



# **A Joint Protocol For Managing Unauthorised Encampments within the Staffordshire County Council and City of Stoke on Trent Council boundaries**

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# **Managing Unauthorised Encampments**

## **A Joint Protocol between Staffordshire Police and Stoke-on-Trent City, Staffordshire County and Local Councils**

The protocol sets out the procedures to be adopted by all agencies. The aim is to ensure that the protocol remains current, and reflects relevant changes in legislation and national policy thereby ensuring that Staffordshire Police, Staffordshire County Council, Cannock Chase District Council, East Staffs Borough Council, Lichfield District Council, Newcastle Borough Council, South Staffs District Council, Stafford Borough Council, Staffordshire Moorlands District Council, Tamworth Borough District Council and City of Stoke on Trent Council provide a fair, balanced and proportionate response. Each subsequent edition is numbered and carries the month and year of publication.

The joint protocol was created to ensure that where people are camped on unauthorised sites as trespassers and cause nuisance, or indulge in anti-social or criminal behaviour, they are dealt with under the law in the same way as those who behave in that manner from the settled community. Staffordshire County Council, Cannock Chase District Council, East Staffs Borough Council, Lichfield District Council, Newcastle Borough Council, South Staffs District Council, Stafford Borough Council, Staffordshire Moorlands District Council, Tamworth Borough District Council and City of Stoke on Trent Council and Staffordshire Police recognise their respective roles and will comply with the good practice guide, *'Managing Unauthorised Camping'* (and subsequent amendments, including *'Dealing with illegal and unauthorised encampments'*, March 2015), published by the Department for Communities and Local Government (DCLG). This is also supported by the National Police Chiefs' Council *'Operational Advice on Unauthorised Encampments'*, 2018.

Proportionate enforcement of the law involves a significant degree of discretion. The law provides a wide range of powers to remove people who are unlawfully on land. Each encampment must be individually considered on its merits, before a decision in relation to use of police powers is made. The starting point for a police response to any issue should be to:

Protect life; prevent and detect crime; and maintain the Queen's peace. In making these decisions Guidance in this document should be considered.

A consideration should be whether an encampment is interfering with the lawful rights of others balanced against rights of the campers and any specific welfare needs. All breaches of the criminal law should be investigated by the police in an appropriate manner. Similarly persons encamped are entitled to a life free from the fear of crime, harassment and intimidation and all reports of incidents against those people will be proactively investigated.

Staffordshire Police, Staffordshire County Council, Cannock Chase District Council, East Staffs Borough Council, Lichfield District Council, Newcastle Borough Council, South Staffs District Council, Stafford Borough Council, Staffordshire Moorlands District Council, Tamworth Borough District Council and City of Stoke on Trent Council are committed to ensuring that unauthorised encampments are dealt with in the most professional manner, taking into account the needs of all individuals concerned, and ensuring wherever practicable that their actions are reasonable and proportionate.

**Jennifer Sims**

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## 1. Introduction

- 1.1 The issue of illegal encampments is emotive and highly politicised. In the event of an encampment being established, local residents, politicians and landowners may seek to influence the actions of the Police and the Local Authority. As of January 2015, there were 20,123 traveller caravans in England, 13% of which were on unauthorised land (either owned by travellers without planning permission or unauthorised encampments on land not owned by travellers). *[Count of Traveller Caravans, January 2015 England - Department for Communities and Local Government]*
- 1.2 Following consultation between Staffordshire Police, Staffordshire County Council, Local Councils and City of Stoke on Trent Council, this joint protocol was agreed which contains guidance for dealing with illegal encampments and which incorporates guidance from both the DCLG and the National Police Chiefs' Council.
- 1.3 A multi-agency approach can be very effective particularly in areas where encampments are a regular occurrence. This protocol is to be applied consistently across Staffordshire and Stoke on Trent to ensure a rationalised multi-agency response and appropriate management of unauthorised encampments.
- 1.4 Staffordshire County Council, the City of Stoke on Trent Council and Staffordshire Police recognise the importance of effective communication when managing what are potentially very sensitive issues. Effective communication is vital with those individuals and their families who are required to move, as well as local residents and other interested parties. Effective communication and liaison should be maintained between the Council Enforcement officer (CEO) and the Neighbourhood Policing Team (NPT).
- 1.5 Increasing trust and confidence in the police amongst minority ethnic groups is a priority to all police forces. The Equality Act 2010 makes it unlawful for public bodies such as Local Authorities and police forces to discriminate on the grounds of protected characteristics including race. Case law has held that because of their shared history, geographical origin, distinct customs and language Romany Gypsies and Irish Travellers are distinct ethnic groups. This means that treating people less favourably, solely because they come from a Traveller community is unlawful and it is important that all of the measures explained in this protocol are considered on an individual case-by case manner.
- 1.6 To facilitate effective communication this Protocol will be available on Staffordshire Police and Staffordshire County Council, Cannock Chase District Council, East Staffs Borough Council, Lichfield District Council, Newcastle Borough Council, South Staffs District Council, Stafford Borough Council, Staffordshire Moorlands District Council, Tamworth Borough District Council and City of Stoke on Trent Council Internet web sites.

