

EAST SUSSEX COUNTY COUNCIL

Traveller Team

Unauthorised Encampment

Action Protocol

Report Received	Make note of; <ul style="list-style-type: none">• date and time• from whom did first report come from• which district or borough is the encampment located in• have the police been informed• has the land owner been identified – highways.searches@eastsussex.gov.uk 01273 482316								
Make contact with District or Borough Council agency that deals with UEs	<p>Arrange to meet with the appropriate member of the agency at the location. If they are unable to attend either go alone or with the police. Take instructions from the D&B agency about the message they would like you to give on their behalf. This is usually to tell the Travellers that they are trespassing on council land and are requested to leave. If it is on private land the landowner's details should be obtained and we can visit with the land owner or on their behalf and give the same message about trespass. For WDC we always act alone on their behalf, for the other D&Bs there is a representative that has responsibility for these issues, but we can act on their behalf if requested. We have two functions when visiting the encampment.</p> <ol style="list-style-type: none">1. To give the message of trespass and request they move on.2. To carry out welfare checks. <table border="1"><tr><td data-bbox="416 1352 624 1507">Rother DC</td><td data-bbox="624 1352 1428 1507">[Redacted]</td></tr><tr><td data-bbox="416 1507 624 1662">Eastbourne BC</td><td data-bbox="624 1507 1428 1662">[Redacted]</td></tr><tr><td data-bbox="416 1662 624 1783">Lewes DC</td><td data-bbox="624 1662 1428 1783">[Redacted]</td></tr><tr><td data-bbox="416 1783 624 1973">Wealden DC</td><td data-bbox="624 1783 1428 1973">[Redacted]</td></tr></table>	Rother DC	[Redacted]	Eastbourne BC	[Redacted]	Lewes DC	[Redacted]	Wealden DC	[Redacted]
Rother DC	[Redacted]								
Eastbourne BC	[Redacted]								
Lewes DC	[Redacted]								
Wealden DC	[Redacted]								

	Hastings BC	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>Police contacts</p>	<p>If police are already in contact with us and the D&B representative ascertain the CAD reference number for the job. Get the name and contact details of the police officer dealing (normally [REDACTED] [REDACTED]) and ask them to provide alternative contacts for when shifts change.</p> <p>If police are not in contact, call police 101 and report the encampment. [REDACTED] [REDACTED] is to leave their contact details on the report and request contact from the attending officer.</p> <p>It is best practice to have Police on site for the first visit. If police are unavailable when we plan to attend, we can go alone.</p>	
<p>Welfare Checks/ UE Reporting in form information gathering.</p>	<p>When attending the site, speak to as many individuals as you able to do. Approach anyone visible first. If nobody is outside their caravan approach the nearest one and knock on the door. If the occupants do not come together as a group, go to each caravan and speak to the occupants.</p> <p>Questions</p> <ol style="list-style-type: none"> 1) State you are there to do welfare checks and ask if anyone on site has any medical needs or vulnerabilities 2) Depending on what is disclosed, it may be appropriate to suggest that those with needs take pitches on Bridie's Tan transit site to provide a temporary settled place to access services. 3) Vulnerabilities may be disclosed that would prevent the individual or the group from being moved on, be alert to this possibility. It is rare, but if this was the case then Health and Social care agencies would need to be alerted to assess the needs. <ul style="list-style-type: none"> • ASC direct socialcaredirect@eastsussex.gov.uk 01323 466539 • Children's Social care EAST DatEast@eastsussex.gov.uk WEST DATWest.AdminSupportAssistants@eastsussex.gov.uk • Local Health visitors or doctor surgery. A&E department or Walk in clinics. 4) Ask the questions that will enable us to complete the Unauthorised Encampment Reporting in form at the end of this document. 5) Anything that appears untoward or concerning raise with the appropriate agencies. E.g. Social care, RSPA, Health, Environmental health. 6) Any anti-social behaviour, fly tipping, rubbish, evidence of open fires to be reported to Community Impact Assessment meeting. 	

	<p>7) If the vehicle numbers have not yet been reported by police, take note of numbers and vehicle types. Number plates to be checked through an Intelligence database system accessed through ESCC Traveller Team. Note any signwriting on commercial vehicles.</p>
<p>Community Impact Assessment (CIA) Meeting</p>	<p>All information is to be collated from all relevant agencies involved in the Encampment including Trading Standards if there are commercial vehicles present. ASC/CSC/Health if concerns have been raised should communicate with each other to decide a way forward. The CIA can be conducted through group email or via phone calls.</p> <p>All concerns should be shared with other agencies.</p> <p>Decide with partner agencies about which UE Enforcement approach is most appropriate.</p> <p>Criteria for a S62a If we have space on Bridie's Tan we inform the CIA of this. If the encampment fits the criteria <i>we make a request on behalf of the landowner in writing to police to use their S62a powers to redirect the group to Bridie's Tan.</i> The police will put the request to Inspector level (or above), this will not automatically be granted as the Police will take into account Association of Chief Police Officers (ACPO) Guidance, which suggests that proportionality and community impact should be considered when applying these powers. Therefore if there are any reasons that we think it is more appropriate for the group to be redirected in addition to us having space at Bridie's Tan, e.g. safety, meeting their specified needs, anything that adversely affects the local resident community, ASB, crime, rubbish, fly tipping etc. Add this into the report. <i>Ask the police to include our report and welfare checks for their review.</i></p> <p>Criteria for a S62a:</p> <ul style="list-style-type: none"> • at least two persons are trespassing. • the trespassers have between them at least one vehicle on the land; • the trespassers are present on the land with the common purpose of residing there for any period; • it appears to the officer that the person has one or more caravans in his possession or under his control on the land, and that there is a suitable pitch on a relevant caravan site for that caravan or each of those caravans; • the occupier of the land (i.e. the freehold owner or lessee), or a person acting on the Occupier's behalf has asked the police to remove the trespassers from the land.

	<p>Criteria for a S61</p> <p>If <i>any one of these conditions are met ESCC Traveller and Liaison Team make a request to police for a S61</i> to be considered. As with a S62a request, meeting the criteria is not a guarantee of the S61 being granted.</p> <ul style="list-style-type: none"> • the unauthorised campers have caused damage to the land or property on the land; • they have used threatening, abusive or insulting words or behaviour to the occupier, a member of his family or his employee or agent; • there are six or more vehicles on the land. <p>The Police (Inspector or Above) will consider the following factors alongside those above when making their decision. <i>Therefore it is important that when we make the request we include any detail that may be relevant.</i></p> <ul style="list-style-type: none"> • whether there are other activities on the encampment, such as serious breaches of the peace, disorder, criminal activity or anti-social behaviour which would necessitate police involvement under their wider powers; • given the impact of the unauthorised encampment on the environment and the local settled community, is it reasonable and proportionate to use police powers; • is action by the police legally sustainable. • are sufficient resources available. <p>If the police are not able to use the S62a or S61 powers the landowner will need to apply to the courts to move the group on.</p> <p>S77 Direction notice. – If the group fail to move a S78 order is to be applied for at court.</p> <p>Part 55 Possession Order- Enforced by County Court</p> <p>We continue to support We inform Private Landowners of these options.</p>
<p>Conclusion</p>	<p>We continue to support District and Borough councils and Private Landowners with the management of Unauthorised Encampments.</p> <p>CIA meetings can be repeated and added to. If community concerns escalate whilst the direction/repossession proceedings are in place, further requests can be made to police to use their powers.</p>