



HOUSE OF COMMONS

*To: Conservative Members of Parliament,
Conservative Police & Crime Commissioners,
& Conservative councillors, in England*

7 February 2019

Dear Colleague,

GOVERNMENT ACTION ON UNAUTHORISED ENCAMPMENTS

The Conservative Government is aware of long-standing concerns raised by the public and colleagues around unauthorised encampments. These can cause settled communities significant distress and perpetuate a negative issue of the travelling community, the vast majority of whom are law-abiding citizens and amongst whom we see some of the worst life chances in our society.

Action is needed to address 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. This week, the Government has published a response to a detailed consultation, which will take forward a comprehensive range of measures across government, and ensure fair play: www.gov.uk/government/consultations/powers-for-dealing-with-unauthorised-development-and-encampments

Extended police powers to tackle trespassers

The Government will consult on proposals to amend 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;
- Increase the period of time in which trespassers directed from land would be unable to return;
- Lower the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised – changing this from six or more, to two or more; and
- Enable the police to remove trespassers from land that forms part of the highway.

Considering a new criminal trespass offence

The Home Office will conduct a review that will consider whether it should criminalise the act of trespassing when setting up an encampment. This will consider the financial and operational impacts that new legislation would have, investigate the effectiveness of similar legislation in Ireland and consider how such a power could work in practice. This could act as a real deterrent to such activity in the future, and it is therefore right that this option is explored fully.

Additional support for local authority enforcement activities

- New statutory good practice guidance to support local authorities use of powers to deal with unauthorised encampments; and a commitment to keep these powers under review, particularly in instances of deliberate and repeated breaches of planning.
- Further work to ensure that measures are in place to address issues around the clean-up costs which can occur following an unauthorised encampment.

- Up to £1.5 million of funding for local authorities to support planning enforcement through the next round of the Planning Delivery Fund, helping them deal with unauthorised development (i.e. where unauthorised sites are on land owned by travellers).
- Extending the period of time that a Temporary Stop Notice can be in place for.

Further reforms to the planning system to tackle unauthorised development and encampments

- New guidance making clear that the Communities Secretary will be prepared to review planning cases where concerns are raised that there is too high a concentration of authorised traveller sites in one location.
- Strengthening policy on intentional unauthorised development, helping to maintain confidence and fairness in the planning system.
- Make information on permanent and transit sites freely available in open data format so that local authorities have a single clear source of data on the availability of such sites.

Supporting law-abiding Gypsy, Roma and Travellers

The Conservative Government's ground-breaking Racial Disparity Audit identified significantly worse health and education outcomes for Gypsy, Roma and Traveller communities than the rest of society. The Government is funding projects across England to improve outcomes in the areas of educational attainment, health and social integration, and to reduce the community's vulnerability. We will continue work across Government on a strategic approach to improve outcomes for Gypsies, Roma and Travellers, as well as the settled community.

We are also supporting the provision of more authorised sites, through the New Homes Bonus (paid to councils at the affordable housing premium rate) and through our Affordable Homes Programme. This locally-led approach is working, as the number of caravans on authorised sites has increased from 14,498 in July 2010 to 19,569 in July 2018.

Taken together, we believe that these measures will go a long way to addressing the issues which have been highlighted and informed by representations from colleagues and the responses to our consultation. We want fair and equal treatment for both travellers and the settled community.

Further political briefing is also enclosed.

Yours truly,



RT HON JAMES BROKENSHIRE MP

Secretary of State for Housing, Communities and Local Government



RT HON SAJID JAVID MP

Secretary of State for the Home Department