

ABERDEEN CITY COUNCIL

COMMITTEE Council

DATE 21 August 2013

DIRECTOR Pete Leonard

TITLE OF REPORT Update on the establishment of Short-term Halting Sites for Gypsies/Travellers

REPORT NUMBER:H&E/12/102

1. PURPOSE OF REPORT

This report provides Council on the outcomes of the work of the Stakeholder Group, the feedback from the respective Community Councils and information gathered from the consultation exercise adopted.

2. RECOMMENDATION(S)

- (a) Instruct Officers to progress the establishment of a Short-term Halting Site at Howes Road.
- (b) Instruct Officers to prepare a detailed design together with cost estimates for construction and ongoing operational costs.
- (c) Instruct Officers to prepare a Planning Application including details of costings (Capital and Revenue) for establishing the site.
- (d) Approve the process for consultation as set out in the report acknowledging that strong views and opinions are likely to be part of the process
- (e) Note that Officers continue to conduct property searches with a view of establishing further sites within the city.

3. FINANCIAL IMPLICATIONS

So far this financial year, The Gypsy Traveller Liaison Officer/Site Manager has handled 54 encampments. These consist of 20 on Council owned land and 34 on privately owned. Approximate clean up and legal costs amount to £73,381 – this does not include the costs incurred at private land. Staff time and associated resources is not so tangible however. None of these costs are currently built into budgets but are currently being met from budgets held by Housing & Environment on a reactive basis.

There will be some costs in establishing any site (e.g. ground condition, water supply and screening) but we anticipate that the running costs would be less than that of the current clear up costs. A financial study will be developed once design, construction and operating costs have been fully ascertained.

4. OTHER IMPLICATIONS

Legal - Whilst there is no statutory duty placed upon Aberdeen City Council to specifically have Halting Sites within the City, we have a duty to respond to the needs of Gypsies/Travellers who come into the local authority area. Officers are currently investigating the potential to utilise Bye-Laws legislation to prevent unauthorised encampments on sensitive areas of the City which have been subject to ongoing and persistent pressure and form part of our existing Good Neighbour Code.

Equalities – A Full EHRIA (Equalities & Human Rights Impact Assessment) has been completed and is appended to this report.

5. BACKGROUND/MAIN ISSUES

Background

Aberdeen City Council's Policy and Strategy Committee, at its meeting on 29 November 2005, agreed in principle to the development of short-term halting sites for Gypsies/Travellers.

Although Council agreed on 15 August 2007 to approve a list of 9 potential sites and embarked on an extensive consultation process it was clear that each local community held strong views on these proposals hence why it proved extremely difficult to identify sites that had any level of acceptance within communities.

Consequently, the Council's Policy & Strategy Committee on 2 December 2008 instructed officers to stand down all current searches and consultations, to continue examining how best to manage informal encampments and for officers to prepare details for upgrading the Clinterty site to include potential short term provision.

Despite a review of Council Policy which included a re-writing of the Good Neighbour Code, upgrading the Clinterty site – including the creation of 4 Short-term plots, Aberdeen continues to experience Unauthorised Encampments on an unprecedented scale. These encampments invariably generate high profile attention and considerable controversy as to the rights of the settled community and the rights of Gypsies/Travellers. The camp sizes have grown over the last 4 years and we now require sites which are suitable for a large family group.

On 6 March 2013, Council considered a further report on the resurrection of this theme and the following decisions were agreed;

1) approve the potential sites at (i) Blackdog; (ii) Howes Road; (iii) Scotstown Road recycling centre; and (iv) the former Council depot at Springhill Road, and remit to officers to consult the affected Community Councils and report back to the Council meeting in August 2013 with the outcome of these discussions;

(2) instruct officers to establish a stakeholder working group for the purpose of using a scoring matrix to examine the viability and feasibility of each site option and report back to the August Council meeting with the results from this process; and

(3) Note the joint working that was continuing with Aberdeenshire Council.

