TRAVELLERS ON LAMBETH PARKS PROPERTY: PROCEDURE FOR ENFORCING AN EVICTION

A. INTRODUCTION

This is a summary document describing the normal process for effecting the removal of travellers or other trespassers from any of the parks or other public greenspaces in the Borough of Lambeth, which are owned and managed by the Council through Lambeth Parks or any of its delegated or appointed agents.

It describes what an Authorised Council Officer needs to know in order to effect the eviction of travellers from a Lambeth Parks property, and how to secure and make best use of the support of the Police and other relevant partners, including the Grounds Maintenance Contractor, in executing and eviction.

It also provides information that can be conveyed to Members, residents, parks user groups and the media as to the progress and outcome of any eviction of travellers or other persistent trespassers.

The basis stages of effecting an eviction of travellers from a Lambeth Parks site or property are as follows:

GET THE BASIC FACTS

Where Are They? When Did They Get on Site? How Many Are They? Have They Caused Any Damage? Which Byelaws Have They Broken?

ATTEND AND ASSESS THE SITUATION

Confirm the Initial Reports. Get the Correct Information. Confirm They Are Travellers. Confirm They Are Trespassing. Confirm the Parks Byelaws They have Broken, and How They have Been Broken and How Often.

DECIDE ON WHAT ACTION TO TAKE

Will Travellers Leave if Asked to Do So? Will They Refuse or Turn Nasty? Is There Sufficient Council Staff Available to Request Them to Leave? Is There Enough People to Escort Them off Site? Is it Better to Seek Police Assistance?

ASK THE TRAVELLERS TO LEAVE – BUT ONLY IS SAFE TO DO SO!

Inform the Travellers they are Trespassing and in Breach of Lambeth Parks Byelaws. Ask Them to Leave the Site. Agree a Date and Time to Do So. Make Sure They Leave.

WON’T LEAVE WHEN ASKED? GET THE POLICE!

The following is a detailed description of the basis facts and processes to follow to effect the eviction of travellers from a Lambeth Parks site or property.

B. INITIAL REPORTING

1. Phone call or email comes in informing of the presence of travellers or other trespassers on a public open space.

2. Confirm the location of the trespass (site or street name); location on site of travellers; date and time of offence taking place; types and numbers of vehicles; any other relevant information (e.g. abusive behaviour, theft, damage to property, speeding or stolen vehicles, etc.)

Keep a record of date and time of call, message or email; this is important in that it acts as a reference point as to how long the travellers have actually been on site when the eviction process starts; they can’t say they have just arrived when it turns out they had been on site for a whole day!

It is VITAL every call or message relating to the presence of travellers is logged; the more complaints there are as to the presence of trespassers, then the greater the weight attached to forcing the Police to help the Council take action.

In addition, it is vital that each caller is given feedback as to the outcome of their call and the eviction. Each caller is a concerned customer, and needs to be not only reassured at the time of their call that action will be taken, they also need to be told after the event that there has been a successful outcome and can be reassured.

C. TRAVELLERS ON PUBLIC OPEN SPACES – THE FACTS

TRAVELLERS IN ANY OF LAMBETH’S 64 PARKS AND OPEN SPACES ARE TRESPASSERS: THEY HAVE NO PERMISSION TO BE ON COUNCIL PROPERTY AND ARE IN FLAGRANT BREACH OF THE PARKS BYELAWS

The Lambeth Parks Byelaws state very clearly the following:

TRESPASS

Byelaw 8. “No person shall, without first obtaining or otherwise than in accordance with the terms of a permit from the Council, camp out on any open space”

In other words, unless given full written permission by an Authorised Officer from Lambeth Council, any person found camping out or staying on any of the Borough’s public open spaces is trespassing and contravening the Council’s Byelaws relating to its public open spaces and property.

Travellers will of course be unable to produce any written licence or permission to justify their presence on site, and cannot prove they are there for a valid reason.
TRESPASS

Byelaw 9. “No person shall wilfully enter into or remain in any open space or any part of any open space during any time appointed for closing the same”

Any traveller, traveller vehicle or traveller encampment found in any open space normally locked or closed to the public, and does not have written permission to be there after opening hours, is contravening Byelaw 9.

