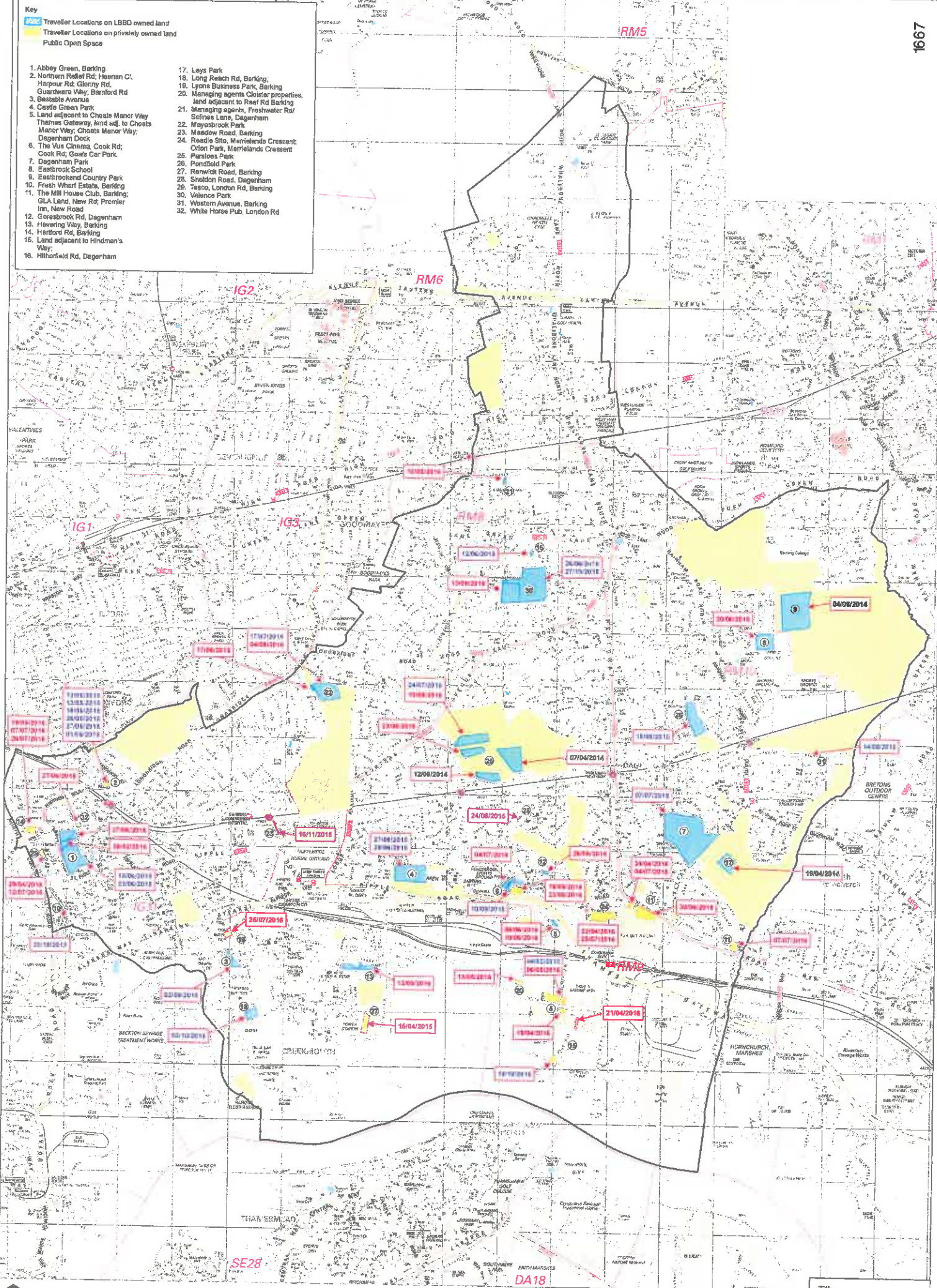


- Key**
- Traveller Locations on LBDO owned land
 - Traveller Locations on privately owned land
 - Public Open Space

1. Abbey Green, Barking
2. No-town Relief Rd, Heaman Ct, Harpouz Rd, Glenny Rd, Guardwara Way, Barford Rd
3. Bastable Avenue
4. Casp6 Green Park
5. Land adjacent to Chosts Manor Way, Thonus Gateway, land adj. to Chosts Manor Way, Chosts Manor Way, Dagenham Dock
6. The Via Cinema, Cook Rd, Cook Rd, Gosle Car Park
7. Dagenham Park
8. Eastbrook School
9. Eastbrockend Country Park
10. Fresh Wharf Estate, Barking
11. The Mill House Club, Barking; GLA Land, New Rd; Premier Inn, New Road
12. Goresbrook Rd, Dagenham
13. Hawing Way, Barking
14. Hertford Rd, Barking
15. Land adjacent to Hindman's Way;
16. Hitherfield Rd, Dagenham
17. Leys Park
18. Long Reach Rd, Barking;
19. Lyons Business Park, Barking
20. Managing agents Chester properties, land adjacent to Raef Rd Barking
21. Managing agents, Freshwater Rd/ Selraws Lane, Dagenham
22. Mayesbrook Park
23. Meadow Road, Barking
24. Reedle Site, Marriellands Crescent, Orion Park, Marriellands Crescent
25. Parsloes Park
26. Penfold Park
27. Renwick Road, Barking
28. Sheldon Road, Dagenham
29. Tesco, London Rd, Barking
30. Valence Park
31. Wostem Avenue, Barking
32. White Horse Pub, London Rd



Title:
Traveller Locations

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Unlawful Encampment Protocol for the London Borough of Barking and Dagenham

AIMS OF THE PROTOCOL

The aim of this protocol is to address the need for an effective approach to the management of unauthorised encampments on London Borough of Barking and Dagenham Council land, whilst ensuring that the rights of London borough of Barking and Dagenham's local settled community and the Gypsy and Traveller communities are balanced.

It should clarify and agree internal working arrangements around unauthorised encampment across London Borough of Barking and Dagenham departments and services so that any future unauthorised encampment can be managed successfully, swiftly and without detriment to any group.

- This is a protocol and not a strategy and as such can be used to provide information to other local agencies, particularly Barking and Dagenham Police, Health and Charitable organisations as well as to our own Councillors and their constituents, on how we will manage an unauthorised encampment on our land including key officers and triggers for action or not.
- The final aim is to achieve, where possible, a locally negotiated and agreed end to the unauthorised encampment that avoids a formal eviction process. However this Protocol sets out what the formal process for the eviction may be and the responsible officers from across Barking and Dagenham.

ROLES AND RESPONSIBILITIES

- The law is clear - managing unauthorised encampment must involve a balance between the rights of the landowner and/or wider community and the rights and welfare needs of those who have established the unauthorised encampment. Local authorities have a statutory duty to ensure that both sides are fairly represented when it comes to unauthorised encampment on public land.
- Different agencies involved with unauthorised encampment have different roles and in dealing with encampments it is important that roles are clearly defined to minimise duplication and ensure that both the travellers and the local settled community know who to contact for specific issues.
- The Environment Division at Barking and Dagenham Council provides a strategic role on Gypsies and Travellers and manages the permanent public residential and transit sites within the London borough of Barking and Dagenham and have a duty to identify appropriate Traveller Site provision through their Local Development Plans; in the longer term this should lead to a reduction in unauthorised encampment. There is an authorised camp site in the London borough of Barking and Dagenham at Eastbrook Country Park and it is

unlikely that strategically we would need to provide another site in the near future.

Barking and Dagenham Police will and do work closely with local authorities when an unauthorised encampment is established. They can and will assist and support the approach of partnership discussion and dialogue with the camped groups. The Police must take account of the issues of behaviour, whether criminal, antisocial behaviour or nuisance by both the travelling community and the settled community in combination with the impact on the landowner rather than simply because encampments are present at a specific location. Barking and Dagenham Police have powers to evict without recourse to the Courts should they have sufficient evidence of criminal or anti-social behaviour. .

Procedure for Managing an Unauthorised Encampment

- On receiving an initial notification of an unauthorised encampment all staff should be clear that the Designated Officer to deal with Unauthorised encampment in Barking and Dagenham is the Divisional Director for Environment and that Officer should be the first point of contact for all enquiries or a designated officer of his or her choosing
- Customer Services, staff and Councillors should be aware of who is the Designated Officer and make reports as necessary to them. This protocol should be reviewed and contact details updated as soon as practicable after any changes have been made.
- The Street Enforcement team will undertake the following initial steps before taking any further action:
 - Establish that an unauthorised encampment is being established. We are an outer London Borough with many large and open spaces that groups of caravans and motor-homes frequently encamp on without permission.
 - Establish, if possible, the identity of the Landowner.
 - Contact Barking and Dagenham police via Pace Setters to alert them to the unauthorised encampment using the set meeting times of 0930 and 14.00 hrs daily
 - Notify Communications that an unauthorised encampment is taking place.
 - Monitor the situation and report as required.
- if an unlawful encampment forms out of normal working hours the initial response will be the responsibility of the Instant Response Unit (IRU) and or the LALLO on duty at that time. As soon as Street Enforcement Team returns to duty it will assume responsibility for the encampment.
- if the encampment is set up on Barking and Dagenham Council land then the Designated Officer shall:
 - Notify the relevant other officers – Housing, Regeneration, Community safety, Legal and Communications that we do have an unauthorised encampment and set up the necessary meetings;
 - Inform SMT of the nature and location of the encampment

- o Inform the appropriate Ward Councillors and Cabinet Members and provide a copy of this Protocol for their information.
- o Notify and share information with specific points of contact within neighbouring boroughs that may be affected.
- * At the first meeting the Street Enforcement Team shall consider:
 - o Who owns the land?
 - o Determine the role of Barking and Dagenham Council on the basis of that ownership and considering the following
 - o if the land is in private ownership is it commercially sensitive?
 - o Or does it belong to someone who is vulnerable and will need some support?
 - o It will also need to be considered who is in control of the land in cases whereby the London Borough of Barking & Dagenham own the land but Regeneration have passed control of the land to a contractor for development and/or improvement purposes
 - o Inform the appropriate Ward Councillors and Cabinet Members and provide a copy of this Protocol for their information.

Encampment Monitoring and Welfare Visits

- The Designated Officer will consider the need for a joint visit to the encampment with the officers of any other principal partner agencies and will appoint a Lead Liaison Officer to undertake site visits with a small team as appropriate.

It is good practice to visit the site on the day of the encampment being established and certainly within one working day of that. Therefore the Street Enforcement Team must be given due freedoms from other duties by their line-manager to aid the legal process.

- When a visit is made, the Lead Liaison Officer will complete an Encampment Monitoring Form (Appendix 1) and note the following:
 - advise and liaise with individuals and families about ownership of land, and advise on where the nearest official camp sites, including Gypsy and Traveller sites, are;
 - ask the travellers the purpose of their encampment and how long they are planning to stay;
 - undertake a preliminary welfare check in co-operation with the travellers making a note of any obvious needs;
 - make general observations of the encampment, e.g. details noticed at the time of the visit, of which not orally advised (e.g. if there is a heavily pregnant woman on-site, or children not in education, or people with physical, learning or sensory disabilities);

- consider the possible impacts of the encampment on the local community i.e. are they impeding access to public facilities or in a high profile location
- if the encampment is close to a busy road, comment on the safety of the location from the travellers and other road users' perspective;
- check the availability of any transit provision or emergency stopping place and advise the travellers accordingly;
- advise the travellers that partner agencies (e.g., the relevant Health Trust and Children & Young People's Services) may be contacted, and that they may also visit the site;
- To keep under review arrangements at the site to ensure health and Safety
- Where possible, the Visiting Officer should take note of any homes or businesses potentially impacted by the unauthorised encampment.
- On return to the office Street Enforcement Officers will ensure that the Encampment Monitoring Form is shared with the Designated Officer and the co-ordinating team for their information.

Communications

5.1

The Divisional Director of Environment should agree when and how to manage information to local Councilors, the local community, local press and the best platforms for releasing that information – social media, website, formal press releases etc. If it is appropriate, that team can also determine and plan for the information needs of those who have been potentially impacted by the unauthorised encampment such as neighbouring houses and businesses.

Toleration of an Unauthorised Encampment

- There are a number of legal routes to eviction, however before eviction is pursued toleration must be considered, particularly due to the national lack of permanent provision for Gypsies and Travellers. Unauthorised encampments are almost always, by definition, unlawful. However, while there are insufficient authorised sites, it is recognised that some unauthorised camping will continue. Circular 18/94 and case law make clear that all encampments should be 'tolerated' while welfare enquiries are being carried out or where the needs of the specific travelling community (such as Gypsy or Traveller) make immediate eviction unreasonable.
- The Council considers that it is reasonable to allow a traveller to camp within the borough once in a season subject to the usual conditions. A season is a twelve month rolling year which is from April until March the following year.

- In considering whether to tolerate an encampment, the first consideration must be the location and the immediate impact on the settled community. Consideration should also be given to the visual impact of the encampment; a discreet and unobtrusive location will be more suitable than one that can be seen by large numbers of the public.

- Health and welfare needs that might lead to consideration of formal toleration include: accessing urgent medical attention; i.e. a surgical procedure or other acute medical (but not chronic need); or a complication in pregnancy or post natal care. If there is an agreement to tolerate, consideration will need to be given as to whether it is appropriate to make provision for a water supply, toilet provision or rubbish clearance.

Unacceptable locations

- There are locations, however, where an encampment will not normally be acceptable under any circumstances. Each encampment location must be considered on its own merits against criteria such as health and safety considerations for the unauthorised campers, traffic hazard, public health risks, serious environmental damage, and genuine nuisance to neighbours and proximity to other sensitive land-uses.

Costs

- Each landowner (public or private) will be responsible for covering the costs of any legal action and the associated costs of managing the encampment including the provision of facilities such as chemical toilets, and ensuring the clearance of land that may be necessary after the encampment moves on. The Landowner may also seek to recover the cost of any illegal activity.

Eviction

- As the law stands, it is the Landowner who must apply for an eviction notice. The decision to request an eviction must be carefully documented in case of legal challenge. Such decisions must be:
 - Lawful - taking into account legislation and policy;
 - Reasonable - in the legal sense, not being perverse or irrational;
 - Balanced - taking into account the needs and rights of both those on the encampment and the settled community affected; and
 - Proportionate - in response to the prevailing circumstances that surround the encampment.
- Where the Council is seeking to initiate an eviction, then it is good practice to ensure that the Police (normally the duty inspector or chief inspector) has been consulted at an early stage to ensure an appropriate involvement in the planning process via Pace Setters.

- A summary of the legislation relating to eviction is detailed below but the involvement of the London Borough of Barking and Dagenham Legal Team is crucial to ensure that all legislation is being met.

Summary of the London Borough of Barking and Dagenham Council's Powers

10.1

Legal will always advise on the best legal framework to use in an eviction scenario, based on the nature and type of the unauthorised encampment that has been established. However there are two pieces of legislation which can be particularly useful and which are often quoted in these situations.

10.2

First of these is Part 55 of the Civil Procedures Rules 1989 can be used by Local Authorities and private Landowners who require the removal of trespassers from property including land. The claim must be issued in a County Court. The "ordinary" possession order may be used regardless of whether the property is a building or open land, and regardless of the type of squatter or trespasser. A possession order may be secured quickly – a minimum of 2 days notice is required - against trespassers on open land.

10.3

Section 77 of the Criminal Justice and Public Order 1994 deals with people residing in vehicles including caravans on land. It can be used on any land within the local authority regardless of ownership and seeks to remove named individuals from the land. It is an offence not to comply with such a direction, and if that happens, the Local Authority can apply to the Magistrates Court to see the removal of vehicles and occupants from the land. Possession is enforced by local authority officers or private bailiffs and any return within 3 months carries criminal sanctions.

Police Powers (does not require recourse to Courts)

11.1

Barking and Dagenham Police have their own operational policy on unauthorised encampment. This outlines the role and process to be followed by Barking and Dagenham Police and their Officers in respect of powers exercised under Section 61, 62 and 62 A to E of the Criminal Justice and Public Order Act of 1994 (CJPOA 1994).

11.2

Section 61 of CJPOA allows the senior police officer attending the scene of an incident involving a trespass or nuisance on land to order trespassers to leave the land and to remove their vehicles as soon as reasonably practicable. If the senior police officer present at the scene reasonably believes that two or more persons are trespassing on land and are or have been taken by or on behalf of the occupier to ask them to leave and (a) that any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or

behaviour towards the occupier, a member of his family or an employee or agent of his, OR (b) that those persons have between them six or more vehicles on the land.

Police will only use this power if there is no alternative site available and it is immediately necessary due to the unacceptable location of the encampment or because there is crime or anti-social behaviour that cannot be managed by normal policing. The mere fact of an encampment without any aggravating factors will not normally enable the Police to use this power.

11.3

Section 62 of C/JPOA - Section 62A of the Criminal Justice and Public Order Act 1994 creates a power for a senior police officer to direct a person to leave land and remove any vehicle or other property with him on that land. It details how persons, vehicles and caravans etc can be moved when a senior police officer present believes that the conditions set out in Section 62 have been reasonably met.

11.4

If a travelling community fails to comply with directions given by police then there are powers of arrest and seizure of vehicles. If there is a Section 62(a) direction in force then this applies for three months and it is an offence to commit further trespass with the intention of residing during this period.

Privately owned land

12.1

Usually Councils will not take action to evict where there is an unauthorised encampment on privately owned land. It is the responsibility of the landowner to arrange for evictions when necessary, with the support of the police. On receipt of initial notification of an unauthorised encampment on private land where it is appropriate and possible, a welfare assessment may be undertaken by the relevant authority. Government bodies such as the Forestry Commission have a legal obligation to carry out welfare assessments before considering eviction; however this duty is not required by private landowners such as farmers.

12.2

Usually, the relevant Authority will notify the owner of the land of the encampment and advise on how to effectively manage the unauthorised encampment and on the related powers available to recover possession of the land. Where there is an urgent need to remove the encampment, the police may use their powers. However the usual legislation for Private Landowners to use is Part 55 of the Civil Procedure Rules as noted above.

12.3

Welfare checks, any evidence relating to the encampment including photographs and witness statements and other relevant documentation must be presented to the Court Manager and a court date is set. The Court provides a claim form to serve on the defendants. This will be served by a process server which can be a Council

Official if required. At the hearing, if the judge grants a possession order a warrant is issued. Officers visit the encampment and serve the warrant for eviction which must allow 24 hours before being enacted. Officers will enact the eviction if necessary after which the landowner signs to say they have repossession of the land.

12.4

Where the owner does not take action to recover the land and the encampment is giving rise to serious disruption or nuisance, the police and Street Enforcement team should discuss possible solutions. If action is to be taken, the procedure for council-owned land should be followed.

12.5

Where private landowners are using common law powers, or have obtained the relevant power via civil proceedings, Police Officers may be called upon to attend to prevent a breach of the peace or to prevent or detect crimes committed by either party during the eviction. In such instances the role of the Police will not be to assist bailiffs or landowners in the eviction itself. Such requests for Police attendance will be judged on a case by case basis, with attendance not being an automatic assumption.

