

**South Derbyshire District Council**  
**Policy & Procedure for Unauthorised Encampments of Travellers**

## **1. Introduction**

This policy has been drawn up to take into account the guidance given in Government Guidance DETR Circular 18/94, as amended in July 2000 and the subsequent guidance issued by Department for Communities and Local Government entitled 'Managing Unauthorised Camping – A Good Practice Guide', issued in May 2006.

This policy also takes into account the Council's responsibilities under the Human Rights Act 1998.

## **2. Purpose**

The objectives of this policy are:

- To balance the rights and needs of resident communities with those of Gypsies and Travellers;
- To manage unauthorised encampments in an efficient and effective way taking account of the potential level of nuisance for local residents and the rights and responsibilities of Gypsies and Travellers;
- To work with partners in other authorities, the voluntary sector and the Police to address issues of social exclusion amongst Gypsy and Traveller communities.

This policy recognises that Gypsies and Travellers lead a nomadic lifestyle and that encampments will arrive in the district from time to time. The reason for this policy is to prevent disorder or crime and to protect the rights and freedoms of others (*Article 8 Human Rights Act 1998*).

If an encampment gives rise to public nuisance and/or disorder, there is a need to consider the use of statutory powers of eviction/prosecution to maintain public order.

This policy also acknowledges that, in order not to breach Article 3 Human Rights Act 1998, any such powers should be used in a humane and compassionate fashion and not to evict needlessly.

## **3. Powers available**

Common law powers

- Can only be used by the landowner;
- Are used to regain possession of land;
- Does not require the involvement of the courts;
- Enforced by the landowner and/or private bailiffs where necessary;
- Does not provide any sanctions for the return of trespassers onto land.

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Part 55 Civil Procedures Rules

- Can only be used by the landowner;
- Are used to regain possession of land;
- Require civil court procedure;
- Possession is enforced by county court bailiffs, where necessary;
- Do not provide any sanctions for the return of trespassers onto land.

Sections 77-78 Criminal Justice and Public Order Act 1994

- Can only be used by a local authority;
- Can be used on any land within the local authority's area, irrespective of ownership;
- Are used to remove identified individuals from land;
- Only require the involvement of the courts when Gypsies or Travellers do not leave when directed to do so;
- Possession is enforced by local authority officers or private bailiffs employed by the local authority;
- The return of Gypsies or Travellers and/or their vehicles to the location within three months carries criminal sanctions.

Sections 61-62 Criminal Justice and Public Order Act 1994

- Can only be used by the police;
- Can be used on any land except the highway;
- Are used to remove identified individuals and/or their vehicles from land;
- There must be two or more persons trespassing on the land before the power can be used;
- Do not require the involvement of the courts;
- Possession is enforced by the police;
- The return of Gypsies or Travellers to the location within three months carries criminal sanctions.

Section 62A-E Criminal Justice and Public Order Act 1994

- Can only be used where an alternative site is available;
- Can only be used by the police;
- Can be used on any land;
- Is used to remove identified individuals and/or their vehicles from the land;
- Does not require the involvement of the courts;
- Possession is enforced by the police;
- The return of Gypsies or Travellers to the local authority area within three months carries criminal sanctions.

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#### **4. Unacceptable Encampment Locations**

There are locations where an encampment will not be acceptable under any circumstances. Each encampment location must be considered on its merits against criteria such as health and safety considerations for the unauthorized campers, traffic hazards, public health risks, serious environmental damage, genuine nuisance to neighbours and proximity to other sensitive land uses. Some examples of such locations are; a Site of Special Scientific Interest (SSSI), where an encampment endangers a sensitive environment or wildlife; school car park or playing fields (especially during term time); an urban park; car parks, including hospital, supermarket or leisure facility; an industrial estate; recreation ground and playing field; a site where pollution from vehicles or dumping could damage ground water or water courses; a derelict area with toxic waste or other serious ground pollution; a village green or other open area within a residential area; the verge of a busy road where fast traffic is a danger to the Gypsies or Travellers children.

Where possible, Gypsies or Travellers should be discouraged from establishing an encampment at an unacceptable location. Where this is not possible, they should be encouraged to move to an authorised site, where possible. If the campers refuse to move from an unacceptable location, the eviction process should be commenced. To be effective, such an approach requires a swiftly response. Ideally, initial contact should be made within 24 hours of the encampment coming to the attention of the Environmental Health Department.

