

Emergency Stopping Place Management Arrangements

Staffing Offer

The site will be managed by the Communities Directorate's Safer Barnsley team. When Gypsies/Travellers are present, three hours per day will be specifically dedicated to presence on site by an officer between the hours of 8am and 10pm, Monday to Friday and 1 hour per day between 8am and 6pm Saturday and Sunday.

At times when there are no unauthorised encampments and nobody in the Emergency Stopping Place (ESP) the team will focus on residents of permanent sites and Gypsy and Travellers in houses.

1. Dealing with complaints.
2. Welfare support and advice
3. Tackling ASB
4. Finding ways to reduce community tension, prejudice
5. Finding ways to make services more accessible.
6. Liaising with Berneslai Homes

Security

- Existing gates to be remounted and kept locked when site is empty.
- Concrete blocks placed inside the entrance to form a channel. This will limit camping around the entrance and will control vehicles entering the site at speed.
- Officer on site 3 hours a day
- Local residents and businesses will be given a contact number to report incidents directly.

Fees

A fee of £20 per caravan per week will be required before access is given to the site. The payment is strictly to be given BEFORE the encampment is moved to the site. Due to the nature of some traveller culture, a cash payment may be necessary. This will be taken at the site of the unauthorised encampment and receipts will be provided.

Process

- Following notification of an unauthorised encampment a 24 to 48 hour assessment will take place.
- A Needs Assessment will be carried out at the site of the unauthorised encampment, photos will be taken and Vehicle Registration Markings recorded on day 1.
- Appropriate welfare services will be alerted on day 1.
- Travellers will be engaged to obtain as much information as possible as to the nature of their visit, their identity and intended duration of stay in the borough.
- Travellers will be assessed on their willingness to engage and abide by expected standards.
- The unauthorised site will be monitored and any complaints will be investigated.
- South Yorkshire Police (SYP) will be consulted regarding any complaints they may have received.
- Complaints will be addressed with Travellers when necessary.

- A case conference will be held with SYP, GRT Enforcement officers, BMBC Legal Services, welfare professionals and any other agency affected by the encampment to decide how to proceed. (In accordance with the protocol)
- Residents in the immediate vicinity will be briefed on BMBC processes and responsibilities via a letter drop.

Outcome 1

If it is believed that Travellers will not engage and abide by expected standards for the ESP then they will remain in situ and enforcement procedures will commence following any necessary welfare checks using Section 77 of CJPOA

On the 4th consecutive encampment within the borough, a S77 will be served borough wide preventing further encampments by the group for 3 months. This is a new procedure to BMBC but other Local Authorities have successfully done this.

Outcome 2

Travellers refuse to pay any fees for use of the ESP.
Revert to outcome 1.

Outcome 3

Travellers engage, abide by expected standards and are willing to pay the fees. Payment will be taken and Travellers will be directed to the ESP where they will be issued with a Toleration Agreement/set of rules.

Facilities

Fresh water and toilets will be provided by Banner Plant hire company and the cost is as follows,

Toilets	£22 per week each with a 4 week minimum hire.
Delivery	£15
Collection	£15

1 x 250 gallon water cube	£40 per week
Initial water fill	£80
Delivery	£20

***All prices are not inclusive of VAT**

Household waste disposal will be provided by BMBC Waste Management

Daily checks

- Are there more caravans? If more people arrive at the ESP without being directed there they will be assessed on site, charged appropriately and issued with a Toleration Agreement. If payment is refused the group will be treated as an unauthorised encampment. Welfare checks will be carried out at the earliest opportunity and a Notice will be served under S77 of CJPOA. The site holds a maximum of 11 caravans so if the number exceeds this, occupants will be treated on a first come first served basis and others will be directed to leave.

- Are there more people? Every effort will be made to record number of adults and children per household including names and ages/DOB.
- Welfare issues – It's important to ask about welfare issues on a day-to-day basis. Should enforcement be necessary at any time, we will be ready to act immediately. Any welfare issues reported must be passed on to the Specialist Health Visitor for Roadside Gypsy Travellers immediately.
- Follow up any complaints from residents or businesses and record appropriately.
- Check for damage to site including gates/entrance.
- Check boundary (damage to fence etc) and report any damage.
- Check bins/litter/toilets and water facilities and record and report any damage.
- Ensuring any required safeguarding measures are in place.

Site rules

Please see Toleration Agreement

Welfare checks

Welfare checks will be carried out by the Specialist Health Visitor for Roadside Gypsy Travellers at the earliest possible stage and will continue throughout the time the occupants are accommodated within the borough. A final welfare check will be carried out towards the end of the agreed date to leave. This will ensure that any enforcement procedures will be able to be carried out on time.

We will reassess the group's needs if there are individuals within the encampment that require ongoing treatment.

Continued checks will help improve our service to Travellers, better enabling safeguarding of children and vulnerable adults.

Enforcement

Option 1: Occupants of the ESP are allowed a maximum of 14 days on the site. At 3pm on the 14th day the site must be vacated. If the group fail to do so, a Notice under Section 77 of CJPOA will be served at 4pm giving 24 hours to leave.

Bailiffs will be able to act 4 working days after the Notice is served.

Option 2: Police can use powers under Section 61 of CJPOA to move Travellers on but this is dependent on available manpower.

