

Warborough Parish Council Policy Proposal

Traveller Community & Unauthorised Encampments

Background

Warborough had not suffered the unauthorised encampments on The Green for many years and had been unprepared for the events of Summer 2019. It appears there is a specific problem in Oxfordshire with an absence of any authorised sites which necessarily means any travellers staying in the county do so in unauthorised encampments. This increases the regularity of movement and the chances of utilising unauthorised spaces, there being no alternative in the county.

The County council has a Gypsy and Traveller Service Team (of 3), headed by Pete Gammond, who are very experienced and offer advice to Parish and Town Councils on dealing with unauthorised encampments. They make clear that actions here always divide communities; ours will be no different and was demonstrably diverse in approach during the last encampment. Some will wish to allow free reign, others to ask to move on, others to use the county court process to move on and others to evict privately and swiftly and all else in between.

Certainly, as OCC advice states, some travelling communities are well-mannered and caring of the environment they occupy. Unfortunately, they are in the minority and 2019's damage and detritus was regrettably what OCC's team suggest is relatively close to a norm. Warborough Parish Council has a duty to protect the Green and allow it to be used for the peaceful enjoyment and recreation of Parishioners. As such, allowing unauthorised encampments cannot be part of Council policy. This means the method of eviction is what must be agreed.

Options

Assuming eviction is pursued, the Criminal Justice and Public Order Act is the method of eviction OCC control. It takes 2-3 weeks but costs nothing. Private bailiff companies (as used by the PC in 2019 and as used by Stadhampton who have a lot of experience here) utilise Common Law and can normally evict within 24 hours, but at a cost ranging from £1500-£2500 depending on numbers of vehicles, number of units required and other variables.

Prevention

OCC have explained options surrounding prevention, which are very limited. In essence, the only way to defend a public space from encampment is a secure boundary, which we do not have. Digging a perimeter bund is the recommended option in this case, but even then, metal access gates will need to be erected for groundsman and emergency access. This is only as reliable as the strength of the locking system and depends on a trespasser not willing to use a readily available angle grinder, so can all be for nothing. In short, unless we opt to dig a bund, which I do not propose would be aesthetically acceptable to the community, we are in reaction-only territory. It is of note that the roads are public highways and cannot be blocked or gated. Anyone creating temporary obstacles (highly **not** recommended by OCC) is not only breaking road traffic law but is placing themselves in harm's way in a potentially volatile and unpredictable situation. We cannot countenance PC involvement in this and do not want residents acting in this way.

Actions on Encampment

1. **Inform the Council:** Parishioners should be told to inform the Parish Council rather than attempt to deal with the encampment in any way
2. **Request to Leave:** Proof is needed of the initial request for the travellers to be asked to leave. This can be done by taking a photo (suggestion is at a distance – we are told by OCC that it is not uncommon for travellers to be unhappy with being recorded) of the people involved in the conversation whereby the travellers are asked to leave the site. This should ideally be done by 2 Parish Council representatives. They are to explain they represent the Parish Council, that the Green is under their ownership and protection,

that unauthorised encampments are not allowed and that they are formally asking them to leave. They should let them know they will be following standard procedure of informing the OCC team and the police

3. **Vehicle Registrations:** All vehicle registrations are required to confirm the vehicles insurance, tax & MOT status – taking these discretely and at a distance is recommended
4. **Encampment Estimates:** Where possible, gather details of the number of people and their approximate ages (these are required for welfare assessment, especially to ascertain which children should be at school - this will be ascertained in person in due course by the OCC team)
5. **Call Police:** The Police number 101 must be called to report the incident so that a crime number can be raised in readiness for reporting the incident to the Traveller Site Officer
6. **Call OCC Team:** The arrival of travellers should then be reported to the Oxfordshire Traveller Site Officer so he can start the eviction process. For this he will need the crime number, the proof of initial request to leave and the proof of ownership of the land where the trespass is taking place (the Council should have this readily available). The Oxfordshire Traveller Site Officer will also need to know details of the group (per item 4) in readiness for a visit to the travellers to provide them with bin bags etc and to make his welfare assessment

This process of reporting the incident to Police & Liaison Officer must happen to start the Eviction under Trespass Law. The alternative to starting an Eviction under Trespass Law is to call the bailiffs and start an Eviction under Common Law. It is possible to run the Common Law Eviction concurrent to the Civil Trespass Law Eviction. It is recommended this is then done immediately on completion of the list above:

7. **Call Bailiffs:** We have several recommended options but for the time being would presumably use those we have already used

Budget and Other Items:

It is recommended we budget for 2 evictions per year (£2,500 each), but once that money has hopefully not been spent, we should hold that as a capital reserve rather than budget for it again. Each year we should then top up as required if an amount is used.

It is suggested by Stadhampton that signs might be erected against the hedge at the eastern end of the Green (where encampments are most likely to set up) and at the entrance (near the Parish Council noticeboard by the Old Chapel) indicating that unauthorised encampments will be evicted immediately. It might help. There is little else one can do. This can be debated in due course.

Pete Gammond will now, or individual Parish Clerks if they notice first, notify a network of local Clerks when travellers are identified in the area and their movements updated so that parishes can be prepared.

Policy Decision

This policy proposal was debated and agreed at the PC meeting in October 2020. No preventative earthworks are to be installed, though signage will be considered and works relating to water supply are in train. The Common Law eviction process will be instigated but alongside the Civil Trespass Law process. The PC has previously budgeted and will maintain sufficient funds to cover two evictions per annum.

Jonnie Bradshaw
Vice-Chair, Warborough Parish Council
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