

GYPSY ROMA AND TRAVELLER POLICY

Unauthorised Encampments



Executive Summary

Plymouth City Council is responsible for dealing with unauthorised Gypsy Roma and Traveller encampments on land owned by the Council.

The travelling community can experience difficulties finding an authorised place to stop, and may set up an encampment on someone's land without consent, including green space, highway verges and lay-bys. This is a breach of civil law and, in certain circumstances, may be a breach of criminal law.

Plymouth City Council's approach is based on the need to uphold the law and prevent unlawful occupation of land, whilst meeting the needs of communities.

The aim of this policy is to address the need for an effective approach to the management of unauthorised Gypsy Roma and Traveller encampments on Plymouth City Council land, whilst ensuring that the rights of Plymouth's local settled community and the Gypsy Roma and Traveller communities are balanced.

In addition to this it aims to clarify the internal working arrangements around unauthorised encampments across Plymouth City Council departments and services so that any future unauthorised encampments can be managed successfully, swiftly and without detriment to any community.

This policy is also reliant on a collaborative approach with our partners, namely Devon & Cornwall Police, Health and Social Care and Charitable organisations as well as Ward Members and their constituents, on how we will manage an unauthorised encampment on Plymouth City Council land.

The overarching aim of the policy is to achieve, where possible, a locally agreed end to unauthorised encampments and to avoid the formal eviction process. However this policy sets out the formal process for eviction, and when this will be used.

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1.0 Introduction

Plymouth has experienced a consistent number of unauthorised encampments in the last 4 years, this number is not declining. Gypsies Roma and Travellers have occupied land within parks, on some of our highways and on private land. In addition to this some areas have experienced multiple unauthorised encampments during the last 4 years, and this has resulted in additional resources being deployed to deal with the encampment and subsequent site clean-up. The same groups occupying the unauthorised encampments have move from one location to another causing considerable financial cost to the council, but have a clear need to remain in the city for a period of time.

This policy outlines our duties and powers, and our decision making framework. It includes best practice from other areas and builds on our own experience to ensure our process is fair, legal, equitable and ensures community cohesion is safeguarded.

Included in this policy:

- The roles and responsibilities within Plymouth City Council in relation to unauthorised encampments
- Alternative arrangements for Gypsy Roma and Traveller community
- Process when an unauthorised encampment does occur
- Requirements for recording and monitoring
- Requirements for engagement with the public, partners and other stakeholders
- Post site vacation actions

2.0 Aims of the Policy

This policy aims to sets out how Plymouth City Council will respond to unauthorised encampments on Plymouth City Council owned land. The policy seeks to ensure that its approach to responding to unauthorised encampments is consistent, lawful and proportionate.

The policy has been developed within the context of the Government publication “Dealing with Illegal and Unauthorised Encampments. A Summary of Available Powers (2015)”¹. This document is clear - managing unauthorised encampments must involve a balance between the rights of the landowner and/or wider community and the rights and welfare needs of those who have established the unauthorised encampment.

This policy does not cover the allocation and management of pitches at Bayview Caravan Park, The Ride, Plymouth. This procedure and policy is covered elsewhere. This policy does, however, cover unauthorised encampments that could occur on the land at Bayview Caravan Park as it is owned by Plymouth City Council.

¹ Dealing with illegal and unauthorised encampments; A summary of available powers, March 2015, DCLG.

3.0 National and Local Context

Gypsies Roma and Travellers have been part of our community for hundreds of years. This includes those who travel regularly, families living in bricks and mortar housing and on our permanent site at Bayview Caravan Park, The Ride. We experience around 30-35 unauthorised encampments a year.

Nationally there is a shortage of transit/temporary stopping places. There are currently around 300 socially rented Gypsy Roma and Traveller sites in England. However, this still leaves a national shortage of authorised sites, with around one in four Gypsy, Roma and Traveller households having nowhere to call home. The Government has established a new framework of housing and planning systems designed to increase site provision to meet the accommodation needs of Gypsy, Roma and Traveller communities reducing the number of unauthorised encampments and promoting good relationships with the settled community.

Plymouth City Council is taking steps to meet the assessed need for sites through the provision of a Temporary Stopping Place and Negotiated Stopping Places. Places where unauthorised encampments occur are generally unsuitable for Gypsies Roma and Travellers, as they do not contain the appropriate facilities, e.g. water, waste disposal facilities, pitch security and general safety measures. The lack of facilities can lead to unsanitary and dangerous conditions. Unauthorised encampments can cause concern to nearby communities; businesses in the vicinity and the statutory agencies that have to respond to concerns, especially the Plymouth City Council and the Police.

Government guidance says that where unauthorised encampments are not causing problems; they can be tolerated (or negotiated) for a short time. In Plymouth, each unauthorised encampment is assessed individually and a community impact assessment is carried out ([Appendix E](#)). The length of stay allowable is considered on the facts and circumstances relevant to each individual unauthorised encampment and the surrounding community. Enforcement action is taken as soon as is reasonable and practicable, where an unauthorised encampment cannot be tolerated.

