GYSPY AND TRAVELER UNAUTHORISED ENCAMPMENTS PROCEDURE



Approved by CMT on 28.04.09

Reviewed: October 2013

V0.2 07/10/13 Protect OR Restricted

I. 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 process is 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 have been part of our community for hundreds of years. This includes those who travel regularly, families living in bricks and mortar housing and on our permanent site at the Ride (Chelson Meadow) ¹. We experience around 30 unauthorised encampments a year. ² Nationally there is a shortage of transit/stopping places. PCC is taking steps to meet the assessed need for sites through provision of new sites.
- 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.
- 2.3. Government guidance says that where UEs are not causing problems, they can be tolerated for a short time. In Plymouth, each UE is assessed individually and that decisions are made based on the facts and circumstances relevant to that UE and the surrounding community. Enforcement action is taken as soon as is practicable.

3. Principles and aims

- 3.1. Our diverse communities have:
 - The right to be protected from nuisance, harassment, discrimination and harm
 - A responsibility to understand others and respect 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 whilst also trying to prevent unlawful occupation of land
 - Issue a code of conduct (Appendix E) and take steps to minimise any nuisance and disruption
 - Apply a sensitive and anti discriminatory response at all times
 - Provide access to needed services (e.g. Education, Social and Health Care, and sanitation 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 some information on Gypsies and Traveller Communities please see 'Gypsy and Traveller Myth Buster available on www.plymouth.gov.uk/socialinclusion or from PCC on 304321.

² It is estimated that UEs cost the Council up to £7500 per unauthorised encampment. Other partners are also required to support with officer time and/or arranging specific services.

4. General responsibilities

- 4.1. The Equality Act (2010) places a duty on all public sector organisations to:
 - eliminate unlawful discrimination,
 - advance equality of opportunity, and
 - foster good relations.
- 4.2. Where Gypsies and Travellers experience discriminatory incidents which are not emergencies, they can report these to Plymouth City Council by telephoning the Social Inclusion Unit (SIU) on 01752 304321 or online (see Appendix I). Incidents can also be reported to the Police on 101. All emergencies will be dealt with via calls to 999.

5. Our responsibilities and roles

- 5.1. When a UE occurs on our land we have to:
 - Follow the law, fulfil our statutory duties³
 - Balance the rights and needs of the Gypsies and Travellers and other communities in the nearby locality⁴
 - Advise all partners about the UE and keep them up to date with any significant change in circumstances
 - Provide a central information point plus advice and guidance for the public, businesses, MP's,
 Councillors and other stakeholders
 - Respond to queries and concerns from the general public and others including issuing formal press statements or requests
 - Undertake site visits to verify location and ensure the UE is not on a hazardous place and to 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 and signpost them to appropriate services or make referrals as may be appropriate.
 - Coordinate relevant services to the site and advise Gypsies and Travellers of the acceptable code of behaviour
 - Make careful and clear decisions about eviction processes⁵ and lead on legal decision making and action about eviction
 - Work with partners to monitor community cohesion issues (e.g. logging monitoring and dealing with racist incidents)
 - Advise Ward Cllrs, local residents and businesses that we are managing the UE
 - Ensure minimal disruption and swift action during and post the UE
 - Maintain and store all records relevant to the UE's
 - Arrange post UE clear ups, evaluations and reviews.

6. Private Landowners⁶

6.1. If Gypsies and Travelers stop on private land without consent, the owner can resort to common law to require the Gypsies and Travellers to leave, or seek a High or County court order. Private landowners do not have the same obligations as we do to consider the welfare and other needs of Gypsies and Travelers who are on their land unlawfully.⁷

³ E.g. Human Rights Act 1998, Equality Act 2010, Act 2000, Crime and Disorder Act 1998, Homelessness and Child/Adult Protection law

⁴ Considerations include balancing rights and responsibilities for Education, Welfare, Health, and Public Order (which apply to everyone, regardless of their lifestyle or accommodation).

⁵ Any decision we take is open to legal challenge.

 $^{^6}$ Please ask the Social Inclusion Unit (SIU – x 4321) for advice on how private landowners should deal with UE's.

⁷ 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.

7. Our strategic approach

- 7.1. 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 swifter⁸.
- 7.2. Despite this we must deal with UE's in the most proactive way we can to make sure we maintain the wellbeing 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.
- 7.3. 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 SIU will a conduct post eviction review involving all the relevant departments and partners. If these reviews identity that training is required, our SIU will make this happen as well as ensuring celebration of best practice where it is found.
- 7.4. 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 support our staff and partners with information, guidance and provide training opportunities about Gypsy and Traveller culture and these procedures. 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.