Anti Social Behaviour

13.1

In April 2010 the Department for Communities and Local Government issued guidance on anti-social behaviour related to Gypsies and Travellers in an effort to ensure consistency among agencies in their approach to tackling anti-social behaviour associated with these groups either as victims or as perpetrators. The guidance states that there needs to be good co-operation between local authorities and other agencies such as the police and the Environment Agency to address or prevent anti-social and also criminal behaviour on issues such as hate crime, untaxed vehicles, fly-tipping and unlicensed waste carriage.

Hate crime

14.1

Travellers and Gypsies will be encouraged to report any issues of hate crime to the Police for investigation. Relevant officers must ensure that the public are made aware that racist comments and language will not be tolerated and may be reported to the Police.

14.2

There should be a commitment on the part of agencies to apply the same approach to travelling communities as they would to the settled population; in terms of evidence gathering, prosecution where appropriate and payment of fines.

14.3

Other regulatory frameworks are available to combat anti-social behaviour including:

- Acceptable Behaviour Contracts (ABCs) and Anti-Social Behaviour Orders (ASBOs). Other sections of relevance include: noise and other statutory nuisance such as fly-tipping and straying livestock
- The use of Public Space Protection Orders (PSPO) are also available to Local Authorities to designate an area and place conditions on it.



The Unauthorised Occupiers
Description of Land
Address

Pondfield House
100 Wantz Road
Dagenham
Essex.
RM10 8PP
Date:

TO THE UNAUTHORISED OCCUPIERS OF THIS LAND

You are currently occupying this land unlawfully and without the consent of the owner. You are required to leave this land.

This Council is currently operating a Tolerance Policy

"The London Borough of Barking and Dagenham respects its obligations under equal opportunities, environmental protection and human rights legislation. The Borough will operate a policy of tolerance towards travellers encamped in the borough, provided there is respect for this site, no conflict with local communities and co-operation with council officers trying to ensure the borough satisfies its legal obligations."

This means the Council will take measured and considered response in relation to using its powers to apply for an order for removal under the Criminal Justice and Public Order Act 1994.

Under this Act, officers of this council will attend the area to undertake social equality reports. If there is any valid reason why you are unable to vacate this area, you should notify those officers. A request for a verifiable contact address for the service of official documentation must be compiled with; as the council may charge for site clearance.

Tolerance is applied on the basis that there is,

- No fly-tipping of rubbish on the land or neighbouring land. (This means the site must be kept clean and tidy and your vehicle may be inspected to ensure this requirement).
- You do not cause nuisance to those living around the site. (This means – no conflict with local communities, no intimidation, no increase in crime and that children and animals are kept under control).
- No criminal activity associated with the site
- Full co-operation with council officers and police
- No verbal/physical abuse towards officers.
- The site will be regularly photographed and records of the information retained

You will be expected to move from this land within 48 hours.

IN THE EVENT THAT THESE CONDITIONS ARE NOT COMPLIED WITH THE BOROUGH WILL CONSIDER SEEKING AN EARLY ORDER FOR REMOVAL THROUGH THE COURTS, OR GIVE ASSISTANCE TO THE POLICE TO USE THEIR POWERS TO REMOVE TRESPASSERS ON LAND.

**London Borough of Barking and Dagenham
Welfare Enquiry Checklist**

General Information (to be completed at the office before site visit):

1. Arrival reported by: (Please tick one box)	Member of public Barking and Dagenham Council staff Health service Neighbouring Local Authority Police Other (Please specify)	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2. Area		
3. Site Location Description		

To be completed during the site visit:

Code of behaviour explained	Yes <input type="checkbox"/> No <input type="checkbox"/>
------------------------------------	--

Section 1: Travelling Information

4. Are you all travelling together?	Yes <input type="checkbox"/> No <input type="checkbox"/>	5. Are you happy for me to ask you questions about the whole site?	Yes <input type="checkbox"/> No <input type="checkbox"/>
6. Date of Arrival			
7. Intended length of stay	Leave at the weekend Leave after the weekend Stay for five days maximum For as long as we are allowed Other (please specify e.g. wedding/funeral)		
8. Do you have any connection to the local area?	Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. What is your current accommodation situation? Do you:	Live on your own site Live on a council site Live on a private site Live on the roadside Other (Details)		

**London Borough of Barking and Dagenham
Welfare Enquiry Checklist**

General information (to be completed at the office before site visit):

Section 2 – Information about people

10. Number of adults	
10a. Are any of the adults unwell?	No <input type="checkbox"/> Yes <input type="checkbox"/> If yes -- Information on services given <input type="checkbox"/>
11. Number of Children	
11a. Are any of the children unwell?	No <input type="checkbox"/> Yes <input type="checkbox"/> If yes -- Information on services given <input type="checkbox"/>
12. Would you like any other information:	No <input type="checkbox"/> Yes <input type="checkbox"/> If yes -- Information on services given <input type="checkbox"/>

Section 3 – Information about vehicles

13. Number of vehicles in total	13a Number of caravans	13b Number of cars
--	-------------------------------	---------------------------

14. Is there anything affecting your ability to travel?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Details: <input type="checkbox"/>
--	---	-----------------------------------

Section 4 – Information about animals

15. Are there any animals on site?	Dogs <input type="checkbox"/> Horses <input type="checkbox"/> Other <input type="checkbox"/>	How many? <input type="checkbox"/> How many? <input type="checkbox"/> Details: <input type="checkbox"/>
---	--	---

**London Borough of Barking and Dagenham
Welfare Enquiry Checklist**

General information (to be completed at the office before site visit):

Name of Occupant:		Signature: (It is ok if you do not have a signature, t/c just need your mark here)	
Date:			
Name of Officer:		Signature:	
Department:		Telephone:	

**London Borough of Barking and Dagenham
Welfare Enquiry Checklist**

General Information (to be completed at the office before site visit):

Additional Information:

Section 5 – Data Protection

We may need to share this information with other departments including health, education and other council services. Do you have any objections to this?

Yes

No

If yes, why?

Section 6 – Agreement /Disclaimer

A. I agree that the information provided here is correct, and that by signing this form, I agree that it may be shared with other council departments and partners.

OR (please delete as necessary)

B. I have declined to provide Welfare Information to the London Borough of Barking and Dagenham representative

London Borough of Barking and Dagenham
 Unlawful Encampment Site Visit Form

1. Initial Visit undertaken by:		Date: Time:
2. Area		
3. Site location Description		
4. Proximity to houses (Please tick one or two)	<p>Houses overlook the site Houses can be seen from the site, but do not overlook it No houses within 100 yards of site Businesses overlook the site Businesses can be seen from the site, but do not overlook it No businesses within 50 yards of site</p>	
5. Length of intended stay		
6. Number of vehicles	Caravans Caret/Vans	
7. Evidence of... (Please tick as many boxes as relevant)	<p>Excrement Refuse/Waste Fly tipping Loose animals causing danger</p>	
8. Type of Land	<p>Highway Verge Nature Reserve Industrial used Industrial disused School Other</p>	
9. Land Ownership confirmed by Property Registration as:	<p>Parks Asset Management Housing Schools Private Other</p>	
10. Further Information:		

**London Borough of Barking and Dagenham
All Subsequent Visits**

Date:	Time:
Number of Vehicles:	
Details of Visit:	

Date:	Time:
Number of Vehicles:	
Details of Visit:	

Date:	Time:
Number of Vehicles:	
Details of Visit:	

Buccleuch - Unit 7, Consul Avenue, Rainham

Summary of Travellers



23 September 2016

wrenbridge.co.uk

1684

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APPENDIX 3 Photographs of 1st occupation

APPENDIX 4 Photographs of 2nd occupation

1. 1ST TRAVELLER OCCUPATION

1.1 Site Activities:

- At 18.15 on 13 March 2016 travellers broke into the site by cutting the lock off the entrance gate.
- 11 caravans and circa 25 people were estimated to be on the site in the first instance.
- At 18.30 an unmarked police car arrived on the scene, and logged the incident (ref 7881). No further police action was taken at this stage.
- At 19.58 security guard vacated the security hut, following power being cut, intimidation from travellers and upon advice from police / their manager.
- 14 to 22 March - Site was monitored with photos of activities and vehicle registrations logged (see report in Appendix 1).

1.2 Legal / Eviction Activities:

- DWF engaged and appointed on 14 March.
- Signed Claim Form was delivered to Romford County Court on 15 March and served on travellers on 16 March.
- Hearing at County Court on 23 March (earliest possible due to set waiting periods).
- Arrangements were made and quotations obtained from Bailiffs to take and process the paperwork from County Court to the High Court and make arrangement with the police to be on site for an eviction.
- 22 March – travellers vacated the site, therefore no County Court hearing or further actions required. Occupation lasted 9 days.
- During the site clean-up evidence of the waste origins (addresses, company names etc.) were gathered and sent to the Council's Environmental Dept. and the Environment Agency. We have not been advised of any actions as a result of this.

1.3 Summary of Costs

Table 1.1 Summary of Cost of First Traveller Occupation at Rainham

Item	Cost, Ex VAT
QCL Insurance Contract Sum	£ 266,538.00
Clearance of Fly Tipping	£ 6,850.00
Enviro Clean	£ 7,227.00
Abortive Cost	£ 9,912.00
Stolen Metal Cost	£ 10,503.00
24/7 Security	£ 14,538.00
Legal Cost	£ 4,230.00
Glenny Fee for insurance works	£ 12,000.00
Total	£ 331,798.00

2. 2ND TRAVELLER OCCUPATION

2.1 Site Activities:

- Quantum Construction Ltd (QCL) took possession of the site 1 August 2016, maintaining Security Projects to provide 24/7 site security.
- 23.20 on 1 Aug travellers broke onto site through cutting the gate lock with an angle grinder.
- They physically assaulted (and bit) the security guard as they removed him from the site.
- Our security team continued to monitor the site externally until 16 August.
- During this time illegal tipping of waste by unregistered vehicles was witness and documented.

2.2 Legal Activities

- As the site was under the contractor's possession at the time of entry, QCL appointed DWF to proceed with legal actions towards an eviction.
- Due to nature the guard was removed, we pursued section 68 (aggravated trespass), however as per the response in Appendix 2 this was confirmed as not applicable by the police.
- As well as DWF, QCL appointed Bryan Lecoche Ltd., Enforcement Agents & Investigators as bailiff for the eviction.
- The County Court hearing was held on 15 August, followed by the High Court hearing on 16 August.
- Bryan Lecoche met with Police at 0800 on 16 August to carry out an eviction under a writ of possession. Occupation therefore lasted 16 days.
- As the travellers left the site the police took 2 unregistered vehicles off the road and made one arrest.
- The site will be ready for the works to commence again from 26 Sept, following agreement of the claim with loss adjusters and a 2 week period to undertake the clearance and clean.
- WLL wrote to the Home Secretary on 9 Aug, receiving a general response on 15 Sept. The response confirmed there were no plans to introduce further powers to allow police to evict.

2.3 Costs

Quotations were sought via QCL for the removal of the tipped waste and environmental clean of the human waste left in almost every room of the offices. The costs for the below works totalled £95,000.

- Removal of 600m³ of waste left within the building.
- Environmental Clean (of human waste left throughout the office)
- Contractor's loss of time and expensive (circa 4 week delay to works / completion of the project).

The other costs as a result of the occupation have been estimated below;

- Additional Security – to both initially re-secure the site on regaining possession and throughout the construction contract period. Circa £45k.
- Legal advice sought by Buccleuch. Circa £5k.
- Legal advice, paperwork and bailiff for the eviction by QCL. Circa £10k.



APPENDIX 1
1st Occupation Security Log

13/14 -03-16

At 18:15 A call was received from Sean Cole the day shift security guard at Unit 7 Rainham, stating that he had just come out of the main building after using the toilet and to his surprise, the site was overrun with travellers they had breached/broke into the site.

They gained access on to site by cutting the lock off the rear entrance gate.

The security officer's previous patrol at 18:00 proved all gates and perimeter locked and secure and nothing else to report.

The security officer confronted the lead vehicle stating that the site was private property and he was the security guard on site and they would need to leave immediately. The response was a tirade of abuse including "we are on site now and not leaving" and "we are the people renting the space".

The site was overrun by eleven caravans, five white vans, three pick up trucks, four 4 x 4 vehicles and approximately twenty five people within seconds/minutes as they all drove onto site so fast.

At 18:30 and unmarked armed police car pulled up at the front entrance and asked if the security officer if he needed help. The security officer explained that the travellers had gained access to the site illegally and the security guards asked the police to get the travellers to leave.

The police spoke to the travellers and took down vehicle details but did not attempt to evict the travellers. They informed the security officer that details had been taken (vehicle registrations etc.) the incident logged (incident number 7881) that the local police station and council had been informed and that the travellers would remain onsite for at least 48 hours while the council arranged for an eviction order. The police unit advised the security officer to leave site for his own safety, and monitor them from a vantage point where he could monitor all activity.

The security officer chose to remain within the guard house where he endured passive aggressive tactics, youths running around the guard house banging on windows different adults approaching asking to speak to the owner of the site on his phone etc.

At 19:10 one of the group positioned his van to obscure the line of sight of the factory from the guardhouse, and the youths gathered around the gate house to give the security guard verbal abuse.

The security officer asked him to move the van and was told no but in more savory language.

At 19:55 the power was cut to the guardhouse and the factory. On investigation the security officer could see warning lights showing the factory to have been breached. A call was made to the police who informed

the officer that a fast response unit was on route and would be there within the hour, the security officer was instructed to leave site for his own personal safety.

At 19:58 The security manager Raymond Cole received a call from the onsite security officer informing him of the latest developments. Mr. Cole instructed the security officer to leave and to remain a safe distance from the site while being able to monitor the situation, due to the security guard getting lots of threats, verbal and the threat of physical abuse if he was to remain on site by the travellers.

At 20:10 Night shift security officer Steven Davies reports for duty, situation explained, Security officer Sean Cole elects to work the night shift alongside his colleague; both officers take up separate positions on the perimeter of the site, one at each gate.

At 20:25 Movements seen within the factory unit. Confirmation that a fire door at the rear of the factory has been forced open to gain entry.

At 22:00 Call placed to police again, security officers informed that there are currently no available police officers available to attend site.

At 02:30 Notice posted by travellers on rear gate and previously broken locked replaced by them with combination lock. Still no police officers available to attend site.

At 04:00 Call to police again no police officers available to attend.

At 06:00 Call to police new incident number 593 security officers informed that they will try to get someone attend this morning.

At 07:30 Rear gate opened for vehicle to leave then locked again by the travellers.

At 08:00 Handover to Miles Gullen with full account of actions explained.

At the time of the breach all gates and factory doors were locked and secure, surveillance at the time of handover suggests that all office access doors are un-breached. The police were constantly informed of the escalation to breaking and entering of the factory unit and as of time of the handover they still have not responded.

15-03-16

VW Golf black reg: FA69FDE on site

Vauxhall Saloon reg: LN64WWU on site

Transit Van White SA16BTO on site

11:45 Transit van SA16BTO left site through rear gate was unlocked and relocked by driver.

12:00 Three male teenagers leave site.

13:30 White van SA16BTO returns to site.

14:00 Three youths return to site. White van SA16BTO leaves site.

15:00 White van SA16BTO returns to site.

16:30 Rubbish piled up / tipped by the travellers near the security hut front gate entrance, man seen carrying petrol canister suspect burning of rubbish at some point.

WHITE VAN SIGHTED IN EARLIER REPORT IS REG NUMBER SA16BT9 NOT BTO

17:00 Onward general movement on site groups of people entering and exiting factory through main doors,

18:20 4x4 vehicle enters site.

19:00 White van SA16BT9 leaves site accompanied by smaller Citroen van (only partial plate noted rest to follow)

19:17 Two tipper trucks arrive on site.

20:17 White van SA16BT9 and smaller van return to site.

21:00 Red Citroen van SE65A2F leaves site

21:49 Red Citroen van SE65A2F returns to site

16-03-16

Silver transit van SN533533

White Toyota van YC53PDA

Scrap lorry/tipper PGO2WRT

11:00 White van SA16BT9 leaves site.

12:00 Tesco security manager approaches us and says we are not allowed to observe site from their car park - moved to new location.

12:09 PHOTO OF RUBBISH TAKEN AND SENT

12:15 White van SA16BT9 RETURNS TO site.

13:05 Scrap lorry/tipper PGO2WRT LEAVES SITE.

13:20 Rear entry roller doors opened white Vauxhall saloon LN64WWU seen inside factory. Suspect roller doors damaged.

13:30 Two males in silver saloon car post a notice at rear entry gate they are approached by two travellers and have a conversation.

16:18 Land rover DE12UBX checking fence line.

17:00 Traveller in hi-viz patrols fence line.

17:04 White van SA16BT9 RETURNS TO site. Enters factory through roller doors.

17:35 2 Travellers in hi-viz take position on rear gate.

18:00 White van leaves site.

19:00 2 Travellers in hi-viz patrol fence line.

20:00 2 Travellers in hi-viz patrol fence line.

General movement on site until 23:30 then lights out.

01:00 pick up patrols around the site.

02:45 pick up patrols around the site.

04:20 pick up patrols around the site.

17 -03-16

08:00 Groups (one of three) (one of two) enter and leave factory via main entrance.

08:15 Group of four males start to load van from their caravans.

There are approximately twenty-five bin bags piled outside the security cabin location. Other than these we have seen no sign of tipping.

Silver transit van SN533533

White Toyota van YC53PDA

Scrap lorry/tipper PGO2WRT

11:00 White van SA16BT9 leaves site.

12:09 PHOTO OF RUBBISH TAKEN AND SENT

12:15 White van SA16BT9 RETURNS TO site.

13:05 Scrap lorry/tipper PGO2WRT LEAVES SITE.

13:20 Rear entry roller doors opened white Vauxhall saloon LN64WWU seen inside factory. Suspect roller doors damaged.

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17:00 Traveller in hi-viz patrols fence line.

17:04 White van SA16BT9 RETURNS TO site. Enters factory through roller doors.

17:35 2 Travellers in hi-viz take position on rear gate.

18:00 White van leaves site.

19:00 2 Travellers in hi-viz patrol fence line.

20:00 2 Travellers in hi-viz patrol fence line.

General site movement then lights out.

No patrols by travellers overnight.

18-03-16

07:00 White van SA16BT9 leaves site.

10:00 White van SA16BT9 returns to site.

10:20 teen male drives around site on quad bike.

11:22 white BMW and silver Peugeot leave site (unable to record reg. numbers)

11:50 Teen male drives around site on quad bike.

13:00 2 Teens leave site.

13:35 Silver transit type van SN533533 leaves site.

Satellite dish attached to side of factory and 45 gallon oil drums rolled out

to stand near rear entrance, power tools in operation heard from inside factory.

13:40 2 Teens back on site.

15:30 Scrap lorry/tipper PGO2WRT leaves site.

16:30 White van SA16BT9 leaves site.

17:05 White van SA16BT9 returns to site.

18:02 Scrap lorry/tipper PGO2WRT white BMW and Silver Peugeot RETURN TO site.

19:20 Black BMW AC08XAP meets White van SA16BT9 in Tesco car park items are unloaded from van to car and money exchanged.

19:30 Black BMW AC08XAP leaves and SA16BT9 RETURNS TO SITE.

No night patrols

19-03-16

08:44 General site movement.

09:00 White van SA16BT9 leaves site.

09:29 White van SA16BT9 returns.

11:10 Scrap lorry/tipper PGO2WRT loaded leaves site.

Power tools and metal noises heard from inside factory.