Stakeholder Group

Short-term Halting Site - Stakeholder Group

Council considered a paper on 6 March 2013 and instructed officers to establish a stakeholder group to examine the viability of each of the site options that members decided upon. These are;

- Former Depot Springhill Road
- Howes Road
- Scotstown Road Recycling Centre
- Blackdog

Membership

To ensure that this is a thorough, robust process with maximum integrity, the Community Council Forum identified 5 representatives. A further 2 Community Councillor's were nominated to ensure representation in each of the potential areas. The finalised group was represented as follows;

Community Council's, Housing, Planning, Asset Management, Roads, Equalities Team, Police Scotland, Grampian Regional Equality Council

Remit

Although the Council has previously used an established scoring matrix to determine past sites, the Council acknowledged the negative feedback from communities in respect of the integrity of the assessment process. The stakeholder approach ensured that the group could undertake the following tasks;

Review the Existing Matrix
Expand/Develop criteria
Consideration of weighting system
Complete Scoring
Agreeing a set of rules and a management regime for the sites.

Process

The Group first met on 5 June 2013 for a 1 hour introductory meeting which outlined the remit from Council and the expected outputs of the group. There have been a further 6 weekly meetings comprising of 2 hourly slots and the group reached their recommendations and deliberations at their final meeting for this stage on 31 July 2013.

The group has developed a revised version of the scoring matrix which expands upon the previous 17 criteria with a 35 criteria model which includes a weighting system. The group also undertook site visits to each of the options with the exception of the Blackdog site.

Conclusion

The Stakeholder approach was very task focused but the group has great potential. In the short term they have devised a revised matrix with weighting options and have assessed each of the sites following their respective visits. Next steps for this group would include agreeing a set of rules and a management regime for sites and potentially in the longer term participating in the process for the identification of a second permanent site within Aberdeen. With any site identified the need for robust site management at the preferred option as well as sufficient screening to alleviate against any operational difficulties.

N.B

The Blackdog site did not feature within the work of the Stakeholder Group as the initial site which was identified was ruled out due to environmental risks with the remaining option within the area featuring with the Aberdeenshire Council Local Development Plan for new build development with provision for a Gypsies/Traveller Halting Site. Our Asset Management Team has made contact with the agents for the landowner to note the Council's interest in acquisition.

Objective	Scotstown Recycling	Howes Road	Springhill Road Depot
Site Constraints			
Size of Site?			
Is the land in a SEPA flood map area?			
Is the land on the Contaminated Land Register?			
Local Development Plan Issue?			
Adequate space for parking, turning and servicing on site?			
Is there adequate and safe access?			
Site Characteristics			
Allows capacity for growth?			
Reasonably flat?			
Hard Standing?			
Readily available e.g. public ownership/willing landowner/vacant possession?			
Free from potential hazards? (Rivers/Pylons/Pipelines)			
Previously developed land?			
Adequate security arrangements (Privacy, screening, landscaping)			
Highway Issues			
Specific site access?			
Safe pedestrian access?			
Access for emergency vehicles?			
Access to public transport?			
Core path network?			
Infrastructure			
Access to water?			
Access to electricity?			
Access to drainage?			
Access to sewerage?			
Access to lighting?			
Waste Disposal?			
Local Services			
Access to schools (capacity available)			
Access to Primary health care (capacity available)			
Access to Council owned community facilities			
Access to Food shops			
Potential Environmental Impacts			
International/National/Locally designated sites			
Protected trees/woodland			
Compatibility with landscaping?			
Greenspace network implications?			
Amenity Areas			
Effect on the amenity of neighbouring properties e.g. Proximity & overlooking?			
Acceptable to Gypsies/Travellers?			
Is the site located in acceptable surroundings away from industrial sites/motorways/rivers?			
TOTAL SCORE			

Consultation with Community Councils

At the time of writing this report, meetings have taken place with Mastrick, Bridge of Don and Northfield Community Councils.

As part of the information gathering exercise and to ensure each of the Community Council's contributed to the overall decision making rationale, the following questions were posed.

1. What each Community Council thinks of the proposals – opportunity to raise concerns and issues and/or alternative solutions.
2. That if the outcome of the process is that a particular site in their area is chosen, what mitigating actions would they as essential/desirable in terms of wider consultation, site design and management regime.

