

THORPE ST ANDREW TOWN COUNCIL

TOWN COUNCIL MEETING

Town Hall, Fitzmaurice Park, Pound Lane, Thorpe St Andrew, Norwich, NR7 0SR

Tel/Fax: (01603) 701048

Email: office@thorpestandrew-tc.gov.uk

31st December 2019

Notice of Town Council Meeting

You are hereby summoned to attend the meeting of Thorpe St Andrew Town Council to be held at the Town Hall on 6th January 2020 at 7.30pm for the purpose of transacting the following business.

Thomas Foreman

Thomas Foreman Clerk to the Council

AGENDA

94. Attendance and Apologies for Absence

95. Declarations of Interest in items on the agenda

96. Minutes of the Town Council held on 2nd December 2019

Announcements (for information only)

To receive announcements from

- (i) The Town Mayor
- (ii) The Town Clerk

97. Public Participation – To consider a motion to suspend the meeting to allow members of the public the opportunity to address the meeting about matters on the agenda, limited to 3 minutes each.

- (i) Norfolk Constabulary
- (ii) County and District Councillors
Report from Councillor John Ward
- (iii) Members of the public

98. Finance

- (i) Payments List
- (ii) Bank Reconciliation Statement

99. St Williams Way and Thunder Lane area consultation - attached

100. River Green Mooring Scheme – Verbal Update

101. Grounds Maintenance Tenders – confidential report attached

102. Strengthening police powers to tackle unauthorised encampments

Town Clerk - Dr Thomas Foreman

Thorpe St Andrew Town Council, Town Hall, Pound Lane, Thorpe St Andrew, NR7 0UL

Tel/Fax: (01603) 701048 E-mail: office@thorpestandrew-tc.gov.uk

Website: www.thorpestandrew-tc.gov.uk

VAT No. 107 2921 90

**Thorpe St Andrew Town Council
Minutes of the Town Council meeting
held on 2 December 2019 at 7:30pm**

86 Present:

Mr J Fisher	(Town Mayor)		
Mr P Berry	Mr F Bowe	Mrs J Fisher	Mr J Emsell
Mr T Garner	Mr M Lake	Miss S Lawn	Mr I Mackie
Mr J Ward	Mr T Fordham	Mr S Snelling	

Apologies: Mr L Reeves Mrs T Mancini-Boyle Mr N Shaw

In attendance:

Mrs J Fenn (Deputy Clerk and RFO)

One member of the public were in attendance.

87 DECLARATIONS OF INTEREST

Member/Officer	Item
None	

88 MINUTES

The minutes of the meeting held on 4 November 2019 were agreed and signed as a true record.

ANNOUNCEMENTS

- (i) Town Mayor had not thanked everybody involved for their efforts with the Christmas event. It was requested that the Council send thanks to the Town Crier, Police for the use of the launch and Melissa Rudd. An email invitation for the Mayoral Mistletoe Mardle on 15th December 2019 had been sent but some recipients had problems opening the attachment. Mr J Fisher to bring hard copies to be collected at the office if required. Those wishing to attend should respond as soon as possible.
- (ii) The Town Clerk was not at the meeting to provide a report.

89 PUBLIC SESSION (limited to 3 minutes per speaker)

It was proposed and duly seconded that the meeting be suspended to allow members of the public to address the meeting.

- (i) Norfolk Constabulary – no police representative was in attendance..
- (ii) Members noted the report from Cllr Ward.

- (iii) Cllr I Mackie – endorsed the Christmas lights had been a good event. He had received a nice communication from our twinning members in Canada for Remembrance Sunday.
The car that was caught in the floods in Little Plumstead had ignored the road closed signage and flood warning sign. Cllr I Mackie will be visiting Dussindale Primary School for their Christmas assembly 5/12/19. The advice for individuals to telephone the police to report any anti-social behaviour had backfired as too many reports were made. Either one person from Facebook to contact or to report to Cllr I Mackie and he will inform the police. Cllr I Mackie attended the meeting 'Transforming City funds' which is looking at Yarmouth Road being a bus freeway. The Dussindale rail halt is still being considered. Harleys had an issue with 2-3 feet of double yellow lines near to their premise. Cllr I Mackie has spoken to highways and they will not be re-instated. NCC have agreed to plant 1 million trees over the next 3-4 years. Cllr I Mackie reported the next surgery date 11/1/20. Also, the grit bins will be restocked by NCC.
- (iv) Jonathan Emsell – The collaboration between SNDC and BDC will see staff aligned to new roles in 2020. This should have no effect on TSATC.
- (v) A member of the public wished all the councillors and staff a Merry Christmas and thanked them for the hard work during the year with all the events they had planned and especially the Christmas lights which was a great event. An enquiry was made regarding the item of the car park. The Town Mayor reported that this is a confidential item at present whilst negotiations are taking place.

90 FINANCE

- (i) Payments List – approved and signed.
- (ii) Bank Reconciliation Statement was approved and signed.

91 DRAFT MINUTES OF COMMITTEE MEETINGS

- (i) Plans Committees – amend item 5 to Beechwood Drive – noted.
- (ii) Finance and Staff Committee amend to show JW and PB present.
- (iii) Events and Media Committees – amend to show SS present.

92 DRAFT BUDGET 2020/21

Members considered the report of the Clerk and the RFO on the draft Budget, along with the recommendation from the Finance and Staff Committee. It was noted that the Council continues to increase its work for vulnerable members of the community, and saw the additional budget for a post to continue this work as extremely valuable. Further investment in the infrastructure of the town will also benefit both residents and local businesses alike. The long term savings on contractor costs by investing in the in-house grounds team was also noted. The members also noted that the proposed precept is still lower than the comparator Councils locally. It was proposed by Cllr S Lawn, seconded by Cllr J Ward and on a show of hands unanimously

RESOLVED to approve the 2020 to 2021 budget as presented totalling £542,985.

93 PLANNING APPLICATIONS

- | | | |
|-------------------|--|---|
| 20191698 | 52A Thunder Lane
Garage to Annexe (SS)
No objections however, if BDC wish to change the colour of the cladding we will support them. | First Floor Side Extension and Conversion of |
| 20191710 | The Oaks 16B Harvey Lane | Variation of Condition 2 of Planning Permission 20171569 (JF) |
| No objections | | |
| 20191757 | 18 Thor Road | Demolition of Existing Flat Roofed Rear Extensions & Conservatory & Construction of New Larger Flat Roofed Rear Extension, Gable to Hip Roof & Rear Dormer Extension. |
| No objections | | |
| 20191813 | The Griffin 212 Yarmouth Road | Demolition of Public House (JF) |
| No objections | | |
| 20191815 | Bankside 300, Peachman Way | Static Non-Illuminated Sign to Office Block |
| No objections | | |
| BA/2019/0376/TCAA | 1 Ferrymans Court | G1: Laurel – Reduce in Height by Approximately 3m, reduce sides back by approximately 0.5m. |
| No objections | | |
| BA/2019/0392/TCAA | Plot 2 The Boathouse
Fields Boatyard | T1: Willow Fell. |
| No objections | | |

Comment from SS the car wash on Yarmouth Road is putting one of their flags on their A sign but taking it in at night.

Open cases noted.

No closed cases due to meeting being brought forward.

Future Agenda Items

The meeting closed at 8:22pm

Signed:

Dated:

29th December 2019

Report from Councillor John Ward

Broadland District Council

It has been agreed by Council that the new Domain name to be submitted will be 'South Norfolk and Broadland'

Rodney Fincham has been appointed as the Council's Chief Financial Officer (Section 151 Officer) with immediate effect.

The next Sprowston Safer Neighbourhood Action Panel meeting will be on Monday 27th January, 7pm, at Gage Road Chapel.

