



Alresford and District Neighbourhood Watch Association



TRAVELLERS & UNAUTHORISED ENCAMPMENTS

We are rapidly approaching the time of year when we hear of a number of reported cases where travellers/gypsies have set up unauthorised camping on local land and car parks. During the period June – August 2018, there were over a dozen reported incidents, including encampments in a Farlington Supermarket and Eastleigh train station. This has led to a number of calls and queries regarding what can be done about these unauthorised camps and who is responsible?

The situation does not appear to be improving, as many believe Travellers have a marginalised and reviled position in today's society, although it should be remembered Gypsies & Travellers are protected against discrimination under the UK Equality Act.

There is a history and tradition for some people to live in caravans, or move around the country; however, encamping on someone's land without their consent is unlawful and can be a breach of civil, as well as criminal law. The situation is not helped with a lack of 'Transit Encampments' in Hampshire.

So what can be done?

1. *Does the Council or Police have a duty to move travellers camped without the landowners permission* – The powers given to local authorities and the police are discretionary and can only be used when certain conditions exist. Trespass on land itself is not a crime, it is a civil matter, so police will deal with crime committed by travellers when there is a complaint and evidence to support it.
2. *When can the Police move them on* – The Police may activate their powers under Section 61 of the Criminal Justice Act and are able to do this where they are satisfied that two or more people are trespassing on the land and the landowner has taken reasonable steps to make them leave. In addition one of the following has to apply:
 - Damage has been caused to land or property
 - Threatening/Abusive/Insulting behaviour has been used against the occupier
 - The trespassers have 6 or more vehicles
3. *When can the Council move them on* – If Council land is camped on, without consent, then they can recover the land through a County Court Order. However, before this the Council must complete the following:
 - Show that the Travellers are there without consent
 - Make enquiries regarding the general health and welfare & childrens education
 - Ensure that the Human Rights Act (1998) has been complied with

What can the general public do?

As you can see from the above, removing travellers illegally camped can be a long and difficult process and many attempts have failed due to one of the above actions not being completed correctly.

If an encampment occurs on your land, firstly talk to the travellers and see if a leaving date can be agreed. If that fails, you or your solicitor can obtain an Order from the County Court. If you do not own the land and spot an unauthorised encampment, then the Council's Environmental Health Service is the first point of contact for complaints. Tel: 01962 840222 and ask for Environmental Health.

email is: customerservice@winchester.gov.uk

**Alresford and District Neighbourhood Watch
Association website-**
www.neighbourhood.watch.alresford.org
e-mail – contact.adnwa@gmail.com

**CRIME IN PROGRESS – 999
NON URGENT – 101
CRIMESTOPPERS – 0800 555 111**