Only a very small number of public open spaces in the Borough are not technically ‘locked’ after daylight hours, mainly because they are commons (Streatham, Clapham and Rush Common) and not fenced in. However, the rest are fenced and closed to the public between written times; they have gates that lock.

Any traveller found inside these sites outside normal opening times is breaching the Byelaws. This is why it is important to have the official opening times posted up at the entrance to each open space; if a trespasser can be shown these, they have no excuse to say they didn’t know!

As with Byelaw 8, travellers will again be unable to produce any written permission to state they can be on site after it is closed.

NOTE: Byelaws 8 and 9 are the crucial ones regarding travellers; in each case they will have contravened Byelaw 8 as soon as they are on a public open space with any vehicle in which they could rest, eat, entertain or sleep; they can immediately be asked to leave. They have no permission to camp and by bringing such a vehicle on site they have shown intention to breach Byelaw 8.

If they are found in any open space that is fenced or barriered and normally shut after hours, and in there after closing or before opening time, they have breached Byelaw 7 as well as Byelaw 8.

However, in being on a public open space travellers may be found or seen to have contravened a number of other Council Byelaws in addition to Numbers 8 and 9.

DAMAGE AND INJURY

Byelaw 2. “No person shall remove, injure or in any way deface or disfigure any property under the control of the Council in or enclosing any open space, or post thereon or affix thereto in any way any bill, placard or notice.”

If any traveller or any of their families or dependants has been found or is seen to damage, deface or interfere with any feature or item on the public open space that belongs to the Council or has its permission to be present, they have immediately contravened Byelaw 2.

TRAFFIC

Byelaw 14. “No person shall in any open space drive any vehicle, bicycle or tricycle or ride any animal at a rate exceeding twelve miles per hour or so as to endanger the public.”

Nobody, including travellers, are allowed to drive cars, trucks, caravans, vans or motorcycles across any part of any public open space at speed or in a way which is dangerous or could result in an accident. Only Authorised Council Officers, their approved contractors or those with licence to be on site (e.g. for an event), have permission to have a vehicle on site and even must operate it with due care and attention to other site users.
If travellers are on site, they are breaching Byelaw 14. If in addition they are seen or reported as driving at excessive speed or dangerously, they also breach Byelaw 14.

**TRAFFIC**

Byelaw 17. “No person shall leave any mechanically-propelled vehicle:

a) unattended in any open space except at such parking places as are approved by the Council as standing or parking places;

b) or any road in any open space after having been requested by a duly Authorised Officer of the Council or a Police Constable to remove it”

In other words, travellers, just like anybody else not authorised by the Council, are forbidden from parking or leaving any powered vehicle (car, van, truck, lorry) on any part of any open space not allocated for parking. Any vehicle parked on the open space away from such designated areas is contravening Byelaw 17a).

**NUISANCES**

Byelaw 27. “No person shall in any open space or in any lake, pond, fountain or ornamental water therein, deposit or leave any dead animal, offensive litter, house or trade refuse, or any turf, sod, gravel, sand, clay or other substance…”

If travellers are seen or reported to be dumping rubbish, building rubble or household junk on the public open space, or tipping food and human waste on site, they have breached Byelaw 27.

**NUISANCES**

Byelaw 32. “No person shall in any open space commit any nuisance contrary to public decency or propriety”

Any incident reported or any evidence that travellers have done these things, they have breached Byelaw 32.

**MUSIC AND SINGING**

Byelaw 39. “No person shall in any open space, without the consent of the Council in writing under the hand of its Clerk, operate, play or make sounds on any musical or other instrument including any gramophone or radio apparatus…”

Any traveller vehicle or traveller blasting out music or from a stereo or radio on a public open space, and unable to show they have permission to broadcast, is contravening Byelaw 39.

**D. BREACHING THE BYELAWS – ASK THEM TO LEAVE**

Any travellers on any public open space owned and managed by Lambeth Council is in breach of written Council Byelaws and as such can be asked by an Authorised Officer of the Council, or any of its authorised contractors, to leave forthwith.

