



Gypsy and Traveller Unauthorised Encampment (U/E) Procedure

**Approved by
Corporate Management Team (CMT) on
28.04.09**

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Post this date for the most up to date version contact Social Inclusion Unit (SIU) : Ext 4321

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Please contact 01752 304321



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Section 1 – Background

1. Introduction

1.1. This procedure aims to ensure that Plymouth City Council staff deal effectively with unauthorised encampments (UE's) by Gypsies and Travellers that occur on our land. It outlines our duties and powers plus things that must be taken into account when making decisions. It includes best practice from other areas and builds on our own experience to ensure our processes are fair, legal, and equitable and ensures community cohesion is safeguarded.

1.2. Included is

- The roles and responsibilities of individual departments
- What happens when a UE report is received and who does what
- Visiting, co-ordinating and recording actions
- Engagement with the public, partners and other stakeholders
- Post site vacation actions

2. Gypsy and Traveller Communities

2.1. Gypsies and Travellers living in and visiting Plymouth have been a part of our history for hundreds of years. As well as those who traveller regularly, we have Gypsy and Traveller families living in bricks and mortar housing and on our permanent site at the Ride (Chelson Meadow)¹. We experience up to 25 unauthorised encampments a year.² Nationally there are not enough authorised transit stopping places. We are taking steps to meet our assessed need for additional sites within our city by looking for land to establish new authorised sites (Corporate Improvement Priority - CIP 4).

2.2. Places where UE's occur are usually unsuitable for Gypsies and Travellers. There is likely to be no water, waste disposal facilities, pitch security and general safety from things like road dangers. This can lead to unsanitary and dangerous conditions. UE's can cause concern to nearby communities; businesses in the vicinity and the statutory agencies that have to respond to concerns, especially the police.

3. Principles and Aims

3.1. Our diverse communities have

- the right to be protected from nuisance, harassment, discrimination and harm³
- a responsibility to understand others and respect for the law including not stopping on someone else's land without consent
- the right to access mainstream local authority and partner services

3.2. Given this, while dealing with UE's we will

- Act within the law and try to prevent unlawful occupation of land
- Visit the site to assess site condition and do welfare checks
- Issue a code of conduct and take steps to minimise any nuisance and disruption
- Apply a sensitive and anti discriminatory response at all times
- Provide access to services needed (e.g. Education, Social and Health Care, and Street Services)
- Ensure an effective and transparent eviction process
- Communicate effectively with the public, Gypsies and Travellers themselves and our partners about what is needed and happening
- Undertake a swift post site clear up (if needed) including future prevention measures

¹ For a more detailed profile of the Gypsy and Traveller Communities please see briefing notes numbers 11 and 17 – 'Gypsy and Traveller Myth Buster' and 'Gypsy and Traveller Culture' available on the Social Inclusion Outlook folder. Social Inclusion Outlook folder can be found under the 'Public Folders' column of your inbox. If you do not have access to e-mail please contact the SIU on 304321 for copies of any documents.

² It is estimated that UE's cost local authorities £6500 per unauthorised encampment plus officer time.

³ Gypsies and Irish Travellers are a recognised ethnic minority group under the Race Relations Amendment Act 2000.

4. Our responsibilities and roles

4.1. Where a UE occurs on our land we have to

- Follow the law and fulfil our statutory duties ⁴
- Assess the overall condition of the site and what is needed to keep it decent
- Gather pertinent information about the welfare of those on the site
- Signpost and make referrals based on needs
- Make careful and clear decisions about eviction processes ⁵
- Balance the rights and needs of the Gypsies and Travellers and other communities in the nearby locality ⁶
- Liaise with nearby individuals and groups plus other agencies
- Ensure minimal disruption and swift action during and post the UE

5. Private Landowners ⁷

5.1. If land is stopped on without consent, the owner can request the Gypsies and Travellers to leave, or seek High or County court orders for to happen. This applies to us and private landowners. Private landowners though do not have the same obligations as we do to assess and look after people's welfare and other needs. ⁸

6. Our strategic approach

6.1. We do not currently have any authorised transit sites. This makes dealing with UE's more complex as we are not able to rely on some of the laws that make evictions swifter. ⁹

6.2. Despite this we must deal with UE's in the most proactive way we can to make sure we maintain the well being of all concerned. It is costly, inefficient and ineffective not to take a joined up, council wide and multi-agency approach to resolving UE's. Mismanaged UE's can and have led to resentment and can reinforce discriminatory views and attitudes about Gypsies and Travellers. It is vital that we fulfil our ambitions and obligations to make sure that this is minimised.

6.3. Every department is likely to have a role to play in applying these procedures though some will have lead roles and others more direct involvement. Where a UE's is complex and/or challenging, the Social Inclusion Unit (SIU) will co-ordinate specific meetings and or a post eviction review and involve all the relevant departments and partners to establish what needs to happen and also to make plans to avoid future issues. If these reviews identify that training is required, our SIU will make this happen as well as ensuring celebration of best practice where it is found.

