal.

James Dornan: When people apply for housing, is there a process to identify whether they have previously lived on Gypsy Traveller sites?

Douglas Scott: There is a code of guidance with regard to homelessness. All I know is that, in 2011-12, two Gypsy Travellers came through that process; in the previous year, the figure was four; and, so far this year, there have been zero.

Iona MacPhail: Our application process has a classification that allows people to identify themselves as Gypsy Travellers, so we have figures on that. My comment on the drift towards housing is based on qualitative information that we gather as workers who work with Travellers to help them through the application process to allocation, and then to get into houses and to get the stuff they need to get settled.

Dennis Robertson: Are the local authorities fully compliant with the legislative requirements in the provision of accommodation?

Kevin Anderson: On site provision, the shared service between East Lothian Council and Midlothian Council is certainly compliant. I am aware of the evidence that has been given on whether there should be a statutory requirement across local authorities. However, we are certainly compliant with best practice. The facilities on the site that we lease require upgrading. As I say, there have been issues about confirming the long-term nature of the lease so that we can provide capital investment, although the commitment to provide investment has rolled forward for three years. On the direct provision, East Lothian Council and Midlothian Council are compliant, although, as I say, we would like the site to be much improved.

The Convener: We move on to Alex Johnstone, who has questions on identifying sites, after which we will hear from John Finnie, who has questions on ACHA and other housing associations.

Alex Johnstone: To follow on from the previous discussion, I will ask about the extent to which local authorities keep records of unauthorised

encampments. Do you have complete records of where encampments have been in recent years?

Douglas Scott: We took part in the Gypsy Traveller counts and, for the past two or three years, we have kept such records. As I said, we make links with every unauthorised household that comes into the Borders, and we talk to people about service provision, health issues and so on. We have records of every household. As I said, for this year, we have carried out a questionnaire survey, so we have a fair idea of the people's needs and requirements. I am very confident that we understand what is going on.

Iona MacPhail: Members will know that, for many years, a Travellers count was carried out twice a year in Scotland. In effect, that was a census of Travellers. We always took part and there are full records of that. That was about numbers rather than specific sites, and I think that you are interested in mapping sites.

Alex Johnstone: I was leading on to the question whether the record of unauthorised encampments reflects an opportunistic approach or whether it could be used to gauge demand—in quantity and geographically—on transit sites that Travellers want.

Iona MacPhail: The count that took place for many years detailed the numbers that were on site, so it did not give qualitative information. It did not detail the sites or say whether they were repeat sites that Travellers continually used. That count has ended.

With Argyll and Bute Council, ACHA has committed to continuing to carry out a census of Travellers on our sites. The information is important for housing planning and for the folk history of Argyll, so it should continue to be recorded. As you say, there might be scope for a more overarching regular census count that indicates the continual use of spots as transient sites.

Alex Johnstone: Is it fair to say that such information could be used to determine the measure of demand?

Iona MacPhail: That could be the case. Further probing would be needed of whether folk are out travelling in school holidays, as a pattern, or whether they are constantly on the move. Many Travellers have permanent pitches that they travel from and which they see as a long-term solution. We would need to find a way to take account of that information to ensure that we get the right information from Travellers in order to provide the best services for them.

Alex Johnstone: I get the impression that transit sites are not particularly common in Midlothian.

Kevin Anderson: That is correct. We do not have designated transit sites. In the past two years, we have had two instances of encampment. That was based in our park-and-ride facility, which is within half a mile's radius of the established site. When such instances arise, planning officers and environmental health officers engage with the occupants, mainly to ensure that the facilities are there to assist while the encampment is on the site. The encampments usually last for just a matter of days, while people stop off as they move through the county. I understand that that is more prevalent in East Lothian, but I do not have details on that.

The feedback from the people who stop in that location is that they do so because our established site does not have the hard standing to the degree that the park and ride does. The park and ride has tarmac, whereas the site has gravel pitches. That issue features in the upgrade provision for the existing site.

The Convener: I have a brief supplementary question for Mr Anderson. You said that Gypsy Travellers use a park and ride and that you ensure that facilities are there for them. What facilities are you talking about?

Kevin Anderson: We are talking about refuse collection and uplift. Communities' perspective on Gypsy Travellers stopping off concerns the mess that could be left behind. To mitigate that, environmental health officers engage early to arrange refuse collection or to indicate where it would be more accessible for the local authority to provide those facilities.

The Convener: There is no provision of toilet facilities or running water.

Kevin Anderson: There is a shelter and facilities at the park and ride for people to use while waiting for the connecting bus services.

The Convener: So there are toilet facilities.

Kevin Anderson: Yes.

Dennis Robertson: Are the facilities open 24 hours a day?

Kevin Anderson: I am afraid that I do not know.

Alex Johnstone: Do you have experience of trying to identify suitable sites to be earmarked as transit sites or longer-stay sites for Gypsy Travellers and of the difficulties that are associated with pinning down sites to establish such facilities?

Kevin Anderson: The lease on our established site came to an end recently. We were in discussions about that during the past year, and we obviously needed to look for alternative sites in the event that our negotiations did not prove successful.

We commissioned consultants to consider potential alternative sites in negotiation with the existing site occupants so that the facilities for, and the constraints on, feasible alternatives could be investigated. We also took into account the fact that the existing provision is well connected to the roads network, the local settlements, schools and health facilities and that we would want to replicate those connections wherever we sought to find an alternative designated site.

We had difficulty with the land development opportunities in East Lothian and Midlothian. We remitted the consultants to find sites within a defined, constrained 10km area because any alternative site had to feature the facilities that I indicated.

We considered public land, but the issue was whether there was a change-of-use implication, which there inevitably was on designated land. Otherwise, we considered brownfield sites not dissimilar to the existing site at the old Dalkeith colliery. The mining history that is prevalent in Midlothian means that the sites had their own issues, such as bings and other features that would have to be addressed before they could be considered suitable.

Alex Johnstone: Where do Gypsy Travellers fit into the general planning process? Do you consider their need for sites as part of your longer-term planning strategy?

