



REPORT OF THE CRIME AND DISORDER SUB-COMMITTEE TOPIC GROUP TO REVIEW THE INCREASE IN UNLAWFUL TRAVELLER ENCAMPMENTS

1.0 BACKGROUND

1.1 At its meeting on the 28 July 2016, the Crime & Disorder Sub-Committee agreed to establish a topic group to scrutinise the number of places originally provided in Havering for Travellers, how this had grown and how it was predicted to grow in the future as well as the reasons behind these changes.

2.0 SCOPE OF THE REVIEW

2.1 The Topic Group:

- was to review the steps taken to deal with previous illegal incursions;
- was to review the processes put in place to deal with future incursions.

3.0 FINDINGS

3.1 The most recent definition of a traveller was contained within the DCLG 'Planning Policy for traveller sites' as:

'Person of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling show people or circus people travelling together as such'.

3.2 In determining whether persons are 'gypsies and travellers' for the purposes of planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) Whether they previously led a nomadic habit of life;
- b) The reasons for ceasing their nomadic habit of life;
- c) Whether there is an intention of living a nomadic life in the future, and if so, how soon and in what circumstances.

In most cases, however it would be the courts decision on who was a gypsy and/or traveller.

3.3 The DLCCG brought together a summary of available powers in the Planning Policy for

traveller sites. If an individual entered the land peacefully, they were entitled to a request to leave the land before being forcibly removed, whilst a trespasser who had entered land with force and violence may be removed without a previous request to depart. A landowner may use reasonable force to evict the individual. The Council had used common law to evict trespassers as this was the quickest way. Bailiffs had been used to carry out the eviction, however there was a cost implication of £5k -£6k for 5/6 caravans, with this increasing to £20k for 20 caravans.

- 3.4 If it were believed that an eviction could be problematic, the Council would seek advice from the Police. This had been the case when the Council had taken action against the illegal site at Lilliput Farm.
- 3.5 Possession Orders under Part 55 of the Civil Procedure Rules could be obtained by local authorities and private landlords who required the removal of trespassers from property including land. A claim must be issued in the County Court, although if there were a risk of public disturbance, a claim could be issued in the High Court.
- 3.6 Other options included Sections 77 and 78 of the Criminal Justice and Public Order Act 1994. Once the Council gives a direction under Section 77, a decision has to be taken as to how to evict and the direction remains in force for 3 months.
- 3.7 Section 61 of the Criminal Justice and Public Order Act 1994 could be used when trespassers refused to adhere to a request to leave the land. This option was available to the Police. The power applied where the senior police officer reasonably believes that two or more persons trespassing on land with the purpose of residing there, that the occupier has taken reasonable steps to ask them to leave, and any of the following:
 - a) That any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his, or
 - b) That those persons have between them six or more vehicles on the land.

The senior police officer may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they have with them on the land. If the police do not have sufficient resources available, they can refuse to act, however they need to be transparent in their decision.

- 3.8 It was noted that some travellers purchased land and then set up their own house without planning permission. Other travellers moved from site to site for a few days at a time and legal processes were sometimes needed to be used in order to remove them from the land.
- 3.9 Work was underway with neighbouring boroughs to develop a longer-term plan for travellers issues.
- 3.10 The Landfill Tax was in excess of £80 per tonne, and organised crime had moved into the waste management field. Operations were set up in fly-tipping areas but lighting in these areas were often poor and travellers and other fly-tippers also often covered up their vehicle registration plates. However, the bulk of industrial-scale fly-tipping in Havering was not linked to travellers.

- 3.11 The clearance of the recent large fly tip in the Aveley Road fishing lakes had been very expensive, although it was clarified that this had not been caused by travellers. However, it was agreed that some travellers did cause problems with rubbish left behind on site. It was noted that travellers were normally moved on by the Council within a week, however this was not quick enough.
- 3.12 It was not legally possible for the Council to undertake covert surveillance of traveller sites and written permission would be required to undertake such surveillance. The vehicle registration details could however be noted and this was regularly done. In Bristol, there was a Gypsy and Travellers officer who knew the movements of traveller families and could assist with incidents.
- 3.13 The large amount of green space in the borough attracted more travellers to Havering. The industrial areas in the south of the borough also proved attractive to travellers. It was necessary to be proportional in the response to travellers with the most problematic encampments being targeted.
- 3.14 There was no provision in Havering for transit pitches, which could make it difficult to enforce travellers leaving Havering.
- 3.15 It was mainly Irish travellers who had entered Havering in recent times. It was not necessary to change Irish vehicle registration plates in the United Kingdom, although some traveller vehicles had recently been seized in conjunction with the Police.
- 3.16 Enforcement in the Blackpool area had led to the obtaining of borough-wide injunctions against named individuals.
- 3.17 Havering had been able to use some extra Police resources to deal with traveller encampments and there was now better communication between the Council and the Police, with a single Police point of contact available.
- 3.18 There was no data available on the type or frequency of crimes committed specifically by travellers. The problems with young persons using quad bikes in Painesbrook Park were not due to travellers.
- 3.19 In 2015, there had been just six traveller incursions, however there had been a significant increase in incursions in 2016, with travellers being guests stopping in Havering en-route to a large gypsy wedding in the Hillington area.
- 3.20 The Metropolitan Police Computer Aided Despatch system showed that in Q1 2017/18, there were 1,050 calls to the Metropolitan Police classified as relating to 'Anti-Social Behaviour' in Havering. This included duplicate calls regarding a single incident. Of these, 11 calls (1%) related to three separate Traveller incursions.
- 3.21 In Quarter 2 of 2017/18, there were 1,548 Computer Aided Dispatches which had an opening code that related to anti-social behaviour in Havering, with 1,026 being 'closed' as anti-social behaviour. Six of these dispatches related to five separate traveller incursions, a reduction from the previous quarter. The previous year, traveller incursions drove 100 calls, however a

dedicated Inspector had taken the responsibility for the three boroughs.