6.4. Our SIU is responsible for overseeing the implementation of this procedure as well as reviewing and updating it as new guidance and best practice is developed.

Section 2 – Process

Our SIU is responsible for developing our corporate strategy, policy and procedures in relation to Gypsies and Travellers. SIU officers can give information support, guidance and training opportunities about Gypsy and Traveller culture and these procedures to our staff and partners. Council officers should always contact the SIU when a UE is reported. SIU will advise service officers about actions required and liaise with the communications unit on all public relation matters, including press releases, liaison with Councillors, Members of Parliament and the public.

⁴ For e.g. Human Rights Act 1998, Race Relations (Amendment) Act 2000 and Crime and Disorder Act 1998,

⁵ Any decision we take can be open to legal challenge by anyone who believes they are unreasonable, including from those moved from an unauthorised encampment or neighbours of one that has not been moved.

⁶ The difficulty of balancing rights for Education, Welfare, Health, and Public Order (which apply to everyone, regardless of their lifestyle or accommodation) should not prevent firm, legally sound, decisions being made by the relevant agencies, ideally in agreement with each other (see Appendix A).

⁷ Please ask the Social Inclusion Unit (SIU – x 4321) for advice on how private landowners should deal with UE's.

⁸ Under the Homelessness Act 2002 Gypsies and Travellers are considered homeless when they do not have an authorised place to stop and live in their vehicle (caravan/bus/lorry etc). This is why a welfare check had to be done. This procedure does not cover the same sort of assessments that are carried out by the housing services on other homeless people e.g. those who camping in public areas or sleep rough. It is also not the same as a social care assessment.

⁹ Section 61 of the Criminal Justice and Public Order Act 1994

7. Steps and stages

The following steps should be taken in response to UE's.¹⁰

Step 1: Receiving a report

Responsible Department: All

Stage 1 - When a UE notification is received the officer must

1. Direct the customer to the on-line report form and check if they can complete this. Go to <http://www.plymouth.gov.uk/unauthorisedgypsytravellersite.htm> or
2. Complete the form with, or on behalf of the customer, or
3. Use a hard copy version of the form if 1. and 2. above are not possible

E-versions of the report form completed via the web are forwarded direct to SIU. With hard copy forms please send them to SIU on Flr 9 Civic Centre. Also call on 304321, ask for the duty officer and advise them the information is on the way.

Stage 2 - If people ask questions or get into discussion officers must

- Not support or encourage discriminatory language and attitudes
- Try to answer customers general questions about our procedures using the FAQ summary sheet (attached in Appendix D)
- Forward specific enquiries and/or the caller to the SIU
- Ensure that where people have asked to be kept updated about the UE that their contact details are passed to SIU. The SIU will then provide regular updates to them.

Note

1. It is usually members of the public who report UE's to the police and us. Reports often come in through our Contact Centre. Officers in the contact centre have been trained about how to deal with reports. However some reports may be received direct by other departments.
2. We do not have an out of hour's response to UE's. Experience weighed against costs indicates that this is not needed or appropriate. Any criminal, protection or disorder matters must be referred to the relevant emergency services.
3. When reports come in, people often ask what we are going to do and when, as well as express opinions about Gypsies and Travellers. It is essential that this is recorded and that the SIU is made aware of what has been said and reported as quickly as possible. If officers consider the remarks made offensive or racist they should advise the caller of this. They should then make a formal report to SIU by phone or on our racist incident reporting forms.
(<http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/racisthomophobicincidents/racialandhomophobicform.htm>)

Step 2: Informing officers and partners

Responsible Department: SIU and Property and Facilities Management Section.

Stage 1 - SIU officer on duty sends an E-mail to all relevant officers and partners with key information.

Stage 2 - SIU identifies who owns the land. If it is private landowner SIU will contact and liaise with them. SIU will inform relevant officers and partners that there is no further action for the council except where there are educational needs where the Travellers Education Service (TES) will take over. Our partner agencies like the police and health may still need to be on standby for matters that relate to their statutory responsibilities.

Stage 3 – Where the land is ours, SIU will identify the land managing department and the relevant officer. SIU will E-mail and/or call them and other relevant officers and partners to advise of the next steps. SIU will co-ordinate, oversee and record events until the UE is vacated.

Note - Our key external partners are:

TES	Police Diversity Team	REC	Health visitors/GP's
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¹⁰ For a detailed breakdown of responsibilities by department in relation to UE's see Appendix C

Step 3: Initial site visit**Responsible Department:** Land managing department and SIU

It is advisable that all departments have a nominated link officer for UE's. If a link officer is not nominated, SIU will communicate through the Corporate Equality Group (CEG) representative.

Stage 1 – SIU will contact the land managing officer and advise that they need to do a site visit. The purpose of this visit is to assess the condition of the site, establish contact and provide information about our expected codes of conduct and what is likely to happen in relation to eviction. (See Appendix F for the form for recording this.) It is also to ensure that essential services such as bins and portaloos are provided which minimise clean up costs and keep the site decent.

