

Council - 15 July 2019

Notice of Motion - Transit Site

1. A notice of motion has been received from Councillors Nawaz, Robertson, Jeavons, Jukes, Bashir and Hussain as detailed below:

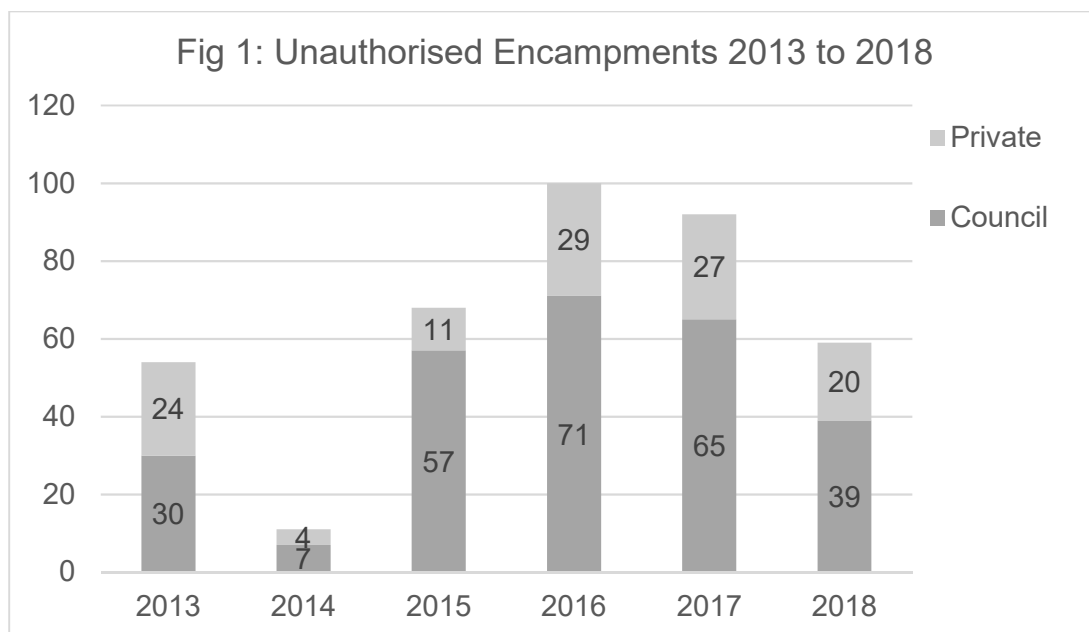
“This Council recognises the disruption, anxiety and fear caused to the residents of Walsall by the continuing instances of unauthorised encampments across the Borough.

This Council acknowledges the loss of confidence of the residents of Walsall in Walsall Council’s ability to deal with unauthorised encampments and the disruption, ASB, littering and general annoyance that they create.

This Council further recognises the fact that Sandwell Council, by setting up a Traveller Transit Site, has eliminated unauthorised encampments from its borough.

This Council therefore calls upon the administration to consult local residents and Councillors in order to designate, open and operate a traveller transit site in the borough of Walsall, based on the Sandwell model, and to do this urgently – within 3 months – to resolve this major issue for the people of Walsall.”

2. When there is an unauthorised encampments (UE) in the borough on land which is owned by the council or on highway, it is the responsibility of the Community Protection Team, supported by officers in other teams, to follow the legal process outlined in the Criminal Justice and Public Order Act 1994 to secure lawful possession of the land. In summary, once it is confirmed that there are no welfare needs which would preclude an eviction, a notice is served on the occupants of the UE requiring them to vacate the land. If they fail to comply with the notice, then an application is made to the magistrates’ courts for an order to evict the occupants. Assuming there are no complications and subject to court availability, this process usually takes about 5 working days.
3. In 2015, there was a significant rise in the number of UEs which continued into 2016. This is shown in figure 1 below. An application for an injunction was made in 2016 which prohibits the setting up of UEs on a number of sites, prohibits certain people from setting up a UE anywhere in the borough and also deals with anti-social behaviour connected with a UE. Further applications for injunctions were made subsequently, bringing the number of sites covered to 25. There has been a reduction in the number of UEs in 2017 and 2018. In the first half of 2019, there have been 16 UEs on Council land and 7 on private land (compared to 22 and 7 respectively for the same period in 2018).



4. Whilst it is recognised that in some instances the occupants of UEs can create a nuisance and ASB, this is certainly not universally the case and many of the calls received by the Community Protection team from residents are expressing fear of crime and ASB rather than reporting actual incidents. However, officers recognise that UEs do have an impact on residents and give a very high priority to managing UEs and securing possession of the land.
5. Gypsies, Roma and Traveller (GRT) people are recognised ethnic groups and living a travelling lifestyle is part of their culture. Under the Equality Act 2010 the Council is under a duty when carrying out its public functions to promote equality of opportunity and consider how its service delivery will affect people with the protected characteristics. This includes making provision to support people from these ethnic groups.
6. During 2018, a significant piece of work has been undertaken to identify land which may be suitable for building a transit site. Once a suitable site has been identified, it will be necessary to engage with the local community and a full planning application will need to be submitted. A transit site provides an opportunity to support families during the period on which they reside on the site as well as providing additional powers for the police to direct occupants of a UE to the site, negating the need to follow the current eviction process.
7. Gypsies, Travellers and Roma people commonly experience significant health and socio-economic inequalities. Officers undertook a piece of work in 2018 to understand these inequalities better in Walsall, which included understanding cohesion issues, engaging with occupants of UEs and local residents.
8. On 20 June 2019, the Economy and Environment Overview and Scrutiny Committee established a working group to understand the issues highlighted by these activities and to develop a plan for the Authority in managing UEs, operation of a transit site and providing appropriate levels of support for GRT communities.

Simon Neilson,
 Executive Director, Economy and Environment
 5 July 2019