## 2. Safeguarding considerations and contacts

As with any encounter where young people and children are likely to be present or involved officers must be aware of potential safeguarding issues. A child is anyone under the age of 18. It is very important that action is taken straight away if it appears that a child may be abused or neglected.

2.1 A vulnerable adult is someone over the age of 18 'who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself or unable to protect him or herself against significant harm or exploitation.' It is very important that action is taken straight away if it appears that a vulnerable adult may be abused or neglected.

**If there are concerns that a child or vulnerable adult is at immediate risk the Police should be alerted on 999.  
The non-emergency number is 101.**

If the risk is not immediate, concerns should be reported to:

Staffordshire First Response Team (Children)	0800 1313126
Staffordshire Adults Team (contact centre)	0845 6042719
Stoke-on-Trent Safeguarding Referral Team (Children)	01782 235100
Stoke-on-Trent Adults Referrals (contact centre)	0800 5610015
Staffordshire Police MASH Team (Professionals only)	01785 235350
Staffordshire and Stoke-on-Trent NHS Partnership Trust	01785 895630

### **3. Equality and discrimination**

- 3.1 The Equality Act 2010 requires public authorities to have due regard to the need to eliminate discrimination, promote equality of opportunity, and foster good relations between those who share a protected characteristic and those who do not when carrying out their functions. This duty covers all racial groups, including Gypsies and Irish Travellers who are recognised ethnic groups.
- 3.2 This protocol is not a policy on Gypsies or Travellers; rather it is a protocol on the agreed response to reports of persons residing as trespassers on land. It is, however, recognised that many unauthorised encampments will be occupied by Gypsies or Travellers.
- 3.3 Local Authorities and Police must always be able to show that they have properly considered the equalities implications of their policies/protocols and actions in relation to unauthorised encampments. They must be able to demonstrate that their policies/protocols and actions are proportionate bearing in mind all the circumstances of the case.

#### **4. Initial actions on report of an unauthorised encampment**

4.1 In considering any unauthorised encampment a balance must be struck between the rights of those encamped, of landowners and those lawfully entitled to use the land, and the local community. Each encampment must be considered on its own merits with police officers and Local Authority staff acting objectively.

4.2 The initial agency will seek to undertake an initial visit and assessment by making contact with the people on site. The assessment should consider the impact of its location, as well as the behaviour displayed by the occupants. The occupants should be spoken to in order to establish their identities and location of last site, and to ascertain their views on desired duration of stay as well as any pressing welfare needs. Issues to be taken into consideration include;

- The welfare needs of the group;
- The nature, suitability or obtrusiveness of the encampment;
- The size of the group, their behaviour and level of any nuisance;
- The number, validity and seriousness of any complaints;
- The level of damage caused by the occupiers.

4.3 Attempts should be made to establish if the land is private or council owned, identify the landowner and make contact with them.

4.4 Any offences should be identified such as criminal damage caused to gain entry to land, obstruction of any footpaths or other highways, fly tipping, any other anti-social behaviour.

4.5 The information should be recorded and where appropriate shared between District, County, City Councils and the Neighbourhood Policing Team.

4.6 The initial agency attending should notify partners of its presence and activity being undertaken with a view to establishing a joint approach and to establish the lead agency in line with this protocol. They should share the information recorded.

4.7 Police points of contact will be the local Neighbourhood Policing Team Commander or Deputy, however, if emergency attendance is required calls should be reported via '999'.

4.8 Each Council area will have nominated points of contact 'Council Enforcement Officer'.

## 5. Role of Staffordshire Police on notification of an Illegal encampments

5.1 Once Staffordshire Police officers become aware of an encampment they will notify the owner of the land and the Local Authority 'Council Enforcement Officer' (CEO).