Stage 2 – The land managing officer can decide to make a joint visit to the site with those intending to conduct the required welfare checks. SIU will advise when and who will be attending as per the agreed Community Services rota supported by TES. (See Appendix G)

Stage 3 – There are a variety of often competing factors that must be considered by the land manager on their visit. Some will be more pressing than others. Here are some examples of circumstances that must be given particular attention.

Examples of Unacceptable locations
<ul style="list-style-type: none"> • Toxic or other dangerous waste and pollution • Busy road or highway where dangers can not be controlled • School premises • Sites of specialist interest where environmental protection matters are priority • Places of natural and public interest where inhabitation causes genuine disruption.
Depending on other specific circumstances please consult the SIU.

Stage 4 - Post their visit the land managing officer must inform the SIU of the

- Accuracy of the original report (precise location: number of vehicles and caravans; number of people and initial information about them)
- Site condition (including any damage, rubbish, dangers etc)
- Proximity to houses or businesses and services
- Any health and safety factors for those on site or who have to visit
- What provision they will be putting in place to keep the site decent (e.g. bins and portaloos at a minimum)

SIU will advise other officers, partners and the public about what has happened or been agreed, as appropriate.

Stage 5 – Where the land managing department identifies severe dangers to those on the UE or nearby, SIU will advise on alternative locations (e.g. transit sites outside the City). Decisions about the speed of eviction will need to be made after the welfare checks are conducted. The land managing officer makes this decision with legal and SIU advice and guidance. The legal department and SIU will require copies of the site visit form.

Stage 6 - Further regular site visits must be carried out by the land managing officer until the UE is vacated. This to ensure the site is kept clean and tidy; bins are used and emptied regularly; toilets are maintained and sanitary; illegal trading and fly tipping is not happening; there are no community cohesion tensions or harassment for those on the site or nearby. Where there are any concerns, the land managing officer will inform SIU who will oversee additional interventions e.g. the involvement of trading standards, environmental enforcement or police.

Note

1. An initial site visit should be made within 24 hours of notification (excluding weekends; bank holidays and December office close down).

2. Best practice shows that where regular visits to the site are made and information is shared with Gypsies and Travellers expensive court proceedings can be avoided.¹¹
3. It is vital that information collected is recorded clearly and properly as it is needed for court action and performance inspections. SIU will keep a case record on each UE.

Step 4: Welfare check(s)

Responsible Department: Community Services Directorate

Government Guidance on UE's says we must visit the Gypsies and Travellers to check their welfare needs.¹²

Stage 1 – SIU will identify who is responsible for conducting the welfare check(s) in line with the agreed rota. They will notify them of this and what is happening in relation to the initial site visit. They will provide key information and the relevant forms. Welfare checks must be conducted on all households or caravan occupants. (See Appendix H or¹³) Where there are large numbers of caravans and people, SIU will problem solve to ensure that there is sufficient officer capacity to complete the relevant checks. During this visit the Gypsy and Travellers should be given information about our city and services. Code of conduct expectations should also be reinforced.

Examples of welfare matters that must be considered

Pregnancy: when is delivery due?: are there any known complications with previous deliveries or this pregnancy?; do(es) the parent(s) have any specific needs? - etc

Ill health: is a hospital appointment booked?; are child inoculations needed?; when did children under 5 last see a health visitor?; does some-one need dental treatment?; is anyone receiving in-patient treatment at a nearby provision?; how long will it take to diagnose treat and stabilise any health matters? - etc

Educational needs: does any child have assessed special education needs (SEN registration)?; how long before the end of term?; are they in a settled arrangement already? - etc

Child and Adult protection: reported concerns from other LA areas?; are there any domestic or other aggression and reported violence? - etc

Animal Welfare: are there urgent veterinarians appointments? – etc

Stage 2 – The officer(s) completing the welfare check will also outline the likely process and timescales for eviction plus other known official stopping places as alternatives. They will establish the potential period of stay.

Stage 3 – Once the welfare check is complete the officer(s) will report back to SIU about any identified needs. SIU will co-ordinate any referrals; signposting or appointments needed. TES will undertake all relevant actions about education and advise SIU accordingly.¹⁴ SIU will inform the land managing officer and Legal Services of any outstanding health, education, and protection or timing matters than need to be resolved before eviction decisions are made. Completed check lists are given to SIU as soon as possible after the visit, for inclusion on the case file and evidence needed for potential court proceedings.

¹¹ Approximate costs of seeking a possession order is £2000 which includes court fees and process server fees.

¹² Our legal responsibilities to Gypsies and Travellers are to ensure their human rights are safeguarded and our race relations and community cohesion duties are fulfilled. We also have to ensure that we have paid due regard to the **Homelessness Act 2002** which says a person is considered homeless if they have accommodation but it consists of a moveable structure, and there is no place where they are entitled or allowed both to place it and to live in it. Our safeguarding and child protection powers must also be covered as per the **Children's Act 1989** and ore recent amendments. The Education Act 1997 also means we must provide education to all school-age children within their area (whether permanently or temporarily) and this includes Gypsy and Traveller children who also have the right to receive 200 sessions (half days) of education per year. We also must ensure that vulnerable adults are protected and access to any of the services we provide are fair and equitable particularly to groups who historically experience barriers.

