

**ANGUS COUNCIL**

**ANGUS COUNCIL - 15 DECEMBER 2022**

**TEMPORARY MODULAR ACCOMMODATION UKRAINIAN DISPLACED PERSONS**

**REPORT BY DEPUTE CHIEF EXECUTIVE**

**ABSTRACT**

The report advises members of a request from the Scottish Government to participate in a pilot project to provide temporary modular accommodation for Ukrainian Displaced Persons (UDP) as an addition to the existing Welcome Hub hotel and cruise ship accommodation that is available in other council areas in Scotland. Pending receipt of certain clarifications and assurances from the Scottish Government, the report recommends the previous St Thomas' school site at Arbroath, (Arbroath site), as a suitable site for this national pilot.

**1. RECOMMENDATIONS**

It is recommended that the Council:-

- (i) Note the work done to date by the council and its partners in providing support and assistance for Ukrainian Displaced Persons (UDP) residing in Angus.
- (ii) Agree that as part of the ongoing Angus response to the humanitarian disaster in Ukraine, Angus Council agree to participate in the Scottish Government pilot to provide temporary modular accommodation for UDP.
- (iii) Note that the agreement to participate in the pilot will be subject to the final pilot-proposal being signed-off through the Scottish Government's governance arrangements as advised in Paragraph 4.20.
- (iv) Approve that agreement to participate in the pilot is dependent upon officers receiving satisfactory clarifications and assurances as detailed in Section 5 of this report.
- (v) Note that this temporary modular accommodation is exclusively for the use of UDP.
- (vi) Agree that the previous St Thomas school site (Arbroath site) will be the site for the pilot of temporary modular accommodation.
- (vii) Delegate authority to the Depute Chief Executive in consultation with the Director of Legal and Democratic Services to agree the lease arrangements for the St Thomas school site with the Scottish Government to allow the Scottish Government to then agree the delivery arrangements with the Palladium Group. This will be subject to consent criteria for disposal / use of the HRA asset being satisfied.
- (viii) Note the existing and planned ongoing community engagement activity that will involve both local residents and UDP in the development and monitoring of the delivery of the temporary modular accommodation in Arbroath.
- (ix) Agree that if the pilot is delayed then the Brechin site which is situated between Wards Park and Brechin Park and as shown outlined in red on the plan forming Appendix 2, (Brechin site) could be used as the Angus site instead of the Arbroath site for the pilot of temporary modular accommodation.
- (x) Note that if the Brechin site is to be considered, that any associated proposals for this site would be the subject to the same clarifications and assurances being sought for the Arbroath site and would also be the subject of reports to Communities and Development Standards Committees as appropriate.

## **2. ALIGNMENT TO THE COUNCIL PLAN**

This report contributes to the following local outcomes contained within the Angus Community Plan 2017-2030

- Angus is a good place to live in, work in and visit:
- Our communities are safe, secure, and vibrant:
- Individuals are supported in their own communities with good quality services.

And to the Angus Council Plan 2021-2024 priorities of

- To maximise inclusion and reduce inequalities
- Our communities to be strong, resilient, and led by citizens
- The Council to be efficient and effective

## **3. BACKGROUND**

- 3.1 Since shortly after the Russian invasion of Ukraine in February 2022 the council has led the multi-agency co-ordination of humanitarian support and assistance to Ukrainian Displaced Persons (UDP) across Angus and with those Angus citizens and businesses acting as Hosts to guests from Ukraine under both the UK and Scottish Government schemes.
- 3.2 The humanitarian support and assistance provided has been wide ranging, involving many different council and partner services and has been targeted at meeting the individual needs of both the Hosts and UDP within Angus.
- 3.3 Ring-fenced funding has been made available by both Governments to enable appropriate support and assistance to be provided along with the resources required to co-ordinate and administer the various schemes.
- 3.4 At the time of writing this report there are known to be 214 UDP residing within Angus. The systems in place to co-ordinate and deliver support and assistance are working well and meeting all needs that are being presented. Overall, the feedback being received from both hosts and UDP is very positive and complementary of the role that the council and its partners are playing in responding to this humanitarian disaster.
- 3.5 While some council officer time is having to be diverted from usual council business this has not to date caused significant problems, although examples such as Welfare Rights having to operate a debt wait list of about 6 weeks due to the initial Ukraine work should be noted. Wherever possible, the costs associated with this shift in priorities are covered by the ring-fenced funding provided although it is not always possible to secure additional staff if that is required.

