

REPORT TO: Cabinet

DATE: 14th April 2011

SUBJECT: Unauthorised Encampment Policy

**WARDS
AFFECTED:** All

REPORT OF: Director for Built Environment

**CONTACT
OFFICER:** Neil Davies, Strategy Manager
934 4837

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek approval to a new policy which sets out the Council's approach to dealing with unauthorised Gypsy & Traveller encampments, in collaboration with other agencies.

REASON WHY DECISION REQUIRED:

The Director for the Built Environment does not have authority to approve new policies

RECOMMENDATION(S):

Cabinet approve the Unauthorised Gypsy & Traveller Encampment Policy set out in this report

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Immediately following the call in period for the minutes of this meeting

ALTERNATIVE OPTIONS: Not to have an Unauthorised Encampment Policy would result in such encampments being unchallenged by the Council and an absence of Council support for a minority group who are often excluded from receiving public services.

IMPLICATIONS:

Budget/Policy Framework: This is a new Policy for Members to consider

Financial: Undertaking the requirements of the policy will be performed by existing Council officers, and there are no additional expenditure implications.

<u>CAPITAL EXPENDITURE</u>	2009 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal:

The policy includes legal provisions the Council may adopt to remove unauthorised encampments from Council land

Risk Assessment:

Failure to deal with unauthorised encampments risks:

- Failure to provide appropriate welfare support to members of the Gypsy & Traveller community.
- Potential conflicts with local residential communities
- Damage to land and property.

Asset Management:

Unauthorised encampments often occur on Council owned land or property. Hence it is in the Council's interests to take appropriate action to deal with these encampments and try to protect its assets.

CONSULTATION UNDERTAKEN/VIEWS

Consultation has been undertaken with the agencies who are represented on the Gypsy & Traveller Steering Group, which involves various Council departments, health services, Police, Fire Service, and Equalities Partnership.

The Acting Head of Corporate Legal Services has been consulted and has no further comments to make on this report. LD 96/11.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community	√		
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being	√		
5	Environmental Sustainability	√		
6	Creating Inclusive Communities	√		
7	Improving the Quality of Council Services and Strengthening local Democracy	√		
8	Children and Young People	√		

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Cabinet Report, Future Housing Needs of Gypsies & Travellers, 26th February 2009.

1. Background :

The Council provides a site for Gypsy & Travellers at Formby, but does not provide a transit site for those moving through the borough seeking a short stay. As a result there are incidences when some gypsies & travellers set up unauthorised encampments.

2. Unauthorised Encampment Policy :

2.1 Attached to this report is the proposed Policy for dealing with Unauthorised Encampments. The prime aim of the policy is to manage unauthorised encampments in a supportive, effective and efficient way, addressing the support needs and rights of gypsies and travellers and balancing these with the rights of the settled community.

2.2 The Government has previously issued 'Guidance on Managing Unauthorised Encampments', which the proposed policy seeks to address, with the Council taking the lead role, but identifying the roles other public agencies can play in support of this. The proposed policy seeks to set out a clear and consistent way of response.

2.3 A new element of the policy is to identify a Council Co-ordinator role; which will be performed by officers within the Private Sector Housing Team. Where an unauthorised encampment occurs, the Council Co-ordinator will visit and liaise with the gypsies & travellers, undertake a site risk assessment, then liaise with other support agencies as appropriate, and also liaise with the land owner (or in the case of Council owned land, liaise with the land owning department). The policy sets out a clear distinction between the role of the Co-ordinator and the role of the land owner. It will be for the land owner (or Council land owning department) to take legal action to remove an unauthorised encampment, when this is deemed the appropriate course of action.

