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1 Introduction

The Council recognises that there is a rough sleeping presence in the Borough.

Rough sleeping is the most extreme and visible form of homelessness and rough sleepers do not necessarily qualify under the homelessness legislation as eligible for housing assistance. Corby’s rural origins and New Town layout can make it an attractive location for rough sleeping and unauthorised encampments, as the woodland areas and parks within the built environment provide concealed sites which still afford convenient access to amenities.

The Council has a commitment to work towards ending rough sleeping and work with partners to link rough sleepers with the services that can help them find a way off the streets and into settled accommodation.

Although Corby Borough Council has seen a 40% reduction in the number of reported rough sleepers within the Borough from 2015 to 2016, the issue remains a key priority for the authority.

2 Scope and Purpose of the Policy

2.1 In 2010 the Government defined a rough sleeper as:

“People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments). People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or ‘bashes’).”

2.2 This Policy sets out the Council’s aim to address rough sleeping in the Borough and to ensure there is no-one sleeping rough on the streets of Corby through lack of choice or availability of assistance.

2.3 It sets out how Corby Borough Council will work in partnership to address the issues that are caused by rough sleeping, both for those who are sleeping rough and those impacted by their actions.

2.4 This Policy also outlines the Council’s approach to managing unauthorised encampments and camp sites within the Borough on land under the Council’s ownership and management.

2.5 The Policy seeks to inform members of the public and/or other partners and organisations what to do should they encounter someone sleeping rough, outline how people sleeping rough, often with complex lives and issues, will receive appropriate advice, support and homelessness assistance and set out what additional assistance is available to rough sleepers during severe weather conditions.

3 Strategic Context

One of the Government’s commitments under its six part plan “Vision to End Rough Sleeping: No Second Night Out” (July 2011), is to help people off the streets because “no one should spend a second night out”.

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1 Source Homeless Link; http://www.homeless.org.uk/sites/default/files/site-attachments/Counts%20%26%20Estimates%20Introduction%202016%20FINAL.pdf
This Policy will assist the Council to meet this commitment and support the long standing aspirations within its Corporate Plan, particularly:

“Promoting Healthier, Safer and Stronger Communities – Creating a healthier and safer environment to improve the quality of life across the Borough, to support Communities to improve their quality of life, to promote Social Cohesion.”

“Inspiring a Future – Leading the way in making a difference to residents of the Borough, to work with partners to achieve our ambition, to be an Inclusive Council with fully accessible services, to make a positive contribution to the quality of life of those who live and work with Corby.”

“Delivering Excellence – To provide Value for Money services, to deliver the best services we can.”

“Environment and Climate Change – To improve the Borough’s environment.”

4 Legislation and Guidance

4.1 This Policy will ensure compliance with current legislation, promote good practice and has regard to:
   II. The Localism Act 2011
   III. The Homelessness Code of Guidance
   IV. The Homelessness Reduction Act 2017
   V. Human Rights Act 1998
   VI. Equality Act 2010

4.2 Current legislation places a duty on local authorities to provide advice and information about homelessness and to ensure such advice is available to everyone within the Borough free of charge.

5 Equality and Diversity

5.1 The Council recognises that the service deals with a diverse range of people including those who are vulnerable and in highly stressful personal circumstances. It will therefore:
   • ensure that all individuals and households are treated sympathetically and with courtesy and respect;
   • be sensitive and respond to the individual needs and circumstances of the people using their services; and
   • monitor its services and the outcomes for people using them in order to ensure that they are fair and responsive to needs.

5.2 To support the needs of customers whose first language is not English, the Council will provide translation and interpretation services when needed. The Council will ensure that information is accessible and available in other formats such as large print, tape and Braille, as needed.

6 The Policy

The Council has a commitment to work towards ending rough sleeping.
6.1 Annual Rough Sleeper Estimate

The Council confirms its commitment to the annual rough sleeper count. The table below provides the estimated number of rough sleepers within Corby Borough for the last five years:

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This allows the Council to track progress, consider whether current measures are effective in tackling rough sleeping, and whether new approaches are needed.

6.2 Early Intervention & Reporting

The Council is committed to multi-agency partnership working and early intervention to increase the chance to identify and engage with people who are new to rough sleeping, diverting them away from the streets into accommodation and services.

Due to the complex lives and issues of those who have experienced rough sleeping for longer periods, partnership working is also essential to address the additional support needs alongside their housing need, in order to deliver a more integrated service with a key focus on assisting people off the streets for good.

To facilitate early intervention, the Council has discharge protocols and liaison mechanisms in place which ensure that homelessness due to households or individuals leaving institutions (hospital, prison, the armed forces, local authority care or interim supported accommodation) is minimised.

Raising awareness locally also emphasises to people the importance of contacting the Council’s Housing Options Team as soon as possible if they themselves, or if they are aware of any household or individual, that may be homeless or is threatened with homelessness.