## **4. CURRENT POSITION**

- 4.1 At a national level pressure is being experienced in those council areas that are providing accommodation for UDP when they first arrive in Scotland. In response, the Scottish Government has provided additional accommodation through local hotels and, in some areas, cruise ships. At present, there are no hotels in Angus that are providing first arrival accommodation to UDP.
- 4.2 To enhance the existing system and methods of arrival accommodation for UDP, the Scottish Government is working to establish at least two pilots of temporary modular accommodation, each for up to approximately 100 UDP, from early 2023 and for approximately 12-15 months. 12 months to house UDP and a maximum of 3 months to decommission the site and remove the temporary accommodation that is part of the pilot project enabling the council to progress the implementation of its substantive plans for the site.
- 4.3 The Scottish Government's goal is to build an alternative option to hotel and ship accommodation with three main objectives, over the period of the pilot:-
- To design and build temporary modular shelter for short term UDP occupancy
  - To enable UDP buy in to the modular shelter solution
  - To compare the experience of accommodating UDPs in welcome modular accommodation to the experience of accommodating UDPs in ships and hotels.

- 4.4 The Scottish Government have also advised that the pilot will focus on short-term application - "Temporary modular shelter will address the short-term application of emergency shelter needs for Ukrainians arriving to Scotland under the Homes for Ukraine visa scheme for an expected period of between 2-12 months."
- 4.5 An organisation called the Palladium Group, an international foreign aid consultancy based in the United States of America, have been commissioned by the Scottish Government to work with them and local councils to establish, deliver and evaluate the pilot. A purely indicative example of the sort of temporary accommodation to be used is provided in the exempt Appendix 1. The supplier has yet to be determined but it is understood that this is being progressed at pace.
- 4.6 Councils across Scotland were asked to identify any sites within their area that may be suited as locations for the provision of temporary modular accommodation as part of this pilot.
- 4.7 Officers initially identified potential sites within Arbroath, Brechin and Monifieth. All three possible sites are owned by the council and on the Housing Revenue Account. The sites in Arbroath (previous St Thomas' school) and Monifieth (Invertay house) are already identified for housing development within the council's Strategic Housing Investment Plan (SHIP), while the Brechin site, between Wards Park and Brechin Park, accommodates garages which are scheduled for demolition following damage through Storm Arwen and is a potential housing development site for the future.
- 4.8 Further desktop analysis of the three potential sites has been undertaken including consideration of risks and issues such as the capacity within local health services and schools, the council's plans for the development of the sites and planning and licensing issues. In addition, consideration has been given to the capacity of council and partner services to support and meet the needs of the anticipated number of UDP that may arrive in Angus through this scheme.
- 4.9 The outcome of this analysis and consideration has concluded that:-
- the Monifieth site is not suitable to progress, primarily due to pressures on health services, the listed building status and concerns about pressure on schools although it has been confirmed by Scottish Government that children would not be accommodated through this pilot.
  - the Arbroath site is suitable for the pilot up to 15 months.
  - the Brechin site is possibly suitable if the pilot is delayed beyond early 2023. There are still tenants occupying a number of the garages and the preferred timescale for the pilot requires sites to be available as soon as possible in 2023.
- 4.10 The Arbroath site is recommended for the reasons identified below:-
- it has infrastructure in place which it is believed could enable relatively simple connection to services, so commissioning units should be straightforward.
  - The affordable housing project identified in the SHIP for the site is not programmed until late 2024/25.
  - The proposed use is residential in nature and the surrounding area is predominantly residential and is therefore broadly compatible in land use terms.
  - The site is currently being used as a compound by one of the council's contractors until December 2022 so has containers on site.
  - Arbroath has good public transport links and access to all facilities, making it ideal for UDP.
  - English language learning services (ESOL) are delivered in Arbroath and there is an extensive network of wrap-around support services from both public and third sector organisations.
  - Arbroath has been central to the council's humanitarian activities over the course of the last 6 years, and this has been successful in large part because the people of Arbroath have given a warm welcome to refugees from Syria, Afghanistan and now Ukraine.
- 4.11 It should be noted however, that there is considerable pressure on health services in the Arbroath area, and although it is confirmed that children would not be accommodated on this site, there could be additional burdens on GPs and other services. The prevalence of mental health and wellbeing needs in this population who have experience of war may place additional demands on mental health services. Our experience to date with UDP is that these demands have been manageable.

