

POS25.17 GYPSY AND TRAVELLERS WORKING PARTY

In the absence of the Chairman of the Working Party, Councillor Garner-Watts, Councillor Stribley presented the Report from the Working Party. The Working Party had met on five occasions. This had included site visits which had enabled Members to assess the impact of unauthorised encampments on neighbourhoods. Meetings had also taken place with the Police at both strategic and operational level.

There was acknowledgement that this was a difficult and problematic situation for which there was no easy or immediate solution.

The Chairman informed the Committee that he had agreed to requests from three members of the Public to address the Committee.

Mr John Gunton of Branksome Park, Canford Cliffs and District Residents' Association addressed the Committee highlighting the significant impact upon local residents and local businesses of unauthorised incursions. The Speaker described particularly events at Beach Road Car Park. He also highlighted the Association's concern about the time taken to obtain Court Orders in these cases and expressed the view that the process should be speeded up. Clean-up costs involved were significant and should be publicised. The concerns of local people were considerable and the Association therefore expressed its wish to work with the Council and to support strong measures to address the problem.

The Chairman of the Poole Phoenix Handball Club, Mr John Pearce, addressed the Committee to describe a serious chain of events occurring on a day at the beginning of July at Beach Road Car Park with which the Police had been involved. Members noted the circumstances as reported and the financial, physical and emotional damage involved.

The Committee was addressed finally by Mr Richard Jones, a resident of Kingland Road, who underlined the support of local residents for the specific proposals of the Working Party relating to the Kingland Road Car Park. He described the serious impact upon local residents in terms of security and public health and quoted from correspondence with the Police about use of its 'Section 61' powers.

After listening carefully to the registered speakers, members of the Working Party reiterated their own concerns about the situation and the effect of unauthorised incursions on residents and upon neighbourhoods as a whole. The Working Party had fully supported enhanced use by the Police of 'Section 61' powers re-enforced by the location specific measures outlined in its Report.

Members expressed their concern for and sympathy with people affected and a number of 'target hardening' measures aimed at discouraging incursions were described. These, however, needed also to be considered within the context of their displacement affect and the risk that

such measures could potentially shift the problem to ever more environmentally sensitive locations. There was also reference to measures being taken in other Local Authority areas which could effectively push Traveller groups into Poole.

In response to questions, the use of Injunctions as a preventative tool was explained but this had practical limitations and, in any event, was likely, in the end, to produce the same outcome as proceeding through the usual local Magistrates Court route. The Police had also provided undertakings that it would act where there was evidence of criminal behaviour.

It was explained that the Working Party had also discussed the issue of providing 'temporary transit sites' across the Borough and this was one option which could potentially enhance the ability to respond to pressures more effectively and quickly. This type of approach had been explored previously by the Borough Council but it had not been possible to identify any suitable sites across the Borough.

There were proposals made that the Borough Council should seek to work more closely with the Dorset County Council in whose geographical area a transit site had been established. Although this type of dialogue was something that it was agreed would be useful, it was pointed out to the Committee that the relevant Legislation available to Councils did not currently permit reliance upon transit site provision made in other Local Authority areas. The Committee felt strongly that this was something that should be pursued through lobbying of appropriate Central Government Ministers.

After debate it was Moved, and Seconded that

'The recommendations of the Gypsy and Travellers Working Party are implemented taking account of the supplementary information and comments during consideration of the Report submitted on behalf of the Chairman of the Working Party'.

On being put to the vote the Motion was LOST.

Voting: For 3; Against 6; Abstained 1.

It was further Moved, and Seconded and

RECOMMENDED

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.

Voting For : Unanimous

It was further Moved, and Seconded and

RECOMMENDED

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. (Rec 4a)

Voting: For 9; Against 0; Abstained 1.

It was further Moved, and Seconded and

RECOMMENDED

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. (Rec 4b)

Voting: For 9; Against 0; Abstained 1.

It was further Moved, and Seconded and

RECOMMENDED

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. (Rec 4c)

Voting: For 9; Against 0; Abstained 1.

It was further Moved, and Seconded and

RECOMMENDED

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. (Rec 4d)

Voting: For 6; Against 1; Abstained 3.

It was further Moved, and Seconded to

‘Request Officers to further investigate the principle of providing ‘temporary transit facilities’ in certain lower profile sites across the Borough on a rotation basis. (Rec 4e)

On being put to the vote the Motion was LOST.

Voting: For 4; Against 5; Abstained 1.

It was further Moved, and Seconded and

RECOMMENDED

That

- a. 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:

- Land intended for use by children (e.g. schools in term-time; public parks with play areas; other public parks in school holidays)**
- Leisure centre car parks**
- High profile beach car parks during the high season.**

(Unauthorised encampments outside the criteria will continue to be addressed by the Borough through the Courts). (Rec 4f)

- b. 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. (Rec 4g)**
- c. 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. (Rec 4h)**
- d. 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. (Rec 4i)

Voting For : Unanimous.

It was further Moved, and Seconded and

RECOMMENDED

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. (Rec 4j)

Voting: For 9; Against 0; Abstained 1.

It was further moved, and seconded and

RECOMMENDED

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. (Rec 4k)

Voting For : Unanimous.

Following further discussion, the Portfolio Holder undertook to

- Investigate further the implications of issuing Car Parking Penalty tickets to potential unauthorised vehicles within Borough of Poole Car Parks;
- Continue to explore with Dorset County Council the potential for joint use arrangements with Dorset County Council of the transit site facility within the County Local Authority area;
- Write to the relevant Government Minister urging removal of the restrictions which currently prevent one Local Authority relying for the purposes of the Criminal Justice and Public Order Act upon the presence of a Designated Transit Site in a neighbouring Local Authority area.