

# ANGUS COUNCIL



## **MANAGING UNAUTHORISED ENCAMPMENTS OF GYPSIES/TRAVELLERS**

### POLICY & PROCEDURE

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## 1.0 INTRODUCTION

### 1.1 Purpose

1.2 This document aims to give clear direction of the policy of Angus Council regarding unauthorised encampments of Gypsies/Travellers in Angus and the procedures to be followed by staff when responding to reports of these encampments. Highlighted will be the need for a clear policy and for procedural guidelines, the parties involved in this process and will clarify the different situations against which the policy and procedures will be applied.

### 1.3 Terms

1.4 This document uses the terminology advocated by the Scottish Government, which acknowledges the social and cultural differences between Traveller communities living in Scotland. The term Gypsies/Travellers will refer to:

*those groups of Travellers in Scotland who variously refer to themselves as Travellers, Scottish Travellers, Scottish Gypsies/Travellers or Gypsy/Traveller people (plural Gypsies/Travellers). This includes English Gypsies, Irish Travellers and European Roma. This term refers to all travelling communities who regard travelling' as an aspect of their cultural/ethnic identity.<sup>1</sup>*

1.5 The term "Unauthorised Encampment" will refer to:

*where a person camps (in vans, trailers or any other moveable accommodation) on land that they do not own, and where they do not have permission to reside.*

## 2.0 LEGISLATIVE BACKGROUND

2.1 This policy updates and replaces the policy statement by Angus Council of 2000. It reflects guidance subsequently issued by the then Scottish Executive in 2004 to local authorities. Police Scotland has also developed and implemented a standard operating procedure for officers regarding gypsy travellers and unauthorised encampments and the position of Police Scotland is reflected in this document. This policy does not apply to New Age Travellers or Travelling Showmen.

2.2 Angus Council policies and procedures reflect legislation such as the Human Rights Act 1998 and the Equality Act 2010. Furthermore, the Scottish Parliament's Equal Opportunities Committee, which, following an enquiry in 2001, indicated amongst a total of 37 recommendations, that Gypsies/Travellers should be regarded as an ethnic group. Other relevant legislation includes the Children's (Scotland) Act 1995 and Homelessness legislation.<sup>2</sup>

<sup>1</sup> Gypsy Travellers in Scotland – A Resource for the Media (Equality and Human Rights Commission Scotland 2010)

<sup>2</sup> Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland (Scottish Executive 2004)

- 2.3 The **Equality Act 2010** contains general equality duties for public bodies, in the exercise of their functions, to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation.
  - advance equality of opportunity between persons who share a relevant protected characteristic, and persons who do not share it.
  - foster good relations between persons who share a relevant protected characteristic, and those who do not share it.
- 2.4 The policy has been agreed by (to be completed after committee with date and report number)

### **3.0 BACKGROUND**

- 3.1 Angus has always been a popular destination for Gypsies/Travellers, with certain unauthorised areas being regularly populated by encampments. It has been identified that the Council requires a clear and defined procedure which it can follow, along with its partners, to provide a consistent and fair course of action in dealing with unauthorised encampments.
- 3.2 There are short stay sites available to Gypsies/Travellers within Angus. These are: St Christopher's Caravan Site, in Tayock by Montrose, managed by Angus Council and Balmuir Wood, Tealing near Dundee, administered by Dundee City Council.

### **4.0 POLICY – Angus Council Owned Land**

- 4.1 Angus Council recognises the right of the Gypsies/Travellers to practise a nomadic lifestyle, travelling and staying on short term sites and seeks to balance this with the needs of the settled community of Angus. Angus Council seeks to promote a positive environment for good community relations and to prevent incidents of harassment.
- 4.2 Unauthorised encampments can sometimes give rise to friction with local communities if they are in inappropriate locations or are not being conducted in a responsible manner. The standards of behaviour expected of Gypsies/Travellers are the same as those expected of the settled community.