Although each Community Council remains dissatisfied with the location of their respective local option, the meetings held were both constructive and positive and there was an overwhelming consensus that each Community Council obtained a greater understanding of the pressures and challenges the Council is facing in dealing with unauthorised encampments but they felt that the process would be eased with a better informed community who has the opportunity to contribute to the consultation process on a wider scale. Common themes emerging from the discussions with the Community Council's have been assembled into a Question & Answer format and will be shared with them.

Why should we make provision for Gypsy/Traveller Sites in Aberdeen?

Current legislation states that local authorities are responsible for providing sufficient space for Gypsies/Travellers as identified in the Craighforth report 2009 and the Council's Housing Needs Assessments.

Why have the sites been shortlisted?

This was the remit from Council on 1 March 2013 on the basis of the sites available at that time.

Why can't Gypsies/Travellers not use the permanent site at Clinterty?

The site is full with an active waiting list.

We aren't satisfied with the location of the site within our area. How can we feed into this process?

Viability and suitability of each site will be considered as part of the Stakeholder Group review. There are existing consultation feedback opportunities afforded to you.

Can I have a say on the plans?

An on-line e-mail process is in place and also there is the opportunity for feedback by way of letter submission. In recognising the desire for wider consultation, this will take place in a structured format where Community Councils, wider community and businesses can contribute to the process as well as part of any impending Planning Application

When will the site be developed?

Should we have a preferred location agreed at Council then a Planning Application would be submitted. Allowing for all the processes, an approximate start date would be Summer-Autumn time 2014.

What will the site look like?

The site will have basic facilities with hard standing, hook-up points and access to water. Bins and toilets would be provided and screening would need to be considered.

Who is going to pay?

The Council. We are already contributing financially as part of the challenges being faced in handling the unauthorised encampments but recognise that the status quo is not sustainable. Benchmarking information on charging regimes is inconsistent as well as length of stay and this is an opportunity for the Stakeholder Group to develop in the next phase of their work.

Robust site management is key. What are the Council's plans?

The Council acknowledges that this is a critical factor and we would need to review staffing resources to ensure that comprehensive management regimes are in place for any site.

Do Gypsies/Travellers pay tax?

Gypsies/Travellers living on permanent sites are subject to all the same taxes and bills (Rent, Council Tax, water rates, electricity usage) as people living in settled communities.

Will crime increase?

There is no evidence to support claims that levels of crime will increase wherever a site is located. There are examples around the country where Council's have reduced the stress, disturbance and expenditure on unauthorised encampments by established both permanent and short term halting facilities.

In acknowledging that we feel the site in question is unsuitable, how can we work with you in examining alternatives?

The Council is committed to keeping communication lines open with communities and this offer of continued engagement is welcomed.

Consultation Feedback

Although the remit from Council was clear, there was an opportunity for communities and businesses to submit their views and opinions on each of the sites using an e-mail feedback facility. This idea derived from feedback from the stakeholder group and some elected members as the Community Council consultation was with office bearers at this stage. The results of this exercise are as follows;

Total number of submissions = 578

Bridge of Don	Mastrick	Northfield
577	0	1

Given this process has been ongoing since January, this was a further opportunity for the communities to submit their views on each of the site options. Up until the recent consultation process, there were well over 500 enquiries from the Bridge of Don community by way of letters, e-mails, telephone calls and FOI enquiries. Mastrick and Northfield communities were considerably less in terms of volume of enquiries but each of those submitted were responded to after submission either directly or from elected members.

Option Appraisal and Recommended Site

Using the revised matrix with weighting options, the Stakeholder Group visited each of the sites with the exception of Blackdog – see previous note for explanation.

At this juncture it was decided by the group to assess the degree to which the Matrix arrangement/ procedure was fit for purpose. A number of trial applications/ assessments were performed on a number of sites. A wide spectrum of sites were considered, including established legitimate sites to sites that were particularly unsuitable, for instance that had been used as illegal encampments situated on private ground.