In theory this action must be taken before any additional support is sought from the Police or Courts to get travellers to leave. That said, there have been occasions when Council staff
have been with the Police at the same time, and the Council ask them to leave, to be followed by the Police with their own requests.

However, any eviction of travellers from a Parks site or property MUST ALWAYS be done ‘in strength’ – not by an individual Officer acting alone. A number of individuals must be present when confronting travellers - make sure this is the cardinal rule on site and is performed in a public area that can be viewed by other witnesses.

All that is required is for a group of Officers to attend the scene, and identify a key or lead representative of the traveller group. The Lead Officer then undertakes a request to the travellers or their representative to ask them to leave because they are trespassing on the Council’s property and contravening the Lambeth Council Parks Byelaws.

The procedure for attending an incident of trespass and asking travellers to formally leave a site is described in Section F below.

HOWEVER:

Travellers may refuse to leave a public open space immediately they are requested to do so. They may linger on far longer than they promised or agreed, or they may refuse outright to do so. They may give no estimated or agreed time for departure, or other travellers may come on site in the meantime.

If travellers show no intention of leaving or leaving when agreed, under NO CIRCUMSTANCES resort to using threatening language or behaviour, or threatening to get them thrown off or arrested.

DO NOT provoke a situation – travellers may turn abusive or violent, or threaten to do so towards the Authorised Officer or any other Council or contractor employee. It is not worth the risk of getting hurt or seeing somebody else threatened, abused or hurt.

If travellers refuse or show reluctance to leave, simply record the date, time and location of the incident, details of what was asked of them, what was said by the travellers, and what was the outcome. Ensure that the Byelaws were mentioned as having been contravened, and that the travellers were told they were trespassing and asked to leave because they had no right or permission to be there.

Make sure the number of traveller vehicles in recorded, an estimate for the number of travellers present on site, and the name of any traveller representative is recorded.

This is why it is important to have more than one Officer or Council representative present when travellers are approached and asked to leave. This not only prevents an individual being intimidated, but also provides witnesses to the fact the travellers were approached, asked to leave and failed to respond or do so.

E. CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

If travellers trespass on any of Lambeth’s public open spaces, in clear breach of the existing Byelaws and fail or show reluctance to leave when asked to do so, the Council could decide to take proceedings in the County Court to obtain a Court Order for them to be evicted.

However, this will invariably be expensive and time consuming, and in the meantime the travellers will have caused more damage and distress to other site users.
There is an alternative means to effect the eviction of travellers from public open spaces, where they have failed to heed a landowner’s request to leave. This involves asking the Police to exercise their own powers to evict trespassers.

The Police have powers under an Act of Parliament called the “Criminal Justice and Public Order Act 1994” (CJPOA 1994) to enforce the eviction of trespassers or travellers from public or private land.

Section 61 of CJPOA 1994 allows a senior police officer attending the scene of an incident involving a trespass or nuisance on land, to order the trespassers and their vehicles to leave as soon as reasonably practicable.

Section 61 of CJPOA 1994 states:

“If the senior police officer present at the scene reasonably believes that two or more persons are trespassing on land and are present there with the common purpose of residing there for any period, that reasonable steps have been taken by or on behalf of the occupier to ask them to leave, and -

a) that any of those persons has caused damage to the land or to property on the land or used threatening behaviour towards the occupier, a member of his family or an employee or agent of his, OR

b) that those persons have between them six or more vehicles on this land,

he/she may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they may have with them on the land.”

Therefore, is a senior police officer is informed about travellers on a public open space, and can be convinced and is satisfied that:

a) The travellers have more than six vehicles present on site;

b) They have caused damage to the land or property, or may have been abusive or threatening to a Council Member, Officer, Contractor or other Council representative;

c) The Council has taken reasonable steps to ask them to leave the site as they are in breach of written Council Byelaws, and have no permission or licence to be there;

he/she may be willing to authorise an operation to evict travellers from the site.

This is why it is important that any Council Officer or agent present at the incident, or who has asked the travellers to leave, provides as much evidence as possible to prove these criteria have been met or surpassed.

Figures as to the actual number of vehicles present on site, numbers of travellers, any examples of criminal damage to property or land, and evidence backed by witnesses that the travellers have been asked to leave and have failed to do so, all help to convince and justify police action under Section 61.