Kevin Anderson: Absolutely, yes. We in Midlothian Council and our counterparts in East Lothian Council adopt that approach.

We acknowledge that the current site needs investment to bring it up to standard, and there have been plans for that. However, the engagement with the local community is satisfactory for the settled community and the Gypsy Traveller community. The Gypsy Traveller community has direct engagement in the local health and education facilities and we do not encounter any issues. The location of the site is particularly discreet. Direct feedback from Travellers indicates that that suits them. There is no antagonism and there are no difficulties.

We found it difficult to replicate that situation exactly at an alternative site. That is why the preference was to extend the lease for the existing site or, if possible, purchase it.

Douglas Scott: Two or three years ago, we brought equalities and Gypsy Travellers into the corporate domain within Scottish Borders Council. I thought that the first thing that we should do was to consider site provision: we recognised that we have one seasonal site in the Borders, which operates from April to October, and so there would be a need to consider provision.

It is challenging to provide a site—there is a financial challenge, because there is a requirement for grant provision and so on—and so the critical point for us was to provide evidence. Gathering evidence is one of the critical things that we have been doing. We have found that the need seems to be to support transience—that is what is looked for. It is challenging, because the situations are short term. We are considering toilet provision, but there is the issue of charging, which is extremely difficult.

We are still trying to come up with answers, but I feel that the tolerance approach that we are taking at the moment and the way that the various services work mean that we are meeting the need in the Borders. However, I realise that it is different for different areas. In our area, the demand seems to be to support Gypsy Travellers who stay for a short period of time and look for employment as they pass through.

09:30

Alex Johnstone: From the information and evidence that we have received, the experience of Travellers certainly seems to vary among different areas. Travellers seem to see some areas as home, others as places that they wish to go to and others as areas that they wish to pass through, so there are significant differences. Given that Argyll seems to be an area that Travellers come from and an area that they call home, I am interested to know a bit more about how the housing association became involved in the process. Is that simply because of the type of people who are looking for accommodation and support, or have you become involved for other reasons?

Iona MacPhail: As I said, we are quite unique. We are a stock-transfer housing association, so we were a council housing department whose tenants voted to move to a housing association structure. That structure included the three Traveller sites.

Alex Johnstone: So, the responsibility came with that change.

Iona MacPhail: Our Traveller sites have always been seen as part of our housing provision, so there was quite a good fit. We have been able to move forward on some issues. Allocations are now needs based and based on our wider allocations system, so some work has been done on stuff like that. We also have a strategy for Travellers and we are moving towards annual surveys, with the board of management being involved in Traveller issues.

We are in a slightly different position from that of my council colleagues, who may have planning involvement and suchlike. As regards new site provision, I have no experience of that, even from

the years that I worked for the council. Argyll and Bute Council is not pursuing new permanent sites. Our sites date back quite a considerable time—I think that our earliest site goes back to 1978. As I understand it from anecdotal evidence, a couple of the sites were built in areas where Travellers tended to pitch.

Alex Johnstone: Would it be fair to say that the experience in Argyll and Bute is that the council and its successor organisations such as yours have historically been more engaged in the process than other local authorities may have been?

Iona MacPhail: I do not have experience of other local authority areas, so I cannot say. From my experience, as a Traveller site manager who has moved up to become a regional manager, I think that there is a strong commitment to Travellers. They are seen as just being part of our client group, as any other group is, whether they are folk in Tìree or folk in sheltered housing. We have a strong commitment to Travellers.

Alex Johnstone: This question is for the witnesses more generally. Do you feel that sites for Travellers, including transit sites, need to be more a part of the overall housing strategy than they have been previously?

Douglas Scott: My perspective is that I am very much of the view that it is critical that sites are taken account of in housing strategies; I am with you on that. We cannot stand still, but we need to get the evidence on which to base the case, if there is one to be made.

Kevin Anderson: Based on experience from my current and previous local authorities, I agree with Alex Johnstone and Iona MacPhail that situations are particular to each local authority and to the understanding that exists in their communities.

In my current local authority, which is Midlothian Council, the site seems to have a much more settled community. In my previous work, which was in Perth and Kinross and in Dundee, sites were much more transient sites because they were related more to work; people were there for seasonal employment opportunities in agriculture, and site provision seemed to reflect that.

Obviously, even in my time working for Perth and Kinross Council 10 years ago, there was always the opportunity to look for a second site in addition to the one in Perth, but that has not come to fruition yet because of the same sorts of issues that we have experienced in Midlothian, where we have been looking for an alternative site because of our lease arrangements.

The Convener: Before Alex Johnstone continues, Marco Biagi and Dennis Robertson have supplementary questions on those points.

Marco Biagi: I would like clarification. You described the encampment at the park and ride, and you said that the permanent site is at around 50 per cent capacity. Why did the encampment not take place at the permanent site? Does the permanent site not have the flexibility to deal with transient visitors and short-term stays?

Kevin Anderson: No. It can certainly accommodate transient stays, but the feedback from those who were engaged in the encampment was that the site facilities are not sufficient. As I have indicated, our sites have a gravel base rather than the tarmac hard standing that was available at the park and ride for the short period that people were stopping off there. That is the feedback from our settled community on the existing site and, indeed, is what features in our upgrade of the site.

Marco Biagi: What was the duration of the encampment?

Kevin Anderson: The encampment has not extended beyond a week on the occasions when it has taken place at the park-and-ride facility.

Marco Biagi: Did you say “occasions”?

Kevin Anderson: We have had two encampments in the past two years.

Dennis Robertson: Mr Scott mentioned seasonal movement and referred in particular to the six-month period between April and October. I know that the people are semi-permanent and will move on but, during that period, do they stay on a particular site?

Douglas Scott: Yes. There is an official site in Innerleithen. In fact, it is quite unique in that although it is under a commercial management agreement, we are very lucky in that those who manage the site have a great deal of experience with the Gypsy Travelling community.

