

Gedling Borough Council

Policy and Procedures for dealing with unauthorised Gypsy and Traveller Encampments

1. Introduction

This is the policy document, which sets out the high level actions the Gedling Borough Council ('the Council') intends to take regarding unauthorised encampments within the Gedling Borough Council area. It is intended to inform Councillors, officers and members of the public of how we balance the needs and rights of Gypsies and Travellers with those of landowners and the public, and to address public concern when an unauthorised encampment arises.

2. Legislation

This report takes into account the relevant provisions of the following legislation

Human Rights Act 1998.
Equality Act 2010 (public sector duties)
Crime & Disorder Act 1998
Homelessness Act 2002
Criminal Justice and Public Order Act 1994
Public Health (Control of Disease) Act 1984

3. Assessment prior to taking action

We will assess the proportionality of enforcement action when considering whether to evict residents of an unauthorised encampment based on:

The level of disruption to the local economy; and
The level of significant disruption to the local community or environment; and
Whether there is a danger to life; and
Whether there is a need to take preventative action.

4. Understanding Gypsy and Traveller needs

We understand that Gypsies and Travellers make up an important part of the social demographic of the United Kingdom. We believe that in most cases travelling has been a way of life for generations of Gypsies and Travellers and accepts that their culture, language and traditions should be respected and if possible encouraged. We we recognise three specific groups:

- **Romany Gypsies** are the largest minority ethnic group among the Travelling communities in Britain, whose ancestors migrated to the UK some 500 years ago.

- **Travellers of Irish Heritage** do not necessarily come immediately from Ireland, and may visit Ireland infrequently and for short periods only. It is thought that many Irish travelers are descendants of people who lost their land during the potato famine in the mid nineteenth century.
- **New Travellers** are a community of more recent origin. They have adopted this way of life for a variety of reasons, such as lifestyle change, homelessness, unemployment or environmental issues.

When we use the term 'Travellers' in this document we include all of the above groups

5. Aims and objectives

Where an unauthorised encampment occurs within the Borough we will:

- i) take an approach which is firm, balanced, and considered on a case by case basis however it is our intention to facilitate the removal of unauthorised encampments expediently, we will also;
- ii) ask the Travellers the reason why they have set up the encampment and take their reasons into consideration when making our decision as to whether and what action we will take; and
- iii) wherever possible work with other agencies to provide appropriate support to the Travellers. These agencies include Nottinghamshire County Council, Nottinghamshire Police and the Nottinghamshire Gypsy and Traveller Partnership. We will (as far as is reasonably practicable) both take and offer assistance to other groups and organisations who may assist both the Travellers and us for the duration of the encampment; and
- iv) provide practical help and assistance and offer basic amenities to the Travellers in the form of toilet facilities, refuse collections and (where practical) a clean water supply. It is hoped that such measures will reduce the clean-up costs, foster good relations between the Travellers and officers (who may be engaged in requiring their removal) and meet the basic health needs of those within the encampment; and
- v) advise Travellers on where they can obtain health and medical support, and will carry out welfare needs assessments as per our statutory duty and
- vi) (where we are notified that any of the Travellers within an unauthorised encampment, are suffering from or have been exposed to any notifiable diseases) take specific advice from an appropriate medical advisor and offer cleaning and sanitation products, as well as collection of medical waste where required; and

- vii) where, when carrying out site visit, officers become aware of any fire hazards within or around residential caravans, trailers or tents we will seek advice from an appropriately qualified fire officer; and
- viii) advise the Travellers on where they can obtain educational facilities for children under the age of 16; and
- ix) advise Travellers on housing issues, if required; and
- x) accommodate unauthorised encampments for a limited period, provided there is no criminal/anti-social behaviour however this will always be balanced against the needs and rights of the local community; and
- xi) train our officers to identify safeguarding issues and apply our Safeguarding Children, Young People and Vulnerable Adults Policy and procedure where relevant to do so.

6. Measures to protect Gedling Borough Council land used by the local communities

The needs of our residents are important to us. We know from experience that unauthorised encampments have a significant impact in restricting residents from using our parks, open spaces and recreation grounds both during and after encampments. We are also aware that there is an element of fear from some residents and the wider community, when an encampment is set up close to residential properties. It is for these reasons that we discourage unauthorised encampments.

We do this by identifying potential sites for such encampments, carrying out a process of risk rating them, and introducing and installing a range of physical deterrents based on the need of each site and the cost involved. Such measures may involve, for example, creating earth bunds around the site, installing barriers, or height restrictive bars.

7. Encampments on Gedling Borough Council owned land

Where an encampment is found to be on Gedling Borough Council owned land, whether used by the local community or not, we will take the lead in determining the course of action. All actions will be in accordance with the 'Gedling Borough Council, Procedure for dealing with unauthorised encampments on Gedling Borough Council land'.

8. Encampments on private property not owned by Gedling Borough Council

Occasionally unauthorised encampments take place on private land.. In this case, it is the responsibility of the land owner to take the lead in determining the course of action to be taken. We are unable to give legal advice to private

landowners but we may be able to help in explaining what options may be available.

9. Being prepared

In order to ensure that we are prepared for unauthorised encampments we will;

- Periodically review and reinforce our relationships with other agencies by engaging with them at the Nottinghamshire Gypsy and Traveller Liaison Group; and
- Review our most vulnerable sites to ensure they are suitably secured against unauthorised encampments; and
- Review our procedure for dealing with unauthorised encampments on Gedling Borough Council land a minimum of once a year; and

Kevin Nealon
Community Protection Manager
April 2014