Norfolk County Council

NCC's plans for 137 new homes in Acle were approved at BDC's planning committee on 18.12.19. This is the first scheme submitted by NCC's company Repton Homes and includes 45 affordable homes, 33% of the total. The development will comprise 2/3/4/ bedroom houses and bungalows. The next application is for 200 homes in Hopton.

Norwich Bus Station is to be upgraded with work commencing 6.1.20 on the toilets and waiting area. Outdoor seating will also be provided and there will be a new voice activated bus service information board in real time. All works are scheduled to be completed in April 2020.

The draft version of the Greater Norwich Local Plan has been published. The plan provides opportunities for 44,500 new homes over the next 20 years. 80% of these are carried forward from previous plans but the new plan identifies sites for the remaining 8,000. 4395 will be in Norwich with 1200 on the Colman site, another 1200 in Sprowston near White House Farm. 1400 near Thorpe Marriott, 1200 in Anglia Square, 670 on the Deal Ground. The rest to be spread around the Market Towns of Aylsham, Wymondham, Diss, Harleston and various villages.

98(i)

Thorpe St Andrew Town Council
PAYMENTS LIST

31 December 2019 (2019/20)

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
991	30/11/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	21.36	4.27	25.63
992	30/11/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	91.92	18.38	110.30
993	30/11/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	147.75	29.55	177.30
994	30/11/2019		Bank 1 Current Accou	online	Bank charges	Lloyds Bank	E	20.15	0.00	20.15
995	10/12/2019		Bank 1 Current Accou	online	Mobile - office	O2	S	14.39	2.87	17.26
996	10/12/2019		Bank 1 Current Accou	online	Mobile telephones - Rec Grnd	O2	S	73.38	14.68	88.06
997	11/12/2019		Bank 1 Current Accou	online	Christmas lights	Wensum Valley Handbell Rin	E	50.00	0.00	50.00
998	11/12/2019		Bank 1 Current Accou	online	Morse kitchen	C Pilgrim	E	3,377.00	0.00	3,377.00
999	11/12/2019		Bank 1 Current Accou	online	cafe maint	C Pilgrim	E	220.00	0.00	220.00
1,000	11/12/2019		Bank 1 Current Accou	online	Tennis court refurbishment	C Pilgrim	E	1,350.00	0.00	1,350.00
1,001	11/12/2019		Bank 1 Current Accou	online	Street light - repairs	Cozens UK Ltd	S	75.00	15.00	90.00
1,002	11/12/2019		Bank 1 Current Accou	online	foodlights	Cozens UK Ltd	S	2,085.00	417.00	2,502.00
1,003	11/12/2019		Bank 1 Current Accou	online	foodlights	Cozens UK Ltd	S	3,995.00	799.00	4,794.00
1,004	11/12/2019		Bank 1 Current Accou	online	carpark lights	Cozens UK Ltd	S	1,560.00	312.00	1,872.00
1,005	11/12/2019		Bank 1 Current Accou	online	Christmas lights	Cozens UK Ltd	S	1,940.00	388.00	2,328.00
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Thorpe St Andrew Town Council

PAYMENTS LIST

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
1,027					Paar - salary					
1,028					Paar employers pension					
1,029					Jones salary					
1,030					Jones pension employer					
1,031					Seaman salary					
1,032					Seaman pension employer					
1,033					Sayer salary					
1,034					Sayer - NIC employer					
1,035					Foreman salary					
1,036					Foreman employers nic					
1,037					Bass - salary					
1,038					Bass - NIC employer					
1,039					Calver salary					
1,040					Calver -employers nic					
1,041					Student loan					
1,042					Mr G Watkins					
1,043					Paar - salary					
1,044					Paar - employers NIC					
1,045					Jones salary					
1,046					Jones nic employer					
1,047					Seaman salary					
1,048					Seaman employers nic					
1,049					Fern salary					
1,050	11/12/2019		Bank 1 Current Accou	8381	Fencing	Actavo	S	84.92	16.98	101.90
1,051	11/12/2019		Bank 1 Current Accou	8381	Crowd barrier	Actavo	S	190.00	38.00	228.00
1,052	11/12/2019		Bank 1 Current Accou	8383	Hire equipment	Ben Burgess	S	460.00	92.00	552.00
1,053	11/12/2019		Bank 1 Current Accou	8383	Fireworks	Ben Burgess	S	390.77	78.16	468.93
1,054	11/12/2019		Bank 1 Current Accou	8384	Vehicle maint	Ernest Doe and Sons	S	3,155.83	631.16	3,786.99
1,055	11/12/2019		Bank 1 Current Accou	8385	Cleaning Materials	Espo	S	86.30	17.27	103.57
1,056	11/12/2019		Bank 1 Current Accou	8386	Lighting tower	Meryn Lambert	S	700.00	140.00	840.00
1,057	11/12/2019		Bank 1 Current Accou	8387	Legal fee subscription	NP Law	S	400.00	80.00	480.00
1,058	11/12/2019		Bank 1 Current Accou	8388	Security for event	Norse	S	946.95	189.39	1,136.34
1,059	11/12/2019		Bank 1 Current Accou	8389	Reindeer	Scrabyd Garden Centre	S	187.50	37.50	225.00
1,060	11/12/2019		Bank 1 Current Accou	8390	First aid cover	St Johns Ambulance	S	632.00	126.40	758.40
1,061	11/12/2019		Bank 1 Current Accou	8391	Electricity - River Green Toile	Total Gas & Power	L	19.45	0.98	20.43
1,062	11/12/2019		Bank 1 Current Accou	8391	Streetlight-energy charge	Total Gas & Power	S	2,191.10	438.23	2,629.33
1,063	11/12/2019		Bank 1 Current Accou	8392	Cleaning - Morse Pavilion	Town and Country Cleaning	E	560.00	0.00	560.00
1,064	11/12/2019		Bank 1 Current Accou	8392	Cleaning - Fitz Pav	Town and Country Cleaning	E	380.00	0.00	380.00
1,065	11/12/2019		Bank 1 Current Accou	8392	Cleaning - Roxley Hall	Town and Country Cleaning	E	490.00	0.00	490.00

