



## **CRESSWELL PARISH COUNCIL STATEMENTS OF GUIDANCE AND POLICY**

### **ENCAMPMENT POLICY**

#### **Introduction**

This document is not a policy on Travellers; rather it is a policy covering the process of dealing with any individuals who trespass on land owned by another with an intention to reside.

This document explains the framework within which councillors are expected to act, recognising the requirement to balance the needs of a range of interested parties. Each unauthorised encampment will present several issues, many of which may be in conflict, the decision to use police powers remains at the discretion of the chair or vice chair of the council. His/her decision however, must be made in accordance with this policy, and the grounds for any action/inaction fully recorded.

#### **Action plan**

Proportionate enforcement action should be taken where appropriate against unauthorised encampments. Acknowledging the Government's guidance on local discretion, the Council, the Police and other Key Partners will:-

- evaluate each unauthorised encampment balancing the impact on the landscape and community against the legitimate rights and needs of Travellers
- shall take appropriate action against unauthorised encampments where necessary
- shall ensure that actions taken because of this policy will be applied fairly and impartially having due regard for natural justice and human rights

#### **Unauthorised encampments on private land**

In the event of an unauthorised encampments on private land, the following procedure should be initiated:

- Parish Councillors should not approach the encampment.
- The Parish Council should inform the landowner that they have an encampment and inform the police and Local Authority and traveller liaison.

- Ask the landowner to keep the Parish Council informed of progress so that updates can be put on the Parish Council website and Facebook page.
- Consider securing any Parish Council property/land that may be used as alternative sites in preparation for the encampment being moved.

#### Unauthorised encampments on council land

The policy of Cresswell Parish Council is to evict unauthorised vehicles as promptly as practical. Due to the nature and speed at which actions unfold, liaison with the Full Parish Council is not always possible. In the event of an unauthorised encampment on Parish Council Land, the following procedure should be initiated:

- Notify the Clerk and/or Chair. In the event of either of these not being contactable advise the Vice Chair. If in turn they are not contactable, advise other Councillors until three can be found to authorise further action.
- The Clerk and the Chair, or if unavailable the Vice Chair, or if these are unavailable at least two Parish Councillors will view the site from afar to assess the occupation. If possible, try to record the number of caravans and vehicles.
- If the Clerk and at least two Parish Councillors are agreed that the unauthorised occupiers are to be removed, the steps below should be taken. Those agreeing to such action should ensure that it is recorded and then:-
  - o Report the encampment to the Police immediately and request they ask the occupiers to leave in the first instance. It is possible that the police could move the travellers on immediately under Section 61 of the Criminal Justice and Public Order Act 1994 if:-
    - the travellers are using threatening behaviour, causing damage or have 6 or more vehicles.
    - there is excessive littering, noise or smell – including from bonfire smoke
    - a resident is verbally abused or intimidated, or fears leaving their house to avoid walking past an encampment
    - the community are prevented from accessing sports fields, parks or car parks
    - property on the land, or the land itself has been damaged.
- The Police may also apply new powers introduced in 2022 relating to The new criminal offence under s60C to s60E of the CJPOA. This is outlined in ‘Statutory Guidance for Police on Unauthorised Encampments’ whilst they review the above criteria.
- If the Police take no action or cannot move the travellers, then the Parish Council will take immediate action to evict the travellers as soon as possible. This will be in consultation with Northumberland County Council and traveller liaison. Northumberland has two local authority Traveller sites already established in Lynemouth and Hartford Bridge.

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1.0	August 2025	August 2026

## **Appendix A**

### **Cresswell Parish Council acknowledge the following organisations in the production of this policy:-**

Oxford County Council

Home office 'Statutory Guidance for Police on Unauthorised Encampments a summary of available powers'.

<https://www.gov.uk/government/news/new-police-powers-to-crack-down-on-unauthorised-encampments-come-into-force>

Northumberland County Council 'Management Protocol for Unauthorised Encampments in Northumberland January 2023'.

[defra.gov.uk](http://defra.gov.uk) 'Management and protection of registered town and village greens' 2010

<https://assets.publishing.service.gov.uk/media/5a7f9525e5274a2e87db6b92/tvg-faq.pdf>

Streethay Parish Council 'Illegal and Unauthorised Encampment Policy.'

## Appendix B

### Cresswell Parish Council Encampment Initial Assessment Form

Date and Time	
Location	
Landowner	
Damage Present	(Damage to gain entry & any caused whilst in situ)
Animals Present	(Numbers tied-up/untied. Have group been advised to tie up animals? What is the risk to the public?)
WHAT IS THE IMPACT TO THE PUBLIC / LANDOWNER?	Unacceptable/Significant/Minimal (give reasons)
IS THERE A NEED TO EVICT NOW?	Yes • No • Obstruction • Damage • Threat • 6 Vehicles •
WELFARE ISSUES: (This is to be completed within 24 hours of attendance)	
TRAVELLERS SPOKEN TO Ethnic Status Attitude	Yes • No • Code of conduct issued Yes • No •  Romany Gypsy/ Irish Traveller / New Age Traveller / Scottish Gypsy Pleasant / Dismissive / Evasive / Abusive / Threatening
Councillors Completing assessment	
Waste on site at initial site assessment (basic details where necessary)	