8. Steps and stages

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

Step I: Receiving a report

Responsible Department: All

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

I. 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 I. 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.

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.

⁸ Section 62 of the Criminal Justice and Public Order Act 1994

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/racisthomophobicinci dents/racialandhomophobicform.htm)

Step 2: Informing officers and partners

Responsible Department: SIU and `Corporate Property

- Stage I SIU duty officer sends an E-mail to all relevant officers and partners with key information.
- Stage 2 SIU advises relevant ward councillors or the Planning Department at South Hams District Council if the UE is on Plymouth City Council land but outside our area.
- Stage 3 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 normal statutory responsibilities would apply. Our partner agencies, like the police and health, may still need to be on standby for matters that relate to their own statutory responsibilities.
- Stage 4 Where the land is ours, Corporate Property will identify the department responsible for managing the land and liaise with the relevant officer. SIU will E-mail and/or call them and other relevant officers and partners to keep them advised of the next steps. SIU will co-ordinate, oversee and record events until the UE is vacated.

Step 3: Initial site visit

Responsible Department: Land managing department and SIU

- Stage I 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. 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. Responsibility for this rests with the land owning department.
- Stage 2 SIU will contact the land managing officer and discuss whether the land owning department will conduct a separate site visit or whether SIU will conduct this on their behalf at the same time as the welfare check. (See Appendix F for the form for recording this.)
- Stage 3 There are a variety of often competing factors that must be considered when the site visit is conducted. Some will be more pressing than others. Some examples of circumstances that must be given particular attention are given below.

Examples of Unacceptable locations

- Toxic or other dangerous waste and pollution
- Busy roads or highways where dangers cannot 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.
- Stage 4 If a separate visit is conducted 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
- The legal department and SIU will require copies of the site visit form

Stage 5 - SIU will:

- Advise other officers, partners and the public about what has happened or been agreed, as appropriate.
- SIU will liaise with the Corporate Property team to arrange bins and portaloos to keep the site decent.
- Where the UE is in an unacceptable location, SIU will negotiate with the UE to try to achieve a voluntary move to an alternative location (e.g. transit sites outside the City). If there is a significant health and safety risk SIU will coordinate with the Police to enforce an eviction.
- 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 guidance from our legal department and SIU.
- Stage 6 The land managing department is responsible for ensuring the site is kept clean and tidy. Further site visits may be required to ensure that; bins are used and emptied regularly; toilets are maintained and sanitary. Where there are other concerns, e.g. illegal trading and fly tipping or community tensions or harassment for those on the site or nearby, SIU will oversee additional interventions e.g. the involvement of trading standards, environmental enforcement or police.

Note

- I. 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.⁹
- 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

Government Guidance on UE's says we must visit the Gypsies and Travellers to check their welfare needs.¹⁰

Stage I – The SIU duty officer will conduct the welfare check(s) usually this will be at the same time as the initial site visit. Welfare checks must cover all households or caravan occupants. (See Appendix G) 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

⁹ Approximate costs of seeking a possession order is £2000 which includes court fees and process server fees

Our legal responsibilities to Gypsies and Travellers are to ensure their human rights are safeguarded and public sector equality duty is 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 1996 also means we must provide education to all schoolage 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.

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

III 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 inpatient treatment at a nearby provision? How long will it take to diagnose treat and stabilise any heath 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: Are there any reported concerns from other LA areas? Is there any suggestion of domestic violence or other aggression? - etc

Animal Welfare: are there urgent vetinary needsor appointments? – etc

- Stage 2 The SIU duty officer 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 SIU will discuss any outstanding health, education, and protection or timing matters than need to be resolved with the land managing officer and Legal Services before eviction decisions are made. Completed check lists are kept on the case file and required evidence in any ensuing court proceedings.
- Stage 4 The SIU duty officer will also co-ordinate any referrals; signposting or appointments needed following the welfare check.

Note

- I. 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 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. We will work as may be necessary with all parties including the Gypsy and Travellers themselves; those living nearby; internal departments and officers and other agencies.

Stage I – The land managing officer must keep in regular communication with SIU. 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. This may require further face to face visits at 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 and illegal trading referring to our public protection and enforcement team as may be necessary. SIU will lead on problem solving around anti-social behaviour, whether from outside or within the UE, working with relevant agencies and individuals to keep community tension to a minimum.

