

NORTH LANARKSHIRE COUNCIL

REPORT

To: HOUSING COMMITTEE		Subject: TRAVELLING PERSONS - PROCEDURES FOR DEALING WITH ILLEGAL ENCAMPMENTS
From: DIRECTOR OF HOUSING		
Date: 28 August 1996	Ref: TMcK/MW /9	

1. INTRODUCTION

- 1.1 The purpose of this report is to outline a procedure to be adopted for removing Travelling Persons from unauthorised encampments.

2. CONSIDERATIONS

- 2.1 Once the Council has met the defined "pitch target" for Travelling Persons, the policy of toleration's and non harassment as laid down in SDD Circular 34/1984 will no longer apply, and the Council may action to have Travelling Persons removed from unauthorised sites.
- 2.2 During the next few months the Travelling Persons site at Forrest Street, Airdrie will be completed, thereby fulfilling the Scottish Office Pitch Target of 88 for North Lanarkshire ie.

Local Authority Provision

Annathill	16 Pitches
Mossend	20 Pitches
Forrest Street	16 Pitches

Private Sector Provision

Allanton	32 Pitches
Harthill	4 Pitches
Total	88 Pitches

and this will allow the Council to pursue the removal of Travelling Persons from unauthorised encampments

- 2.3 Complaints from members of the public, Elected Members or the police regarding unauthorised encampments are normally received by the Housing Department
- 2.4 The Department is responsible for the management of the three Travelling Persons sites in North Lanarkshire and has two officers, designated as Travelling Persons Officers who have responsibility for site management and liaison with travellers.
- 2.5 The Social Work Department also employ a Travelling Persons Liaison Officer who's remit includes not only the welfare of travellers, but also the responsibility of acting in an advocacy role on their behalf

3. **OUTLINE PROCEDURE**

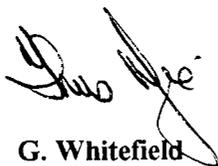
- 3.1 The proposal outline procedure for dealing with illegal encampments is outlined in appendix 1 to this report

4. **RECOMMENDATIONS**

- 4.1 It is recommended that the Committee note the content of this report and approve the outline procedures detailed in appendix 1

5. **BACKGROUND PAPERS**

Available within the department



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G. Whitefield
DIRECTOR OF HOUSING

**TRAVELLING PERSONS PROCEDURE FOR DEALING WITH
ILLEGAL ENCAMPMENTS**

- **In the first instance all complaints or enquires regarding unauthorised encampments should be directed to the Tenancy Services and Accommodation Manager, currently based at 195 Main Street, Coatbridge.**
- **On receipt of a complaint, the Travelling Persons Officer will be instructed to visit the site, if appropriate, with the local police, to assess the situation.**
- **If it is considered that action is necessary to have the travellers moved on, the Travelling Persons Officer will ascertain who owns the land upon which the travellers have settled and advise the owner of the appropriate course of action.**
- **In the case of land in private ownership, it may be appropriate for the Director of Planning's staff to be alerted should the owner fail to take action to have the travellers removed. Under these circumstances it may be necessary to have enforcement action initiated by the Planning Department.**
- **In the case of land owned by the Council, the appropriate Department will be advised of the situation and the Travelling Persons Officer will co-ordinate any joint action required.**
- **In the course of his investigations, the Travelling Persons Officer will attempt to find out if the travellers involved have any alternative accommodation available for their occupation and if not will consider offering accommodation on one of the Council's sites.**
- **If the travellers fail to take up this offer or have alternative accommodation and fail to remove from the unauthorised encampment the police will be asked to have the families moved.**
- **In all cases the Travelling Persons Liaison Officer of the Social Work Department will be advised of the situation and will be requested to liaise with travellers as appropriate.**
- **It should be noted, however, that the power extended to the police by the Criminal Justice and Public Order Act 1994 make it a criminal offence for any person to fail to leave land on direction of a senior police officer and that in that case the Procurator Fiscal would have to be satisfied that it was appropriate to prosecute an offender.**
- **It should also be noted that the provisions of the legislation only apply if at least six vehicles are involved in the trespass.**