5.2 A STORM incident log will be created in every instance and the Duty Officer will be informed. The incident log should include the following information:

- Date the occupiers arrived at the location;
- How the persons entered the land;
- Number of caravans and vehicles present and their registration numbers;
- The exact location of the encampment;
- Details of livestock (horses etc) and dogs present;
- What steps, if any, have been taken locally to request that the group leave;
- The identity of the land owner and whether they have been informed;
- What steps are being taken to secure the remainder of the property while the group is present;
- Whether there is anything especially valuable, sensitive or dangerous on the site (toxic waste, powers or gas installations etc);
- Information of any immediate health or welfare needs, especially that of children and elderly people;
- What steps will be taken to secure the premises once the group leaves;
- All calls from the public and/or complaints concerning the conduct of the persons (including incidents of verbal-abuse and anti-social behaviour) will be recorded on the incident log, in order to create a 'running' and complete record.

5.3 The police should seek to engage with the unauthorised campers and in doing so establish any welfare needs. Details of the persons present and any intentions for remaining at the site and the duration should be captured.

5.4 An assessment log should be commenced.

- This should take into account the impact of the location;
- The welfare needs of the group;
- The nature, suitability or obtrusiveness of the encampment;
- The size of the group, their behaviour and level of any nuisance;
- The number, validity and seriousness of any complaints;
- The level of damage caused by the occupiers.

5.5 The Police on attendance should seek to identify any criminal offences such as criminal damage to cause entry. An investigation should be commenced into any criminal damage caused and attempts made to identify the person (s) responsible. Should a person be identified then this should be dealt with in accordance with normal processes of managing offenders.

5.6 As part of the site visit it is necessary to understand and capture the impact of any damage or environmental issues. Officers should capture the condition of the site and where necessary record the site using body worn video (BWV).

5.7 The Police should issue to those present and remaining at the site the Code of



Conduct notice that sets out expectations in terms of behavior and support that will be provided.

5.8 The Police should as part of an assessment consider the previous presence or activity of the group in forming any decision as to the processes to be followed.

5.9 The information captured should be accurately recorded and shared with partners where it is appropriate to do so.

## **6 Illegal encampments on land owned by Staffordshire County Council, City of Stoke-on-Trent Council or Local Authority within Staffordshire.**

- 6.1 The Local Authority is empowered to initiate eviction proceedings in relation to illegal encampments on Council owned land, and will usually use Part 55 of the Civil Procedure Rules or Sections 77 and 78 of the Criminal Justice and Public Order Act 1994 (CJPOA).
- 6.2 It is most likely that the Local Authority will be the lead agency where 'Unauthorised Encampments' are established on council owned land. However, this will be agreed jointly at the point of first notification.
- 6.3 Lead agency will coordinate information and gather appropriate evidence to provide a recommendation for further action.
- 6.4 The Local Authority will arrange for a visit to confirm the encampment. Should police assistance be required then this will be requested via the Neighbourhood Policing Team.
- 6.5 The lead agency will coordinate an appropriate welfare check supported by the relevant agency to identify the needs of the persons within the encampment. This should seek to identify;
  - Location
  - Date of Arrival
  - Number of Caravans
  - Family Names (where known) and Estimated Numbers
  - Dangerous Dogs
  - Livestock Present
  - Humanitarian Considerations

Where a special humanitarian or welfare issue is identified, the relevant department will be notified.

- 6.6 The unauthorised encampments should be issued with a copy of the Local Authorities 'code of conduct' by which the occupiers will be expected to regulate their behaviour whilst occupying the site. It may be necessary to explain these and provide details of helpful numbers (Doctors, schools, churches etc).
- 6.7 The unauthorised encampments should also be informed that the process for eviction will commence and ask them to leave. It may be necessary to issue a 'Notice to Vacate Land' initial notice requesting that the unauthorised encampments leave within 24 hours.
- 6.8 If possible the provision of emergency measures to minimize environmental waste should be taken and provision of bin bags considered along with and other options.
- 6.9 Evidence of impact should be gathered with details of numbers of persons and vehicles present. A sketch of the area along with photographs may be

obtained.