#### **5. Site Provision**

Local authorities do not have a duty to provide sites for Gypsies or Travellers. They do however, have the power to do so under Section 24 Caravan Sites and Control of Development Act 1960.

The Council currently has two authorised sites, one at Foston and one near Lullington.

The Lullington Crossroads site has 10 plots each of which can take two caravans, of the same family, per plot. There are 4 long stay (indefinite) plots and 4 medium stay (6 months) plots at Lullington as well as 2 plots for temporary use (up to two weeks). If any Gypsy or Traveller is interested in any plots at Lullington they should contact the Warden in the first instance on 01827 373575 to check availability. A waiting list, kept by the Site Warden, is in operation for the long stay and medium stay plots and this is currently run on a first come, first served basis.

The Woodyard Lane, Foston site has twenty-one plots, which are all permanent plots. The plots at the Foston site, unlike those at Lullington, are allocated based on the need of the applicant rather than who was on the list first. If a Gypsy or Traveller wishes to obtain an application form to get onto the waiting list for the Foston site they should contact the Housing Department on 01283 595824.

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**6. Procedure**

The Council has an approved Toleration Policy (Appendix 1), which must be read in conjunction with this procedure.

The Council uses powers contained in the Criminal Justice and Public Order Act 1994 to evict Gypsies and Travellers from Council owned land.

This policy relates to the occupation of Gypsies or Travellers on both private land and council owned land and has been drawn up in conjunction with the Police and Environment Agency.

The initial notification of the occupation of the land by Gypsies or Travellers is normally reported to the Environmental Health Department. A Flare complaint form is generated containing all of the details.

An Environmental Protection Officer will be assigned to the Flare complaint. An investigation will follow. Details of all actions taken shall be documented on the Flare complaint system and copies of any correspondence, sent and received, shall be scanned and attached to the complaint.

The Environmental Protection Officer will carry out an initial assessment of the site to ascertain location, ownership of the land and the number of vehicles present. The officer will not enter the site at this stage. If possible, during this visit an assessment of waste, noise, sanitary conditions, animals and other general nuisances shall be noted down.

Initial details of the encampment shall be notified to both the Police and the Environment Agency.

Swadlincote Police Station  
Civic Offices,  
Civic Way,  
Swadlincote  
Tel enquiries desk (01332 290100)

Environment Agency (Upper Trent)  
Sentinel House  
9 Wellington Crescent  
Fradley Park  
Lichfield  
Staffs WS13 8RR  
Tel 01543 444141 and Fax 01543 444161

Environment Agency (Lower Trent)  
Trentside Offices  
Scarrington Road  
West Bridgeford  
Nottingham  
NG2 5FA  
Tel 0115 9455722 and Fax 0115 9819370

Once the complaint has been confirmed then the following procedures outlined below shall be followed:-

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Privately Owned Land

Once the ownership of the land is known to be private, details of the encampment should be forwarded to the Council's Planning Enforcement Section along with any other details known at that time e.g. land owners name and address etc..

The Council's Planning Enforcement team shall then contact the owner and inform them of the encampment. Enforcement action could then be taken for the occupation of the land without the necessary planning permission for a caravan site. However, if there is also evidence that a Statutory Nuisance under the Environmental Protection Act 1990 exists then action must be taken by the Environmental Health Department

The officer should advise the complainants that the occupation is on private land and that the owner of the land is responsible for the removal of the Gypsies or Travellers.

The complainants will also be given contact details of the officer in Planning to contact with regard to the continued occupation of the land.

The Environmental Protection Officer will continue to respond to complaints in relation to legislation enforced by the Environmental Health Department.

Derbyshire County Council Owned Land

If the owners of the land are the County Council (this includes highways land) then the Traveller Liaison Officer at Derbyshire County Council should be contacted on 01629 585566. Details of the land and the number of occupants should be passed onto the County Council.

The Environmental Protection Officer will continue to respond to complaints in relation to legislation enforced by the Environmental Health Department.

