



**ESSEX COUNTY COUNCIL
TENDRING DISTRICT COUNCIL
ESSEX POLICE**



**A joint Protocol for managing
UNAUTHORISED ENCAMPMENTS**

In the District of

TENDRING DISTRICT COUNCIL

CONTENTS

	Page Nos.
1. Introduction	4 – 6
2. Public Authority Roles	7 – 11
3. Legislation	12
4. Management of Unauthorised Encampments	13 – 16
5. Contact List	17
6. Appendices A – D	18 – 26

APPENDICIES

		Page Nos.
Appendix A	Guidance Notes for Gypsy/Travellers in Essex	18 – 22
Appendix B	The Code For Gypsy/Travellers In Essex	23 – 24
Appendix C	Unauthorised Encampments on Local Authority Land – Flow Chart	25
Appendix D	Unauthorised Encampments on Private Land – Flow Chart	26

INTRODUCTION

- 1a.** Unauthorised Encampment, for the purpose of this document, is defined as the occupation of land for the purposes of habitation, without the expressed permission of the landowner or without the necessary planning approval and caravan sites licence where necessary.
- 1b.** The subject of unauthorised encampments brings diverse and controversial views and feelings from both those on the encampments and those of the settled community.
- 1c.** The aim of this document is to develop a protocol that allows a fair and consistent approach by participating public bodies, to the management of unauthorised encampments.
- 1d.** The protocol has been developed so it supports and works within existing legislation and guidance. It also explains the joint policies and procedures used in the management of unauthorised encampments.
- 1e.** It recognises the sensitivity of the subject and the importance of treating everyone with respect, giving consideration to the variety of ethnic and racial origins, different lifestyles, needs and welfare issues.
- 1f.** The agreed policy for managing unauthorised encampments throughout Essex is 'The Code for Gypsy/Travellers in Essex' (known as The Code, Appendix B) which all districts have signed to.

1.1 County and Country Profile

- 1.1a** A bi-annual count of Gypsy/Traveller caravans on both authorised and unauthorised sites is taken in January and July each year. The figures published for July 2002 shows Essex as having a total of 299 unauthorised caravans in the County on the day of the count. Further figures showed Essex as having 217 caravans on local authority owned sites and 322 caravans on private sites.
- 1.1b** The 299 caravans on unauthorised sites in the County were made up as follows:

Chelmsford 62, Basildon 96, Braintree 28, Tendring 20, Rochford 25, Epping Forest 55, Harlow 4, Colchester 2, Maldon 2, Uttlesford 1, Brentwood 4, Castle Point 0.

1.1c The total number of unauthorised caravans in the Country in July 2002 was 3499, so Essex's total of 299 represents 8.5% of the total.

1.1d It should be noted that these half yearly counts are merely snapshots, seasonal changes play a large part in the number of unauthorised caravans in the County. Historically Essex has always had a large number of Gypsy/Travellers residing in the county and visiting, particularly between March and October.

1.2 Gypsy and Traveller Community Profile

1.2a Gypsies and other nomadic people have lived in Essex, or visited the county, since at least the fifteenth century. It is generally acknowledged that a considerable proportion of Gypsy families now live in housing. Although there are no figures, the numbers in housing are much greater than the numbers who live in caravans, and the numbers on permanent sites greater than the numbers who travel.

1.2b They also have cultural traditions and languages (like Gammon and Shelta) which go back many centuries. There are some European Travellers who travel regularly between their country and the UK, particularly from Ireland. There are also those who live in one part of the UK and travel to other parts, and some who are permanently in one location.

1.2c New Traveller communities have a shorter history. They have developed a distinctive lifestyle recognised by an emphasis on the importance of living in a manner that is friendly to the environment, living simply and in low-impact dwellings. The communities are drawn from a wide range of backgrounds and cultures. Farm work and craftwork are common amongst some of them.

1.2d The perception of others about the Gypsy/Traveller communities is often very different. Where people are encamped on land without facilities there are likely to be difficulties in accessing water, waste disposal and other facilities which exist in housing. In addition, there may be trading carried out by those who are encamped or other activities which prompt complaints.

1.3 Demographic Profile of District

Tendring District Council lies in the Tendring peninsula and is situated to the east of Colchester nestling between the two major rivers of the Colne to the southwest and the Stour to the north. The area has a mix of characteristics from the rural area in the North West, to the coastal holiday resorts of Clacton, Frinton, and Walton and to the port of Harwich in the east.

