

**155. GYPSIES AND TRAVELLERS –
JOINT POLICY ON UNAUTHORISED ENCAMPMENTS**

Officers explained that a discussion of the Worcestershire Joint Policy on unauthorised Gypsy and Traveller encampments had been proposed at a previous meeting to provide Members of the Committee with an opportunity to discuss the subject of a proposed scrutiny exercise.

Officers explained that the joint policy had been adopted by the Worcestershire District Councils, the County Council and West Mercia Police in 1995. Members were informed that the policy document had subsequently been amended in 2000 and 2006 and that any of the partners could propose further changes to the policy.

Officers explained that the Policy outlined the roles of the Council, the County Council, West Mercia Police and other partner organisations in response to unauthorised encampments. Members noted that Redditch Borough Council was responsible for the use of Council owned land and property. Officers reported that the Borough Council was not responsible for unauthorised sites on private land, though the Council would approach private landlords to ensure that they were aware of their responsibilities, particularly when there were Environmental Health concerns. Officers explained that Worcestershire County Council was responsible for the provision of authorised traveller sites and for monitoring the movements of gypsies and travellers in the County.

Members were informed that the Council was required to abide by the policy, which incorporated the principles set out by the Human Rights Act and Race Relations (Amendment) Act, when investigating unauthorised encampments. Government-issued guidance "Managing Unauthorised Camping – A Good Practice Guide" and subsequent circulars encouraged Councils to be tolerant of gypsies and travellers, and required that they must ascertain whether there were any welfare concerns that justified the encampment. Officers explained that if there was no discernable reason to justify an unauthorised encampment the Council could take legal proceedings to enforce their removal. Officers reported that in the past there had been a large number of incursions every year within Redditch but that this had reduced to two or three unauthorised encampments every year. Redditch was therefore regarded at County level as an active authority at responding to the issue.

Members were informed that the Police had powers to evict gypsies and travellers in cases where five or more caravans had been parked; when a landlord requested that the travellers be removed; and in cases where it could be proved that they had committed a criminal offence. Officers explained that the Police had two additional policies which affected their responses to unauthorised encampments. Officers further reported that there was some concern that the Police were not fulfilling their role as set out in the joint policy.

Members agreed that their main concern was to ensure that all partners consistently complied with the terms of the joint policy when responding to unauthorised gypsy and traveller encampments. Members further agreed that a Task and Finish review might not be the most appropriate measure to address this issue. Instead, Members approved three courses of action which, in descending order, could be undertaken to address the issue:

- a) The Chair would address a letter to the Gypsy and Traveller Liaison Officer at Worcestershire County Council, on behalf of the Committee, requesting that a meeting of the partners take place to discuss the joint policy: whether the terms of the policy remained appropriate; and the roles and responsibilities of each partner organisation. Members agreed that this letter would request that an elected Member from the Borough Council should be invited to attend the meeting.
- b) Members agreed that, if no action was taken in response to this letter, the Overview and Scrutiny Committee would invite representatives of the partner organisations to attend a meeting of the Committee to discuss the joint policy and the roles of each partner organisation.
- c) Finally, Members agreed that, if neither of these courses of action resolved the issue to Members' satisfaction, the Overview and Scrutiny Committee would invite the relevant Police representative and the County Council Gypsy Liaison Officer to attend a meeting of the Redditch Forum to answer questions about the policy.

RESOLVED that

the Committee note the reports and agree the action, as detailed, and in the order proposed, in items a) to c) above.