This policy provides details on how Plymouth City Council deal with unauthorised encampments, including alternative arrangements including provision of temporary stopping places for Gypsy Roma and Traveller's visiting our city with the aim of reducing the impact on the city, and the travelling community.

The city experiences unauthorised encampments of travellers throughout the year, but predominantly and more frequently in the months between March and September.

4.0 Statutory Duties of the Council

Local authorities have a statutory duty to ensure that all communities are fairly represented when it comes to unauthorised encampments on public land.

5.0 Legal Powers to Remove Travellers from unauthorised land

There are a number of powers available to the Council to deal with unauthorised encampments on Council land including:

Local Authority Powers

Part 55 Civil Procedures Rules

- Can only be used by landowner, to regain possession of the land
- Requires civil court proceedings and is enforced by court bailiffs
- Does not provide any criminal sanctions to prevent return by trespassers onto the land.

Section 77 - 78 Criminal Justice & Public Order Act 1994.

- Can only be used by local authority
- Can be used on any land forming part of the highway, any other unoccupied land, or any occupied land without the consent of the occupier
- Courts only become involved if occupants fail to leave the land, but then also commit criminal offence by doing so.
- Enforcement is by local authority officers. Police could assist to prevent serious disorder
- Contains sanctions preventing those individuals returning to the land for three months.

It is Plymouth City Councils policy to utilise Part 55 of the Civil Procedure Rules where trespassers refuse to move on and where an encampment cannot be tolerated for a short period of time and the community impact assessment suggests vacation of the site quickly.

These powers are used following a welfare assessment carried out by Community Connections.

Both powers require a court hearing and as a result it can take up to fourteen days before an encampment is moved, and then often simply to another equally unsuitable location, where the process begins again.

Police Powers

The police also have powers to deal with unauthorised encampments:

Section 61 – 62 Criminal Justice & Public Order Act 1994.

- Can only be used by police if any of three conditions are met:
 - If any persons have caused damage to the land or property on the land;
 - Use threatening, abusive or insulting words or behaviour, or
 - There are 6 or more vehicles on the land
- Can be used on any land (except the highway), to remove occupants & vehicles
- Does not require involvement of the courts, and is enforced by the police
- Criminal sanctions are created, preventing return to the land within 3 months.

Section 62 A-E Criminal Justice & Public Order Act 1994.

- Can only be used where an alternative 'relevant caravan site' is available for occupation
- Can only be used by the police, on any land, to remove occupants and vehicles
- Does not require involvement of the courts, and is enforced by the police.
- Contains sanctions preventing return to the land for three months.

For the purposes of section 62 A 'relevant caravan site' means a caravan site which is:

- (a) situated in the area of a local authority within whose area the land is situated, and
- (b) managed by a relevant site manager (Community Connections).

Plymouth City Council operates a temporary stopping place (i.e. somewhere to redirect as a 'relevant caravan site'), and work closely with Devon and Cornwall Police supporting them to use their powers to remove unauthorised encampments to redirect Gypsy Roma and Travellers to a temporary stopping place, thus avoiding the need for Plymouth City Council to take action through the courts to regain possession of land, which can be resource intensive and expensive.

Plymouth City Council will work with the Gypsy Roma and Traveller community to advise, in advance of visiting, where an authorised encampment can be established for a period of time, thus avoiding the need for the use of police powers and enforcement action.

Public Space Protection Orders (PSPOs)

- Introduced in 2014 under the Anti-Social Behaviour, Crime and Policing Act, PSPOs enable councils to criminalise particular, non-criminal, activities taking place within a specified area deemed by the local authority to have "a detrimental effect on the quality of life of those in the locality", e.g. local recreational facilities and play parks.
- Public consultation must take place prior to the PSPO being enforceable, and the PSPO must be proportionate to the risk on the area itself.
- Only sustainable if used in conjunction with alternative options such as temporary stopping places, or negotiated stopping places.
- PSPOs will only be considered for sites most frequently used as unauthorised encampments, after full feasibility and consultation with communities.

6.0 Our Roles & Responsibilities

Different departments and agencies involved with unauthorised encampments have different roles and responsibilities in dealing with encampments. It is important that roles are clearly defined to minimise duplication and ensure that both the travellers and the local settled community know who to contact for specific issues.

Community Connections provides a strategic role on Gypsies Roma and Travellers and manages the permanent residential sites, Bayview Caravan Park, The Ride. Community Connections will also manage a Temporary Stopping Place and Negotiated Stopping Places.

[Appendix B](#) and [Appendix C](#) provide details on the roles and responsibilities of Plymouth City Council departments and our partners.