A meeting with a senior police officer, either on the same day or immediately after the incident is reported or the scene attended, is vital. All information and evidence should be handed over or shared with the Police, along with names of Council Officers or agents who witnessed the trespass or asked the travellers to leave.
The senior police officer may already be aware of the incident if the public or other park users have been calling the Police Station. They may have reported the presence of travellers, abusive or threatening behaviour, and breaches of local Byelaws and statutory Acts of Parliament, such as the Environmental Protection Act or Highways Act. The Police may already have enough reason to solve the problem by taking action on their own, but obviously it makes their job easier if they have the support of the Council.

Based on the evidence presented, the senior police officer may agree to take action forthwith under Section 61 of CJPOA 1994. For this reason, everything should be done to convince the Police that their support is vital and they are essential to successfully resolve the problem because of public safety and other implications of the trespass.

If and when the Police decide to attend and assist in evicting the travellers, they will organise a team of police officers to visit the site. When they do so they will issue a notice, or ‘direction’, under Subsection 61(1) of CJPOA 1994 which is read out to the travellers and copies are stuck on all traveller vehicles.

The ‘direction’ is filled out by the senior police officer attending the incident, and details his name, rank and location of the trespass. The direction must be signed, timed and dated by the senior police officer before it is valid.

The ‘direction’ makes clear to those receiving or hearing it that:

“unless you fail to leave the land as soon as reasonably practicable, OR re-enter the land as a trespasser within THREE months of the direction, you commit an offence and render yourself liable to arrest without warrant and to prosecution. The maximum penalty (or conviction) for failing to comply with these directions is three months imprisonment or a fine or both.”

The ‘direction’ also informs the trespasser that:

“on leaving the land you are required to remove any vehicles or other property which you have with you on the land. A charge will be levied for vehicles which have to be removed by the Police.”

In other words, the trespassing travellers are left under no illusion that:

i) They are trespassing on private property;

ii) They are present with an intention to reside on the land;

iii) As such they have broken the Council’s Byelaws;

iv) They are there without the consent or permission of the Council;

v) They have been informed by the Council they are trespassing, in breach of specific Byelaws, and as such have been asked to leave and are failing to do so;

vi) They may have also caused damage to the land or property on the land;

vii) Have six or more vehicles on the land;

viii) If they do not leave in a reasonable time they are committing a criminal offence and will be arrested and/or fined;

ix) If they return within three months they will be arrested and/or fined;

x) They have to remove all their property and vehicles or these will be removed by the Police and at a cost to them.

It is normal for at least one Council Officer to be in attendance with the Police when they effect an eviction under Section 61 of the CJPOA 1994. This enables the senior police officer to explain to the travellers that they are not only committing an offence under the CJPOA but
they are also breaching the Council's Byelaws and have been already informed of this, and there is a Council Officer present to verify that.

It also enables the Police to defer to the Council if the traveller asks to see the relevant Byelaws or for somebody representing the landowner to confirm in front of witnesses and the Police that they are trespassing and have been asked to leave and are being asked again.

**F. MODEL PROCEDURE FOR TRAVELLER EVICTION**

This is a description of the key procedures to be followed by a Council Officer or Officers to effect and enforce the eviction of travellers or other communal trespassers from any of the Council's parks and public open spaces.

It is a digest of what has been described in previous sections. It follows through each action as a basic 'flow chart', also detailing the key things to remember and do at each stage!

1. **INCIDENT REPORTED**

   a) Take details of the incident: location, date, time, how long on site, details of vehicle types and numbers, relevant information in support of eviction (e.g. damage, abuse).

   b) Ascertain from on-site staff, contractors, agents, residents and park users whether a trespass is taking or has taken place. Confirm there is a trespass and the types, number and location of vehicles, any damage or breaches of Byelaws.

   c) Report the incident to Immediate and Senior Management: decide if Executive Member(s) and Local Ward Councillors are to be informed of incident and actions being taken. Organise Officers and agents to enforce eviction procedures on site.

   d) Inform the Police of the incident, and that immediate action is being taken. This is crucial as it enables the Police to know who is dealing with it, who they can refer public callers to, and that they may be needed to assist soon or at a subsequent date with an eviction under CJPOA 1994.

   e) Ask the Police if they can assist under Section 61 of the CJPOA 1994. If they can oblige and are willing to do it immediately, this circumvents a lot of the procedures given below! It may require a Senior Manager of the Council to formally ask a senior police officer to assist.