South Derbyshire District Council (SDDC) Owned Land

Once it has been determined that the land is owned by SDDC the relevant department responsible for the land shall be notified by the Environmental Protection Officer as soon as possible. On receipt of a request from the relevant department the Environmental Protection Officer will undertake a site visit with the attendance of the Police.

The Police can be contacted on 0345 1233333. This telephone number is for Derbyshire Incident Room and a time for a visit can be arranged with them or alternatively, they will take all the details and get an officer to return the call and discuss the arrangements. **Any site visits where entry onto the land is required shall be undertaken only with the attendance of the Police.** Should the Police not be available at this time then a more convenient time shall be arranged.

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## **7. Site Visit**

The site visit by the Environmental Protection Officer should be made to the encampment as soon as possible, unless the location is too remote. The visit is the first step in making the decisions about, and effectively managing, unauthorised encampments. Its functions are:

- To check the accuracy of initial reports/complaints of the encampment, and to gather basic information on its location and size.
- Where the encampment is at an unacceptable location, Officers should try to encourage the Gypsies or Travellers to move to an authorised site, should there be space available, or to a less unacceptable location.
- To collect basic information from the Gypsies or Travellers about the families and vehicles involved, and about past and intended future movement, anticipated length of stay and reasons for stay.
- To collect initial information from the Gypsies or Travellers on any perceived welfare, health or education needs. Such information is the starting point for liaison with other relevant departments. Where school age children are present, the Traveller Education Service should be notified. Similarly Social Services or Health authorities should be notified where there seem to be social, welfare or health needs to be further assessed and met.
- The visit should note the state of the encampment, how well it is kept, any damage, rubbish accumulation etc. Photographs should be taken of the visit, where possible, although people should not be photographed without their permission.
- Officers should note any features of the encampment or its location that is particularly problematic or which might affect future decisions.
- The visit is also an opportunity to give information to the Gypsies or Travellers about:
  - The standard of behaviour expected of them. A copy of the Toleration Policy (appendix 1) should be provided to the Gypsies or Travellers and where necessary in the event of any reading difficulties, be clearly explained to avoid misunderstanding;
  - What is going to happen next, what procedures the authority are likely to follow and what this means for the Gypsies or Travellers; and
  - Names, addresses, and telephone numbers of local services and sources of advice likely to be useful to the Gypsies or Travellers (appendix 2). Information should include details about housing, health, education, social services and waste disposal facilities.
  - The Environmental Protection Officer undertaking the visit to the site should leave a card with contact details with the Gypsies or Travellers.

It is important that all information given and received during visits and enquiries is clearly recorded. Information gathered in the course of visits and enquiries is subject to data protection legislation. Where information is refused, the fact that questions were asked and not answered should be clearly recorded. If the Gypsies or Travellers give reasons for not responding, these should also be clearly recorded. Gypsies or Travellers should be

informed of any possible consequences of not providing information when requested. If they want to provide information through another person, they should be able to do so provided arrangements can be made quickly.

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Reasonable attempts should be made to get information about individuals not present at the time of the visit. Other Gypsies or Travellers should be asked to provide information. A letter may be left with clear instructions for its return (at no cost to the Gypsies or Travellers). All such actions should be clearly recorded and if there is still no response, this should be noted.

Legal Services should be informed, in writing, at this stage that there is an unauthorised encampment. Legal Services should be given written information of all action taken to date.

### **8. Welfare Enquiries**

The Council has a statutory obligation towards Gypsies or Travellers under other legislation (mainly regarding children, homelessness and education). Officers should liaise with other local authorities, such as health and welfare services who might have responsibilities towards the families of the Gypsies or Travellers. Effective welfare enquiries are necessary to identify whether needs exist which might trigger duties or necessitate the involvement of other sectors.

The Human Rights Act 1998 applies to all public authorities. With regard to eviction, the issue that must be determined is whether the interference with Gypsy or Traveller family life and home is justified and proportionate. Any particular welfare needs experienced by the Gypsies or Travellers are material in reaching a balanced and proportionate decision. The human rights of members of the settled community are also material if the Council fails to act or curb nuisance from an encampment.

