

COUNCIL MEETING - 22 JANUARY 2019

AGENDA ITEM 6

QUESTIONS FROM COUNCILLORS

1. Councillor Eden to ask the Lead Councillor for Neighbourhoods and Communities: Illegal and Anti-Social Encampments

Residents in Whitley and across West Reading remain concerned about illegal and anti-social encampments. Could the Lead Councillor for Neighbourhoods and Communities update me on the actions the Council and police are taking to protect our communities ?

REPLY by Councillor James Lead Councillor for Neighbourhoods and Communities.

Taking Enforcement Action

Unauthorised camping is trespass, which in England is a civil offence, giving landowners and local authorities the right to repossess their property using the due process of law.

The Council's Anti-Social Behaviour Team coordinate swift action to remove any unauthorised encampment where individuals are trespassing on Council land. A visit usually takes place the very same day or the next working day that the team are notified. Officers follow a set procedure which involves proving ownership of the land, obtaining details of the encampment, assessing an encampment's effects on the local area, and then usually serving notices and summonses that will enable necessary authority to be obtained from the courts to order the travellers to leave the site. It can take time for a case to be listed (heard) at court but this is not in the Council's hands. Typically the whole process takes 2-3 weeks.

During an encampment the Council's ASB team liaises regularly with Thames Valley Police to share information. The Council and Police work in partnership in assessing options and determining the most appropriate route to securing the land. Where there is evidence, the Council will request that the Police use their emergency powers under Section 61 of the Criminal Justice and Public Order Act 1994. This power can be used on any land *except* the highway to remove identified individuals and/or their vehicles from land where certain criteria are met. The decision to use this power remains with the Police, however, not the Council. In a number of recent encampments the Police have used this power at the request of the Council, based on evidence from members of the public demonstrating the impact of the encampment on them or their businesses. It is therefore important that residents and businesses who see or experience disorder at any encampment report this though to the Police on 101 or in an emergency via 999. They can also report directly to the ASB Team by e-mailing asb.team@reading.gov.uk and we ensure this is passed to the Police.

The Council's ASB Team liaise with the other departments across the Council to ensure that once vacated, a site is clean and cleared as quickly as possible. This is normally carried out within hours of the site being vacated.

Protecting Council Owned Land

The Council reviews all of its land that has or might be camped upon to identify how it might be protected. Between April 2017 and March 2017 the Council spent £104,000 on defending its most vulnerable sites. Managers from across Council services carried out a review of land and agreed with the Lead Member for Neighbourhood Services a process for prioritising work.

This was based on:

- The number of previous encampments on the land
- Assessment of Community Impact
- Assessment of Environmental Impact
- Assessment of Financial Impact

As a result defensive work was implemented on 13 locations across Reading by end of March 2018.

We have seen substantial reduction in encampments on those areas, for example Prospect Park one of first area defended saw:

2016/17 - 19 encampments

2017/18 - 3 encampments

2018/19 - 2 encampments to date

Since April 2018, protection works have been completed at a number of other council owned sites that have been repeatedly encamped including Portman Road, Walnut Way, Pottery Road, Bran Close and, most recent;y, George St in West Reading.

The Council continue to look at each new encampment and consider options to prevent further trespass where possible.

Legal Powers Available

The Council has continued to review the legal powers available to us to ensure that we are dealing with encampments on our land as swiftly and effectively as possible within the current legislative framework. This includes current work to draw up legal papers and collate substantial supporting evidence for a borough-wide injunction against a number of named individuals who have repeatedly camped on Council land.

The review also found that in most cases the Council's powers were sufficient, recognising the need to balance the rights and needs of the landowner, settled community and the travelling communities. However, there have been occasions where the police do not believe they can use their Section 61 powers and the Council has felt the need to remove an encampment more quickly than is currently possible through the courts. In these cases the authority will consider use of 'Common Law' powers.

These powers will only be used in exceptional circumstances, and not as a default position, where there is a high impact on the settled community, local businesses, the land owner or land users. This might include where there is serious anti-social behaviour or significant environmental impacts on the local community for instance. The Council has used Common Law powers for an encampment in George St where a large number of vehicles were encamped immediately outside terraced properties in a tightly constrained area.