If occupants leave the ESP and create an unauthorised encampment elsewhere in the borough they will be served a Notice under Section 77 of CJPOA immediately as welfare checks will be up to date therefore bailiffs will be able to attend 4 working days later.

Toleration Agreement

Emergency Stopping Place Grange Lane S71

This agreement is made between:

1. Barnsley Metropolitan Borough Council

This agreement can be terminated at any time and/or if there is any breach of the terms, with immediate effect.

The Council recognises its legal obligations to carry out needs assessments prior to commencing legal action to recover possession of the land.

BMBC reserves the right to seek possession through the courts if necessary.

This agreement relates to the time limited duration of your encampment on the Emergency Stopping Place, Grange Lane. The site is shown on the attached plan.

The Council is willing to agree to tolerate the encampment on the site for **up to 14 days**.

- This agreement is only valid for the time that the persons entering into this agreement reside at the site or until termination.
- The persons entering into this agreement have permission to park only:

Number of caravans:

Number of vehicles:

- You must give notice of your intentions to leave the site. This must be given in person to the Gypsy Traveller Liaison Officer or by telephone on **phone number**. Information regarding your absence will not be accepted by a third party.
- If you choose to leave the site this agreement will be terminated with immediate effect.
- Any caravans/vehicles left at the site after this agreement is terminated will be considered abandoned and will be disposed of appropriately.
- You are encouraged to co-operate with BMBC to make the agreement work by discussing any incidents, concerns or suggestions that may affect the agreement with Liaison Officers during their visits to the site or by telephone on **phone number**.

Name.....

Telephone number.....

This agreement applies to you and all the members in your group including the following people.

Name.....	DOB.....	Relationship.....
Name.....	DOB.....	Relationship.....
Name.....	DOB.....	Relationship.....
Name.....	DOB.....	Relationship.....
Name.....	DOB.....	Relationship...

ALL persons entering into this agreement must agree to adhere to the following terms:

1. You are responsible for keeping the area around your caravan clean and tidy. You have been/will be provided with a bin which is for the sole use of persons entering into this agreement. The bin must be kept in a good condition.
No commercial waste is allowed to be placed in this bin.
2. Toilets must be kept clean and in working order at all times.
3. You are not allowed to have more than two dogs on the site. Dogs must be tied up on a lead at all times and must be kept in a kennel overnight or when you leave the site for any period of time. The dog warden will visit the site if loose dogs are reported.
4. No livestock or horses are permitted on the site.
5. No fires larger than a small cooking fire are to be lit on the site. No burning of commercial or domestic waste is allowed on the site.
6. Traps must not be used in or around the area of the site.
7. You must not make any changes to the landscape of the site or its surrounding areas, such as, amongst other things, chopping down trees, cutting down hedgerows or the removal of fencing and gates.
8. Officers will monitor the site and may take action against any activity likely to cause environmental harm, such as, fly-tipping, excessive noise or use of motorbikes/quads.
9. Consideration must be given to other people within the local vicinity in terms of noise nuisance.
10. You must not engage in any anti-social behaviour, disorder or fly-tipping on or near to the site.

If you do not understand any of the contents of this document you should take independent legal advice.

I understand the above points which have been explained to me and I agree to the terms

Signed (BMBC representative).....

Date

Signed

Date

(Draft Consultation Letter)

Dear Resident

As you may be aware, the council opened an emergency stopping place for Gypsies and Travellers on Grange Lane in 2015 but that the site had to close shortly afterwards. Following this, we committed to consulting with local residents and businesses to get their views on measures which would minimise disruption to the community, should the site be reopened.

In order to meet the council's legal requirement, we are considering reopening the Grange Lane site. We have reviewed feedback from residents and businesses so that, if and when we do decide to reopen the site, the following procedures and practices would be put in place:

- Travellers who create an unauthorised encampment will be assessed for up to 48 hours before being directed to move to the Emergency Stopping Place (Grange Lane). They will have to show photographic ID to properly identify themselves and sign a Toleration Agreement. This sets out a series of rules which must be agreed to before being directed to the site.
- A Council Officer will provide a presence on site when Travellers are in situ (three hours per weekday and one hour at weekends).
- A charge of £20 per week per caravan in line with current Council Tax charges and a deposit for equipment hire will be required.
- Occupants of the Emergency Stopping Place will be allowed a maximum of 14 days on the site. At 3pm on the 14th day the site must be vacated. If the group fail to do so, a Notice under Section 77 of the Criminal Justice and Public Order Act will be served at 4pm giving 24 hours to leave. Bailiffs will be able to act four working days after the Notice is served to remove the occupants from the site.
- If more people arrive at the Emergency Stopping Place without prior agreement, they will be assessed on site, charged appropriately and issued with a Toleration Agreement. If payment is refused the group will be treated as an unauthorised encampment and removed within 4 working days.
- The site has provision for 11 pitches. Should this number be exceeded we will treat any extra families as we would an unauthorised encampment.

We would like to hear your views on the procedures and practices we are proposing and get your thoughts on any additional measures that could be introduced. Please let us have your comments within 14 days. Comments can be sent by email to safer@barnsley.gov.uk or by post to the address provided on this letter

Yours sincerely

Paul Hussey
Interim Service Director