

BACTON PARISH COUNCIL

TRAVELLER ENCAMPMENTS

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When travellers arrive report it on line [here](#) and call 01603 989779 with location number of vehicles if animals and children are present.

Section 77 and Section 78 notices:

A Section 78 notice, under the Criminal Justice and Public Order Act 1994, allows local authorities to remove unauthorized encampments (including those of Gypsies and Travellers) and their vehicles from land. This process often involves a two-step procedure: first, a direction under Section 77 to leave the land, and then, if not complied with, an application to the Magistrates' Court for a removal order under Section 78.

Here's a breakdown:

- **Section 77:**
Local authorities can direct individuals to leave land they are occupying without permission.
- **Section 78:**
If individuals do not comply with the Section 77 direction, the local authority can apply to the Magistrates' Court for a removal order.
- **Welfare Assessments:**
Before issuing a Section 77 direction or applying for a Section 78 order, local authorities are obligated to carry out welfare assessments of the occupants of the unauthorized encampment. These assessments may involve healthcare professionals and consider factors like the presence of vulnerable individuals (e.g., young children, pregnant women, or those with health issues).
- **Court Proceedings:**
If a Section 78 order is sought, the court will consider the case and the results of the welfare assessments. If the order is granted, it will specify a timeframe for removal.
- **Enforcement:**
If the occupants fail to leave within the specified time, the local authority can then instruct bailiffs to remove the vehicles and belongings.
- **Returning to Site:**
A direction under Section 77 can prevent individuals from returning to the same location for a period of three months.

In essence, a Section 78 notice is a tool used by local authorities to address unauthorized encampments, ensuring that they are removed from land where they are not permitted and that welfare concerns are appropriately addressed during the process.

Private Land Process:

- **County Court Order:** The landowner needs to apply to the County Court for a possession order.
- **Enforcement:** If the travellers do not comply with the possession order, the landowner can then seek to enforce the order, potentially through a High Court Writ of Possession [according to South East Enforcement](#).
- Contact Community Police Officer - Abigail Durrant. Report incident to her 01473 265194.
- Report to Police on 101. Get incident number. Share this on social media and encourage people to report any incidents on this incident number as this helps strengthen the case to use the police to remove the travellers rather than carrying out a civil eviction. The police are looking for reports of:
 - antisocial behaviour
 - verbal and physical assault
 - criminal damage, including to any part of the rec including the gates
 - any businesses closing early
 - any events needing to be cancelled/postponed/relocated including the sports club
- Post updates on the council's website page to keep everyone updated.

The preferred bailiff is Bryan Lecoche Ltd., Enforcement, Investigation & Support Services. 61-63 St Peters Street, Bedford, MK40 2PR Tel. 01234 824570 W. bryanlecoche.co.uk Control Room control@bryanlecoche.co.uk

They will issue an eviction notice and if the site has not been vacated by the time the notice elapses, they will forcibly remove the vehicles:

- Tape off area after the travellers have left. Share on social media that the ground is out of bounds until an inspection and clean-up operation has been carried out. This is for health and safety reasons.

MSDC will provide a clean up but this service is chargeable; however, they will collect bags if the clean-up is done by volunteers or other parties.

ReMarkable info@remarkable.co.uk 07722 368127 are a specialist sanitation company for dealing with hazardous waste, human faeces etc.

- Keep details of any costs incurred and give these to the police.
- Download any footage from CCTV and send to the police.

Insurance:

From an email received on 12 06 2025 from CAS:

Whilst we cannot confirm whether, or not, specific claim circumstances would be covered, and/or to what extent your insurance policy would cover your legal expenses, it would appear that your insurance policy would respond in the event of a civil dispute resulting from an unauthorised encampment, but not for site clearance, unless potentially the clearance is a result of damage caused to insured property.

What is covered:

Costs and expenses in a civil dispute relating to physical property which is owned by, or the responsibility of, the insured, provided that the insured has established the legal ownership or right to the physical property that is the subject of the dispute, or there are reasonable prospects of establishing the insured has the legal ownership or right to the physical property, following:

- a) any event which causes physical damage to such physical property, or
- b) a legal nuisance (meaning any unlawful interference with the insured's use or enjoyment of their land, or some right over, or in connection with it), or
- c) a trespass

What is not covered:

Any claim relating to:

- a) a contract entered into by the insured
- b) physical property which is in transit or which is lent or hired out
- c) goods at premises other than those occupied by the insured, unless the goods are at such premises for the purpose of installations or use in work to be carried out by the insured
- d) mining subsidence
- e) defending the insured's legal rights, but we will cover defending a counter-claim that is an insured incident under this section
- f) a motor vehicle owned by, or used by, or hired by, or leased to, an insured person (other than damage to motor vehicles where the insured is engaged in the business of selling motor vehicles)
- g) the enforcement of a covenant by, or against, the insured.