- 3.22 In Quarter 3 of 2017/18, there were 1,150 Computer Aided Dispatches which had an opening code relating to ASB in Havering. Of these, 701 CADs were 'closed' as ASB. None of these 701 related to traveller incursions. Further scrutiny of all calls received over this period and comparison with a LBH record of traveller incursions revealed that 15 calls were received in relation to two incursions; one call for an incursion in Rise Park Boulevard, and another 14 calls relating to an incursion at Grenfell Park/ Roneo Corner.
- 3.23 In order to provide some comparison with previous quarters, these 15 calls were equal to 2.1% of the 701 CADs which were closed as an ASB matter. This percentage was higher than in previous quarters (1% in Q1; 0.58% in Q2), however the number of ASB calls overall was lower, and the calls in Q3 only related to two incursions. There was also a positive to take from the fact that fourteen members of the public had contacted police within a short time of the Grenfell incursion occurring to report this.

4.0 CONCLUSION

- 4.1 Further discussion/action on this topic could not be auctioned on account of members unavailability to attend any further meetings in the run up to the Local Elections.
- 4.2 Whilst the topic group have not met since the 21 September 2016, since the introduction of the East Area Borough Command Unit in January 2017, the boroughs of Barking & Dagenham, Havering and Redbridge have worked collaboratively to address illegal incursions. The Police have revised their operating procedures for dealing with illegal incursions. The Crime and Disorder Overview and Scrutiny Sub-Committee have actively monitored A notable reduction in traveller incursions has been seen in 2017-18.
- 4.3 Traveller Incursion update.

The council decided to take pro-active steps to deter unauthorised access onto parks and open spaces and these included placing height barriers, fences, bollards, railings as physical deterrents to vehicular access.

The table below shows sites that have suffered from previous traveller incursions, sites with open boundaries, and sites that were accessible because there were no height restrictions on entrance gates.

Depending on the existing terrain/deterrents at each location a decision was taken to supplement/implement the most appropriate physical barrier.

The table shows the site location, deterrent and estimated cost. The measures have been generally successful in deterring/preventing vehicular incursions. It would appear that the appearance of the robust defences 'help' to persuade those who may be considering incursion that it is unlikely they will breach the defences without damaging their own vehicles and if they do manage to get on site – they will be dealt with by the Parks Protection team for breach of bye laws and related offences.

The Parks Protection Team provides a uniformed responsive service to complaints and information concerning travellers. This may involve preventing an incursion by taking defensive action, parking their vehicle across a gate to prevent access for example, engaging with the travellers and explaining the Bye Laws that prevent them settling, being firm but fair in their approach to ensure the travellers leave the area.

The most recent incursion by travellers was in November 2017 when 11 caravans and their vehicles gained access into Grenfell Park shortly before midnight on Friday. They were joined by 5 tipper vehicles that fly tipped rubbish onto the rear of the park/meadow. The Parks Protection team were alerted to the problem the next morning and spent the day securing the site to prevent further fly tipping whilst gathering evidence, serving the travellers with Notice to leave the site and monitoring the traveller's activity.

No further fly tipping was allowed to take place and when the travellers left the site on the Sunday morning, the Parks Protection team used the winch on their vehicle to position large boulders behind the gate to prevent further access onto the Park. The five tipper vehicles were later found in the Tesco's car park opposite and following review of CCTV footage – two vehicles were seized for involvement in waste crime and road traffic offences. The 2 vehicles are to be destroyed imminently.

	Site	Possible Precautions	Estimate cost
Previous Incursions	Tees Drive (Wincanton Road)	Bollards	1,639
	Havering-Atte-Bower Green	Fencing	3,388
	Myrtle Road (Bosworth Field)	Bollards	1,688
	Harrow Lodge Park Hornchurch Rd	Railings	9,400
	Priory Slope	Bollards	1,892
		Sub-total	18,007
Open boundaries	Harrow Lodge Park Sports Centre Car Park	Bollards	1,676
	Harrow Lodge Park (Abbs Cross Lane end)	Railings	1,292
	Gooshays Gardens (housing)	Bollards	3,753
	Hacton Parkway (Newmarket way)	Bollards or bunding along edge/ro housing plus entrance gate	2,700
	Priory Road (s/o Nursing home)	Bollards	1,384

Queens Theatre Grounds	Bollards and entrance bollards	1,676
Tyle Green Space	Perimeter bollards or bunding	6,114
Whybridge playsite	Perimeter bollards	834
The Glen (Rainham)	Drop bollard and perimeter bollards	1,676
Fleet Close	bollards on edges and drop bollard entrance	1,132
	Sub-total	22,237

5.0 RECOMMENDATIONS

- 5.1 To consider the establishment of a Gypsy and Traveller Officer post in the borough.
- 5.2 For members to be proactive in encouraging residents who contact them and these type of complaints to notify the Police so that the complaint is registered.

6.0 ACKNOWLEDGEMENTS

During the course of its review, the topic group met and held discussions with the following people:

- Savinder Bhamra, Corporate Policy and Diversity Advisor
- Diane Egan, Community Safety and Development Manager
- Steve Moore, Director of Neighbourhoods
- Simon Thelwell, Planning Manager, Regulatory Services