The district has a population of 138,555, living in 65,000 households, with 40 percent living in Clacton and less than 25 percent in the rural part. Its location attracts many tourists to its seaside resort who swell the population during the summer. The population is growing, mainly due to people of retiring age being attracted to the coastal area. This gives the district a higher proportion of elderly residents than the national average and 0.7 per cent is from minority ethnic communities.

Open spaces and density

- Amount of Hectares of public and recreation space - 265
- Amount of Hectares of public playing fields - 35
- Number of Play Grounds - 36
- Amount of Hectares of woodlands space - 8

Reasons and problems pertaining to the District that may make it vulnerable to Unauthorised Encampments, often at inappropriate locations.

1. Absence of any authorised permanent sites or short term stopping places for Travellers.
2. High number of elderly, retired and vulnerable persons in the district who might agree to works e.g. tree lopping, tarmac laying, being carried out by door to door sales persons.

PUBLIC AUTHORITY ROLE

2a Numerous public authorities become involved with unauthorised encampments and have a part to play in the management process. Any decision made should take into account legislation, guidance, health, education and welfare needs. Consideration must be given to both the needs of those on unauthorised encampments and of the settled community. Decisions made by public bodies are open to challenge by those who believe them to be unreasonable. For example: challenges may be made by those who are expected to move from unauthorised encampments or from the settled community who have been affected by an encampment.

2.1 The Role of Essex County Council

2.1a The Gypsy Services Section of Essex County Council often in conjunction with the relevant local authority would normally be responsible for the management of unauthorised encampments on local authority owned land.

2.1b Once an unauthorised encampment is reported, then an Officer from Gypsy Services will, wherever possible, visit within 24 hours. The circumstances of the Gypsy/Travellers and encampment shall be assessed to establish compliance or otherwise with The Code. If the encampment complies then the group may be allowed to stay on local authority owned land for up to 28 days, subject to continued compliance. All appropriate Agencies will be informed of the encampment.

2.1c On land where Essex County Council is the lead agency and if the encampment does not comply with the code. The Gypsy Services Manager will request a full assessment of the group. This will relate to health, social care, educational needs and consideration will be given to the human rights of all parties involved.

2.1d Subject to the outcome of the above, and, if necessary in conjunction with the Local Authority and Essex Police, a decision on what action to be taken will be made.

2.1e The leaflets, "Guidance Notes for Gypsy/Travellers in Essex", (Appendix A) will be provided.

2.1f In circumstances where Gypsy/Travellers are camped on private land, although officers from Gypsy Services will be happy to advise, the onus is on the landowner to manage their own land.

2.2 Role of District Council

2.2a The local authorities have many duties and powers in law this includes;

- The management of unauthorised encampments on land for which the Council is responsible.
- The management of the impact of the encampment on the local environment and the settled community.
- The local authority will follow the Government's 'Good Practice Guide' in respect of the criteria for toleration.
- The use of the Code for Gypsy/Travellers in Essex
- The Council will adopt the joint protocol for managing unauthorised encampments in the district of Tendring District Council.

2.2b Unauthorised encampments are normally assessed by the County Council. The local authority and/or Police involvement may be sought.

- Where there is a low level of impact, the local authority may permit occupation of sites for a negotiated, temporary period.
- Local authority may take action under Section 77 of the Criminal Justice & Public Order Act 1994 or seek County Court Orders to secure evictions.
- In consultation with Police with reference to the use of powers under Section 61 of the Criminal Justice & Public Order Act 1994.

2.2c Following the review of Section 77, the Essex Chief Executives Association have made a recommendation that all Essex authorities secure the eviction of unauthorised encampments by the use of Possession Orders rather than Section 77 of the Criminal Justice & Public Order Act 1994.

2.2d District Council will not normally intervene when encampments are on land not owned by them. However, the Council may assist the private land owner to take action if:

- The site is of such a sensitive nature that it is in the public interest to secure a rapid eviction
or

- The behaviour of the encampment is such as to cause substantive problems to the settled community
or
- The local authority will take action if the change of use of the land to a Gypsy/Traveller site has persisted for more than 28 days and planning permission has not been sought or obtained.

2.2e Tendring District Council will assist in identifying “land ownership” in the private sector to the benefit of the partnership.

To assist the partnership in carrying out site condition survey at the time of trespass and ongoing dilapidation monitoring of the sites as and when required.

Where Essex police use powers to remove vehicles from site, Tendring District Council will assist in the provision of towing vehicles.

Tendring District Council will make arrangements to secure a suitable transfer station to park the unauthorised vehicles.