- 6.10 Following the visit where it is felt necessary to coordinate a partnership approach, the Local Authority will call a meeting of relevant partners to discuss the issues present and consider the next steps required. Attendance will be dependent upon the issues identified and may include, homelessness, Animal Welfare, RSPCA, Environment Agency amongst others.
- 6.11 If the CEO believes, because of previous experiences with the persons concerned or through accurate intelligence, that it is the intention of the unauthorised occupiers not to comply with the Notice to Vacate Land, he may make an application directly to the Court for a 'Possession Order' under part 55 of the Civil Procedure Rules. Also, considerations in respect of Section 77/78 of the Criminal Justice Public Order Act. The encamped persons may make legal representation through a Solicitor. The factors taken into consideration may include:
- Previous history or experience of the persons concerned;
  - The encamped persons refuse to leave the land peacefully;
  - Sites which are frequently used by the public e.g. Public Open Spaces;
  - Sites with a history of regular occupation by unauthorised encampments.
- 6.12 On application by the CEO, the Court may issue an order for possession of the land. This procedure can still take several days and during this time it is important that partners and the community are kept updated.
- 6.13 Where unauthorised encampments return to land that they have previously occupied in the last six years and they have been subject to Court action by Staffordshire County Council, District Council or the City of Stoke on Trent Council, then the Local Authority will apply to the Court for an 'Order of Restitution' to obtain repossession of the land. This procedure, while quicker, can still take several days to complete.
- 6.14 In all instances Staffordshire County Council, the City of Stoke on Trent Council, Local District Council and Staffordshire Police will support lead action taken by the other party.
- 6.15 Where certain aggravating factors are present including the conduct of the unauthorised encampments there may be a case for immediate eviction under Section 61 Criminal Justice and Public Order Act 1994. The procedure is outlined below.

## 7 If the decision is not to evict immediately

7.1 Where Encampments do not give rise to complaints of nuisance, immediate action may not be considered necessary, however, a mutually acceptable date for leaving the site should be agreed. Some persons will indicate their unwillingness to enter into or honour agreements about their leaving date. It is important that these people understand that while there is no statutory obligation to provide information in order to make assessment, or to agree to a leaving date, it is in their interests to cooperate. Non-cooperation often stems from a mistrust of the motives of those involved, based on previous negative encounters and alone should not influence the decision to evict or not.

7.2 When the decision is not to evict immediately, the reason for this decision should be recorded and will be determined by the specific circumstances of the site and any specific needs of those camping, which may include:

- The educational needs of any children,
- The need for immediate medical treatment.

Where those camped indicate that it is their intention to stay in an area for a short period, and they are unlikely to cause disruption or damage during their stay, a departure date should be agreed with the stipulation that staying beyond the stated date may trigger proceedings for eviction.

7.3 Encampments are to be kept under review and should be subject to regular visits; complaints should be monitored and logged by the Local Authority and the Police. Changed or deteriorating circumstances and/or behaviour is likely to lead to the initiation of eviction proceedings. Examples of 'change' include:

- Increased levels of nuisance or environmental damage;
- Expansion of the initial encampment group by the arrival of further people and caravans/mobile homes;
- Anti-social or criminal activity.

7.4 Local planning authorities may also wish to consider that, by allowing camps to remain on an unauthorised site for a short period, public amenity or existing use of land or buildings may be unacceptably affected, meriting protection of the public interest. Depending on the circumstances however the effects of unauthorised use, for short periods may not be considered unacceptable. In this context the local authority should consider the length of time specified in Part 5 of Schedule 2 to the 1995 General Permitted Development Order (caravans staying on land without requiring specific planning permission).

7.5 Where it has been decided that, for the time being, an encampment is not to be evicted Local Authorities should ensure that other relevant bodies are informed either via telephone or email by the CEO. This will include:

- Elected members and relevant ward members;
- The public, especially complainants;
- Local education service and health and welfare agencies.

7.6 Where an encampment is to be allowed to stay, the Local Authority may

offer temporary services such as the provision of rubbish collection sacks.