¹³ The welfare checklist form is available on the Social Inclusion Unit on x4321 and will be put on the intranet document library

¹⁴ TES have a target to get children into schools within three days.

Note

1. Where a welfare check(s) indicate an urgent response, the officer concerned should contact the relevant emergency service(s) immediately.
2. Officers who conduct welfare checks are not specialists. They are completing a checklist only and not an initial or comprehensive assessment of needs. Where a thorough assessment like this is needed referrals must be made to the relevant department(s) e.g. health visitors; child and/or adult social care especially in relation to concerns about safety and well being including domestic violence.
3. Gypsies and Travellers who are in transit are well aware of the processes and procedures that local authorities have to follow. They are usually appreciative and co-operative particularly in relation to notification about the steps we are taking and when.

Step 5: Managing the encampment

Responsible Department: Land managing department supported by SIU

It is vital that UE's are pro-actively managed in partnership with the Gypsy and Travellers themselves; those nearby; internal departments and officers and other agencies.

Stage 1 – The land managing officer must keep in touch regularly with those on the site; legal and SIU. This should include regular face to face visits at the site and regular communication with SIU and legal advisors. They are responsible for ensuring those in the UE and nearby are behaving appropriately and for responding to any deterioration of behaviour or disruption within or about the site. Where emergency or criminal situations arise the relevant agencies must be informed immediately and SIU notified as soon as practicable.

Stage 2 – SIU will respond to public and partners with update reports and liaise with all relevant agencies and individuals until the UE is vacated. SIU will undertake joint visits to the site on request from the land manager and other agencies depending on availability and capacity. SIU will offer guidance about land management concerns like fly tipping; noise; illegal trading; anti-social behaviour either from outside or within the UE. SIU will lead on problem solving with relevant agencies and individuals to keep community tension to a minimum.

Note

1. There have been no major incidents with regard to UE's since late 2004, though in 2008 we had two large UE's that caused local consternation and involved in-depth post site clear up issues.

Step 6: Eviction

Responsible Department: Land Managing Officer; Legal Services and SIU

Government guidance states that every effort should be made to avoid forced eviction where possible.¹⁵

Stage 1 – When all updates, welfare issues, children's educational requirements, social networks and other considerations have been dealt with, the lead land management officer supported by SIU will agree the next steps with the legal department.¹⁶ The first step is to ask the Gypsies and Travellers to voluntarily leave the site within a given timeline.

Stage 2 – If this time line is exceeded, the land managing officer with SIU and legal agree the next steps. These may vary according to the information available at this stage. If the decision is to move to formal and legal eviction, our Legal officers (through formal delegated decision making powers) may formally request the Gypsy and Travellers to leave the site and also the length of notice they should be given.

Stage 3 – The legal department (or their representative) will formally post notices on site and on the caravans informing the Gypsies and Travellers they are on our land which they are

¹⁵ Guidance on managing unauthorised camping; 2006 pg 40 (www.communitites.ov.uk/documents/huosing/pdf/157323.pdf)

¹⁶ To assist decision making it may be relevant to conduct an Equality Impact Assessment (EIA) – advice on this is available from SIU x4321.

occupying without the licence or consent of the council. The notice will give a date and time for the Gypsies and Travellers to vacate (usually 48 hours after the notice is served). This will be laid out in a way the Gypsies and Travellers can understand. If they do not vacate the land as required then legal action will be taken to remove them from the land.

Stage 4 – If the Gypsies and Travellers are still on the site after notices are served and expired then possession proceedings will be booked in Plymouth County Court supported by witness statements. The proceedings are then served on the Gypsies and Travellers so they know the court date is happening. Possession orders are made by the court and usually give possession to the council right away or within 48 hours. This order is served on the Gypsies and Travellers by an agent employed by the council so they know we have the power to take our site back. Many UE's are vacated just before or at this point and we have rarely had to move to the next stage.

Stage 5 – After the Possession Order has been made and served, if the site has not been vacated and all the relevant information provided indicates that there are no further medical or welfare concerns to consider, and the land manager and SIU are agreed, our Legal department will issue an application for a warrant of possession which will lead to the fixing a date for the physical possession of the land. The court will notify the Gypsies and Travellers of the eviction date. If they are still on the site on that date, the court bailiff will go to the site and enforce the warrant by physical eviction if necessary. A representative of our legal department will attend the eviction and take possession of our land. We have rarely had to physically evict Gypsies and Travellers.