SEFTON JOINT AGENCY AGREEMENT FOR RESPONDING TO AND SUPPORTING UNAUTHORISED GYPSY AND TRAVELLER ENCAMPMENTS

POLICY STATEMENT

The policy statement below outlines some of the key points that this policy is based on and addresses:-

- Gypsies and Travellers are not the only groups to be involved in unauthorised camping. The purpose of focusing this agreement on the gypsy and traveller community is in recognition of the particular needs of this community and the discrimination suffered. The agreement will ensure that their needs are part of the solution to any problems arising from unauthorised encampments.
- The agreement ensures a joint agency approach to any encampment with key partners having specific roles. This joint approach will ensure the needs of gypsies and travellers and the settled community are balanced and will reflect compliance with applicable law, best practice and Government guidance.
- The agreement will be reviewed annually by the corporate Gypsy and Traveller Steering Group and will address any issues arising from the use of the agreement at its regular meetings. The work of the Steering Group in relation to this will be supported by the operational group.
- It is recognised by partners that currently there are around five or six unauthorised sites a year, this is not a large number but this policy will ensure the needs of gypsies and travellers and the settled community and the responsibilities of all partners are acted on appropriately.

Other associated documents:-

- Sefton's Gypsy and Traveller strategy
- Merseyside Police Gypsy and Traveller Policy and Procedure

The parties below agree to the policy statement and to work to support the effective delivery of the guidelines in this agreement.

CONTENTS

1. Aims of the Policy
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8. Strategy for communicating the protocol widely
9. Holistic Approach / Link to other Policies
10. Animal Welfare
11. Summary

AIMS OF THE POLICY

1. To manage unauthorised encampments in a supportive, effective and efficient way, addressing the support needs and rights of gypsies and travellers and balancing these with the rights of the settled community.
2. To consider the needs of all parties including residents, gypsies and travellers, landowners and local businesses in every situation.
3. To set out recommended courses of action which local authorities, the police and other partner agencies should follow to provide an effective response to unauthorised camping in their area.
4. To develop best practice in terms of the engagement of gypsies and travellers and the settled community when unauthorised encampments occur.

2. WHO DOES THE POLICY RELATE TO?

This protocol relates to all travelling groups and all unauthorised encampments in Sefton.

This will include:-

- Romanies of England and Wales
- Romanies who have come from Europe.
- Irish Travellers
- Scottish Travellers
- Show and Fairground Travellers
- New Travellers
- Bargees

In communication where possible the term accepted by the group in question will be used. It is important to note that unauthorised developments are outside the scope of this agreement.

3. INTRODUCTION

The first joint agreement on unauthorised sites was developed in 2006 by the Gypsy and Traveller Strategy Group, but it is accepted that this does not now cover the full range of issues that need to be addressed by such an agreement.

In line with Government 'Guidance on Managing Unauthorised Camping Guidelines' the local authority will take the lead in managing unauthorised camping.

Merseyside Police will take the lead only where urgent action is needed e.g. in the use of the Criminal Justice and Public Order Act (CJPOA) s. 61.

The police will look to the local authority to identify 'acceptable' sites when there are no available pitches in the area.

FIVE KEY PRINCIPLES

- The joint agency group recognises their statutory and moral responsibility to work together for the safety and well being of gypsies and travellers and the settled community.
- Gypsies and Travellers and the settled community are entitled to live free from crime, harassment and intimidation.
- Gypsies and Travellers must have equitable access to services
- A travelling way of life is legitimate
- All offensive behaviour in any unauthorised encampment situation will be treated in the same manner within the rule of law.

4. LOCAL INFORMATION AND DATA

Current and Proposed Sites

In Sefton there is one fifteen pitch site in Formby. The work on the accommodation needs assessment has recommended increasing this with another 15 permanent pitches and 5 transit pitches.

It is known that a significant percentage of gypsies and travellers live in houses, however little is known about this group and the only direct contact is through Children Schools and Families

Unauthorised Sites

The accommodation needs assessment has identified that gypsies and travellers do move through Sefton as is identified above. This has resulted in the recommended Transit site provision. Some of the movement relates to Appleby Fair and some relates to movement into North Wales and/ or to visit relatives.

5. STRATEGY FOR ADDITIONAL SITE PROVISION

In relation to the future housing needs of Gypsies and Travellers, a report on this matter was considered by Sefton's Cabinet on 26th February 2009. This report summarised the findings of the Merseyside Gypsy and Traveller Accommodation Needs Assessment together with the emerging requirements of the Partial Review of Regional Spatial Strategy. The report examined the likely implications for Sefton in relation to future additional permanent and transit pitch provision and meeting the housing and support needs of Gypsies and Travellers and Travelling Showpeople. It also sought delegated authority for the relevant directors to make representations on behalf of Sefton Council to the Regional Spatial Strategy Partial review consultations and subsequent Examination in Public.

