REPORT FOR INFORMATION BULLETIN

Subject: Gypsy and Traveller Incursions
Lead Officer: Head of Leisure and Cultural Services
Portfolio Holder: Cllr Mary Sheldon
Link to Council Priorities: LC1
Exempt information: None
Delegated status: For Information

EXECUTIVE SUMMARY:

Following the second prolonged summer of Traveller incursions a review of the Joint Elmbridge Borough Council Traveller and Gypsy Protocol, and the Councils response to the incursions has taken place. This report covers the findings of the review and the actions to be taken.

REPORT:

1. Background

2. Following the second prolonged summer of Traveller and Gypsy incursions a debrief has now been held with key Elmbridge Officers and Surrey Police to review the summer’s incursions and to seek any learning points moving forward.

3. The summer of 2014 saw incursions on Elmbridge land over a 6 week period (end July to Sept) at-
   - Weston Green, Longmead Road
   - Colets, Thames Ditton (not EBC land)
   - Cobbs Green, Lower Green Esher
   - Xcel Car Park
   - Land adjacent to the Weir Public House
   - Weston Green, Hampton Court Way

4. Addition incursions also took place over this period on private land at
   - Colets Health and Fitness Club, Thames Ditton
   - The Pavilion, East Molesey.
   - Station Road, Claygate
   - Mayfield Road Car Park, Walton on Thames.

5. When plotted, the incursions for the past 2 summers have mainly been concentrated around the N.E. corner of the Borough, which is felt to be due to the good transport links and availability of work nearby (Kingston, Surbiton, Staines).

6. Police\ Legal powers

7. Due to a lack of transit sites, the civil recovery of possession of land in the County Court route is still likely to be the Borough’s default position. As such
Surrey Police would expect the Borough taking a lead where any incursion is on Council owned land, mindful of Human Rights issues. This was the process for this year with the Borough Gypsy Traveller Liaison Officers (GTLO) taking a lead in the assessment and liaising with the Head of Service and Legal colleagues.

8. Where, as with some of the repeat incursions, there is a wider impact to the community, for example a serious Anti-Social Behaviour issue Surrey Police have the option of considering other powers to secure the site.

9. **Joint Elmbridge Borough Council Traveller and Gypsy Protocol**

10. Following a series of incursions during the summer of 2013 The Council adopted a Joint Protocol (with Surrey Police) for the Management of Unauthorised Gypsy and Traveller Encampments. This protocol was adopted by Cabinet in October 2013 and has guided the response to incursions this summer.

11. Overall the review concluded that the existing Protocol for dealing with incursions worked very well, with all partners working well together. There was strong political support for the way that the persistent incursions were dealt with and communicated.

12. Some improvements\refinements were identified:
   - The need to hold early case conference meetings with Corporate Management Board, Surrey Police as per the Protocol was reiterated. This is an opportunity to review the GTLO notes from their site visit and to consider the most appropriate powers to deal with the specific incursion.
   - Provide a realistic expectation on the timetable for action given possible Court / time limitations and legal requirements with regard to issue/hearing/service of notice.
   - There were occasions where the out of hours call out did not reach the correct officers. This was to be followed up.
   - The protocol for contractors (i.e. PFP\Xcel) and the communication around incursions on leased leisure land needed clarifying so that Surrey Police and others were informed.

   It was agreed that the current protocol including welfare checklist would be reviewed and updated in light of the last 2 years experiences.

13. **Resilience**

14. In the summer of 2013 the Council had one trained Gypsy Traveller Liaison Officers (GTLO) which placed a strain on the officer and the demands of the role against normal work activity. As a result a second GTLO had been trained up for 2014 which worked very well and provided additional resilience to cover for leave and sickness. One further GTLO has already been identified with training to follow, with a fourth officer ideally needed before summer 2015. In order to manage workload, and expectations of officers volunteering, an 8 week rota would be established for the summer period,
also allowing for leave/sickness. Future resilience for enforcement officers also needs to be considered moving forward.

15. **Site security**

16. Following the incursions over the summer, the Council has taken a proactive view on strengthening the security of the Borough’s open spaces to further protect the Council’s landholding.

17. Whilst there is no absolute protection, sites will be considered for improved security through-
   1. Ditching and banking- digging a large trench with the spoil forming a bank. Likely to be one of the most secure options, the bank would not be mechanically mowed and would likely be left to flower meadow. This could prove unsightly for the first year or two but provides a more natural barrier in the long term. Care needs to be taken with any existing utilities running underground with site surveys undertaken as necessary.
   2. Wooden posts- There is already a wide range of wooden posts protecting the councils open spaces which are in keeping with the natural surrounds. The posts have an approx. 5 year life span, and can be dislodged relatively easily by large vehicles.
   3. Metal posts- These are a more expensive solution but also have a longer lifespan. These can be harsh in appearance and less in keeping with green and pleasant Borough in some areas.
   4. Selected tree planting- in some areas natural breaks in protection could be filled through the planting of a suitable tree line.

18. Officers have begun a process of reviewing all of the green spaces in the North East of the Borough reviewing the current security measures/likelihood of incursion. Once this list has been completed and prioritised Ward Councillors will be invited to discuss the possible improvements listed above and agree the best way forward.

19. A capital bid is being prepared to carry out these site improvements in the assessed priority order. Further improvements and reviews will be completed in future years. As a part of the capital bid additional timber posts will be purchased and held in store to manage unforeseen incursions and security issues in future years.

**Financial Implications:** A capital bid will be submitted for consideration for additional site security measures.

**Environmental/Sustainability Implications:** Exempt- admin.issues

**Legal Implications:** As contained within the report.

**Equality Implications:** As contained within the report.
**Risk Implications:** As contained within the report.

**Community Safety Implications:** As contained within the report.

**Principal Consultees:**
Corporate Management Board
Law Practice Manager
Gypsy and Traveller Liaison Officers
Surrey Police

**Background papers:** Joint Elmbridge Borough Council Traveller and Gypsy Protocol

**Enclosures/Appendices:** None

**Contact details:**
Ian Burrows
Head of Leisure and Cultural Services
01372 474572
iburrows@elmbridge.gov.uk