Note

1. Officers should note these approximate timings for each of the stages above, they will though vary according to issues like welfare needs, court availability, bank holidays etc.
 - Stages 1 and 2 c. 5 working days
 - Stage 3 c. 3 working days
 - Stage 4 c. 5 working days
 - Stage 5 c. 5 working days
2. Most UE's can and are vacated within a 10 day to 4 week period with all processes properly followed (unless there are exceptional circumstances). SIU will be able to advise members of the public and others of where we are with each stage as the UE progresses.
3. Each UE should be assessed individually with the individual needs, risks and tensions taken into account. Depending on this the length of notice may vary. Members of the public should be advised of this and the legal steps that must be followed. Specific information about individual needs must never be disclosed.
4. Most Gypsies and Travellers who are in transit are doing so for good reason and sometimes this may be addition to their cultural life style, like being a carer; work opportunities; health needs or domestic fears. Proper consideration should be given to these factors.
5. Good practice suggests that negotiation with the Gypsies and Travellers themselves is the swiftest, cost effective, welfare orientated and community effective way of dealing with UE's. However, there are some recognised circumstances where this may not be possible e.g. if "settlement type activities" like pitch foundations and permanent features are installed without permission in a short time period (e.g. water facilities and mainstream generators).
6. Our legal services will ensure that our decisions
 - Are commensurate to the sometimes competing powers and duties we have about Gypsies and Travellers and their transit accommodation
 - Minimise legal challenges; enforced legal evictions
 - Safeguard against future planning applications for unsupported sites

Step 7: Post UE actions**Responsible Department:** Land managing department

Stage 1 - A final visit should be made to the site on the day of the notice or agreed departure date. This is to assess any damage and decide if follow up services like clearance; cleaning, collection of wheelie bins and portaloos and future site security actions are required.

Stage 2 - The department responsible must make arrangements to clean up the site as soon as is practicable as those nearby will continue to lodge concerns and complaints if they do not see swift action.

Stage 3 - Where costs are incurred they are paid by the land managing department (staff time, services provided, equipment used). Details of costs should be forwarded to the SIU for recording and monitoring purposes.

Note

The cleaning of the site must be done by internal (PCC) waste collection services.

Section 3 – Appendices**Appendix A - UE reporting form**

This is available from

<http://www.plymouth.gov.uk/unauthorisedgypsytravellersite.htm>

Appendix B - Summary of actions

	Action	Useful contacts
✓	Step 1: Receiving a report	Social Inclusion Unit ext 4321.
✓	Step 2: Informing officers and partners	SIU hold the up to date distribution list of relevant internal officers and our partners.
✓	Step 3: Initial site visit	Land managing department as advised by SIU – recording forms available in Appendix F. Prince Rock Depot - ext 4668 (bins) and ext 4787 (toilets)
✓	Step 4: Welfare check(s)	Community Services (SIU; Adult Social Care and Strategic Housing) supported by Travellers Education Service – recording forms available from SIU.
✓	Step 5: Managing the Encampment	Land managing department; SIU and legal services.
✓	Step 6: Eviction	Legal services ext 6064
✓	Step 7: Post UE actions	Cleansing Team ext 4668 (Send final details of clear-up costs to the SIU) Email: inclusion@plymouth.gov.uk

Appendix C - Who does what

Department	Action
Customer Services & Business Transformation (and depts who receive calls to report UE's)	<ul style="list-style-type: none"> ▪ Receive and respond to calls reporting UE's ▪ Direct people to and/or complete on-line UE reporting form ▪ Respond to members of the public's questions in relation to PCC procedures for dealing with UE's (see Appendix D for FAQ's) ▪ Notify SIU.
Social Inclusion Unit	<ul style="list-style-type: none"> ▪ Develop corporate policies and procedures in relation to Gypsies and Travellers, including the provision of sites ▪ Develop, and deliver staff training opportunities in relation to Gypsies and Travellers. ▪ Central coordination of a multi agency approach to UE's ▪ Respond to enquiries from members of the public; councillors; MP's and businesses ▪ Co-ordinate Public Relation activities ▪ Make recommendations to legal services and the land management department and legal services ▪ Maintaining UE database and case records including where possible costs ▪ Provide advice, guidance and support to all departments and partners ▪ Document, review and evaluate and act on learning.
Land managing departments (including: Property and Facilities management , Strategic Housing, Parks, etc)	<ul style="list-style-type: none"> ▪ Identify themselves as the relevant land managing department to the SIU ▪ Make initial site visit and complete paperwork and provide facilities ▪ Monitor condition of site throughout through regular site visits ▪ Liaise with SIU about eviction actions ▪ Arrange and pay for site clearance ▪ Forward details of costs to the SIU (for recording and evaluation purposes).
Adult Social Care	<ul style="list-style-type: none"> ▪ Attend initial joint site visit to make welfare checks ▪ Signposting to other relevant services where needed.
Legal Services	<ul style="list-style-type: none"> ▪ Take SIU recommendations and other legal requirements into account ▪ Arrange and oversee all court processes and formal notifications.
Environmental services	<ul style="list-style-type: none"> ▪ Provide advice and support to Gypsies/Travellers at the site regarding welfare of any animals at the site e.g. horses and dogs ▪ Investigate reports of environmental hazards at UE's.
Trading Standards and Environmental Enforcement	<ul style="list-style-type: none"> ▪ Take action in relation to illegal trading ▪ Take action in relation to fly-tipping.
Travellers Education Service	<ul style="list-style-type: none"> ▪ Support with welfare checks ▪ Assess education needs ▪ Arrange school places for children ▪ Provide reports to SIU regarding any specific needs.
Property and Facilities Management including Registration Services.	<ul style="list-style-type: none"> ▪ Provide maps and confirmation of PCC land ownership.
Street Cleansing and Waste Management.	<ul style="list-style-type: none"> ▪ Provide wheelie bins/skips and portable toilets on request ▪ Clean up site on request from land managing department.
Corporate Communications	<ul style="list-style-type: none"> ▪ Proactively challenge racism against Gypsies and Travellers ▪ Communicate PCC procedures and UE updates to local press and media with SIU support.
All others departments	<ul style="list-style-type: none"> ▪ Additional action as required e.g. Leisure - healthy heart programmes and Libraries may issue Book start packs etc.