At the time of the report the interim draft Partial Review of the Regional Spatial Strategy was subject to a consultation period running until early March 2009. It indicated a minimum additional permanent residential pitch requirement for Sefton for the period 2007 to 2016 of 30 pitches, (i.e. 30 over and above the existing 16 pitches provided at

present = 46 pitches in total) plus 5 transit pitches and 5 pitches for travelling show people.

During July 2010, the coalition Government expressed its intention to abolish Regional Spatial Strategies. The requirement to provide additional pitches is therefore, not a requirement of government but the outcome of the review assists in identifying the requirement to meet the housing need of the Gypsy and Traveller community.

Timescales for setting out Sefton's overall strategy for providing additional sites for gypsies and travellers as part of the Local Development Framework (LDF) were set out in the 26th February Cabinet report. The adoption date for the LDF is expected to be during 2013, and this will be preceded by consultations. Preparation of an Allocations Development Plan Document for the specific allocation of sites will commence in 2010.

Sefton's short-term strategy for meeting the housing requirements of gypsies and travellers is to use the findings of the Strategic Housing Land Availability Assessment (SHLAA) to identify suitable sites. A site search and appraisal process will commence in 2010, using the list of sites in the SHLAA.

6. PROCESS TO BE FOLLOWED WHEN UNAUTHORISED ENCAMPMENTS OCCUR

An unauthorised encampment is any encampment that takes place on land outside of the existing approved formal Gypsy and Traveller site at Formby, in the borough of Sefton.

When there is an unauthorised encampment there will be a clear and consistent response that will be implemented in consultation with all relevant partners.

The response will follow the points outlined below:-

- The Council Co-ordinator shall be the person so identified at the material time as having initial responsibility for responding to unauthorised encampments.
- When an unauthorised encampment is identified by any source, the Council Co-ordinator will be informed to enable them to coordinate the response.
- A visit to the site by the Council Co-ordinator will be arranged as soon as practicable and in no more than two days from first report to the coordinator. This will always include a person coordinating the agreement from the council, but may include other partners such as health and education as appropriate. (This will probably be led by information that may be received from another local authority the group has passed through).
- On the first site visit the Co-ordinator will ascertain from the Travellers their purpose and when they intend to leave the site.
- On the site the Council Co-ordinator will undertake a site risk assessment and on returning from the site complete as much of the information on the Merseyside gypsy and traveller unauthorised site form as is possible. This form will be circulated to all relevant partners on the contact list.
- An activity log will be commenced by the Co-ordinator identifying all relevant details of site visits and actions taken.

- The Co-ordinator will be responsible for alerting key partners such as Health, Educational Welfare and others (as appropriate) as well as liaising with the local community as required and appropriate.
- From the information circulated the named partners will coordinate a response to any identified need.
- The Council Co-ordinator will identify the site owner and ensure that they are made aware of the presence of Gypsies / Travellers on the site in question
- The Council Co-ordinator will advise any non Local Authority landowner of their rights and obligations in respect of the encampment and offer the assistance of the Council to assist removal where appropriate.
- Landowners should normally negotiate with the Gypsy / Traveller encampment in respect of intended departure date. If negotiations fail then in the case of Local Authority owned land, court action or the use of police powers will be considered with the support of Legal Services. All partners will be informed if this process is taken forward
- It shall at all times be the responsibility of the Landowner to instigate proceedings to ensure the departure of the unauthorised encampment. In the case of Council owned land the land holding Department will be responsible for instigating proceedings. The role of the Council Co-ordinator will be to ensure that an effective risk assessment is undertaken and that the welfare of the Gypsy / Traveller community AND the local community, are considered.