Refer to Appendix B regarding how members of the public and/or partner organisations can report a rough sleeper to the Council.

6.3 Preventing Homelessness

Once a rough sleeper has been reported, the Housing Options Team will attempt to engage the individual in order to give advice and assistance that may, if followed, address their longer term issue of homelessness.

The Housing Options Team aims to provide realistic solutions to address housing need and alleviate homelessness via a range of prevention tools that include:

- applications to the Council’s Keyways Housing Register
- referrals to the Council’s Deposit Bond Scheme to assist with securing self-contained accommodation in the private sector
- referrals to private landlords
- referrals to supported housing providers
• referrals to organisations that provide support in helping someone deal with issues that they may be struggling with and that have an impact on sustaining housing

They will also assess whether any duties are owed to the client in accordance with Part VII of the Housing Act via a Homelessness Application.

If an individual or household has no local connection to the Borough, they will assist with reconnecting those who wish to return to their area of origin and/or move closer to their family support network.

The delivery of the Housing Options Service is continually reviewed and improved to ensure it is robust, effective and responsive to the current environment and local context. It is complemented by other Council Teams, in particular the Neighbourhood Management team are key to the frontline response to rough sleepers.

6.4 Ongoing Support

The key to obtaining and retaining housing is engaging with those organisations designed to help. Support does not end with a successful housing offer. Therefore Housing Options will help to ensure all the relevant support measures are located and put in place to facilitate sustaining a tenancy.

This will include assistance to complete applications for benefits, supporting any requests for direct payments to a landlord where a client is vulnerable and making appropriate referrals to the relevant support providers for ongoing tenancy support and any additional support needs that are identified.

The Council will continue to attempt to engage with rough sleepers who refuse advice and assistance.

6.5 EEA Nationals

Free movement of citizens between EU countries and the escalating challenge of refugees and other world people movements have contributed to a rise in rough sleeping nationally.

Where there is the case of an EEA National, not in employment, with no recourse to public funds and no possibility of resolving their housing issues due to being ineligible for housing assistance; then we will work with the Immigration Service to assist individuals or households to return to their home country.

6.6 Severe Weather Emergency Protocol (SWEP)

During periods of extreme and cold weather, this protocol is enforced to ensure that people are not at risk of dying on the streets.

SWEP is triggered when the temperature is predicted to be zero degrees Celsius or below for three consecutive nights. Additional extreme weather conditions, including severe wind/gales and excessive prolonged periods of rain, may be considered as severe weather to initiate the protocol and this will be determined by the Council’s Housing Options Manager.
Not all rough sleepers necessarily qualify under the homelessness legislation for housing assistance; however this protocol overrides this legislation when enforced. The Council will make a suitable offer of emergency accommodation for the duration of the severe weather to prevent loss of life, ensuring every effort is made to engage with individuals during cold weather and support them in making a transition from the streets to sustained housing.

7 Unauthorised Encampments

The Council owns a number of parks and woodlands that are attractive to rough sleepers. The Council will deal with each incident of unauthorised camping on a case-by-case basis and will endeavour to act fairly in balancing the rights and needs of rough sleepers with those of the local community impacted by their actions.

If necessary, it will convene a case conference with other relevant agencies to discuss issues regarding location, any health, welfare and educational needs, criminal or antisocial behaviour, environmental impacts, and Human Rights considerations. In all cases, when determining the most appropriate course of action, the Council will consider the impact of the encampment on the surrounding community, local facilities and services, and any other local considerations that are relevant to an incident.

7.1 Lead Authority

The lead authority will vary depending on the location and circumstances of the unauthorised encampment. In cases where the lead authority cannot be easily identified, for example where an encampment is on both public and private land, the lead authority will be determined by whose land the majority of the encampment is sited. Where the lead authority is the Borough Council, the same holds true for determining the lead department within the Council.

Private landowners may obtain a possession order through the civil courts requiring the removal of trespassers from their land, using Civil Procedures Rules Part 55 in the County Court or High Court.

7.2 Decision Making Principles

In deciding what action to take in connection with an unauthorised encampment, the Council will ensure their decisions are:

a) “Lawful” – i.e. in line with legislation, local policy and procedures and only taking into account relevant considerations.

b) “Reasonable” – in the legal sense of not being perverse or irrational in the light of the evidence available.

c) “Balanced” – in that the rights and needs of both the settled community and the unauthorised campers are taken into account.

d) “Proportionate” – this will vary according to the circumstances of each encampment, including its location and the behaviour and needs of the unauthorised campers.
7.3 Needs Assessment

The Council will complete a needs assessment for all unauthorised campers encountered to identify any welfare issues that need to be taken into consideration as part of the decision making process. Any welfare needs of unauthorised campers are a material consideration for local authorities when deciding whether to start eviction proceedings or to allow the encampment to remain. Welfare needs do not give an open-ended “right” for unauthorised campers to stay as long as they want in an area. To defer an eviction, the need must be immediate and/or of a fixed term.

