



**BRENTWOOD
BOROUGH COUNCIL**

Mr Roger Hirst
Police and Crime Commissioner
3 Hoffmanns Way
Chelmsford
Essex
CM1 1GU

6th August 2016
Our reference: LM/RH – PCC 1
Your reference:

Dear Roger,

Unauthorised Incursions in Brentwood and the Police Use of S61 Powers

As you will be aware, the Borough of Brentwood has been experiencing an increased number of unauthorised incursions on publicly owned land this year.

To put this in to context, last year, there were nineteen incursions from May to October but this year, as of today there have already been twenty.

Whilst this is largely a seasonal issue in the summer months, there are significant implications for local residents and additional financial costs to the Council.

For residents, the loss of access to public land and amenity facilities is extremely frustrating, especially during the school summer holidays when play areas and open spaces are in particular demand by families, children and the wider community. Reports of anti-social behaviour have also been received, adding to the impact on local residents, where access to key communal areas is lost. This is simply unfair to the vast majority of local Brentwood residents and taxpayers.

For the Council, there is the financial cost of successive incursions, already at nearly £10,500 this year for court orders and bailiffs alone. The frustration is compounded when money is often spent to tackle repeated incursions on the same areas of land such as the Brentwood Centre. This, despite the Council investing £150,000 in extensive works to protect this and other sites from unauthorised entry.

As a Council, we will continue to take action on public land and will issue "Direction to Leave" notices in line with our powers. However, you will appreciate that failure to comply requires a court process and approval to uphold implementation and does not lead to a power of arrest, whereas the police can issue Section 61 notices which are effective and instant.

Despite this, questions have been raised over the apparent reluctance of the police to use these powers.

This is all the more confusing given the strengthened legislation and guidance that the government introduced in 2015 in regards to police powers to act when an unauthorised incursion takes place.

Evidence from the recent activity here in Brentwood suggests there is a lack of weight being given to these updated changes and as a result, they are not being used to the full extent that they may be, to the detriment of our local communities.

I note and welcome your recent announcement that in your new role, you will be reviewing the approach taken by Essex Police when dealing with this matter and that a round table discussion with Council Leaders from across Essex will be arranged. On behalf of Brentwood residents, I urge that this meeting takes place as quickly as possible so we can all be confident that we are addressing the issue in the strongest and fairest way.

I know you share my personal commitment to working for the benefit of Brentwood and I look forward to the review of police powers and action in regards to incursions, taking place as a matter of priority.

Yours sincerely,

Louise McKinlay

Cllr Louise McKinlay BA (Hons) MSc
Leader of Brentwood Borough Council

OPEN LETTER TO PCC ROGER HIRST