Any transfer site identified will be subject to risk assessments, and in agreement with Tendring District Council, Essex police will provide the appropriate level of support and response to reported incidents.

2.3 The Role of Essex Police

2.3a Normally trespass will be a civil matter between the trespassers and the landowner. The role of Essex Police in these circumstances is to maintain law and order and to maintain the peace.

2.3b In dealing with unauthorised encampments Essex Police will recognise the rights of the community including the occupiers of the land.

2.3c The police action will comply with the law, taking into account the European Convention of Human Rights.

2.3d Essex Police will enforce the law wherever necessary to fulfil the role outlined above and use statutory powers where appropriate. The primary statutory power is Section 61 Criminal Justice & Public Order Act 1994.

Section 61 of the Criminal Justice and Public Order Act 1994 allows the Senior Police Officer attending the scene of an incident involving a trespass or nuisance on land to order trespassers and their vehicles to leave as soon as reasonably practicable. It states:

61(1) If the Senior Police Officer present at the scene reasonably believes that two or more persons are trespassing on land and are present there with the common purpose of residing there for any period, that reasonable steps have been taken by or on behalf of the occupier to ask them to leave and –

- (a) that any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his, OR
- (b) that those persons have between them six or more vehicles on the land,

he may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they have with them on the land.

61(4) If a person, knowing that a direction under subsection 61(1) has been given which applies to him –

- (a) fails to leave the land as soon as reasonably practicable
OR
- (b) having left again enters the land as a trespasser within the period of three months beginning with the day on which the direction was given, he commits an offence.

62 If a direction has been given under Section 61 and a Constable suspects that any person to whom the direction applies has, without reasonable excuse –

- (a) failed to remove any vehicle on the land which appears to the Constable to belong to him or to be in his possession or under his control;
OR
- (b) entered the land as a trespasser within the period of three months beginning with the day on which the direction was given,

the Constable may seize and remove the vehicle.

The Police power is discretionary and does not impose a duty.

The primary guidance is contained within the DETR booklet Managing Unauthorised Camping – A Good Practice Guide.

- 2.3e** Essex Police accept and confirm that sec 61 is considered a legitimate power that Essex Police can use against unauthorised encampments in appropriate circumstances. The decision to use sec 61 will be an operational one to be taken by the senior police officer on the ground. Appropriate triggers may include individual criminal activity, serious breaches of the peace, or disorder, or significant disruption to the life of the local community.

LEGISLATION

- 3a** All landowners have legitimate powers available to take action to remove people, their dwellings and possessions from their land, where they have no permission to be there.
- 3b** Within certain criteria Local Authorities and the Police have powers available under the Criminal Justice and Public Order Act 1994 to remove trespassers from land. However there is various guidance and case law to take into account before this legislation is implemented.
- 3c** The primary guidance is contained within the DETR booklet Managing Unauthorised Camping - A Good Practice Guide.
- 3d** Other legislation in respect of environmental health, planning, education, etc may apply and will need to be considered by the relevant authority.
- 3e** The primary legislation utilised in the lawful eviction of unauthorised encampments is:
- Criminal Justice and Public Order Act 1994
- Civil Procedure Rules 1998 Part 55
- 3f** The Wealden judgement made clear that local authorities should take account of “considerations of common humanity” in reaching eviction decisions, and they should make enquiries of a welfare nature prior to issuing a Direction to Gypsies and Travellers to leave a site under the powers available under the Criminal Justice & Public Order Act 1994.

MANAGEMENT OF UNAUTHORISED ENCAMPMENTS

- 4a** It is recognised by parties to this protocol that we will continue to have unauthorised encampments for the foreseeable future.
- 4b** In accordance with the Good Practice Guide to Managing Unauthorised Camping issued jointly by the DETR and Home Office in October 1998, the parties to this Protocol recognise that encampments may be allowed to remain where conditions are suitable.
- 4c** Where conditions are not suitable, following consultation, the partnership will make a decision as to action to be taken or not in respect of each encampment.

4.1 Management of Unauthorised Encampments on Local Authority Land where no crime or disorder issue are raised. (Flow Chart Appendix C.)