- 4.12 AHSCP have advised that all Arbroath practices are struggling for GP capacity with most advertising for additional GPs with little success. One practice is in a very difficult situation and have closed their list which gives them a bit of protection. For the others AHSCP is very concerned about an influx of a significant number of patients in Arbroath. There is also strain within the Major Injuries and Illness Unit service in Arbroath who are coping with the GP practice situation and increased presentations which would previously been seen in GP practices.
- 4.13 Through engagement with AHSCP it is planned to mitigate this risk through the following actions:-
- Providing AHSCP with notice to enable them to compile an action plan to try and meet needs of people moving into area
  - Restricting the number of new registrations in each practice.
  - Delivering a package of support to ensure smooth registration and meeting of initial healthcare needs, including considering how mental health and wellbeing services may be augmented to support this population's specific requirements.
- 4.14 The use of land in the manner proposed requires planning permission. However, Scottish Government has issued a letter to all planning authorities requesting help to support the provision of short-term accommodation and associated infrastructure where possible and appropriate, and to take account of that need when considering potentially unauthorised temporary use of buildings or land. Specifically, authorities are asked to take a pragmatic approach and exercise their discretion by allowing temporary breaches of planning control where this is considered reasonable.
- 4.15 The former St Thomas' school site is in council ownership and use for temporary residential accommodation would be broadly compatible with surrounding land uses. The council has the ability through its ownership of the site to ensure that relevant planning matters are addressed out with the planning process. In consideration of any proposal the following matters are required to be addressed to the satisfaction of the council:-
- the layout and design of the site should comply with relevant caravan site license standards. This would ensure an acceptable amenity for prospective residents and would be controlled by the environmental health service.
  - The separation distance between proposed units and existing houses should be in accordance with requirements identified in the council's [advice note 14](#) and, if possible, the overall site layout should be informed by community consultation. That should ensure direct impact on the amenity of occupants of neighbouring property is minimised,
  - Potential impacts on the sensory amenity of occupants of neighbouring property should be controlled to the satisfaction of environmental health service.
  - Detail of access arrangements should be agreed with and to the satisfaction of the council in its capacity as roads authority.
  - Impacts on community infrastructure should be acceptable to the council in consultation with the community planning and health and social care partnerships.
- 4.16 Irrespective of any planning position, building warrant approval may be required for aspects of the development such as any new drainage infrastructure. The Scottish Government and the Palladium Group are aware through discussion with officers from the council's building standards team that they would be fully responsible for ensuring any approvals required for their occupation of the site are in place.
- 4.17 The use of land at Brechin would also require to be considered in the context of the issues as outlined above.
- 4.18 The type of modular building proposed meet the definition of a caravan as defined by the Caravan Sites and Control of Development Act 1960.

*No occupier of land may cause or permit land to be used as a caravan site unless the occupier is the holder of a site licence authorising the use of the for that purpose. A licence can only be issued if the occupier of the land is entitled to the benefit of Planning Permission.*

The Caravan Sites and Control of Development Act 1960 does, however, exempt a Local Authority from the requirement to hold a licence and, therefore, in the circumstances, this exemption can be applied. The proposed sites will, therefore, not require to be licensed in terms of the 1960 Act.

The Model Standards relating to caravan sites are issued by the Scottish Government and these standards will apply to the site despite the exemption from licensing requirements. The standards relate to the infrastructure of the site and control issues such as electrical safety, safe access and spacing between properties.