Reviewing Best Practise - Negotiated Stopping

Unauthorised Encampments are not just a problem for Reading and we continue to review what other areas are doing to protect communities from the worst impacts of encampments.

Over the Christmas period the Council negotiated with a group of travellers who had based themselves at Prospect Park. It was agreed that they would move to an alternative site in Reading to minimise the impact on residents over the festive season.

The Council allowed the encampment to move onto land at the junction of Cow Lane and Richfield Avenue, which had previously been considered for a traveller transit site, for a temporary period and with a number of conditions attached. This type of agreement has previously been used with some success in Leeds.

The arrangement, backed up with a legal contract, allowed local residents to use Prospect Park while preventing the encampment dispersing and camping in other parts of the borough over the Christmas period.

Fewer resources and court closures over the holiday season would have seriously delayed any chance of moving on unauthorised encampments during this time.

2. Councillor McGonigle to ask the Lead Councillor for Strategic Environment, Planning and Transport:
Engine Idling

Not one week passes without residents asking if we can do more to discourage engine idling. Private cars and taxis are sitting in the roads with engines running for up to 30 minutes; this is particularly annoying in small residential streets in the summer when windows are open and the fumes waft into houses and sleep is disturbed from the noise. Whilst I appreciate some action has been taken it is clearly not enough and idling does not seem to have decreased. As asthma and COPD are on the increase I feel we could and should do more to educate drivers and I believe a sustained anti-idling campaign would go a long way to improving these conditions and help us reach our air quality targets.

REPLY by Councillor Page Lead Councillor for Strategic Environment, Planning and Transport.

I thank Councillor McGonigle for her question.

Tackling air quality is a complex issue which requires actions from a number of Council services, external partners, residents and businesses.

The Council has been working hard to meet the National Air Quality Objectives, specifically around Nitrogen Dioxide. Diesel vehicles are the largest single contributor to Nitrogen Dioxide emissions.

The result of intensive work last year was the award of £1.53m of Government funding to further improve Reading Buses' fleet, to ensure that they are meet the very latest emissions standards in the shortest possible time. The Council will be working closely with Reading Buses to ensure that these upgrades are completed by the end of the year.

One of the other elements of the Council's submission to Government was that combined improvements to both the bus and taxi fleet would yield the best improvements in local air quality. Unfortunately, the Government did not provide funding to assist with the upgrade of the taxi fleet. Officers will continue to explore opportunities.

In addition, the Council was also successful in securing further Government grants to explore how we can best equip Reading with electric vehicle charging infrastructure, particularly in those areas that do not benefit from off street parking. The project is being delivered this

year and will result in the installation of some vital charging infrastructure which will support the move away from polluting vehicles.

As Councillor McGonigle rightly points out, idling vehicles do remain a contributor to poor air quality. Last year the Council working in partnership with an idling campaigns specialist delivered three idling action events. A widely promoted event was held at the Town Hall and Town Centre and was designed to provide an accessible forum for residents where they were educated on the impacts of idling and what they can do to help.

Two further events were held with EP Collier and The Heights schools, both of whom were keen to engage on the issue. Work also continues with the taxi trade to educate them on the impacts of idling. Enforcement remains an option for the Council, but evidence from other Councils suggests that this will not deliver the long term behavioural changes needed.

This year officers aim to carry out another campaign on June 21st, National Clean Air Day and I would welcome cross party support in promoting key messages about the benefits of using public transport, cycling and walking, which will reduce the incidence of idling and improve air quality for all, particularly the most vulnerable.

As Cllr McGonigle is well aware I and my colleagues, and I hope everybody in this Chamber, recognises that amongst our highest priorities is the need to address the very poor air quality that exists in parts of Reading, and the serious public health consequences of not addressing this “invisible killer”.

We must recognise our responsibilities locally and bring forward new plans that look to tackle pollution from all forms of transport - cars, lorries and buses. We should also recognise that, with only partial electrification of the Western Region, local pollution from diesel trains will remain an issue beyond our direct control - but not beyond our concern and influence.

We in Reading cannot tackle air quality alone, as pollution ignores all boundaries. We need the co-operation and help of our neighbouring councils as well as the support and understanding of our residents and businesses in Reading.

In order therefore to progress the consultation process I refer colleagues to today’s press release in respect of our forthcoming draft Local Transport Plan 4.