While one or more Officers are getting ready to attend the scene of trespass, another Officer should be contacting the relevant Police Station and ask to speak or meet with a senior police officer. The Officer should tell the senior police officer what has happened, what are the chances of the travellers going of their own accord, and request them to start the process which leads to a direction under Section 61 of the CJPOA 1994 being prepared.

This means that by the time the scene has been attended and a dialogue has begun on site with the travellers, the Police already know they may be called upon to assist. It avoids unnecessary delays, and means there is a smooth and rapid progression from the Council requesting the travellers to leave to the Police coming in with statutory powers to enforce a complete eviction.

2. **ATTEND THE SCENE – EVALUATE THE SITUATION**
a) One or more Authorised Officers will immediately attend the scene of the reported trespass to confirm the reports and details of offence(s) committed. One person to agree to act as the Lead Officer in dealing with the travellers and the Police.

Take to the incident the following:

i) Copy(ies) of the Lambeth Byelaws, ideally the relevant Byelaws that have been contravened should be highlighted, so that the travellers can see them clearly.

ii) Each Officer attending the scene should carry their Council identity cards and name tags, so they can quickly identify themselves and prove to the travellers they are acting as the landowner’s agents.

iii) Mobile phones, so that assistance can be called, and any reports made to Management on the way to, at or leaving the scene, as well as timings for each call.

iv) Notebooks, handhelds or dictaphones to enable observations or names to be recorded; these should be kept hidden away when communicating with the travellers, so as to minimise confrontation risks.

MAKE SURE THE LOCAL POLICE STATION NUMBER, OR A MOBILE NUMBER OF A NAMED POLICE OFFICER, IS ON ONE OR MORE PHONE, SO THEY CAN BE CALLED IN AN EMERGENCY OR TO REPORT ON THE OUTCOME OF THE VISIT.

b) Attend the scene, observe and take notes – be discreet and courteous. Wherever possible, operate in a group for reasons of personal safety and to provide corroboration as to observations, evidence and verbal or written statements!

c) Once on site, evaluate the situation and confirm a trespass has taken or is taking place, and that one or more Byelaws have been broken. Record which Byelaws have been contravened, when and how. The Team to agree the observations made.

3. ATTEND THE SCENE – ASK THE TRAVELLERS TO LEAVE

a) Assess the situation and decide if an approach to the traveller encampment can be made without risk to personal safety. If uncertain, observe from a safe distance and retreat to take further action in the presence of the Police and other Council staff.

b) If the situation is deemed to be benign and no risk posed to staff or the public, approach the travellers. If challenged, Officers to identify themselves as Council employees and representatives of the landowner. Be courteous but firm, explaining why present and for what reasons.

c) Ask travellers to identify their community leader or representative; if such a person is offered or provided, ask for their name. Council Officers can identify themselves, what they do and explain their presence on site.

d) The Lead Officer introduces themselves to the travellers or the traveller leader, and courteously explains that:

i) They are trespassing on Council property;

ii) They are in breach of the Council’s Byelaws;

iii) They have no permission from the Council to be there, to camp or bring vehicles on site, or to carry out trading from the site;
iv) They have or are believed to have, caused damage to Council property, e.g. damage to trees, grass, surfaces, fencing, dumping rubbish, food or human waste;

v) They have been driving vehicles on and across Council property without permission to do so, and in a dangerous manner that could put other site users at risk;

vi) They have been parking vehicles on parts of the Council’s property which are not designated for vehicles or parking, e.g. grassland, in woodland or on paths.

e) The travellers or traveller leader should be shown or read out the various Council Byelaws that they have contravened; if appropriate a copy of the Byelaws highlighting the ones breached can be shown to the travellers or handed to the leader(s) for them to read.

f) In essence the Lead Council Officer is being asked to say, or uses words to the effect, that:

“You are trespassing on [Name of Site], which belongs to Lambeth Council. This is private property and you have no right or permission to be here, camp here, or leave cars, trucks, vans and caravans on site. I also have reason to believe that you have been damaging Council property [examples can be given if they ask for them] by being here and using it for things we haven’t given you permission to do [examples can be given if they ask for them]. By being on [Name of Site], you have also broken one or more of the Council’s Byelaws, which prevent certain things being done to or on our property. The main one you have broken is Byelaw 8, which states: “No person shall, without first obtaining permission or a permit from the Council, camp out on any open space”.