- 4.1a** When informed of an unauthorised encampment on Local Authority land the Essex County Council will visit and assess the circumstances of the encampment. Relevant referral information will be shared with the appropriate authorities.
- 4.1b** It will be made clear the circumstances in which the occupants will be permitted to stay without eviction action being started.
- 4.1c** In the absence of specific welfare needs, Essex County Council in conjunction with Tendring District Council will consider the following when seeking to balance the needs of occupants and the settled communities.
 - The nature, suitability or obtrusiveness of the encampment site.
 - The size of group and the behaviour of occupants.
 - The number, validity and seriousness of complaints against the encampment.
- 4.1d** The criteria for toleration is clearly set out in the code for Travellers in Essex (Appendix A). This will be made available at the time of the initial visit by Essex County Council.
- 4.1e** The Code recommends that the occupants may be allowed to stay on Local Authority land for a period up to 28 depending on the circumstances.

4.1f The encampment will be reviewed in accordance with The Code as to whether the toleration criteria is still being met. Similarly complaints will be monitored and reviewed as necessary.

4.1g Where the encampment is in breach of The Code (including staying in excess of 28 days) action may be taken to repossess the land.

4.2 Management of Unauthorised Encampments on Local Authority Land where crime or disorder issue are raised

(Flow Chart Appendix C)

4.2a There will be circumstances where sites will not be tolerated Examples include encampments which cause;

- A clear highway hazard
- Those located on high profile sites
- Where an unauthorised encampment is causing policing problems.

4.2b Deteriorating circumstances may lead to a decision to start eviction. In these circumstance the other partnership authorities will share information and determine the most appropriate action.

4.2c It is unlawful for a public authority to act in a way which is incompatible with the European Convention of Human Rights. The decision making must be structured so it reflects;

- The legality of the decision
- Its necessity
- Proportionality
- That it is non-discriminatory.

If through enquiries, it is established that an eviction could seriously damage the health of any trespasser consideration may be given to excluding that party from any direction to leave land.

4.2d Where the local authority have directed that the trespassers vacate the land and police action is sought, the police are entitled to assume that the Local Authority decision has been lawfully made, that all necessary welfare enquiries have been made, and there is no reason why the eviction should not be enforced. (R V Chief Constable of Dorset Police, ex parte Fuller and Others [12.12.2001])

4.2e In the most urgent of cases it will not be possible to undertake exceptional meetings and the amount of welfare enquiries will be minimal. In even the most urgent of cases the right to life (Article 2, ECHR) must be considered.

4.2f It will be important for the direction to leave served by the police under Section 61 Criminal Justice & Public Order Act to state that the Travellers should leave immediately or as soon as reasonably applicable.

4.3 Management of Unauthorised Encampments on private land where no crime and disorder issues are raised
(Flow Chart Appendix D)

4.3a In a simple case of trespass, it will often be appropriate for a landowner to apply for an order of repossession.

Tendring District Council will not normally intervene when encampments are on land not owned by them. However, the Council may assist the private land owner to take action if:

- The site is of such a sensitive nature that it is in the public interest to secure a rapid eviction
or
- The behaviour of the encampment is such as to cause substantive problems to the settled community
or
- The local authority will take action if the change of use of the land to a Gypsy/Traveller site has persisted for more than 28 days and planning permission has not been sought or obtained.

4.3b Essex County Council will provide advice to any land owner who has an incursion of an unauthorised encampment on their land.

4.3c Essex Police is not responsible for the enforcement of any possession of land order. They will attend if deemed necessary to ensure there is no breach of the peace.

4.4 Management of Unauthorised Encampments on private land where evident crime and disorder issues are raised
(Flow Chart Appendix D)

4.4a The landowner must have taken reasonable steps to ask the occupants to leave prior to Police considering the use of Section 61 of the Criminal Justice & Public Order Act 1994. What is reasonable depends on the circumstances of each case. It is important for this decision making process to be recorded.

4.4b The role of Essex Police is documented at 2.3, this includes the criteria for Section 61 of The Criminal Justice & Public Order Act 1994 and appropriate triggers for Police action.

4.4c Evidence supporting the use of Criminal Justice & Public Order Act 1994 should be collated. Such evidence may include statements from the residents, the landowner and Police Officers.

4.4d Details of welfare enquiries made and the results of those should also be recorded. The amount of welfare enquiries will depend on the urgency of the case. If through enquiries, it is established that an eviction could seriously damage the health of any trespasser consideration should be given to excluding those persons from the direction to leave.

4.4e In a simple case of trespass, it will often be appropriate for a landowner to apply for an order of repossession.