11:37 Scrap lorry/tipper PGO2WRT returns unloaded.

12:00 2 Males exit factory unit to yard.

12:30 Silver VW P738RUV patrols exterior fence line.

12:49 White van SA16BT9 leaves site.

13:05 Scrap lorry/tipper PGO2WRT loaded leaves site.

13:28 2 Males dig hole near rear entry gate. Scrap lorry/tipper PGO2WRT returns to site.

14:27 Scrap lorry/tipper PGO2WRT seen being loaded with metal and rubble.

15:05 Children seen on second floor structure.
15:40 White ford saloon enters site this vehicle not seen before.
16:00 Silver VW P738RUV patrols exterior fence line.
16:17 Silver Peugeot leaves site.
17:26 White van SA16BT9 leaves site
17:32 Silver Peugeot returns.
18:45 White van SA16BT9 returns to site.
19:30 General site movement.
20:00 General site movement.
No patrols by travellers overnight.

20-03-16

08:00 General site movement.
All vehicles are in the factory unit.
10:48 White van SA16BT9 exits factory unit leaves site.
14:02 Scrap lorry/tipper PGO2WRT leaves site.
14:12 Black BMW leaves site.
14:19 White transit returns to site.
14:35 White van SA16BT9 back on site and enters factory.
15:04 Blue transit van enters site this vehicle not seen before.
15:40 White van SA16BT9 leaves site.
16:10 White van SA16BT9 returns to site.
17:23 Scrap lorry/tipper PGO2WRT returns to site.
18:00 White BME leaves site.
18:30 White BMW returns to site.
20:26 White Vauxhall van leaves site.

11:30 White van SA16BT9 back on site and enters factory.

12:15 White van SA16BT9 exits factory unit leaves site.

12:19 Ford transit exits factory unit leaves site.

12:44 White van SA16BT9 back on site and enters factory.

12:47 Silver transit van and burgundy saloon enter site these vehicles not seen before.

13:32 Ford transit returns to site.

13:46 White van SA16BT9 back on site and enters factory.

Personal effects such as chairs, tables etc. that have been situated outside caravans have been packed away and rear entry gates are now constantly open.

21:00 General site movement then lights out.

No patrols by travellers during night.

20-03-16

08:00 to 11:00

No vehicle or pedestrian movement. All vans are inside the factory unit industrial noises can be heard, power tools etc.

12:15 Silver BMW enters site this vehicle not seen before.

12:30 White BMW and Black BMW enter site.
Red Citroen VAN LEAVES SITE.

12:45 Red Citroen van returns to site.

13:05 Gold BMW DU55KFE pulls alongside our vehicle and follows our movements for an hour.

13:08 White transit AJO3AKY leaves site.

13:50 Scrap lorry/tipper PGO2WRT leaves site.

14:08 white transit AJO3AKY back on site.

15:01 White van SA16BT9 leaves site.

16:15 White van SA16BT9 back on site.

17:30 Scrap lorry/tipper PGO2WRT returns to site.

18:08 Grey people carrier on site this vehicle not seen before.

18:15 White transit AJO3AKY leaves site.

20:39 White transit AJO3AKY back on site.

21:00 Lights out.

23:00 Two travellers patrol site.

01.15 one traveller patrols site.

03:10 Gold BMW DU55KFE patrols external fence line.

04:20 One traveller patrols site.

06:30 One traveller patrols site.

21 -03-16

09:00 general site movement, vans parked within factory unit industrial noises can be heard.

10:20 black Vauxhall EN66ECY arrives on site towing a caravan. Over the next 30 minutes various vehicles arrive, Gold BMW DU55KFE. White transit X483PSL, red Skoda all towing caravans 6 in total.

11:45 Police in attendance and explained they were onsite to stop any more travellers entering the site. They (police) had carried out a large eviction earlier today nearby and did not want them to rehouse at unit 7.

The police are in attendance at the roundabout and both entry gates to the unit, and are seen chaining the gates closed.

12:35 Police secure entry gates with chains.

12:52 Police leave site.

13:00 Travellers break chains of the gates that the police put on.

Over the next hour vehicles, white transit AJO3AKY ,Scrap lorry/tipper PGO2WRT ,White van SA16BT9 , RED Skoda, Grey people carrier move 6 more caravans on site. (police near stopped them)

14:27 White van SA16BT9 leaves site.

15:07 Scrap lorry/tipper PGO2WRT leaves site.

15:16 White transit AJO3AKY leaves site.

16:00 White van SA16BT9 returns to site

16:29 Scrap lorry/tipper PGO2WRT and white transit AJO3AKY return to site.

16:50 Grey transit leaves site vehicle not seem before.

17:10 silver transit signed JD Home Improvements enters site with caravan attached.

17:50 Scrap lorry/tipper PGO2WRT leaves site.

18:10 Scrap lorry/tipper PGO2WRT returns.

19:00 Grey transit returns to site.

20:10 Gates locked vehicles take up positions at both entry gates internally.

22-03-16

09:00

Gates open travellers are preparing to leave site on their own accord.

Security was instructed to stand down by Nick Card once all the travellers had left and to hand over security to the new owns/demo company.



APPENDIX 2
2nd Occupation Security Log and Police Correspondence

Joanne Baker

From: Jeff Wilson
Sent: 02 August 2016 17:49
To: Maxine.Blackledge@met.pnn.police.uk
Cc: John McHale; nwaugh@buccleuch.com; Nick Card
Subject: RE: Travellers invasion news fax consul avenue

Maxine

This is not what I was expecting and it is extremely disappointing. Given our security guard was assaulted (and bitten!) and there is clear evidence the site was broken into there must be something that can be done? Not only that but we are part way through a building contract and our contractor cannot access the site. Please can I discuss this with you and your legal department to understand what other remedies are available? This is extremely urgent.

Regards
Jeff

Jeff Wilson

Director | Wrenbridge
Direct 01223 554 807
Mobile 07771 857467

This email is subject to a [disclaimer](#)

From: Maxine.Blackledge@met.pnn.police.uk [mailto:Maxine.Blackledge@met.pnn.police.uk]
Sent: 02 August 2016 16:01
To: Jeff Wilson
Cc: John McHale; nwaugh@buccleuch.com; Nick Card
Subject: RE: Travellers invasion news fax consul avenue

Jeff

I have spoken to MPS legal department and they state use of section 68 CJPOA (aggravated trespass) is not applicable.

I would suggest instructing bailiffs is advisable. Please keep me updated and we can be present to prevent a breach of the peace when the bailiffs act.

Regards

Inspector Maxine Blackledge | South Cluster NPT | Maxine.Blackledge@met.pnn.police.uk |

[01708779404](tel:01708779404) | Maxine.Blackledge@met.pnn.police.uk |
74 Station Lane, Hornchurch, RM12 6NA |

From: Jeff Wilson [<mailto:Jeff.Wilson@wrenbridge.co.uk>]
Sent: 02 August 2016 15:17
To: Blackledge Maxine - KD
Cc: John McHale; Nick Waugh (nwaugh@buccleuch.com); Nick Card
Subject: FW: Travellers invasion news fax consul avenue
Importance: High

Dear Inspector Blackledge

Thank you for calling me just now. As discussed, please see the summary below provided by our security company. You will see that our guard was on site when the site was broken into and he was physically removed and assaulted.

In addition to this I can confirm that our contractor has / had started works on a comprehensive refurbishment project and they have been unable to attend site today to continue their works. As we discussed this is the second time this has happened on this site in 5 months. Last time this occurred the travellers caused approximately £300,000 worth of damage and took several weeks to remove.

It is essential for us that this is resolved quickly. Please could you confirm that your team will be able to attend site tomorrow on the basis you outlined and whether there is any support or additional information you need from us.

Regards

Jeff Wilson

Jeff Wilson

Director | Wrenbridge
Direct 01223 554 807
Mobile 07771 857467

This email is subject to a [disclaimer](#)

From: mark [<mailto:mark@securityprojectsltd.co.uk>]
Sent: 02 August 2016 05:38
To: Jeff Wilson
Subject: Fwd: Travellers invasion news fax consul avenue
Importance: High

Sent from Samsung Mobile on 02

----- Original message -----

From: kane <propalong@hotmail.co.uk>

Date: 02/08/2016 02:18 (GMT+00:00)

To: Kevin Radford <kevin@securityprojectsltd.co.uk>, Mark White <mark@securityprojectsltd.co.uk>, mark.leonard@securityprojectsltd.co.uk

Subject: Travellers invasion news fax consul avenue

Hi All

23.20 I was contacted by news fax guard who informed me that there were about 10 / 15 males cutting the padlock off his main gate with an angle grinder.

23.23 I contacted the police straight away. CAD1009201082916

23.29 I arrived on site and a number of males were literally assaulting male and throwing him out of the gatehouse and onto the main road.

23.30 About 7/8 caravans and transit vans had already gained entry to site and then put a padlock around the main gates.

23.31 There is nothing at all that the Guard could have done to prevent this from happening.

23.32 One of the travellers had bitten the neck of the guard when trying to remove him from the site.

23.40 Police arrived on site and talked with the travellers but they refused to leave site.

23.42 I called mark White who made his way to site. He also informed the relevant land owners of the break in at there site.

01.19 Police left site as there is nothing else they could physically do.

Many thanks

Kanewhite

Sent from my iPad

Sent from my iPad

--
This message has been scanned for viruses and dangerous content by Mailscanner and is believed to be clean.

Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.

APPENDIX 3
Photographs of 1st occupation



Photo 1 Waste dumped externally 1



Photo 2 Waste dumped externally 2



Photo 3 All WCs smashed, human waste left.



Photo 4 All WCs smashed, human waste left.



Photo 5 Metals stripped from building



Photo 6 Metals stripped from building

APPENDIX 4
Photographs of 2nd occupation



Photo 7 Waste tipped internally



Photo 8 Message left



Photo 9 Human waste left throughout office



Photo 10 Waste tipped internally.



Photography of fly-tipping



Long shot photograph

Signed.....

List Entry Summary (Published)

This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 as amended as it appears to the Secretary of State to be of national importance. This entry is a copy, the original is held by the Department for Culture, Media and Sport.

Name: Barking Abbey

List Entry Number: 1003581

Location

Not currently available for this entry.

The monument may lie within the boundary of more than one authority.

County	District	District Type	Parish
Greater London Authority	Barking and Dagenham	London Borough	NA

National Park: Not applicable to this List entry.

Grade: Not applicable to this List entry.

This record has been generated from an "old county number" (OCN) scheduling record. As these are some of our oldest designation records they do not have all the information held electronically that our modernised records contain. Therefore, the original date of scheduling is not available electronically. The date of scheduling may be noted in our paper records, please contact us for further information.

Date first scheduled: N/A

Date of most recent amendment: Not applicable to this List entry.

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List Entry Description

Summary of Monument

Not currently available for this entry.

Reasons for Designation

Not currently available for this entry.

History

Not currently available for this entry.

Details

This record has been generated from an "old county number" (OCN) scheduling record. These are monuments that were not reviewed under the Monuments Protection Programme and are some of our oldest designation records. As such they do not yet have the full descriptions of their modernised counterparts available. Please contact us if you would like further information.

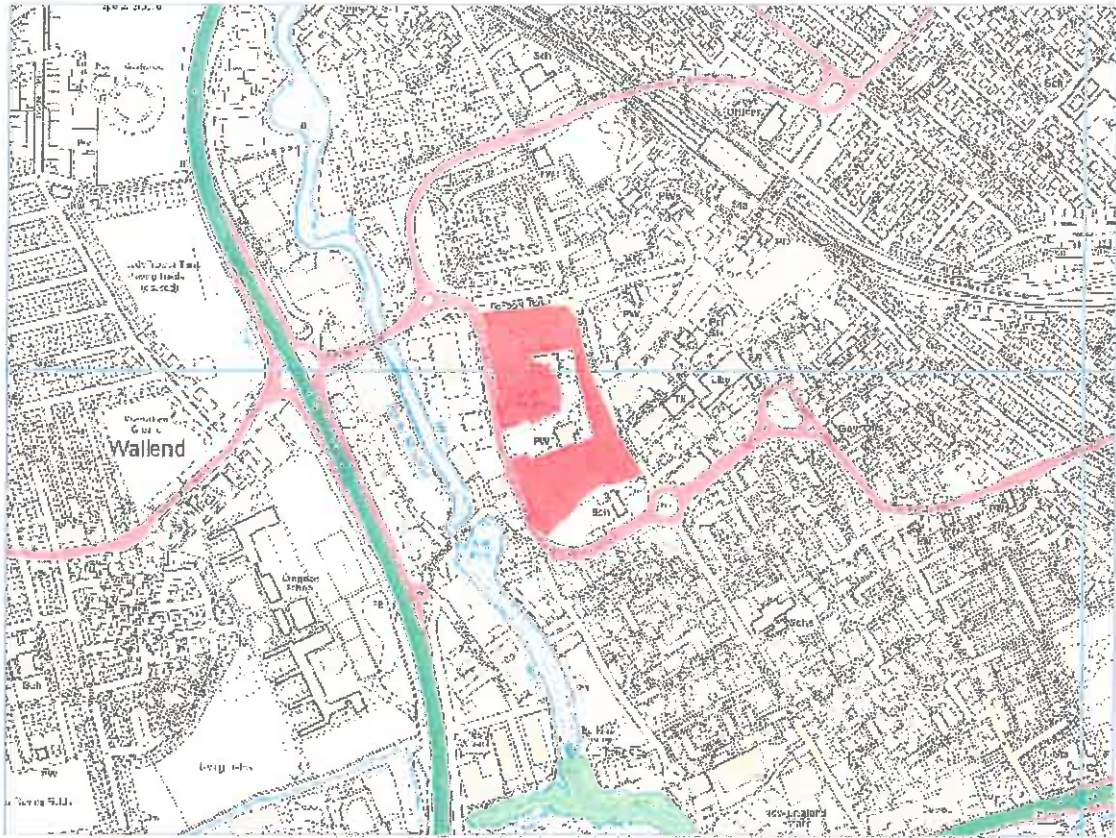
Selected Sources

Legacy Record - This information may be included in the List Entry Details

Map

National Grid Reference: TQ 44060 83796

The below map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [3617.pdf](#)



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This copy shows the entry on 24-Jun-2014 at 04:59:35.



Historic England

Ms Jenny Beales
Environmental Services
Room 28, Barking Town Hall
1 Clockhouse Ave, Barking
IG11 7LU

Our ref: AA 52789
Telephone 020 7973 3739

07 October 2016

Dear Ms Beales

**BARKING ABBEY, SCHEDULED ANCIENT MONUMENT (Monument ID LO 107);
HERITAGE AT RISK – UNLAWFUL ENCAMPMENT/DAMAGE TO THE
MONUMENT**

Barking Abbey is a site of considerable historic interest due to its status as one of the most powerful and influential nunneries during the medieval period. It was founded by Erkenwald, later Bishop of London, c. AD 666 and was dedicated to St Mary and St Ethelburga. Despite being destroyed by the Danes in AD 870 it was eventually restored nearly a hundred years later in AD 965. It was following this restoration that it became one of the greatest nunneries in England, the Abbess having precedence over all over abbesses. After the Norman conquest, King William I stayed at the abbey during the construction of the Tower of London. The abbey endured thereafter until its eventual suppression in 1539, during the dissolution of the monasteries, and was dismantled in 1541.

Despite damage and disturbance in the past, the remains of the Benedictine abbey at Barking survive well. Many of the foundations and walls of the abbey exist as upstanding remains, comprised of ragstone rubble with dressings of Reigate, Binstead and Caen stone. Wall footings have also been exposed during excavations and other parts have been restored in modern ragstone according to a re-constructed layout. A 15th century gate tower with upper chapel, known as Fire Bell Gate, also survives and is Grade II* listed. A great deal of the remainder of the site is known to survive archaeologically and indeed many excavations have proved this during the 18th, 19th, 20th and 21st centuries. Re-used Roman building material, Anglo-Saxon pits, a cross shaft, a medieval gold ring and burials have also been identified amongst the numerous other finds.



Historic England, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST
Telephone 020 7973 3700 Facsimile 020 7973 3001
HistoricEngland.org.uk



Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.

1709

In line with the information provided above regarding the significance of the historic site, its surviving structures and underlying archaeology, in conjunction with its protected status and associated legislation, it is our view that any encampment on the scheduled site is not to be permitted, causes damage to the monument and is consequently unlawful, forming a breach of the 1979 Act. We would therefore support any legal action by the local authority, who own the land within which the scheduled monument is sited, to prevent any future such incursions into this valuable and nationally important heritage asset from occurring.

Yours sincerely



Iain Bright
Assistant Inspector of Ancient Monuments
E-mail: iain.bright@HistoricEngland.org.uk

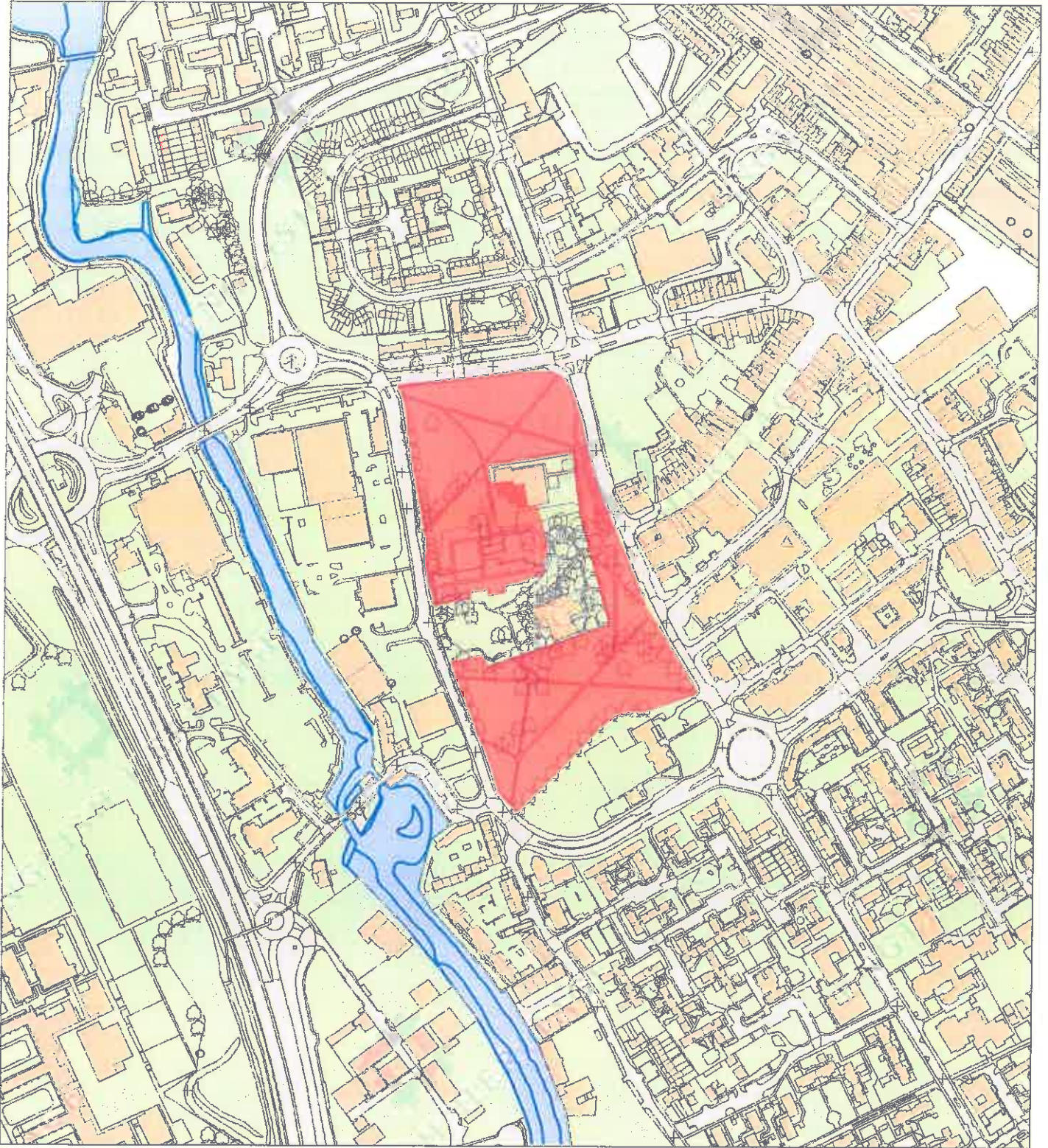


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Telephone 020 7973 3700 Facsimile 020 7973 3001
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WebGIS Map



Date 24/06/2014
Scale 1:5,000
Centre 544036,183926


ENGLISH HERITAGE
1 Waterhouse Square, 138 -142 Holborn, EC1N 2ST
Tel: 020 7973 3000 Fax: 020 7973 3001
www.english-heritage.co.uk

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From: Dempsie, Scott (S.J.) [mailto:sdempsie@ford.com]

Sent: 20 February 2017 13:53

To: Toy Jonathon <jonathon.toy@lbbd.gov.uk>

Cc: Dempsie, Scott (S.J.) <sdempsie@ford.com>

Subject: Illegal Encampments

Confidential

Hi Jonathon - As discussed recently, I can confirm that Ford Motor Company LTD has been the subject of several illegal encampments on our land at Dagenham in recent times.

