

BOROUGH OF POOLE

CABINET

31 OCTOBER 2017

**GYPSY AND TRAVELLERS WORKING PARTY:
REPORT OF THE CHAIRMAN OF THE PLACE OVERVIEW AND SCRUTINY
COMMITTEE**

1. PURPOSE

- 1.1 Consider the recommendations from the Place Overview and Scrutiny Committee.

2. DECISIONS REQUIRED

- i. That the Chief Executive of the Borough of Poole be requested to contact the Chief Constable with a view to identifying the types of situations when Section 61 will be used and to seek confirmation that the Police will act against violence and criminal damage.
- ii. That, as a matter of urgency and funded from existing resources, a height restrictive barrier be installed at the entrance to the Kingland Road Car Park, with agreement that the Leisure Centre maintains operational control of access for school mini-bus and delivery vehicles. The siting of the barrier to take account of access rights across the land, if any, held by adjoining owners.
- iii. That, in recognition that Copse Close is a potential site for Gypsy and Travellers displaced from the Kingland Road Car Park, this should also include options for necessary additional target hardening measures in the Copse Close / Poole Park area.
- iv. That a feasibility study be carried out regarding the implications of providing Sandbanks Beach Car Park with easily lockable entrance gates that could be secured in response to any intelligence that travellers were approaching the site.
- v. That the principle of installation of CCTV with day/night capacity at the entrance to the Sandbanks Beach Car Park to provide additional deterrent, publicised by conspicuous warning notices be supported.

- vi. That Borough of Poole propose criteria to the Chief Constable for the types of sites and the behaviour of unauthorised campers occupying those sites, where Gold Command should consider the use of powers under Section 61 of the Criminal Justice and Public Order Act 1994 by the Police to require an unauthorised encampment to depart with immediate effect.

Considerations for such criteria should include, but not be limited to:

- a) Land intended for use by children (e.g. schools in term-time; public parks with play areas; other public parks in school holidays)
 - b) Leisure centre car parks
 - c) High profile beach car parks during the high season.
 - d) (Unauthorised encampments outside the criteria will continue to be addressed by the Borough through the Courts).
- vii. That Borough of Poole write to the Chief Constable confirming its understanding that anti-social behaviour does not of itself constitute a trigger for use of Section 61 powers, but seeking clarification on Police actions when that behaviour causes distress and negative impact on the local community. The letter to seek clarification on the Police response to evidence of anti-social behaviour and criminal activity when evidence has been provided to them.
- viii. That Borough of Poole write to the Chief Constable expressing concern that the '101' telephone number does not provide an acceptable channel for communications between the Council and the Police in respect of these matters, and seeking alternative communication channels.
- ix. That the effectiveness of current communications channels between Borough of Poole Regulatory Services and the Police when addressing unauthorised encampments be monitored, including circulation of updates to all the relevant parties (e.g. control room; silver and gold commanders). Borough of Poole to urge the Police to maintain effective communication channels.
- x. That the provision, where applicable, of portable toilets and skip facilities be continued in view of the significantly reduced costs compared to site clearing following departure of an unauthorised encampment. The cost saving rationale of this policy be clearly explained on the Borough of Poole website.
- xi. That the Borough of Poole website clearly state what residents should do if they identify or witness anti-social behaviour associated with an unauthorised encampment.

3. BACKGROUND/INFORMATION

- 3.1 I Chaired the Meeting of the Place Overview and Scrutiny Committee held on 9th August 2017 when this matter was considered.
- 3.2 The Committee received a final report from the 'Task and Finish' Gypsy and Travellers Working Party. The Working Party had met on five occasions; visited sites across the Borough, considered existing target hardening measures and met with the Police at both strategic and operational level.
- 3.3 At the meeting of the Committee in August I also agreed to requests to speak from three local residents. These speakers made very clear to the Committee the implications and effects upon local populations of unauthorised incursions onto land at a range of locations across the Borough. Members of the Committee were also very clear about their own concerns and expressed their sympathy for those affected.
- 3.4 There was a full discussion and recommendations were put forward by the Committee for consideration. The Minutes of the Committee, held on 9 August 2017 (extract enclosed), containing these recommendations were confirmed by the Committee at its recent meeting on 4 October 2017.
- 3.5 One of the issues, which was debated but not agreed by the Committee, was the suggestion to investigate the principle of providing 'temporary transit facilities' in lower profile sites across the Borough on a rotation basis.
- 3.6 The Report containing the additional information is attached for Members' information.

4. CONCLUSION

- 4.1 I support these recommendations for consideration by Cabinet.