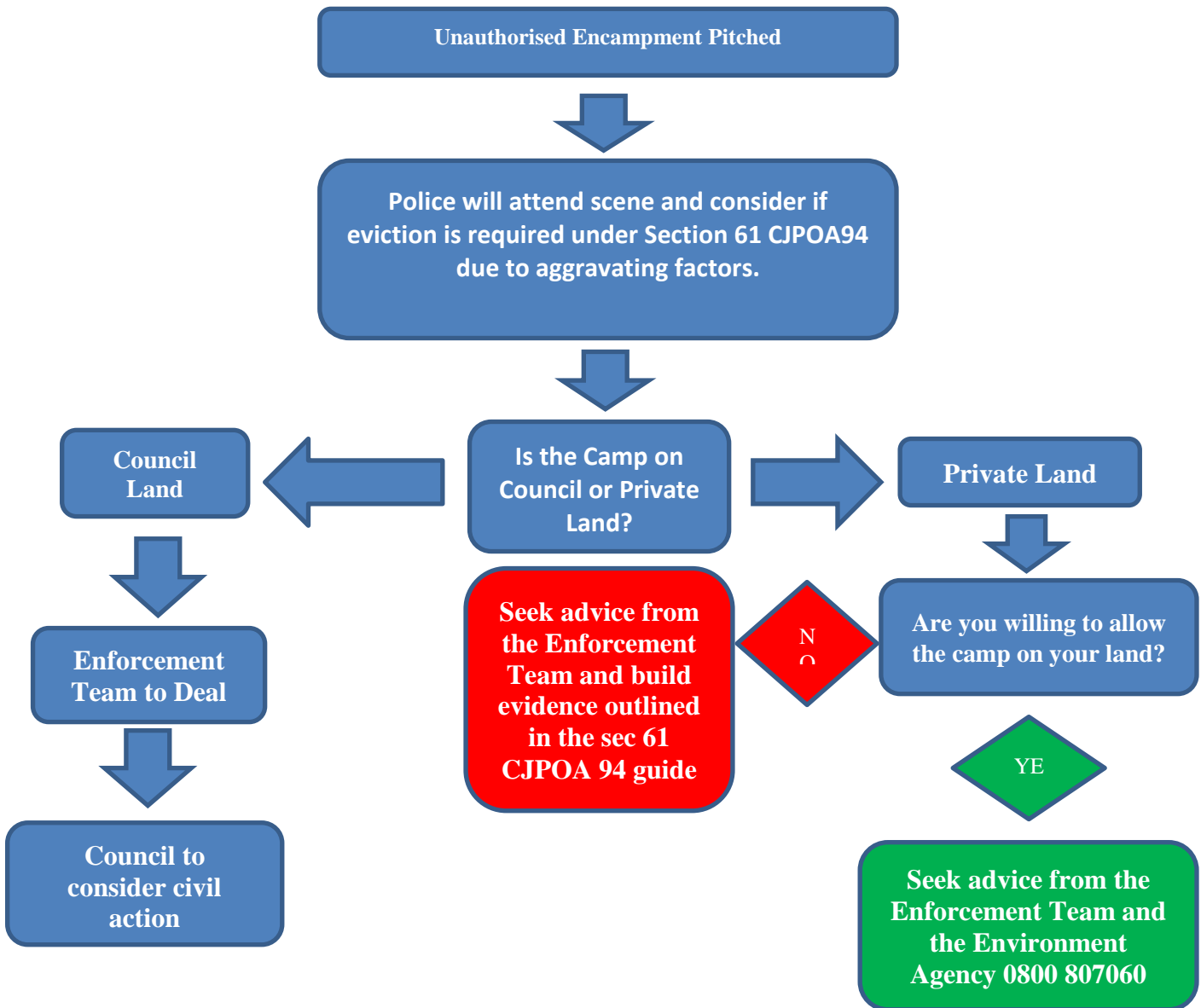
## **8. Illegal encampments on privately owned land in Staffordshire**

- 8.1 Where an illegal encampment occurs on private land it is for the landowner to take responsibility for dealing with the illegal trespass.
- 8.2 The Local authority will provide advice to the land owner in respect of identifying any welfare needs. The land owner will be responsible for ensuring the relevant agency is notified.
- 8.3 When aware of an unauthorised encampment, Staffordshire Police will notify the affected landowner and the Local Authority of its existence. Where a multi-agency response is required and the land owner does not call a local meeting of relevant partners, then this can be done through the relevant police lead.
- 8.4 In some circumstances it may be appropriate for the Police to exercise powers under section 61 Criminal Justice and Public Order Act 1994 (CJPOA).
- 8.5 If it is not appropriate for the Police to use their powers under Section 61 the owner of the land should be advised of the reasons. Such reasons may include:
  - The persons have no intention to take up residence;
  - Insufficient number of vehicles;
  - Humanitarian grounds;
  - No instances of damage, nuisance or apparent criminal activity.

The owner of the land can be advised to seek to issue Court proceedings to secure possession of the land or seek the services of a reputable firm of bailiffs.

- 8.6 The Local Authority will not remove persons or property from private land. The Police may be called upon to assist either the County Court Bailiffs or the High Court Sheriff (with regard to a potential breach of the peace) in the event of an order resulting from a private application.