As an organisation we fully respect minority groups, but these persons unknown to us have cost the company tens of thousands of pounds to secure a possession order through the high court, clean up the tones of contaminated fly tipping post their departure along with enhancements to secure the facilities subsequently.

We acknowledge the tri-borough approach and look forward to discussing this further with our neighbour's to secure a safer environment for our employees to live and work.

Many thanks,

& Best regards,

Scott Dempsie

Ford of Britain,
Business Protection Manager,
Dagenham,

Internal: 8715 - 4231 or 8712 - 3643.

External: 0208 5264231 or 07920 577122

Mail Drop GB-4/550





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Harassment Hotline: If you feel you are experiencing harassment or bullying at work, the Harassment Hotline (0208 528 1929 or 8716 000000) is available 24 hours a day to help you resolve your situation. Note that the Hotline is manned by the HR Department and is for Ford of Britain employees only.

Ford Motor Company Limited, Registered in England; No.235446, Registered Office: Eagle Way, Frimley, Essex, CM13 9PL, England



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Exhibit NS1 (3 pages)

Land Registry

TR1

Any parts of the form that are not typed should be completed in black ink and in block capitals.
 If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

Leave blank if not yet registered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'.

Remember to date this deed with the day of completion, but not before it has been signed and witnessed.

Give full name(s) of all the persons transferring the property.

Complete as appropriate where the transferor is a company.

Give full name(s) of all the persons to be shown as registered proprietors.

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 163 of the Land Registration Rules 2003.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

1	Title number(s) of the property: EGL297915
2	Property: 12 Thames Road, Barking, Essex IG11 0HZ
3	Date: 8 September 2016.
4	Transferor: Romasave (Property Services) Limited <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: 03592171 <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
5	Transferee for entry in the register: The Mayor and Burgesses of the London Borough of Barking and Dagenham <u>For UK incorporated companies/LLPs</u> Registered number of company or limited liability partnership including any prefix: <u>For overseas companies</u> (a) Territory of incorporation: (b) Registered number in the United Kingdom including any prefix:
6	Transferee's intended address(es) for service for entry in the register: Town Hall, Barking, IG11 7LU
7	The transferor transfers the property to the transferee

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes apply, insert an appropriate memorandum in panel 11.

Place 'X' in any box that applies.

Add any modifications.

Where the transferee is more than one person, place 'X' in the appropriate box.

Complete as necessary.

The registrar will enter a Form A restriction in the register unless an 'X' is placed:

- in the first box, or
- in the third box and the details of the trust or of the trust instrument show that the transferees are to hold the property on trust for themselves alone as joint tenants, or
- it is clear from completion of a form JO lodged with this application that the transferees are to hold the property on trust for themselves alone as joint tenants.

Please refer to *Joint property ownership and practice guide 24: private trusts of land* for further guidance. These are both available on the GOV.UK website.

Insert here any required or permitted statement, certificate or application and any agreed covenants, declarations and so on.

8 Consideration

The transferor has received from the transferee for the property the following sum (in words and figures):

Three million four hundred and £3,450,000.00
Eight hundred

The transfer is not for money or anything that has a monetary value

Insert other receipt as appropriate:

9 The transferor transfers with

- full title guarantee
- limited title guarantee

10 Declaration of trust The transferee is more than one person and

- they are to hold the property on trust for themselves as joint tenants
- they are to hold the property on trust for themselves as tenants in common in equal shares
- they are to hold the property on trust

11 Additional provisions

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (such as for a restriction), it must also be executed by the transferee.

If there is more than one transferee and panel 10 has been completed, each transferee must also execute this transfer to comply with the requirements in section 53(1)(b) of the Law of Property Act 1925 relating to the declaration of a trust of land. Please refer to *Joint Property Ownership and Practice Guide 24: private trusts of land* for further guidance.

Remember to date this deed in panel 3.


WARNING


If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 68 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

12 Execution
 Executed as a deed by Romasave (Property Services) Limited acting by a director in the presence of:

Signature	Director
	

Signature of witness 

Name (in BLOCK CAPITALS) P. SINGH

Address 12, The Wood Inn, Copford Mill Lane, Spang, Gillingham, Kent ME16 5TT.

THE COMMON SEAL OF THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF BARKING AND DAGENHAM)
 was to this Deed affixed in the presence of)

being an officer of the Council of the said London Borough of Barking and Dagenham)
 authorised to attest the Common Seal thereof)

(Minute No.)
 (Seal Register No.)

Exhibit NS2 (2 pages)

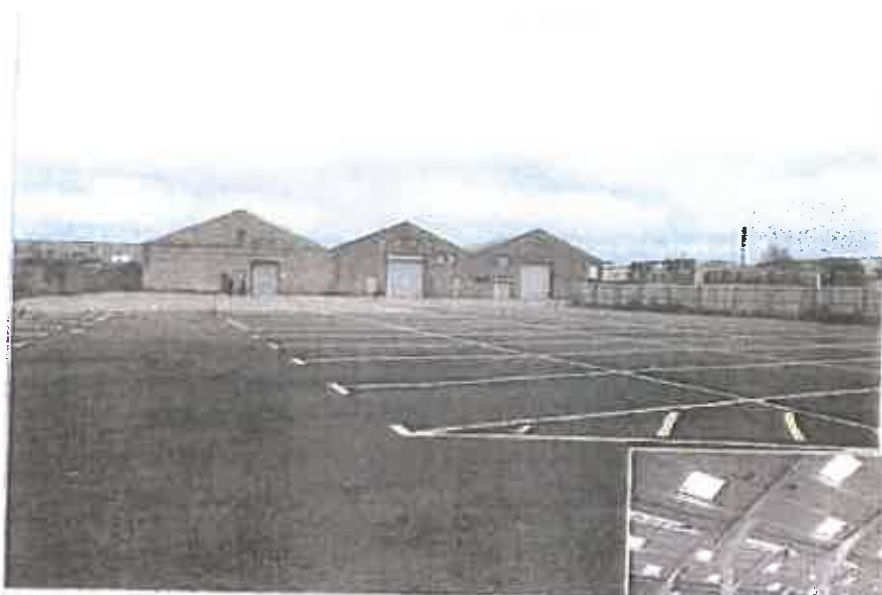
TO LET

**THREE BAY WAREHOUSE WITH
SUBSTANTIAL YARD/PARKING
AND OFFICES**

**12 THAMES ROAD, BARKING,
LONDON IG11 0HU**

TOTAL AREA: 39,894 ft² (3,706 m²)

WWW.STRETTONS.CO.UK



STRETTONS

COMMERCIAL REAL ESTATE

12 THAMES ROAD, BARKING, LONDON IG11 0HU

LOCATION

The property is situated on the east side of River Road, within this well established industrial location, close to the junction of the A13 and thereby ensuring good access to the City, Central London, Docklands, the M11 and M25.

DESCRIPTION

The property comprises a modern single storey industrial/warehouse unit of portal frame construction which has the benefit of full height profile steel cladding, metal roof covering.

The property benefits from the following amenities:

AMENITIES

- 3 phase power and gas
- Loading door
- Good vehicular access
- On site parking
- Office accommodation

ACCOMODATION

Approximate Gross Internal Floor Area:

Warehouse x3 Bays	35,336 ft ² (3283 m ²)
Front Office Building	4,558 ft ² (423 m ²)
TOTAL	39,894 ft² (3,706 m²)
Mezzanine Office over Ground & First Floor	744 ft ² (69 m ²)

Floor areas have been provided to us by the Landlord and have not been physically verified. Incoming Tenants must satisfy themselves as to the accuracy of areas.

LEASE

A new Full Repairing and Insuring Lease for a term to be agreed.

RENT

£280,000 per annum exclusive.

SERVICE CHARGE

Budget 2016/17 – to be confirmed

BUSINESS RATES

London Borough of Barking and Dagenham Council. Interested parties are advised to make their own inquiries with the Local Authority.

LEGAL COSTS

The ingoing Tenant is to be responsible for both parties legal costs incurred in the transaction.

VIEWING

Strictly by appointment with sole agents

Strettons
Central House
189-203 Hoe Street
London, E17 3SZ
Tel: 020 8520 9911
Fax: 020 8520 8022
www.strettons.co.uk

Paul Guy
paul.guy@strettons.co.uk

Ross Di-Horio
ross@strettons.co.uk

December 2016

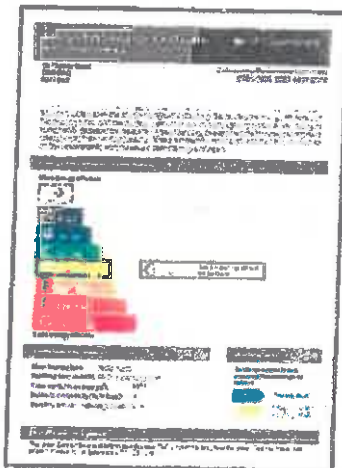
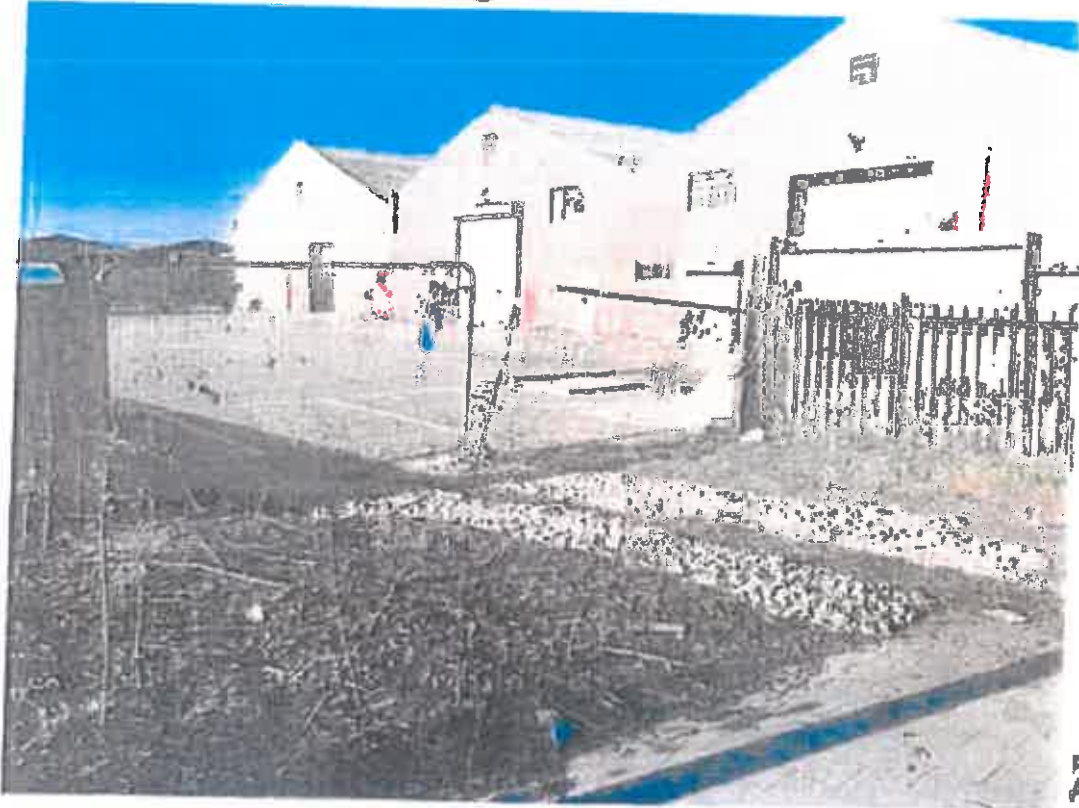


Exhibit NS3 (3 pages)

12 THAMES ROAD - (REAR YARD AREA) 28/11/16
NO 8 OPPOSITE SECTIVE T. WAREHOUSE BUILDING



~~NEW~~ NEWLY CREATED ENTRANCE WAY FROM CROSS STREET
ROAD PICTURE ①



AJ above
picture



②

ORIGINAL ENTRANCE TO YARD - STILL INTACT

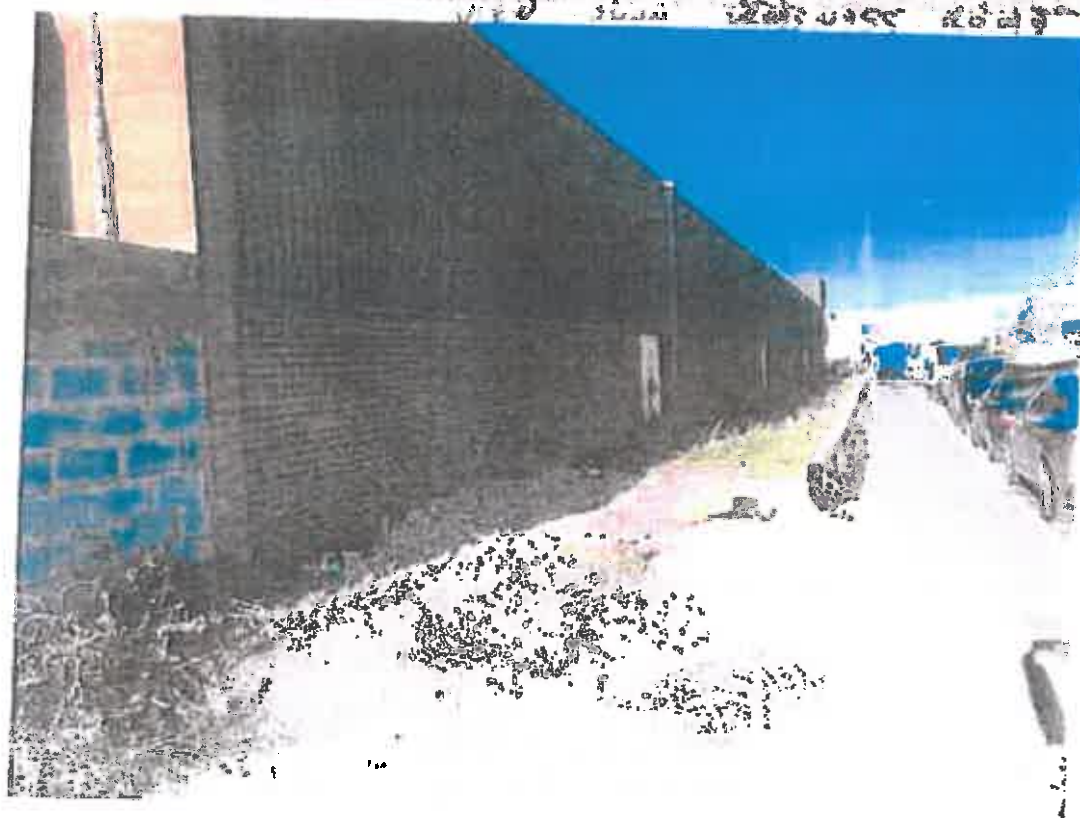


Exhibit NS4 (3 pages)







Exhibit NS5 (11 pages)

OFFICER DECISION MADE UNDER DELEGATED AUTHORITY
TO APPROVE A PROCUREMENT AND/OR WAIVER OF CONTRACT RULES
INCLUDING PROCUREMENT STRATEGY REPORT

Procurement Strategy and Waiver Report for Officer Approval under DA (etcV1 10.12.15)

STATEMENT OF OFFICER DECISION UNDER DELEGATED AUTHORITY TO APPROVE A PROCUREMENT AND/OR WAIVER OF CONTRACT RULES	
TITLE OF REPORT/DECISION:	Award of contract for the clearance of a significant fly-tip at 12 Thames Road, Barking (commercial property) following a forced entry and illegal occupation of the site. The property is currently being prepared for a short-term commercial let, prior to a longer-term redevelopment of the site.
WARDS INVOLVED:	Thames
DECISION MAKER:	John East – Strategic Director, Growth and Homes
DECISION(S) MADE:	To approve the appointment of Squibb Demolition to remove the fly tipped rubbish which may include asbestos containing materials. Whilst carrying out the works investigations to identify reported human waste in the front office area and control measure to eradicate the problem of rat infestation.
IS THIS A KEY DECISION?	No
VALUE:	Price will vary depending on actual weight identified. This price will vary between £86,200.00 for 650 tonnes and £104,300.00 for 860 tonnes. Both prices include a provision for 10% asbestos contamination.
AUTHORITY FOR DECISION:	Delegated decision to the Strategic Director, Growth and Homes
REASON(S) FOR DECISION:	To clear a significant illegal fly tip at Thames Road following a forced entry and illegal occupation of the warehouse site. The fly tipped rubbish is now infested with rats and now poses an environmental hazard especially as we have a working café located next door.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:	None. The site needs to be cleared to prepare the site for a half-term commercial letting. The site is currently worth c£180k in market rent.
ANY CONFLICT OF INTEREST DECLARATION BY ANY CABINET	None

MEMBER CONSULTED? (
ANY DISPENSATION GRANTED BY CHIEF EXECUTIVE IN RESPECT OF ANY DECLARED CONFLICT OF INTEREST?	Name
DATE OF DECISION	
For completion by Democratic Services	
Date decision published	
Date decision implementable	

This Decision Sheet to be submitted to Democratic Services by []