Thorpe St Andrew Town Council

PAYMENTS LIST

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
1,066	11/12/2019		Bank 1 Current Accou	8392	Cleaning River Green Toilets	Town and Country Cleaning	E	370.00	0.00	370.00
1,067	17/12/2019		Bank 1 Current Accou	online	Electricity - Roxley Hall	Opus Energy	L	90.41	4.52	94.93
1,068	17/12/2019		Bank 1 Current Accou	online	Electricity - Fitz Pav	Opus Energy	S	728.35	145.67	874.02
1,069	17/12/2019		Bank 1 Current Accou	online	Electricity - floods/workshop	Opus Energy	L	47.01	2.35	49.36
1,070	17/12/2019		Bank 1 Current Accou	online	Electricity - Morse Pav	Opus Energy	S	264.80	52.96	317.76
1,071	17/12/2019		Bank 1 Current Accou	online	Fuel	Fuel Genie	S	63.33	12.67	76.00
1,072	17/12/2019		Bank 1 Current Accou	online	Fuel	Fuel Genie	S	53.14	10.63	63.77
1,073	17/12/2019		Bank 1 Current Accou	online	Lease payment	Bussey & Sabberton	S	360.16	72.03	432.19
1,074	17/12/2019		Bank 1 Current Accou	online	Annual fee	Lloyds Bank	E	32.00	0.00	32.00
1,075	17/12/2019		Bank 1 Current Accou	online	Survey	Survey Monkey	E	29.17	0.00	29.17
1,076	17/12/2019		Bank 1 Current Accou	online	Banner changes	Premier Print	S	40.00	8.00	48.00
1,077	17/12/2019		Bank 1 Current Accou	online	safety steps	Central Source	S	239.00	47.80	286.80
1,078	17/12/2019		Bank 1 Current Accou	online	tinsel	Amazon	S	20.92	1.69	22.61
1,079	17/12/2019		Bank 1 Current Accou	online	vacuum cleaner	Argos	E	89.99	0.00	89.99
1,080	17/12/2019		Bank 1 Current Accou	online	cable microphone equip	Premier Farnell	S	453.84	90.77	544.61
1,081	17/12/2019		Bank 1 Current Accou	online	Food drink xmas	Sainsburys	E	33.00	0.00	33.00
1,082	17/12/2019		Bank 1 Current Accou	online	Food fireworks	Sainsburys	E	44.00	0.00	44.00
1,083	18/12/2019		Bank 1 Current Accou	online	Water charges - Recreation Gr	Anglian Water	E	43.21	0.00	43.21
1,084	18/12/2019		Bank 1 Current Accou	online	Street light - maintenance	Cozens UK Ltd	S	400.00	80.00	480.00
1,085	18/12/2019		Bank 1 Current Accou	online	Entertainer	Cawston Band	E	200.00	0.00	200.00
1,086	18/12/2019		Bank 1 Current Accou	online	Loan Payment	Public Works Loan Board	E	2,729.90	0.00	2,729.90
1,087	18/12/2019		Bank 1 Current Accou	8393	Legal fees	Norfolk County Council	S	107.00	21.40	128.40
1,088	18/12/2019		Bank 1 Current Accou	8394	Cleaning Materials	Spectrum Hygiene	S	58.86	11.77	70.63
1,089	18/12/2019		Bank 1 Current Accou	8395	cable cover	Trade UK	S	133.32	26.66	159.98
1,090	18/12/2019		Bank 1 Current Accou	8395	Batteries	Trade UK	S	37.49	7.51	45.00
1,091	18/12/2019		Bank 1 Current Accou	8396	Street light - repairs	UK Power Networks	S	623.00	124.60	747.60
1,092	18/12/2019		Bank 1 Current Accou	8397	Electrical work - Morse Pav	C R Wilson	E	40.00	0.00	40.00
1,093	30/12/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	102.60	20.52	123.12
1,094	30/12/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	114.90	22.98	137.88
1,095	30/12/2019		Bank 1 Deposit Accou	online	Wheeled bins	Veolia	S	21.36	4.27	25.63
1,096	30/12/2019		Bank 1 Current Accou	online	Soccer marking	Norse	S	378.83	75.77	454.60
1,097	30/12/2019		Bank 1 Current Accou	online	Field Maintenance - Rec Gnd	Norse	S	551.30	110.26	661.56
1,098	30/12/2019		Bank 1 Current Accou	online	St Williams Loke - pruning	Norse	S	7.30	1.46	8.76
1,099	30/12/2019		Bank 1 Current Accou	online	Sports Turf - Rec Gnd	Norse	S	525.00	105.00	630.00
1,100	30/12/2019		Bank 1 Current Accou	online	Sports Turf - Duss	Norse	S	126.67	25.33	152.00
1,101	30/12/2019		Bank 1 Current Accou	online	Field Maintenance - Duss Park	Norse	S	293.65	58.73	352.38
1,102	30/12/2019		Bank 1 Current Accou	online	Picnic area maintenance	Norse	S	34.50	6.90	41.40
1,103	30/12/2019		Bank 1 Current Accou	online	Barrier line rental	Wireless Logic Ltd	S	4.00	0.80	4.80
1,104	30/12/2019		Bank 1 Current Accou	online	Bank charges	Lloyds Bank	X	49.55	0.00	49.55

Thorpe St Andrew Town Council

PAYMENTS LIST

Voucher Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
1,105	30/12/2019		Bank 1 Current Accou	online	Bottle bank	URM UK	S	15.00	3.00	18.00
1,106	30/12/2019		Bank 1 Current Accou	online	Telephone - Morse Pavilion	Talk Talk	S	47.95	9.59	57.54
1,107	30/12/2019		Bank 1 Current Accou	online	Telephone - Office	Talk Talk	S	48.06	9.61	57.67
1,108	30/12/2019		Bank 1 Current Accou	online	Telephone - Fliz Pavilion	Talk Talk	S	32.95	6.59	39.54
1,109	31/12/2019		Bank 1 Current Accou	online	Donation	Thorpe Dementia Cafe	E	103.25	0.00	103.25
1,110	31/12/2019		Bank 1 Current Accou	online	Xmas nibbles	Sainsburys	E	28.02	0.00	28.02
1,111	31/12/2019		Bank 1 Current Accou	8398	Gas charges - Morse	Total Gas & Power	L	608.78	30.44	639.22
						Total		54,968.61	5,099.10	60,067.71

PAYMENT LIST

Salaries	vouchers 1006-1014	December	11541.81
HMRC	vouchers 1033-1049	Tax and NIC	3109.87
Norfolk Pension Fund	vouchers 1015-1032	Employer/employee payments	3995.59

99

Thorpe Town Council

NCC general enquiries: 0344 800 8020
Textphone: 0344 800 8011

Date: 13 December 2019

My Ref: HI/ID/PEA033/JT
Tel No.: 0344 800 8020
Email: transportfornorwich@norfolk.gov.uk

Dear T Foreman

Thorpe St Andrew: St Williams Way and Thunder Lane area consultation

Norfolk County Council would like your comments on Transport for Norwich (TfN) proposals for the area around St Williams Way, Thunder Lane and Laundry Lane.

This project aims to improve the local cycle route known as the green pedalway, whilst improving general access and safety for cyclists, pedestrians and motorists alike.

Please refer to the plans enclosed, which show the proposed project details.

We are consulting on proposals to:

- Make changes to the Thunder Lane/St Williams Way signalised junction which includes the removal of the central islands and the segregated left turn lane into Thunder Lane.
- Change the existing advisory cycle lane to a new 1.8-metre-wide mandatory cycle lane* with separator islands, from 80 metres west of Thor Loke to Laundry Lane (including the Laundry Lane Slip Road), to provide a safer environment for cyclists.
- Provide new 75mm high raised tables in the junctions of Thor Loke and Thorpe Avenue
- Provide a new pedestrian island west of Thor Loke to aid pedestrians crossing St Williams Way.
- Widen the existing pedestrian island west of the Laundry Lane junction.
- Widen the existing southern pavement on the Ring Road between Laundry Lane and Thorpe Avenue.
- Provide 'At any time' waiting restrictions (double yellow lines) along the lengths of the proposed mandatory cycle lanes on St Williams Way from approx. 80m west of Thor Loke to around the Laundry Lane junction and on the north side of the Laundry Lane slip road.
- Provide a small shared use cycling area covering the central island adjacent to Laundry Lane.

* Note that whereas advisory cycle lanes are spaces on the carriageway for cyclists and occasional use by vehicles, mandatory cycle lanes are dedicated lanes solely for use by cyclists, and vehicles must not enter them.

Continued.../

The scheme is being funded with money awarded from the Department for Transport's Transforming Cities fund.

To implement the proposed changes, new Traffic Regulation Orders and notices will be needed in relation to the proposed double yellow lines, shared use cycling area, raised tables and the relocated signalised pedestrian crossings. These will be advertised during the consultation period. Further details and updates will be available on our website at www.norfolk.gov.uk/stwilliams

Background

These proposed changes are part of the Norwich Area Transportation Strategy (NATS), known as Transport for Norwich. The principles of the project were agreed following consultation as part of the NATS Implementation Plan, which was adopted in 2010 and updated in 2013. Please visit www.norfolk.gov.uk/tfn for more details.