Considerations to be taken into account in delivering the above process

- **Initial Contact.** All partners to work with occupants/ landowner etc. showing dignity and respect for those involved. The purpose of the visit is to gather initial basic information and check accuracy of public reports etc.
- **Unauthorised Camping on the Public Highway.** All encampments on the highway are technically an obstruction. The first visit will identify whether the obstruction is actual e.g. will cause real problems due to the volume of traffic etc. or technical. If the obstruction is actual then the process for moving occupants on will commence immediately, if possible through negotiation with the occupants, and as appropriate supported by the police. If the obstruction is technical then the procedure above will be followed.
- **Co-ordinator –** The coordinator will keep records of all decisions made and the reasons for these. Records will also be kept of any complaints and response made. This information will form an important basis of the annual review of the agreement, and ensure the lessons from each encampment can be learned.
- **Urgent action will be taken to remove unauthorised encampments on sites that impact upon:-**
 - Local Amenities e.g. school car park, parks / leisure services facilities affected.
 - Disruption to the local economy as a result of occupying a shopping centre car park.
 - Significant actual disruption to the local community.
 - Actual obstruction of a public highway.

Action will only be taken to remove unauthorised encampments where there are no serious implications for the welfare of any person in the encampment.

The process to be undertaken by the Land holding Department is that which is attached at **Appendix 2**.

Contact with the Local Community – This will include as appropriate:-

- Involvement of local councillors
- Briefing Corporate Communication staff in advance of media enquiries
- Information available on the Sefton website explaining the joint agency response

ROLES AND RESPONSIBILITIES

- **Council Coordinator**– Provision of coordinating role and ensure that the policy is cascaded through all relevant departments including the customer contact centres. Provide information on range of council services available, eg leisure services/ libraries etc.
- **Landowner** – Responsible for instigating legal action to remove any unauthorised encampment in consultation with the Council Co-ordinator
- **Merseyside Police** – Provision of named officer with deputy, share all relevant information and undertake role in terms of maintaining public order, prevention and detection of crime, and where necessary support the move on from the site. In practice, unauthorised encampments which require a police input should be reported through the Duty Critical Incident room – 0151 777 3960
- **NHS Sefton** – Provision of a named officer and deputy to support the assessing and delivery of any health needs, communicate information to partners within agreed information sharing protocols. Address safeguarding issues as appropriate
- **Children Schools and Families** – Education Welfare will assess educational needs and liaise with the Complementary Education Service to provide services as appropriate, share information with partners in line with agreed information sharing protocols. Address safeguarding issues as appropriate.
- **Environmental Protection Officer & Operational Services** – To provide advice & services on sanitation, refuse collection services as appropriate.
- **Corporate Legal Services** – To support the coordinator in legal action when this is required to move travellers on from the site.
- **Fire Service Contact** – To support the addressing of any fire safety hazards or risks related to the site and support the occupants in addressing these with any other relevant services. (Note, MF&RS have their own Gypsy and Travellers Policy, which recognises that operational crews may be the first to discover a Gypsy and Traveller unauthorised encampment, particularly if the encampment is established during the hours of darkness. In such instances they will gather initial information and cascade it to partner organisations, including Council officers).

See Appendix Three for List of Named Contacts

COMMUNICATION OF THE AGREEMENT

The strategy will be communicated in the following ways:-

- Publish agreement on all partner websites.
- Cascade through relevant sections and departments and named contacts for partners support relevant teams in delivery of the agreement and developing a response to any new or emerging issues.
- Consult as appropriate on any changes or developments with staff, community and gypsies and travellers.

MONITORING THE AGREEMENT

The agreement will be monitored through the Sefton Gypsy and Traveller Steering Group, who will review all encampments and delivery on the agreement. They will review this Policy every 3 years. This will be carried out using information provided by the coordinator and all partners.

Any issues from an individual encampment can be brought to the next meeting of the Steering Group by any partner in the agreement.

HOLISTIC APPROACH

This agreement recognises that unauthorised encampments are linked to a range of policy areas including:-

- Homelessness policy
- Policies relating to land use
- Community Cohesion
- Environmental Protection
- Health Provision
- Children Schools and Families

The success of this agreement will be based on these policy areas having clearly addressed the needs of gypsies and travellers in the development of the respective areas of work, so that a clear agency response can be made when an unauthorised encampment occurs.

ANIMAL WELFARE

Any concerns relating to animal welfare should be passed to the local branch of the RSPCA and/or Merseyside Police with a request that they investigate.

It should be noted that since July 2009 there is a requirement for horses to have a passport.

APPENDIX ONE

Agreement with Gypsies and Travellers on First Visit

The Council Co-ordinator will be responsible for raising this agreement with the gypsies and travellers and can take paper copies but will ordinarily discuss the agreement with the occupants.

