



Report of the Head of Scrutiny and Member Development

Scrutiny Board (Environment and Neighbourhoods) Gypsy & Traveller Working Group

Date: 29th November 2010

Subject: Written Evidence Submitted by Councillor M Dobson

Electoral Wards Affected: All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 Written Evidence

- 1.1 Written evidence submitted by Councillor M Dobson has been circulated to the Working Group for consideration at today's meeting.
- 1.2 The Head of Community Services and Litigation has made the following comments with regard to Councillor Dobson's written submission:

"Garforth unauthorised encampments summer 2010 - Ninelands Lane - 30.6 possession forthwith, Ash Lane, White House Lane - left shortly before we issued so we got the papers back from court, School Partnership Trust (private land).

Ash Lane - We were represented by counsel at the initial hearing before Recorder Fairwood. The other side were represented by Alex Offer who asked for directions for a public law defence. He claimed there had been a failure to carry out welfare enquiries and there had been insufficient consideration of toleration. He raised the issue of lack of alternative sites, referring to history of evictions of this family. The judge said these arguments must have been raised previously. Tom Tyson confirmed that he had seen the same defence before and they had not been successful. Recorder Fairwood gave the order for possession rather than allow them to defend but made an order for possession forthwith but not to be enforced for 7 days so they could seek permission to appeal him if they wished.

School Partnership Trust land - the police were on site with the representative from the trust and travellers services and a councillor. The police said they were going to consider using section 61. This was communicated to the travellers by travellers services, the travellers left."

2.0 Recommendations

- 2.1 Members of the Working Group are asked to note this report.

Background Papers - None used