Dennis Robertson: Is that the only site in the Borders that is occupied for the six-month period that you mentioned?

Douglas Scott: Yes.

Dennis Robertson: That is fine. I just wanted that clarified.

Alex Johnstone: I want to wind up my line of questioning by asking about the inclusion of Travelling people in the planning process, housing strategies and so on. Has that always happened or has it been improving over time? Are you in a better position today than you were in the past?

Douglas Scott: The Equalities Act 2010 has strengthened the whole area because we are now required to impact assess and examine the issue in all our policies. The housing strategy is no different in that respect. There is a much greater understanding of equalities—as you can see, we now have a much more diverse population—and the approach that we are talking about will go from strength to strength.

Iona MacPhail: I agree that it is critical for local housing strategies to take account of Traveller issues. We have a clear process for meeting the requirement to report on and plan services for Travellers. Moreover, I note, as a registered social landlord, that the new tenants charter that is coming in this year contains performance indicators for Travelling people, which we feel represents a critical level of involvement with Travellers and their issues.

Kevin Anderson: I concur with my colleagues that the matter has been mainstreamed. I know that some members are not happy with that terminology, but in the time that I have been working in this business, which is a couple of decades now, it has become mainstreamed in local authorities’ planning and strategic processes and the position has certainly improved.

Alex Johnstone: Thank you.

The Convener: John Finnie has a few more questions about ACHA, after which Marco Biagi will move on to leadership.

John Finnie: I will build on some of Mr Johnstone’s comments. Can Ms MacPhail explain the relationship between Argyll and Bute Council and ACHA with regard to, say, statutory obligations on housing. You mentioned the housing strategy and ownership. Who owns the Traveller sites?

Iona MacPhail: The sites are owned by ACHA and were part of the stock-transfer agreement. There are 30 pitches across three sites with varying levels of occupancy.

John Finnie: Does the statutory obligation to provide housing remain with Argyll and Bute Council?

Iona MacPhail: Do you mean the obligation to provide Travellers with facilities?

John Finnie: I mean the obligation to provide accommodation.

Iona MacPhail: Yes, I presume that it does. It has not come to ACHA.

John Finnie: So, the relationship between who is responsible for the statutory provision of accommodation and the provider is important.

Iona MacPhail: Absolutely.

John Finnie: We have received a submission from Argyll and Bute Council. I do not know whether you are cited in it, but it says:

“There were 11 unoccupied pitches out of a total of 30, reflecting a relatively high void rate and low demand.”

Let us deal with the high void rate first. You would not sustain that void level in housing, would you? What have you done to address the voids and deal with the low demand? What has caused the low demand?

Iona MacPhail: Demand is patchy across the area. For example, Duncholgan near Lochgilphead is full just now, Torlochan is two thirds full—it has been emptier previously, but it is filling up—and Ledaig stays static; about five out of eight pitches there are filled. The numbers have certainly gone down over time. Ledaig used to be full, as well.

The void figure is higher than the figure for our mainstream houses and our settled accommodation in Argyll. We have done work with the support services that are available for Travelling folk in Argyll. Leaflets go out to unauthorised encampments to see whether folk need to come on to our sites, as we can often immediately make space available for them. The police also have workers who go out to unauthorised encampments with our leaflets for Travelling folk.

We have a strategy for Travellers for 2012 to 2015. It is our first strategy for Travellers, and it was presented and ratified by our board. As a result of it, we will undertake a number of actions. One is an annual survey of Travellers: we did our first in November last year, as a result of which we have made up an action plan, which includes actions that are required in 2013, so that we can report back to our board of management on progress on Travellers issues. One issue is to try to address voids to ensure that anybody who needs a pitch in Argyll gets one. We will look to work with the health project that is running in Argyll to see whether we can link that to work on voids.

John Finnie: Have you had any contact with adjoining local authorities?

Iona MacPhail: Yes we have, at times. We have contacted Kentallen in Lochaber; there is a kind of line that goes up through Ledaig. We have had vacancies at Ledaig for a number of years, so we have contacted Kentallen and sites in council areas that border ours to see whether there are Travelling folk who want to come along.

John Finnie: I am sorry; I meant contact with local authorities such as Highland Council and Stirling Council, rather than with sites.

Iona MacPhail: I am sorry. We have contacted Highland Council on its provision for and contact with Travellers, and to see whether it could get the message out to folk that there are opportunities for pitches in Argyll.

John Finnie: My next question is for all three witnesses, although I have more questions for Ms MacPhail. Is a proportion of your sites retained for transit rather than permanence? If you had, for example, 10 pitches, would you keep two free for people who are travelling?

Iona MacPhail: No. In Argyll, we have always had sites for permanent occupation, although the lease contains only seven days' notice, so folk can go on and off sites at relatively short notice. In my experience—

John Finnie: I am sorry to interrupt, but having leases sounds bureaucratic.

Iona MacPhail: They are occupancy agreements, which people sign and then go on to sites.

John Finnie: If someone pulled up their van outside a site in a local authority area, what would be the mechanics to enable them to pitch on it?

Iona MacPhail: If we have a vacancy at Ledaig and somebody pitches up, we can fast-track an application to get them on to the site.

John Finnie: How long would that take?

Iona MacPhail: We can do that in a day or so. Our priority is to make accommodation available to people who require it. However, we do not have transit pitches, and that has obviously always been a very contentious issue.

More survey work is probably required, but some Travellers travel from settled pitches. There is certainly that pattern with folk who come into Argyll. There are probably also cost issues. The costs for people to pay for transit sites have probably not been fully explored. People may well pay for a pitch that they are travelling away from.

John Finnie: I would like to ask about definitions. The Argyll and Bute Council submission says that the report in 2012

“identified only 4 applicants defining themselves as Gypsy/Travellers”.

I absolutely support the right of anyone to self-define. Does that accurately reflect the movement from sites to houses, for want of a better phrase? Why do you think people would want to move from sites to houses? My understanding is that some do not.