It is essential that all departments liaise with the SIU before taking any action in relation to UE's

Appendix D - FAQ's

Frequently Asked Questions

Q1. When will the Gypsies/Travellers be leaving?

A1. We do not know exactly yet ¹⁷. There are a number of things we have to do before we can legally ask them to leave. But usually, Gypsies and Travellers only stay in an area for a couple of weeks. This is often so they can work or visit family in the area.

Q2. What are these 'things' you have to do before you ask them to leave?

A2. All councils have to follow Government guidance which tells us to:

- Visit the site – this will be done by one of our officers and they will find out how long people are hoping to stay and why they are here.
- Check if they have any specific needs. Such as children that need to be in school, or serious illnesses that need treating or pregnant women on the site – one of our officers will get some basic details from them and then refer them to other more specific services, such as midwives, doctors and the Travellers Education Service.
- Collect all the relevant information from our partners, like the police, Travellers Education Service, and Health service. This is to make sure that we know about any work that might be being done with the people on site before we make any decisions.
- The legal department must then consider all of this information before deciding whether to ask the Gypsies/Travellers to leave or to carry on managing the site until the date agreed with the people on site when we visited.

Q3. And what if they don't leave when they say they will?

A3. If Gypsies and Travellers do not leave on the expiry dates given in the notices served by our Legal department, our legal team will then issue possession proceedings in the County Court. They will obtain an early hearing date to get a Possession Order.

Q4. What if they still don't leave?

A4. If the Gypsies and Travellers do not leave after they have been served with the Possession Order, we have to apply to the court to get a Warrant of Possession. The Court Bailiff will give the Gypsies and Traveller a date to leave our land. If the Gypsies and Travellers are still there on that date the Court Bailiff will enforce the Warrant of Possession which may lead to the Gypsies and Travellers being physically evicted. If this has to happen we usually make sure we have a police presence.

Q5. Where do they empty their chemical toilets/ where do they go to the toilet?

A5. Gypsies and Travellers don't usually use the chemical toilets in their caravans (in fact they often remove them when they buy the caravans). This is because Gypsies and Travellers have strict rules about cleanliness as part of their culture. Gypsies and Travellers will either make sure they stop close to facilities, such as public toilets or swimming pools, or they will use traditional and completely environmentally sound methods of burying waste. We will be putting in portaloos and bins to keep the site decent.

Q6. They have broken on to the site – that's criminal damage!

A6. We are always in touch with the local Police as part of keeping everyone informed of these encampments. As with all criminal proceedings the police would have to have evidence to prove this fact. If the Police can find evidence of criminal damage or any other criminal behaviour on a site, they will take direct action. If you have concerns about a crime being committed please contact the police.

We have no evidence that crime and disorder within an area increases when Gypsies and Travellers are camped nearby.

¹⁷ However, if you are receiving a report some time after we were initially made aware, we may be able to pass on more information at this stage so please contact the SIU for the latest information.

Appendix E - Code of conduct



Plymouth City Council



What we expect from you while you are here

Dear Gypsy and or Traveller,

The land you have stopped on belongs to Plymouth City Council. We understand the needs of Gypsies and Travellers and are looking for authorised sites, but at present, you need to know that this land is not an authorised stopping site. We are looking into your situation and will tell you when a decision about your stay has been made.

In the mean time :

You Must

- ✓ Put all rubbish in bags.
- ✓ Keep numbers of trailers and other vehicles low.
- ✓ Use bins and toilets provided.
- ✓ Be cooperative with our staff and other people.
- ✓ Keep the site in the condition you found it.
- ✓ Keep your animals under control.

Must Not

- ✗ Leave any waste on the site or break other rules about fly tipping.
- ✗ Make noise between 10 pm and 7am.
- ✗ Damage any facilities provided.
- ✗ Be unhelpful or rude to our staff or anyone else.
- ✗ Damage the site.

Warning!

If you break any of these conditions you may have to pay fines and could be prosecuted.

We may use CCTV cameras, and other monitoring methods to ensure that the land you have stopped on remains clean and tidy and that you and others are not breaking any laws.

If you have any information about anyone else bringing waste to the site, please contact us immediately. If you have trouble with people being rude or racist towards you, contact us (01752 304321) or the police (08452 777 444) for help.