What can Gypsies and Travellers expect from all agencies including the Council / Police etc.

- Staff will be courteous and respectful and work to support the meeting of any immediate needs.
- Information on the needs of the occupants will be sought and addressed.
- Information on the encampment will be shared with other partners including health, education, police, and council departments.
- There will be contact with the encampment through the coordinator and depending on decisions made, may involve discussions on how occupants can be supported in leaving.
- Any reports of hate crimes committed against the gypsies and travellers will be acted on by the police and other partners as appropriate.
- Agencies will work together to meet the needs of the people on the site within the time that the site remains.

What do the agencies expect from the Gypsies and Travellers:-

- To treat staff who work with the occupants are treated courteously and with respect.
- The occupants keep the agencies informed of any needs or developing issues
- The site will be kept clean and clear (this will be supported through the provision of services such as skips etc. to the site).
- Payments will be made up front for the provision of skips any sanitation or water provided on a weekly basis.
- As far as possible the occupants will keep the agencies informed of any plans to move on from the site.

APPENDIX TWO

Sefton Council

Procedure for Handling Gypsy & Traveller Incursions on Council Land

This procedure sets out the actions that officers will take when reports of gypsy /traveller incursions are reported on Council land and provide a balanced, consistent approach to ensuring that all necessary welfare and legal requirements are met prior to the removal of any incursion.

Stage 1

Initial Reporting / Visual Assessment

On receiving a report of travellers being present on Council land a senior officer of the land holding Department will immediately attend at the site. The purpose of this visit will be to assess the accuracy of information provided and to ascertain the situation.

Officers are NOT to directly make contact with any persons present and should be accompanied at this visit by another witnessing officer.

Required actions:

- 1] Officers attending site will take photographs of the incursion and confirm whether the infringement is on Council land. If necessary, this will need to be confirmed with the council's Asset Manager.
- 2] A written note should be made by the senior officer of the number of caravans and vehicles present, the number of people / animals evident and any activity taking place at site.
- 3] Officers should also make a visual assessment of how the travellers gained unauthorised access onto the land, making note of any damaged gates, fencing, posts having been removed.

Stage 2

Contact Visit / Assessment

On having established that an illegal incursion has occurred on Council land the investigating senior officer will report his / her findings to the Director of the relevant Department and make immediate arrangements (without delay) for a formal return to the incursion site.

Required Actions:

- 1] The Investigating Officer must be accompanied by a second witnessing officer on this visit to make contact with persons involved in the illegal incursion.
- 3] Merseyside Police must be contacted to accompany officers at this visit and a note made of the police officers name and number and details of what time attendance was made at site. Detailed notes should also be taken of the number of caravans, vehicles, persons / animals present on site and any activities taking place there.
- 4] In accompaniment with the Police, the Investigating Officer will seek to make direct contact with any person(s) present at the site and will make known to them that they are occupying Council land and that permission to be present on the land is not given.
- 5] If those persons present are willing to do so, officers will seek to discuss with them what their intentions are and how long they intend to be present and whether there are any immediate welfare requirements.
- 6] Officers will serve written notice at this meeting and will either attach to each caravan (or hand to each individual, as necessary) the template letter shown as **sub-Appendix 1**.

Stage 3

Welfare Requirements

The law requires that the Council give due consideration to the welfare needs of the traveller community whenever an incursion occurs and the relevant Service Director will seek advice and guidance in determining the appropriateness of the departments response.

- 1] The Council's Children Schools and Families Services and Sefton Equalities Partnership will be asked to offer guidance on child protection and other welfare needs, and Health Services will be asked about health needs, prior to making a formal decision about taking legal redress to remove the incursion from Council land.
- 2] Agencies will be asked to notify the relevant Service Director of any issues or actions from their individual assessments that give rise to concern.
- 3] Officers will continue to monitor the inclusion on a daily basis for the period and note any changes to the number of caravans or vehicles brought onto site or other changes that may affect the well being of those present or effects on the local community, highway safety, etc.
- 4] Officers may continue to maintain direct dialogue with persons on site but in all instances no direct contact within persons present must be made unless a second witnessing officer and the Police are present to accompany the visit.