**The Council is required to demonstrate that it has taken into consideration any welfare needs of the Gypsies or Travellers prior to making a decision to evict.**

Speed of response in relation to making welfare enquiries is key to managing unauthorised encampments so as to minimise disruption. Reports of an unauthorised encampment should be acted on as quickly as possible and information should be passed on for consultation as rapidly as possible.

Correspondence ('Welfare checks for Travellers' – APPENDIX 2) should be sent to named individuals at the following agencies:

Education for All Services  
Derbyshire City Council  
27 St. Mary's Gate  
Derby  
DE1 3NN  
Tel 01332 716806  
Fax 01332 716920

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Network Manager  
Swadlincote NHS Clinic  
Civic Way  
Swadlincote  
Derbyshire  
DE11 0AE  
Tel 01283 818000  
Fax 01283 226632

A location map should also be included with the correspondence so that the site can be readily identified. The response period given is 7 days unless otherwise agreed with the individual organisation and the Environmental Protection Manager. A date for return of the document will be clearly marked on the document and if the information is not collated and returned by the said date the Environmental Protection Officer will contact the relevant agency.

Regular visits (drive by's) by the Environmental Protection Officer shall be made to the site in order to monitor any problems and determine if there are any breaches of Environmental Health Legislation or matters requiring investigation by other Departments, the Environment Agency or the Police. Where these site visits will involve Directed Covert Surveillance (See RIPA 2000 procedure document), then an investigating officer shall complete an authorisation form (available on intranet) signed by the Environmental Health Manager.

Once the above agencies have undertaken a site visit and made their enquiries, a copy of their response should be copied to Legal Services.

## **9. Making Decisions**

At this stage a meeting will be held with officers from Legal Services and the Environmental Health Department.

Decisions about what action to take in connection with an unauthorised encampment must be made in the light of information gathered. Decisions must always be:

- 'Lawful' – that it is in line with policy and procedure, taking into account relevant considerations and not taking into account the irrelevant.
- 'Reasonable' in the legal sense of not being perverse or irrational in the light of the evidence available.
- 'Balanced' in that they take account of the rights and needs of both the settled community and Gypsies and Travellers.
- 'Proportionate' – what is proportionate will vary according to the precise circumstances of each encampment, including the nature of the location and the behaviour and needs of the Gypsies or Travellers.

Any welfare needs are a material consideration for the Council when deciding whether to start eviction proceedings or to allow the encampment to remain longer. Welfare needs do not give an open ended 'right' for Gypsies and Travellers to stay as long as they want in an area. To defer an eviction which is justified on other grounds, the needs must be more immediate and/or of a fixed term. Eviction should be delayed while acute welfare needs exist and are being met, in this period the encampment should be managed pro-actively.

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Some examples of welfare needs to be considered in eviction decisions;

- Advanced pregnancy: a period shortly before and after birth in normal circumstances; longer on medical advice if there are complications.
- Ill health: indicators might include a hospital appointment booked, in-patient treatment of a close family member; period during which a condition can be diagnosed, stabilised and a course of treatment started.
- Educational needs: children in school if within 4 weeks of the end of term or of access to special education has been granted.

In some circumstances it may be appropriate to exclude a single person or family with welfare needs from the eviction action taken against the larger group. However, this must be handled sensitively to ensure that an individual is not isolated and unsupported, leading to still greater need. In practice, groups may prefer to move on together.

All decisions (including any decision to allow an encampment to remain for a period) must be fully recorded and documented. Any alleged damage and alleged nuisance should be charted in writing. Photographic or video evidence should also be taken in support. Records should be kept of all complaints received about the encampment. Information passed to Gypsies or Travellers should be recorded, along with offers of assistance made, for e.g. help with a housing application, offer of a pitch on an authorised site, and the response. It should also be noted where an encampment was unproblematic and did not cause nuisance or damage. Any complaints received, including any from Gypsies or Travellers, should be recorded.

## **10. Eviction**

Once a decision to evict an unauthorised encampment has been properly taken, the aims should be:

- To act quickly and efficiently.
- To use the powers most appropriate to the circumstances.
- To reduce scope for challenge through the courts by ensuring that policy is properly followed.