7.0 Our Approach

Plymouth City Council liaise with the Gypsy Roma and Traveller community to advise of locations where they can establish authorised encampments, via Temporary or Negotiated Stopping Places for a set period of time.

Where the Council receives a report of an unauthorised encampment ([Appendix A](#)), this is passed on to the Council's Community Connections Team, who will seek confirmation that the occupied land is owned by Plymouth City Council.

Community Connections will conduct a community impact assessment and will act to remove an unauthorised encampment from an unsuitable site as quickly as is practicably and reasonably possible in accordance with relevant legislation, and assessment of the site. The site will be assessed for its suitability as a negotiated stopping place via a community impact assessment ([Appendix E](#)).

Where the land is not owned by the Council, the relevant land owner (where known) shall be notified and general advice provided as required.

The Police, local residents and local Ward Members shall be notified of all encampments on Plymouth City Council owned land.

Where it is confirmed that the unauthorised encampment is located on Council Land, the officers from Community Connections shall visit the encampment as soon as is practicably possible (generally that same day) and complete site inspection, welfare check forms and community impact assessment. They will also inform the occupants of our policy to re-direct Gypsy Roma and Travellers to a Temporary Stopping Place.

Welfare checks will be conducted upon arrival to any site ([Appendix F](#)), and officers will identify any relevant welfare needs of the site occupiers. This welfare assessment has particular regard to the welfare needs of children, the elderly or other people who may be vulnerable. Where support or welfare needs are identified the Council will try to assist or refer the matter to the relevant agency. Where significant needs are identified the case will be assessed on its own merits.

Upon visiting the Community Connections Officers will explain to the occupants that they are trespassing on Plymouth City Council owned land and they will be moved on by Police officers using s62 should they choose to not use a Temporary Stopping Place.

Where the trespassers do not move on within 24 hours, Devon & Cornwall Police will be engaged to use powers under sections 62 A-E of Criminal Justice and Public Order Act 1994 to direct the occupiers to leave land and remove any vehicle and property from the land to a Temporary Stopping Place where there is suitable pitches available within the local authority area.

7.1 Temporary Stopping Place

A Plymouth City Council temporary stopping place is in temporary use as an authorised short-term place for the travelling community to stay. There are limited pitches within a site, so work with the community to establish anticipated days of stay, reason for visit and welfare needs whilst visiting will be essential.

The timescale of stopping is up to 3 months. All residents will require temporary licences to stay on a site and will be required to pay site fees for use of facilities. The site will provide a hardstanding, WC facilities, water (not necessarily via stand pipe) and waste collection at a fee.

The occupiers will be asked to sign and abide by a code of conduct ([Appendix D](#)), should this be breached, legal action will be taken to gain possession of the land.

7.2 Negotiated Stopping Place

Where the location of an unauthorised encampment has previously been identified as a low impact place (Negotiated Stopping Place) and the circumstances of the trespassers themselves require a degree of flexibility, then at the discretion of Plymouth City Council a negotiated period of up to a maximum of 14 days may be given. Extensions beyond 14 days may be considered in exceptional circumstances (i.e. Welfare need). A negotiate stopping place should not be re-occupied by the same Gypsies Roma and Travellers within six months, and preferably should not be used by any other Gypsies Roma and Travellers for at least 28 days, post vacation of the site. In essence this means that the Council will treat the individuals as 'tolerated trespassers' for this period. If they have not vacated at the end of this period then legal action to gain possession shall commence.

In considering whether to negotiate with Gypsy Roma and Travellers to form an encampment, the first consideration must be the location and the immediate impact on the settled community.

Health and welfare needs might lead to consideration of an extension of time at a negotiated stopping place these may include: accessing urgent medical attention; i.e. a surgical procedure or other acute medical (but not chronic need); or a complication in pregnancy or post-natal care. If there is a negotiation to allow an encampment, consideration will be given as to whether it is appropriate to make provision for a water supply, toilet provision or rubbish clearance, at a fee.

7.3 Non-negotiable locations

There are locations where an encampment will not be acceptable under any circumstances.

Set out below is a list of the types of site where unauthorised camping will not be acceptable, and travellers will be moved on using our or police powers:

- A Site of Special Scientific Interest (SSSI) where an encampment endangers a sensitive environment or wildlife
- School car park or playing fields (especially in term time)
- A town centre public park
- Car parks, including hospital, supermarket or leisure facility car parks
- Recreation ground and public playing fields
- A site where pollution from vehicles or dumping could damage ground water or water courses
- A derelict area with toxic waste or other serious ground pollution
- A 'village green' or other open area within a residential area

- The verge of a busy road where fast traffic is a danger to unauthorised campers or their children

7.4 Action when a group of Gypsies Roma or Travellers have moved on.

The encamped group will be required to clear up any site before leaving. Where a site requires a clean-up this shall be undertaken by the Council, Street Scene and Waste team in collaboration with Public Protection to secure any evidence required for prosecution.