09:45

Iona MacPhail: I suspect that that number is quite low. I can give only a personal opinion on this, but I believe that there is an element of folk not necessarily wanting to self-identify as Travellers.

On the issue of the drift towards houses, that is an individual's choice and it might be for all sorts of reasons. Folk might find that they have to come off the road for education facilities or because there is illness in the family. Some Travellers settle in houses when they are older because of health issues—they want to link into medical services. There are myriad reasons why folk settle in houses. I do not think that, in any circumstance, you can have a one-size-fits-all solution for people.

John Finnie: I have a question for all three witnesses. I fear that the Gypsy Traveller community is surveyed out—the committee is probably compounding things, although it is well intended. However, has there been any inquiry into why people who identify as Gypsy Travellers elect to move? There is the link between voids and taking occupancy, and I am sure that all of your authorities have allotted demand for houses as well. Has there been any examination of that in any of your authorities?

Kevin Anderson: I am unaware of any empirical evidence on that. It is certainly not something that has been engaged in locally. As Ms MacPhail indicated, there is the individual household preference for moving from a travelling lifestyle to one that is more permanent within the settled communities.

The reasons why someone is seeking housing stock is an issue for self-disclosure through the allocation process. There have been three cases in the past three years in my local authority, and the reasons that were given have been mentioned: education, and older people within the family unit. We have to take account of that in health and social care integration. There will inevitably be an impact in respect of welfare reform provisions. There may be consequences of that, but I do not have a definite answer.

Douglas Scott: We would need to do more research on that, as well.

John Finnie: Do you accept that there could be a benefit in so doing, particularly with the greater partnership working? Part of it could be about health provision. Education is perhaps slightly different and more challenging.

We have had representations about the location of sites and access to facilities. Although some sites are in traditional locations, some are on rubbish tips, as is the case in my area, in

Inverness, or quarries, which happens in the Highlands. Another example is a site on a sandpit, which happens in Argyll. They are not the most alluring of locations. There may be a number of reasons why such sites are chosen. However, if people wanted to leave those locations, I am sure that you would want to establish what could be done to retain them there.

Kevin Anderson: I absolutely agree. You mentioned void properties. In East Lothian and Midlothian, we have had engagement with the community on our established site and we have identified their priorities for the upgrade provision as well as the prospect of relocation. I keep referring to it, but our provision is currently located on a leased site.

To pick up John Finnie's point—which is where we came in, in terms of planning for provision of health, education and other opportunities—we need that information to ensure that there is suitable provision. We have health arrangements at the site. We have to take services to the site rather than expect that on every occasion Gypsy Travellers will engage with services that are on fixed sites in the settled communities. In order to accommodate that, though, we need engagement with the community.

Iona MacPhail: That is an interesting point. It is something that we could report on annually relatively easily. We are in constant contact with our Travellers at the site and only small numbers move on over the course of a year, so we could certainly report annually in that regard. Our board might want us to incorporate that into the annual information that goes to it. I will certainly look at taking that forward in Argyll.

John Finnie: What is the cost of that kind of change for each of the authorities? Is a cost associated with somebody taking occupancy of a house?

Kevin Anderson: Do you mean a void property that is re-let?

John Finnie: Yes, a void property that is subsequently occupied.

Kevin Anderson: The cost can range from a minimum of about £500 up to £3,000, depending on the condition of the property that is returned to us for re-let.

John Finnie: I have come across issues on the standing on a site during the course of this inquiry and previously. It seems to me that you could buy an awful lot of tarmac for the sums described. Any cost-benefit analysis that would facilitate someone staying where they may want to stay and address their concerns would be good. Some of the facilities on sites are, frankly, shocking.

Douglas Scott: Our site in Innerleithen is very attractive—that is down to the management of the site—and is well occupied. We are reviewing the management agreement to make it more needs focused, but the management has certainly been good and a lot of it is to do with the sensitive approach taken.

John Finnie: It should not be down to the good will of individuals, although that is commendable. It should not be beyond the wit of the public sector to provide facilities such as you have described, because that is where the statutory obligation rests.

Douglas Scott: There are ways and means, if something is working well. Our approach involves working with the Scottish sites management group, and we have had good reports back about how the site is managed. We must be innovative and consider different possibilities, particularly in the current financial situation.

Dennis Robertson: Some of the things that we have heard about surveying and engagement, for example, are commendable. In the north-east, Moray Council, Aberdeenshire Council and Aberdeen City Council collaborated with each other to identify the needs of the Gypsy Traveller community. They came up with a programme and a plan that stated that the Gypsy Travellers required 35 pitches, but the outcome is that they have one site.

What I hear from witnesses is that we can identify and survey, but what about action? What about provision—the end result? It is fine to identify and to say that we have identified what is required, but are you taking the appropriate actions?

Iona MacPhail: To some extent that rests on strategic leadership in different organisations. I suppose that I am talking about managing sites rather than introducing new sites or transit sites, but in my association there is quite clear strategic leadership on Travellers' issues. We have a strategy in place, an annual survey and an annual action plan that goes to our board of management. We will then report on actions required. In fact, the survey results in the action plan include those from one of our Travellers' sites that now has a residents' group, which is great. We have a list of their requirements, which are very specific estate issues. We have some strategic issues and some liaison and joint work with the council and other local service providers.

I believe that strategic leadership to set priorities and review progress on them is essential to provide the best services for Travellers.

Dennis Robertson: And the end result is that action will be taken.

Iona MacPhail: That is right.

Dennis Robertson: I am glad to hear it. Do you want to comment, Mr Scott?

Douglas Scott: I think that what I have said shows that strategic leadership, in terms of equalities, is at the heart of what we try to do in community planning. Gypsy Travellers are very much part of that. We have taken a strong approach to the matter in terms of evidence gathering.

Dennis Robertson: My understanding is that you use the Equality Act 2010 to lead your housing policies.

