



Information for Parish Councils

Unauthorised encampments of Gypsies/Travellers

The Essex Countywide Travellers Unit (ECTU) manages all unauthorised encampments on **Council Land** within the borough. The partnership agreement the Borough Council has with ECTU includes the management of unauthorised encampments on **Parish Council Land**.

What do you need to do?

If you receive notification that a piece of land within your area is affected by an unauthorised encampment?

Please contact:

For partner Officers/Members/ Parish Clerks: **03330 131427** or **03330 137870**
Open 9am to 5pm Monday to Friday.

- For out of hours contact for all on Saturday/Sunday/Bank Holidays: **03330321110**
This line is available 24 hours a day and will be monitored hourly 9 - 5 Saturday, Sunday, and Bank Holidays.
- Or via the Essex County Council website [Report Unauthorised Encampment](#)

What is the role of the Police?

The Police – Rural Engagement Team will visit and assess the site. In certain circumstances the police have the power under **Section 61 of the Criminal Justice & Public Order Act 1994** to direct the unauthorised campers to leave the site i.e., if there are 6 or more caravans; damage to property; threatening, abusive behaviour; serious breaches of the peace; disorder; criminal activity or anti – social behaviour.

If an act of crime is in progress, customers should report the matter to the police by dialling 999. Residents should be advised to call the Police on 101 for reports of anti – social behaviour.

The Police have a designated unit for unauthorised encampments and rural crime who will be able to provide further information. rural.engagement.team@essex.police.uk.

What happens next?

If the encampment is on Council land, to regain possession of our land we are required to follow a legal process under Section 77 of the Criminal Justice & Public Order Act 1994. This process will typically take between 7-10 days

Please be aware the ECTU will require proof of land ownership.

1st day	The ECTU will visit the site within 24 hours of receiving the initial complaint. <i>If there are no health or welfare reasons for the encampment to remain on the site, the ECTU will ask their legal team to draw up a 'direction to leave' under Section 77 of the Criminal Justice & Public Order Act 1994.</i>
2nd day	The 'direction to leave' will be served giving the encampment 24 hours to vacate the site.
3rd day	If they fail to leave after 24 hours. The ECTU will request a court date.
4 - 5th day	Court Summons will be served.
7 - 10th day	Court Order seeking eviction will be served upon the gypsy/ travellers to vacate the site usually giving 24 hours' notice.

Parish Council Land?

Whereas all the borough's council land is considered to publicly owned and therefore only action under Civil Law can be taken. Parish Councils can choose whether they wish to use the ECTU or take their own private action to regain possession of their land.

Taking private action is quicker as there is no requirement to carry out the health and welfare checks, however the costs would **not** be covered by the ECTU. The ECTU would however be able to give further advice.

What if the encampment is not on Council land?

If the encampment is on private land, land not owned by Colchester Borough Council or the Parish Council we are unable to take legal action to remove the unauthorised encampment under the laws of trespass.

We will attempt to trace and inform the landowner and advise them to contact the Police. The Police may act if the encampment is on Private Land but must be requested to do so by the landowner.

We would also inform CBC Planning Enforcement should the landowner not take appropriate steps to remove the encampment.

What about noise, rubbish, smoke, or another nuisance, what should I do?

Please report these concerns to Colchester Borough Councils Customer Service Centre during office hours on 01206 282581.

What about the waste?

The Borough Council will remove black bagged waste put out for collection. Any fly – tipped waste is the responsibility for the landowner to remove.

What about securing the land?

The police can advise further, but CBC have tried the following to deter encampments.

- replacing wooden gates with metal gates.
- reversing the hinges of gates/ to help stop gates from being rammed through.
- shield guards fitted to cover padlocks.
- Ground anchor fitted to prevent ramming vehicles.
- Locking bollards located directly behind gates, second form of defence.
- Tree planting

COLCHESTER BOROUGH COUNCIL

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