## Unauthorised Gypsy and Traveller Sites in Cheshire West and Chester (CWaC) Council's Administrative Area

Parish Councillors have no part to play when an unauthorised Gypsy & Traveller site is established in the parish and they should NOT get involved as this may prejudice the legal process.

All the Parish Council can do is report an unauthorised encampment online to CWaC

https://my.cheshirewestandchester.gov.uk/en/AchieveForms/?form\_uri=sandbox-publish://AF-Process-8d570eb4-279f-4152-8301-bff3899db3cd/AF-Stage-3fc712ed-ce01-471a-aacc-

<u>c445e0d88014/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fen&con</u> sentMessage=yes

and telephone the Police. It is the Principal Authority's function with the help of the Police to do the rest e.g.

## **THEY WILL:**

- Visit the site as soon as possible (usually within 48 hours).
- Checks will be made on the tidiness of the site, any impact on local residents/businesses and an assessment of any obstruction of highways or public rights of way.
- As a legal requirement they will also take into account whether there are any health or welfare needs.
- If circumstances allow unauthorised encampments may be tolerated for a short time.
- If the decision is taken that the unauthorised encampment will not be permitted to stay, they will try to negotiate a mutually acceptable deadline for the unauthorised campers to move by.
- If that fails, there are powers that local authorities can use to officially evict the unauthorised encampment.
- This decision is subject to the Human Rights and Race Relations Act and all decisions made by the local authority in relation to the unauthorised encampment can be challenged in Court if people feel the decision is disproportionate.

Any attempt to move an unauthorised encampment without following relevant procedures may seem quicker, but it could lead to lengthy court actions and considerable costs.

If you need to report this out of hours or in an emergency then you can following the process below.

Unauthorised encampment (UE)

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Unauthorised developments (UD)
Out of hours processes

To contact the Council out of normal working hours in an emergency (between 7pm and 8am every day, including bank holidays) please telephone us on 0300 123 7035.

## **Unauthorised Encampment**

This is where caravans/trailers and vehicles turn up on land without the owner's consent, either on public or private land – trespass is a civil offence

- Call 101 and report to the police
- Call CWaC Out Of Hours service
- Fill in the online Unauthorised Encampment form on the CWaC website

All UE's are dealt with by the Cheshire and Warrington Traveller Team (CWTT), during office hours.

Out of hours they are monitored by Cheshire Police, who will visit and monitor the site. If there are problems (Anti-Social Behaviour or Criminality) the police will contact the landowner. If the encampment is on Council land the CWTT team manager will be contacted

For further information regarding powers available to both the council and the police please see the frequently asked questions on Cheshire West and Chester website

## Unauthorised Development

Refers to a caravan/trailer or group of caravans/trailers on land owned (possibly developed) by Gypsies and Travellers without planning permission

- Call 101 and report to the police
- · Call CWaC out of hours service

All UD's are dealt with by the Development Management Service, which is part of Planning.

Once you have alerted the OOH's service a member of the Development Management team will be contacted.

An initial site visit will be carried out and potentially a <u>Temporary Stop Notice</u> could be served.

Temporary stop notices are a powerful enforcement tool that allow local planning authorities to act quickly to address some breaches of planning control, such as unauthorised activities, where it is expedient to do so.