# Unauthorised Encampment Flow Chart



## 9. Police powers: Criminal Justice and Public Order Act 1994

- 9.1 Police powers to evict people from an unauthorised encampment are provided for by sections 61 and 62 of the CJPOA 1994. In all instances there will be early consultation/involvement with the Local Authority. Each Staffordshire NPT will be required to act in accordance with this protocol.
- 9.2 Should action be required then the matter will be overseen by a senior Police Officer which will be the NPT Commander or Response Inspector supported by the Neighbourhood Team.
- 9.3 The senior officer present should consider their powers under sections 61 and 62 of the Criminal Justice and Public Order Act 1994, taking all the circumstances into account with particular note of whether the following circumstances exist:
  - There is a threat to public order, or
  - There is obstruction of the highway, or
  - When crime is, or has been, committed which can be linked to the illegal encampment.
- 9.4 Having regard to the criteria above, the decision to invoke Police powers will be made by the senior Police officer present, who must be satisfied that
  - Reasonable steps have been taken by or on behalf of the person entitled to possession to ask trespassers to leave, and
  - That one or more persons has caused damage to the land or property on the land; OR
  - That one or more persons has used threatening, abusive or insulting words or behaviour towards the occupier or owner of the land, a member of his/her family or their employee or agent; or
  - There are six or more vehicles (including caravans) on the land.
- 9.5 On each occasion, prior to invoking Police powers consideration must be given to humanitarian and welfare issues. Depending on the urgency of the particular circumstances the Local Authority will carry out enquiries in this regard. Such considerations should not cause an obstructive delay. However, the Local Authority may make an evaluation where issues such as a critical illness or treatment at hospital are valid reasons for not moving the persons present. Factors such as children attending school will not, generally, be regarded as being sufficient grounds for a delay.
- 9.6 Consideration may be given to the use of powers contained in alternative legislation e.g. willful obstruction of the highway (Section 137 Highways Act 1980).
- 9.7 Should the Police not use powers under section 61 or 62 then this must be kept under review and periodically assessed to establish if circumstances have changed that will require an eviction to protect others.
- 9.8 The grounds for decisions must be fully recorded. The decisions maker should ensure that there is a clear audit trail of decision making which sets out the rationale for the decision made. An eviction rationale is attached.

## USE OF POLICE POWERS

1. The lead role in the management of unauthorised encampments will be with Local Authorities. Forces may need to become involved in bringing about the prompt and lawful removal of unauthorised encampments, including the use of police powers under Section 61 or 62 of the Criminal Justice & Public Order Act 1994 where:

**i) Local amenities are deprived to communities or significant impact on the environment.**

This could include, for example, forming an encampment on any part of a recreation ground, public park, school field, village green, or depriving the public use of car parks. The fact that other sections of the community are being deprived of the amenities must be evident before action is taken.

**ii) There is local disruption to the economy.**

Local disruption to the economy would include forming an encampment on a shopping centre car park, or in an industrial estate if it disrupts workers or customers, or agricultural land, if this results in the loss of use of the land for its normal purpose.

**iii) There is other significant disruption to the local community or environment.**

This might include where other behaviour, which is directly related to those present at an encampment, is so significant that a prompt eviction by police becomes necessary, rather than by other means.

**iv) There is a danger to life.**

An example of this might be an encampment adjacent to a motorway, where there could be a danger of children or animals straying onto the carriageway.

**v) There is a need to take preventative action.**

This might include where a group of trespassers have persistently displayed anti-social behaviour at previous sites and it is reasonably believed that such behaviour will be displayed at this newly established site. This reasoning will take on greater emphasis if the land occupied is privately owned, as the landowner will be responsible for the cleansing and repair of their property.

2. The mere presence of an encampment without any aggravating factors should not normally create an expectation that police will use eviction powers. This should be communicated to the public, landowners, local authorities, and other agencies. If a decision is made to use police powers to evict then the rationale for the decision should be clearly set out and recorded. As stated above, a suggested eviction rationale record is set out at Appendix C.
3. In all cases, as stated above, there is a need to strike a balance between the duty to protect the rights of travellers and the need to protect the rights of others and that it is necessary and proportionate to use the powers.
4. Section 61 Criminal Justice & Public Order Act 1994 relies upon reasonable steps being taken, by or on behalf of the landowner, to ask trespassers to leave in every case before police powers can be used. A flow chart setting out the police powers



to evict under section 61 of the Criminal Justice and Public Order Act 1994 is set out at Appendix D.