OFFICER DECISION UNDER DELEGATED AUTHORITY

PROCUREMENT STRATEGY REPORT

Award of contract for the clearance of a significant fly-tip at 12 Thames Road, Barking (commercial property) following a forced entry and illegal occupation of the site.	
The property is currently being prepared for a short-term commercial let, prior to a longer-term redevelopment of the site.	
Key Decision: No	Wards Affected: Thames
Decision Maker: John East – Strategic Director, Growth and Homes	
Responsible Officer: Andy Bere, Asset Strategy Manager (Property Assets Team)	
Recommendations: It is Recommended that approval be given the release the monies necessary to clear the fly tipped rubbish. Due to the fact, we do not currently know the final percentage of asbestos containing material present within the piles, an assumed 10% contamination cost has been included within the priced estimate. All material that will be cleared from the site will be audited against weigh bridge certificates that will list the weight of rubbish removed. This volume will then be price against the number of vehicle movements, which will give a final cost. Our current unknowns are the final weight of the material, the percentage of asbestos containing/contaminated materials, the full extent of rat infestation or the full extent of reported human waste present.	
Reason(s) for decision To clear a significant illegal fly tip at Thames Road following a forced entry and illegal occupation of the warehouse site. The fly tipped rubbish is now infested with rats and now poses an environmental hazard especially as there is a working café located next door.	
1. Background	
1.1	The Council acquired the freehold site in 12 Thames Road, Barking in September 2016 (having previously had a long leasehold interest in the property since 1989). The site comprises a large warehouse, associated offices, car park and storage with a large loading/unloading yard. The site was acquired with vacant possession as part of the

Procurement Strategy and Waiver Report for Officer Approval under DA (etcV1 10.12.13)

	regeneration proposals for the Thames Road area and a view to future redevelopment of the site.
1.2	In order to minimise holding costs and the risks associated with securing a large vacant site, some immediate measures were taken to protect the site, including large mounds of rubble at vehicle entrances, window shutters as well as regular security patrols by the Council's mobile security provider.
1.3	These works were undertaken whilst the building was being prepared for marketing for a short-term commercial letting to minimise holding costs. A market rental valuation indicated that the site was worth c£250k plus significant business rates. Prior to the site being let however, various statutory checks had to be undertaken (electrical, asbestos etc) and these commenced shortly after the site had been acquired. Marketing was due to take place in early December 2016.
1.4	On 28 November 2016 the site was illegally entered by persons unknown at the time who proceeded to park several caravans on the site. A perimeter fence had been forced and vehicles driven across a bush planted area. The building was subsequently illegally entered.
1.5	The Council's Enforcement Service immediately investigated the illegal act and began legal proceedings to evict.
1.6	Whilst the legal process was taking place, several heavy goods vehicles were seen entering and leaving the site, details were taken where appropriate and the police notified.
1.7	Legal notices were served and the occupiers left the site 4 days later. When officers entered to secure the site, it became apparent that a significant quantity of rubbish and soil had been dumped inside the warehouse part of the building.
1.8	To ensure appropriate health and safety measures, surface sample of the materials were taken (along with the deposited dust particles) and clearance was given to enter the site for a fully investigation.
1.9	The Capital Delivery Team were requested to assist with securing the site and obtain quotes for clearing the rubbish and debris.
2.	Proposed Procurement Strategy
2.1	Outline specification of the works, goods or services being procured. Three competitive quotes were sought to: 1. Take open all the piles of rubbish to identify the level of contamination and carry out "waste acceptance criteria" WAC testing that will allow the material to be transported and tipped.

2. To separate the general waste, the soil and contaminated material and remove it from the site. Current volume to be remove ranges between 650 tonnes and 860 tonnes.
3. To remove the rat problem and carry out a minimum 3-month period of control works.
4. To identify reported human waste in the front offices and if identified, to price for removal and carry out an environmental clean.
5. Prices have been supplied for site set up and we know prices for to varying volumes, which will be fully auditable against weigh bridge certificates that will be supplied by the appointed contractor.

From the photographs originally supplied, it was estimated the cost of material removal would be below £50,000.00 and subsequently three licensed contractors who the borough has used previously for demolitions and rubbish removals were contacted. It was only when the results of the asbestos spot checking came back with "traces" asbestos to the heaviest soil piles that the extent of the problem was fully revealed.

There is a need to remove the fly tipped rubbish ASAP and if we were required to advertise the removals nationally on the E-delta portal delays in seeking prices and accessing returns would hold up the works an extra month or so. With this being, the case the client was advised by the CDU Delivery Manager to proceed with gaining three quotes on an emergency basis.

The specification of the works was for each of the three contractors to price for 650 tonnes and 860 tonnes of mixed rubbish with the view 10% of its total would be contaminated and be transported to deep landfill. After completion of the works, the rat problem would then be monitored and security measures to the main gates reinforced further. All material leaving the site would then be justified against weigh bridge certificates that would allow LBBD to finally calculate the total volume of material moved and as such calculate the final total in terms of cost.

2.2 Estimated Contract Value, including the value of any uplift or extension period.

Squibb Demolition (the first-place contractor) estimated 650 tonnes with the 10% contaminated cost a good starting point. Randall Demolition (the second-place contractor) estimated 860 tonnes and again advised that 10% contaminated would be sufficient. Bromley Demolition (the third-place contractor) advised 775 tonnes, but confirmed it could vary depended in what we found in the piles.

Company	Tendered Sum (based on 650 tonnes)	Position (based on the weight of the rubbish exceeding 650 tonnes)
Randall Demolition	£86,130 plus £137 per tonne thereafter. However, as we got closer to the 860 tonnes Randall Demolition estimate	2

		their price increased at the higher tonnage rate.		
Squibb Demolition		£86,200 plus £66 per tonne thereafter. Squibb Demolition have the cheaper uplift rate, so as we increase over the 250 tonnes they become the cheapest of the three contractors.	1	
Bromley Demolition		£112,381 plus £180 per tonne thereafter	3	

Whilst Randal Demolition was £70 cheaper, the additional cost per tonne quoted by Squibb Demolition, represents better value for money, as the original 250 tonnes was based on an observable weight only.

Whilst this is unplanned expenditure to which no specific budget has been allocated, it will be funded from a cost code set aside for holding costs associated with property acquisitions and will eventually be off-set by the income received from the short-term interim leasing of the property (estimated at c£350k per annum). Clearance of the rubble will allow the site to be marketed and let as soon as possible.

2.3 Duration of the contract, including any options for extension.- n/a. single one-off works contract to be completed within 1-month

2.4 Recommended procurement procedure and reasons for the recommendation.

These are emergency works and turn-around times associated with rentable crisis for the building and environment aspects with the rat infestations are the main drivers. Prices needed to be sought as soon as possible and at this time no asbestos testing had taken place. It was only when spot asbestos testing had been completed the true extent of the problem was confirmed. All three contractors approached are members of the National Federation of Demolition Contractors and licensed to remove contaminated waste

2.5 The contract delivery methodology to be adopted.

An order will be raised and the works will be undertaken against estimates received. All works will be managed by the Capital Delivery team and the final account will be determined against the number of vehicle movements, the weight of material removed and the weight of contaminated material identified.

2.6 Outcomes, savings and efficiencies expected as a consequence of awarding the proposed contract.

	<p>The warehouse site at 12 Thames Road is worth around c£250k per annum in rental income savings identified by re-using and modifying existing desk frames and purchasing items in keeping with the Council's existing furniture style.</p>
2.7	<p>Criteria against which the tenderers are to be selected and contract is to be awarded</p>
	<p>100% cost as all contractors are known to the Council and deliver to a similar quality standard.</p>
2.8	<p>TUPE, other staffing and trade union implications. - none</p>
2.9	<p>How will the procurement address and implement the Council's Social Value policies?</p>
	<p>None specifically identified</p>
3.	<p>Alternative options considered and rejected:</p>
3.1	<p>The following procurement options were considered</p>
	<p>Do nothing – Option not open to us as the fly tipped rubbish needs to be cleared as soon as possible in order to let the property. If we do nothing there will still be the issue of rat infestation, which as it increases may force the closure of the neighbouring café.</p>
	<p>Full tendering exercise - This was explored and rejected due to the time constraints associated with advertising the works nationally, meeting each contractor on site, assessing priced returns, seeking clarifications and awarding the contract. Initially the requirement was the carry out the works ASAP and in order to deliver this brief, the full tendering option would be more time consuming.</p>
	<p>Procure via mini-tender of 3 quotes – As these are emergency works and the main driver at the time was to gain prices and be in position to proceed ASAP, 3 prices were sought from National Federation Demolition Contractors who in the past have carried out demolition/rubbish removals within the borough and were known to be licensed asbestos removal contractors. Two of the contractors have recycling yards located less than a mile away from the site and all three confirmed verbally they could react immediately to the clearance works if appointed.</p>
4.	<p>Waiver</p>
	<p>Not required</p>
5.	<p>Equalities and other Customer Impact</p>
	<p>There is minimal equalities impact to this waiver, but the continued presence of a significant flytip in the Thames Road area is having an adverse impact on the surrounding commercial tenants and businesses due to possible vermin infestation.</p>

6. Other Implications

Risk and Risk Management - None specific

Property / Asset Issues - this proposal involves a property within the Council's commercial property investment portfolio and was purchased with a view to future redevelopment of the site and short-term income generation through an interim commercial letting.

7. Consultation

Consultees	Name/Title	Date consulted
Portfolio Holder	None	
Ward Councillor(s)	None	
Other Council Bodies	None	
Corporate Directors	None	
Other required Officer(s)	Rob Smith - Capital Delivery Manager (CDU) Nick Slater - Principal Estates Surveyor (Property Services)	
Statutory/Proper Officer	None	
Others (Specify)	None	

8. Corporate Procurement:

Implications completed by: **Brian Beales, Head of Procurement**

8.1 The Council requires all spend of £50, 000 to be formally tendered, however this rule can be waived if there is evidence that there is a Health and Safety Risk.

8.2 In the report justification has been given to the urgency of the service and that it poses a potential health and safety risk to adjoining business properties.

In this instance and due to the fact that 3 competitive quotations have been received to ensure the service is not only completed quickly but also still maintained a degree of value to the Council.

8.3 Based on the detail provided within the report I am satisfied that the waiver should be applied on health and safety grounds and due to the fact that the costs are below EU Threshold for services and works.

9. Financial Implications

Implications completed by: Stephen Hinds, Chief Accountant.

9.1 There is no budget provision to cover the clearance of this fly-tipping. However, the potential income that can be derived after clearing this property suggests that this exercise would be financially expedient for the Council. On the whole, the removal of fly tipping in any occurrence is a priority both ethically and financially for the authority.


10. Legal Implications

Implications completed by:

10.1 Not required for this report, due to value (less than £100k)

11. Documents considered by decision-maker in making decision

None specific

Officer decision	<p>Having reviewed and taken account of the matters stated and documents listed in this report and having consulted with the persons/bodies identified in this report, and being satisfied that the decision(s) is/are in the best interests of the Council, I hereby agree and approve the Recommendations set out in this report.</p> <p>Signed </p> <p>Officer Title <u>Strategic Director of Growth & Home</u></p> <p>Date <u>24/02/2017</u></p>
-------------------------	--

List of appendices:

None.

Background Papers Used in the Preparation of the Report:

Client recommendation for appointment email from Rob Smith (dated 27.1.17) advising of the three return prices.

Report Author:

Contact Details: Andy Bere, Asset Strategy Manager

Tel: 020 8227 3047

E-mail: andy.bere@lbbd.gov.uk

Exhibit MK1 (20 pages)

Timeline of events - Travellers at Unft 5 Dagenham

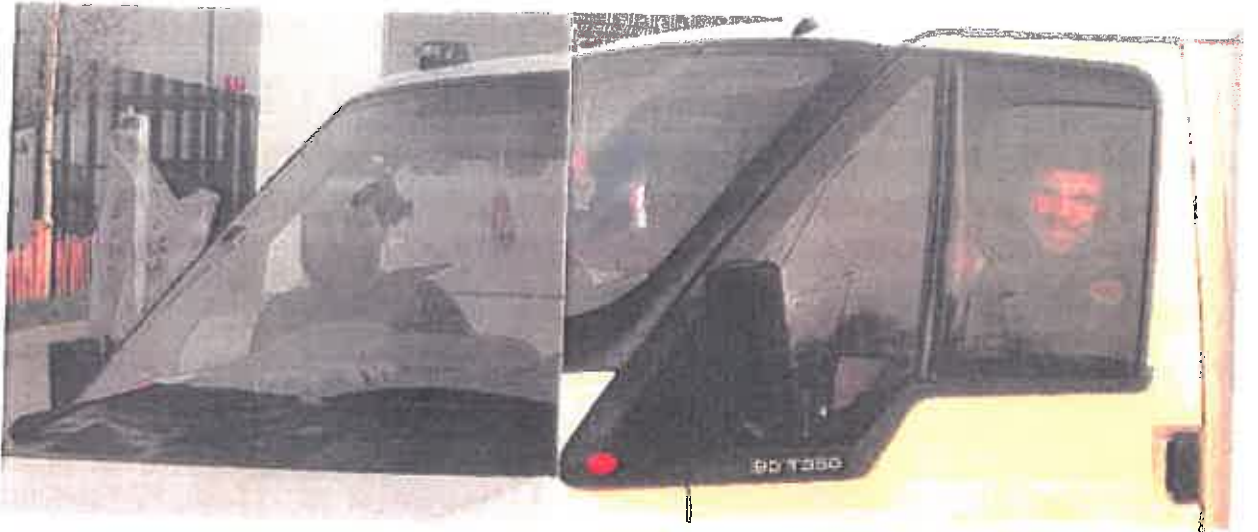
Location:

Units 5
Orion Park
Messina Way
Dagenham
Essex
RM9 6FF

Date: 22-11-16 - 12.44AM

Travellers led by men driving the vehicle reg number MW52DGX break into the site.
They break the lock and replace it with their own
They break a window on the level access shutter door and enter the warehouse
They then open the shutter and before long several caravans have taken up residence within the building.
They then put up a notice on our gate entitled - **Section 144 - LASPO does not apply**





Date: 22-11-16 - 1.30pm

Branch manager Halli Canci discovers the site has been broken into when he notices kids running around.

He and his staff find the main gate has been secured by the travellers so enter through the back gate. They manage to take pictures of the inside of the warehouse and discover a fleet of caravans have taken residence. Once the JJ staff leave, the travellers lock the back gate with their lock. Police are called. CALL REFERENCE NUMBER CREATED: CAD450322



Date: 22-11-16 - 3pm

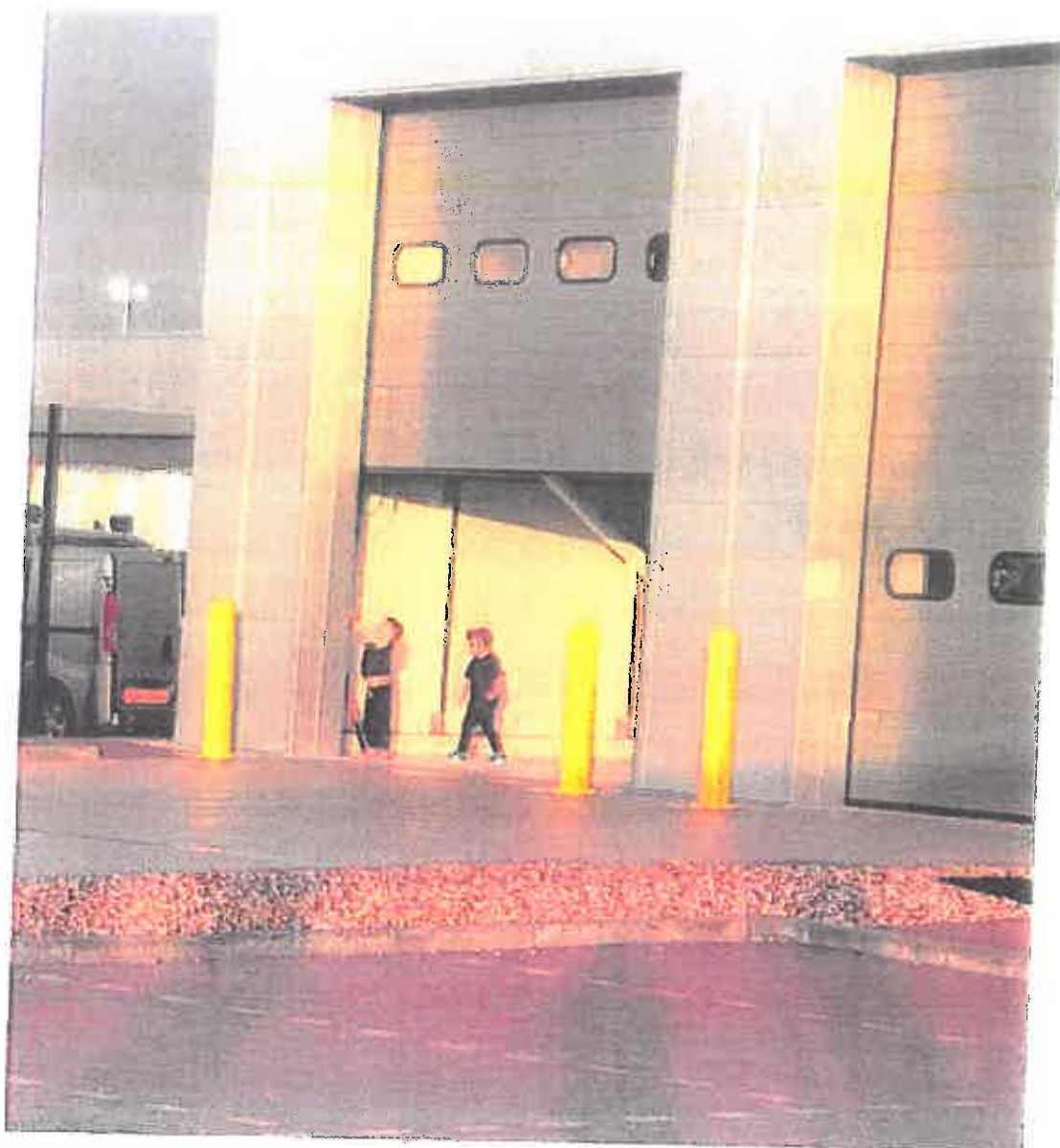
Police arrive and talk to the leaders of the group.

They tell the police that they are there for a pending funeral and will be out by Friday 25th November.

The police leave telling branch manager Halil to get a court order and to watch out for them in case they begin to tip rubbish on our site.

Date: 22-11-16 - 3.19pm

Traveller children begin to man-handle the shutter doors



Date: 22-11-16 - 5.15pm

The travellers start to bring rubbish to site in order to 'flytip'



Date: 22-11-16 - 5.27pm

The travellers start to observe our next door operation



Date: 22-11-16 - 6.18pm

A Black Land-rover / Range-rover turns up pulling a caravan and plugs into our electricity



Date: 22-11-16 - 10pm - 11pm

An illegal campsite created within our yard



Date: 23-11-16 - 12.08pm

Dagenham council has been informed that travellers are trespassing on our privately owned land. Reference number given: 446276

Date: 23-11-16 - 1pm

Traveller children begin throwing stones at customers, customers begin to tell management that they do not want to come here anymore. Staff try to reason with the children with no success. This has now started to cause a loss of business which will reach into the thousands, as last week alone we took over £100,000 in sales.







