

Frequently Asked Questions

Management of Unauthorised Encampments (UAE)

The use of joint protocols between the local authority, the police and other relevant agencies is highly effective in establishing how individual cases will be dealt with, and making sure that all parties are clear about their responsibilities and how they will work together.¹

What the Council will do when an encampment arrives?

Bristol City Council's **Gypsy, Roma, Traveller Inter-agency Team** (referred to in this document as GRT Team) will visit the **unauthorised encampment (UAE)** within one working day of receiving notification of the UAE. The GRT TEAM will Ascertain Ownership of land (i.e. Council, Private, Highways, Parks, Waste Services etc.).

1. **If Private Land:**

- a. The GRT Team will contact the land owner and offer advice and ask to conduct an *Welfare Assessment* with the occupants on the encampment.
- b. Following this the relevant advice / support will be offered to the landowner and encampment will be tolerated, and monitored by the GRT Team in line with Code of Practice.

2. **Highways:**

- a. The BCC Highway Enforcement Team will contact the GRT Team to conduct a *Welfare Assessment* and offer their service with the occupants on the encampment. The Highways Team will serve a *highway enforcement notices*.
- b. **If welfare concerns are identified** relevant support will be offered and encampment is to be tolerated, and monitored by GRT TEAM in line with Code of Practice.
- c. **If there are no welfare concerns or reasons for encampment to remain:** BCC Highway Enforcement Team (and Police if necessary, outlined below) will managed the UAE in line with Code of Practice.

3. **If Council Owned Land:**

- a. **Full Site Visit** to ascertain if any health/welfare issues and negotiations to leave land commenced (i.e. *Welfare Assessment* to be completed with the occupants on the site).
- b. **If welfare concerns are identified** relevant support will be offered and encampment is to be tolerated, and monitored by GRT TEAM in line with Code of Practice.
- c. **If there are no welfare concerns or reasons for encampment to remain:**
 - i. The UAE will be offered a pitch on the transit site.
 - **If accepted:** The UAE will be tolerated until a date is agreed for occupants to move to the transit site.

¹ The information contained in this document should be read in conjunction with [ODPM/Home Office document, Guidance on Managing Unauthorised Camping](#) and its supplementary document on Section 62A-E police powers. This gives more detailed advice on a range of matters, including toleration, joint working protocols and obligations on local authorities and other public agencies in respect of welfare enquiries.

- **If refused:** The GRT Team will determine whether a high or low impact UAE and whether police powers are necessary in moving the group on.²

What can the Police do?

The Police under certain circumstances can use powers under *Sections 61 and 62A of the Criminal Justice and Public Order Act 1994*. It is for the police to decide if these powers are to be used. Generally speaking these powers are only invoked where there are situations of criminality or public disorder.

The duty of the police is to preserve the peace and to prevent and detect crime. Trespass on land is not itself a criminal offence (i.e. it is just unauthorised). The Police will investigate any reports of crime and public disorder.

Prevention of trespass and the removal of trespassers are the responsibility of the Landowner and not the Police.

What can the landowner do if the encampment is on private land?

It is the landowner's responsibility to take the necessary action to evict the encampment. The landowner can attempt to agree a leaving date with the occupants of the encampment or take proceedings in the County Court under the Civil Procedures Rules 1998 to obtain a Court Order for their eviction as trespassers.

Council provision for Gypsy, Roma and Travellers:

The Gypsy, Roma, Traveller (GRT) Inter-agency Team provides comprehensive and effective community-based support to both **ethnic Travellers** (i.e. Romany English Gypsies, Eastern European Roma and Irish Travellers) as well as other *occupational Travellers* (e.g. Showpeople, Circus People, New Travellers and Boat Dwellers) through targeted outreach that helps build bridges into mainstream services, promote community cohesion and resilience.

We also deal with issues of unauthorised encampment by variety of different Travelling people on either Bristol City Council land or Highways. If the encampment is on private land, please contact the Police.

To report any unauthorised encampments please see relevant contact details below:

Emergency Control	<p>Tel: 0117 9222 050</p> <p>Email: emergency.control@bristol.gov.uk</p> <p>Website: https://www.bristol.gov.uk/crime-emergencies</p>
GRT Team Site Manager	<p>Tel: 0117 9224272</p> <p>Email: gypsies.travellers@bristol.gov.uk</p>

² Bristol City Council's **Gypsy, Roma, Traveller Team** will determine the impact of an unauthorised encampment based on government guidance.

Police

Tel: 101

How long it takes to get court order to evict?

This will depend on the circumstances of each individual case. The Council needs to take into account the issues referred to above, as well as how long it takes to obtain a court hearing. It can take approximately seven to ten working days in getting a court order to evict.

In some instances, following government guidance, the Council may tolerate an encampment up to two weeks if high standards are maintained on site and the legitimate use of the site by others is not affected.

What happens if the encampment refuses to leave?

What can the Council do if the landowner fails to take action?

- The landowner may be in breach of Planning legislation and the Caravan Sites Act 1960 unless the landowner has already obtained planning permission for a caravan site.
- If there is no planning permission the Council may take proceedings against the landowner to require removal of the unauthorised parked caravans.
- If the UAE is considered to be a high impact on the local community and/or environment the Council may use *Section 77 of the Criminal Justice Act* to remove the encampment.

What can the Council do if an eviction order for public land is not complied with?

If the Eviction Order is not complied with then the Council can remove the caravans and other vehicles from the council land by using Police powers and court appointed bailiffs.

For further advice please contact:

Bristol City Council's GRT Team Site Manager

Tel: 0117 9224272

Email: gypsies.travellers@bristol.gov.uk