Step 6: Eviction

Responsible Department:

Land Managing Department; Legal Services and SIU

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

- Stage I Once welfare checks have been completed legal proceedings will be commenced in all circumstances, unless:
 - The welfare checks identify medical or other issuers that are of sufficient seriousness to warrant a delay¹².
 - There is clear evidence that a delay would be in the public interest.
- Stage 2 A notice should be formally posted on the site and on caravans informing the Gypsies and Travellers they are occupying land without the licence or consent of the owner. 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.
- Stage 3 If the Gypsies and Travelers are still on the site after the above notice is served and expired then possession proceedings will be booked in Plymouth County Court. Consideration can be given at this point as to whether to seek an interim possession order, legal services will advise on the circumstances when this may be appropriate. The application will need to be supported by a witness statement which will usually be provided by the SIU duty officer who undertook the welfare checks.
- Stage 4 The proceedings are then served on the Gypsies and Travelers' so they know the court date is happening. Possession orders are made by the court and usually give possession to the land owner right away or within 48 hours. Many UE's are vacated just before or at this point.
- 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, an application should be made for a warrant of possession. This will lead to 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 the land owning partner will need to attend the eviction to take possession of the land and the Police may be required to provide support. It is very rare for a forced eviction to be required.

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 I and 2 c. 5 working days
 - Stage 3 c. 3 working days
 - Stage 4 c. 5 working days
 - Stage 5 c. 5 working days

¹¹ Guidance on managing unauthorised camping; 2006 pg 40 ww.communitites.ov.uk/documents/housing/pdf/157323.pdf)

¹² In all such cases the advice of an appropriate professional will be sought and considered, the eviction process will only be delayed where there is clear evidence that moving the individual or individuals concerned would be prejudicial to their health or well-being.

- 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 the risk of legal challenges to our enforcement process
 - Ensure that any evictions are conducted within the law
 - Safeguard against future planning applications for unsupported sites

Step 7: Post UE actions

Responsible Department: Land managing department and SIU

- Stage I SIU will arrange for a site inspection on the day of vacation whenever possible. 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 is required.¹³
- Stage 2 SIU will arrange clean up of the site as soon as is practicable as those nearby will continue to lodge concerns and complaints if they do not see swift action. The land managing department will be consulted and should refer any ongoing concerns to the SIU who will co-ordinate PCC's responses.

¹³ Where it is possible to gather enforcement evidence for criminal matters like fly tipping or damage this should be pursued while the UE is in progress and if not post it being vacated. The cost benefits of securing convictions will be carefully weighed up when taking this type of action.

Section 3 - Appendices

Appendix A - UE reporting form

This is available from

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

Appendix B - Summary of actions

Step 1: Receiving a report Step 2: Informing officers and partners Step 3: Initial site visit - recording forms available in Appendix F.	Social Inclusion Unit ext 4321. SIU hold the up to date distribution list of relevant internal officers and our partners. Bins and Toilets via
	distribution list of relevant internal officers and our partners. Bins and Toilets via
Step 3: Initial site visit - recording forms available in Appendix F.	
	Corporate Property Desk ext 4588.
Step 4: Welfare check(s)	Social Inclusion Unit ext 4321.
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 – contact via the corporate property desk ext 4588 (Send final details of clear-up costs to the SIU) Email: inclusion@plymouth.gov.u k
	Step 5: Managing the Encampment Step 6: Eviction

Appendix C - Who does what?

Department	Action
Customer Services	Receive and respond to calls reporting UE's
	Direct people to and/or complete on-line UE reporting form
and any dept who	Respond to members of the public's questions in relation to PCC
receives calls	procedures for dealing with UE's (see Appendix D for FAQ's)
to report UE's.	Notify SIU.
Social Inclusion Unit	 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 multiagency 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 managing department
	 Maintaining UE database and case records including where possible costs
	 Provide advice, guidance and support to all departments and partners
	Arrange for site clearance
	Document and evaluate our performance.
Land managing	Monitor condition of site throughout
	Liaise with SIU about eviction actions
departments	Pay for site clearance
	 Forward details of costs to the SIU (for recording and evaluation purposes).
Legal Services	Take SIU recommendations and other legal requirements into account
Legal Sel vices	Arrange and oversee all court processes and formal notifications.
Public Protection and	 Provide advice and support to Gypsies/Travellers at the site regarding welfare of any animals at the site e.g. horses and dogs
Enforcement	Investigate reports of environmental hazards at UE's
	Take action in relation to illegal trading
	Take action in relation to fly-tipping.
Compounds Duran surface	Provide maps and confirmation of PCC land ownership.
Corporate Property	Arrange to provide wheelie bins/skips and portable toilets on request
	Arrange Clean up site on request from land managing department.
Comerate	Proactively challenge racism against Gypsies and Travellers
Corporate	Communicate PCC procedures and UE updates to local press and media
Communications	with SIU support.
All others departments	Additional action as required e.g. Leisure - healthy heart programmes and Libraries may issue Book start packs etc.
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Frequently Asked Questions

QI. When will the Gypsies/Travellers be leaving?

