

25 AUGUST, 2020

Current Position Relating to Unauthorised Encampments

Ward(s): All

Portfolios: Communities Leisure and Culture

1. Aim

To provide an update to members on the situation on Unauthorised Encampments (UE)

2. Recommendations

For Members to consider the contents of the report.

3. Report detail – know

Background

- 3.1 Despite the presence of the Coronavirus pandemic and the restrictions imposed nationally aimed at controlling its spread, Walsall has continued to see high levels of Unauthorised Encampments.
- 3.2 The measures put in place to control the spread of the Coronavirus have changed over time, but have included restrictions on non-essential travel as well as social distancing and good hand hygiene measures.
- 3.3 Members of the Gypsy, Roma and Traveller Communities (GRT) who reside in caravans, and particularly whilst actively travelling find many of these measures difficult to comply with due to the numbers of family members and access to hot running water. The majority of families have consequently taken the decision not to go out on the road this year and have put their own strict measure in place on their residences and permanent sites to protect their families.
- 3.4 As has been previously reported to the members of this committee, members of the GRT communities are recognised ethnic groups. All activity in this area has to be carried out legally and proportionately to ensure the Authority meets its obligations under human rights and equalities legislation for both the travelling communities and residents.

Provision of Temporary Site

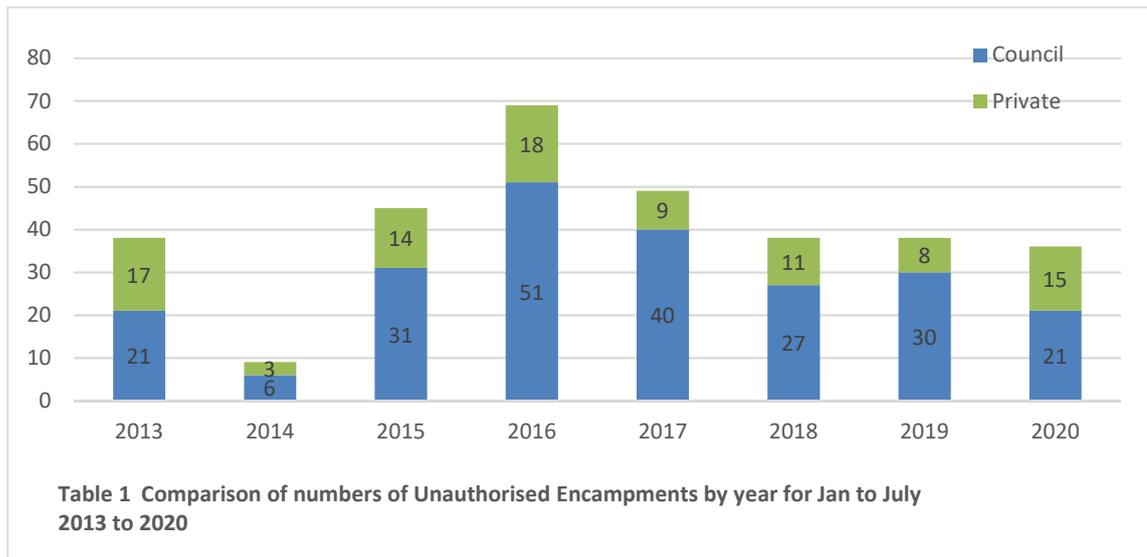
- 3.5 In April 2020, the Government wrote to local authorities recommending that they consider taking a tolerance approach should an UE set up in their borough. An

unauthorised encampment set up in the borough at this time which was thought to be connected to a traveller funeral. A temporary site was made available for this group at Wakes Car Park Willenhall. Basic facilities of running water, toilet facilities and waste rubbish disposal were made available. The occupants were served with a notice which contained conditions of good behaviour and which retained the right for the Authority to rescind the permission to remain on the site. However, the occupants failed to adhere to these conditions and consequently the permission to remain was rescinded.

3.6 The family that was on this site had been in the Borough in 2019 on a number of sites and continued to set up UEs on land in the borough until May/June.

Current Picture of UEs

3.7 Table 1 below illustrates the number of UEs on Council land or highway and private land for the period January to July for each year 2013 to 2020. It can be seen that the numbers are not at the peak seen in 2016, but remain high, comparable with 2018 and 2019. This is out of step with other Authorities in the West Midlands.



3.8 Managing UEs is the responsibility of the Community Protection (CP) Team, supported by colleagues in other teams, principally including legal services, communications, Clean & Green (C&G) and Regeneration. As ever, officers are aware of the impact a UE can have on residents and local businesses and always give this area of work a high priority. However, with the impact of Coronavirus workloads on other areas of the work of the CP team are unprecedentedly high. Therefore a decision was made to engage bailiffs to act on behalf of the Authority for all UEs for the time being. Previously bailiffs would be engaged only in relation to injunction sites and where there was a history of threats to officers from a known family or group.

3.9 In addition to the family referred to in paragraph 2 above, there has been another family which has been responsible for setting up multiple UEs in the borough this year. In total the 2 family groups have accounted for at least 17 of the UEs in the Borough this year. This is in relation to both Council and private land. One family has not set up camp in the borough for at least 2 months. Legal services are

being consulted on whether different, targeted action can be taken in relation to the second family.

Transit Site

3.10 Work is ongoing to identify a suitable location for the establishment of a transit site. Arcadis have been engaged to assist with this process. They have gone through a process of reviewing land against the agreed criteria which had previously presented to the working group established by this committee. Work continues to find an appropriate site.

3.11

Other work

3.12 There are active discussion with the police regarding UEs and how the relationship can be improved on this matter. This has proved beneficial on a number of sites with support for evictions being provided and the use of the police powers under s61 of the Act. We are jointly reviewing the shared protocol between West Midlands Police and Walsall Council to ensure it is current and fit for purpose.

4. *Financial information*

Managing UEs has a cost in terms of officer time, court fees and clean up and repair of sites. It is estimated that this amounts to an average of £3500. Where the eviction process is managed within the service, the majority of this cost is officer time. Where bailiffs are engaged, there is a financial transaction.

5. *Reducing Inequalities*

Members of the GRT community are often recognised ethnic groups and the authority has a responsibility to ensure that it facilitates these families to follow a travelling lifestyle. Action to evict travellers must be taken in accordance with the legal provisions available. It is known that these families suffer significant health and socio-economic disadvantages. The provision of a transit site will enable some of these concerns to be addressed whilst reducing the impact a UE can have on residents and businesses when it is set up on an unsuitable site.

6. *Decide*

This report has been written as a briefing note for members.

7. *Respond*

All feedback from the overview and scrutiny committee received at the meeting will be considered.

8. *Review*

UEs are regularly reviewed in service and with the portfolio holder and the response modified as required.

Background papers

There are no additional papers to accompany this report

Author

Lorraine Boothman
Regulatory Services Manager

☎ 07951 523523

✉ Lorraine.boothman@walsall.gov.uk