Douglas Scott: Obviously, the 2010 act has an influence on that, but we want to see best practice in equalities anyway. We must ensure that we have an inclusive approach from a service delivery and best-value perspective. We have worked on a guide; we are also taking real action to make contact with the Gypsy Travellers and are trying to gather evidence. We feel that our education, health and other services are meeting the mark. Of course there is room for improvement, but I think that from a strategic point of view we have a strong hold of the issue.

Kevin Anderson: Supplementing those remarks, I think that in its inspections the housing regulator shares Mr Robertson's expectations of local authorities. That is certainly my experience; our most recent inspection looked not only at the equalities aspect, which is certainly important in underpinning much of the progress that we have made, but at the mainstreaming—for want of a better word—of the specific client groups that have been referenced. Although this is indeed best practice and although things have moved on considerably, the expectations of and compulsion from the regulator are also making this happen.

The Convener: Marco Biagi has some questions about leadership, after which Siobhan McMahon will discuss tenancy agreements.

Marco Biagi: As the issue of leadership has already been introduced, I will simply ask whether you think that community groups and civic representatives in the vicinity of permanent sites see the Gypsy Travellers on them as part of the community or as somehow external to it.

Iona MacPhail: Our sites are very established and I believe that our Travellers are seen as part of the community. For example, the children go to village schools and the people go to local doctors. As a result, I believe that we are well integrated with the community.

Kevin Anderson: That is the understanding as far as the provision in Midlothian is concerned. As I have indicated, they are integrated with our health and education provision and in that regard

no distinction is made within the local settled communities. Of course, that is not the case everywhere; it was never thus.

I make the same analogy with houses in multiple occupation or some of the family resilience projects that have been put in place across the country. Obviously, people would prefer not to have such facilities close by, even though from the point of view of social responsibility and social attitudes they are to benefit the wider community. Over time, however, both have proved their worth; indeed, good HMOs are indistinguishable from the general mainstream stock in any locality.

As has been said, our position on this issue has improved and the expectation among professionals now is that this is simply part of the day job. However, the issue for local communities is how things are managed on site, because it is real, it is there and it is evident to them. That is not just a housing or local authority responsibility, but the responsibility of the community at large and all the public agencies that deliver services.

Marco Biagi: And in the Borders?

Douglas Scott: From the evidence that we have—the use of schools and so on—the people on the official site in Innerleithen are very well integrated into the community.

Integration also happens at the annual St Boswells fair, which is held at the end of July. Gypsy Travellers can officially stay on a site on St Boswells Green for five or six days; there is a lot of community liaison for the event, but it has its own challenges as far as the community is concerned. We also work with communities with regard to unauthorised sites, but that issue, too, is challenging.

Marco Biagi: In what way?

Douglas Scott: Communities are concerned about encampments in particular locations, and we have to explain the situation to and work with the community as well as with the Gypsy Travellers and ensure that effective mediation between the two groups can take place in a tolerant environment.

10:00

Marco Biagi: You have mentioned the difficulty with unauthorised encampments. A study in the north-east suggested the value of a substantial increase in the number of permanent or transit sites. If, as officials and as part of the decision-making framework, you suggested the possibility of an additional three or four sites, for example, to deal with the demand that has led or contributed to unauthorised encampments, how would groups and people external to the council respond to that?

Iona MacPhail: Again, I do not have personal experience of that. In Argyll, our sites date back for decades and there is no attempt to create additional ones. Therefore, I cannot say with any validity how communities would react to that. Our oldest site goes way back to the 1980s and is on a site where Travellers stopped previously. I could not honestly determine how communities might react.

Douglas Scott: The issue is challenging, because there is sensitivity. In the Borders, the difficulty is that we are talking about short stays of four to 10 days or so. Charging presents challenges because, at present, unauthorised sites are, obviously, free. I would say that the jury is still out on whether there is a need for transit sites or whether our tolerance approach suits the Gypsy Travelling community—I do not know. Certainly, the evidence that we have is that our tolerance approach seems to work. I do not know whether transit sites would work effectively, particularly from a financing point of view.

Kevin Anderson: In Midlothian, our site has been at only half capacity for four years and, to return to Mr Finnie's point, we have visitor provision, but there is not an evident need for it. That is indicative of the number of Travellers who travel through Midlothian, which in any event is one of the smaller authorities in the country, so it is unlikely that there would be a perceived need for further site provision. The feedback that we have had is that the issue is about improving what we have, rather than a lack of provision.

On cultural awareness, I imagine that authorities that have an issue would have to go through the process that we have gone through in reaching an understanding that there is a social responsibility to provide for the community at large and evidencing that. It comes back to nimbyism about particular sites and ensuring the best provision for the occupants, while considering the impact on the immediate community.

Marco Biagi: It has been suggested to the committee on several occasions that there should be a better national framework or stronger national guidance on provision. What are your views on that?

Kevin Anderson: There is an expectation that each local authority will tackle homelessness and violence against women. Those issues were always there, but their profile has risen and there is a need to tackle the difficulties that are symptomatic of their being evident in local communities. On Gypsy Travellers, if we are to go beyond the softer approach, which has been about best practice—and it has taken a long time to get where we are—and if there is an expectation that provision will be much more inherent in local authorities' service delivery, there would have to

be a statutory requirement that is enforced. I mentioned the approach that the Scottish Housing Regulator has taken in the past year or two. If legislative provision is not made, something could be done through that avenue. There is an expectation that we will deliver, and that is what we will be measured on, through the existing regulator or anything that replaces it.

Iona MacPhail: Statutory guidance could be useful, if it becomes available. As you said, guidance has certainly successfully raised issues about homelessness and domestic violence. An agenda has been set, which has been closely followed, and the results are clear for all to see. We would certainly support statutory guidance, but we would want to be clear that Travellers' aspirations were an integral part in setting up that.

Douglas Scott: A national overview of the Gypsy Travelling community and its movement is needed. Obviously, what happens depends on what is provided place to place.

We must be careful with statutory guidance, especially because of the costs involved, but I feel strongly that things must be evidence-based. If, based on the evidence, statutory guidance is required, then statutory guidance is required. The evidence needs to be worked on and we need a national approach to look at what is required from a national perspective to understand the movements and so on.

