

Daventry Town Council

Travellers Policy and Procedure

1. Introduction

Daventry Town has long been visited by travellers and their illegal encampments which are both unsightly, unhygienic and potentially cost the council large sums of money to evict and clean up after the travellers leave. The purpose of this document is to provide a policy to guide Officers and Councillors in deciding how to deal with unauthorised Traveller encampments.

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

2. Policy

Responsibility for making and implementing decisions in respect of unauthorised encampments is delegated to the Chief Officer in consultation with the Chair of Council.

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

Instigating procedures to evict will be taken if the Chief Officer 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 Department for Communities and Local Government (DCLG).

Formal repossession procedures will normally be undertaken where encampments occupy land owned by the Council and the Chief Officer is of the opinion that the encampment cannot continue because of one or more of the following factors:-

- 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

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Version: 1

Daventry Town Council

Travellers Policy and Procedure

- It is too large for the location and is causing an unacceptable impact on the immediate environment.
- Consideration will also be given to the likely cost the council may incur in dealing with returning groups using their previous history on other Town Council owned sites.

3. Eviction Proceedings

The Town Council may liaise with principal authority where it is deemed eviction proceedings are necessary. As West Northamptonshire Council (WNC) is the principal authority it has responsibility for assessing:

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

4. Joint Working

The Council may liaise with the Principal Authority Enforcement Officer, the Police and other relevant public or voluntary agencies to facilitate better joint working and a better understanding of the problems and issues related to Travellers generally and incurred expenses.

5. Necessary Expense

In dealing with the Travellers there are likely to be issues of Health and Safety (environmental, wellbeing or welfare). The Chief Officer is authorised to incur reasonable expense as per the Council Financial Regulations in resolving any eviction of travellers from Town Council property. Such expenses should be advised to Councillors at the earliest possibility and ratified at the first available meeting of the council following such actions.

Annexes

1. Traveller Incursion Form
2. Dealing with Travellers Guide
3. Example Enforcement Notice

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Annexe 1. Traveller Incursion Form

Date and Time of Incursion	
Location of Incursion	
How entry was effected	
Number of travellers	
Number of vehicles	
Number of children	
Number of animals	
Initial Costs Assessment	
Initial Welfare Assessment	
Police Informed	
Gypsy Liaison Informed	
Principal Authority Informed	
Councillors Informed	
Eviction Required (reason)	
Immediate	

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Agreed Time Frame	
Subject to Section	

Action Taken	
Powers Used (i.e. Sect 77, 61, Common Law)	
Lead Officer / Council / Authority	
Post Incursion	
Eviction Completed	
Total Cost	

Comments

Annexe 2.

Guide to effective use of enforcement powers
[Gypsy & Traveller \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

Annexe 3.

Example Enforcement Notice
[Example enforcement notice – operational development \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

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