The Council reserves the right to recharge for any costs associated with site clearance. In addition the Council will take any necessary action to secure locations which are subject to serial encampments, through means of preventative action.

8.0 Working with our Partners

Devon & Cornwall Police work closely with Plymouth City Council in all aspects of the Gypsy Roma and Traveller community. They assist and support the managing of unauthorised encampments when required and work to an approved code of practice in this regard. The Police must take account of the issues of behaviour, whether criminal, antisocial behaviour or nuisance by both the travelling community and the settled community in combination with the impact on the landowner rather than simply because encampments are present at a specific location.

9.0 Consultation

Consultation for this policy was conducted via the Plymouth City Council scrutiny process.

10.0 Complaints & Comments about this Policy

Comments, complaints or suggestions about this policy or any aspect of our work are welcomed. The Council's standard comments, complaints and appeals procedure will be followed. If you would like a copy of this, please contact us on Tel 01752 668000 or go to the website www.plymouth.gov.uk.

If a complaint is about a Freedom of Information request, you can complain to the Information Commissioner, www.ico.org.uk.

11.0 Access to Information & Data Protection

The information collected via the Welfare Check form will be used to make appropriate referral and signposting to welfare and support services. The information may be passed on to the Department of Work and Pensions and Inland Revenue as permitted by law.

The Council may also check the information provided by the customer or information provided by a third party, with other information held by the Council.

The Council may also obtain information from certain third parties, or give information to them to check the accuracy of the information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include Government Departments and other Local Authorities.

Personal information will not be disclosed about customers to anyone outside Plymouth City Council nor will we use information about you for other purposes unless the law permits this.

Information may be used for statistical purpose. Such information will be displayed so that it cannot be attributed to any person.

Plymouth City Council is the data controller for the purposes of the Data Protection Act 1998.

12.0 Review and Revision of this Policy

This policy will be reviewed and revised when required.

13.0 Appendices

- A** **Unauthorised Encampment Reporting Form**
[Plymouth City Council Unauthorised Encampment online service](#)
- B** **Unauthorised Encampment Process Map**
[GRT UE Process Map v1 15.11.17.docx](#)
- C** **Unauthorised Encampment Roles & Responsibilities**
[GRT UE Roles & Responsibilities v1 15.11.17.docx](#)
- D** **Code of Conduct**
[GRT Temporary and Negotiated Stopping Places Code of Conduct v1 13.11.17.docx](#)
- E** **Community Impact Assessment**
[GRT UE Community Impact Assessment v1 13.11.17.docx](#)
- F** **Welfare Check Form**
[GRT Welfare Check Form v1 15.11.17.docx](#)
- G** **Frequently Asked Questions**
[GRT UE FAQs v1 13.11.17.docx](#)

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A **Unauthorised Encampment Reporting Form**

Plymouth City Council Unauthorised Encampment online service

The screenshot shows a web browser window displaying the Plymouth City Council Self Service portal. The page title is "Unauthorised Encampments". Below the title, there is a brief introduction: "The information we ask for on this form will be used to identify and manage unauthorised Gypsy or Traveller sites in Plymouth. Your personal details are not needed to fill in this form. By pressing 'Next' you are agreeing to allow Plymouth City Council to use your personal data as described in the Privacy Notice."

The main heading is "Report It". Below this, instructions are provided for showing a location on the map:

1. Select the icon and the map will show you where you are.
2. Select the icon and type in a postcode or street name.
3. With a mouse, use sliding scale or +/- to zoom out, move map over the location, and zoom back in.
4. With a touch screen, use finger and thumb to zoom out, move map over the location, and zoom back in.

A note states: "In ALL cases, please zoom in and then place a red marker pin precisely on the map by clicking the mouse or touching the screen of your phone."

Below the instructions is a Google Map of Plymouth. A red marker is placed on the map near Victoria Park. Below the map is a text input field labeled "Map address".