### **4.3 Code of Conduct**

Unauthorised Gypsies/Travellers encampments residing on Angus Council land will be required to adhere to a code of behaviour in order to remain on site. These conditions will be provided to each encampment by Angus Council.

- a) *Keep groups small;*
- b) *Look after the land you park on and respect nearby residents*
- c) *Keep animals under control at all times, this includes minimising the noise from dog barking;*
- d) *Dispose of litter and other rubbish in the black bags provided. Angus Council will arrange to collect these;*
- e) *Get rid of animal and human waste hygienically;*
- f) *Do not fly-tip. Dispose of commercial waste at the appropriate landfill site or recycling centre;*
- g) *For your own safety and that of others remember the Highway Code;*
- h) *Do not start fires or burn rubbish on the site; and*
- i) *Noise from generators should be minimised to prevent nuisance.*

This list is non-exclusive and will depend on the make-up of each encampment.

4.5 Where perpetrators of issues such as littering and fly-tipping etc can be identified then relevant action will be taken.

4.6 There will be circumstances when unauthorised Gypsies/Travellers encampments will not be permitted. This will be when the presence of the encampment causes **immediate concerns**. These concerns include:-

- (a) Public Safety (including Road Safety) concerns;
- (b) concerns that the encampment is causing unacceptable harm to an area (including financial and environmental harm);
- (c) concerns that the encampment is significantly impacting on the ability of others to exercise rights in relation to that land or the rights of the public to enjoy the use of that land; and
- (d) concerns that the encampment is preventing an organised event from taking place.

In those circumstances, and notwithstanding that encampments are complying with the Code of Conduct, legal action may be commenced immediately.

4.7 There are a number of instances when the Council exercises control over land which it does not own. The most important of these is in relation to land not owned by the Council but which forms part of a publicly adopted road (including lay-bys, verges and visibility splays). In these circumstances, the Council, as roads authority under the Roads (Scotland) Act 1984, will exercise its powers under that Act and other legislation in a manner consistent with the terms of this policy. As with 4.6 above, there will be circumstances when unauthorised Gypsies/Travellers encampments will not be permitted on land controlled by the Council, as roads authority, and legal action may be commenced immediately.

## 4.8 Legal Action

4.9 The Lord Advocate issued an instruction to Procurators Fiscal in 2004 stating that **there is a presumption against prosecution in the public interest where the sole issue in relation to an encampment is the physical occupation of land by Gypsies/Travellers**, rather than activities where prosecution is always regarded in the public interest such as breach of the peace, drug dealing or possession of an offensive weapon.

4.10 In accordance with the Lord Advocate's instruction and Scottish Government Guidance<sup>3</sup>, Angus Council shall not actively seek to immediately remove an unauthorised encampment from land owned or controlled by it unless one or more of the following is a factor.

The site of the unauthorised encampment is:

- a site of scientific or environmental interest
- a site where pollution could damage water courses/water supply
- in an area with toxic waste, serious ground pollution or other environmental hazard
- adjacent to the verge of a road (from a road safety perspective), as defined by the Roads (Scotland) Act 1984 and which includes lay-bys
- in proximity to a railway line, where there may be a danger to individuals.

However, eviction will also be considered where:

- a suitable alternative site has been identified and the Gypsies/Travellers have refused to re-locate within a reasonable time (taking local circumstances into account)
- the use or size of a particular site causes a road safety or public health hazard
- the same Gypsies/Travellers have been repeatedly moved from the same site only to return
- the encampment is on land which is in the process of being sold by Angus Council
- the location of the encampment leaves Angus Council liable to legal action
- the behaviour/actions of the occupants of the encampment are such as would not be accepted or would be acted upon by Angus Council within the settled community.
- The encampment is sited upon operational council premises such as recycling centres, country parks, car parks, public parks and playing fields.

4.11 Adherence to these specific requirements will be monitored on at least a weekly basis by Angus Council and/or their partner agencies.

4.12 Each encampment will be considered on its own individual merits – e.g. capacity, location, ground conditions, safety issues and any other relevant issues as described in the foregoing.