Encampments, where possible, should be dealt with through negotiation. Where this fails the Council may use its powers under the Criminal Justice and Public Order Act 1994 to evict Gypsies or Travellers. Section 77 of the Criminal Justice and Public Order Act 1994 gives local authorities the power to direct individuals to remove their vehicles and belongings and to leave highway land, or any land occupied without the consent of the landowner, whether owned by the local authority itself or by any other public or private landowner.

The procedure is as follows:

1. Before commencing any action to evict an unauthorised encampment, local authorities have an obligation to carry out welfare assessments of the Gypsies or Travellers. This may necessitate the involvement of local NHS bodies, where health issues are apparent.
2. A Direction is then drawn up which instructs the Gypsies or Travellers to leave on a particular date and time. This document is approved and signed by an authorised signatory of the Council. It also identifies individuals and/or vehicles on the unauthorised encampment.

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3. An officer then serves the Direction on the Gypsies or Travellers. The Police should accompany this visit to the site. The Direction must be served on all persons encamped, 1 per caravan. This can be carried out by hand delivering a copy of the Direction to occupiers of each caravan or by placing a clearly visible copy of the Direction at the entrance to each of the occupied caravans. A copy of the direction should be attached to the land itself, either by attaching copies to trees or by putting a wooden stake at the entrance to the site and attaching a copy of the Direction to the stake.
4. If the Gypsies or Travellers fail to move and/or remove any vehicles and other property by the date specified in the Direction (normally 24 hours), or return to the same location within three months of the date of the Direction, they are then committing a criminal offence and may be arrested by the Police. If a prosecution is successful they may then be given a custodial sentence of up to three months, or be liable to a fine of up to £1,000.
5. At this stage the file should be forwarded to Legal Services for legal proceedings to be issued in the Magistrates Court. The file should include the following:
  - Memorandum detailing action taken to date and requesting a Court date;
  - Blue copy of the Directions served;
  - Certificate of Service;
  - Location map;
  - Copy of consultations;
  - Copy of responses;
  - Details of complaints received;
  - Copy of Toleration Policy;
  - Photographs, where possible.
  - Any other relevant documentation.
6. The Council then pursues the Gypsies or Travellers who have contravened a direction under Section 77 by using powers under Section 78 of the Criminal Justice Public Order Act 1994. This allows the Council to advise the Magistrates' Court of the contravention and, if the Court is satisfied, then they may grant an Order for Removal of Persons and Vehicles.
7. Legal Services will contact the Listing Clerk at the Magistrates' Court in order to obtain a date for a court hearing, which is required before the Order can be issued. Depending on the location of the encampment, Legal Services may ask the court to expedite the process so that the Gypsies or Travellers can be moved quickly.
8. An officer from Environmental Health attends the Magistrates Court with the Summons from Legal Services in order for them to be signed. The summons requires the person(s) in charge of the caravan(s) to appear before a court hearing to answer the complaint.
9. The officer then serves the summons on the Gypsies or Travellers. The officer should attempt to serve the summons on person(s) at the encampment. Arrangements should be made for the Police to attend the site with the officer. The Summons should be served in the same manner as the Direction, including service on the land. A Certificate of service should then be completed and forwarded to Legal Services.

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10. At the hearing in the Magistrates' Court a representative from Legal Services will request that the Magistrates grant an Order for Removal of Vehicles and Persons. During the hearing the officer will be called as a witness and asked questions, such as:
- What date did the Gypsies or Travellers move onto the land?
  - How many caravans are present at the encampment?
  - What is the land usually used for?
  - Photographs of the land
  - Have adequate welfare enquiries been made?
  - Has a Direction been served under s.77 Criminal Justice and Public Order Act 1994?
  - Any changes to the encampment since the service of the Direction?
11. If the Gypsies or Travellers attend the hearing and contest the eviction, the case may be adjourned in order to allow time to hear all the evidence. However, if the Magistrates are satisfied that the correct procedures have been followed, the Order will be granted immediately in normal circumstances.
12. Once granted, an officer should serve the Order on the Gypsies or Travellers as soon as possible with the presence of the Police, as above.
13. Twenty-four hours must be allowed to elapse between serving the Order and any action to remove the Gypsies or Travellers. At any point thereafter, the Council may remove the Gypsies or Travellers, their vehicles and any other property from the land. The department responsible for the land shall oversee this action and ensure bailiffs are employed on behalf of the Council, if necessary. The Police should be present to ensure that no breach of the peace takes place.