Councillor Malcolm Farrell
Chairman
Place Overview and Scrutiny Committee

Background Papers:

- 1. Report of the Head of Environmental Services to the Place Overview and Scrutiny Committee on 9th August 2017
- 2. Extract of the Minutes of Place Overview and Scrutiny Committee – 4 October 2017

BOROUGH OF POOLE

PLACE OVERVIEW AND SCRUTINY COMMITTEE

9 AUGUST 2017

GYPSY AND TRAVELLERS – OFFICER REPORT

**ACCOMPANYING REPORT TO THE FINAL REPORT OF THE CHAIRMAN OF
THE WORKING PARTY**

1. PURPOSE

- 1.1 To provide supplementary information and comment to assist members in their consideration of the final report and recommendations of the Gypsy and Travellers Working Party.

2. RECOMMENDATION

- 2.1 To take account of the supplementary information and comments during discussion and consideration of the views and recommendations of the Working Party.

3. CONTEXT

- 3.1 The recommendations of the Working Party are wide-ranging, and provide a holistic approach to the development of Gypsy and Traveller strategy. As such, many of the recommendations are interrelated and dependant upon others, and hence members are advised to consider them as a whole. Selecting a few, maybe because they are less challenging to implement, whilst deferring decisions on others, is unlikely to resolve current issues and would likely just postpone difficult decisions to a later date.
- 3.2 Up until mid July 2017, there were 14 unauthorised encampments in Poole, which is 5 more than the same period in 2016, 4 more than the same period in 2015, and 6 more than the same period in 2014. In addition, there have been multiple incursions onto land that a few years back had never or rarely experienced incursions (e.g. Copse Close, Kingland Rd Car Park, Sandbanks Car Park). This data suggests that the additional security measures introduced in 2013 and 2014 had the effect of displacing unauthorised encampments to other locations, but has had no deterrent effect on Gypsies and Travellers who are determined to visit to Poole.

4. COMMENT ON SOME OF THE SPECIFIC RECOMMENDATIONS

Site provision and security

1. Request Officers to further investigate the principle of providing 'temporary transit facilities' in certain lower profile sites across the Borough on a rotation basis. No individual site would be used more than once per year.
Comment: This would be crucial to the other recommendations to increase site security, and should be afforded high priority. Dorset Police have confirmed that they would use their powers to direct travellers to these sites. Such a facility would alleviate the effect of displacement that has been witnessed over the last few years, and would help avoid incursions onto higher profile sites such as Poole Park. This could be a challenging policy for those members whose wards might be affected, and would require resolute application of principles around fairness and equity across the Borough.

Note: Leeds City Council has announced plans of a very similar nature ('negotiated stopping places'), and Officers are aware of other councils who are considering similar strategies.

2. A height restrictive barrier be installed at the entrance to the Kingland Road Car Park

Comment: Regular incursions onto this car park are a recent phenomenon, which Officers believe is a direct result of site protective measures being introduced elsewhere. Baiter 2 Car Park experienced similar a few years back. Hence the need to consider this measure in the context of the provision of temporary transit facilities.

3. In recognition that Copse Close is a potential site for Gypsy and Travellers displaced from the Kingland Road Car Park, this should also include options for necessary additional target hardening measures

Comment: The wording of the recommendation highlights the very issue of displacement, and hence the need to consider this in the wider context of temporary transit facilities.

4. Support the principle of installation of CCTV with day/night capacity at the entrance to the Sandbanks Beach Car Park

Comment: The Dolphin Centre Kingland Road Car Park has CCTV, as do other sites across Bournemouth and Poole that often experience incursions. There is no evidence that CCTV acts as a deterrent, but there is a significant cost implication in its installation and operation.

Police partnership

5. BoP to propose criteria to the Chief Constable for the types of sites and the behaviour of unauthorised campers occupying those sites, where Gold Command should consider the use of powers under Section 61 of the Criminal Justice and Public Order Act 1994 by the Police to require an unauthorised encampment to depart with immediate effect.

Comment: It is for the Chief Constable to consider such criteria based upon national guidance. Whilst BoP can propose such criteria, it is likely that Dorset Police will continue to use such powers only in very exceptional circumstances.

5. CONCLUSION

- 5.1 Members are advised to consider the recommendations within the context of a wider strategy that acknowledges that Poole will continue to be a destination for Gypsies and Travellers, and aims to manage unauthorised encampments in a way that minimises any adverse affects on settled communities whilst maintaining the legal rights afforded to those who pursue a nomadic lifestyle.

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HEAD OF ENVIRONMENTAL SERVICES

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