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<sup>3</sup> Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland (Scottish Executive 2004)

- 4.13 The final decision on eviction from Angus Council land will lie with the designated service budget holder of the land on which the encampment is sited. The main involved services in Angus Council are likely to be:
- Parks and Cemeteries, Communities Directorate.
  - Economic Development, Chief Executive Directorate.
  - Roads, Communities Directorate.
  - Housing, Communities Directorate.

#### **4.14 POLICY - Privately Owned Land (Non-Angus Council land)**

- 4.15 Any enforcement action taken in regard of encampments on privately owned land **MUST** be taken by the landowner. However, landowners may contact Angus Council for advice only as regards management of encampments.
- 4.16 Angus Council will seek to offer services to an encampment on private land, and will ask permission of the landowner to access the land for this reason.
- 4.17 Landowners will be advised of the Angus Council policy and Code of Conduct and reminded that it is their responsibility to ensure that the Code is being met and that local residents and the environment are not adversely affected.
- 4.18 Angus Council can take enforcement action related to a particular behaviour on private land (e.g. fly-tipping) if there is sufficient evidence to identify individual perpetrators. However, it is the responsibility of the landowner to remove any fly-tipped material/litter left on site.
- 4.19 For long term encampments on private land, requirements in terms of planning legislation and the Caravan Sites & Control of Development Act 1960<sup>4</sup> will require to be adhered to.
- 4.20 If it is not possible to identify the owner of the land on which an encampment is sited, Angus Council will undertake to manage the encampment in line with the policy and procedures applied to Angus Council land.

## **5.0 LEGAL**

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<sup>4</sup> Caravan Sites and Control of Development Act 1960

- 5.1 Legal & Democratic Services will be responsible for providing legal advice and support to assist the Council in implementing this Policy. Legal & Democratic Services will also be responsible for raising legal Proceedings for Ejection in the Sheriff Court.
- 5.2 Legal Proceedings for Ejection commence with the serving of a Notice to Quit on the occupiers. It shall be the responsibility of Legal & Democratic Services to arrange for preparation and service of the Notice to Quit and to thereafter pursue, in consultation with all other interested or relevant parties, proceedings for Ejection.
- 5.3 Legal & Democratic Services will issue regular updates, as matters progress, to interested or relevant parties.
- 5.4 Paragraph 9 below outlines the likely route that an Action for Ejection can follow. This will not always be the case. Legal & Democratic Services will ensure, insofar as possible, where that route is not or cannot be followed or that further additional steps are required, that:-
- all other interested or relevant parties are advised of the departure from the likely route and the reasons for the departure;
  - the impact of the departure on the timescales for obtaining decree for ejection; and
  - the impact on interested or relevant parties of the departure from the likely route on them.

## **6.0 CONSULTATION AND COMMUNICATION**

- 6.1 This policy will be available for distribution in a variety of formats, accessible to Gypsies/Travellers, settled community, businesses etc.
- 6.2 This policy will be the basis of all communications with the local community when an Unauthorised Gypsies/Travellers encampment occurs.
- 6.3 All press releases/liaison regarding unauthorised encampments in Angus will be managed by the Communications service of Angus Council, in association with partner agencies such as Police Scotland.
- 6.4 Information regarding specific details and actions taken regarding a particular encampment will not be made available to the public as a matter of course, especially where there are ongoing legal actions to consider. However, complaints regarding any encampment will be responded to in accordance with this policy and the Angus Council Customer Care Strategy and service standards.

## **7.0 MONITORING AND REVIEW**



7.1 The Strategic Gypsies/Travellers Group will have responsibility for monitoring the implementation of the Policy. The policy will be reviewed on an annual basis, which will include consultation with partner agencies and where possible, members of the Gypsies/Travellers community.

## **8.0 GYPSIES/TRAVELLERS WORKING GROUP(S)**

8.1 The co-ordination, collation and circulation of information regarding unauthorised encampments in Angus is under the remit of Community Safety staff in the Joint Services Team. Liaison with the Gypsies/Travellers is via Housing staff and the Administrative Assistant/Site Supervisor at St Christopher's, Montrose.

