
SAWSTON PARISH COUNCIL

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Sawston Parish Council

Policy on illegal and unauthorised encampments

1. Legal definition

When travellers move their caravans onto a piece of land they do not own, without the permission of the landowner, this is called an illegal or unauthorised encampment. This is a civil matter of trespass between the landowner and the travellers, and it is the responsibility of the landowner to deal with the encampment.

1.1. Anti-social or criminal behaviour

If travellers are involved in behaviour which causes a nuisance or fear and intimidation to people living near to an encampment, this is anti-social behaviour and should be reported to the police with exact details of time and place.

2. Encampment on private land

If the land is privately owned by a company or individual, they need to take advice from their solicitor about obtaining a Possession Order through the County Court.

2.1. Parish Council action

- Parish Councillors should not approach the encampment.
- The Parish Council should inform the landowner that they have an encampment, then inform the police and Cambridgeshire County Council's Traveller Liaison Officer: enforcement@scams.gov.uk 03450 450 051
- Ask the SCDC Enforcement officer to inform the Parish Clerk of progress, so that they can put updates on the Parish Council website.

3. Encampment on land owned by another local authority

Government policy recommends that a local authority must show that they have taken the housing, health, welfare and education needs of the travellers into consideration before making the decision to take legal action. This generally involves a visit to the encampment by the Cambridgeshire County Council Gypsy Liaison Officer.

The local authority can then apply for a Possession Order through the County Court or evict the Travellers using common law.

4. Encampment on land owned by Sawston Parish Council

4.1. Our policy

The policy of Sawston Parish Council is to evict unauthorised vehicles as promptly as is practical. The cost of removal shall be met by Sawston Parish Council and authorised at the monthly meetings in the normal manner.

The procedure for removal can be authorised by a clerk and two councillors, or by three councillors if neither clerk is available.

4.2. Procedure

4.2.1. Communication

The Parish Council should expect a lot of calls from residents during any unauthorised encampment. The clerk, assistant clerk and councillors should stay calm and explain to the public the legal process that has been started. The clerk or assistant clerk should update the website with progress reports.

Members of the public should be advised not to confront the travellers. To report any issues, they should call the police non-emergency 101 number.

Contact should be maintained with:

- the local police community support officer (PCSO)
- the Cambridgeshire County Council Traveller Liaison Officer (TLO) Patricia Andrews 01223 699148/07747 565651 or the County Council Enforcement Officer George Hay on 01223 715616
- South Cambridgeshire District Council (SCDC) - 03450 450 051

4.2.2. Preparation

For Parish Councillors:

- do not approach the encampment
- notify the Clerk, Assistant Clerk or Chairman; if unavailable the Vice Chairman; if unavailable, other councillors.

At least two councillors or a clerk and a councillor should attend the site to assess the occupation. Try to record the number of caravans and vehicles.

If the clerk and at least two councillors, or three councillors if the clerk is not available, are agreed that the unauthorised occupiers are to be removed, the steps below should be taken. Those agreeing to such action should ensure that it is recorded and then reported to the next Parish Council meeting.

4.2.3. Police and welfare

Report the encampment to the police immediately by calling 999 and request they ask the occupiers to leave immediately. The police may be able to move the travellers on immediately under Section 61 of the Criminal Justice and Public Order Act 1994 if the travellers

- are using threatening behaviour
- are causing damage
- have six or more vehicles.

If the police take no action, then the Parish Council should first take advice from the police and the District Council as to whether a welfare check is necessary. (See 3 above.)

4.2.4. Eviction notice

If the welfare check is completed and there are no reasons why the travellers cannot be moved on, the Clerk will contact a legal representative and place instructions for notice to be served for immediate eviction. The legal representative will need:

- details of the number of vehicles and people
- details of the location of the encampment location
- contact details for an authorising representative of the Parish Council, so they can maintain contact
- terms and conditions agreed by email or fax, by the Clerk or another nominated representative.

Once terms and conditions have been agreed, signed and returned, the legal representative will prepare notices to be served on the travellers, advising them of the deadline by which they should move and warning them that they will be evicted if they fail to do so:

- for less than three caravans, eviction will usually take place within two hours.
- for more than three caravans, eviction will usually take place within 24 hours.

The notices will be served on the travellers by the legal representatives' staff on the day of the eviction, an appropriate number of hours before the deadline.

Liaison between the legal representative, the Parish Council and Police is essential. It is likely that the legal representative will require at least one police officer to be present at the time of the notices being served and at the time of the eviction. Actual numbers required at the eviction will depend on the scale of the occupation.

4.2.5. Preparing for eviction

Once the time of the eviction is known, consider:

- cleaning the site
- securing other Parish Council property that may be used as an alternative site
- in conjunction with the police, notifying local organisations or individuals of the eviction in time to enable them to secure other likely target sites
- traffic and pedestrian management in the surrounding area – there may be a need to close a road or control traffic movements during the eviction period.

5. Advice for travellers

South Cambridgeshire District Council

<https://www.scambs.gov.uk/content/travellers-sites-and-code-practice>

Cambridgeshire County Council

<https://www.cambridgeshire.gov.uk/council/communities-&-localism/travellers/>

5.1. Other sites

There are several local authority traveller sites in Cambridgeshire:

5.1.1. Fenland

- Fenland Way, Chatteris: 14 pitches
- Newbridge Lane: 24 pitches
- Parkfields, Sandbank, Wisbech St Mary: 10 pitches
- Seadyke Bank, Murrow: 12 pitches
- Turf Fen Bridge, Parson Drove: 4 pitches

(see <https://www.fenland.gov.uk/travellerpitch>)

5.1.2. East Cambs

- Burwell: 8 pitches
- Earith Bridge: 13 pitches
- Wentworth: 8 pitches

5.1.3. South Cambs

- Blackwell, Kings Hedges Road, Milton, Cambridge (off A14):15 pitches
- New Farm, Old North Road, Whaddon, Royston:16 pitches
- Chesterton Fen Road, Milton, Cambridge: 9 pitches