Tendring District Council will not normally intervene when encampments are on land not owned by them. However, the Council may assist the private land owner to take action if:

- The site is of such a sensitive nature that it is in the public interest to secure a rapid eviction
or
- The behaviour of the encampment is such as to cause substantive problems to the settled community
or
- The local authority will take action if the change of use of the land to a Gypsy/Traveller site has persisted for more than 28 days and planning permission has not been sought or obtained.

4.4f Prior to the use of Section 61 of the Criminal Justice & Public Order Act 1994, the partnership and land owner or agent will be consulted to determine the appropriate action.

District Contact List

District Council

Contact: Alan Stypulkowski
Environmental Services
Tendring District Council
Council Officer
Weeley
Clacton-on-Sea
Essex
CO16 9AJ
Tel: 01255 686755
Email: astypulkowski@tendring.gov.uk

Margaret Geale
Legal Services
Tendring District Council
Westleigh House, Carnarvon Road
Clacton-on-Sea
Essex
CO15 6QF
Tel: 01255 686563
E-mail : mgeale@tendringdc.gov.uk

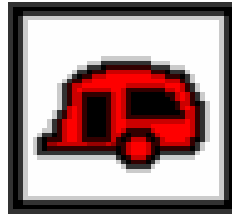
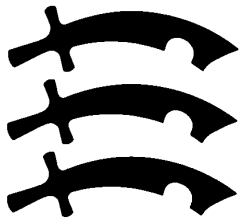
Essex County Council

Contact: Adam Bradley
Gypsy/Traveller Services
Essex County Council
County Hall
Chelmsford
Essex CM1 1QH
Tel: 01245 437757
E-mail: adam.bradley@essexcc.gov.uk

Essex Police

Chief Inspector Colin Steele
Police Station
8 Beatrice Road
Clacton-on-Sea
Essex CO15 1ET
Tel: 01255 221312

Contact: **Person who will deal with Encampments**
Duty Inspector
Police Station
8 Beatrice Road
Clacton-on-Sea
Essex CO15 1ET
Tel:91255 22131



Guidance Notes for Gypsy/Travellers in Essex

THE CODE FOR GYPSY/TRAVELLERS IN ESSEX

1. The basic message of this Code is that if Gypsy/Travellers in Essex stay in small groups and comply with the Code then they may be allowed to remain on local authority owned land for a period of up to 28 days.
2. A large encampment will need to split up into small groups. If this does not happen or if any of the factors listed in the Code are not met then action to move on the Gypsy/Travellers is likely to be taken either by the Police or the Local Authority.
3. The Code applies to all land in local authority ownership, although private landowners may well instigate their own eviction action.
4. Action to remove Gypsy/Travellers, especially in large groups or where trespassing on private land, may be taken by the Police.

THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

The Police have a discretionary power to enforce the removal of unauthorised encampments. The possible penalties for not moving on when directed to can be severe, ranging from vehicles being impounded, to fines of up to £2,500 or even arrest. If vehicles are towed away, the Police can charge the owner with the cost of removing them, and storing or disposing of them.

Evictions can also be undertaken by landowners obtaining a Possession Order from the County Court.

The Gypsy/Travellers in Essex Code is effectively a charter or agreement offered to Gypsy/Travellers in Essex whereby Gypsy/Travellers may be allowed to stay on local authority owned land for up to 28 days providing they keep to small groups and abide by the code.

WHAT THE CODE MEANS

1. The Code only applies to Gypsy/Travellers i.e. Persons who travel for the purpose of seeking their livelihood
2. The stay on land will depend on your co-operation:
 - keep groups small. Three caravans will normally be acceptable. Slightly larger groups may be O.K. away from built up areas.
 - space yourselves out, park away from other groups.
 - look after the land you park on and don't cause problems for nearby residents.
 - Do not dump or burn rubbish.
 - ask the local Council for black plastic bags for rubbish which they will then collect from you on a weekly basis.
 - park vehicles safely and keep all animals under control.
 - only park on land not needed for another purpose.
3. Follow the above advice and in most cases, Essex authorities will not pursue an immediate order for the eviction of small groups of Gypsies providing you follow the Code. There could be an agreed stay of up to 28 days.

COUNCIL SITES

The County Council has 12 Gypsy/Traveller Caravan Sites throughout the county. Should you wish to be considered for a pitch on such a site now or in the future please complete an application form which can be obtained from any site office or phone 01245 437694.