On completion of the eviction, the department responsible for the land will need to consider measures to be taken to ensure the site is adequately secured.

## **11. Correspondence with complainants**

All complainants shall be kept updated of the situation in relation to the above procedures. A leaflet on 'Gypsy Travellers and the Law' can be forwarded to complainants. If any complainant wishes to discuss any issue in relation to site security, access, clear up and general site management, they should be referred to the department responsible for the management/ownership of the land.

## **12. Other agencies**

It is important that other agencies are kept informed about what is happening and what can be expected to happen with unauthorised encampments.

Dependant upon the circumstances of each case the officer shall liaise with the following organisations if there is evidence of potential breaches of legislation under their jurisdiction:

- Environment Agency
- RSPCA
- Derbyshire County Council Animal Health
- Police
- Any other bodies/departments deemed necessary

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**Appendix 1**



**SOUTH DERBYSHIRE DISTRICT COUNCIL  
UNAUTHORISED ENCAMPMENT TOLERATION GUIDELINES  
AND POLICY STATEMENT**

The Council will strive to maintain the often difficult balance between the needs of the settled community and businesses, and those of travellers. It will achieve this by continuing to administer the running of both Wooyard Lane, Foston and Lullington Cross Roads Caravan Site.

Where Travellers occupy Council land irresponsibly, or cause a level of nuisance that cannot be tolerated within approved guidelines, the Council will use its powers of eviction after consultation with other agencies.

Unauthorised traveller encampments should not be evicted needlessly, and subject to certain criteria will be tolerated on the following grounds:

1. There is no space available on the 2 Transit plots at Lullington Crossroads site.
2. Where unlawful camping is not causing a level of nuisance which cannot be effectively controlled.
3. Where an immediate enforced eviction might result in unauthorised camping on a site elsewhere in the area, which could give rise to greater nuisance.

**TOLERATION CRITERIA**

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|------------|--|
| 1. Hygiene | There must be no fouling or dumping of used nappies and faeces on or in the vicinity of the site.  |
| 2. Rubbish | No domestic refuse to be dumped on or in the vicinity of the site.<br><br>No rubbish associated with any business activity will be allowed to be dumped on or in the vicinity of the site. Rubbish must be taken to a licensed refuse disposal site. |

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| 3. Behaviour              | Intimidating behaviour, if substantiated, following complaint will not be tolerated. Dogs must be kept under control.   |
| 4. Damage                 | No evidence of damage to the property or the environment.   |
| 5. Horses                 | Must not be a nuisance or danger.   |
| 6. Criminal Activity      | All allegations of crime to be reported by the public direct to the Police. Police will advise us following their investigation as to whether eviction is recommended.  |
| 7. Consecutive Occupation | No consecutive occupation of the same site will be permitted. There should normally be a recuperation period.   |
| 8. Land use               | Encampments will not be tolerated where the land is designated for specific public use e.g. nature conservation, park or playing fields, car-parks, public open space or other agreed sensitive site i.e. site development proposals. |

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**APPENDIX 2**

**Useful Numbers for Occupants of Illegal Encampments**

South Derbyshire District Council's Homelessness Officer 01283 595804

Woodyard Lane Caravan Site  
Foston 01283 595824

Lullington Cross Roads Caravan Site 01827 373575

Education for All Services  
Derbyshire City Council  
27 St. Mary's Gate  
Derby  
DE1 3NN 01332 716806

Network Manager  
Swadlincote NHS Clinic  
Civic Way  
Swadlincote  
Derbyshire  
DE11 0AE 01283 818000

Siobhan Spencer,  
Derbyshire Gypsy Liaison Group,  
Ernest Bailey Community Centre,  
Office 3, New Street,  
Matlock,  
Derbyshire. DE4 3FE

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**APPENDIX 3**



**SOUTH DERBYSHIRE DISTRICT COUNCIL**

**CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994**

**WELFARE CHECKS FOR TRAVELLERS**

**With reference to the Council's responsibilities under the above Act, relating to the management of unauthorised encampment by travellers, I confirm that travellers' caravans/vehicles are illegally parked on land within this district.**

Having received complaints, the Council must now consider whether it is appropriate to issue the travellers concerned with a Directions Notice, which directs the travellers to leave the above land and remove all vehicles and other property from the said land.