“Therefore I must ask you on behalf of Lambeth Council, to leave our property as soon as reasonably possible. I would like to agree a time you will be off the site. When you leave the site, you must take all your vehicles with you and any other property you have. You are also required to remove any rubbish you have brought on site since you arrived.

If you fail to leave or agree a time to leave, I will have no option to ask the Police to attend and evict you under Section 61 of the Criminal Justice and Public Order Act 1994”

g) Work to get the travellers to agree to leave the site. Work to get the travellers to agree a time by which they will be off Council property.

It makes things less complicated if, in the presence of Council Officers and with all the facts in front of them, the travellers agree voluntarily to move and leave the site.

4. OUTCOME: TRAVELLERS AGREE TO LEAVE THE SITE (NO POLICE)

If an agreement to leave the site by a given time and date is reached:

a) Impress upon the travellers that Lambeth Council will expect them to keep to their word, and be off Council property by that time and date. Explain that Council staff will be there to watch them and make sure they are packing up and leaving.

b) In addition, explain that the Council expects the travellers to take all their vehicles and property with them, and any rubbish produced.

c) Make sure there is a constant Council presence while the travellers are packing up and getting ready to leave. Make regular reports back to Police, Senior Management and Members to update as to progress and estimated time of departure.
d) As and when the travellers depart the site, make sure they leave so as to minimise
damage or distress to other legitimate site users. Ensure no Council Byelaws are
broken on the way out, e.g. vehicles leave by an approved route and are not
travelling at excessive speed.

e) Once the travellers and their vehicles/property are off the Council’s property, report to
the Police, Senior Management and Members that eviction is complete.

5. **OUTCOME: TRAVELLERS REFUSE OR FAIL TO LEAVE (POLICE REQUIRED)**

If the Travellers Refuse to Leave or Fail to Leave on Time:

a) As the deadline for departure approaches, and if it appears they have no intention of
leaving, remind the travellers or traveller leader that they must be off the site by the
agreed time and date.

b) If the deadline passes and they are still not ready to leave or show no signs of
moving, inform the travellers that as of now they have failed to keep to their
agreement with the Council. They are still trespassing on Council property, and they
must leave immediately with all their vehicles and property.

c) Simultaneously with this final warning, inform the travellers that the Police will now be
called in to evict them under Section 61 of the Criminal Justice and Public Order Act
1994. Explain that the Police already know about them being on site, and the Council
has already requested the Police to be ready to assist with an eviction.

d) Contact the Police or a Council Officer already in contact with the relevant senior
police officer, and ask the Police to assist with an eviction under Section 61 of the
CJPOA 1994. A process will probably have already been agreed with the Police as to
how this will be conducted on site, and where police officers and Council staff will
meet to issue ‘directions’ and enforce the eviction.

e) A process will have been agreed with the Police in advance as to how an eviction
under Section 61 of CJPOA 1994 will be conducted if the travellers failed to leave.

**Police-Assisted Eviction Procedure:**

Ideally, Council Officers will have already met in advance with a senior police officer and
agreed a plan for any Police attending the scene, should the travellers fail to move on when
asked to do so.

This plan will identify where police officers and Council staff meet, how the ‘direction under
Subsection 61(1) of CJPOA 1994’ will be issued, and how the eviction is followed up. It will
allow the Police to assess the number of officers to provide, how they will present
themselves and what actions they will take on site.

