

<b>ADULTS AND COMMUNITIES SCRUTINY COMMITTEE</b>	AGENDA ITEM No. 8
<b>12 SEPTEMBER 2017</b>	<b>PUBLIC REPORT</b>

Report of:	Adrian Chapman, Service Director Communities & Safety	
Cabinet Member(s) responsible:	Councillor Irene Walsh, Cabinet Member for Communities	
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**UPDATE ON EMERGENCY STOPPING PLACE PROVISION FOR GYPSIES AND TRAVELLERS WITHIN PETERBOROUGH**

**R E C O M M E N D A T I O N S**

It is recommended that Adult and Communities Scrutiny Committee:

1. Consider and comment on the updates provided on the recommendations made by Cabinet on 20th March 2017.

**1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Adult and Communities Scrutiny Committee following recommendations made at Cabinet on 20th March 2017.

**2. PURPOSE AND REASON FOR REPORT**

- 2.1 This purpose of this report is to provide the committee with an update on the review of emergency stopping provision for gypsies and travellers within Peterborough and the progress made against recommendations agreed by Cabinet on 20th March 2017.
- 2.2 This report is for Adult and Communities Scrutiny Committee to consider under its Terms of Reference: Part 3, Section 4 - Overview and Scrutiny Functions, paragraph No. 2.1 Functions determined by Council: 4. Neighbourhood and Community Support.
- 2.4 This report links to the following corporate priorities:
  - Keeping our communities safe, cohesive and healthy
  - Safeguarding children and vulnerable adults
- 2.5 How does this report link to the Children in care Pledge?

N/A

**3. TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	N/A
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**4. BACKGROUND AND KEY ISSUES**

- 4.1 At its meeting on 20th July 2016 the Strong and Supportive Communities Scrutiny Committee

(now the Adults and Communities Scrutiny Committee) recommended that a cross-party Task and Finish group be established to review emergency stopping place provision for Gypsies and Travellers in Peterborough. The Committee received a report of the group's findings and recommendations at its meeting on 7th March 2017 which was then submitted to Cabinet on 20th March 2017.

- 4.2 At the meeting on 20th March 2017 Cabinet considered the report and resolved as follows:
- 1) That the council converts the existing emergency stopping place in Dogsthorpe to a temporary stopping place by seeking full planning consent to enable the site to be used more than the current 28 days per year. The site will require some capital investment to bring it up to a reasonable standard.
  - 2) That the site, with its extended usage, be trialled for a least 12 months before any other locations are identified in order to determine its effectiveness and to make particular reference to the use of the site by 2 or more families.
  - 3) To distribute a flow chart to all councillors which details the process of dealing with unauthorised encampments from assessment to removal, and that the flow chart describes the new approach of Gypsy and Traveller management being finalised with the Prevention and Enforcement Service between the council and the police.
- 4.3 A planning application to change the use of the land currently used as an emergency stopping place has been submitted, further supporting documents have also been submitted. The application also detailed plans to improve the location including fencing, entrance gates and height barriers. If planning permission is granted the site will be closely monitored to see how it is used and the impact it has on reducing the impact unauthorised encampments can sometimes have on residents. The estimated timescale for planning permission is 8 weeks, this includes approximately 4 weeks consultation period. It is hoped that planning will be granted by the start of November but that may be affected by the nature of any objections which may be made to the application.
- 4.4 The Temporary Stopping Place will be protected until it was required for an encampment. Officers from the Prevention and Enforcement Service would direct gypsies and travellers to the site, where they would be given a contract of use and be required to pay a nightly rent. Whilst on the site waste collection, toilets and water would be provided and regular visits undertaken by officers. The Local Authority would continue to use current powers to move groups on from the stopping place to ensure the site did not get misused.
- 4.5 From 1st April 2017 to 1st August 2017 there have been 17 unauthorised encampments in the Peterborough area of which 10 were on Peterborough City Council owned land. Section 77 notices were issued on 9 occasions; on 6 occasions they were not complied with and a Section 78 notice was issued by the courts. The use of the emergency stopping place was offered at the initial visit to each encampment however it has not been used this year to date.
- April - 2 unauthorised encampments in the city, both of which were on private land at Lynchwood. Companies affected engaged bailiffs direct. Support was given during the process, officers also worked with businesses on the installation of defence measures.
  - May- 3 unauthorised encampments all on city council land; two were in Werrington/Walton Park and the Embankment, and on both occasions a Section 78 court order was issued on the groups. The other encampment was in Ashton which complied with Section 77 notice. Defences at the park have been repaired and a shroud installed on the height barrier to the embankment.
  - June - 6 unauthorised encampments, two on private land (one at Serpentine Green which moved on after police visited, and the other at the Ice Rink which moved after police issued a Section 61 notice). The other 4 were on PCC land: A16 near Green Road where

the group complied with a Section 77 notice; A16 near the Nature Reserve where a Section 78 notice was issued; Hurn Road where a Section 78 notice was issued; and Gunthorpe Park where the group left after the initial visit. After the groups left additional defence measures were reviewed and a new bund installed on the A16 near the bridleway.

- July - 6 unauthorised encampments with 3 on private land (Nature's Way, Network Rail Car Park and the Boating Lake and in each case the owners of the land undertook private evictions). 3 encampments were on PCC land: a group parked on the verge next to the crematorium entrance where a summons was issued and they left before the court date; and on two occasions groups set up on land behind the Silver Jubilee in Bretton - a Section 78 notice was issued on both occasions. Defence measures have been installed at the Silver Jubilee on both private and public land. Officers are currently working with Amey on appropriate defence measures for land outside the crematorium.

4.6 Since the introduction of the new process each encampment is assessed by police and Prevention and Enforcement Officers to determine the use of appropriate powers to move the group in a timely manner. A flowchart detailing the process has been circulated to all Councillors and Parish Councils. Police use the National Decision Model to see if sites meet set criteria for use of a Section 61 notice, and undertake reviews whilst the encampment is on site. The police National Decision Model assessment process reviews sites based on information and intelligence, community impact, threat assessment, working strategy, powers and policy, tactical options and preferred action. The model is an ongoing assessment and as new information and intelligence is added it allows police to re-assess the situation.

## **5. CONSULTATION**

5.1 Consultation will be required as part of the planning process for change of use of the current emergency stopping place to a temporary stopping place.

## **6. ANTICIPATED OUTCOMES OR IMPACT**

6.1 It is hoped that the new joined up response to moving on unauthorised encampments and the investment in the current emergency stopping provision will limit the impact unauthorised encampments can have on local communities in Peterborough.

## **7. REASON FOR THE RECOMMENDATION**

7.1 To enable the committee to consider progress made on the recommendations approved by Cabinet relating to emergency stopping provision for Gypsies and Travellers.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

8.1 Not applicable.

## **9. IMPLICATIONS**

### **Financial Implications**

9.1 Capital investment will be sought if planning permission is granted to upgrade the emergency stopping place.

### **Legal Implications**

9.2 N/A

### **Equalities Implications**

9.3 Gypsies and Travellers' right to roam, which is protected by various legislation including Human Rights, Housing and Planning, is considered as part of this work.

## **Rural Implications**

9.4 N/A

### **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

10.1 Cabinet Report - Review of Emergency Stopping Provision for Gypsies and Travellers within Peterborough - 20th March 2017

### **11. APPENDICES**

11.1 None