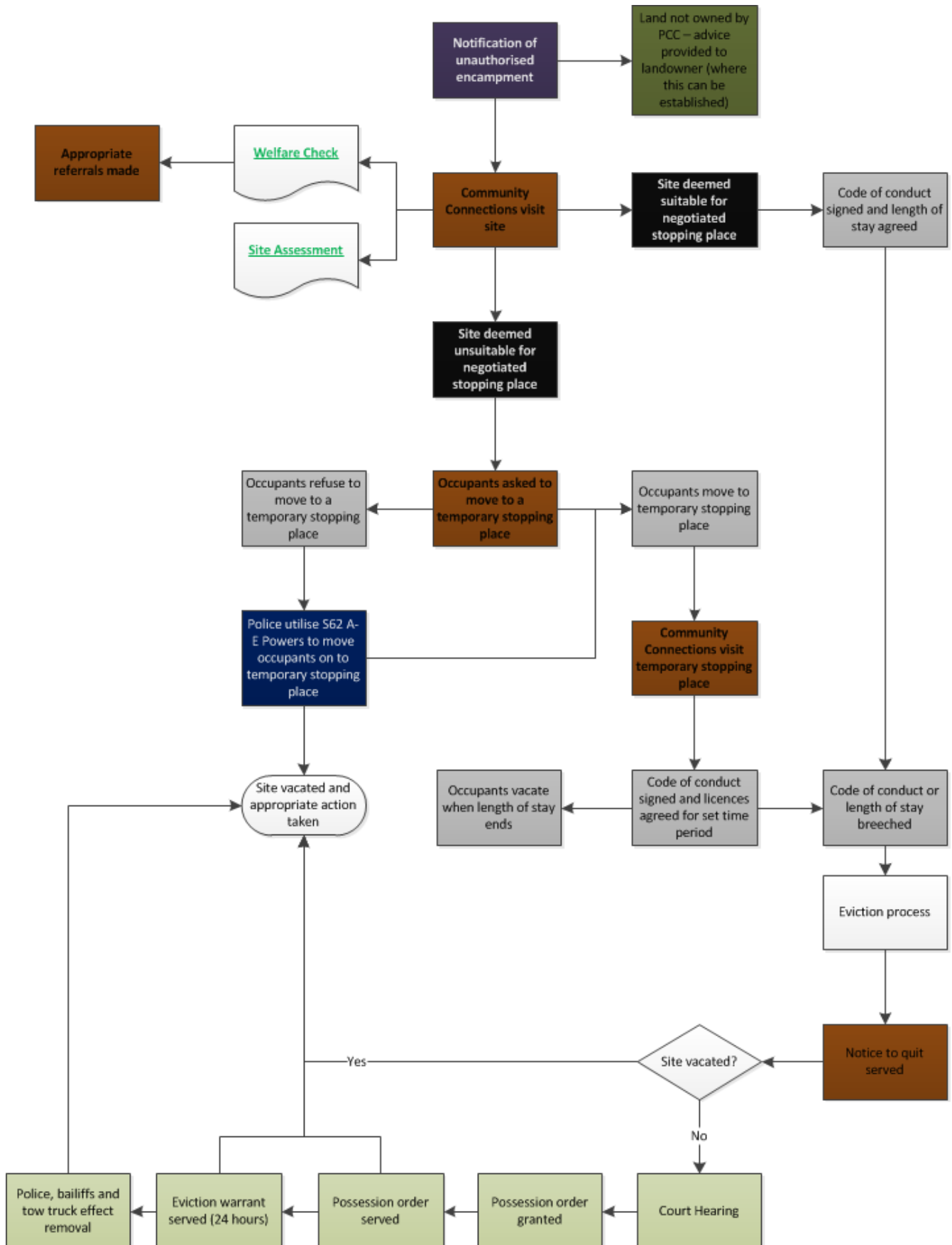
Further down, there are several questions with input fields or buttons:

- Approximately how many caravans did you witness? (numbers only) *
- Did you notice any children on the site? * (Yes/No buttons)
- Did you notice any dogs on the site? * (Yes/No buttons)
- Do you know who owns the land? *

The Windows taskbar at the bottom shows the time as 10:23 on 16/11/2017.

UNAUTHORISED ENCAMPMENTS

Process Map (to be read with [UE Roles & Responsibilities](#))



UNAUTHORISED ENCAMPMENTS

ROLES & RESPONSIBILITIES



All partners involved in the management of unauthorised encampments are concerned with the swift and proportionate need to deal with unauthorised encampments and build trust and confidence in local communities and the Gypsy Roma and Traveller communities and therefore the need to evict will be balanced against the need of those involved in, and affected by an encampment together with the impact the encampment may have on the site.

Plymouth City Council

There are numerous departments within PCC that are involved in the Gypsy Roma and Traveller community and dealing with unauthorised encampments.

Community Connections

- Community Connections has the overall strategic responsibility for dealing with unauthorised encampments, but must do this in collaboration with internal and external partners.
- Community Connections must respond to reports of unauthorised encampments in a timely manner, with a Community Connections Officer (CCO) visiting within 24 hours of report on weekdays.
- Community Connections has an obligation to carry out welfare assessments on unauthorised encampments, ensuring that where need is identified the appropriate department and agencies are alerted.
- Community Connections will conduct a site assessment for each unauthorised encampment to establish its appropriateness as a negotiated stopping place.
- Community Connections will notify all relevant partner agencies and internal departments of all encampments and will communicate with the local settled community.
- Community Connections will liaise directly with the Gypsy Roma and Traveller community, providing copies of Unauthorised Encampment Policy and its appendices upon request, and that it is clearly explained.
- Community Connections will liaise with the Gypsy Roma and Traveller community to ensure they are aware of a temporary stopping place prior to any visit to Plymouth.
- Community Connections will ensure the code of conduct for temporary and negotiated stopping places is clearly explained and that all licence agreements for a temporary stopping place is clearly explained.
- Community Connections will order waste management and WCs for negotiated and temporary stopping places.
- Community Connection will collect the site fee's from the residents of negotiated and temporary stopping places.