7.4 Available Powers

Local authorities and the Police have a wide range of powers not related to eviction, which may be of relevance to some unauthorised encampments. These include actions against antisocial behaviour (including fires, which should be reported to the Fire Service), noise, waste and fly tipping, and breaches of planning control.

8 Confidentiality

In the operation of this Policy, information will be treated as confidential between the various agencies in line with their normal working practices. However, it must be remembered that public interest and the statutory duties of agencies can at times override the duty of confidentiality via the information sharing protocol.

9 Related Policies and documents

- Severe Weather Emergency Protocol (SWEP) For Rough Sleepers
- Corby Homelessness Operational Focus Group Service Directory

10 Review

This Policy will be reviewed every three years, unless legislative or regulatory changes require an earlier review. If Council staff become aware that there are problems with effective operation of the Policy or the associated procedures, they should report this to the Policy Owner. This feedback will be incorporated into the Policy / procedural review process.
REPORTING A ROUGH SLEEPER

There are numerous ways in which a member of the public and/or any partners can report a rough sleeper to the local authority, including self referrals:

- Telephone during office hours (Mon-Fri 8:40am-5:00pm): 01536 464629/31;
- Telephone out of hours (Mon-Fri after 5:00pm, weekends, bank holidays): 01536 400088;
- Email: housing.options@corby.gov.uk;
- Website: www.corby.gov.uk/site-page/rough-sleepers;
- In person at the One Stop Shop, The Corby Cube, Parkland Gateway, George Street, Corby, Northamptonshire, NN17 1QG;
- Via StreetLink: www.streetlink.org.uk or telephone 0300 500 0914.
The Council will consider each encampment on an individual basis. Set out below is the procedural guide to be followed on notification of an unauthorised encampment.

Upon receipt of notification of an unauthorised encampment details should be sought regarding size of group, date of arrival and ownership of land.

The Council receiving notification should check ownership of the land and refer the call on if necessary.

- If land privately owned:
  - Borough Council to make contact with the landowner to ascertain their intentions. Inform relevant agencies as required.
  - Borough Council to advise landowner of rights and responsibilities and to organise a case conference if encampment is problematic or high profile.

- If land owned by the Borough or County Council:
  - Lead authority to visit group to gather information and organise rubbish collection. Convene a case conference with other relevant agencies. Undertake "Needs Assessment".

- If land owned by Campers:
  - Borough Council will investigate as a breach of planning control, in accordance with its enforcement policies.
  - If enforcement action is pursued, case conference called by Borough Council when eviction date is known.

Case conference meeting is called to decide whether to tolerate the encampment, to invoke Police powers or to take legal action to remove the trespassers. The Lead authority to invite representation from relevant agencies, as appropriate.
PROCESS FLOWCHART FOR MANAGING UNAUTHORISED ENCAMPMENTS

1. Report or notification received
   - Ascertain basic information (number of campers, precise location, date/time of arrival)
   - Confirm ownership of land
   - Land owned by Corby Borough Council?
     - Yes: Contact landowner and advise them of options available to evict encampment
     - No: Monitor and review every 48 hours until encampment vacates

2. Monitor and review every 48 hours until encampment vacates
   - No Action

3. Yes: Continue with the flowchart.
   - Yes: Resolve encampment still present

4. Encampment still present
   - Yes: Convene case conference with relevant agencies to conduct review in accordance with Policy & Procedure
   - No: Refer any site cleansing requirements to Street Scene team

5. Convene case conference with relevant agencies to conduct review in accordance with Policy & Procedure
   - No: Refer to Head of Service

6. Head of Service decision
   - No Action

7. Prepare enforcement decision and refer to Head of Service

8. Arrange for Street Scene team to deliver refuse sacks and agree collection point with campers
   - Complete site assessment / welfare check pro-forma, within 1 working day of notification
   - Instruct Legal Services to commence appropriate proceedings
   - Assist Legal Services until eviction achieved
   - Refer any site cleansing requirements to Street Scene team

9. Instruct Legal Services to commence appropriate proceedings
   - Assist Legal Services until eviction achieved
   - Refer any site cleansing requirements to Street Scene team

10. Assist Legal Services until eviction achieved
    - Refer any site cleansing requirements to Street Scene team

11. Refer any site cleansing requirements to Street Scene team

12. Resolution achieved
Rough Sleeper Policy Appendix D

CODE OF CONDUCT FOR UNAUTHORISED ENCAMPMENTS WHERE IT IS AGREED
UNAUTHORISED CAMPERS CAN REMAIN ON LAND

Your stay on this land is limited in time and is dependent on its location and your compliance with this Code.