Marco Biagi: Is dealing with the cross-border movements the strongest argument for a national approach?

Douglas Scott: Yes. We certainly need to look at links in the north of England to understand what is happening in the community.

Marco Biagi: Are there any other issues that individual local authorities find difficult to deal with because of their scale?

Iona MacPhail: Tenancy agreements, which are not necessarily hugely difficult to deal with, would benefit from a national overview. I think that there may be questions on that later.

The Convener: I will move on to Siobhan McMahon, who has questions on tenancy agreements. I then have a couple of questions for the witnesses.

Siobhan McMahon (Central Scotland) (Lab): First, I apologise for not being here at the start of the meeting.

The Equal Opportunities Committee's 2001 report indicated that there should be a uniform tenancy agreement across Scotland. What do you include in your tenancy agreements? What criteria are applied when they are drawn up?

Iona MacPhail: We have an occupancy agreement, which has been in place for many years—ACHA succeeded to the council's agreement. It is not as comprehensive as the Scottish secure tenancy or the short Scottish secure tenancy, which is the model that is in place across Scotland for mainstream tenancies. As an association, we see putting in place a model tenancy agreement for Travellers as the priority.

In particular, our tenancy agreement has a seven-day notice period, which Travellers say is important so that they can leave without being held to 28 days' notice, as is the case in settled housing—I think that that will be like agreements in my colleagues' areas. There is also an opportunity for Travellers to travel, so they are given up to eight weeks at half rent.

I suspect that my colleagues will have different agreements, which is why we want a model tenancy agreement.

Kevin Anderson: Our situation is not dissimilar to that indicated by Iona MacPhail. We have what we term a secure occupancy agreement, which mirrors the Scottish secure tenancy agreement. We cannot have a secure tenancy because the site is not owned by either of the councils that operate it. There are key exceptions, such as the right to buy, assignation and right to repair but, other than that, it reflects the Scottish secure tenancy as far as it possibly can. It takes account of the particular circumstances of the travelling community, as Ms MacPhail said, and the period of time for which the pitch would be vacated would be accepted and expected.

Douglas Scott: I have mentioned that our official site in the Borders is run by a site manager—that arrangement is commercially based. It is well managed through custom and practice, and well occupied. We are reviewing the management agreement and looking at a more needs-based approach. That is where we are with the official site.

Siobhan McMahon: Mr Anderson referred to a period of time. What is that period?

Kevin Anderson: Sorry, I do not recall whether it is six weeks or eight weeks—that is why I was not clear. It is about six to eight weeks.

Siobhan McMahon: Thank you. Ms MacPhail, you said that the tenancy agreement is not as comprehensive as it could be and you want it to go further. What are the reasons for that?

Iona MacPhail: We inherited the lease that many of our long-standing tenants signed with the council, which will continue. We want to work with colleagues in larger councils who are running sites, in a larger group, to produce a model lease. There seem to be different leases in different

places, which leads to confusion for Travellers who move between local authority areas. Levels of literacy can be low, so we think that the nation should try to move forward on producing a standard lease, whatever form it takes.

Although our lease does not enshrine some rights that our housing tenants have, we have moved forward on the issue. For example, our tenants have a right to repair, which is set out in our strategy. Travellers therefore get the same service on repairs as any other tenant in Argyll gets, and we have the same responsibilities in that regard. Travellers also get the same service on aids and adaptations as housing tenants get.

Siobhan McMahon: You have pre-empted one of my questions. We have visited a number of sites and in one site a family was staying in a caravan that was in desperate need of repair—to put it politely. If the family had been in any other kind of housing there would have been an outcry about their living conditions. What steps must the family take to get repairs done? I do not think that they had enough information. If repairs are needed to a caravan or a site, what is the process?

Iona MacPhail: There are two elements: the pitch—the hard standing, the pitch unit and electricity supply—is what the rent is paid for and must be repaired by the provider; the caravan is owned by the tenant. I have experience of folk whose caravan has become unsuitable for occupation, perhaps because of age or storm damage. We have worked with Travellers to find funding to get repairs done or to get a new caravan. In a very small number of cases—just a handful of cases—when things got to a crisis situation and families were involved, we have helped folk to secure temporary accommodation.

Siobhan McMahon: I understand why the caravan is the responsibility of the people who occupy it, given that people move around different sites and you cannot be responsible for what happens on other sites. However, when people have lived on a site for a time, could it be built into the tenancy agreement that the site owner is responsible for repairs? For instance, if a Traveller has been on a site for six months, the council or housing association could work with them on repairs, rather than leave that as their responsibility.

Iona MacPhail: That is an interesting thought, which has never been raised. Travellers certainly see the caravan as their property, which they can improve and trade—they often trade up. I have never come across Travellers who were looking to do what you suggested.

I understand that there are chalets at the site in Perth. That is a different model, so maybe the issue could be explored there.

Siobhan McMahon: If Travellers were open to such an approach, would you be open to looking at it in the context of a national model tenancy agreement? All the witnesses should feel free to respond, not just Ms MacPhail.

Iona MacPhail: We would look at the issue, but it would be unusual to do repairs in the way that you suggested. Tenants' rents pay for repairs, so it would be unusual to do repairs to something that the rents do not cover. It would be interesting to ask the wider tenants group and Travellers how they feel about the suggestion.

The Convener: I visited the site at Lochgilphead with members of the committee. I was interested when you said that you had worked with people on a site when there was a problem with their caravan. Can you explain what you meant by "worked with"?

Iona MacPhail: At Duncholgan we have managed to start up a residents association with some of the tenants. They have given us a list of priorities for the site that we have put into our action plan for next year. The priorities are the access road, which is in a poor condition—the road is owned by the council, so we will try to work jointly with the council on improving the quality of that—and some other estate issues.

10:15

The Convener: If a caravan is in disrepair or in a very poor state, do you work with the tenants on the provision of a new caravan?