YOUR OWN SITE

If you want to buy a piece of land for a Gypsy/Traveller site, planning permission will be required. **Before purchasing land, discuss your ideas with the local council's Planning Department.** The use of a Planning Consultant is also recommended, e.g. Dr Robert Home, Tel: 0207 249 7818; Dr Donald Kenrick, Tel: 0207 7727 2916. Other names can be obtained from the Royal Town Planning Institute, Tel: 0207 636 9107. For general advice you may wish to telephone Nigel Bell of the PLANNING AID service, Tel: 01245 437508.

LEGAL ADVICE

If you need general legal advice the following local solicitors are suggested - Tony Biebuyck, Chelmsford, Tel: 01245 348885; John Twitchen, Southend-on-Sea, Tel: 01702 339222 or emergency 0426 947889. Names of other local Solicitors may be obtained from Yellow Pages or the Citizens Advice Bureau of most large towns.

HOUSING

Some Gypsy/Traveller families express an interest in moving into a house. All authorities have a housing register accommodation and "weighting" systems decide on priorities. Contact your local Housing Department for more information.

EDUCATION

If you want help with your child's schooling phone (Traveller Education) on 01376 340360.

SOCIAL WELFARE

Should you have worries about any aspects of your welfare of yourself or your children please contact your local Area Office as follows:

BASILDON: 01268 643333
BRAINTREE/MALDON: 01376 555400
CHELMSFORD: 01245 434418
CLACTON: 01255 253300
COLCHESTER: 01206 761954 or 763267
EPPING FOREST: 01992 701188
HARLOW: 01279 434641
MALDON: 01621 858958
RAYLEIGH: 01702 542960
SAFFRON WALDEN: 01799 513132
SOUTHEND: 01702 469390
THURROCK: 01375 390999

HEALTH

If you want advice on any health issues, you should be able to see any local GP or Dentist, even if you are not registered. There is a 24 hour NHS helpline you can phone – **0845 4647**.

REFUSE COLLECTION

All local authorities have been asked to supply plastic refuse bags to Gypsy/Traveller encampments on tolerated sites and to collect domestic refuse on a weekly basis. Please contact the local authority in whose area you are staying. Larger items need to be disposed of at Civic Amenity Sites, the location of which can be obtained from the same departments, however, those sites will not accept trade waste. Local authority contacts are:

BASILDON: 01268 294901
BRAINTREE: 01376 552525
BRENTWOOD: Brentwood BC 01277 261111
CASTLE POINT: 01268 882200
CHELMSFORD: 01245 606620
COLCHESTER: 01206 282626
EPPING FOREST: 01992 564192
HARLOW: 01279 446905
MALDON: 01621 875816
ROCHFORD: Council Depot 01702 318111
SOUTHEND: 01702 215000
TENDRING: 01255 6866788
THURROCK: 01375 652485
UTTLESFORD: 01799 510510

MOVING ON

When you leave a site please try to leave it as you found it. The state in which you leave the site will be taken into account when you wish to camp on a new site. The distance you move must be at least two miles from the site occupied.

GYPSY SERVICES MANAGER

The County Council's Assistant Gypsy/Traveller Services Manager is Adam Bradley, who is based at County Hall. His Address is Essex County Council Planning Division, County Hall, Chelmsford CM1 1QH. His telephone number is 01245 437757. Email: adam.bradley@essexcc.gov.uk. Should you need any further advice please contact him direct.

Printed and supplied by Essex County Council, County Hall, Chelmsford, Essex CM1 1QH

THE CODE FOR GYPSY/TRAVELLERS IN ESSEX

Subject to the satisfactory assessment of the following factors, Essex authorities will not normally pursue an order for the removal of vehicles from any land on which they are stationed for a period of up to 28 days:

