
WEST MOORS TOWN COUNCIL



GYPSIES, TRAVELLERS and TRAVELLING SHOW PEOPLE POLICY

Adopted 30th July 2015



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Policy on Gypsies, Travellers and Travelling Show People

Review of this Policy

This Policy will be reviewed depending on any changes in the organisation, legislation or staff.

Introduction

The purpose of this document is to provide a policy framework to guide officers and Members in deciding how to deal with unauthorised Traveller encampments.

This policy is also intended to explain to all interested parties the Council's position in relation to unauthorised encampments.

Policy

Responsibility for making and implementing decisions in respect of unauthorised encampments is delegated to the Town Clerk in consultation with the Chairman of the Council or the Chairman of the Environment Committee.

The Council will, in dealing with unauthorised encampments, act, at all times, in a fair and humane fashion. The Council will consider the balance between the rights and needs of the Travellers in deciding whether or not unauthorised encampments can be tolerated and when and how to instigate procedures to evict.

Instigating procedures to evict will be taken if the Town Clerk feels that this course of action is necessary. Individual consideration will be taken on each case and special circumstances will also be taken into account. Any decision will balance the needs of Travellers with the impact on Council services and undue nuisance to neighbours and members of the public, including damage to land and property.

Such circumstances being taken into account will also include the Human Rights Act 1998 and any other good practice guidance from Central Government such as the 'Guide to effective use of enforcement powers' published by the ODPM and Home Office.

Formal repossession procedures will normally be undertaken where encampments occupy land owned by the Council and the Town Clerk is of the opinion that the encampment cannot continue because:-

- It creates a hazard in health and safety terms for other users;
- It creates an intolerable nuisance to the general public;

- It creates an intolerable impact on the enjoyment, use or habitation of adjoining or nearby property or interferes with the effective management of that property;
- It causes damage or likely to cause damage to the land/property or prejudices the use by the Council's members, officers, staff, tenants, occupants or the general public; and/or
- It is too large for the location and is causing an unacceptable impact on the immediate environment.

The Town Council will liaise with principal authority where it is deemed eviction proceedings are necessary. The principal authority has responsibility for assessing:

- Housing circumstances;
- Health needs; and
- Education and general welfare.

The Council will liaise with the Principal Authority Gypsy Liaison Officer, the Police and other relevant public or voluntary agencies in order to facilitate better joint working and a better understanding of the problems and issues related to Travellers generally.

The Town Council reserve the right to apply for an injunction to protect land from unauthorised encampments as per the DCLG document entitled 'Dealing with illegal and unauthorised encampments – A summary of available powers'

Alternative Formats

Disability Discrimination Act 1995 – copies of this document in large print (A3 Format) or larger font size, can be made available for those with sight impairment on request from the Council Office or by telephoning 01202 861044 or e-mailing office@westmoors-pc.gov.uk

Freedom of Information

In accordance with the Freedom of Information Act 2000, this Document will be posted on the Council's Website www.westmoors-pc.gov.uk and copies of this document will be available for inspection on deposit in the Council Office.

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Lead Officer	Town Clerk
Responsible Committee	Environment Committee
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