

17 June 2018

Agenda Item: 9

REPORT OF THE SERVICE DIRECTOR, PLACE AND COMMUNITIES

CONSULTATION: POWERS FOR DEALING WITH UNAUTHORISED DEVELOPMENT AND ENCAMPMENTS

Purpose of the Report

1. The purpose of this report is to agree and approve the County Council's response to the government consultation "Powers for dealing with unauthorised development and encampments".

Information

2. On 5 April 2018 a joint consultation by three government departments (Ministry of Justice, Home Office and the Ministry of Housing, Communities and Local Government) was launched. The consultation is seeking views on the range of powers available to local government the police and private landowners for dealing with unauthorised development and encampments.
3. The consultation period closes on 15 June 2018 and **Appendix 1** contains a draft response to the questions that fall within the jurisdiction of the County Council.
4. Given that the consultation has a focus on the powers available views have been sought from the range of Nottinghamshire County Council Service areas that deal with unauthorised encampments.

Other Options Considered

5. The other option is to not respond to the consultation. This, however, has been discounted as it is thought the County Council should respond to the consultation given the impact of unauthorised encampments on settled communities.

Reasons for the recommendation/s

6. The responses detailed within the appendix have been developed to reflect a balanced view of the powers available to local government for dealing with unauthorised encampments.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

8. There are no specific financial implications arising directly from this report.

RECOMMENDATIONS

It is recommended that Committee:

- 1) Approve the response to the Consultation: Powers for dealing with unauthorised development and encampments.

Derek Higton
Service Director, Place & Communities

For any enquiries about this report please contact: Cathy Harvey, Team Manager Communities Team (0115) 977 3415 or Paul Roberts, Community Officer (0115) 977 2455

Constitutional Comments [LM 17/05/2018]

9. The Communities and Place Committee is the appropriate body to consider the contents of the report.

Financial Comments [RWK 17/05/2018]

10. The financial implications are set out in paragraph 8 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- Consultation – Powers for dealing with unauthorised developments and encampments.
- Government report issued by the Department for Communities and Local Government, “Guidance on Managing Unauthorised Encampments”

Electoral Division(s) and Members Affected

- All