



GREAT & LITTLE PRESTON PARISH COUNCIL

POLICY AND PROCEDURE FOR UNLAWFUL INCURSIONS ON GREEN SPACES

1. Introduction

This policy provides guidance and delegated authority in the event of an unauthorised encampment on Great & Little Parish Council owned or managed land to ensure that the Council deals with incidents in a fair, proportionate and consistent manner and follows a set legal process.

2. Scope of Policy

This policy applies to the management of all unauthorised encampments, including the establishment of a tent, vehicle, or other structure, by a person(s), in an area where they have no permission to reside or occupy. This policy covers the management of all unauthorised encampments regardless of who the occupiers may be. The policy incorporates the council's duties in relation to Traveller communities, outlining how the council will meet its Public Sector Equalities Duty and Human Rights obligations towards these communities.

A high proportion of unauthorised encampments are by individuals or groups of people, such as Gypsies and Travellers, who follow or have chosen a nomadic way of life and travel the country and or local area, stopping off for a time and then moving on. Gypsies and Travellers, together with all groups who have a specific culture, language or values, are protected from discrimination by the Race Relations Act 1976 and the Human Rights Act 1998. It is not unlawful to roam.



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This policy gives guidance in the event of an unauthorised encampment on Parish Council land including the policy on eviction and the procedures to follow.

Responsibility for following this policy is with Clerk, with support from Councillors involved in the management of unauthorised encampments, and agencies acting on behalf of the Parish Council (this may be a private bailiff).

The Parish Council will not act if an encampment is not on Parish Council land, other than where possible, to inform the landowner.

3. Financial Implications.

The Council has no budget for bailiff services in the event of any unauthorised encampment. This policy gives delegated authority to the Clerk to spend a maximum of £3,000, in consultation with the Chairman in the event of requiring the services of a bailiff. Bailiffs charge approximately £350 to attend site or for the first hour and £150 per hour thereafter. If a tow truck is needed this will also be extra. All costs are to be communicated to the Full Council at the earliest opportunity.

4. Operational procedure in respect of eviction of an unauthorised encampment. *Due to the nature and speed at which actions unfold, liaison with the full Council is not always possible.*

4.1 Where considered safe to do so, conduct an initial site visit within 12 hours of it being notified to the Council and establish that an unauthorised and illegal incursion is taking or has taken place on Parish Council land:



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- Take records of vehicles including registration numbers and log an exact location on the site (use What3Words or take photos).

4.2 Liaise with the police (call 101) requesting action to be taken under section 61 of the Criminal Justice Act and Public Order Act 1994. 1

4.3 Notify and seek advice from Leeds City Council:
<https://www.leeds.gov.uk/residents/environmental-health/report-an-unauthorisedgypsy-or-traveller-site>

0113 378 9237

travellerservices@leeds.gov.uk

4.4 If the police are unable to assist, then instruct private bailiffs on behalf of Great & Little Preston Parish Council and to use their best endeavours to repossess the land as quickly and economically as possible using sufficient manpower to do so in safety.

4.5 Advise the following people / groups of the action taken at the earliest opportunity:

- Parish Councillors
- Ward Councillors
- Ward Officers, West Yorkshire Police – currently PC 5951 Johnson and PS 4037 Micklethwaite
- Neighbouring properties.
- Neighbouring towns and villages.

5. Action to be taken after control of site has been regained.

5.1 Attend to confirm that the incursion has concluded and assess the condition of the site.

5.2 Cordon off areas which present a public health hazard.



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5.3 Determine where access was gained to the site and arrange for the site to be temporarily secured.

5.4 Arrange for contractors to attend the site as soon as possible and carry out any necessary remedial and cleaning works.

5.5 Report incursion, and associated costs, to next available meeting of the Council.

5.6 Review access points to site and other potential, additional security measures to prevent further incursions and prepare report for consideration by the Council Policy

Code Adopted by Great & Little Preston Parish Council on
26th January 2022

Signed _____(Chair)