Property & Terrier Team

- The Property & Terrier Team will provide land ownership details upon request from Community Connections or Legal Services.

Legal Services

- Legal services will provide advice and guidance on all legal aspects of unauthorised encampments, possession process and court processes.
- They will prepare all paperwork for the eviction and court process in liaison with Community Connections.
- Legal services will support in the preparation of licence agreements for a temporary stopping place.

Street Scene and Waste

- Street Scene and Waste will provide waste management to negotiated and a temporary stopping places, upon request.
- Street Scene and Waste will provide site clear up post vacation as and when required.
- When clearing sites they will work closely with Public Protection should evidence of fly tipping be found.
- Street Scene and Waste will work with Community Connections to identify vulnerable sites and preventative works. These works will either be carried out by Street Scene and Waste or via Corporate Property Team.

Devon & Cornwall Police

- The police do have a duty to uphold the law, but must take into account humanitarian considerations when deciding on appropriate action.
- Where there are reports of violence, threats of intimidation or criminal damage the police will risk assess the situation, whether the threats emanate from the Travellers or the settled community.
- The police will work with Community Connections to utilise powers, when required and proportionate under Section 62 A-E Criminal Justice & Public Order Act 1994.
- The police will support as and when requested at any evictions where proportionate to do so.

Gypsy Roma and Traveller Community

- Plymouth City Council ask that the Gypsy Roma and Traveller community notify Community Connections when they intend on visiting Plymouth in order for us to give details of a temporary stopping place.
- Those forming an unauthorised encampment will be asked to vacate to a temporary stopping place, we ask that they do this swiftly and without any damage left to the site and all rubbish is cleared away.
- Gypsy Roma and Traveller community staying at a negotiated or temporary stopping place will abide by the code of conduct.
- Gypsy Roma and Traveller community to notify Community Connections of any change of circumstances whilst staying at a negotiated or temporary stopping place.

GRT TEMPORARY AND NEGOTIATED STOPPING PLACES CODE OF CONDUCT

Community Connections



CODE OF CONDUCT

- This Code of Conduct is for members of the Gypsy, Roma and Travelling community who are setting up a temporary encampment at a temporary or negotiated stopping place offered by Plymouth City Council in accordance with our Unauthorised Encampment Policy.
- In accordance with our Policy, if you do not follow the Code of Conduct we will probably take action to evict you from the site and we will not tolerate you at other sites in future. It is therefore in your best interest to adhere to this Code.
- Please make sure everyone with you understands this Code and ideally elect a 'site representative' to make sure everyone follows the Code.
- Please tell us if you need help understanding this Code.

If you camp on land belonging to Plymouth City Council we expect good behaviour.

Park vehicles safely:

- Do not park vehicles/units too close together.
- For fire safety, there should be at least 6 meters between each unit.
- There should be enough room for you to walk freely around the unit.
- Take care around electrical cables.
- Large trees/overhanging branches can be dangerous.

Keep groups small:

- Depending on the site you are visiting, will depend on the size of the group that is permitted.
- Do not take up more room than is necessary.
- If there is not enough room, your group will need to get smaller.

Keep the site safe from hazards:

- Empty/vacated accommodation/vehicles may be removed if left, without good reason, for more than 3 consecutive weeks, or for more than 12 weeks in any 52 week period.
- Do not block entrances with vehicles, boulders or anything else.
- Do not lock gates or barriers.
- For your safety the site must be easily vacated in the event of a fire, or provide access to emergency vehicles.

- Do allow others to use roads, paths, drop-curbs, exits or entrances etc. and carry out their usual business or leisure.

Keep the site tidy:

- Do store and remove rubbish properly (use bins provided, store rubbish well in bags first.
- Let Community Connections know if you need advice on waste disposal and storage.
- Do recycle rubbish where possible.
- Do not dump rubbish on other land or leave it lying around
- Do not burn rubbish that can cause black smoke.
- Do not use the site for sorting or storing scrap.
- If you leave the site in a mess, we may take steps to recover clean-up costs which can be up to £2,500.
- Do not remove or damage anything at the site, including trees, plants, chippings and earth moundings.
- Do not cut trees for your own use without the landowner's permission.
- Do keep the site as clean and tidy as possible.
- Do not leave lots of things lying around.
- Do not pollute the land with oil, chemicals or other waste.

If you cause damage we may fine you for repairs and we may treat it as a crime. Failure to pay for the damage would be a breach of the Code of Conduct.

