



## WEST CLANDON PARISH COUNCIL

### **Traveller Incursion Protocol**

Private Landowners have responsibility for the management of unauthorised encampments on their own land including any action for eviction. This responsibility extends to West Clandon Parish Councillors in their capacity as trustees for the Recreation Ground Charity.

West Clandon Parish Council Traveller Incursion Protocol follows the national Government guidance on Managing Unauthorised Encampments and therefore prior to a decision to evict, we must have regard to our obligations under the Equality and Human Rights Act.

In the event of an incursion on our land, we will use specific measures to ensure necessary enquiries are made with regard to the welfare of those occupying the land.

If during a visit, a counsellor or officer becomes aware of any welfare issue that may require further support, they will liaise with colleagues and appropriate agencies to ensure more specialist support.

- In the event of an incursion, we will take into consideration the following Public health and safety – including highway safety, obstruction or danger to road users as well as environmental and other dangers.
- Any unacceptable nuisance caused to nearby residents or businesses.
- Whether the presence seriously interferes with or prevents the use of that land for its normal purpose or an imminent change of use.

Any well-reasoned grounds for believing the presence cannot be managed effectively e.g. size or composition of the site, any threatening behaviour to local residents, council staff or others by site residents. We will begin the process by undertaking a welfare visit (appendix 1) on site and informing the Police and Guildford Borough Council of events.

Sam Hutchison, the Community Development Manager at Guildford Borough Council (01483 444385 or email [samantha.hutchison@guildford.gov.uk](mailto:samantha.hutchison@guildford.gov.uk)) will be able to offer advice.

#### **Process**

On receiving reports of an incursion:

1. Inform parish councillors/clerk
2. Appoint lead officer for overall management and liaison of the process
3. Contact Police and agree approach

Arrange Site Visit/Welfare Check (lead officer plus 1)

Seek legal advice if required

Ensure Communications with

1. Local Community/Residents (including village website & email)
2. Police
3. Guildford Borough Council (Community Development Manager)
4. Local Media as appropriate

Identify Bailiffs to manage eviction

1. Agree Costs
2. Share information on incursion and welfare check
3. Arrange site visit
4. Hand over to bailiffs to serve notices/removal

Following Eviction

1. Contact Guildford Cleansing Services
2. Review meeting

Site Visit / Welfare Check undertaken by \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

<b>Date of Arrival</b>	
<b>Anticipated length of stay</b>	
<b>Are all the caravans travelling together?</b>	
<b>Why are the Travellers here/where have the come from?</b>	
<b>Is there a connection to Guildford?</b>	
<b>What is the current accommodation situation when not in Guildford?</b>	
<b>Number of adults on site</b>	
<b>Number of children on site</b>	
<b>Are any women in the group pregnant? If so, gestation in months</b>	
<b>Are any adults vulnerable or unwell?</b>	
<b>Names if possible and condition</b>	
<b>Are any children vulnerable or unwell?</b>	
<b>Names if possible and condition</b>	

<b>Are the children attending school?</b>	
<b>If so – where?</b>	
<b>Number of caravans</b>	
<b>Number of cars/lorries/vans</b>	
<b>Total number of vehicles</b>	
<b>Details of any animals on site</b>	
<b>Do any animals need assistance from RSPCA or a Vet?</b>	
<b>If yes – provide details</b>	

**Signed by:** (Lead Officer)

**Date:**

<b>DECISION</b> (Having taken the above into consideration)	
<b>Allow a period of toleration. No action but review in (timescale)</b>	
<b>Consult and seek further information</b>	
<b>Serve direction to leave</b>	

<b>Seek Order for Removal if necessary</b>	
<b>Request a further site visit report. State reasons:</b>	
<b>Authorising Officers Comments</b>	
<p><b>The Human Rights Act has been taken into consideration before arriving at this decision</b></p> <p><b>Signed..... Authorising Officer</b></p> <p><b>Date.....</b></p>	

## Record of Incorporation in Decision Making Process

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I certify that I have considered the Human Rights of the Travellers presently located at

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In approaching the matter, I have sought to have regard to their human rights (balanced with the human rights of others) and, in particular, I have sought:

- i) To act fairly, openly and promptly as possible;
- ii) To explain our procedures and requirements clearly in a language which the Travellers understood;
- iii) To consider all matters raised by the Travellers;
- iv) To consider any representations on behalf of the Travellers;
- v) To explain the reasons for our decisions.

I claim to be entitled to seek restriction of the human rights of the Travellers both on the basis that there is no human right of unlawful trespass and that I am acting in accordance with the law and further in accordance with the following stated qualifications, namely:

- i) Public safety; and / or
- ii) The prevention of disorder or crime; and / or
- iii) The protection of the rights and freedoms of others.

I have approached the question of the discrimination and I am acting on the merits of the matter without discrimination.

On the matter of protection of possessions the action which the council is taking is in the public interest and under, and in accordance with the law.

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Authorising Officer

Dated this                      day of                      20