5. Section 62A of the Criminal Justice & Public Order Act 1994 creates a power for a senior police officer to direct a person to leave land and remove any vehicle or other property with him / her on that land if the senior police officer present at a scene reasonably believes that the conditions below are satisfied. The conditions are:-
  - that the person and one or more others (the trespassers) are trespassing on the land;
  - that the trespassers have between them at least one vehicle on the land;
  - that the trespassers are present on the land with the common purpose of residing there for any period;
  - if it appears to the officer that the person has one or more caravans in their possession or under their control on the land, that there is a **suitable pitch** on a **relevant caravan site** for that caravan or each of those caravans;
  - that the occupier of the land or a person acting on his behalf has asked the police to remove the trespassers from the land.
6. The conditions in this section are fewer than under Section 61 and concentrate more on the simple fact of trespassing for the purpose of residence. **The crucial condition here is that it appears to the officer that suitable alternative sites for caravans exist.**
7. The availability of suitable pitches at authorised sites or transit facilities will be an essential consideration before powers under Section 62 A-E can be used and liaison between police forces and their local authorities will be necessary to ascertain such availability or otherwise.
8. A flow chart setting out the police powers under section 62 of the Criminal Justice and Public Order Act 1994 is set out at Appendix E.
9. The six recommendations for the Police, published in 'Common Ground' by the then Commission for Racial Equality (now the Equality and Human Rights Commission) Inquiry, a summary of which is set out below, should be incorporated into all police actions concerning Gypsies, Irish Travellers and unauthorised encampments.

"Police forces should:

- Include Gypsies and Travellers in mainstream neighbourhood policing strategies, to promote race equality and good race relations.
- Target individuals suspected of anti-social behaviour and crime on public, private and unauthorised sites, and not whole communities, and work with people from these groups and local authorities to develop preventive measures.
- Treat Gypsies and Travellers, both when they are victims and suspects, as members of the local community, and in ways that strengthen their trust and confidence in the force.
- Provide training for all relevant officers on Gypsies' and Travellers' service needs, so that officers are able to do their jobs more effectively, and promote good relations between all groups in the community they serve.
- Review formal and informal procedures for policing unauthorised encampments, to identify and eliminate potentially discriminatory practices, and ensure that the procedures promote race equality and good race relations.

- Review the way guidance is put into practice, to make sure organisations and individuals take a consistent approach, resources are used effectively and strategically, all procedures are formalised, and training needs are identified.”



Staffordshire Police

Enc.1

**Unauthorised Encampments**  
**Code of Conduct**

To ensure those members of both the settled and travelling communities can live together in a peaceful and unprejudiced way we expect you to comply with this Code of Conduct. We expect you to treat the land you have occupied with respect, and that you respect the rights and freedoms of other people who also wish to use the area.

Behaviour that may result in your eviction from a site includes the following:

- **Camping upon any land designated as a public amenity**, such as parks, recreation areas, school fields and similar locations (not an exhaustive list).
- **Interfering with the rights and freedoms of other members of the public**, including interrupting the operation of legitimate businesses.
- **Forcing entry to land**, by causing damage to any fixtures, fittings or landscaping (including planted areas). This includes digging away of earthwork defences, which have been placed at landowner’s expense to prevent trespass.
- **Causing any other damage to the land itself, or property on it**. Particular care should be taken not to cause damage to those features provided as public amenities.
- **Driving vehicles along any footpath, or other highway not specifically designed for road vehicles**. This practice is not only unlawful but is also highly dangerous.
- **Parking vehicles or caravans on any road, footpath or other highway that causes an obstruction to other people wanting to pass by**. This includes parking immediately next to footpaths.
- **Dumping or tipping rubbish, waste materials or trade waste such as tree cuttings, rubble, burning of cables etc**. It is your responsibility to keep the site clean and tidy. Council Traveller Liaison Officers can direct you to Civic Amenity Sites (Council tips) where you will be able to pay to dispose of trade waste.
- **Use of the area as a toilet**. You must not deposit or leave human waste openly in public areas.
- **Abuse, intimidation or harassment of any person who is lawfully using the area**.
- **Excessive noise or other forms of anti-social behaviour**.
- **Animals that are not kept under control or that attack persons lawfully on the land, or nearby**.
- **Interference with electrical, water or gas supplies**. Any person(s) found abstracting electricity, or wasting quantities of water may be subject of criminal proceedings.

These codes are the same standards of behaviour that are expected of the settled community. Staffordshire Police are committed to ensuring that all policing issues that affect you are balanced; however behaviour that is deemed unacceptable within society will not be tolerated.