Iona MacPhail: No, we do not provide funds for caravans.

The Convener: Thank you for clarifying that.

Siobhan McMahon: I have a follow-up question—again, I am not trying to direct every question to Ms MacPhail. You mentioned that you can provide aids and adaptations. What is the process for providing such help, given that you do not own the caravan? How does that work?

Iona MacPhail: For any tenant, ACHA will provide an adaptation of up to £200 without going through the occupational therapist or the grants system. That covers handrails and amenity units and so on, so we can install a handrail for a caravan if that will help someone. For bigger grant-funded adaptations, such as ramps to caravan doors for folk who are becoming less mobile and have difficulty getting in and out, we receive grants through the aids and adaptation system that is available to citizens of the country. In one instance, a caravan unit was purchased to provide facilities for someone who was very disabled.

Siobhan McMahon: Was that done through ACHA with grant assistance?

Iona MacPhail: No, the council did that, although the unit is on our pitch. However, that was a very unusual case. Generally, ramps and handrails are provided through the aids and adaptations system.

Kevin Anderson: I can confirm that our process is the same as the one that Ms MacPhail has outlined. That is why I have not disagreed with or countered what she said. We are in the same position, in that we have made adaptations to the amenity block that is adjacent to each of the pitches. We have not had the circumstances that Ms MacPhail has encountered where we have been required to provide a specially provided caravan, but we provide adaptations as they prove necessary on the site.

Douglas Scott: In the Borders, we have one unit that is adapted for disability needs with full access ramps and everything else.

John Finnie: My question is for Ms MacPhail. I am conscious that we should not address individual circumstances, but, that said, I want to ask about a particular circumstance in one of your sites, where a chalet was put in place to address the specific and profound needs of an occupant. There was good collaborative working on that, although there is some way to go yet. However, the council retains ownership of that chalet. How did that come about?

Iona MacPhail: The council received aids and adaptation grant funding from the Government to provide the chalet and we provided the pitch. I should say that that is the second chalet of that type that has been provided to meet those needs. That chalet was a replacement, as the needs grew greater, for a previous chalet.

John Finnie: However, it is accommodation.

Iona MacPhail: It is accommodation and a rent is paid for it, but the rent is paid to the council.

John Finnie: That is a quite unusual anomaly.

Iona MacPhail: It is a very unusual anomaly, but it is a very unusual case.

John Finnie: If there were to be other instances like that—one hopes that there will not be, but there could well be—you could have a situation in which your site includes property owned by the council and property owned by the tenants and you have overall responsibility for all of it. Obviously, you do not have responsibility for the tenant's property.

Iona MacPhail: It has always been the case that Travellers have brought their own accommodation to the site and we manage the amenity unit. That case is slightly unusual

because a rent is paid for the accommodation, but it is a replacement for a previous chalet.

John Finnie: Should there be some sort of national tenancy agreement that captures how aids and adaptations are dealt with?

Iona MacPhail: It would be useful if there was some clarity on that, yes.

John Finnie: Thank you very much for that.

Siobhan McMahon: We have established that a national tenancy agreement would be beneficial. Ms MacPhail, you mentioned that ACHA has three sites. Do all the sites have the same occupancy agreements, or are they different?

Iona MacPhail: They are all the same.

Siobhan McMahon: Okay.

Iona MacPhail: ACHA also has to get a caravan site licence, because we are an RSL, rather than a council, operating Travellers sites. That can be quite interesting and would have to be fed into any work that was done on a national model agreement. Caravan site licences often detail how many caravans there can be on a pitch. That must be taken into account in the occupancy agreement, which may well also say how many caravans there can be. They can contradict each other.

Councils do not have to get caravan site licences. We are the only housing association that has such sites, so we would need to feed into the model agreement process if we are to move forward on that agenda.

Siobhan McMahon: Thank you for sharing that.

The Convener: I have a question for the local authority witnesses. Do you have a Gypsy Traveller liaison officer? If you do, what value do you attach to the role, and how do you see it developing to improve relations with the settled community?

Douglas Scott: Basically, it is horses for courses. It depends on the need in each area. We take a community planning approach to the issue. We have a liaison person. That person just happens to be the chair of the Borders equality forum and has a lot of experience in dealing with different equality groups. He adopts a sensitive approach to welcoming Gypsy Travellers to the various encampments in our area that I have mentioned.

Although a person is not employed by the council to carry out the role, we pay for a liaison person who acts for the council and the health board, and who has the trust of the police, the community and others. We feel that that approach works well in the Borders.

Kevin Anderson: In addition to the site manager, we have a liaison person, Mhairi Craig, who is contracted through Shelter; I think that she has given evidence to the committee previously. She undertakes the same liaison process with statutory services and local communities. She liaises on the health and education requirements of the site occupants. The feedback from her and the Gypsy Travellers is extremely positive compared with the feedback when we did not have that liaison arrangement. In the past year, she has facilitated awareness-raising sessions for officers, members and other service providers. Everyone has found that extremely beneficial.

The Convener: Ms MacPhail, does your housing association have a Gypsy Traveller liaison officer?

Iona MacPhail: We do not. We have officers who cover the Traveller site in the village and who serve the tenants in the wider village community. There is more direct contact with the Travellers than there is with the village. We go to the sites once a week. Three different officers deal with them.

It is interesting that one of the positive things that came out of our survey was the fact that the majority of Travellers felt that the frequency of our site visits was right and that the way in which they could get in touch with us—there is a freephone 0800 number—was good; 100 per cent of respondents said that. We do not have a liaison officer, but from the work that we have done, we think that the direct way in which we are dealing with folk, on a case-led basis, is working. As I said, our Traveller work is embedded in our strategic direction.

The council does not have a liaison officer, but we work with the local housing strategy folk.

The Convener: Mr Anderson mentioned the awareness raising that Mhairi Craig does. As he said, she has given evidence to the committee.

Mr Scott and Ms MacPhail, do you think that there is value in doing awareness-raising work with the local community, as opposed to other partners, to improve relationships between Gypsy Travellers and the settled community?