**3. Councillor Josh Williams to ask the Lead Councillor for Strategic Environment, Planning and Transport:
Reading’s Vision for the Future**

Much loved local shops like Drews closing in Reading is another sign that our neglected town centres are under more and more pressure. The Government has recently announced that Councils may bid for a share of a rescue fund to support local areas’ plans to make their high streets and town centres fit for the future. It is aimed at regenerating our town centres through innovative proposals around transport, housing and public services. Bids must be submitted in the next two months and must include a vision of how each Council hopes to change their town for the better. Does the Council have a vision for Reading's future, and how much of the £675m fund will it be bidding for ?

REPLY by Councillor Page Lead Councillor for Strategic Environment, Planning and Transport.

I thank Councillor Williams for his question.

We are all concerned that town centres up and down the country are facing a range of pressures and most notably the shift in behaviour towards increased on-line shopping. However, the impact of this varies across the country linked to wider issues of economic health and resilience, and does not necessarily equate to 'neglect'.

Reading town centre, despite the pressures faced, continues to perform well when benchmarked against other locations and, for example, has one of the lowest vacancy rates in the country. Both the Council and Reading UK, alongside the business community, continue to invest in a range of initiatives to support the ongoing success of the town centre, including the established Business Improvement District (or BID).

Working together has enabled a safer, cleaner and more attractive town centre with a vibrant programme of events and activities, including this year a significant increase in activity and promotion over the Christmas period. This is complemented by the Council's significant investment in culture and heritage to make the town centre more than just a retail destination - most notably the re-opening of the Abbey Ruins but also wider investment in the 'Abbey Quarter' and ongoing work to improve the Town Hall and Museum

Looking to the future, the Council is a key partner in taking forward the aspirational 'Reading 2050 Vision' with a thriving town centre being an essential component and I commend familiarisation with this Vision to Councillor Williams.

The Council will also be developing plans for how the town centre's public realm might be further improved over the next few years. The Council's draft Capital Programme to be published very shortly will reflect this commitment.

I am aware of the Government's recently announced call for proposals under its very limited 'Future High Streets Fund', for the regeneration of town centres. However, I would draw your attention to the prospectus for this funding which explicitly states in bold font on page 12 that:

'We will not accept bids covering town centre areas that are not facing significant challenges'

It also appears that local and district shopping centres are excluded and, as a result, I have asked officers to seek further clarification from the MHCLG. In the context of Reading town centre's continued economic health, using any national benchmark, I think it highly likely that we will be prevented from accessing this fund. We will take a final decision on any submission once we receive feedback from the MHCLG.

With or without this funding, though, we will continue working in partnership to ensure a thriving town centre and in this context I would like to record the Council's strong support for the renewal of the BID (which is the subject of a renewal ballot over the next 4 weeks) and the concurrent ballot for establishing a new BID 2 covering the Abbey Quarter.

Finally, the Council's Draft Local plan is awaiting its final stages of approval following the recent Public Inquiry. This updated Local Plan contains more detail about our Vision for the future development of Reading and will be complemented in more detail by our revised Local Transport Plan 4 later this year. I refer Cllr Williams to the press release issued this afternoon copies of which have been made available to all members.

4. Councillor White to ask the Lead Councillor for Housing:

Deaths of our Homeless Residents

Tragically more than 440 homeless people have died on streets or in temporary accommodation in the UK in the past year, an investigation has found. Can the Lead Councillor confirm how many homeless people have died in Reading since 2010 and what action the Council is taking in this area?

REPLY by Councillor Ennis Lead Councillor for Housing.

The Council does not keep this data across all services at present as there is no national definition or guidance as to how this should be collected and reported.

The National Rough Sleeping Strategy published by the Government in August 2018 proposes changes in reporting in the future and states that:

Another vital mechanism for shining a light on performance is to be open and transparent when things go wrong. New arrangements will improve the recording of all deaths, including people who sleep rough. Those cases not referred to a coroner will be addressed by a Medical Examiner and will, as appropriate, be referred to other programmes, such as the Learning from Deaths programme.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733421/Rough-Sleeping-Strategy_WEB.pdf

The Council is committed to working with partners and commissioned services to implement new guidance when available.