

**SHREWSBURY TOWN COUNCIL  
RECREATION & LEISURE COMMITTEE  
21 JULY 2021**

**Officer:** Gary Farmer – Head of Operations

**Unauthorised Encampments**

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**Purpose of Report**

- (i) To provide an update on the continuous issues around Travellers and Unauthorised Encampments.
- (ii) To understand the guidance that the Council must follow in dealing with such encampments
- (iii) To consider any further measures

**Background**

In Shrewsbury the Town Council manages and maintains greenspaces for both residents and visitors to enjoy. These include Countryside Parks, Recreational areas and informal grass areas, many of which are surrounded by housing developments. Over the previous ten years there has been an increase in unauthorised occupation by the Travelling community.

Locations targeted cover all aspects of the Town Council facilities, including Shillingstone Drive open space, Monkmoor Recreation Ground car park, Meadow Farm Drive Recreational area, St Michael's Recreation Ground and more recently the new development at Bowbrook, Springfield Recreation Ground, Radbrook Road Recreation Ground and Dark Lane play area and many of these locations have been targeted on a number of occasions.

The Council is required to comply with the provisions of the Civil Procedure Rules as defined in the Government Document Dealing with Illegal and Unauthorised Encampments (appended to this report), but below are the various actions that officers undertake in dealing with encampments:

**Current Actions When Travellers Arrive on STC-owned/Managed Land**

1. A quick low-profile visit (or drive-by) by a member of staff to ascertain the number of vehicles present. Dependant on the numbers of vehicles present, the Police may be able to use Section 61 powers to move them on (subject to their manning and any welfare issues).
2. First 'formal' visit to site by staff (usually a minimum of two) to introduce themselves to the Travellers and to point-out that they are unlawfully encamped on STC land. At this point we enquire whether there are any health / welfare matters of concern within the community. One of the staff usually has a Body Camera at the ready. Depending on if they chose to engage with the council, refuse sacks are given to them and they are instructed where to leave these for collection and avoid unnecessary confrontation.
3. We then inform John R Taylor (Shropshire Council Gipsy Liaison Officer) of their presence.

4. The formal paperwork process then begins with a Notice to Quit being signed by the Town Clerk giving them a time to vacate the land – this is accompanied with an outline plan of the land marked in red. This is then attached to a stake and posted on site, with photographs being taken to provide evidence for possible use in Court. Where possible copies are handed to the occupants of the caravans – but most generally fail to engage with us. Again two members of staff attend to this.
5. Formal Statements of both visits by both members of staff are made and signed in preparation for the solicitor.
6. When the period of grace has elapsed (which it normally does) more statements are produced for the solicitor.
7. All Statements, Notices and Photographs are then handed over to Shropshire Council Legal Services to produce the pack-up for the Courts. When the pack-up is ready, an appointment is made at Telford Courts for the papers to be lodged. The Responsible Finance writes a cheque and the paperwork is collected from Shirehall and taken to the Courts in Telford by a member of STC staff. The Courts then make a formal booking for the case to be heard. The paperwork then has the court booking attached to each pack (one for each caravan, one to be placed on a stake at the encampment and a couple for our use at Court).
8. The court booking has to allow at least two clear working days to enable the Travellers to have sufficient notice to attend if they wish (this is a legal requirement).
9. Serving of papers (consisting of the aforementioned packs) is undertaken by at least two members of staff and the Police are requested to attend in case there are any issues. Again more statements are produced regarding the serving of these papers and more photographs are taken to prove that no damage was caused to the caravans in the process.
10. The Travellers usually vacate at the time stipulated by the Court. However, if they don't – then STC has to then seek-out and employ a Bailiff to arrange for the physical eviction from our land.

As can be seen this is a long drawn out process which the travelling community are well aware of and exploit to maximum benefit.

### **Criminal Justice & Public Order Act 1994**

The Police have powers under the Criminal Justice & Public Order Act to remove unauthorised encampments more speedily without the need to seek redress in the civil courts. They too must follow a course of action to consider the welfare of those individuals within the encampment.

Section 61 powers can only be used when:

- (i) Trespassers have caused damage to land/property
- (ii) Trespassers have used threatening, abusive and insulting behaviour towards the occupier
- (iii) There are 6 or more vehicles

These powers have been used regularly of late given the size of the encampment and associated behaviour

## Measures to deter Unauthorised Encampments

A rolling programme of deterrents have been put in place which include steel hoops along perimeters, additional tree planting, extra lockable barriers at entrances, height restriction barriers & protected padlocks with metal shrouded covers, depending on situation.

Due to the recent regular occurrence of unauthorised encampments in the town, Staff have completed a further site audit to determine what additional measures are required.

- Shorncliffe (exact location to be discussed)
- Radbrook Recreation Ground
- Boiler House Pitch (other issues here along with parking)
- Waincott (would be needed with hoops along the drive)
- Greenfields
- Dark lane
- County Ground (Corner by Pavilion)
- Springfield (Other solutions may suit better due to access to the community centre)

While this is not an exhaustive list of deterrents this provides some protection to STC land.

## Costs

Quotations to install height restriction barriers have been sought

Hooped perimeters barriers £9,028.40 + VAT (example costs from Shillingstone Drive)

Landscaping deterrents including mounds, ditches and tree planting may be funded in-house from existing revenue budgets.

There is no budget allocated to these preventative measures but Council must way up the physical costs against increased officer time in dealing with these issues as well as public angst.

## Traveller Site

Members will be aware that Shropshire Council is pursuing the establishment of a Travelers' Transit Site to the north of the town; this was a requirement of the review of the local plan and the Council has previously considered the layout of such a site.

Once a Transit Site is in place additional legal measures are available to the Police e the Traveler's Site. Police have the ability to issue Section 62 notices to individuals who camp unauthorisd when a Traveler's site is available in the area. Section 62 notices restrict individuals from returning to the area for 6 months and individuals can be requested to leave the area quicker.

## RECOMMENDATIONS:

- (i) That the report be noted;
- (ii) Members consider the request for installing height restricted barriers