Douglas Scott: I think that that is fundamental. We do community liaison work with the local community in relation to the St Boswells fair. Working through that is a challenge. I feel that the fact that we have someone who operates as our liaison person who can work with us when we go through things with the community makes the process much easier.

With regard to some of the unauthorised encampments, we have our difficulties at times but, again, we try to get a mediation process

going. We try to make the community aware of our responsibilities and we look at the equalities issues as well. We are pushing equalities issues into our communities very heavily.

Iona MacPhail: We have previously carried out liaison work with colleagues and service users that Travellers have taken the lead on—they have done the work and explained things to folk. The point about extending that work into the wider communities is a really good one and it is something that I can take home.

The Convener: Mr Scott, I just want to follow up on that point. You spoke earlier about the private site in your area that Gypsy Travellers can use. Can you perhaps give us a bit more information about the relationship that the Gypsy Travellers have with the other site users and whether having Gypsy Travellers on a proper caravan site has improved the relationship that the Travellers have with the local community?

Douglas Scott: You might find this surprising, but I have not come across any real difficulties. You would think that there might be stresses, but from the information that we have and from talking to the site managers and so on, there does not seem to be a lot of friction between the Gypsy Travelling community and the rest of the people on the commercial site. The site is in Innerleithen, where we are doing a lot of work on mountain biking and which is in a great tourist area. We have not had friction with the local community.

I think that that lack of friction is down to the fact that we are very lucky in the people who manage that site. They have an understanding of the Gypsy Travelling community and have long-standing links with that community. They seem to manage things very well. Overall—maybe it is unique—we have had a very positive experience and there have not been any real issues. There have been some things from time to time, but nothing that is on-going—nothing that is a big issue in the community.

The Convener: Could that perhaps be expanded across the country with careful management?

Douglas Scott: I think that it is horses for courses. I said earlier that the type of accommodation that Gypsy Travellers look for in the Borders is more for people who are passing through. Elsewhere, people may be looking for longer-term, settled accommodation. Perhaps the Borders is different, but there may be lessons that could be learned from that lack of friction—for example, it is all about sensitivity in terms of management and effective mediation.

Dennis Robertson: Just on that point, you have mentioned the equality legislation a couple of times. Does that apply to commercial site owners

in relation to mobile homes on their sites? Should there be some engagement with commercial site owners to enable Gypsy Travellers to start using such facilities?

Douglas Scott: There is a need for more discussion around awareness and mediation with commercial site owners. The legislation is there but it is more about winning hearts and minds and talking things through with the site owners.

Dennis Robertson: So basically you are saying that although there is legislation, there could be discrimination. I am not suggesting that you are saying that that is okay, but you are saying that it is about getting people to acknowledge the cultural difference and maybe engaging with them to see whether there is a practical possibility of Gypsy Travellers using commercial sites more readily.

Douglas Scott: Very much so. There are commercial sites throughout Scotland and we have to look at that possibility. Certainly we have gone down the road of surveying the various commercial sites.

Dennis Robertson: My point is that, whether they are in a Traveller home or whatever, if someone pulls up on a site and pays their fee, basically they are allowed to get on. However, if you are a Gypsy Traveller you might not be admitted. Is that correct?

Douglas Scott: I do not know. At the end of the day, it is up to the owner of the private site to do what they have to do. All I am saying is that there is a need for some awareness education. We have to explore that route as well as taking other action.

The Convener: Ms MacPhail, you said that Gypsy Travellers are seen as part of your client group and are well integrated. As I said, I visited Lochgilphead—the whole committee has visited a number of sites—and certainly the view of the Gypsy Travellers whom we spoke to is that they do not see themselves as part of your client group or as being well integrated in the community.

Do you think that the length of time that Gypsy Travellers on the site have to wait to get adaptations, modifications and improvements done is acceptable if they are part of your client group?

10:30

Iona MacPhail: It is interesting that you say that they feel very disenfranchised at Lochgilphead. Did they give any details of specifics that made them feel like that?

The Convener: They mentioned the poor condition of the site, the lack of access to public transport, the access road to the site, and the poor conditions on the site.

I do not mean to single you out: those views were expressed by Gypsy Travellers across the sites that we saw. However, I am asking about Lochgilphead specifically because you said that Gypsy Travellers were seen as part of your client group.

Iona MacPhail: That is absolutely the case and if that is not what folk are telling you, we need to address that. We need to go and speak to the Travellers and get to the root of what they see as the issues and deal with them, and we will do that.

The Convener: Okay. Thank you very much for that.

I thank the witnesses for coming along to give us evidence. It has been a very useful session and it will certainly help us in taking this piece of work forward.

10:32

Meeting suspended.

10:45

On resuming—

European Commission Work Programme 2013

The Convener: Agenda item 2 is consideration of the European Commission work programme for 2013. Paper 3 sets out the background to the committee's European Union scrutiny work and proposes engagement and scrutiny priorities.

We are invited to note the briefing and to adopt the Commission's recommendation on fostering implementation of the national Roma integration strategy as a continuing priority for EU scrutiny, to be reported back to the European and External Relations Committee. We are also invited to agree to continue taking the United Kingdom national strategy into account in the context of our inquiry on issues affecting Gypsy Traveller people.

Do committee members have any comments?

John Finnie: I thank the clerk for compiling the paper. I want to stress the importance of the Roma situation. People might be aware that there have been a number of unfortunate incidents across Europe. I have written to the mayor of Belgrade regarding a sizeable relocation of the Roma population there. Linking in with our previous discussions, it is important that we keep a closer eye on wider developments as we hope to improve the situation locally and with our international partners.

The Convener: Thanks for that. Are members content to agree the recommendations in the paper?

Members *indicated agreement.*

The Convener: Our next meeting will take place on Monday 4 February in Aberdeen, and will include oral evidence from Gypsy Travellers, local authorities and local police and health services on where Gypsy Travellers live.

Meeting closed at 10:47.

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