How to comment

There are a number of ways to send your feedback to us, either by emailing transportfornorwich@norfolk.gov.uk, calling 0344 800 8020 or writing to:

St Williams Way Area Consultation
Transport for Norwich – floor 2
Norfolk County Council
County Hall
Martineau Lane
Norwich, NR1 2DH

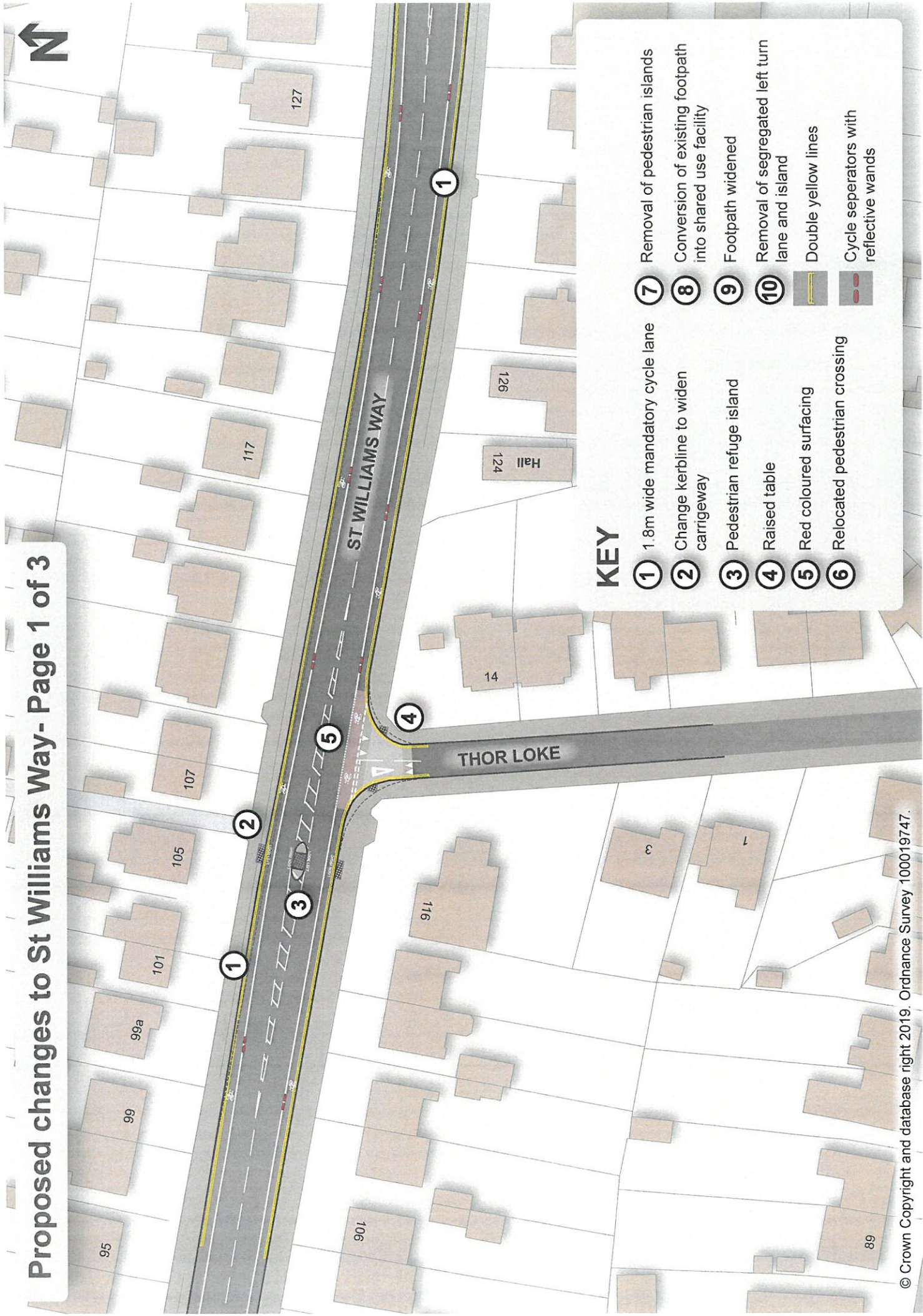
The deadline for comments is **Friday 10th January 2020** and it is hoped construction work will begin sometime in February subject to approval.

Yours sincerely,





Jonathan Taylor (Project Engineer, Infrastructure Delivery Team)

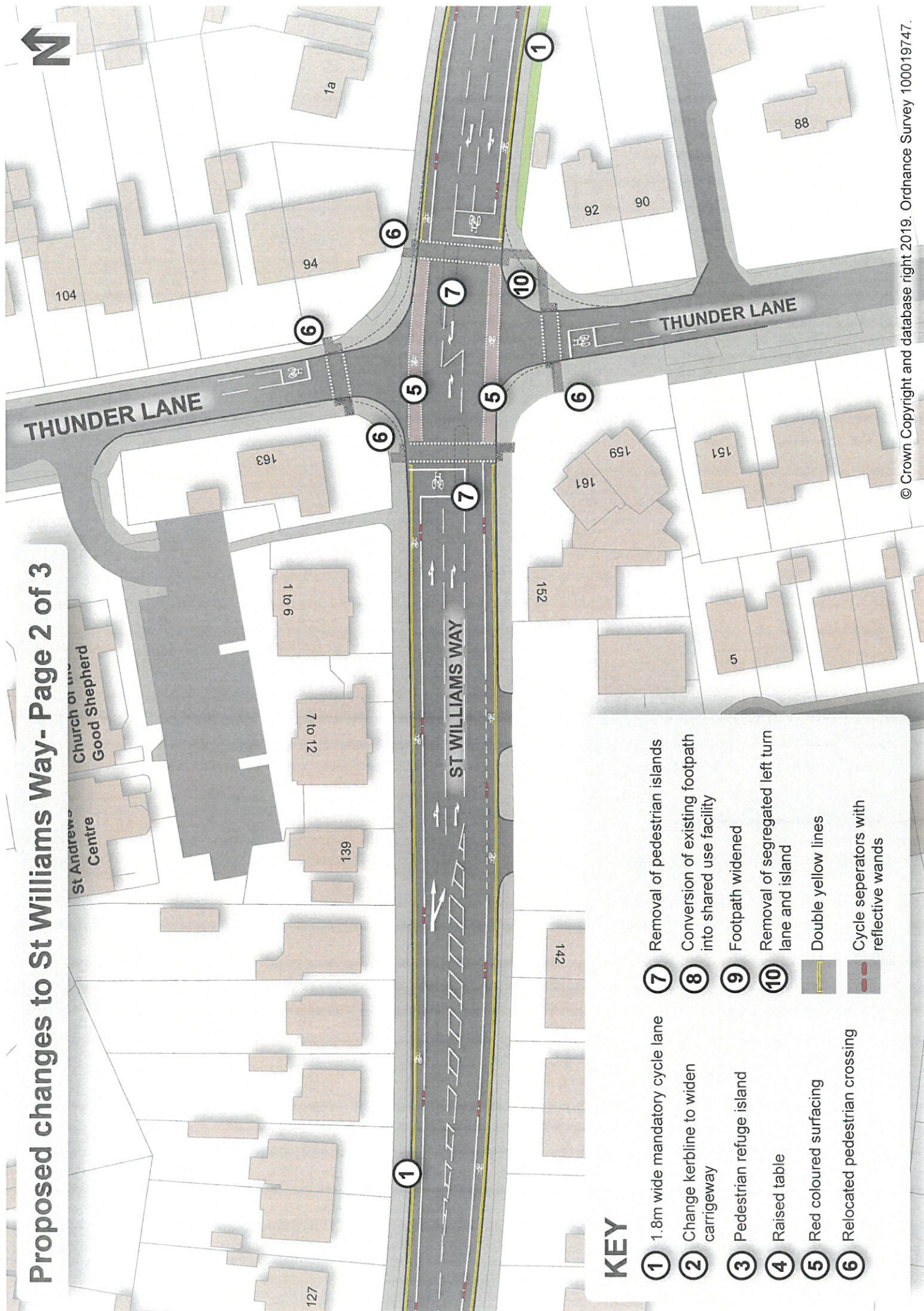
Proposed changes to St Williams Way - Page 1 of 3