Do not disturb others:

- Do not create bad smells that disturb others.
- Do go to the toilet in a hygienic way. For example: Do dispose of human waste safely. Do tell us if you need a Portable Toilet. Do not go to the toilet where other people can see you. Do 'bag and bin' if necessary. Tell us if you need bags and anti-bacterial wipes.
- Do not make loud noises that disturb others.
- Do not leave fires (including candles) unattended.
- Do not light fires if they could get out of control.
- Do not use heating/welding equipment near gas containers or other material that can catch fire.
- Keep away from passing traffic.
- Do not cause an obstruction, frustration or danger to other road users.
- Do supervise children and make sure they play safely and do not disturb others unreasonably.
- Advice: check for dangers such as ponds, rivers, gaps in fences, traffic, electric pylons, wasps nests, broken glass and Adders.
- Do not go on other land without permission from the landowner (trespass).
- Do not allow animals (i.e. horses) to graze on land without the landowner's permission.
- Do not use hunting guns on or near roads, houses, leisure grounds, public footpaths or businesses.

- It is against the law to hunt with guns on land without the landowner's permission.
- This includes use of cross-bows and other weapons.
- Do not 'decorate' the site entrance or display things which could be distracting to drivers.
- Do not display offensive items.
- Do not use the site for criminal activities.
- Criminal activity includes possession of a banned dog type, Trafficking, dealing drugs and unlawful possession or use of firearms.
- Do not drive quad bikes on land without permission

Terms of stay:

- Do agree a leave date with Community Connections and try to keep to it.
- Do actively look for suitable alternative sites.
- Do pay charges for the provision of toilets/facilities on time.
- Your charges are:
 - £20 per week
- Do not invite or allow other occupants on to the site without agreement from Community Connections
- Do listen to and act on complaints.
- Community Connections will undertake a welfare check upon your arrival, but please get in touch with us if you require any further information or support
- Your Community Connections Team can be contacted on 01752 304440
- Do keep in contact with us and provide us with a mobile number if you have one.
- Contact the Police, Racial Equality Council or Community Connections Team if you experience harassment.

Eviction:

- If we are going to evict you, we still expect good behaviour. The Police have powers to move you immediately: If six or more vehicles are present and you damage property, or are abusive or threatening to others.

Encampments that will never be tolerated:

- A Site of Special Scientific Interest (SSSI) where an encampment endangers a sensitive environment or wildlife
- School car park or playing fields (especially in term time)
- A town centre public park
- Car parks, including hospital, supermarket or leisure facility car parks
- Recreation ground and public playing fields
- A site where pollution from vehicles or dumping could damage ground water or water courses
- A derelict area with toxic waste or other serious ground pollution

- A 'village green' or other open area within a residential area
- The verge of a busy road where fast traffic is a danger to unauthorised campers or their children

Signed	Print Name	Date

UNAUTHORISED ENCAMPMENT COMMUNITY IMPACT ASSESSMENT



Site	Date of Assessment	Name of Assessor

	Yes/No	
Is the site already known?		Assess any reoccurrence of issues previously present:
Any issues known previously?		Details:
Does the site have easy access?		If no, this site is not appropriate to stop on.
Is the site close to busy roads, housing, farm land or within an industrial estate?		If yes, this site may not be appropriate. The site needs to be safe and not within close proximity of businesses or housing.
Is the site open and visual to a large section of the settled population?		Sites need to be safe, not hidden but also not in the middle of busy populated areas.
Are there any other hazards that can be deemed unsafe for this encampment?		Details:
Is an encampment at this site likely to have a negative impact on the settled community?		Give details: E.g. noise, disturbance, blocking access to open spaces, previous complaints.
Is this site easy for Community Connections and waste/street		Services will need to be delivered and other agencies may wish to visit.

services to access for visits?		
Have Councillors been consulted?		Do Councillors have any knowledge to pass on regarding potential issues?
Are there any other points that need to be assessed with the site?		

Decision Made	Date of Decision

Action to be taken	By Whom	By date

WELFARE CHECKS

Community Connections



Date of check:	Officer(s) undertaking check:

General information

Date of arrival	Site location

To be completed during site visit

Code of Conduct explained & local information provided?	Yes	No

Section I:

Question	Yes	No
Are you all travelling together?		
Are you happy for me to ask you questions about the whole site?		
Do you have any local connection to the area?		

