

**24<sup>th</sup> October 2017**

**Environment and Enforcement Committee**

**Open Space Protection Measures**

**Report of:** David Carter

**Wards Affected:** All

**This report is:** Public

**1. Executive Summary**

- 1.1 A following motion was submitted to Ordinary Council on 18<sup>th</sup> October 2017:

*This Council recognises the sharp drop in illegal incursions on Brentwood Council owned land over the last 12 months and acknowledges the success of the land protection measures, which include bollards and height restrictors, that have been installed by the Council.*

*This Council further notes and welcomes the strong working relationship with Essex Police, Essex County Council and the Traveller Unit and pledges to continue to operate closely with these partner organisations.*

*A report will be brought to the Environment and Enforcement Committee to review the need for any further protection and security improvement works on publicly owned open spaces, that would benefit the Borough of Brentwood. Resulting recommendations will be included as part of the budget setting process for 2018/19.*

- 1.2 This report provides an update on the measures that have been taken to protect Council owned land from unauthorised incursions and the resulting reduction in unauthorised incursions and seeks proposals for improving current measures and possible works to be identified and undertaken.

## **2. Recommendations**

- 2.1 Members note the progress on works to protect Council land against unauthorised entry and outcomes of actions taken.
- 2.2 Members authorise officers to identify possible areas where additional or improvements in security would be appropriate and to provide estimated costs

## **3. Introduction and Background**

- 3.1 Open Space Protection Measures  
At the meeting of the Community, Health and Leisure Committee on 5<sup>th</sup> September 2016 and at the meeting of the Environment and Enforcement Committee on 28<sup>th</sup> June 2017 Members received an update on the works that had been carried out to try to protect Council land from unauthorised incursions.
- 3.2 Additional works were proposed to sites including Alexander Lane Shenfield, Seymour Field Ingatestone, Bishops Hall Park, Bannister Drive Hutton, Larkins Playing Field, Little Warley Common and the Brentwood Centre.
- 3.3 The works proposed were completed before the end of the financial year 2016/17. The budget total of £133,700 was under spent by a total of £21,374, final total actual expenditure was £112,325.
- 3.4 Since these works were completed there have been several unauthorised incursions in the Borough over the summer months. The table below summarises the number and actions taken to deal with these incursions.

Jan – Oct 2017	2016/17	2017/18	
Number of incursions	21	20	5% reduction
Incursions on BBC/Parish Council land	16	10	37.5% reduction
Average no. of days on BBC land  (incl. Parish Council & Shenfield Common)	8	3	62.5% reduction
Total no. of days of all unauthorised incursions in Borough	173	89	48% reduction
Police used s.61	4	11	175% increase

3.5 There has been an increase in the number of unauthorised incursions on private land this year, notably on vacant sites such as Wates Way and the former Toomey garage site in Ingrave Road; with a reduction in activity on publicly owned land.

3.6 Essex police have assisted in control of unauthorised incursions using their powers under s.61 of the Criminal Justice and Public Order Act 1994, subject to their protocols, issues reported and site assessments.

3.7 Council land occupied by unauthorised incursions 2017

William Hunter Way car park  
Brentwood Centre Doddinghurst Road  
Warley Country Park Crescent Road  
Little Warley Common  
Navestock Heath (Parish Council)  
Shenfield Common  
Brentwood Centre Doddinghurst Road  
Shenfield Common  
Eagle Field, Swan Lane, Kelvedon Hatch  
(Private but managed by Parish Council)  
Brentwood Centre Doddinghurst Road  
Warley Country Park Crescent Road

3.8 Of the incursions on Brentwood Borough Council/Parish Council land, Essex Police have issued s.61 directions to leave on six occasions and in addition prevented entry to the land at Little Warley Common.

3.9 With regard to the sites that were occupied, the Brentwood Centre had the most incursions, despite protection measures being taken. In part this

was due to design of the exit plates, which enabled access when the plates were held down, and also to the earlier removal of an external gate which enabled access to the inner gate from Doddington Road, damage to the gate enabled access without removing the security padlocks.

- 3.10 It is proposed that an improved design of the exit from the Brentwood Centre car park and the height restrictor gate could increase the security of these access points.
- 3.11 Posts have been erected around Shenfield Common by the Conservators working with the Council, which should reduce the risk of unauthorised entry whilst maintaining the open appearance of the site although vehicle access will be necessary for grounds maintenance.
- 3.12 Repairs to the height restrictor at Warley Country Park have been identified and other security measures could be considered at this location.
- 3.13 Members and officers have visited several sites in the Borough and are investigating solutions to improve security; other sites could also be considered where there is a likely risk of unauthorised incursions.

#### **4. Issue, Options and Analysis of Options**

- 4.1 The Council has the option of taking further measures to improve security of land owned or to potentially leave sites vulnerable.
- 4.2 Improving security of sites will hopefully reduce the risk of incursions onto the land in question but may also increase the likelihood of other land being targeted which may be in a more sensitive location or in private ownership.
- 4.3 The ECTU will deal with unauthorised incursions on Council or Parish Council land, but the legal process takes several days to complete.
- 4.4 Measures to improve security will have budgetary requirements and will also potentially require future repair and maintenance expense but this is balanced against the costs of removal, clearance of sites and the impact on residents in the vicinity of the site.

#### **5. Reasons for Recommendation**

- 5.1 To continue to effectively reduce the likelihood of unauthorised incursions onto Council and Parish Council land in the Borough and to reduce the impact of additional expenditure, particularly on site clearance.

## **6. Consultation**

6.1 None

## **7. References to Corporate Plan**

Environment and Housing Management

Develop effective partnership arrangements with key agencies to deliver services

Community and Health

Make Brentwood a Borough where people feel safe, healthy and supported

Work with partners to reduce anti-social behaviour and ensure that Brentwood is a safe place to live.

## **8. Implications**

### **Financial Implications**

**Name & Title: Jacqueline Vanmellaerts Financial Services Manager (Deputy Section 151 Officer)**

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No direct financial implications arising from this report.

There is currently no Capital budget for unauthorised incursions in 2017/18 or future years. Any additional improvement to security made will be a pressure on the Medium Term Financial Plan. Finance suggest that a new Capital bid should be considered for 2018/19 for future works required.

### **Legal Implications**

**Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer**

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While the Council has a broad duty to residents to ensure the safekeeping of its assets, which will include a robust but proportionate response to trespassing on Council property, it is also required to have appropriate regard to statutory requirements including human rights issues.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None identified

- 9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

None

- 10. Appendices to this report**

None

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