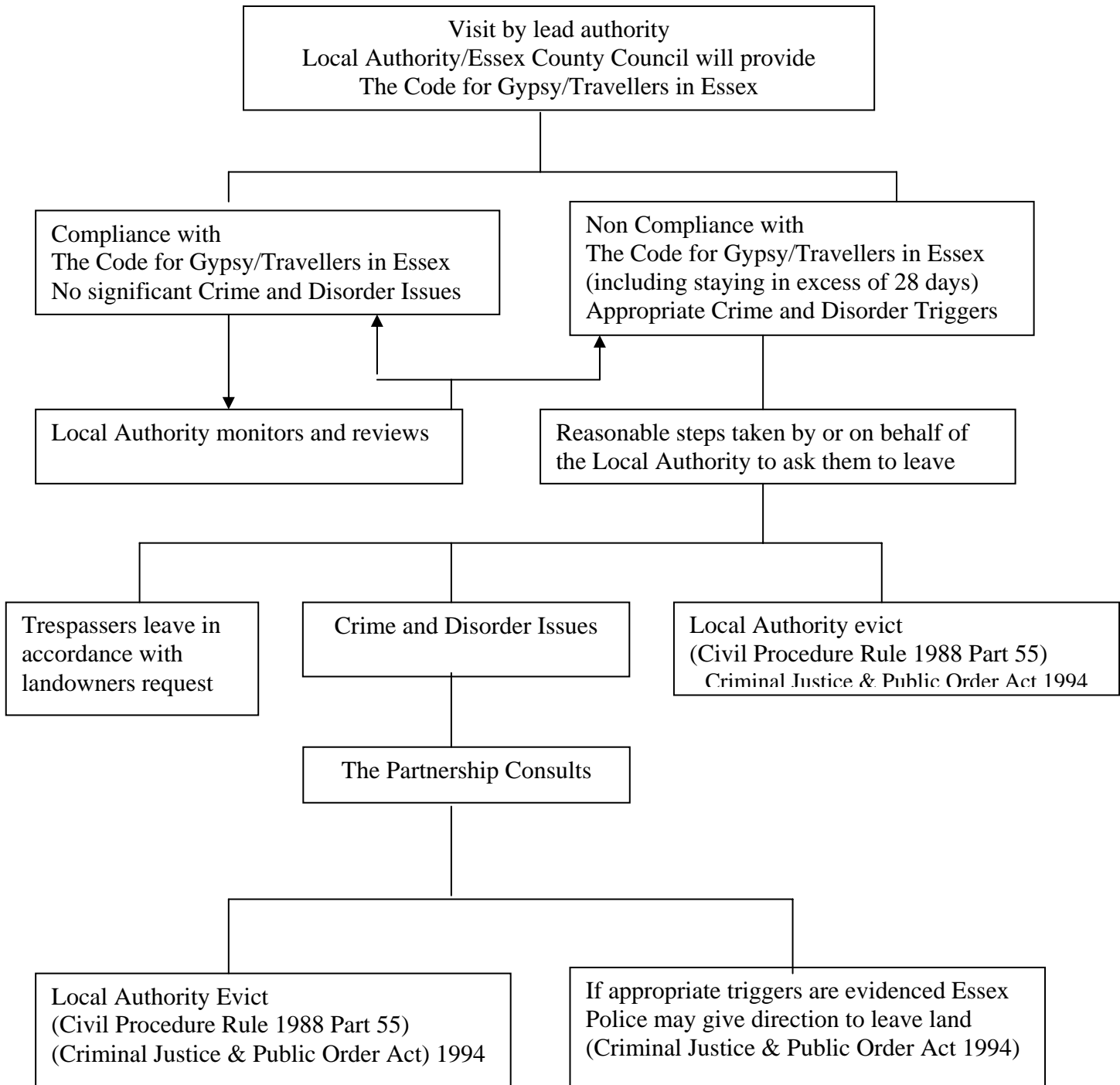
1. The "Gypsy" status of occupants of the caravans. For the purposes of this Code "Gypsy" means persons of nomadic habit of life, whatever their race or origin, who wander or travel for the purpose of making or seeking their livelihood and does not include persons who move from place to place without any connection between their movement and their means of livelihood and does not include members of an organised group of travelling showmen or of persons engaged in travelling circuses, travelling together as such.

Travellers, other than Gypsies as defined above, will be moved on subject to their welfare needs being assessed.

2. The number of caravans involved. The maximum number normally acceptable will be 3 caravans in any one group although slightly larger groups may be permissible in locations remote from residential or commercial properties.
3. The distance between groups. The minimum acceptable distance between groups of Gypsy/Travellers shall normally be half a mile.
4. The occupation of any land shall not have a serious effect on the amenities, or otherwise cause nuisance to, the occupants of any adjacent property.
5. No damage shall be caused to any property, fences, trees etc. on that or adjacent land.
6. The behaviour of the Gypsy/Travellers to other people shall be acceptable, ie. no intimidation especially involving actual violence or the use of abusive or insulting language.
7. There shall be no dumping or inappropriate disposal of household, human or trade waste especially where this constitutes a hazard to public health, nor any stockpiling of materials.
8. No fires shall be lit on any land other than for cooking or washing purposes.