We are currently trying hard to get more site provision in our city for Gypsies and Travellers and we need your support to achieve this. Please make sure that your behaviour and that of others in your group does not make this difficult for you, us and the settled communities within plymouth.

This document is available in other languages and in accessible formats
Please contact 01752 304321





Appendix F - Site Visit Form

Initial visit undertaken by	Name: _____ Signature: _____	Date: _____ Time: _____
Area		
Site Location and description of condition (inc Landmarks)		
Proximity to houses, other accommodation or businesses etc.	Houses overlook the site <input type="checkbox"/> Houses can be seen from the site, but do not overlook it <input type="checkbox"/> No houses within 50 yards of site <input type="checkbox"/> Businesses overlook the site <input type="checkbox"/> Businesses can be seen from the site, but do not overlook it <input type="checkbox"/> No businesses within 50 yards of site <input type="checkbox"/>	
Length of stay indicated.		
Number of vehicles. .	Caravans _____ Cars/Vans _____ Others (e.g. horse box) _____	
Evidence of things that might raise concern (Tick as many boxes as relevant).	Excrement <input type="checkbox"/> Refuse/Waste <input type="checkbox"/> Fly tipping <input type="checkbox"/> Gas bottles <input type="checkbox"/> Loose animals causing danger <input type="checkbox"/>	
Type of Land (Tick as many boxes as relevant).	Highway Verge <input type="checkbox"/> Nature Reserve <input type="checkbox"/> Industrial used <input type="checkbox"/> Industrial disused <input type="checkbox"/> School <input type="checkbox"/> Other <input type="checkbox"/>	
Land Ownership confirmed by Property Registration as:	Parks <input type="checkbox"/> Property and facilities management <input type="checkbox"/> Strategic housing <input type="checkbox"/> School <input type="checkbox"/> Private <input type="checkbox"/> Other <input type="checkbox"/>	

10. Further information:

Guidance Note: The purpose of this form is to record the condition of the site at the point the Gypsies/Travellers arrive. The continuation sheet allows each visit to the site to be recorded. This is important, as complaints about the damage to the land are regularly received and must be recorded on the form and FLARE. This form can also be used as evidence in court that the site has or hasn't deteriorated over the period of occupation, and may support any future claim for damages from those responsible.

Plymouth City Council
Gypsies and Travellers Unauthorised
Encampment



**Appendix F - Site Visit Form
(Continuation Form)**

Date:	Time:
Number of vehicles:	
Details of Visit:	
Name of person conduction visit:	Signature:

Date:	Time:
Number of vehicles:	
Details of Visit:	
Name of person conduction visit:	Signature:

Date:	Time:
Number of vehicles:	
Details of Visit:	
Name of person conduction visit:	Signature:

Appendix G – Welfare check - Community Services rota



Welfare Checks Rota for Unauthorised Encampments (UE's) 2009 -2010

April 2009 to March 2010	SIU ¹⁸	ASC ¹⁹	TES ²⁰	Housing	Notes
April	█	Training	█	█	<ul style="list-style-type: none"> ◆ SIU will train and provide support to Adult Social Care for the first few months. ◆ SIU and ASC will cover UE's with more than 4 caravans in term time and all UE's (except those on housing land) during school holidays and half term. ◆ TES will do all UE's with less than 4 caravans in term time only. ◆ Housing will carry out welfare checks on all UE's on housing land until stock transfer in October 2009
May		Training			
June		Training			
July		Training			
August	█	█	█		
September	█	█	█		
October	█	█	█		
November	█	█	█		
December	█	█	█		
January	█	█	█		
February	█	█	█		
March	█	█	█		

¹⁸ Social Inclusion Unit

¹⁹ Adult Social Care

²⁰ Travellers Education Service



Appendix H - Welfare Checklist

Guidance notes

General Information Section – this is completed before the site visit. SIU will advise of core information prior to any site visit to check the land or complete the welfare check.

Welcome packs and code of conduct - Gypsies and Travellers should always be offered a copy of our welcome pack and have the 'code of conduct' explained to them (if those conducting the site visit have not already done so). They should also be offered the opportunity to formally apply for our local Gypsy and Traveller housing provision and asked if they have any information they wish us to know about access to our local services or other important information.

Section 1: Travelling Information

Questions 4 and 5 will let you know if you should carry out this checklist with each household or if one person is happy to answer on behalf of the whole site. Do not assume that all of the families are together or would be happy to give information about other members of the family.

Question 8 – The welfare check outcome and actions will inform what action needs to happen in relation to the vacation of the site and in what timescale.

Section 2 – Information about people - It is important to record as much information about the families as you can – ages, health etc. If there are children present on site the Travellers Education Service should be informed as to the numbers and ages as they have a statutory obligation to provide access to education and this must be considered in relation to vacation timelines.

Section 3 – Information about vehicles - The purpose of this question is to gain information about the number of vehicles and who is responsible for them. There is no need to record number plates. This is important for the legal stage of the process as in the event of an eviction taking place unroadworthy vehicles may need to be towed away.