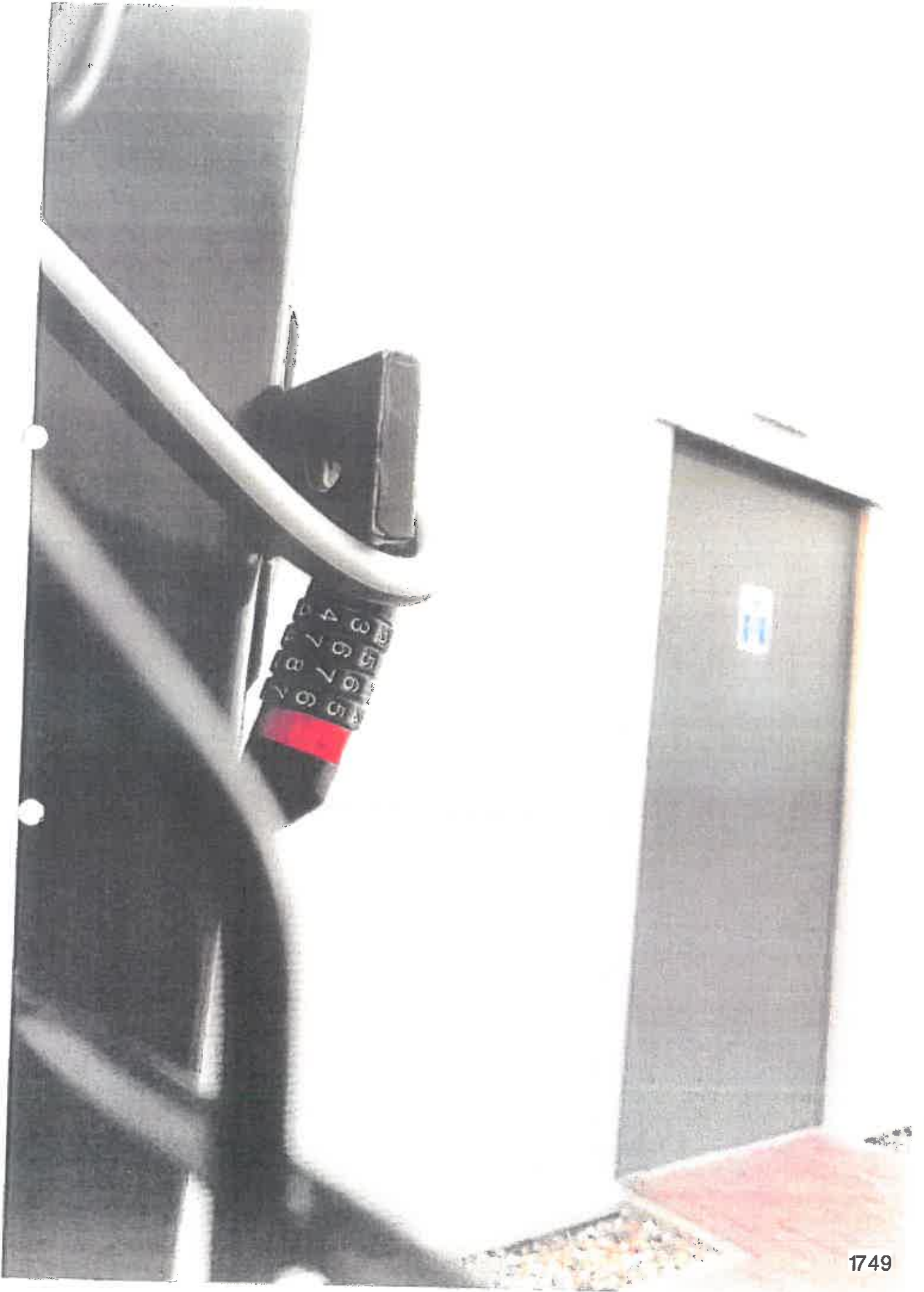












07:26:00 - 07:26:00 - 23/11/2016 17:50:42



1750
07:26:00 - 07:26:00 - 23/11/2016 17:50:42



17:50

17:50

17:50:42

17:50

17:50

17:50

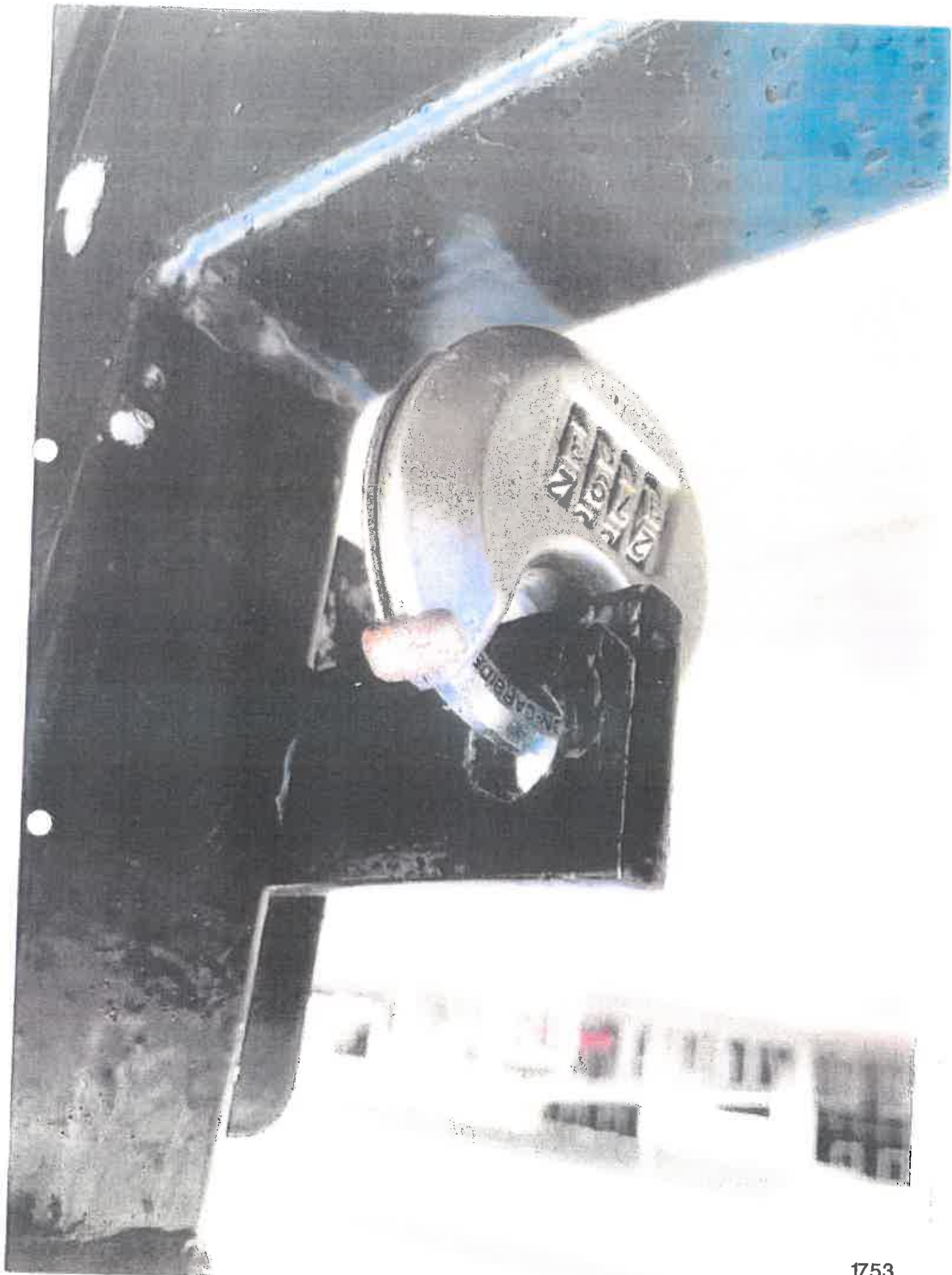
17:50

17:50

17:50









SINGLE INCIDENT PRINTOUT

INCIDENT No. 1856:12MAY16

INCIDENT No. 1856 entered at 08:15 on 12MAY16 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"
INCIDENT IS "SUB QUEUED" TO "N"

Rec By :O (Ordinary)

Call Tel :/

Call Name:.....

Call Type:V (Victim)

Call Mail:

Cntct Tel:

Att Locn :44-48 FRESHWATER RD, DAGENHAM
Map :Page 126, Grid Reference 548125,187625
GPA :KK [Division: KG:JI]
Inc Locn :O/S 44-48 FRESHWATER RD, DAGENHAM
Map :Page 126, Grid Reference 548125,187625
GPA :KK [Division: KG:JI]

Call Locn:

Map :

GPA :

Opening 1:507 (Contact Record)
2:701 (Assistance Requested / Rendered)

Open Text:

Urgency :R (Referred)

VRMs :

Proposal : (BOCU at 08:19/12MAY16):
K4N K5L KR18L 250KG 135KG 199KG 100KG 114KG 130KG 185KG

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIS :

Class 1 :507 (Contact Record)
Qual 1 :701 (Assistance Requested / Rendered)

Res 1 :707 (Cancelled)
2 :704 (Inform / Informed)

Clo Text :INFORMED

O Dealing:

Metops :

CHS Demid:20160512026728

Linked :explicitly to 4427:10MAY16 2550:12MAY16 2905:12MAY16 2922:12MAY16

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

INCIDENT No. 1856:12MAY16

Linked :implicitly to 3765:12MAY16
3318:10MAY16

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)

Gazetteer Comments : (May have existed or altered since Incident creation -

Location Based Comments

** Attendance and Incident Location **

FRESHWATER RD,DAGENHAM (1 - 400)

20 FRESHWATER RD -F OCC MAY BE AT RISK OF DOMESTIC VIOLENCE- SEE SS/KG/T11/13

FRESHWATER RD - "FRESHWATER GARAGE,DAVENPORT VEHICLE SERVICES"-*SITE HAZARD*

CONSIDER INFORMING OFFICERS ATTENDING PREMS THAT THEY HAVE A FRAGILE ROOF.

FRESHWATER RD:"VWR INTERNATIONAL LTD";*SITE HAZARDS* THESE PREMS HAVE A

FRAGILE ROOF & OTHER SITE HAZARDS

FRESHWATER GARAGE: "NUKAR MOTORS ENGINEERS LTD" - *SITE* HAZARD THESE PREMISES
HAVE A FRAGILE ROOF AND OTHER SITE HAZARD(S)

Remarks:

Time Date Opid Termid

12MAY16 CHS CHS (pre 1st routing)
CREATED IN: CHS AT: 2016-05-12 08:15:27 CAD AT: 2016-05-12 08:19:16
=====

ENTERED BY: CHS (c725435) AT: 2016-05-12 08:17:53
cad 4427 10.05.16 - we are trying to move travellers on - there are 8
of us - 8 male travellers are being aggressive - women and children
present

08:19:16 12MAY16 CHS
ENTERED BY: CHS (c725435) AT: 2016-05-12 08:19:16
Ainft - we are getting a recovery veh to come and remove the veh they
are using to block the drive

08:20:20 12MAY16 CHS
ENTERED BY: CHS (c725435) AT: 2016-05-12 08:20:18
Ainft - i am enforcement officer for sherriffs office

08:21:01 12MAY16 CHS
ENTERED BY: CHS (c725435) AT: 2016-05-12 08:21:01
Ainft - recovery veh should be here in approx an hour

08:22:29 12MAY16 208572 B3349
AKG.. CIRC'D DESP 1 - NO REPLY

09:47:03 12MAY16 208572 B3349
AKB.. PNYA ON LINKED

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

PRINTED AT 13:27 19:FEB:17 186KG

207998

SINGLE INCIDENT PRINTOUT

PAGE 3

INCIDENT No. 1856:12MAY16

Time Date Opid Termid

09:48:32 12MAY16 208572 B3349
AKG.. CIRC'D DESP 1 - NO REPLY

10:09:39 12MAY16 208572 B3349
AKG.. CIRC'D DESP 1 - NO REPLY

10:21:50 12MAY16 012102 B3350
A98KG - THEY WERE TOLD TO CONTACT US AND ARRANGE AN APPOINTMENT FOR US
TO ASSIST WITH A BOP. WE ARE NOT AWARE OF THIS AS NO CONTACT HAS BEEN
MADE.
I DO NOT HAVE ANYONE TO ASSIST WE ARE ALREADY DEALING SERVING A 61
NOTICE ON OTHER TRAVELLERS AT THE MOMENT.

10:23:31 12MAY16 012102 B3350
AKGC - 98KG WILL RING CALLER DIRECT AND UPDATE VIA CADL

11:53:54 12MAY16 208572 B3349
A98KG.. UPDATING VIA CADLIT NOW

11:56:51 12MAY16 193719
ENTERED BY: CADL (p193719) AT: 2016-05-12 11:56:51

Page 2

CAD INC01856-12MAY162 copy
 Confirmation email from the Sherriffs Dept that officers weren't required. The Dept had been advised that due to the number of officers required to prevent a BOP, it was anticipated that over the next two days the borough would have insufficient resources to support any civil action. The offices were instructed to contact the MPS with at least 48 hrs notice so that the MPS could resource and meet operational needs, especially in light of intelligence surround the eviction of travellers from the former St Georges hospital site in Hornchurch from these travellers are believed to have come from.

Sherriffs office contacted by PS Lee 98KG and advised that the MPS won't be in a position to support the civil eviction today or tomorrow.

The site has 12 caravans and vehicles on the site, the occupants opposed to the eviction. They have blocked the sites entrance with vehicles after a notice to leave the land was served as from 07:30 hrs 12/05/16 by the Sherriffs Dept.

The Sherriffs dept as directed will contact teh MPS and provided a clear time and date in advance of any proposed enforcement action so that resources may be drawn from both the borough or reserve units.

Dear Ian,

Further to our conversation please do not deploy the 2 officers that you have provisionally allocated for the above.

Kind regards

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

PRINTED AT 13:27 19:FEB:17 186KG

207998

SINGLE INCIDENT PRINTOUT

PAGE 4

INCIDENT No. 1856:12MAY16

Time Date Opid Termid

 The Sheriffs Office
 Authorised High Court Enforcement Officers

Previous Actions:

Time	Date	Opid	Termid	ACTION
08:19:16	12MAY16	CHS	CCC:CCL	SYSTEM(EXTERNAL) O() 215:ASB - NUISANCE,701:ASSISTANCE REQUE STED / RENDERED
"	"	"	"	PI
08:19:19	"	208572	DIV:KG	AK
08:20:20	"	CHS	CCC:CCL	CR()
"	"	"	"	CT()
"	"	"	"	O(215/701) 507:CONTACT RECORD,701:ASSISTANC E REQUESTED / RENDERED
"	"	"	"	PI
08:20:25	"	208572	DIV:KG	AK
08:21:01	"	CHS	CCC:CCL	PI
08:21:03	"	208572	DIV:KG	AK
08:22:21	"	"	"	AW
09:13:22	"	009835	CCC:MDT	VI/KG3E
10:18:59	"	012102	DIV:KG	LI/4427/10
10:22:47	"	"	"	LOCA(44-48 FRESHWATER RD, DAGENHAM)(KK)
10:43:59	"	208572	"	LOCA((98KG)44-48 FRESHWATER RD, DAGENHAM)(K K)
11:46:39	"	193719	CCC:CADL	VI/p193719
11:56:51	"	"	"	PI
11:56:53	"	208572	DIV:KG	AK

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1757

CAD INC01856-12MAY162 copy

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11:56:54  "    193719 CCC:CADL VI/p193719
12:03:09  "    208572 DIV:KG  AC()
"         "         "         "         AQ()
"         "         "         "         AR()
12:03:13  "         "         "         CTX()
12:03:15  "         "         "         LOCA((98KG) 44-48 FRESHWATER RD, DAGENHAM)(
"         "         "         "         KK)
"         "         "         "         PS/CM PLEASE
12:09:00  "    012102  "         GF(S)CANCELLED AS REMS
"         "         "         MA/SEEN AND NTOED EO BLAKEBROUGH CCC BOW
12:09:01  "         "         "         CM
22:45:45 04JAN17 207998 CCC:CADL VI/p207998
13:27:32 19FEB17 "         "         VI/p207998

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CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

PRINTED AT 13:27 19:FEB:17 186KG

207998

SINGLE INCIDENT PRINTOUT

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INCIDENT No. 1856:12MAY16

Time	Date	Opid	Termid	ACTION
13:27:46	19FEB17	"	CCC:CADL	IP//186KG/1/p207998@met.police.uk

... END OF PRINT ...

CAD INC01856-12MAY162 copy

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

Exhibit DH1 (3 pages)

Timeline for Traveller incursion onto Barking Power Limited's land April 2015.

Dayshift 01/04/2015

The incident happened at approx. 13:40 on 01/04/2015 of which 5 caravans and 8 vehicles initially gained entry by way of force onto the site to set up camp. Throughout the day on the same date there were 3 incidents of fly tipping of which were not captured on CCTV but the registrations were and are as follows,

FJ53 TLF
DN04 WKW
OHZ 7237

Throughout the day there were more caravans arrive and by the evening there were 14 in total.

Nightshift 01/04/2015

Between 18:16 and 20:49 there were 9 incidents of fly tipping of which were captured on CCTV with the following details,

18:16 - BN04 WKW - Yellow transit tipper - Fly tipping
18:22 - OHZ 7237 - Blue transit - Fly tipping
19:04 - NH55 FHC - White transit tipper - Fly tipping
19:07 - MJ52 GVW - White transit tipper - Fly tipping
19:11 - NK53 VRZ - White transit tipper (Front number plate missing - The same as 02/04/2015 @ 12:22 - Fly tipping
19:13 - AJ02 JCV - Blue transit - Fly tipping
19:35 - DX03 FKH - Green/blue LDV tipper - Fly tipping
20:15 - NCZ 5649 - White transit - Fly tipping

All occupants seem to remain in their caravans from approx. 21:30 on 01/04/2015

14 caravans still remained on site.

Dayshift 02/04/2015

There still remained 14 caravans on site and vehicles coming and going all day including fly tipping as follows of which was all captured on CCTV.

11:41 - NCZ 9649 - White transit
12:22 - NK53 VRZ - White transit tipper (Front number plate missing the same as 01/04/2015 @ 19:11)
13:09 - DX03 FKH - Green/Blue LDV tipper with Plates covered but same vehicle as with Police on CCTV the same day at 16:59

14:41 - DX03 FKH Green/Blue LDV tipper - captured on CCTV removing tape on plates to reveal registration.
15:00 - NCZ 9649 - White transit
15:52 - BN04 WKW - Yellow transit tipper
16:17 - NK53 VRZ - White transit tipper
16:38 - ILZ 9064 - White transit
16:38 - NH55 FHC - White transit tipper
16:59 - DX03 FKH - Green/Blue LDV tipper (Caught on camera taking tape off plates to reveal registration and pulled over by Police.

Nightshift 02/04/2015

Throughout the shift a number of vehicles on and off the site and 2 cases of fly tipping at the below times, At 21:20 1 new caravan arrives at the site but 7 caravans leave site which left a total of 8 caravans still remaining on site.

21:15 - White transit tipper with covered number plate.
22:18 - White transit tipper with covered number plate but captured on CCTV revealing registration at 22:23. (CP55 HKF)

Nightshift 03/04/2015

Movement of vehicle again with 2 cases of fly tipping registrations not visible on vehicles

20:30 - White transit
20:42 - White transit tipper

Dayshift 05/04/2015

Nothing to report regarding fly tipping. General vehicle movement on and off site and 1 caravan moved from one side of the concreted area to the other.