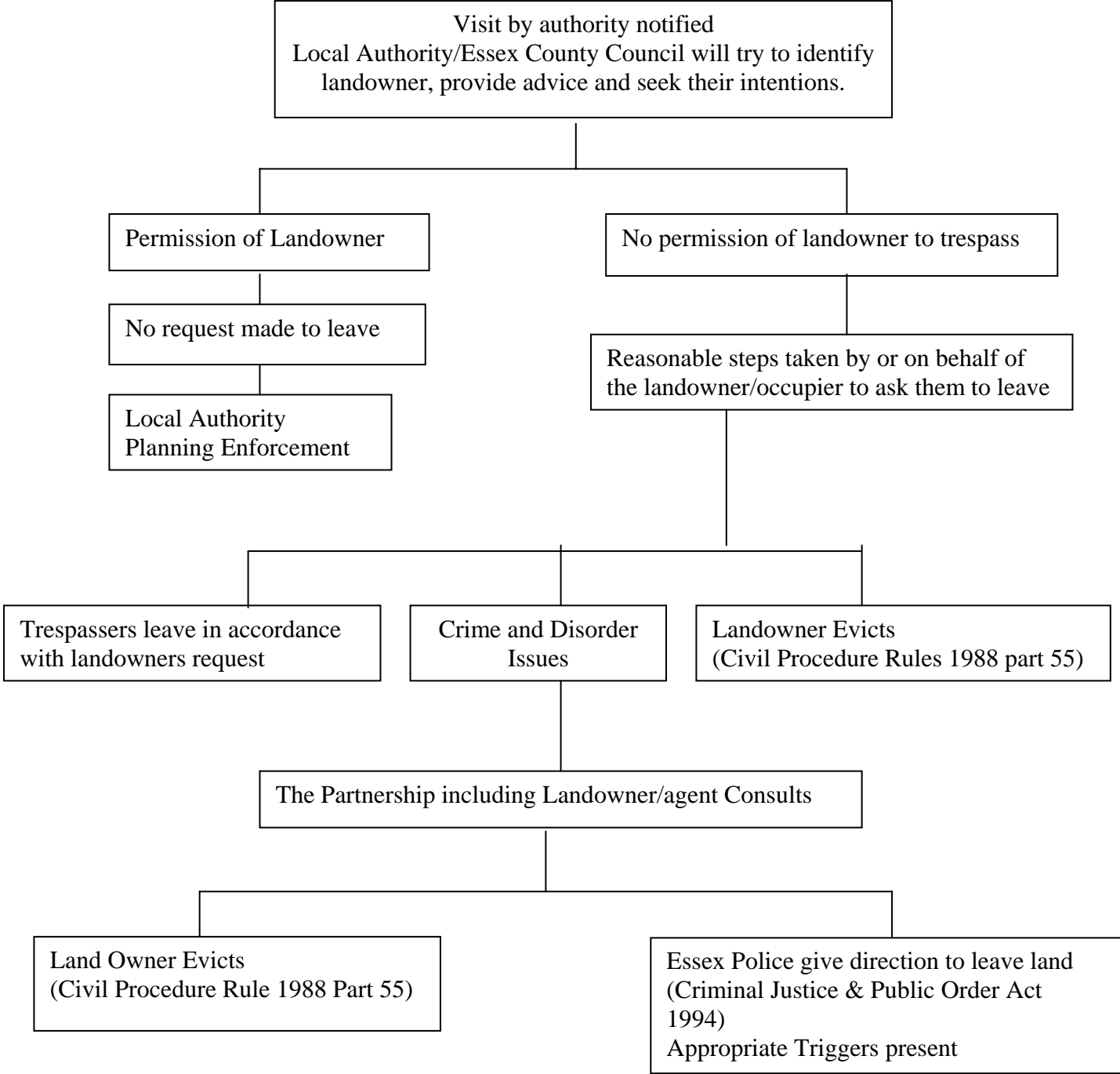
9. Vehicles shall be parked, and any animals kept, in such a manner so as to cause no inconvenience or affect on the safety of users of the adjacent or nearest highway.
10. The occupation of local authority or other statutory authority land or agricultural land shall not impede its necessary operational use or, insofar as parkland or other public open space is concerned, shall not detract from its amenity value.
11. Once the agreed period of occupation has elapsed, then the distance moved must be at least two miles from the site occupied. Re-occupation of the same site must not take place within three months.

Unauthorised Encampments on Local Authority Land



All decisions will take into account welfare issues, size of encampment, location, nuisance, traffic hazard, damage, human rights of all parties etc. A consistent and balanced approach will be taken.

Unauthorised Encampments on Private Land



Local authorities have responsibility to make welfare enquiries and take account of considerations of common humanity whatever power used