It became clear that the system was effective at identifying a potential good site, however, a significant weakness became apparent. Even with the applied weighting, essential parameters with very poor scores could be diluted amongst a high number of significantly less important parameters. Subsequently the importance of certain essential parameters was not being adequately reflected in final score for sites that were obviously poor.

Taken to an extreme example, consider a potential site that was perfect in every single respect, except that the total available area was one meter square. Such a site would score 96%, but in fact the simple practicalities of the site would be that it was useless and wholly unsuitable for the target application.

The solution arrived at by the Stakeholder Groups is as follows:

Final Score = Accumulated Parameter Score x Essential Parameter Factor

The scoring system is as follows;

Score – 0-10 ranging from 0 = totally unacceptable and 10 = ideal

Weighting – 1-5 ranging from 1 = Irrelevant and 5 = essential

Weighted score – Score x Weighting

Given the robustness of the test runs, the matrix was applied to each of the site options visited. The results are as follows;

	Scotstown Road Recycling Centre	Score (0-10)	Weight (0-5)	Weighted Score	Comment
Site Constraints					
1	**Size of Site?	2	5	10	The shape of the site does not lend itself to the provision. Maximum 6 caravans.
2	Is the land in a SEPA flood map area?	10	5	50	No flood risk.
3	Is the land on the Contaminated Land Register?		0	0	
4	**Local Development Plan Issue?	5	5	25	Contrary to LDP, but previous use
5	Adequate space for parking, turning and servicing on site?	1	5	5	The size and shape of the site makes this difficult.
6	**Is there adequate and safe access?	0	5	0	The site is inappropriate in terms of access.
Site Characteristics					
7	Allows capacity for growth?	0	3	0	No room at all.
8	Reasonably flat?	4	3	12	The site is on two levels, but there are flat sections
9	Hard Standing?	10	3	30	Yes
10	Readily available e.g. public ownership/willing landowner/vacant possession?	2	4	8	It is in Council ownership, but not in vacant possession. The timing of the relocation of the recycling centre is unknown.
11	Free from potential hazards? (pylons, etc)	4	3	12	There is fast moving traffic along Scotstown Road and there is a hazard.
12	Previously developed land?	10	3	30	
13	Adequate security arrangements (Privacy, screening, landscaping)	10	4	40	Good screening on all sides.
Highway Issues					

14	Specific site access? (is there sharing of access)	4	3	12	The access is not adequate and there would be improvements required.
15	**Safe pedestrian access?	0	5	0	Totally inadequate.
16	**Access for emergency vehicles?	2	5	10	
17	Access to public transport?	3	2	6	500-600m from the site, but access to this will be difficult.
18	Impact on core path network?	10	3	30	No affect on core path network
Infrastructure					
19	Access to water?	10	3	30	
20	Access to electricity?	10	2	20	
21	Access to drainage?	10	2	20	
22	Access to sewerage?	10	2	20	
23	Access to lighting?	10	2	20	
24	Waste Disposal?	10	2	20	
Local Services					
25	Access to schools (capacity available)	7	4	28	Capacity at present, but education review may alter this.
26	Access to Primary health care (capacity available)	8	5	40	Close to Scotstwon Medical Centre and at Jesmond.
27	Access to Council owned community facilities	10	3	30	Bridge of Don Academy, Jesmond Centre.
28	Access to Food shops	8	2	16	Asda and Tesco
Potential Environmental Impacts					
29	Is there an impact on international, national or local designated sites or species?	3	5	15	
30	Protected trees/woodland/designated areas?	7	4	28	
31	Compatibility with landscape?	9	4	36	
32	Greenspace network implications?	7	5	35	
Amenity Areas					
33	Effect on the amenity of neighbouring properties e.g. Proximity and overlooking?	5	5	25	
34	Acceptable to Gypsies/Travellers?	8	5	40	Gypsy/Travellers like going to the BoD area and there has been a history of encampments in BoD.
35	Is the site located in acceptable surroundings away from industrial sites/motorways/rivers?	8	4	32	There is only a busy road.
Total				735	
Factor (calculated using five essential				0	