Section 4 – Information about animals - Complaints are sometimes received about loose dogs or other animals on the site so it is useful to know which family is responsible for them.

Section 5 – Any other information and Agreement/Disclaimer – make sure you take time to capture any other information before you proceed to asking the Gypsy and or Travellers if what you have recorded is accurate. Make sure that all the information recorded is read back to the Gypsy and or Traveller before asking them to sign the form.

Ask them to sign that the information you have taken is correct. If anyone refuses to give any information about their welfare, please ask them to sign the disclaimer section at the back of the form to confirm that they do not wish to give any information. This can then be used in case of legal challenge that no welfare enquiries were undertaken or that needs were ignored.

General information (to be completed at the office before site visit):

Arrival reported by: (Please tick)		Date		Date
			Health service	
	Member of public		Neighbouring Local Authority	
	Travellers Ed Service		Police	
	Plymouth City Council staff		Other (please specify)	
Area:				
Site Location Description (inc Landmarks):				
Any specific concerns/risks known:				
Land Managing department:				
Contact Name and Number:				

Rest of form to be completed during the site visit:

Welcome pack and Travellers Times offered?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Code of behaviour explained?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Offered opportunity to apply for our local housing provision?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Wanted to tell us anything about local service provision?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Notes:					

Section 1: Travelling Information:

Actual date of Arrival:		Anticipated length of stay:	
Are you all travelling together?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Can you answer questions about the whole site? Yes <input type="checkbox"/> No <input type="checkbox"/>
Why are you here?		Which caravans/people do we need to speak to as well as your self:	
When do you agree to leave by? (We will still need to initiated our legal processes regardless of the date stated)		Date:	
Do you have a connection to our area?			
What is your current accommodation situation when not in Plymouth?	Live on your own site? <input type="checkbox"/> Live on a council site? <input type="checkbox"/> Live on a private site? <input type="checkbox"/> Live on the roadside? <input type="checkbox"/> Other? <input type="checkbox"/>	Details	

Section 2 – Information about people:

Number of adults?	And names where needed:		
Do any of the adults feel unwell or would like to see a doctor/nurse?	None	<input type="checkbox"/>	Details:
	Doctor	<input type="checkbox"/>	
	Nurse	<input type="checkbox"/>	
	Health visitor	<input type="checkbox"/>	
	Dentist	<input type="checkbox"/>	
	Other	<input type="checkbox"/>	
Number of Children?	(Ages if possible)		
Do any of the children feel unwell or need to see a doctor/nurse?	None	<input type="checkbox"/>	Details:
	Doctor	<input type="checkbox"/>	
	Nurse	<input type="checkbox"/>	
	Health visitor	<input type="checkbox"/>	
	Dentist	<input type="checkbox"/>	
	Other	<input type="checkbox"/>	
What are your children's educational needs?	Please describe and detail all children relevant:		
Would you like any other information about?	Benefits	<input type="checkbox"/>	Details
	Reporting racist incidents and other crimes	<input type="checkbox"/>	
	Adult education	<input type="checkbox"/>	
	Making a homelessness application in Plymouth	<input type="checkbox"/>	
	Other	<input type="checkbox"/>	

Section 3 – Information about vehicles:

Number of vehicles in total.		Number of caravans.		Number of cars and other vehicles.	
Is there anything effecting your ability to travel like unroadworthy vehicles?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Details		

Section 4 – Information about animals:

Are there animals on site?	Dogs	<input type="checkbox"/>	How many?
	Horses	<input type="checkbox"/>	How many?
	Other	<input type="checkbox"/>	Details
Would you like details of animal treatment/advice?	Vet	<input type="checkbox"/>	Details
	RSPCA	<input type="checkbox"/>	
	Other	<input type="checkbox"/>	

Section 5 – Any other information and Agreement or Disclaimer:

Additional Information:	
Data Protection: We may need to share this information with other departments including health, education and other council services. Do you have any objection? No <input type="checkbox"/> 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.	
Name of officer: Date: Contact Details:	Name/Mark of Gypsy or Traveller: Date: Contact Details:

Do you have any objection? Yes <input type="checkbox"/> I have declined to provide Welfare information to the Plymouth City Council representative	
Name of officer: Date:	Name/Mark of Gypsy or Traveller: Date:
Would you like a copy of this information?	Yes <input type="checkbox"/> (we will make sure a copy is taken and returned to you here before you leave) <input type="checkbox"/> No <input type="checkbox"/>

Additional guidance: The Welfare Check is to find out the welfare needs of the Gypsies/Travellers before Plymouth City Council take any action. This is important, as there may be a need to involve other professionals from health or education services (who have a legal obligation to provide various services to Gypsies and Travellers) to complete a full assessment of their needs. This form will be used as evidence in court that welfare checks have been carried out to the best of Plymouth City Council's ability and that any action we take has taken account the needs that have been identified.

Appendix I – Racist incident reporting form

<http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/racisthomophobicincidents/racialandhomophobicform.htm>