Based on past experiences, the Police normally do the following when they attend a scene
of trespass on public open land:

i) The Police, comprising a senior police officer and a number of uniformed police
officers, attend the scene, along with numerous copies of the ‘direction’, which has
been signed, dated and describes the site of trespass. The direction is signed by a
senior police officer, often the one attending the scene.

ii) The senior police officer present, normally an Inspector or above, asks to see the
traveller’s leader(s). The senior police officer informs the leader(s) that they are
present because they have been asked by Lambeth Council to attend a trespass on the Council’s property (usually naming the exact site).

iii) The senior police officer or the Lead Council Officer (it depends on how the Police wish to play this) informs the traveller leader(s) that they are trespassing on Council property and in breach of one or more of the Council’s Byelaws by doing so.

iv) The travellers are informed, because they have failed to leave the Council’s property when originally asked to do so, the Council has had no option but to ask the Police to assist in evicting them from the site.

v) The senior police officer informs the traveller leader or travellers that under Section 61 of the Criminal Justice and Public Order Act 1994, he/she is directing them to leave the Council’s property forthwith, and remove any vehicles and other property that they have on Council land.

vi) The senior police officer hands the traveller leader(s) a copy of the ‘direction’, and then other police officers go around the traveller encampment issuing further copies to other adult travellers making sure everyone has a copy.

vii) Further copies of the ‘direction’ are attached to individual traveller vehicles, especially all cars, vans, trucks and caravans present; if not placed under a windscreen wiper blade, they are firmly taped to the windows or sides of the vehicles.

viii) The Lead Council Officer or senior police officer asks (usually while directions are being distributed) the traveller leader(s) when they expect to be off site. It is important to emphasise the wording ‘as soon as reasonably practicable’: the traveller leader(s), Lead Council Officer and senior police officer agree in each other’s presence a time by which all vehicles are off the site.

ix) The senior police officer normally informs the traveller leader(s) that he or his officers will return to check they have left the site by this agreed date and time. If not he normally informs the travellers they will have committed an offence under the CJPOA 1994 and will be liable to arrest and prosecution as described in the direction paper that has just been issued.

x) At the same time as issuing direction notices, police officers normally move around the encampment taking down details as to vehicle registration numbers (or lack of them), tax discs (or the lack of them), and details as to make, colour and types of vehicles present. This is used to check details against the Police National Computer and DVLA as to stolen or untaxed vehicles, and identify any registered owners.

**After a Police-Assisted Eviction Has Taken Place:**

f) Report back to Senior Management and Members that a Police-assisted eviction has taken place on site, and that the Police have exercised their powers under the CJPOA 1994; this is important as it allows callers or the media to be aware that more determined action has been taken and followed through.

g) Make sure there is a constant Council presence while the travellers are packing up and getting ready to leave; police officers may stay on site while this is going on, but this is often at the discretion of the senior police officer unless specifically requested by the Lead Council Officer. Regular reports should be made back to Senior Management and Members as to progress and estimated time of traveller departure.
h) As and when the travellers depart the site, make sure they minimise damage or distress to other site users. Ensure no Council Byelaws are broken on the way out, e.g. vehicles leave by an approved route and are not travelling at excessive speed.

i) Once the travellers and their vehicles/property are off the Council’s property, report to the Police, Senior Management and Members that the eviction is complete.

k) Make sure copies of the ‘direction notice’ are kept for the file, and that copies are left with local Contractor staff, posted up on adjacent notice boards so as to inform the travellers or the public what has taken place.

G. CONCLUSIONS AND WRAP-UP

After an eviction of travellers has been effected, there are a number of basis things to do to before the incident can be regarded as being ‘closed’:

a) Make sure copies of any ‘directions of notice’ used are kept for the incident file, along with any notes taken both at and away from the trespass site.

b) Prepare a short report on the trespass incident for the files, for distribution to Senior management, members and, if so requested, the Police. Comment on any key issues, observations and any recommendations for preventing further trespass on the site, e.g. keeping gates locked, repairs to barriers, increased vigilance by on-site staff or better patrolling or reporting procedures.

c) Prepare a briefing for the Corporate Press Office and Environment Communications for the basis of any press releases, news items, etc.

d) Write to thank the Police, fellow Council Officers, Contractor staff and other agents who assisted in the eviction for their support and contribution.