



VERWOOD TOWN COUNCIL

Policy on Gypsies, Travellers and Travelling Show People

Introduction

The purpose of this document is to provide a policy framework to guide officers and Members in deciding how to deal with unauthorised Traveller encampments.

This policy is also intended to explain to all interested parties the Council's position in relation to unauthorised encampments.

Policy

Responsibility for making and implementing decision in respect of unauthorised encampments is delegated to the Town Clerk in consultation with the Mayor and Deputy Mayor.

The Council will, in dealing with unauthorised encampments, act, at all times, in a fair and humane fashion. The Council will consider the balance between the rights and needs of the Travellers in deciding whether or not unauthorised encampments can be tolerated and when and how to instigate procedures to evict.

Instigating procedures to evict will be taken if the Town Clerk feels that this course of action is necessary. Individual consideration will be taken on each case and special circumstances will also be taken into account. Any decision will balance the needs of Travellers with the impact on Council services and undue nuisance to neighbours and members of the public, including damage to land and property.

Such circumstances being taken into account will also include the Human Rights Act 1998 and any other good practice guidance from Central Government such as the 'Guide to effective use of enforcement powers' published by the ODPM and Home Office.

Formal repossession procedures will normally be undertaken where encampments occupy land owned by the Council and the Verwood Memorial Recreation Ground and the Town Clerk is of the opinion that the encampment cannot continue because:-

- It creates a hazard in health and safety terms for other users;
- It creates an intolerable nuisance to the general public;

- It creates an intolerable impact on the enjoyment, use or habitation of adjoining or nearby property or interferes with the effective management of that property;
- It causes damage or likely to cause damage to the land/property or prejudices the use by the Council's members, Charity's Trustees, or the general public; and/or
- It is too large for the location and is causing an unacceptable impact on the immediate environment.

The Town Council will liaise with principal authority where it is deemed eviction proceedings are necessary. The principal authority has responsibility for assessing:

- Housing circumstances;
- Health needs; and
- Education and general welfare.

The Council will liaise with the Principal Authority Gypsy Liaison Officer, the Police and other relevant public or voluntary agencies in order to facilitate better joint working and a better understanding of the problems and issues related to Travellers generally.

Alternative Formats

Disability Discrimination Act 1995 – copies of this document in large print (A3 Format) or larger font size, can be made available for those with sight impairment on request from the Council Office or by telephoning 01202 820880 or e-mailing verwoodtc@btconnect.com

The Council can also arrange to provide versions in other languages.

Freedom of Information

In accordance with the Freedom of Information Act 2000, this Document will be posted on the Council's Website www.verwood.gov.uk and copies of this document will be available for inspection on deposit in the Council Office.

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Lead Officer	Town Clerk
Responsible Committee	Full Council
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VERWOOD TOWN COUNCIL

Operational procedure in respect of unauthorised encampments by Gypsies, Travellers and Travelling Show People

The Town Clerk (or nominated deputy) in consultation with the Chairman of either the Mayor or Deputy Mayor will decide the need for eviction in accordance with the Council's Travellers Policy.

If the decision is to evict, the following procedure will apply:

- a) **Where the unauthorised encampment is on Council or Charity property**, the Town Clerk will issue written notice requesting the unauthorised persons to leave by a specified date/time. If this proves to be unsuccessful, the Town Clerk will liaise with the Police, requesting action be taken under Section 61 of the Criminal Justice Act and Public Order Act 1994 in accordance with the 'Guide to effect use of enforcement powers – Part 1 Unauthorised encampments', published by ODPM and Home Office.

Should action under this section of the Act not be possible for technical, legal or Police resource issues, then action will be requested under Section 62 of the Criminal Justice and Public Order Act 1994 in conjunction with the Gypsy Liaison Officer of the Principal Authority (page 13/14, paras 50-56 of the 'Guide to effective use of enforcement powers Part 1 Unauthorised encampments' published by ODPM and Home Office refers).

It is interesting to note that para 59 (page 15) of the above guidance informs that, 'there are locations where immediate action to remove them should be taken because the presence of the encampment is seriously disrupting the ability of the settled community to make use of facilities or to conduct their business, for instance: urban parks'

- b) **Disruptive trespassers** – where appropriate, and persons have committed offences of aggravated trespass, the Council/Charity will request the Police to take action under Section 68 of the Criminal Justice and Public Order Act 1994.

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