KEY

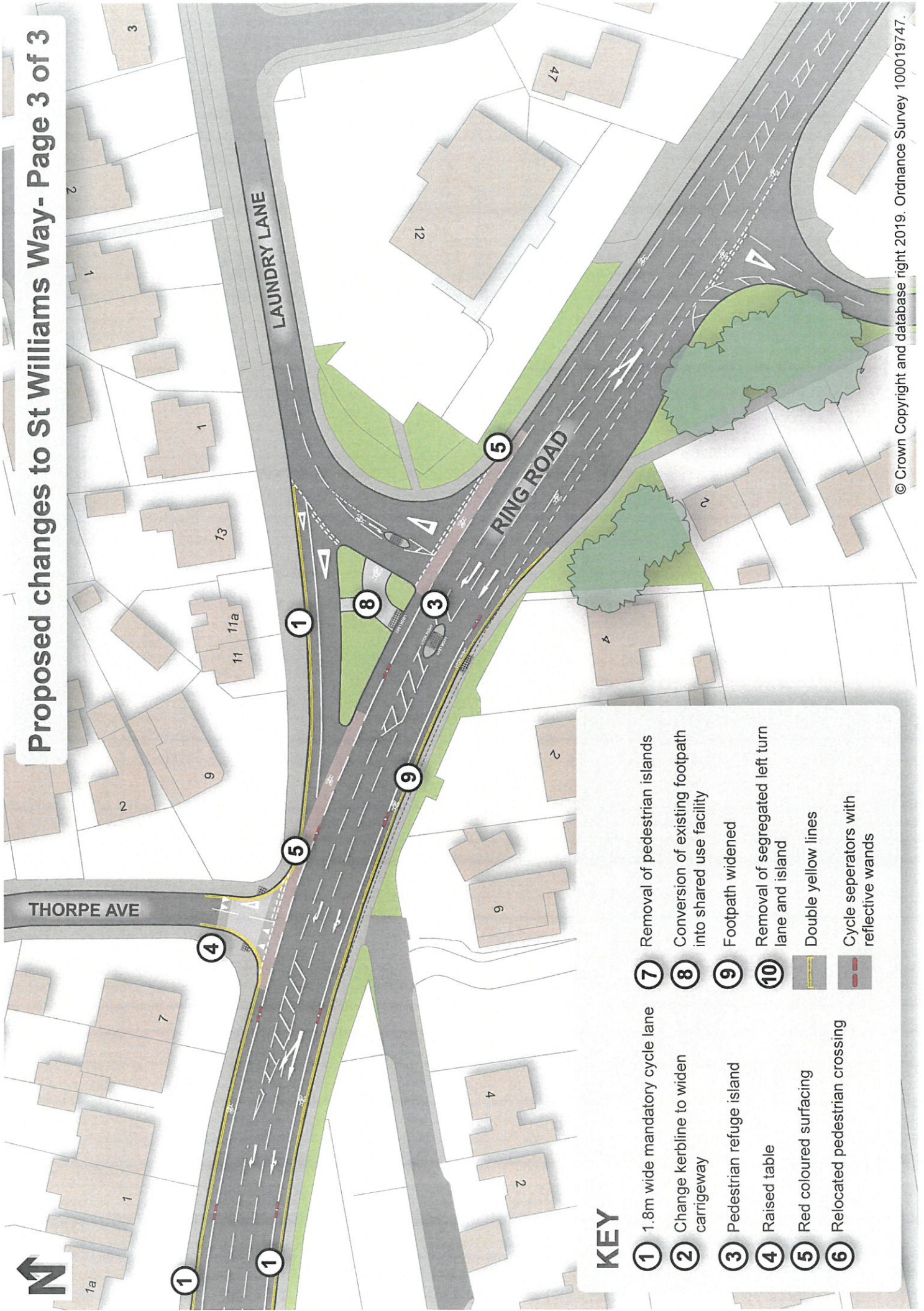
- ① 1.8m wide mandatory cycle lane
 - ② Change kerbline to widen carrigeway
 - ③ Pedestrian refuge island
 - ④ Raised table
 - ⑤ Red coloured surfacing
 - ⑥ Relocated pedestrian crossing
 - ⑦ Removal of pedestrian islands
 - ⑧ Conversion of existing footpath into shared use facility
 - ⑨ Footpath widened
 - ⑩ Removal of segregated left turn lane and island
-  Double yellow lines
 -  Cycle separators with reflective wands

Proposed changes to St Williams Way - Page 2 of 3




KEY

- 1** 1.8m wide mandatory cycle lane
 - 2** Change kerbline to widen carrigeway
 - 3** Pedestrian refuge island
 - 4** Raised table
 - 5** Red coloured surfacing
 - 6** Relocated pedestrian crossing
 - 7** Removal of pedestrian islands
 - 8** Conversion of existing footpath into shared use facility
 - 9** Footpath widened
 - 10** Removal of segregated left turn lane and island
- Double yellow lines
 - Cycle separators with reflective wands



KEY

- 1** 1.8m wide mandatory cycle lane
- 2** Change kerbline to widen carriageway
- 3** Pedestrian refuge island
- 4** Raised table
- 5** Red coloured surfacing
- 6** Relocated pedestrian crossing
- 7** Removal of pedestrian islands
- 8** Conversion of existing footpath into shared use facility
- 9** Footpath widened
- 10** Removal of segregated left turn lane and island
-  Double yellow lines
-  Cycle separators with reflective wands



Home Office

Strengthening police powers to tackle unauthorised encampments

Government consultation

This consultation begins on 05/11/2019

This consultation ends on 05/03/2020

About this consultation

To: This consultation is open to the public.

We will be particularly interested to hear from local authorities, police forces, Gypsy, Roma, and Travelling communities and the general public.

Duration: From 05/11/2019 to 05/03/2020

Enquiries to: Strengthening police powers to tackle unauthorised encampments consultation
Police Powers Unit
Home Office
6th Floor, Fry Building
2 Marsham Street
London
SW1P 4DF

Email:
UnauthorisedEncampmentsConsultation@homeoffice.gov.uk

How to respond: Please provide your response by 05/03/2020 at:
www.gov.uk/government/consultations/strengthening-police-powers-to-tackle-unauthorised-encampments

If you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email or post it to:

Strengthening police powers to tackle unauthorised encampments consultation
Police Powers Unit
Home Office
6th floor, Fry Building
Home Office
2 Marsham Street
London SW1P 4DF

Email:
UnauthorisedEncampmentsConsultation@homeoffice.gov.uk

Please also contact the Police Powers Unit (as above) if you require information in any other format, such as Braille, audio or another language. We cannot analyse responses not submitted in these provided formats.

Response paper: A response to this consultation exercise is due to be published at <https://www.gov.uk/search/policy-papers-and-consultations>

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1. Foreword by the Home Secretary

We are fortunate to live in one of the most tolerant countries in the world, which has a proud tradition of promoting respect for the rule of law, for property, and for one another. This Government is committed to creating a just and fair country, where equality of opportunity flourishes and the life chances of all are enhanced. I am clear that that this must be built on shared rights, responsibilities and opportunities.

In April 2018, the Government published a consultation on the effectiveness of enforcement against unauthorised developments and encampments. It sought views from a number of stakeholders including local authorities, police forces, Gypsy, Roma, and Traveller communities and the general public on the scale of the problem, whether existing powers could be used more effectively and if any additional powers were required.