Officer Rank / Name / Number:	Time / Date:
Details of person receiving:	

Copy to : Occupants of encampment, Intelligence Hub and NPT Commander

**RESTRICTED**

ENC 2

**Staffordshire Police****UNAUTHORISED ENCAMPMENT ASSESSMENT FORM**

<b>Date:</b>	<b>Time:</b>
<b>STORM Ref:</b>	
<b>Location:</b>	
<b>Landowner (if known)</b>	
<b>ARE THERE ANY CONDUCT ISSUES AT THE SITE? (See Code of Conduct Form)</b>	
<b>IS THERE ANY IMPACT ON THE SETTLED COMMUNITY?</b>	
<b>DO YOU CONSIDER THERE IS A NEED TO START EVICTION PROCEEDINGS PROMPTLY?</b> (REMEMBER TO ASSESS AND TAKE INTO ACCOUNT 'COMMON HUMANITY' ISSUES.)	<b>Yes / No (Record reasons)</b>
<b>SITE OCCUPANTS SPOKEN WITH?</b>	<b>Yes / No (record comments made, including any welfare or other issues raised)</b>
<b>OFFICER RANK / NAME / NUMBER</b>	

**RESTRICTED****TO BE RETAINED FOR 7 YEARS AFTER DATE OF COMPLETION**



**Staffordshire Police**

**UNAUTHORISED ENCAMPMENT DECISION RECORD**

<b>Location of Encampment:</b>	
<b>Date first to Police notice:</b>	
<b>Landowner:</b>	
<b>STORM Reference:</b>	
<b>Summary / Landowner Actions</b> Include <ul style="list-style-type: none"><li>• what 'reasonable steps' to request the trespassers to leave have been taken by or on behalf of the landowner (in accordance with Section 61 CJPO Act 1994)</li><li>• Where/what/when/why/how the site was established</li><li>• What is previous history of the site and the occupying family</li></ul>	
<b>Aggravating Factors relating to the encampment, including issues affecting the settled community</b> Record number of vehicles and caravans present, together with factors that have been taken into account regarding the need to evict, such as anti social behaviour and impact on other communities	
<b>Mitigating Factors relating to the encampment (including any welfare issues raised by the occupants)</b>	



APPENDIX 4 – Unauthorised Encampment Vehicle Log  
**RESTRICTED**

ENC 4



**Staffordshire Police**

**UNAUTHORISED ENCAMPMENT VEHICLE LOG**

<b>Time &amp; Date of visit:</b>	
<b>Site Location:</b> (Be as specific as possible)	
<b>Total number of Vehicles / Caravans at encampment:</b>	

No.	VRM	Car / Caravan etc.	Make / Model	Colour	Distinguishing Features, Sign Writing etc.
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					

Rank

Collar No.

Name

Signature

Copy to: NPT Commander and Intelligence Hub

**RESTRICTED**

v.2 - October 2011

**TO BE RETAINED FOR 7 YEARS AFTER DATE OF COMPLETION**

**RESTRICTED**

ENC 5

**Staffordshire Police****SECTION 61 CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

In accordance with Section 61 of the CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994, I direct all those on this land to leave this land, and remove vehicles and other property, for the following reasons: -

I believe that two or more of you are present on the land as trespassers, that you have a common purpose of residing on the land, and that reasonable steps have been taken by or on behalf of the person entitled to possession of the land to ask you to leave.

Tick box(es) which apply

I believe that: -

- One or more of you has caused damage to the land or property on the land.
- One or more of you has used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent.
- You have between you six or more vehicles (including caravans) on the land.

<b>Authorising Officer</b> (Rank/Number/Name)	
--	--

<b>Time served:</b>		<b>Date Served:</b>	
---------------------	--	---------------------	--

<b>Served By:</b> (Rank/Number/Name)	
---	--

<b>Location of Encampment:</b> (Exact location and extent of land occupied)	
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**Vehicle(s) served**

Make	Model	Colour	Index / Serial No.

<b>Name &amp; Date of Birth of person served notice (or circle if) vehicle is unattended</b>	
--	--

<b>Detail any welfare issues raised by occupants and immediately bring to the attention of a supervisor:</b>	
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<b>YOU MUST LEAVE THIS SITE AS SOON AS REASONABLY PRACTICABLE, AND AT THE LATEST BY:</b>
--

<b>Time:</b>		<b>Date:</b>	
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**IF YOU FAIL TO LEAVE THE LAND AS SOON AS PRACTICABLE (OR ENTER THE LAND AGAIN AS A TRESPASSER WITHIN THREE MONTHS) WITHOUT REASONABLE EXCUSE, YOU COMMIT AN OFFENCE AND RENDER YOURSELF LIABLE TO ARREST AND YOUR VEHICLE OR CARAVAN MAY BE REMOVED BY THE POLICE.**

Copy to: Occupants of Encampment,  
Intelligence Hub and NPT Commander

**NOT PROTECTIVELY MARKED**

v.2 - October 2011

**TO BE RETAINED FOR 7 YEARS AFTER DATE OF COMPLETION**



POLICE EVICTION POWERS

SECTION 61 CRIMINAL JUSTICE & PUBLIC ORDER ACT 1994  
FLOW CHART AND GUIDANCE NOTES