	criteria identified by **)				
	Overall Rank			0	= Factor x Total

	Howes Road	Score (1-10)	Weight (0-5)	Weighted Score	Comment
	Site Constraints				
1	**Size of Site?	8	5	40	10 pitches
2	Is the land in a SEPA flood map area?	10	5	50	No flooding
3	Is the land on the Contaminated Land Register?		0	0	
4	**Local Development Plan Issue?	7	5	35	Part of a residential allocation
5	Adequate space for parking, turning and servicing on site?	10	5	50	
6	**Is there adequate and safe access?	10	5	50	
	Site Characteristics				
7	Allows capacity for growth?	5	3	15	Land surrounding is currently unoccupied and there is the potential to expand outwith the boundaries of this site.
8	Reasonably flat?	10	3	30	
9	Hard Standing?	10	3	30	
10	Readily available e.g. public ownership/willing landowner/vacant possession?	10	4	40	Site is in public ownership
11	Free from potential hazards? (pylons, etc)	10	3	30	
12	Previously developed land?	10	3	30	
13	Adequate security arrangements (Privacy, screening, landscaping)	2	4	8	
	Highway Issues				
14	Specific site access? (is there sharing of access)	8	3	24	
15	**Safe pedestrian access?	10	5	50	
16	**Access for emergency vehicles?	10	5	50	
17	Access to public transport?	10	2	20	
18	Impact on core path network?	8	3	24	
	Infrastructure				
19	Access to water?	9	3	27	
20	Access to electricity?	9	2	18	
21	Access to drainage?	9	2	18	
22	Access to sewerage?	9	2	18	
23	Access to lighting?	9	2	18	
24	Waste Disposal?	9	2	18	

	Local Services				
25	Access to schools (capacity available)	10	4	40	Capacity at Westpark and at Northfield Academy.
26	Access to Primary health care (capacity available)	10	5	50	
27	Access to Council owned community facilities	10	3	30	Sheddocksley Sports Centre
28	Access to Food shops	9	2	18	
	Potential Environmental Impacts				
29	Is there an impact on international, national or local designated sites or species?	10	5	50	
30	Protected trees/woodland/designated areas?	10	4	40	No affect on trees.
31	Compatibility with landscape?	2	4	8	
32	Greenspace network implications?	10	5	50	
	Amenity Areas				
33	Effect on the amenity of neighbouring properties e.g. Proximity and overlooking?	6	5	30	
34	Acceptable to Gypsies/Travellers?	4	5	20	There has been a group on this site, but there have been conflicts between the communities on this site.
35	Is the site located in acceptable surroundings away from industrial sites/motorways/rivers?	10	4	40	
	Total			1069	
	Factor (calculated using five essential criteria identified by **)			0.89	
	Overall Rank			951	= Factor x Total

	Springhill Road	Score (1-10)	Weight (0-5)	Weighted Score	Comment
Site Constraints					
1	**Size of Site?	6	5	30	Space for 7 pitches, but the presence of a building would cause problems.
2	Is the land in a SEPA flood map area?	10	5	50	No.
3	Is the land on the Contaminated Land Register?		0	0	
4	**Local Development Plan Issue?	5	5	25	Urban Greenspace and the proposal would be a departure, but there is a non-conforming use.
5	Adequate space for parking, turning and servicing on site?	3	5	15	There would be limited remaining space on this site.
6	**Is there adequate and safe access?	4	5	20	
Site Characteristics					
7	Allows capacity for growth?	8	3	24	Demolition of building will create additional space
8	Reasonably flat?	10	3	30	
9	Hard Standing?	10	3	30	
10	Readily available e.g. public ownership/willing landowner/vacant possession?	10	4	40	
11	Free from potential hazards? (pylons, etc)	5	3	15	The building is a hazard as is Springhill Road
12	Previously developed land?	10	3	30	
13	Adequate security arrangements (Privacy, screening, landscaping)	1	4	4	Highly visible in the surrounding area.
Highway Issues					
14	Specific site access? (is there sharing of access)	5	3	15	
15	**Safe pedestrian access?	10	5	50	Good adopted footpath links
16	**Access for emergency vehicles?	10	5	50	Easy access from various locations.
17	Access to public transport?	10	2	20	
18	Impact on core path network?	2	3	6	Impact on adjacent core paths
Infrastructure					
19	Access to water?	9	3	27	
20	Access to electricity?	9	2	18	
21	Access to drainage?	9	2	18	
22	Access to sewerage?	9	2	18	

