

## Good Practice Protocol

# Managing Unauthorised Encampments on Nottinghamshire County Council Land

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The Good Practice Protocol is a working document designed to ensure that correct procedures are used when managing unauthorised encampments.

- Follow this protocol to make clear, consistent and appropriate decisions on unauthorised encampments
- Ensure that a balance is struck between the needs of all parties
- Keep accurate records of all actions and decision
- Keep the Police, the relevant district/borough council and the County Councillor for the area informed

### Scope

The Protocol applies to unauthorised encampments by **all** groups or individuals on land which Nottinghamshire County Council either owns or has responsibility over.

#### A. What to do if you receive information about an encampment

Action	Responsible Person/area	Date action completed	Comments/ Follow up required
If a serious breach of the peace is reported refer to the Police immediately 01 for any other enquiries.	Any member of staff who receives information		
1. Notify Property Management Team: Steve Rippey 0115 97 72089 Mobile 07920 818743 Gael Gamble 0115 97 72083	Any member of staff who receives information		

All requests and contacts from the media to go through Nottinghamshire County Council Communications (if relevant)	Instructing Service area		
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## **B. Actions for Property Management Team on receipt of notification**

<b>Action</b>	<b>Responsible Person/area</b>	<b>Date action completed</b>	<b>Comments/ Follow up required</b>
1. Confirm accurate location and ownership of land	Property Services		
<b>Non NCC Land</b>			
a. If District or Borough Council land refer matter to their appropriate officer b. If ownership unclear or if private landowner seeking advice refer caller to Citizens Advice	Property		
<b>NCC Land</b>	Property		
c. If NCC Highways land notify the appropriate Highways District Manager			

## **C. Actions for Property Management Team or Highways District Manager on confirmation of NCC ownership (or Highways responsibility) of land**

<b>Action</b>	<b>Responsible Person/area</b>	<b>Date action completed</b>	<b>Comments/ Follow up required</b>
1. Confirm whether land is on what would normally be an unacceptable location <b>(Refer to Appendix A)</b>	Property/ Highways		

<b>2. Unacceptable location</b>			
<p>a Seek further advice from Legal Services on options for eviction</p> <p>b Inform Gypsy Traveller Liaison Officer (<i>responsible for Welfare Assessments on unauthorised encampments for all groups or individuals</i>) and discuss relevant welfare issues</p> <p>c Inform County Councillor for the area concerned.</p>	<p>Kram Kasbia or Lauren Adamiecki 0115 9774661</p> <p>Lorinda Liversidge 07931 404633</p>		
<b>3. Other location</b>			
<p>a. instruct Gypsy and Traveller Liaison Officer (GTLO) to visit site and undertake Welfare Assessment on all NCC land in all districts</p> <p>b. Inform County Councillor for the area concerned</p>	<p>Lorinda Liversidge 07931 404633</p>		

#### D. Actions for the Gypsy and Traveller Liaison Officer (or nominated cover)

Action	Responsible Person/area	Date action completed	Comments/ Follow up required
<p>1. Within 3 working days or whenever possible of the notification visit the encampment to assess situation and complete a Welfare Assessment. This includes the Education Assessment occasionally asked for in court</p> <p>Advise people of any alternative sites</p>	<p>GTLO Lorinda Liversidge 07931 404633</p>		
<p>2. Contact appropriate service areas depending on information collected, e.g. Achievement and Equality, Social Care, Health, Homelessness Service, Environmental Health and supporting people floating support</p> <ul style="list-style-type: none"> <li>Any feedback/ concerns raised from relevant service area(s) to be included in Welfare Assessment</li> </ul>	<p>GTLO Lorinda Liversidge 07931 404633</p>		
<p>3. Provide an electronic copy of Welfare Assessment form to instructing department (Property Management Team or Highways)</p> <p>a. Assessment should contain information highlighting any social welfare considerations that should be taken into account and that may be factors against eviction, e.g. advanced pregnancy, ill health, need to access domiciliary services, pending requests for housing services, educational needs.</p> <p>b. Assessment should include a clear recommendation based upon available information on whether any welfare issues arise that preclude eviction.</p>	<p>GTLO Lorinda Liversidge 07931 404633</p>		

4. Where relevant, provide any other reports obtained from other service areas or welfare professionals that support the recommendation provided in the welfare assessment	GTLO Lorinda Liversidge 07931 404633		
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## E. Actions to enable decision making