In response to the consultation my predecessor, the Rt Hon Sajid Javid MP, announced the Government would look to amend sections 61 and 62A of the Criminal Justice and Public Order Act 1994 to lower the criteria that must be met for the police to be able to direct people away from unauthorised sites.

He also confirmed Home Office officials would review how this Government could criminalise the act of trespassing when setting up an unauthorised encampment in England and Wales, learning from the trespass legislation that exists in the Republic of Ireland. This consultation document sets out the information gathered during that consultation, makes proposals for change and seeks views on those proposals.

This document consults on whether criminalising unauthorised encampments would be preferable to the amendments we originally proposed to the Criminal Justice and Public Order Act 1994, and if so, how it should work. It sets out a proposed package of measures in some detail, as well as some more general questions.

The Government recognises that the proposals contained in this consultation are of interest to a significant minority of Gypsies, Roma and Travellers who continue to travel. The Government's overarching aim is to ensure fair and equal treatment for Gypsy, Roma and Traveller communities, in a way that facilitates their traditional and nomadic way of life while also respecting the interests of the wider community. In June this year the Government announced that the Ministry of Housing Communities and Local Government will lead development of a cross-government strategy to improve outcomes for Gypsy, Roma and Traveller communities.



Rt Hon Priti Patel MP

Home Secretary

2. Executive summary

We would like to consult on measures to;

- Criminalise the act of trespassing when setting up an unauthorised encampment in England and Wales.

We would also like to consult on the following alternative approach to this issue:

- Amending section 62A of the Criminal Justice and Public Order Act 1994 to permit the police to direct trespassers to suitable authorised sites located in neighbouring local authority areas.
- Amending sections 61 and 62A of the Criminal Justice and Public Order Act 1994 to increase the period of time in which trespassers directed from land would be unable to return from 3 months to 12 months.
- Amending section 61 of the Criminal Justice and Public Order Act 1994 to lower the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised from six to two or more vehicles.
- Amending section 61 of the Criminal Justice and Public Order Act 1994 to enable the police to remove trespassers from land that forms part of the highway.

This consultation is open until 05/03/2020; details of how to respond are set out towards the front of this document.

3. Introduction

The vast majority of travelling communities reside in caravans on authorised traveller sites. Indeed, out of the 23,726 caravans in England and Wales in July 2018, only 1049 (4.4%) were on unauthorised sites that were not owned by the occupants. However, there have been long-standing concerns about the disproportionate impact of these unauthorised encampments, where significant distress has been caused to local communities and where local authorities have consequently had to deal with a range of issues.

Recognising these concerns, the Government published a consultation in April 2018 on the effectiveness of enforcement against unauthorised developments and encampments. Through that consultation, we sought views from a number of stakeholders including local authorities, police forces, travelling communities and the general public on whether there is anything we can do to ensure that existing powers can be used more effectively and if additional powers are required. It was led by the Ministry for Housing, Communities and Local Government in partnership with the Home Office and Ministry of Justice.

The responses to the consultation were clear¹, suggesting that significant problems are created by many unauthorised encampments. Responses highlighted the sense of unease and intimidation residents feel when an unauthorised encampment occurs, the frustration at not being able to access amenities, public land and business premises, and the waste and cost that is left once the encampment has moved on.

Parliament has already given local authorities and the police significant powers and duties designed to help them manage the impact of unauthorised encampments on local communities, including local authority and police powers in the Criminal Justice and Public Order Act 1994.

However, the Government heard compelling evidence, in response to the consultation, that stronger powers are needed to be able to address the issues and concerns identified.

That is why in February 2019, the previous Home Secretary announced that the Government would publish a further consultation on extending police powers by making a series of amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994. These amendments would permit the police to direct trespassers to suitable alternative sites located in neighbouring local authority areas (as well as the authority which the encampment was currently situated within); to increase the period of time in which trespassers directed from land would be unable to return from three, to twelve months; to lower the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised from six to two vehicles; and to enable the police to remove trespassers from land that forms part of the highway.

The Government also heard arguments that England and Wales should follow the so-called 'Irish model' for dealing with unauthorised encampments. This approach

¹ <https://www.gov.uk/government/consultations/powers-for-dealing-with-unauthorised-development-and-encampments>

criminalises trespass in certain circumstances. The responses to our consultation demonstrated that the majority of respondents believe the Government should consider criminalising unauthorised encampments in England and Wales, by creating an offence of trespassing when setting up an unauthorised encampment.

That is why the previous Home Secretary announced that Home Office officials would undertake a review into how this Government can criminalise the act of trespassing when setting up an unauthorised encampment in England and Wales, learning from the trespass legislation that exists in the Republic of Ireland.

Having considered the findings from that review, we would like to test the appetite to go further and broaden the existing categories of criminal trespass to cover trespassers on land who are there with the purpose of residing in their vehicle for any period, and to give the police the relevant powers to arrest offenders in situ and to seize any vehicles or other property on existing unauthorised encampments (or those in the process of being set up) immediately.

We are therefore consulting on whether and how the setting up of or residing on an unauthorised encampment should be made an offence, as well as seeking views on the previously proposed changes to the Criminal Justice and Public Order Act 1994 to lower the criteria that must be met for the police to be able to direct people away from unauthorised sites, which could be introduced as an alternative to criminalisation.

4. The proposals

This chapter sets out options to extend police powers to tackle unauthorised encampments, including the creation of an offence of trespassing while setting up an unauthorised encampment, as well as other measures to extend police powers to direct trespassers, who have the intention to reside there, to leave land.

4.1 Criminalising Unauthorised Encampments

Through the Government's consultation on the effectiveness of enforcement against unauthorised developments and encampments, the majority of respondents said they believe we should consider criminalising unauthorised encampments, as has been done in the Republic of Ireland. A similar offence also exists in Scotland.

The Republic of Ireland: Criminal trespass and site provision

The Irish Government has criminalised trespass in certain circumstances, in conjunction with a statutory requirement for local authorities to provide traveller sites. In response to concerns about trespassers occupying public spaces and private land, the Irish Republic introduced the Housing (Miscellaneous Provisions) Act 2002² (the Act).

The Act made it an offence for any person to enter and occupy land without the owner's permission - or bring any "object" on to the land - if this is likely to "substantially damage" the land or interfere with it.

The offence contained in Section 24 of the Act has the effect of criminalising trespassers who occupy land without consent. The legislation does not amount to a ban on all unauthorised encampments. It criminalises encampments that 'substantially' damage the land or prevent use of the land by the owner or other lawful users.

The Act gives the Irish police discretion to direct trespassers to leave land if it is suspected that this offence is being committed. Failure to comply with a direction is also punishable by a fine and/or a one-month prison sentence. It is for the police to consider which approach to adopt depending on the individual circumstances of the case and the encampment.

Scotland: Criminal trespass

Under the Trespass (Scotland) Act 1865, it is an offence to occupy private land without the permission of the landowner³

² <http://www.irishstatutebook.ie/eli/2002/act/9/section/24/enacted/en/html#sec24b>

³ <http://www.legislation.gov.uk/ukpga/Vict/28-29/56>

It was generally viewed by respondents to the consultation in 2018 that criminalisation of unauthorised encampments would act as a deterrent to future encampments and allow the police to enforce removal of trespassers in a timelier fashion. Advantages were seen in financial terms in both the cost of evicting trespassers and clean-up costs.

We would like to gather views on broadening the existing categories of criminal trespass.

The Government could make it an offence to enter or occupy land subject to certain conditions being met. We would welcome your views on what the conditions and threshold for this offence should be. For example, in the Republic of Ireland it is a criminal offence to enter or occupy land without the landowner's consent or bring any "object" on to the land - if this is likely to cause "substantial damage". Imposing conditions such as a need to require proof that damage or harm has been caused will help limit prosecutions to cases where there is an element of public disorder for which there is an interest to protect against and explicitly reflect the balance between land owners' rights to peaceful enjoyment of their property and travellers' rights to privacy and family life.