8.2 The Strategic Gypsies/Travellers Group shall comprise:

- Director of Communities
- Service Manager – Housing
- Service Manager - Economic Development
- Service Manager – Community Safety
- Service Manager – Regulatory, Protection & Prevention Services
- Service Manager – Parks & Burial Grounds
- Inspector, Safer Communities, Police Scotland
- Communications Manager
- Principal Solicitor, Angus Council

This Group shall meet at least 4 times a year.

8.3 The Operational Gypsies/Travellers Group shall comprise of operational staff from:

- Joint Services Team – Angus Council (as lead coordinating agency)
- Waste Services
- Environmental & Consumer Protection
- Parks & Burial Grounds
- Education
- Social Work
- Health
- Legal Services
- Economic Development
- Roads
- Consumer Protection
- Police Scotland
- Fire Scotland
- Any other group/agency relevant to the particular encampment site/makeup

It should be noted that the composition of the operational Gypsies/Travellers Group will vary dependant on where in Angus the encampment is sited. *E.g. if the encampment is in Carnoustie, staff from Arbroath/Carnoustie Housing Team will be*

*involved; if the encampment is in Forfar, staff from the Forfar Housing Team will be involved.*

## **9.0 EVICTION PROCESS FOR UNAUTHORISED ENCAMPMENTS ON COUNCIL-OWNED LAND**

- 9.1 The final decision on eviction from Angus Council land will lie with the designated service budget holder of the land on which the encampment is sited. The main services in Angus Council are likely to be:
- Parks and Burial Grounds
  - Economic Development
  - Roads
  - Housing
- 9.2 Once a decision has been made to raise eviction proceedings, an officer of the Community Safety Team shall contact Legal & Democratic Services, Angus Council, with their request to remove the Unauthorised Gypsies/Travellers encampment from the land.
- 9.3 If Legal & Democratic Services agree to the case being taken forward, they will arrange for Sheriff Officers to serve a letter to the occupants of the encampment, known as a Notice to Quit, requiring them to leave by a certain date.
- 9.4 If the site continues to be occupied after the period of notice has ended, Legal & Democratic Services will prepare the appropriate application to the Court seeking the removal of the unauthorised encampment. These will be lodged with the Sheriff Court.
- 9.5 At the initial hearing at Court, the Sheriff may grant a warrant to serve the writ on the occupiers and would give a period of time for the occupiers to oppose the application.
- 9.6 Legal and Democratic Services will arrange for Sheriff Officers to serve the Court papers in the encampment. This is normally done either the same day the Sheriff grants the warrant or the next day.
- 9.7 If opposition to the application is lodged, further Court procedures will follow.
- 9.8 If no opposition is lodged and the site remains occupied, Legal and Democratic Services will return to Court at the appointed time and ask the Sheriff to grant Decree.
- 9.9 Once the Council has an Extract Decree, Legal and Democratic Services will instruct Sheriff Officers to enforce the Decree and carry out the eviction. A period of notice of the eviction will be required.

- 9.10 If the unauthorised encampment has not moved within the time period allowed by the Sheriff Officers, they will take steps to enforce the decree and remove the occupiers.
- 9.11 Prior to any eviction date, the Community Safety Team will convene a meeting of relevant officers to discuss the roles and responsibilities on the eviction day. This will include ensuring an alternative site for the travellers to potentially be towed to, provision for any potential homelessness issues created by the eviction and any child or adult protection issues arising from the eviction procedure.

## **10.0 PROCEDURE FOR STAFF - MANAGEMENT OF UNAUTHORISED ENCAMPMENTS WITHIN ANGUS**

- 10.1 Angus Council manages unauthorised encampments of Gypsies/Travellers who set up camp within the boundaries of Angus.

### **10.2 Roles and Responsibilities**

Angus Council has a Strategic and an Operational Gypsies/Travellers Group, both of which can convene to discuss the best course of action for individual unauthorised encampments. However, the make-up of the Operational GTG will change dependent on the locality of the encampment i.e. Montrose/Brechin Community Housing Team if the encampment is in Montrose.