The unauthorised campers:

- Will keep groups small;

- Will avoid causing a hazard to road safety or otherwise creating a health and safety hazard;

- Will look after the land on which they are located and not cause problems for neighbours;

- Will not dump or inappropriately dispose of household, human or trade waste;

- Will not burn rubbish that gives off acrid fumes or cause nuisance to neighbours or damage to the environment;

- Will park vehicles safely and keep all animals under control;

- Will not threaten or use intimidating behaviour towards Council officers, other agencies or members of the public; and

- Will not burn anything on the land.
PRELIMINARY NEEDS ASSESSMENT

One form completed for each person or family (where applicable)

This form is intended to be used as a guide for officers visiting unauthorised encampments. Officers should note that an informal and verbal approach to obtain the information may be more effective. It is important to obtain permission to share confidential information with relevant partner agencies.

The information given may help unauthorised campers to access services and may also mean that the landowner may decide to tolerate an unauthorised encampment for a longer period of time.

GENERAL INFORMATION

<table>
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<th>Location of Encampment</th>
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<tr>
<td>Borough Council Area</td>
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<td>Number of Tents/Pitches</td>
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<td>Number of Residents</td>
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<td>Nationality</td>
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<td>First Name</td>
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<td>Surname</td>
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EDUCATION

Are there any school-aged children? (If NO, move onto HEALTH section)  Yes  No
If YES, how many  No. of children under 5  
Are any children or young people attending a local school?  Yes  No
If so, which school?
Would you be interested in pre-school for them?  Yes  No
Do any children have specific needs?  Yes  No
Please provide details

HEALTH

Is anyone in the group pregnant?  Yes  No
If YES, when is their due date?
Would they like to see a midwife?  Yes  No
Are any members of the group registered with a doctor?  Yes  No
Are any members of the family in need of or receiving treatment at the moment?  Yes  No
PRELIMINARY NEEDS ASSESSMENT

If someone is in hospital please state which hospital

Would the family be interested in a health visitor coming to the site? 
Yes  No
Are there any other health issues you would like us to consider? E.g. a disability 
Yes  No
Please provide details

ACCOMMODATION

If local authority housing is available, would you be willing to move into it? 
Yes  No
Do you want to go into a public rented accommodation? 
Yes  No
If so, which area of Corby would your family prefer?

Are you on a waiting list for a house? 
Yes  No
If so, which organisation’s list?

SUPPORT & ADVICE OFFERED

Accommodation advice (Housing Options Team, Night Light, etc) 
Yes  No
Food Bank vouchers (available from Cube) 
Yes  No
Safety advice (fires, antisocial behaviour, Public Space Protection Order enforcement awareness) 
Yes  No
Emergency contact numbers 
Yes  No
Other advice offered

Equality Impact Assessment required? (If YES, attach once completed) 
Yes  No

ATTENDING OFFICER

Signed

Full Name

Job Title

Date & Time
### Site Assessment Checklist

**What is the intended and/or primary use of the land?**

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**Is the land in a flood risk zone?**

- Yes
- No

If YES, provide details

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**Does the use of the land pose a risk to highway safety?**

- Yes
- No

If YES, provide details

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**Is the land actually or potentially contaminated?**

- Yes
- No

If YES, provide details

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**Does the encampment prejudice (or is likely to prejudice) the use of the land for its intended purpose?**

- Yes
- No

If YES, provide details

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**Is the use of the land adversely affecting the amenities of adjacent land users or causing a nuisance?**

- Yes
- No

If YES, provide details

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Has there been any damage to property (including fences, trees, etc.) attributable to the encampment?  
Yes  No  
If YES, provide details  ____________________________________________  


Have there been any incidents of threatening or intimidating behaviour between the campers and the surrounding community?  
Yes  No  
If YES, provide details  ____________________________________________  


**ADDITIONAL QUESTIONS**  
Where the landowner is permitting the unauthorised campers and breach of planning control is expected.

Are mains services (water, electricity and/or gas) available on the land?  
Yes  No  
If YES, provide details  ____________________________________________  


Have any building and/or engineering operations taken place on the land?  
Yes  No  
If YES, provide details  ____________________________________________  


Is the land in the open countryside?  
Yes  No  
Is the land close to community facilities and/or public transport?  
Yes  No  
Who owns the land?  ____________________________________________
SITE ASSESSMENT CHECKLIST

Is the site’s location adversely affecting the amenities of the occupiers camping and/or residing on the land?  

Yes  No

If YES, provide details

______________________________________________________________

______________________________________________________________

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______________________________________________________________

ANY OTHER COMMENTS

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

______________________________________________________________

ATTENDING OFFICER

Signed

Full Name

Job Title

Date & Time