Question

Q1: To what extent do you agree or disagree that knowingly entering land without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Question

Q2: To what extent do you agree or disagree that the act of knowingly entering land without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it with vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

The Government could stipulate that the landowner or representatives of the landowner must take reasonable steps to ask trespassers to leave. This would help the police to demonstrate where a trespasser is **knowingly** trespassing. However, in some instances, landowners may feel afraid to approach trespassers.

Question

Q3: To what extent do you agree or disagree that the landowner or representatives of the landowner should take reasonable steps to ask persons occupying their land to remove themselves and their possessions before occupation of the land can be considered a criminal offence?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Question

Q4: To what extent do you agree or disagree that a criminal offence can only be committed when the following conditions have been met?

a) the encampment prevents people entitled to use the land from making use of it;

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

b) the encampment is causing or is likely to cause damage to the land or amenities;

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

c) those on the encampment have demanded money from the landowner to vacate the land; and/or

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

d) those on the encampment are involved or are likely to be involved in anti-social behaviour.

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Question

Q5: What other conditions not covered in the above should we consider?

4.2 Criminal Justice and Public Order Act 1994

Under Section 61 of the Criminal Justice and Public Order Act 1994, the police have powers that allow them to direct trespassers to leave land. The requirements of these powers are currently:

- I. that the trespassers have an intention to reside on the land for any period;
- II. that the occupier or someone on the occupier's behalf has taken reasonable steps to ask the trespassers to leave;
- III. that: either (a)
 - any of the trespassers have caused damage to land or property; or
 - that any of the trespassers have used threatening, abusive or insulting words or behaviour towards the occupier, a member of the occupier's family or an employee or agent of the occupier;or (b) that the trespassers have between them six or more vehicles on the land.

Section 62A of the Criminal Justice and Public Order Act 1994 allows the police to direct trespassers to remove themselves and their vehicles and property from land on which they have the intention to reside where a suitable pitch is available within the same local authority area. The police must consult every local authority within whose area the land is situated to confirm if a suitable pitch is available on a relevant site.

Responses to the consultation from the police and some local authorities highlighted how a lack of availability of transit sites means that they are unable to exercise some of their existing powers such as section 62A of the Criminal Justice and Public Order Act 1994 which provides a power to remove trespassers to alternative available sites.

We would welcome views on whether to amend section 62A of the Criminal Justice and Public Order Act 1994 to permit the police to direct trespassers to suitable authorised sites located in neighbouring local authority areas.

Extending this power would make it more likely that the police could act where there is a shortage of site capacity in one particular area. However, we believe that such changes may need to be subject to conditions around:

- Agreements being in place between local authorities. Local authorities have advised us that the use of such a power without agreements in place would deter them from creating more authorised sites. This would be counterproductive.
- A maximum distance that trespassers should be directed across. In some rural areas, a site in a neighbouring local authority area could be several hours drive away. It could be considered unreasonable to relocate someone that far.

Question

Q6: To what extent do you agree or disagree that police should be given the power to direct trespassers to suitable authorised sites in a neighbouring local authority area?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Q7: Should this be subject to conditions around agreements being in place between local authorities?

Q8: Should there be a maximum distance that a trespasser can be directed across?

Yes / No

If yes, what distance should that be?

Q9: Should there be any other conditions that should be considered when directing a trespasser across neighbouring authorities.

Yes / No

If yes, what should these be?

Failure to comply with a police direction under Section 61 or 62A of the Criminal Justice and Public Order Act 1994 is a criminal offence punishable by a fine and/or a custodial sentence of up to three months' imprisonment, as is re-entry onto the land by persons subject to the direction within three months.

Respondents to the consultation suggested that the current three-month period during which a trespasser is prohibited from returning to a location once directed from the site by the police should be increased.

We would welcome views on whether to amend sections 61 and 62A to increase the period of time in which trespassers directed from land would be unable to return from three months to twelve months. This would provide greater protection to land targeted by the same group of trespassers on a regular basis.

Question

Q10: To what extent do you agree or disagree that the period of time in which trespassers directed from land would be unable to return should be increased from three months to twelve months?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Section 61 of the Criminal Justice and Public Order Act 1994 grants police the power to direct trespassers to leave if there are six or more vehicles present on the land they are trespassing on. However, if there are fewer than six vehicles present, police do not obtain the power to direct trespassers to leave.

We would welcome views on whether to amend section 61 of the Criminal Justice and Public Order Act 1994 to lower the number of vehicles needing to be involved in an unauthorised encampment from six to two, before police powers can be exercised. This will increase the opportunity for police intervention where smaller encampments are present.

Question

Q11: To what extent do you agree or disagree that the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised should be lowered from six to two vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

We would welcome views on whether to amend section 61 of the Criminal Justice and Public Order Act 1994 to enable the police to remove trespassers from land that forms part of the highway. The police are currently restricted in dealing with these encampments unless there is a suitable pitch in the same local authority area. This could make it easier for the police to tackle problematic encampments.

Question

Q12: To what extent do you agree or disagree that the police should be granted the power to remove trespassers from land that forms part of the highway?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

We believe giving the police powers to seize property, including vehicles, could enable the police to remove unauthorised encampments more quickly and act as deterrent to setting up an unauthorised encampment. We would welcome views on whether to grant police powers to seize property from trespassers and in what circumstances they should have these powers.

Question

Q13: To what extent do you agree or disagree that the police should be granted the power to seize property, including vehicles, from trespassers who are on land with the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

Q14: Should the police be able to seize the property of:

- i) Anyone whom they suspect to be trespassing on land with the purpose of residing on it;
- ii) Anyone they arrest for trespassing on land with the purpose of residing on it; or
- iii) Anyone convicted of trespassing on land with the purpose of residing on it?

Please explain your answer

As stated earlier, we would envisage that the above amendments to the Criminal Justice and Public Order Act 1994 would be as an alternative to criminalising unauthorised encampments, rather than in addition to.

Question

Q15: To what extent do you agree or disagree that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation are sufficient measures to tackle the public disorder issues which are associated with unauthorised encampments without the requirement for introducing specific powers that criminalise unauthorised encampments?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Please explain your answer

4.3 Impacts on the Gypsy, Roma and Traveller communities

While there are clear challenges presented to settled communities by unauthorised encampments, it is also highly likely that such unlawful encampments can lead to significant hardships for Gypsy, Roma and Traveller communities themselves.

The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community. Therefore, we would welcome views on any adverse impacts that these proposals could have on the Gypsy, Roma and Traveller communities.

Question

Q16: Do you expect that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation would have a positive or negative impact on the health or educational outcomes of Gypsy, Roma and Traveller communities?

Highly positive impact / Positive impact / Neither positive nor negative impact / Negative impact / Highly negative impact

If so, do you have any evidence to support this view, and/or suggestions for what could be done to mitigate or prevent any negative impacts?

Question

Q17: Do you expect that criminalising unauthorised encampments would have a positive or negative impact on the health or educational outcomes of Gypsy, Roma and Traveller communities?

Highly positive impact / Positive impact / Neither positive nor negative impact / Negative impact / Highly negative impact

If so, do you have any evidence to support this view, and/or suggestions for what could be done to mitigate or prevent any negative impacts?

4.4 Other Comments

Question

Q18: Do you have any other comments to make on the issue of unauthorised encampments not specifically addressed by any of the questions above?