Stage 4

Negotiation & Response

The Council will seek to secure the land as soon as is practically possible and to removing any incursion. However, in achieving this the relevant Service Director may consider it advantageous to consider a period of temporary stay whilst negotiations are ongoing.

1] It is reasonable to allow an unauthorised encampment to remain for a specified maximum period if it is evident that the incursion can be ended by negotiated means. In determining the need for a temporary negotiated stay the relevant Service Director will consider the following factors in determining a decision:

- The size of the encampment relevant to the land (area and/or numbers of vehicles).
- The duration of any negotiated stay requested by Travellers.
- The health, safety, education and welfare needs of the Travellers.
- The proximity of the encampment to any sensitive or potentially hazardous sites.
- Proximity to roads where a highway danger may be ensue.
- The social and environmental behaviour of the Travellers.
- Any known previous behaviour by those Travellers.
- Any known and immediate welfare issues that may affect the securing of a court order.

Environmental factors will also need to be considered and the following questions are pertinent:

- Is the incursion on a site of special scientific interest (SSSI) where an encampment endangers a sensitive environment or wildlife?
- Is it by a school or playing fields (especially in term time or where pitches are currently being hired)?
- Does the incursion affect use of a park and its facilities?
- Is the incursion directly affecting users of recreation facilities?

- What is the proximity of the incursion to residential properties and the effects on the local community?
- Is the incursion on a site where pollution from vehicles or dumping could damage ground water or watercourses?
- Is the site suffering from contamination or other serious ground pollution?

2] As part of any agreement to temporarily remain on site the Service Director (or a senior manager nominated by him/ her) would expect Travellers to:

- Agree to the duration of their stay.
- Provide a named contact where possible.
- Keep groups small - up to 6 caravans may be acceptable, dependent on the location of the encampment.
- Be accountable for their behaviour towards the local community and each other.
- Respect the environment, the surrounding area and property and the reasonable expectations of the local settled community.
- Not create a hazard to road safety or otherwise create a health and safety hazard.
- Not to dump or inappropriately dispose of household, human or trade waste.
- To dispose of all refuse in any containers supplied by or as directed by officers.
- To keep all animals under control.
- Leave the site by the time agreed and in the condition it was upon arrival.
- Not to re-occupy the same area of land within a period of 12 months.

Stage 5

Securing Repossession

Should an illegal incursion not end by an agreed period the Service Director will seek legal redress through the Legal & Administration Department to secure the land under section 77 of the Criminal Justice and Public Order Act 1994 and / or any other act or byelaw appropriate. Failure of the travellers to move from the land or alternatively the return to the specific site within 3 months is a criminal offence.

1] A Senior Officer (again in the presence of a witnessing officer and accompanied by the Police) will return to the incursion site and serve written notice as shown in **sub-Appendix 2**.

2] The time of period notified within this notice is subject to change but in determining the time of notice given the Service Director will consider any period of time that has already been occurred on site.

3] Officers will take detailed records when notice is served, taking photographs and making detailed notes of the time and date notice was served and who was present at the time of notice.

4] If at the expiry of this period of notice the encampment is still present the Council's Legal & Administration Department will be asked to seek a Court Order securing lawful repossession of the land and the Council's rights as occupier and the removal of vehicles, property and people from the land pursuant to section 78 of the Criminal Justice and Public Order Act 1994.

5] The Service Director will seek advice from Legal & Administrative Department in the correct execution of the eviction process and where appropriate in the use of bailiffs, which can be used once a possession order has been granted and 24 hours notice of the intention to enter have been given.

Stage 6

Reinstatement & Prevention

At the point at which an illegal incursion has ended it will be necessary to immediately re-secure the land from possible future incursions. During the period when the land is occupied officers should assess and cost the practicalities of preventative work and these should be completed as soon as possible following the site being vacated.

1] It will be necessary for officers to also inspect the site to assess for the need for any reinstatement works. Particular attention should be paid to the removal of waste or anything that has the potential to affect public health.

2] A specific risk assessment should be completed for works to reinstate land following repossession. Consideration should also be given to temporarily closing the land from public use and access until such times as any hazards and waste are removed.

Stage 7

Review

These procedures should be subject to continuous review and reference should always be made to any corporate protocols and guidance issued by the Council.