Key departments/agencies and their roles are as follows:

<b>Service/Agency</b>	<b>Function</b>
<b>Community Safety Team</b>	The co-ordination, collation and circulation of information regarding unauthorised encampments in Angus is under the remit of Community Safety Team. Staff from this section circulate the encampment checklists, inform other departments of outstanding tasks, collate encampment case files and are the conduit for updates from Legal & Democratic services regarding any legal action. Any information or communication with the encampment should be passed to this Team.
<b>Housing Service</b>	The Housing Service is responsible for carrying out initial visits to the site and completing the encampment checklists.
<b>Police Scotland</b>	Police Scotland are kept up to date throughout the duration of any encampment and will react to any acts of criminality arising from the encampment. Police Scotland have agreed that they may in certain circumstances accompany Angus Council staff on encampment visits if deemed necessary to prevent a breach of the peace or a disturbance occurring. However, they would not compel any details such as names

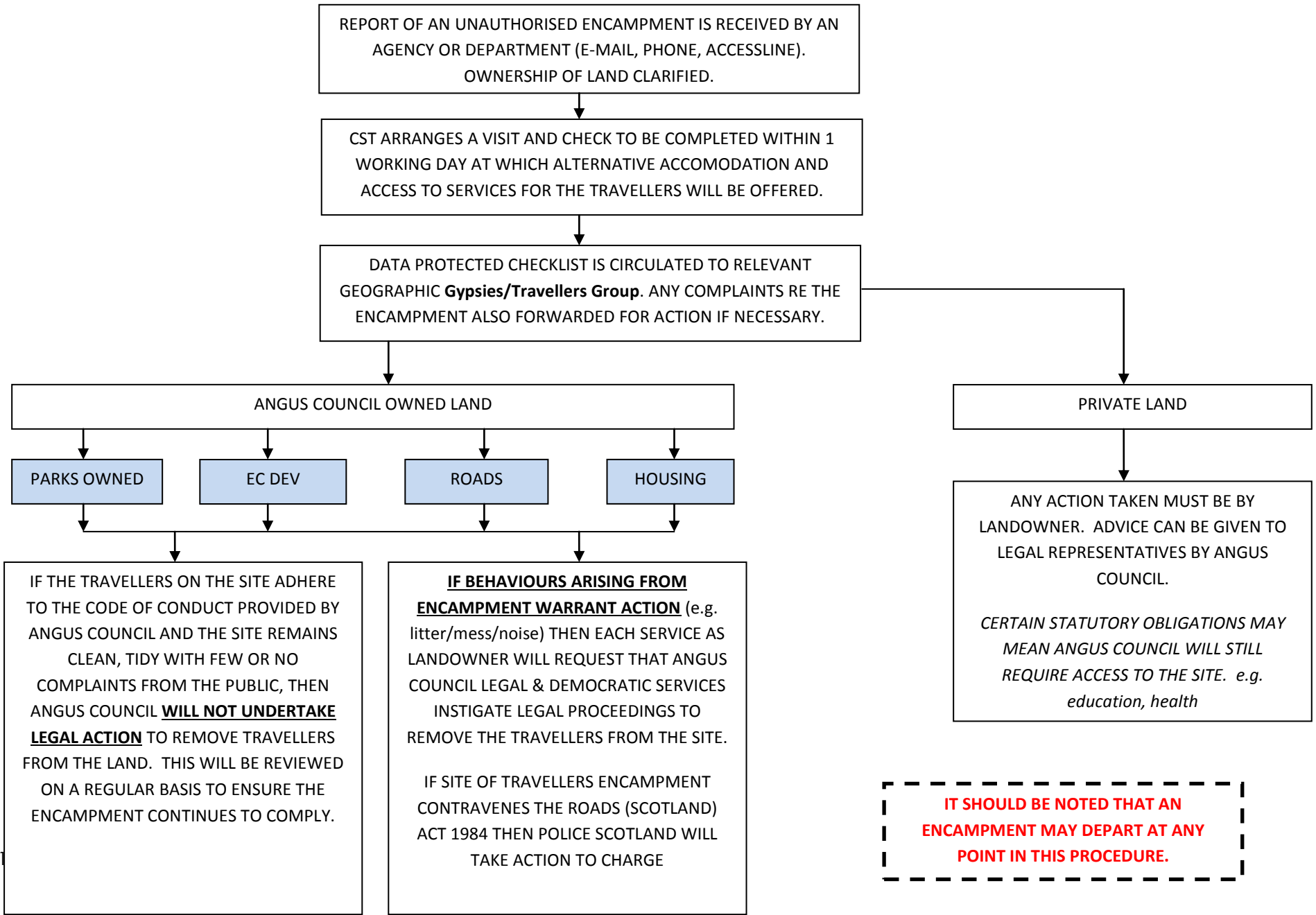
<b>Service/Agency</b>	<b>Function</b>
	and addresses from the travellers.
<b>Social Work</b>	Social Work have involvement regarding the welfare of the Gypsies/Travellers, especially children, who may be onsite.
<b>Education</b>	Education will have any involvement regarding the welfare and educational needs of any children who may be onsite.
<b>Environmental and Consumer Protection</b>	The Environmental & Consumer Protection service will have responsibility for the possible harm to the site and humans due to environmental or hygiene issues arising from the encampment. This area also co-ordinates the dog warden should there be any issues with straying or uncontrolled dogs on the encampment.
<b>Waste Management</b>	The Waste Management service is responsible for organising the collection and clean-up of any waste or litter arising from the site. It also has an enforcement remit along with SEPA for any fly-tipping issues.
<b>Legal &amp; Democratic Services</b>	Legal & Democratic Services will advise on any legal issues arising from the encampment and take forward enforcement action(s) on behalf of Angus Council.
<b>Economic Development</b>	Landowners who may request action to remove travellers from their land.
<b>Parks and Burial Grounds</b>	Landowners who may request action to remove travellers from their land.
<b>Roads</b>	Landowners/roads authority who may request action to remove travellers from their land.
<b>NHS Tayside</b>	NHS Tayside are responsible for ensuring the health needs of the travellers are being met and that they have access to local healthcare should they require it.