A1. We do not know exactly yet¹⁴. 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 groups 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, etc.
- Collect all the relevant information from our partners, like the police 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 will then serve the UE with notice to quit giving a reasonable period of time for them to comply, usually 2-3 days.

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 will 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. 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.

¹⁴ However, if you are receiving a report some time after we were initially made aware please contact the SIU for the latest information.

Appendix E

Plymouth City Council What we expect from you while you are here

Dear Traveller

Welcome to Plymouth.

The land you have stopped on belongs to Plymouth City Council. 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 toilets if provided and advise us on the number below if they servicing.
- Use bins provided and advise us on the number below if they need emptying.
- 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
- X Damage any facilities provided
- **X** Be unhelpful or rude to our staff or anyone
- Damage the site

Warning!

If you break any of these conditions you could be evicted straightaway. You may also have to pay fines.

We may use CCTV cameras, and other monitoring methods to ensure that the land you have stopped on is clean and tidy and that you 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

Guidance Note for: Site visit form Plymouth City Council

The purpose of the site visit form is to record the condition of the site at the point of the Gypsies/Travellers arriving, as well as any developments in the size or cleanliness of the site. The continuation sheet then allows each visit to the site to be recorded.

This is important, as complaints about the damage to the land are regularly received

This form will then become evidence 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 Social Inclusion Unit



Gypsies and Travellers Site Visit Form

1. Initial visit undertaken by:	Date: Time:	
2. Area		
3. Site Location Description (inc Landmarks)		
4. Proximity to houses (Please tick one or two)	Houses overlook the site Houses can be seen from the site, but do not overlook it No houses within 50 yards of site Businesses overlook the site Businesses can be seen from the site, but do not overlook it No businesses within 50 yards of site	
5. Length of stay intended		
6. Number of vehicles	Caravans Cars/Vans	
7. Evidence of (Please tick as many boxes as relevant)	Excrement Refuse/Waste Fly tipping Loose animals causing danger	
8. Type of Land	Highway Verge Nature Reserve Industrial used Industrial disused School Other	
9. Land Ownership confirmed by Property Registration as:	Parks Asset Management Housing Schools Private Other	
10. Further information:		

Plymouth City Council Social Inclusion Unit

Gypsies and Travellers Site Visit Form All Subsequent Visits

Date:	Time:
Number of vehicles	s:
Details of Visit:	
Date:	Time:
Number of vehicles	S:
Details of Visit:	
Date:	Time:
Number of vehicles	S:
Details of Visit:	

Appendix G

Guidance Note for:

Welfare Enquiry Checklist

The Welfare Enquiry Checklist 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 then become evidence 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 of the needs that have been identified.

General Information Section - to be completed at the office before site visit

Welcome packs and code of behaviour

Gypsies and Travellers should always be offered a copy of our welcome pack and have the 'code of behaviour' explained to them.

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.

Important: Do not assume that all of the families are together or would be happy to give information about other members of the family.

Section 2 - Information about people

It is important to record as much information about the members of 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.

Section 3 – Information about vehicles

The purpose of this question is to gain information about the number of vehicles an individual family unit is responsibly for. 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.

Section 4 – Information about animals

Complaints are sometimes received about loose dogs on a site, so it is useful to know which family unit is responsible for any dogs on sites.

Additional notes

Any extra information offered can be recorded at the bottom of the questions, but this information should be read back to the Gypsy/Traveller before asking them to sign the form.

Section 5 - Agreement/Disclaimer

Agreement section – once the form has been completed, take the Gypsies/Travellers through the information you have recorded and ask them to sign that the information is correct.

Declaimer section – if anyone refuses to give any information about their welfare 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.