In recognition of guidance given in Government DETR Circular 18/94, as amended in July 2000 and the subsequent booklet issued by the Department for Communities and Local Government entitled 'Guidance on Managing Unauthorised Camping' issued in May 2006, the Council is obliged to make 'welfare enquiries' of various organisations.

**I would be obliged if you would arrange for the above site to be visited by your Officers, as a matter of urgency, and for them to undertake an assessment of the site in terms of the following matters. Please complete each section. Mark those sections which are not relevant with 'NA'.**

**General**

1. Description of land:

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2. Number of Travellers:

(a) Individuals \_\_\_\_\_

(b) Households: \_\_\_\_\_





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6. Why have you parked on the site?

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7. Is there any damage to the land?

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8. How long do you intend staying?

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**CHILDREN**

9. Number of children: \_\_\_\_\_

10. Names and ages if known:

Name	Age	Name	Age

11. Are any children of school age enrolled in local schools? YES/NO

12. Are any children of school age served by Travellers' Education Officers?  
YES/NO

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13. Do they have any health problems? YES/NO

14. Are they registered with any local GPs? YES/NO

15. Any other relevant needs:

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**HEALTH NEEDS**

16. Are any of the Travellers suffering from illness?

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17. Arrangements with local Doctors/Health Authority, if any?

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18. Are there any pregnant women?

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19. If so, when are they due to give birth?

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20. Does anyone require any medical services now?

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**HOUSING**

21. Do any of the Travellers wish to be considered for housing under the homelessness legislation: YES/NO

**EMPLOYMENT/EDUCATION**

22. Are any of the Travellers employed locally or attending College/University in the area? YES/NO

23. Is a move likely to prejudice these arrangements? YES/NO

24. Do any of the Travellers require Social Services or educational welfare services?

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**South Derbyshire District Council  
Policy & Procedure for Unauthorised Encampments of Travellers**

**GENERAL**

25. Are there any other relevant needs identified?

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26. Likely impact on local neighbourhood, if any?

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27. Mechanical breakdown?

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**South Derbyshire District Council  
Policy & Procedure for Unauthorised Encampments of Travellers**

**I certify that, having undertaken the appropriate enquiries (delete as applicable):**

- I **do not** consider that it would be appropriate to proceed with an application for eviction at the present time:
  
- I can find no good reason why the application for eviction should not proceed :

SIGNED: \_\_\_\_\_

NAME: \_\_\_\_\_

DESIGNATION: \_\_\_\_\_

DATE: \_\_\_\_\_

<b>OFFICER CHECK LIST</b>	
<b>Copy of Toleration policy left with occupant(s)</b>	<b>YES/NO</b>
<b>Officers Business Card left with occupant(s)</b>	<b>YES/NO</b>
<b>List of helpful telephone numbers left with occupant(s)</b>	<b>YES/NO</b>

**South Derbyshire District Council**  
**Policy & Procedure for Unauthorised Encampments of Travellers**

**Peter McEvoy**

Head of Environmental Services

Civic Offices, Civic Way,  
Swadlincote, Derbyshire DE11 0AH

Appendix 4

**Please ask for Sallyann Toone**

**Tel: (01283) 221000 Ext. 5718**

DDI (01283) 595718

Fax (01283) 595855

Minicom: (01283) 595849

DX 23912 Swadlincote

E-mail: civic.offices@south-derbys.gov.uk

Our Ref: ST/JT/Appendix 4

Your Ref:

Dear Occupant,

Date:

Illegal Encampment – (address)

Land Owned by South Derbyshire District Council

With regard to your occupancy of the above mentioned land I would inform you that I have visited today but you were not on the site at the time of visit.

As such I would ask that you complete the following information, details of occupants of your caravan, and return it to this council in the pre paid envelope provided.

<b>Name Of Occupant</b>	<b>Contact number if applicable</b>

Thank you for this information. Should you wish to contact me please do not hesitate to call me on 01283 595718.

Yours sincerely

Sallyann Toone  
Technical Officer (Pollution)

Encs. Tolleration Policy/ Business Card /Useful Numbers/pre paid envelope