- 4.19 Initial engagement with the Royal Burgh of Arbroath Community Council has taken place. They are very supportive of this initiative in principle but seek assurances that there will be support to ensure a holistic community impact assessment, this work is progressing.
- 4.20 It is intended that community engagement will take place with residents in the proposed area and key stakeholders. It is also planned that once operational there would be ongoing engagement with the local community and representatives of the UDP accommodated in the temporary accommodation.
- 4.21 Recent communication from the Scottish Government has advised that the Council's agreement to participate in the pilot, will be subject to the final pilot-proposal being signed-off through the joint Scottish Government and COSLA governance structures with final sign-off by the Scottish Ministers.

## **5. PROPOSALS**

- 5.1 To enhance the humanitarian assistance and support provided across Angus to our guests from Ukraine, it is recommended that the council should agree to participate in the Scottish Government pilot to provide temporary modular accommodation for UDP.
- 5.2 Based on the analysis of the potential sites that could be suited to the pilot, it is recommended that the Arbroath site will be the site for the pilot of temporary modular accommodation. The accommodation is anticipated to consist of approximately 75 modular units. A modular unit will either accommodate a single adult individual or two adults who have a prior relationship ("couples").
- 5.3 It is envisaged that, should the council approve participation in the pilot, that the temporary modular accommodation could be erected on site as early as January 2023 to be used as accommodation for UDP for a maximum of 12 months. Following this the temporary modular accommodation would be decommissioned and the site returned to the council to be developed as already planned within the SHIP.
- 5.4 Details of the lease arrangements with the Scottish Government and the responsibilities that sit with them have yet to be determined. These will include the responsibilities that sit with Scottish Government as the Tenant and requirements related to the phased arrival of UDP into Angus to ensure that support services are best able to cope with any increased demand e.g. Welfare Rights, AHSCP, ESOL etc.
- 5.5 As the sites are on the HRA, there are certain obligations in terms of consent being required for the lease, as it is considered a type of disposal. If the value of the lease is £10,000 or under then it falls within general consent and no further action is required. The Arbroath site has been valued at £8,000 per annum, so £10,000 for the maximum 15 month period. As a consequence, no further action, beyond that provided through approval of the recommendations in this report, is required by the council to progress the lease.
- 5.6 If the pilot is delayed then the Brechin site could be the Angus site for the pilot of temporary modular accommodation.
- 5.7 Given the pace that this development has moved at there remain a number of areas of clarification and assurance that officers are seeking from Scottish Government These are:
  - Agreement on the lease arrangements with Scottish Government, including details of site vacation after 12 months.
  - Clarification on any requirement to secure Ministerial consent for the disposal of the HRA asset.
  - Details of appropriate and supportive pathways for UDP both into and out of the Temporary Modular Accommodation and at a pace that support services can accommodate taking account of services' capacity to both support UDPs while in modular accommodation and match individuals into longer-term accommodation.

- Commitment that the accommodation will only be used for temporary accommodation for UDP.
- Clarification on the respective roles of the council, its partners, Scottish Government and Palladium in the management of the temporary accommodation units and the site.
- Assurance on satisfactorily meeting all the relevant planning, building warrant and licencing requirements.
- Clarification on the delivery of effective community and UDP engagement in the ongoing monitoring of the site.

## **6. FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report. All costs associated with the provision, management and decommissioning of the temporary modular accommodation will be met by the Scottish Government. Similarly, the staff time required to support this pilot initiative will be met by Scottish Government grant to meet costs associated with humanitarian support to UDP.

## **7. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment has been carried out and is attached.

## **8. CONSULTATION**

All relevant Angus Council directorates and Angus Health and Social Care Partnership have contributed to this report. Discussions are being held with community planning partners and in particular Police Scotland, Scottish Fire and Rescue and Voluntary Action Angus (VAA). Initial engagement has also taken place with Arbroath Community Council.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices:

Appendix 1 – Indicative Example of the Temporary Accommodation

Appendix 2 – site plan of Brechin site