Plymouth City Council Social Inclusion Unit



Welfare Enquiry Checklist

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

1. Arrival reported by:		of public]											
(Please tick one box)	Travellers Education Service															
(* 10000 0000 0000)	Plymouth City Council staff]											
	Health service]											
		uring Loca	I Author	ity 🗆]											
	Police]											
	Other (pl	lease spec	ify)]											
2. Area																
3. Site Location Description (inc Landmarks)																
To be completed during the site visit:																
Welcome pack and Trav Times accepted	Travellers Yes □ Code of behaviour explained Yes □								No							
Section 1: Travelling Information																
4. Are you all travelling together?	Yes 🗆	No 🗆		you ha ou que: site?				Yes	No [
6. Date of Arrival			1					•								
7. Intended length of stay	Leave at the weekend Leave after the weekend															
	Leave a	nter the we	ekend						Stay for 2 weeks maximum							
				า						For as long as we are allowed						
	Stay for	2 weeks m	naximun													
	Stay for	2 weeks m	naximun													
	Stay for For as lo	2 weeks m	naximun are allov	wed	ral)											
8. Do you have any local	Stay for For as lo Other (please	2 weeks mong as we specify e.g	naximun are allov ı. weddi	wed	ral)			Yes	No [
8. Do you have any local 9. What is your current accommodation situation?	Stay for For as lo Other (please seconnection Live on seconder)	2 weeks mong as we specify e.g	naximun are allov i. weddii area site	wed	ral)			Yes	No [
9. What is your current accommodation	Stay for For as lo Other (please s connection Live on a Live on a	2 weeks mong as we specify e.gon to the ayour own sa council s	naximunare allovare allovarea	wed				Yes	No []						

Section 2 – Information about people

10. Number of adults											
11a. Do any of the	None										
adults feel unwell or	Doctor										
would like to see a	Nurse										
doctor/nurse?	Health	visitor									
	Dentist										
	Other						Details				
11. Number of Children											
12a. Do any of the	None										
children feel unwell or	Doctor										
need to see a	Nurse										
doctor/nurse?	Health										
	Dentist										
	Other						Details				
12. Would you like any	Benefit	S									
other information about:	Reporti	ing racist	t								
		ts and ot									
	crimes										
	Adult e	ducation									
	Making										
		essness									
	application in										
	Plymou	<u>ıth</u>					D (!!				
	Other						Details				
Section 3 – Information al	bout vel	nicles									
13. Number of vehicles				е	r car	av	ans	11b. N	lumber	cars	
in total											
14. Is there anything effect	ting	Yes □	١	۷c) [etails)				
your ability to travel?	. \										
(e.g. unroadworthy vehicles	5)										
Section 4 – Information al	bout ani	imals									
15. Are there any	Dogs				How	/ n	nany?				
animals on site?			es 🗆		How	/ n	nany?				
	Other				Deta	ails	S				
15a. Would you like	Vet										
details of a local vet or	RSPCA										
the RSPCA?	Other				Deta	ails	S				
Additional Information:											

Section 5 – Data Protect	tion				
	is information with other departn have any objection to this?	nents inclu	ding health	n, education and other	
Yes □	No □				
If Yes, Why?					
Section 6 – Agreement/	Disclaimer				
	ation provided here is correct, ar cil departments and partners.	id that by s	igning this	form, I agree that it may	
OR (please delete as nee	cessary)				
B. I have declined to provi	ide Welfare information to the P	ymouth Cit	ty Council	representative	
Name of occupant		Signatur (It is ok if			
		not have signature			
		need your mark here)			
Date					
Name of officer		Signature			
Department		Telephone			
Would you like a copy of t	his info?	Yes □	No □		
(If 'Yes', we will make sure to you here before you lea	e a copy is taken and returned ave).				

Appendix H

Letter a	advising	residents
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Date

Dear Neighbour,

We are writing to advise you that we have been that told about the Unauthorised Gypsy and Traveller Unauthorised Encampment (UE) nearby. We are dealing with the situation and will now take the following actions that we are required to take by law.

- I. Visit the site to conduct welfare checks.
- 2. Provide domestic facilities to keep the site as hygienic, clean and tidy as possible and also reduce clean up costs.
- 3. Start the legal action needed to move the encampment along.

For more information about what we will do please visit our web site on:

http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/gypsiesandtravellers.htm

If you would like us to keep you informed of the main actions in relation to this UE then please do not hesitate to contact us on inclusion@plymouth.gov.uk, or call 01752 304321. Please ask for the duty officer.

Bronwyn Prosser,

Social Inclusion Unit Manager

Appendix I - Racist incident reporting form

(http://www.plymouth.gov.uk/homepage/communityandliving/socialinclusion/racisthomophobicincidents/racialandhomophobicform.htm)

A hard copy is available from the Social Inclusion Unit on request - call 01752 304321