Sub-Appendix 1

Note: This letter must NOT name individuals but be serve to 'all occupants'

Corporate Legal Services

Town Hall
Lord Street
Southport
PR8 1DA

To the Occupiers of
Name of Location

Date: **DATE HERE**

Our Ref:

Your Ref:

DELIVERED BY HAND

Please contact:

Contact Number: 0151 934

Fax No: 0151 934

e-mail: graham.Bayliss@leisure.sefton.gov.uk

To all occupants of vehicles on **NAME OF SITE HERE**,

RE: NAME OF SITE HERE BELONGING TO SEFTON METROPOLITAN BOROUGH COUNCIL

I wish to advise you that you are currently in occupation of the above-mentioned Land without licence or consent of the Council that owns the Land, which is located in the Metropolitan Borough of Sefton.

On behalf of the Council, I direct all those persons who are residing in vehicles to leave the Land and to remove their vehicles and any other property that they have on the Land no later than 12 noon on **DATE HERE**.

Should you abide by this direction then I shall not take any further action. However, should any occupants fail to leave, I shall have no alternative but to take action Pursuant to Section 77 of the Criminal Justice and Public Order Act 1994.

Yours faithfully,

Head of Corporate Legal Services

Sub-Appendix 2

CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

SECTION 77

DIRECTION

To: All occupants of caravans and vehicle(s) of land at: **LOCATION** (the land) which is shown on the attached plan.

It appears to the Sefton Metropolitan Borough Council which is the local Authority for the area in which the land is situated that persons are residing in vehicle(s) on land occupied without the owners consent.

The Sefton Metropolitan Borough Council now Directs:

All persons residing in vehicles on the land to remove their vehicles and other property forthwith.

WARNING:

Failure to comply with this direction or re-enter the land with a vehicle(s) within the period of **THREE MONTHS** of the date hereof is a criminal offence.

Dated this

Head of Corporate Legal Services

APPENDIX 3 - LIST OF NAMED CONTACTS

GENERAL CONTACTS

Council Co-ordinator

Clare Taylor, Private Sector Housing team, Neighbourhoods and Investment Programmes Department
0151 934 2273

Education (including Child Safeguarding issues)

Steve Jones or Pat Finch, Sefton Complementary Education Service
01704 395945 or 0151 934 5945

Merseyside Police

Sarah Allardes 0151 777 3655

Corporate Legal Services

Jane Beatty 0151 934 2026

Environmental Protection

Steve Smith, Public Health Team
0151 934 4025

Operational Services

Gary Berwick
0151 934 6134

Merseyside Fire & Rescue Service

Jim Martin, MF&RS HQ 0151 296 4000

NHS/Health

Sandra Davies Specialist Health Visitor 0151 922 1174 or Jane Perry Link Nurse Co-ordinator for Children Out of School 01704 835 515

Health and Social Care/Adult Safeguarding

Robina Critchley 0151 934 4900

Planning Enforcement Officer

Sue Tyldesley 0151 934 3569

OPERATIONAL CONTACTS

Council Co-ordinator

Clare Taylor, 0151 934 2273

Education (including Child Safeguarding issues)

Julie Palin, 0151 934 3149, Senior Education Welfare Officer

Merseyside Police

Duty Critical Incident Officer 0151 777 3960

Corporate Legal Services

N/A – see General Contacts

Environmental Protection

Sefton Plus 0845 140 140

Operational Services

Paul Hay
0151 934 6135

Merseyside Fire & Rescue Service

Station Officer at the nearest Fire Station

NHS/Health

Report health emergencies via 999; non emergencies via local health centre, clinic or GP surgery.

Health and Social Care/Adult Safeguarding

Report any concerns via Sefton Plus on 0845 140 0845

Planning Enforcement Officer

Sefton Plus 0845 140 0845

Leisure & Tourism Department
Dave Thompson
0151 934 2366

Coast and Countryside Dept
Dave McAleavy

Children Schools and Families
Ivan Guy
0151 934 3429

Leisure & Tourism Department
Dave Thompson
0151 934 2366

Coast and Countryside Dept
Mark Sephton, 07974 783267

Children Schools and Families
Ivan Guy
0151 934 3429