

# Binfield Parish Council

## Unauthorised Traveller Encampment Action Policy



This policy provides the detail for actions and expenditures to be undertaken in the event of unauthorised travellers setting up an encampment on Parish land.

Sites affected by this plan: Foxley Fields, Wicks Green, Silver Jubilee Fields, Knox Green, York Road Play Area, Mutton Oaks, Red Rose Allotments and Pocket Copse Allotments.

- 1 Notify TVP first via 101 - the police have, in certain circumstances, the power to serve a Section 61 notice requiring the trespassers to leave – this is assessed on a case-by-case basis. Ensure to make a note of any reference no. (A section 61 can only be enacted by the Police and applies if any of three conditions have been met: 1) the unauthorised campers have caused damage to the land or property on the land; 2) they have used threatening or abusive language or behaviour to the landowner, a member of his family or his employee or agent; 3) there are six or more vehicles on the land)
- 2 Notify Bracknell Forest Council (BFC) 01344 352000 – giving the location and the TVP reference no. BFC will complete a worksheet and arrange a site visit (ideally with the police) to assess if a section 61 will be served.
- 3 The Parish should speak to persons at the encampment to enquire how long they expect to be present and how many vehicles are likely to attend, and to clarify any byelaws that exist for the land. This MUST be undertaken by at least two members of staff, ideally the Parish Clerk and the Parish Warden. One member of staff MUST NOT visit a site unaccompanied. The police will, where possible, accompany members of staff. Councillors may offer to accompany staff if required. Those attending the encampment must take a mobile telephone.
- 4 The Parish Council will supply bin bags and request the travellers to deposit their rubbish in these and leave them at an agreed spot for easier clearance. Any instances of abusive behaviour or criminal damage should be reported to the police. The Parish staff or Councillors MUST not put themselves at unnecessary risk or engage in a confrontation.
- 5 If the police can serve a section 61 notice, as landowner the Parish will need to be represented and ask the travellers to leave before the notice can be served. The Police will then manage the process of eviction.
- 6 If the police do not serve a section 61 notice, then as Landowner the Parish will need to take steps to remove the encampment. A judgement call may be required as to whether it is worth pursuing if the encampment is intending to move on quickly. The Clerk will make this judgement call. If the Clerk is not available (e.g., on holiday) then the Deputy Clerk or any Chairman (of Council, Planning, Amenity or Staffing) can make a judgement call.
- 7 The Clerk will put an Enforcement Agency on standby should the encampment not leave by the agreed date/time. The Clerk will also notify both TVP and the Council liaison notified of the date/time and appointment of the Enforcement Agency.
- 8 The Clerk is authorised to spend up to £5,000 on bailiff fees without further recourse to Council [Financial Regulation 4.5; adopted May 2022]. If this fund is insufficient (this will typically remove up to 8 caravans) the Clerk can seek permission from the Urgency Committee. Any spend will then be put through the usual payment process for retrospective approval via Council.
- 9 Once the encampment has vacated a clear up will be required. Any damage to fencing or other access points and the land itself will require immediate repair. The Clerk is authorised to spend up to £1,000 on immediate repairs without further recourse to Council [Financial Regulation 4.5; adopted May 2022]. If this fund is insufficient the Clerk must seek permission from the next available Council meeting or, if more urgent attention is required, the Urgency Committee. Any spend will then be put through the usual payment process for retrospective approval via Council.
- 10 All sites should be inspected annually (in the early spring) for vulnerabilities to be identified. If willing, the assistance of Bracknell Town Council ground staff will be sought for this activity.
- 11 All employees will be briefed on the processes in this document and briefed on the actions to take in the event of an encampment.

Reviewed: August 2023

Adopted: