

REPORT

SUBJECT: PROTOCOL FOR MANAGING UNAUTHORISED ENCAMPMENTS
DIRECTORATE: CHIEF EXECUTIVES
MEETING: Individual Cabinet Member – Giles Howard
DATE: 28th October 2015
DIVISIONS/WARDS AFFECTED: All Wards

1. **PURPOSE:**

- 1.1 To consider current guidance on managing unauthorised encampments and to agree changes to the current 'Monmouthshire Protocol for the Management of Unauthorised Encampments', dated June 2009.

2. **RECOMMENDATIONS:**

- 2.1 Agree the proposed changes to the unauthorised camping procedure, together with the associated assessment forms, and adopt Monmouthshire's revised 'Protocol for the Management of Unauthorised Encampments', dated October 2015, as set out in Appendix 1.

3. **KEY ISSUES:**

- 3.1 Cabinet report dated 3rd June 2009 recommended the adoption of a policy statement on managing Gypsy and Traveller sites in Monmouthshire, and the adoption of a protocol for the management of unauthorised encampments. The report was endorsed and is provided as a background paper.
- 3.2 An unauthorised encampment is an encampment of caravans and/or vehicles on land without the landowner's or occupiers consent and therefore constituting trespass.
- 3.3 The roles and responsibilities of the Council for dealing with unauthorised encampments are set out in the protocol adopted in 2009. This established that the Council will take the lead where the encampment is on land owned by the Council or is on common land.
- 3.4 An unauthorised encampment can be any group of individuals or vehicles trespassing on land. The Council's Officers are actively involved with approximately five to ten each year and these are generally encampments of Gypsies and Travellers. The size of recent encampments has ranged from a single caravan to twenty plus, (car park in Monmouth during June 15). Environmental Health take the initial lead but an inter-agency approach is then followed. This is in line with the protocol to deal with the encampment in a manner that endeavours to strike a balance between the needs of the Gypsies and Travellers, members of the settled community, local businesses and the responsibility the Council has for the management of its land.
- 3.6 Welsh Government has updated its advice to local authorities, in its document 'Guidance on Managing Unauthorised Camping 2013' which is aimed at addressing the specific issues around unauthorised encampments of Gypsies and Travellers.
- 3.7 The proposed changes to the adopted protocol and specifically the 'unauthorised camping procedure' and assessment forms used, take account of this Welsh Government guidance. It also takes into account the experiences of Officers in dealing with recent encampments, to ensure that it is fit for purpose and properly balances the issues. The key principles and values of the 2009 protocol remain.

3.8 Although beyond the scope of this report, members will wish to note that there is a wider debate regarding the provision of Gypsy and Traveller sites in local authority areas. Colleagues in the Housing section are currently undertaking a Gypsy and Traveller Accommodation Needs Assessment, as required by the provisions of the Housing Acts 1985 and 2004. A report is intended to be submitted to Cabinet on this issue in the near future. Training will also be provided to ensure the relevant Acts are correctly implemented.

4. REASONS:

4.1 To ensure that the protocol fully reflects latest guidance, that the procedures are effective, efficient and the local authority is clear on how it will respond to an encampment, who will take the lead and who else will be involved.

5. RESOURCE IMPLICATIONS:

5.1 There is no specific budget for dealing with unauthorised encampments, with any costs generally being borne by the relevant service. For example Waste and Resources section for clearing litter and waste.

6 Future Generations Evaluation:

6.1 The Future Generations Evaluation, including equalities and sustainable impact assessments, is provided in Appendix 2. The revisions have a positive impact on these issues, for the reasons provided.

7. CONSULTEES:

SLT
Cabinet Members
Chairs of Select Committees
Head of Legal Services

Results of Consultation

No adverse comments have been received.

9. BACKGROUND PAPERS:

Cabinet Report 3rd June 2009 'Policy for Gypsy and Traveller Sites and Protocol for Managing Unauthorised Encampments'
Welsh Government 'Guidance on Managing Unauthorised Camping 2013'

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