23	Access to lighting?	9	2	18	
24	Waste Disposal?	9	2	18	
Local Services					
25	Access to schools (capacity available)	10	4	40	Capacity at Westpark and at Northfield Academy.
26	Access to Primary health care (capacity available)	10	5	50	
27	Access to Council owned community facilities	10	3	30	
28	Access to Food shops	10	2	20	
Potential Environmental Impacts					
29	Is there an impact on international, national or local designated sites or species?	10	5	50	
30	Protected trees/woodland/designated areas?	10	4	40	
31	Compatibility with landscape?	1	4	4	
32	Greenspace network implications?	7	5	35	
Amenity Areas					
33	Effect on the amenity of neighbouring properties e.g. Proximity and overlooking?	2	5	10	
34	Acceptable to Gypsies/Travellers?	7	5	35	Expression of interest, but no historic encampments in this area.
35	Is the site located in acceptable surroundings away from industrial sites/motorways/rivers?	9	4	36	
Total				921	
Factor (calculated using five essential criteria identified by **)				0.65	
Overall Rank				599	= Factor x Total

The Howes Road site scored higher than any of the other two sites evaluated. This site scored particularly higher under the Site Characteristics criterion as it is reasonably flat, has existing hard standing (although there are areas of growth underfoot), and is readily available. The site is served by an existing footpath on the North side of Howes Road and a pavement exists on the South side up to the existing bus terminus. This provides good links to the local community facilities, Health and Schooling – of which there are many with sufficient capacity and neighbourhood shops, again which serve the area well. Junction visibility in and out of the site is good given its location.

The Howes Road site also scored higher under the Site Constraints criterion, particularly given its size as it is felt it could accommodate 10 pitches, and given its previous use, there would be adequate space for parking, turning and servicing on site. In terms of the Planning aspects to this site, again, this site scored higher than any of the other two. The site is identified for development in the Local Development Plan, site OP45. This is an allocation for housing and within the site a Gypsy Traveller Site could be acceptable, providing it does not prejudice the full delivery of the housing. This location would be a gateway to the development and to be acceptable there would be a need to minimise the visual impact of the development.

Next Steps

Consultation

In recognising that a better informed audience can have a greater understanding of the issues involved with this process and to explain the rationale behind the group's recommendations, the Council is committed to future detailed consultation with the specific community affected by the chosen site. It is proposed to consult further with;

Elected members in the multi-member ward affected
Planning and Asset Management
Gypsies/Travellers
Local communities and businesses

It is planned to use the Stakeholder Group to develop structured events so that most robust and thorough consultation can be realised. The consultation will include understanding concerns, mitigating concerns where possible through design (e.g. screening, roads access) or through management approach – supervision, CCTV, Police/City Warden patrols (following the Community Safety Hub focus), regular management meetings with local community.

Planning

The development of short term halting sites requires planning permission. The precise nature of the process will be dependent on the location of the site and the nature or relevance of the objections to it. An established and separate consultation is required for this and once a site is chosen, we will be able to be more specific about what planning issues there are and what the correct process is.

Costs

A further report to the appropriate Council committee will bring forward costs appropriate to site and to identify the capacity of the site. The costs will be Capital to establish the site and Revenue to run the run the sites but Officers will also seek and source external funding opportunities.

6. IMPACT

Public – this report will generate significant public interest given the previous attempts to address this contentious issue.

7. BACKGROUND PAPERS

Policy & Strategy 29 November 2005
Council 15 August 2007
Council 21 November 2007
Area Committee South 29 November 2007
Area Committee South 21 February 2008
Area Committee North 23 September 2008
Policy & Strategy 7 October 2008
Policy & Strategy 2 December 2008
Council 1 March 2013
Council 1 May 2013

8. REPORT AUTHOR DETAILS

Martin Smith
Housing Manager
martinsmith@aberdeencity.gov.uk
788538