5. About you

Please use this section to tell us about yourself

Q19: Full name	
Q20: Job title or capacity in which you are responding to this consultation exercise (for example, member of the public)	
Q21: Date	
Q22: Company name/organisation (if applicable)	
Q23: Address	
Q24: Postcode	
Q25: If you would like us to acknowledge receipt of your response, please tick this box	(please tick box)
Address to which the acknowledgement should be sent, if different from above	

Q26: If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

6. Contact details and how to respond

Please respond using the online system available at:

www.gov.uk/government/consultations/strengthening-police-powers-to-tackle-unauthorised-encampments

Please submit your response by 05/03/2020

You are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email it or post it to:

Strengthening police powers to tackle unauthorised encampments consultation
Police Powers Unit
Home Office
6th Floor NW, Fry Building
Home Office
2 Marsham Street
LONDON
SW1P 4DF

Email: UnauthorisedEncampmentsConsultation@homeoffice.gov.uk

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Home Office at the above address.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available online at www.gov.uk/government/consultations/strengthening-police-powers-to-tackle-unauthorised-encampments

Alternative format versions of this publication can be requested from:
UnauthorisedEncampmentsConsultation@homeoffice.gov.uk

Publication of response

A paper summarising the responses to this consultation will be published in [insert publication date, which as far as possible should be within three months of the closing date of the consultation] months' time. The response paper will be available online at www.gov.uk/government/consultations/strengthening-police-powers-to-tackle-unauthorised-encampments

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Home Office.

The Home Office will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

7. Impact of Proposals

Impact Assessment

In accordance with the Better Regulation Framework Manual issued by the Department for Business, Energy and Industrial Strategy (BEIS)⁴, an initial assessment of the impact of these proposals has been carried out and no material financial impact on business, charities or voluntary bodies is envisaged. Impact on the public sector, such as the police and the Crown Prosecution Service, is expected to be relatively minor.

Equalities Statement

Section 149 of the Equality Act 2010 places a duty on Ministers and Departments, when exercising their functions, to have 'due regard' to the need to eliminate conduct which is unlawful under the 2010 Act, advance equality of opportunity between different groups and foster good relationships between different groups.

In accordance with these duties, we have considered the impact of the proposed changes on those sharing protected characteristics in order to give due regard to the matters mentioned above.

Eliminating unlawful discrimination

The Traveller community includes Romany Gypsies and English, Scottish, Welsh and Irish Travellers are legally recognised as ethnic groups under the Equality Act 2010.

We recognise that the proposals outlined in this document could have an adverse impact on some members of this minority group. Indeed, in response to the original consultation, some traveller groups, human rights groups and legal organisations told us that criminalising trespass would be a disproportionate response that would impact on their way of life. However, we also recognise the distress that local communities and businesses face as a result of unauthorised encampments. While we recognise that not all unauthorised encampments cause disruption and impact communities, there is evidence that shows where this is the case, the financial costs falling to landowners to evict and to clear sites along with the impact to the community can be significant.

The Home Office will seek views on all proposals and any mitigating actions to limit any disproportionate impact on the Travelling community, as well as any indirect impacts on other protected characteristics, such as disability. The Public Sector Equality Duty is an ongoing duty that will be kept under review as we develop the policy.

⁴ See: <https://www.gov.uk/government/publications/better-regulation-framework-manual>

Advancing equality of opportunity between different groups

We recognise the rights of Romany Gypsies and English, Scottish, Welsh and Irish Travellers to follow a nomadic way of life in line with their cultural heritage.

The vast majority of the Traveller community, estimated to be over 80%, live in caravans staying on permanent public and private sites which have planning permission, or in residences of bricks and mortar. A small minority of Gypsies and Traveller caravans that are classed as unauthorised are those staying in one area and are likely to be on local authority housing waiting lists, those who travel seasonally for work and a very small number who travel across the country.

The Government's overarching aim is to ensure fair and equal treatment for Gypsy, Roma and Traveller communities, in a way that facilitates their traditional and nomadic way of life while also respecting the interests of the wider community. In June this year the Government announced that the Ministry of Housing Communities and Local Government will lead development of a cross-government strategy to improve outcomes in areas including health, education and employment for Gypsy, Roma and Traveller communities.

The Home Office will seek views on all proposals and any mitigating actions to limit any disproportionate impact of the Travelling community.

Fostering good relationships between different groups

It is possible that these new measures could lead to a reduction in unauthorised encampments, which in turn could improve relations. On the other hand, it is also possible that coverage of these measures could reinforce prejudices against Travellers, even those who are compliant with the law.

The Home Office will seek views on all proposals and any mitigating actions to limit any disproportionate impact of the Travelling community.

8. Consultation Questions

Q1. To what extent do you agree or disagree that knowingly entering without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q2. To what extent do you agree or disagree that the act of knowingly entering land without the landowner's permission should only be made a criminal offence if it is for the purpose of residing on it with vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q3. To what extent do you agree or disagree that the landowner or representatives of the landowner should take reasonable steps to ask persons occupying their land to remove themselves and their possessions before occupation of the land can be considered a criminal offence?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q4. To what extent do you agree or disagree that a criminal offence can only be committed when the following conditions have been met?

a) the encampment prevents people entitled to use the land from making use of it;

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

b) the encampment is causing or is likely to cause damage to the land or amenities;

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

c) those on the encampment have demanded money from the landowner to vacate the land; and/or

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

d) those on the encampment are involved or are likely to be involved in anti-social behaviour.

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q5. What other conditions not covered in the above should we consider?

Q6. To what extent do you agree or disagree that police should be given the power to direct trespassers to suitable authorised sites in a neighbouring local authority area?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q7: Should this be subject to conditions around agreements being in place between local authorities?

Yes / No

Q8: Should there be a maximum distance that a trespasser can be directed across?

Yes / No

If yes, what distance should that be?

Q9: Should there be any other conditions that should be considered when directing a trespasser across neighbouring authorities. If so, what should these be?

Yes / No

If yes, what should these be?

Q10. To what extent do you agree or disagree that the period of time in which trespassers directed from land would be unable to return should be increased from 3 months to 12 months?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q11. To what extent do you agree or disagree that the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised should be lowered from six to two vehicles?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q12. To what extent do you agree or disagree that the police should be granted the power to remove trespassers from land that forms part of the highway?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q13: To what extent do you agree or disagree that the police should be granted the power to seize property, including vehicles, from trespassers who are on land with the purpose of residing on it?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q14: Should the police be able to seize the property of:

- i) Anyone whom they suspect to be trespassing on land with the purpose of residing on it;
- ii) Anyone they arrest for trespassing on land with the purpose of residing on it; or
- iii) Anyone convicted of trespassing on land with the purpose of residing on it?

Q15. To what extent do you agree or disagree that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation are sufficient measures to tackle the public disorder issues which are associated with unauthorised encampments without the requirement for introducing specific powers that criminalise unauthorised encampments?

Strongly agree / Agree / Neither agree or disagree / Disagree / Strongly disagree

Q16. Do you expect that the proposed amendments to sections 61 and 62A of the Criminal Justice and Public Order Act 1994 contained in this consultation would have a positive or negative impact on the health or educational outcomes of Gypsy, Roma and Traveller communities? If so, do you have any evidence to support this view, and/or suggestions for what could be done to mitigate or prevent any negative impacts?

Highly positive impact / Positive impact / Neither positive nor negative impact / Negative impact / Highly negative impact

Q17. Do you expect that criminalising unauthorised encampments would have a positive or negative impact on the health or educational outcomes of Gypsy, Roma and Traveller communities? If so, do you have any evidence to support this view, and/or suggestions for what could be done to mitigate or prevent any negative impacts?

Highly positive impact / Positive impact / Neither positive nor negative impact / Negative impact / Highly negative impact

Q18. Do you have any other comments to make on the issue of unauthorised encampments not specifically addressed by any of the questions above?

9. Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<https://www.gov.uk/government/publications/consultation-principles-guidance>



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This publication is available at www.gov.uk/government/consultations/strengthening-police-powers-to-tackle-unauthorised-encampments

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