All involved members have a responsibility to share all information and data available to each other, being mindful of the Data Protection Act 1998<sup>5</sup>.

### 10.3 STEP BY STEP PROCESS

- A. Community Safety receives a report of an encampment by means of ACCESSline, directly from public, local ACCESS Office, other council service or Police Scotland.
- B. Community Safety ascertain the ownership of the land (if not known at this point). Sources of clarification include Economic Development service of Angus Council, Legal & Democratic Services, Roads , Police Scotland and local residents/knowledge. Ownership of the land defines the next stage of the procedure.
- C. Community Safety contact relevant Manager to request an encampment visit is carried out and a checklist is completed.
  - (i) member/s of staff from the Community Housing Team carries out encampment visit and completes checklist (GTI -02-14)
  - (ii) Community Housing Team staff member sends electronic copy to Community Safety.
  - (iii) If the encampment is on private land, permission will be sought from the landowner for a checklist visit by Council staff to take place.
- D. Community Safety updates the encampment case file and removes all data protected information from the checklist.
- E. Community Safety circulates the checklist to the correct geographical Gypsy Traveller Group and anyone else who may be relevant.
- F. Agencies/departments decide whether to offer services/make a visit to the encampment. More regular contributors will include:
  - i) Waste Management – to organise rubbish collections
  - ii) Education and Social Work – if there are children on site
  - iii) NHS Tayside – any health issues on site
- G. If the behaviours arising from the encampment warrant action then Angus Council MAY consider action to remove the encampment from the site. Behaviours may include accumulating litter/waste/mess or noise nuisance.
- H. The status of the encampment will be reviewed regularly, taking into account any new complaints or information regarding the conduct of the encampment.