Dayshift 06/04/2015

Nothing to report regarding fly tipping, number of caravans remained the same just general vehicle movement on and off site.

Nightshift 06/04/2015

Nothing to report regarding fly tipping, number of caravans remained the same, occupants seemed to consume alcohol.

Since the travellers gained entry to the Texaco site there has been a total of 15 caravans enter the site, many different vehicle (as below) and 26 cases of fly tipping of which 23 have been captured on CCTV. They have also been using a quad bike on site since arriving.

CU03 FFE
FXZ 6409 - White van
10CE 9109 - White ford transit
FJ53 CLF - Tipper
WA15 WPO - Silver ford transit
NH55 FHC - White ford fly tipper
MJ52 GVW - Fly tipping white transit tipper
AJ 02 JCV - Blue ford transit
SJZ 2162
NCZ 5649
DN04 WKW

YK14 OYW
MW60 AAY - The White Passat
SD11 YJM - White Renault traffic

The main ones that are occupying the site at the moment are

MJ52 GVW Transit tipper
LL60 PZX Silver Renault traffic van
ILZ 9064 white high top transit
SD11 YJM White Renault traffic
WA15 WPO Silver transit
LT57 ZDA Toyota van

As of 09:00 on 07/04/2015 there still remains 8 caravans on the site with no fly tipping since
20:42 on 03/04/2015

09/04/2015

Travellers are off site, the last one left last night at approx. 21:00, there are dog handlers on site
and its being secured now.

Black = Public
Red = Private

Flare Ref	Date	Location	Numbers of Vehicles	Family Name	Comments	Legislation Used	Duration on Site	Costs Incurred	Officer Cost	Clean Up Cost
	2016									
447300	15/12/2016	Kierbeck Wharf - River Road Barking	10 caravans and associated vehicles	Lawrence	Travellers got lock to gate - forced entry forcing themselves inside - Police served S.61 and arrested 1 for criminal damage - evicted them later in the day	S.61 PCIOA 94	6 hours	£210 officer costs	£210.00	
447122	09/12/2016	Choats Manor way, Dagenham	2 caravans 2 transits 1 car	McGorry	Following eviction proceedings at Riverside Cottages - Travellers moved here - fly tipping substantial bins of household wastes	S77 CPOA 94	4 days	£1260 officer costs	£1,260.00	
447194	07/12/2016	25A Thames Road Barking	10 caravans and associated vehicles	Unknown family	Travellers forced entry locking themselves inside car park - committed burglary in warehouse - police & LBBD attended police served S.61 and evicted them later that day	S.61 PCIOA 94	12 hours	£315 officer costs	£315.00	
447195	05/12/2016	Abbey Retail Park - Abbey Road Barking	3 caravans, 3 transits,	Unknown family	2 families forced entry to a site being redeveloped and locked themselves behind the gates with their own lock	private eviction	5 days	£70 officer costs	£70.00	
446698	02/12/2016	Riverside cottages - Allfreds Way Barking (A13)	3 caravans, 3 transits, 1 Car	McGorry	Travellers at 12 Thames Road moved here immediately after vacating Thames Road - fly tipping on private land just behind caravans	S77 CPOA 94	7 days	£1,260 officer costs	£1,260.00	
446458	25/11/2016	12 Thames Road Barking	2 caravans 2 transits 1 car	McGorry	Travellers forced entry to warehouse on site and fly tipped large quantities of trommelled waste - LBBD seized 1 vehicle involved in fly tipping	S77 CPOA 94	7 days	£1,260 officer and £65,000 costs	£1,260.00	£65,000.00
442345	22/11/2016	JJ Foods - Messina Way, Dagenham	10 caravans and associated vehicles	Unknown family	Travellers forced entry to warehouse on site and fly tipped large quantities of waste	private eviction	10 days	£70 officer and £145,000 clean up costs	£70.00	£145,000.00
442275	13/09/2016	Haivering Way, Barking	25+ caravans and associated vehicles	Coffey & Collins	Travellers occupied this land immediately after having been evicted from Valencia Park Dagenham - Travellers very aggressive towards police and local authority officers - police threaten to call up the TSG as travellers were wanting to fight them	S.61 PCIOA 94	2 hours	£700 officer costs	£700.00	
442124	13/09/2016	Valence Park, Dagenham	25+ caravans and associated vehicles	Coffey & Collins	Travellers occupied this land immediately after having been evicted from Valencia Park Dagenham - Travellers very aggressive towards police and local authority officers Police again served S.61 - giving them until the next morning to vacate of land	S.61 PCIOA 94	1 day	£1,400 officer and £213.38 clean up costs	£1,400.00	£213.38
439784	10/09/2016	Parishes Park, Dagenham	25+ caravans and associated vehicles	Coffey & Collins	Broke in by removing fencing and parked up in middle of park - police witnessed the entry and served a S.61 CAD/3310/10.9.16 refers -	S.61 PCIOA 94	3 days	£1,260 officer costs and £359.38 clean up costs	£1,260.00	£359.38
439216	04/08/2016	Mayesbrook Park, Hertford Road, Barking	10 caravans and associated vehicles	Unknown family	Parked up behind cricket pitch with horses and jangling buggies - used the park to race the horses and buggies - police issued S.61 - they left the next day	S.61 PCIOA 94	1 day	£560 officer and £758.56 clean up costs	£560.00	£758.56
439223	25/07/2016	Orion Park, Merlelands Crescent	2 caravans and associated vehicles	Unknown family	Parked up opposite Wickes in layby - advice given to S.77 - moved on voluntarily the next day	left voluntarily	1 day	£140 officer costs	£140.00	
439207	25/07/2016	Lyons Business Park, Barking	25+ caravans and associated vehicles	Wards / McDonough / Stokes	Same travellers that had occupied it in April returned - industrial scale fly tipping - very aggressive towards LBBD officers	private eviction	19 days	£70 officer and £168,000 clean up costs	£70.00	£168,000.00
438824	07/07/2016	GLA land, New Road	8 caravans and associated vehicles	Stokes	Travellers forced entry into a warehouse and fly tipped building wastes through out the entire warehouse	private eviction	9 days	£178,000 clean up costs		£178,000.00
438829	05/07/2016	The Millhouse Club, New Road	8 caravans and associated vehicles	Stokes	Moved here direct from The Millhouse - police attended and served S.61	S.61 CPOA 94	1 day	£140 officer costs	£140.00	
437878	04/07/2016	Goals car park, Cook Road	8 caravans and associated vehicles	Stokes	Moved here direct from Goals they then moved on of their own accord after fight at the pub with the club owner - another traveller	left voluntarily	1 day	£70 officer costs	£70.00	
437898	04/07/2016	Premier Inn New Road Dagenham	18 caravans and associated vehicles	Stokes	Stokes left the GLA land and moved into this private car park	private eviction same day	1 day	£70 officer costs	£70.00	
437737	30/06/2016	GLA land, New Road	23 caravans and associated vehicles	Unknown family	Pulled into car park of premier inn - private bailiffs in attendance	private eviction	1 day	£210 officer costs	£70.00	
435557	27/06/2016	Abbey Green, Barking	4 caravans and associated vehicles	O'Riellys	Forced their way past security wire fencing and cement bollards and set up camp on derelict land - industrial amounts of fly tipping	private eviction	11 days	£70 officer costs £165,000 clean up costs	£210.00	£165,000.00
435644	23/06/2016	White Horse Pub ground, London road	4+ caravans and associated vehicles	Unknown family	Pulled into green (parked up adjacent to Abbey ruins and St. Margarets primary school - they moved on within the hour when they were told that the land was a burial site	left voluntarily	1 day	£70 officer costs	£70.00	
437999	23/06/2016	The Vue cinema, Cook Road, Car park	6 caravans and associated vehicles	Unknown family	Pulled into rear yard of pub which is being pulled down - locked gates parked up in parking bays of cinema	private eviction	5 days	£70 officer costs	£70.00	
443575	20/06/2016	Parishes Park, Dagenham	7 caravans and associated vehicles	Doherthys	Same family as had been at Mayesbrook park on 17/6 - police served S.61 on day of arrival and evicted same day	private eviction	2 days	£210 officer costs	£210.00	
437150	17/06/2016	Eastbrook School, Dagenham	15 caravans and associated vehicles	Wards / Stokes	Forced their way past security on land being redeveloped at school - police served S.61 - LBBD assisted eviction	S.61 PCIOA 94	1 day	£560 officer costs	£560.00	
436663	10/06/2016	Choats Manor way, Dagenham	7 caravans and associated vehicles	Doherthys	Parked up beside the cricket pitch - bins of litter - kids riding quad bikes at speed through the park - police served S.61	S.61 PCIOA 94	3 days	£210 officer costs £550 clean up costs	£210.00	£550.00
436701	07/06/2016	Hertford Road, Barking	3 caravans and associated vehicles	Unknown family	2 families pulled up on a small patch of grass surrounded by wire and a gate - they locked themselves inside - fly tipped a lot	S.77 CPOA 94	7 days	£1,260 officer and £750 clean up costs	£1,260.00	£750.00
			2 caravans and associated vehicles	Unknown family	Same family as below - advised that S.77 would be served - they left voluntarily	left voluntarily	2 days	£70 officer costs	£70.00	

437653	03/06/2016	LondonEast UK Ltd - Levree Avenue	13 caravans and associated vehicles	Unknown family	Travellers forced their way onto site - 5 caravans - police repelled the other 7 caravans travellers left the next day	private eviction	2 days	Nil LBBD costs	
443686	19/05/2016	Under pass at Barking Roundabout	3 caravans and associated vehicles	Unknown family	1 family passing through borough - no issues	left voluntarily	2 days	£70 officer costs	£70.00
443683	13/05/2016	Managing agents Closter Properties, Teer Road, Barking	4 caravans and associated vehicles	Ward / Stokes	Travellers entered onto business unit - fly tipping	private eviction	1 day	£70 officer costs	£70.00
434989	10/05/2016	Freshwater Sellinas Lane, Dagenham	15 caravans and associated vehicles	Wards / Stokes	Travellers entered onto business unit - fly tipping	private eviction	4 days	£70 officer costs	£70.00
443671	06/05/2016	Thames Gateway, land adjacent to Choats Manor way, Barking	6 caravans and associated vehicles	Unknown family	Thames Gateway paid the unauthorised occupants money to leave the land	private eviction	7 days	£70 officer costs	£70.00
434199	26/04/2016	Premier Inn, New Road, Dagenham	9 caravans and associated vehicles	Stokes	Vehicles pulled into car park of the Premier Inn refused to leave - police served s.61 notice and they left that day	S.61 CPOA 94	1 day	£210 officer costs	£210.00
434081	22/04/2016	Resdie site, orion Park/Merrilands Crescent, Dagenham-owned by axa but managed by CAPTA Digital.Des@capta.co.uk	18 caravans and associated vehicles	Ward / Stokes	Large traveller group occupied a derelict site which was in the process of being sold to a developer - very aggressive - 100's of tons of building waste fly tipped see above link 18 for clearance costs	private eviction	21 days	£210 officer costs £108,000 clean up costs	£108,000.00
433980	21/04/2016	Oyo Business Unit, 4 Hindmans Way, Dagenham, RM9 6LN	8 caravans and associated vehicles	Ward / Stokes	locked themselves into private site - landowner undertaking private action to remove.	private eviction	8 days	£70 officer costs	£70.00
432269	19/04/2016	Dagenham Dock	2 caravans and associated vehicles	Unknown family	Parked up next to train station - advised they were looking for an alternative site - left the same day	left voluntarily	1 day	£70 officer costs	£70.00
425863	16/11/2015	Meadow Road, Barking	2 caravans and associated vehicles	Unknown family	Travellers pulled onto derelict site locked themselves in - landowner undertaking private action to remove.	private eviction	12 days	£70 officer costs	£70.00
424693	26/10/2015	Valence Park, Dagenham	5 caravans and associated vehicles	Unknown family	Travellers entered into car park - owner secured site and conducted private eviction	private eviction	2 days	£70 officer costs	£70.00
424361	20/10/2015	Fresh Wharf Estate, Barking	6 caravans and associated vehicles	Unknown family	Parked up behind Abbey ruins and next to school - destroyed the grass getting on - flytipping immediately - police served notice at 12:00 all evicted at 5pm.	private eviction	2 days	£70 officer costs	£70.00
424194	19/10/2015	Hindmans Way, Dagenham	6 caravans and associated vehicles	Unknown family	Private	Private eviction	8 days	£70 officer costs	£70.00
423259	05/10/2015	Long Reach road, Barking	12 caravans and associated vehicles	Unknown family	Travellers locked themselves into the former Remploy site - refused to leave large fly tipping - police assistance required to evict	Private eviction	8 days	£70 officer costs	£70.00
422166	15/09/2015	Pondfield Road, Dagenham	2 sleeper vans	Unknown family	two vehicles been used to sleep in by 6 Romanian workers - advised accordingly	S.77 CPOA 94	5 days	£1260 officer and £750 clean up costs	£1,260.00
421921	10/09/2015	Cook Road	15 caravans and associated vehicles	Unknown family	VOSA site - retained LBBD to evict - travellers locked themselves inside refused to leave - they threatened the buildings - stripping metal and wiring heavily fly tipped builders waste Police assisted - forced entry travellers eventually left	S.77 CPOA 94	5 days	£2,800 officer and £13,500 clean up costs	£13,500.00
421387	02/09/2015	Bastable Avenue, Barking	10 caravans and associated vehicles	Unknown family	Pulled into secluded field between Hockley Mews and Curzon Crescent - refused to leave S.77 served - but police persuaded them to leave - left behind an abandoned caravan and several gas containers	S.77 CPOA 94	2 days	£210 officer and £550 clean up costs	£550.00
420917	24/08/2015	Sheldon Road, Dagenham	1 caravan and associated vehicle	Unknown family	Parked on road beside green area - advice given re S.77 moved on immediately	left voluntarily	1 day	£70 officer costs	£70.00
420310	14/08/2015	Western Avenue, Dagenham	1 caravan and associated vehicle	Unknown family	Parked up in a cul-de-sac - advice given - re S.77 - left voluntarily	left voluntarily	2 days	£70 officer costs	£70.00
418702	24/07/2015	Parloes Park, Dagenham	35 caravans and associated vehicles	Unknown family	The group evicted from Maysbrook moved directly onto Parloes - Festival disruption - Police attended in force including TSG	S.61 CPOA 94	2 days	£4,200 officer and £250 clean up costs	£4,200.00
418241	17/07/2015	Maysbrook Park, Dagenham	35 caravans and associated vehicles	Unknown family	very large groups of Irish travellers very hostile spread out behind cricket pitch and sports track - lots of fly tipping - two burnt out vehicles	S.77 CPOA 94	8 days	£560 officer and £9,500 clean up costs	£8,500.00
417506	07/07/2015	Dagenham Park, Ballards Road, Dagenham	2 caravans and associated vehicles	Unknown family	two families just passing through - served notice and they left the next day	S.77 CPOA 94	2days	£70 officer costs	£70.00
416677	27/06/2015	Castle Green, Dagenham	25+ caravans and associated vehicles	Unknown family	Same group of travellers that had been moved on from Abbey Green - Police used s.61 powers to move them on	S.61 CPOA 94	4 days	£140 officer costs and £245 clean up costs	£245.00
416563	26/06/2015	Gorsebrook Road, Dagenham	2 caravans and associated vehicles	Unknown family	Public-linked	left voluntarily	1 day	£70 officer costs	£70.00
415690	15/06/2015	Abbey Green, Barking	25+ caravans and associated vehicles	Unknown family	mixture of Irish & English travellers - hostile claiming nowhere else to go refused to leave - involved in door to door sales and driveways	S.77 CPOA 94	12 days	£560 officer costs and £1,100 clean up costs	£1,100.00

Ref	Date	Location	Vehicle Type	Offender(s)	Incident Description	Duration	Costs	Notes
415492	12/06/2015	Hitherfield Road, Dagenham	5+ caravans and associated vehicles	Unknown family	parked on green - left when S.77 served - small fly tipping	3 days	£140 officer costs and £250 clean up costs	£140.00
414607	18/05/2015	Heenan Close, Barking	20+ caravans and associated vehicles	Goggins & Co	Locations below all border the land in question - travellers smashed hoarding along boundary and occupied the land - unable to contact land owner - used CIPOA powers - lots of fly tipping and bonfires	13 days	£560 officer costs £4,500 clear up and re-instate fencing costs	£560.00
414180	18/05/2015	Northern Relief Road, Barking	20+ caravans and associated vehicles	Goggins & Co	Private-Linked	13 days		
413625	18/05/2015	Barford Road, Barking	20+ caravans and associated vehicles	Goggins & Co	Private-Linked	13 days		
413288	18/05/2015	Elmroy Road, Barking	20+ caravans and associated vehicles	Goggins & Co	Private-Linked	13 days		
413780	18/05/2015	Gurowara Way, Barking	20+ caravans and associated vehicles	Goggins & Co	Private-Linked	13 days		
413314	18/05/2015	Barnwick Road, Barking	4 caravans and associated vehicles	Unknown family	Private-Linked	13 days		
405331	04/02/2015	Choate Road, Dagenham	1 caravan and associated vehicle	Unknown family	on private building site	13 days		
					moved on by landlord	13 days		
402516	14/11/2011	Birdbrook Close, Dagenham	30+ caravans and associated vehicles	Unknown family	Parked up on green space - issued S.77 - travellers left the next day - no	2 days	£340 officer costs	£140.00
402132	05/11/2014	Birdbrook Close, Dagenham	30+ caravans and associated vehicles	Unknown family	Same travellers that had been at Eastbrook park in August - very aggressive threatened police as well as police - wanted to fight - large fly tips	4 days	£210 officer and £1050 clear up costs	£1,050.00
402128	05/11/2014	Wellington Drive, Dagenham	30+ caravans and associated vehicles	Unknown family	As above	10 days	£560 officer costs £13,500 clear up costs	£13,500.00
401661	7/10/2014	Meywood Gardens, Dagenham	2 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when requested to by LBSD officers	1 day	£70 officer costs	£70.00
397353	18/08/2014	Thames Ave & Kent Street, Dagenham	6 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when notice served	2 days	£210 officer and £75 clean up costs	£210.00
396938	12/08/2014	Central Park, Wood Lane, Dagenham	8 caravans and associated vehicles	Unknown family	Very clean and nice - no issues whatsoever	21 days	£280 officer costs	£280.00
396738	11/08/2014	Parishes Park, Dagenham	30+ caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when notice served	5 days	£560 officer costs and £18657 clear up costs	£18,657.00
396787	11/08/2014	New Road, Opposite the Parishes Avenue, Dagenham	3 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when notice served	1 day	£140 officer costs	£140.00
396738	11/08/2014	Parishes Avenue, Dagenham	3 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when notice served	1 day	£140 officer costs	£140.00
396350	04/08/2014	Eastbrook Country Park, Dagenham	30 caravans and associated vehicles	McDonaughs / Wards	Parked up on green space - moved on by police with S.78 order - very aggressive - lots of fly tipping	10 days	£1,260 officer costs - £26365 clear up costs	£26,365.00
396067	30/07/2014	St Margarets Church of England School, North Street, G11 8AS	20+ caravans and associated vehicles	Goggins & Co	Parked up on green space - moved on by police with S.78 order	17 days	£560 officer costs £1050 clear up costs	£1,050.00
395298	21/07/2014	Ballards Road, Dagenham	10+ caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily on day of court hearing	5 days	£210 officer and £750 clean up costs	£750.00
395060	16/07/2014	Maysbrook Park, Lodge Avenue, Dagenham, G11 9NS	10+ caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily on day of court hearing	5 days	£210 officer and £1,100 clean up costs	£1,100.00
394458	23/06/2014	St Pauls Road, Barking	20+ caravans and associated vehicles	Goggins & Co	Parked up on green space - moved voluntarily on day of court hearing	6 days	£210 officer and £1,100 clean up costs	£1,100.00
395000	17/06/2014	116 Alderman Avenue, Barking, Essex	20+ caravans and associated vehicles	Goggins & Co	Parked up on green space - moved on by police with S.78 order broke onto land adjacent to school - fly tipped everywhere - traveller aids terrorising school kids - school broken into	8 days	£280 officer costs - £350 clean up costs	£280.00
394280	17/06/2014	Thomas Vaw Junior School, Samuel Ferguson Place, Barking, G11 0LS	20+ caravans and associated vehicles	Goggins & Co	Public linked to Alderman Ave	23 days	£700 officer costs & £1350 clean up costs	£1,550.00
395602	19/04/2014	Leys Park, Dagenham	15 caravans and associated vehicles	Unknown family	Moved by police - large fly tip	5 days		
388169	07/04/2014	Parishes Park, Dagenham	11 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily on day of court hearing	7 days	£210 officer and £16700 clean up costs	£15,700.00
386951	18/03/2014	Leys Park, Ballards Road, Dagenham	15 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily on day of court hearing	9 days	£280 officer costs and £1150 clean up costs	£2,000.00
386932	18/03/2014	Beam Valley Country Park, Leys Open Space, Ballards Road, Dagenham	2 caravans and associated vehicles	Unknown family	Parked up on green space - moved on by police with S.78 order	7 days	£210 officer and £100 clean up costs	£100.00
386929	18/03/2014	Ballards Road, Dagenham	8 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily on day of court hearing	7 days	£210 officer and £250 clear up costs	£250.00
386726	14/03/2014	Wivenhoe Road, Barking, G11 0RE	8 caravans and associated vehicles	Unknown family	Parked up on green space - moved voluntarily when notice served	5 days	£210 officer and £150 clear up costs	£150.00
386366	24/03/2014	Car Park behind Bridge House	5 caravans and associated vehicles	Unknown family	Travellers parked up in public CP - moved voluntarily when notice served	5 days	£210 officer and £150 clear up costs	£150.00
					TOTAL			£32,445.00
								£957,073.32

Community and Equality Impact Assessment

As an authority, we have made a commitment to apply a systematic equalities and diversity screening process to both new policy development or changes to services.