Intended length of stay	Leave at the weekend	
	Leave after the weekend	
	Stay for 2 weeks maximum	
	For as long as we are allowed	
	Other (please specify e.g. wedding/funeral)	
What is your current accommodation situation?	Live on your own site	
	Live on a council site	
	Live on a private site	
	Live on the roadside	
	Other	
	Details	

Section 2 – Information about people:

No of adults		No of Children	
Names		Names & DoB	
Is anyone unwell?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
Would they like to see a doctor/nurse?	None		
	Doctor		
	Nurse		
	Health visitor		
	Dentist		
	Other		
Details			
Would you like any other information about:	Benefits		
	Reporting racist incidents and other crimes		
	Adult education		
	Making a homelessness application in Plymouth		
	Other		
Details			

Section 3 – Information about vehicles:

No. vehicles in total		No. caravans		No. cars	
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Question	Yes	No
Is there anything affecting your ability to travel? (e.g. un-roadworthy vehicles)		
Details		

Section 4 – Information about animals:

Question	Animal	How many?
Are there any animals on site?	Dogs	
	Horses	
	Other	
Detail		
Would you like details of a local vet or the RSPCA?	Vet	
	RSPCA	
	Other	
Detail		

Additional information:

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Section 5 – data protection:

Question	Yes	No
We may need to share this information with other departments including health, education and other council services. Do you have any objection to this?		
If yes, please tell us why?		

Section 6 –agreement/disclaimer:

I agree that the information provided here is correct, and that by signing this form, I agree that it may be shared with other council departments and partners.		
Or (Please select as necessary)		
I have declined to provide Welfare information to the Plymouth City Council representative		
Name of occupant		Signature (It is ok if you do not have a signature. We just need your mark here)
Date		
Name of officer		Signature
Department		Telephone
Would you like a copy of this info?		Yes
		No

(If 'Yes', we will make sure a copy is taken and returned to you here before you leave).

UNAUTHORISED ENCAMPMENTS

Frequently Asked Questions



Q. What rights do people have?

Everyone has rights, including the travellers, the local community and the people who own the land where the unauthorised encampment is located.

Gypsies and Travellers, as with all other ethnic groups who have a particular culture, language or values, are protected from discrimination by the Race Relations (Amendment) Act 2000 and the Human Rights Act 1998,

The decision to adopt a travelling lifestyle where housing need is met through living within a vehicle either on a long or short-term basis is made by a wide variety of people for a wide variety of reasons. It is therefore important that Gypsies and Travellers are not denied the right to mainstream services that the Council provides.

Q. What is an unauthorised encampment?

An unauthorised encampment exists when an individual or group of individuals move onto a piece of land they do not own, without the permission or consent of the landowner or occupier of the land. Within the context of this policy an encampment may consist of caravans and or other vehicles.

Q. Can the Council remove the encampment from their land immediately?

No. The Council must

- Show that the gypsies/travellers are on the land without consent.
- Have regard to the general health and welfare of the group and the children's education.
- Ensure that the Human Rights Act 1998 has been fully complied with.

To do this the Council follows a set procedure that is based on Government guidance. This procedure includes proving ownership of the land, carrying out assessments for the health, welfare and education criteria, and assessing the impact of the encampment on its location and local neighbourhood.

Once these have been carried out the Council may use this information for the service of notices and summonses to apply for a court order to enable the Council to evict the encampment from the site.

If the travellers are found to be camped illegally on Council land then the Council may make an application to the Magistrates Court for an Eviction Order or to County Court for a Possession Order.

Q. How long will it take for the travellers to be removed?

This will depend on the circumstances of each individual case. The Council needs to take into account the issues referred to above, as well as how long it takes to obtain a court hearing.

In some instances, following government guidance, the Council may tolerate an encampment up to two weeks if high standards are maintained on site and the legitimate use of the site by others is not affected.

Q. Can the court refuse to grant the Council an order to move the travellers on?

Yes! The Court can refuse to grant an order if it believes that:

- the Council has failed to make adequate enquiries regarding the for the health, welfare and education of the campers, or
- if there is an unavoidable reason for the travellers to remain on site

The Council must show that it has taken all reasonable steps to find out this information before going to court.

Q. What can the Police do?

The Police under certain circumstances can use powers under Sections 61 and 62 of the Criminal Justice and Public Order Act 1994. It is for the police to decide if these powers are to be used. Generally speaking these powers are only invoked where there are situations of criminality or public disorder.

The duty of the police is to preserve the peace and to prevent and detect crime. Trespass on land is not itself a criminal offence. The Police will investigate any reports of crime and public disorder.

Prevention of trespass and the removal of trespassers are the responsibility of the Landowner and not the Police.

Q. What can the landowner do if the if the encampment is on private land?

It is the landowner's responsibility to take the necessary action to evict the encampment.

The landowner can attempt to agree a leaving date with the travellers or take proceedings in the County Court under the Civil Procedures Rules 1998 to obtain a Court Order for their eviction as trespassers.

Q. What can the Council do If the landowner fails to take action?

The landowner may be in breach of Planning legislation and the Caravan Sites Act 1960 unless the landowner has already obtained planning permission for a caravan site.

If there is no planning permission the Council may take proceedings against the landowner to require removal of the illegally parked caravans.

Q. What can the Council do if an eviction order for public land is not complied with?

If the Eviction Order is not complied with then the Council can remove the caravans and other vehicles from the city.