**UNAUTHORISED ENCAMPMENT PROCEDURE – FLOWCHART**



**IT SHOULD BE NOTED THAT AN ENCAMPMENT MAY DEPART AT ANY POINT IN THIS PROCEDURE.**

## **12.0 SUPPORTING PAPERWORK**

In order to best manage unauthorised encampments of Gypsies/Travellers, Angus Council will keep records for each encampment. To facilitate this, standardised paperwork has been devised for each agency involved.

### **GYPSIES/TRAVELLERS - DOCUMENTS**

<b>REF NO</b>	<b>Document Title</b>
GTI-01-14	Information re Balmuir Wood Site
GTI-02-14	Welfare/Visit Checklist
GTI-02-14(b)	Agency/Service Response Sheet
GTI-03-14	Welfare Check Protocol
GTI-06-14	Information for Gypsies/Travellers
GTI-07-14	Guidelines for Managing Unauthorised Encampment of Gypsies/Travellers - SG

*N.B. This paperwork is appended at the end of this document for information.*

### 13.0 ASSOCIATED DOCUMENTS AND POLICIES

- Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland (Scottish Executive 2004)
- Police Scotland - Standard Operating Procedures
- Data Protection Act 1998
- Caravan Sites and Control of Development Act 1960
- Gypsies/Travellers in Scotland – A Resource for the Media (Equality and Human Rights Commission Scotland 2010)
- Roads (Scotland) Act 1984
- Equality Act 2010
- Human Rights Act 1998
- Children (Scotland) Act 1995
- Homelessness etc. (Scotland) Act 2003



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## Information for Gypsies / Travelling People

Dundee City Council provides a purpose built caravan park for use by gypsies/travelling people. It is located in a rural setting at Balmuir Wood, Tealing about 6 miles from Dundee just off the A90, towards Forfar. [Map](#)



The [site](#) has [20 individual pitches](#) each with its own utility unit, a hook up facility for electricity and hardstanding for parking caravans and motor vehicles. There is also a safe [children's play area](#).

Each utility unit has been refurbished with a new [kitchen and bathroom](#) with shower. There is also room for storage.

If you are interested in renting a pitch or would like more information please contact the Liaison Officer at

Balmuir Wood Gypsy/Travellers Site  
Tealing  
By Dundee DD4 0QY [Map](#)  
Tel: 07951380 112

or

East District Housing Office  
169 Pitkerro Road  
Dundee DD4 8ES [Map](#)  
Tel: 307401

### **Renting a pitch**

- You can rent a pitch on a long term basis or stay for only a few weeks
- You may be able to claim Housing Benefit to help with paying the rent of the pitch. The Liaison Officer can help you with filling in forms etc
- We will give you advice and information when you sign your tenancy agreement. We will explain the site rules, what we are responsible for and what you are expected to do

### **At Balmuir Wood Gypsy/Travellers Site**

- You can get 24 hour access to the site by calling 07951380112
- Electric meters are read weekly and payments can be made at the site office weekly in arrears
- Refuse is collected weekly
- Local shops/doctor are 3 miles from the site
- Local Primary School at Tealing

### **Links**

- [Friends, Families and Travellers](#)
- [Travellers' Times Online](#)

## Unauthorised Encampment - Visit Checklist

Date/Time of Welfare Visit:	Location of Encampment:
Date Encampment Commenced:	Ownership of Land:
Scheduled Date of Next Visit:	Officers in Attendance:

### A. General

Subject	Comments
Where have the travellers arrived from?	
Where are they travelling to?	
How long are they likely to be staying?	
What is the purpose (if any) of their visit?	
Have the travellers been told this is Angus Council owned/managed land and they are not entitled to stay here? (If applicable)	
Have the travellers been given information regarding alternative sites? (Balmuir)	

### B. Physical Details

Number of Caravans:				
Make/Model	Registration	Family Name	No of Adults	No. of children

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*\*Continue on back page as required*

Number of Vehicles:					
Make/Model	Registration	Business Livery	Family Name	No of Adults	No. of children