This is to determine whether the proposals are likely to have significant positive, negative or adverse impacts on the different groups in our community.

This process has been developed, together with **full guidance** to support officers in meeting our duties under the:

- Equality Act 2010.
- The Best Value Guidance
- The Public Services (Social Value) 2012 Act

About the service or policy development

Name of service or policy	LBBB Borough Wide Injunction Against Unlawful Encampments
Lead Officer	Barry Agnew
Contact Details	Barry.agnew@lbbd.gov.uk

Why is this service or policy development/review needed?

LBBB proposes to seek an interim and final injunction in respect of unlawful encampments in the borough.

LBBB is responsible for any unlawful encampments which occur within its borough boundary, and has certain powers to deal with those encampments. Where the encampments occur on its own land, the borough has the additional rights which a private land owner would have.

LBBB has, since 2014, experienced increasing difficulties in a number of spheres as a result of unlawful encampments within its borough. 81 unlawful encampments have been experienced between 2014 and 2016, at significant cost to the local authority (LA) and businesses in time, money and resources.

This injunction aims to address the unlawful and criminal behaviour associated with unlawful encampments. The LA recognises that such an injunction has the possibility of impacting on some elements of the Gypsy and Traveller community and their lifestyle. Accordingly, the LA needs to balance the rights of the Gypsy and Traveller community with those of the settled community and local populace, and must have due regard to the Public Sector Equality Duty and Human Rights Act.

LBBB proposes to seek an injunction in order to remedy identified issues associated with unlawful encampments. Whilst a number of those groups who travel through the borough do not cause issues, there are a significant number who do present the borough with the following problems:

- Fly Tipping
- Community Tension
- Aggression, Intimidation and Violence against officers, and security and other workers
- Public urination and excretion on the occupied site
- Travel Disruption
- Disruption to Local Businesses
- Other miscellaneous crime

Both the Police and the Local Authority have a number of powers to deal with unlawful encampments. These powers are contained within the Criminal Justice and Public Order Act 1994 and provide for notices to be served requiring travellers to move on within a time to be determined by the police under their section 61 powers, or by the local authority within 24

Why is this service or policy development/review needed?

hours under their section 77 powers and, if not complied with, the police can move them on by force if necessary, or the local authority can apply to the Court for an order requiring the encampment to vacate.

However, these powers are ineffective and often the process is too slow to prevent significant problems with fly tipping which occur whilst the encampments are settled. Clean up costs have run into hundreds of thousands of pounds, and since 2014 over £900,000.00 has been spent on clearing up fly tips following unlawful encampments. Additionally, the existing powers lead to a "cat and mouse" situation, whereby notices will be served and acted upon, only for the encampment to move to another location within the borough.

LBBDD proposes to apply to the High Court for an Injunction to cover locations which have experienced some or all of the problems highlighted above. This will be aimed at 64 named individuals who are known to cause identified issues when travelling within the borough and, additionally, a narrower "site specific" injunction against "persons unknown" to prevent any encampments being set up on those sites which officers have identified as being vulnerable to future encampments and anticipated issues.

Within the public sector duty all public authorities are covered by general and specific equality duties.

For the general equality duty they must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do that which is set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, in relation to the aims set out in the general equality duty.
- They undertake a continual review of policies or decisions (for example, if the make-up of service users changes), as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do that which is set out in the aims of the general equality duty, not only when a policy is developed and decided upon, but when it is being implemented.

Under the specific duties, public authorities are also under an obligation to publish information to demonstrate compliance with the general equality duty.

An Equality Impact Assessment (EIA) is an effective tool which supports the Council meet its public sector duties.

Why is this service or policy development/review needed?

The nine protected characteristics are as follows:

- Age
- Disability
- Gender reassignment (identity)
- Marriage and civil partnerships
- Pregnancy and maternity
- Race
- Religion and belief
- Sex (gender)
- Sexual orientation (sexuality)

The proposed terms of the injunction will provide for a ban on unlawful encampments "without permission" therefore it will not be an absolute ban on encampments. The option remains for permission to be given and the LA can, when approached by those named and unnamed defendants, grant permission to set up camp. The LA will continue to operate its tolerance policy and allow short periods of stay in accordance with that policy at its discretion. This forms part of the councils use of S77 notices under the CJPOA 1994.

The proposal has the potential of having an adverse impact on those falling within a particular racial group, in this case, the traveller community. The council provides 12 established pitches for the gypsy and traveller community.

The travellers are consulted through the use of s.77 CJPOA 1994 notices, and the required Welfare Checklists which accompany that process. In the vast majority of cases, officers are met with aggressive refusal to engage in any form of welfare assessment. The unnamed individuals will not have been consulted. The named individuals will have an opportunity to mitigate against the proposal in the course of the proceedings. It is the intention of the LA to consider those proposals during the Court proceedings, and those proposals will be taken into account as part of the ongoing public sector equality duty.

Travellers are recognised to be a vulnerable group. There are a number of associated health and education inequalities that are well known to exist within the travelling community. In relation to this group and the welfare records there are no further known socio-economic issues to be mindful of. The travellers are encouraged to speak with LBBD housing and social services in so far as those services may be required. The travellers have not, to date, requested any housing provision from the LA.

The environmental impact associated with the named persons has been considerable, namely fly tipping and human waste. It has impacted on the overall sanitation of the area.

Why is this service or policy development/review needed?

1. Community impact (this can be used to assess impact on staff although a cumulative impact should be considered).

What impacts will this service or policy development have on communities?
Look at what you know? What does your research tell you?

Consider:

- National & local data sets
- Complaints
- Consultation and service monitoring information
- Voluntary and Community Organisations
- The Equality Act places a specific duty on people with 'protected characteristics'. The table below details these groups and helps you to consider the impact on these groups.

Demographics

Because of their social isolation there is limited data about the Gypsy or Irish Traveller group. Following the 2011 Census and using that data, The GLA Intelligence Unit produced a profile of the Gypsy and Irish Traveller community of London. That profile can be found here: <https://files.datapress.com/london/dataset/2011-census-ethnic-group-fact-sheets/2011-census-gypsy-traveller.pdf>

0.1% of the borough identifies itself as Gypsy or Irish Traveller, according to the 2011 census.

The following wards reported accommodation in caravans or other mobile or temporary accommodation in the 2011 census:

Eastbrook – 0.2%
Gascoigne – 0.1%
Parsloes – 0.1%
River – 0.1%
Thames – 0.1%
Valence – 0.1%

No other wards reported caravan/mobile/temporary structure accommodation.

The Borough has one permanent halting site designated but does not have any transient sites.

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

Gypsies and Travellers experience discrimination and inequalities in the following areas:

- Attainment in education
- Economic inclusion and access to employment
- Access to and experience of the healthcare system
- Social care, education and other public services, policing and the criminal justice system
- Racism and discrimination
- Domestic violence

Potential impacts	Positive	Neutral	Negative	What are the positive and negative impacts?	How will benefits be enhanced and negative impacts minimised or eliminated?
Local communities in general	X			Positive – reduced fly tipping, human waste and community tension	Enhanced with regular reviews to ensure the injunction is being complied with. It is recognised that unlawful encampments may have a negative impact of the settled community and on those with protected characteristics, namely children and the elderly.
Age			X	Elderly travellers may need access to adult social care services	Upon presentation to the LA, the appropriate Care Act Assessments can be undertaken. No person shall be denied the right to education.
Disability		X		Negative – some travellers may suffer disabilities	Most of the sites targeted are not appropriate for residential caravan in any event, the LA will take account of anyone with a disability who is affected by the injunction and will take any appropriate steps. The LA has a duty to carry out welfare checks and have consideration to its tolerance policy.
Gender reassignment		X			
Marriage and civil partnership		X			
Pregnancy and maternity		X		It is acknowledged travellers may be pregnant or have new born children and will need to access local hospitals	Arrangements can be made for those individuals who are pregnant or do have new borns to access relevant medical facilities. These arrangements would only extend to immediate family (father/mother).
Race (including Gypsies, Roma and Travellers)			X	It is acknowledged that there will be a significant negative impact on the Gypsy, Roma and Travelling	The LA has permanent provision however space is limited, wherever possible a permanent site can be provided. For transient travellers, arrangements can be made for a brief stay but there would need to be strict monitoring to prevent fly tipping and human waste deposits. The LA is seeking the most limited injunction it

COMMUNITY AND EQUALITY IMPACT ASSESSMENT

				<p>Community. The named individuals will be subject to a borough wide injunction, and unnamed individuals to site-specific injunctions</p>	<p>can, by ensuring that only those named and identified individuals are subjected to a borough wide injunction where evidence justifies such an order and, for those unnamed individuals, it is only c. 140 vulnerable sites which would be covered by the injunction. The named defendants will have an opportunity to raise their concerns, which will be considered very carefully by the borough, during the course of the proceedings.</p> <p>Gypsy/traveller communities are entitled to access health, housing, education and welfare services as citizens in the same way as members of the settled community. The LA will have due regard to provision of such services where a need is identified.</p>
Religion or belief		X			LBBB understands that the gypsy and travelling community hold strong religious beliefs.
Gender		X			None identified.
Sexual orientation		X			None identified.
Any community issues identified for this location?	X				Community tension is commonly experienced with unlawful encampments, detailed within the evidence bundle to be submitted to Court. This includes bullying, intimidation, threats of violence, hate crime and criminal damage in parks and open spaces. There are reports of intimidations of pupils on school premises.

2. Consultation.

Provide details of what steps you have taken or plan to take to consult the whole community or specific groups affected by the service or policy development e.g. on-line consultation, focus groups, consultation with representative groups?

The LA has tried to consult with both named and unnamed travellers whenever there is an unlawful incursion on site. Officers will sometimes be met with engaging responses, and individuals will request some time to stay as they partake in the traveller lifestyle. Those groups who do engage positively are provided with a copy of the council's tolerance policy and their time in the borough is reviewed in line with that policy.

However, there are unfortunately many more occasions when officers are met with intimidation, aggression and outright refusal to co-operate. In those circumstances, consultation is rendered impossible. Officers will attempt to engage in welfare checklists however this is regularly refused.

Wherever possible, the LA will allow short periods of encampment in line with its tolerance policy.

3. Monitoring and Review

How will you review community and equality impact once the service or policy has been implemented?

These actions should be developed using the information gathered in Section 1 and 2 and should be picked up in your departmental/service business plans.

Action	By when?	By who?
Review the number of incidences of traveller's incursions, reduction in crime, fly tipping and antisocial behaviour.	12 months after injunction granted	Officers identified by the Operational Director
Review of necessity of continued use of the injunction	Before expiry of injunction	Director of Law & Governance

Implications/ Customer Impact

Before the decision is made to issue the application for an injunction pursuant to s.222 Local Government Act 1972, s 187B Town and Country Planning Act 1990 and s.1 Anti Social Behaviour, Crime and Policing Act 2014, regard will need to be had to the Human Rights Act (HRA)1998 and the Equalities Act (EA) 2010.

Article 8 of the HRA will be engaged as the state may not interfere with the right to family life unless it is proportionate to do so. Article 14 provides a right not to be discriminated against and is engaged when attached to another right. It is not a stand alone right.

The EA 2010 provides in s.4 for protection against discrimination for those with characteristics which are protected, and the public sector equality duty is contained within s.149.

Discrimination may be direct or indirect. The LA must ensure that it is not treating any person less favourably because of a protected characteristic, and will that person be disproportionately affected when compared to someone without that characteristic.

The decision maker must be satisfied that the council has fulfilled its duties outlined in this document. There is a risk that the Council is infringing the Article 8 /14 rights and the Equality Act and therefore must address this perception. It must justify the proposed action and apply the four stages of proportionality:

1. There must be a legitimate aim or measure

The legitimate aim here is to reduce community tension, and to reduce the significant environmental impact experienced as result of fly tipping and human waste.

2. The measure must be suitable to achieve the aim

An injunction preventing unlawful encampments across the borough for individuals identified and named as having caused problems is suitable. It is recognised and

enforceable in order to prevent known individuals from carrying out that behaviour. A site specific injunction in respect of those sites most likely to suffer from these problems as against "persons unknown" is again suitable. It is a recognised and enforceable method to prevent trespass on that land, and to prevent breaches of planning laws.

3. The measure must be necessary to achieve the aim, there cannot be any less onerous way of doing it.

The LA has, for a number of years, used existing powers under the Criminal Justice and Public Order Act 1994 to remedy unlawful encampments. Those efforts have been undermined and are ineffective. The time taken to utilise the process usually provides for tens, or hundreds of thousands of pound's worth of fly tipping to occur whilst the relevant orders are applied for. An injunction of this nature is a matter of last resort. No other remedy would be effective to meet the stated aim.

4. The measure must be reasonable considering the competing interests of different groups at hand.

The LA seeks to limit the scope of the injunction to that which is reasonable. It would not, for example, be reasonable to obtain a borough wide injunction against persons unknown, therefore the borough limits the scope of its injunction against persons unknown only to specific sites which it has identified as vulnerable to unlawful encampment.

The decision maker must therefore conduct a balancing exercise to determine if the rights of the travellers should outweigh the rights of the settled community and the settled travelling community. It appears, from the evidence collated by officers and which will support any application, that transient groups are having a disproportionate effect on the settled community in respect of the harm they are causing. Applying the above test it is reasonable to conclude that it is proportionate to infringe the rights of that group as against the settled community.

The decision maker should also consider that the problems faced by the borough are very much seasonal in nature, and therefore the majority of those transient travellers do make alternative provision for accommodation when not active within the borough.

If the decision is made, then the proposal is that the Council will proceed with an application to the High Court for an injunction. The Court process naturally involves oversight of equality issues and the LA encourages engagement in the process from those individuals named within the application and those unnamed individuals who consider that they will be affected.

Service of Court documents will include voluminous papers. It is proposed that service will be by way of USB stick, however each named defendant will be signposted to a contact within the borough so that hard copy or alternative formats of the papers can be provided. Upon being served with papers, a return date will be set and the formal process of applying for the injunction will follow. Service at the identified 140 sites will be by staking the ground with a copy of the order and maps, and contact information will be provided so that anyone may

approach the LA for full hard copies of the supporting evidence.

Whilst the initial application to the Court for a “service order” will be made without notice, the interim injunction application will be made on notice – no named or unnamed person will be subject to the injunction without first having been served with a copy of the application and supporting evidence in accordance with the Civil Procedure Rules and Orders of the Court.

The injunction, when granted, will last for a limited time. The LA will review its impact and see whether or not it has achieved the desired aim, and consider whether there has been any negative equality impact and take appropriate steps to address this if or when it arises. The injunction will be reviewed when its expiry draws near.

In August 2015 the government issued a document setting out their new planning policy for Traveller sites. A key component of this policy is the requirement for each Local Planning Authority to set pitch targets for Gypsies and Travellers and plot targets for Travelling Show people which address the likely permanent and transit site accommodation needs of travellers in their area.

The London Borough of Barking and Dagenham is currently working on this process, an important stage of which is to undertake a Gypsy and Traveller Accommodation Assessment. Opinion Research Services (ORS) have been commissioned to produce a robust and objective assessment which will establish what level of genuine need for Traveller accommodation exists within Barking and Dagenham for the period up to 2031. The assessment will form part of the evidence base for the new Local Plan. This Assessment is due to be complete in the first quarter of 2017 and the findings will be addressed in the draft Local Plan due to be published in Autumn 2017.

DECISION:

I am satisfied that it would be necessary and expedient to seek a borough wide injunction against named defendants, and site specific injunction against persons unknown, to prevent further apprehended breaches of planning control. The injunction would be pre-emptive and mandatory. I am satisfied that the application for an injunction is proportionate. It balances the equalities of the gypsy and traveller community who are law abiding citizens and local communities who are affected by the illegal encampments which exhibit unlawful activity, including environmental crime, criminal damage, public order and anti social behaviour.

I note that the application is not a borough wide ban on all encampments. The extent of the injunction is no more than necessary, in that it is borough wide in respect of identified individuals and prevents them, without lawful permission, to set up unlawful encampments. The person’s unknown element is limited only to vulnerable sites and this will minimise the impact on law abiding gypsy and traveller communities who would not necessarily be aware of the application. We will allow for discretion of the local authority in cases where law abiding members of the gypsy and traveller community can stay for a limited period whilst travelling through the borough.

5. Sign off

COMMUNITY AND EQUALITY IMPACT ASSESSMENT	
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The information contained in this template should be authorised by the relevant project sponsor or Divisional Director who will be responsible for the accuracy of the information now provided and delivery of actions detailed.

Name	Role (e.g. project sponsor, head of service)	Date
Jonathon Toy	Operational Director: Enforcement	6 th March 2017
Fiona Taylor	Director of Law and Governance	6 th March 2017