Action	Responsible Person/area	Date action completed	Comments/ Follow up required
1. Collate information including: <ul style="list-style-type: none"> <li>Welfare assessment provided by GTLO</li> <li>Copies of any complaints received</li> <li>Other relevant information, such as:               <ul style="list-style-type: none"> <li>whether there is an unreasonable level of nuisance by reason of size, location, nature, behaviour that cannot reasonably be tolerated,</li> <li>a hazard to road safety or any other health and safety hazard (e.g. inappropriate disposal of waste)</li> <li>an intolerable impact on neighbouring properties/land or the effective management and use of the land itself</li> <li>damage, or likely damage, to the Council's land or property</li> <li>The availability and suitability of alternative sites</li> </ul> </li> </ul>	Instructing Service area		
2. Taking a decision <ul style="list-style-type: none"> <li>Decisions should be reasonable, balanced and proportionate taking into consideration all available information including factors for and against eviction</li> <li>Decisions should be made wherever possible within 3 working days on receipt of completed Welfare Assessment</li> <li>When making a decision to defer an eviction, which</li> </ul>	Property Management Officer or District Highways Manager, or Highways Group Manager if decision against		

<p>might be justified on the grounds outlined in Appendix A, based on a recommendation in the Welfare Assessment (appendix B) – the welfare need must be more immediate and/or of a fixed term</p> <ul style="list-style-type: none"> <li>Decision not to evict should be kept under regular review</li> </ul>	GTLO recommendation		
<p>3. Additional considerations when GTLO has highlighted welfare concerns</p> <ul style="list-style-type: none"> <li>Consider whether it would be appropriate not to proceed to eviction at the present time but to keep the matter under review. Consider whether it is appropriate to exclude a single person or family with welfare need from eviction action being taken against a larger group</li> </ul>	Highways or Property Group Manager		
<p>4. Inform County Councillor for area concerned</p> <p>5. Inform GTLO of final decision</p> <ul style="list-style-type: none"> <li>Inform/ co-ordinate with other service areas or welfare professionals as necessary, including Education professionals..</li> </ul>	Instructing Service area		

#### F. If decision not to evict at the present time

Action	Responsible Person/area	Date/s action completed	Comments/ Follow up required
<p>1. Visit site weekly to assess changes to welfare considerations or wider characteristics , including those which would normally trigger eviction proceedings, and provide updates to relevant service area(s)</p>	GTLO Lorinda Liversidge 07931 404633		
<p>2. Property/Highways monitor site as appropriate</p> <ul style="list-style-type: none"> <li>If situation changes re-consider eviction proceedings</li> <li>Notify County Councillor for area of any changes</li> </ul>	Instructing Service area		

## G. If decision to evict

Action	Responsible Person/area	Date action completed	Comments/ Follow up required
1. Responsible officer in Property Management Team or Highways Team to instruct Legal Services to commence proceedings and <ul style="list-style-type: none"> <li>• Provide proof of ownership and plan</li> <li>• Provide copies of all background information including decision to evict</li> </ul>	Instructing Service area		
2. Wherever possible Legal Services to commence proceedings within 2 working days	Legal Services		
3. Responsible officer in Property Management Team or Highways Team to alert relevant services of eviction arrangements and Police to ensure all appropriate services attend eviction	Instructing Service area		
4. Responsible officer in Property Management Team or Highways Team to arrange clearance and securing of site <ul style="list-style-type: none"> <li>• Inform District Council if appropriate</li> </ul>	Instructing Service area		
5. Notify County Councillor for area	Instructing Service area		
6. Notify Gypsy Traveller Liaison Officer who will liaise with Travellers regarding alternative site availability	Instructing Service area		

## **Appendix A**

### **Some examples of types of site where unauthorised camping would normally be unacceptable.**

Source : ODPM/Home Office Guidance 2004 – Guidance on Managing Unauthorised Encampments

- A site of Special Scientific Interest (SSSI)
- School car park or playing fields, especially in term time
- An urban park
- Car parks, including leisure facility car parks
- Recreation ground and public playing fields
- A site where pollution from vehicles or dumping could damage ground water or water courses
- A derelict area of toxic waste or other serious ground pollution
- A village green or other open area within a residential area
- The verge of a busy road where fast traffic is a danger to any children on the encampment