*\*Continue on back page as required*

**C. Encampment Area**

Subject	Answer	Comments
Has there been any damage to property or environment?	YES / NO	
Does the encampment interfere with public use of land?	YES / NO	
Are there any Road Traffic issues?	YES / NO	
Has there been consecutive occupation? (Has the land recuperated?)	YES / NO	
Are there any animals on site? (Are there any concerns?)	YES / NO	

**D. Behaviours**

Subject	Answer	Comments
Is there any rubbish or mess being left?	YES / NO	
Is there any fouling or hygiene issues?	YES / NO	
Is there any intimidating or antisocial behaviour?	YES / NO	
Is there any criminal behaviour?	YES / NO	

**E. Actions**

Subject	Answer	Comments
"Code for Gypsies/Travellers" leaflet provided?	YES / NO	
Bin bags provided?	YES / NO	
Advised where to find local services? (water, toilets, recycling centre etc)	YES / NO	
Any requests for services /aid?	YES / NO	

**F. Any Further Details/Comments**

**PLEASE FORWARD THIS CHECKLIST TO COMMUNITY SAFETY AS SOON AS POSSIBLE SO IT CAN BE SENT TO PARTNER AGENCIES FOR ASSESSEMENT.**

*TO BE COMPLETED BY COMMUNITY SAFETY STAFF*

**G. PARTNERS INPUT/VISIT REQUIRED (based on checklist and complaints received)**

AGENCY	ISSUE
Waste	
Environmental Health	
Police Scotland	
Education	
Health	
Social Work	
Trading Standards	
Dog Warden	
Other	

\*CONTD/



# AGENCY/SERVICE RESPONSE SHEET UNAUTHORISED GYPSIES/TRAVELLERS ENCAMPMENT

AGENCY/SERVICE	ENCAMPMENT REF:
Date/Time of Visit:	Location of Encampment:
Scheduled Date of Next Visit:	Officers in Attendance:

Action Requested	
Date of Request	
OUTCOME	

COMPLAINTS (Please note any complaints received directly to your agency/department)

Please return this completed form to [CommunitySafety@angus.gov.uk](mailto:CommunitySafety@angus.gov.uk) as soon as possible.

**Unauthorised Encampments of Gypsies/Travellers**  
**Guidance on completion of**  
**Visit Checklist and Agency Dept Response Documentation**

Angus Council has a duty of care to all citizens who stay in or visit Angus. All Angus Council procedures for managing unauthorised encampments of Gypsies/Travellers have been implemented in accordance with the Scottish Executives 'Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland'. Gypsies/Travellers are also protected under the terms of the Race relations legislation and our procedures reflect our statutory duties.

**Who completes the checklist?**

*Visit Checklists* are undertaken by staff from the Housing Service of the Communities Directorate.

**Pre-Visit**

Staff should undertake a risk assessment prior to any visit taking place.

Police Scotland have agreed that they may in certain circumstances accompany Angus Council staff on welfare visits if deemed necessary to prevent a breach of the peace or a disturbance occurring, and would not compel any details such as names and addresses from the travellers.

**Visit**

The aim of the *Visit Checklist* is to ensure Gypsies/Travellers are offered access to services to aid them and minimise disruption to the area during their stay.

Travellers should be offered

- Information for Gypsies/Travellers leaflet and ACCESSLine number
- Alternate and legal camping site at Balmuir Wood, Tealing
- Black bin bags that will be collected by AC if left neatly at road side
- Access to water at St Christopher's (if in Montrose)
- Directions to nearest public toilets
- Access to Social Work, Education, NHS if required.

Where possible, staff should collate:

- Names
- Caravan/vehicle make and registration number
- Any business names/slogans on vehicles
- Where they have come from
- Where they are going
- Intended length of stay.



The *Visit Checklist* document (GTI 02-14) notes all the information that officer should try to collect.

### **Post Visit**

The *Visit Checklist* form should be completed as soon as practically possible and forwarded to [CommunitySafety@angus.gov.uk](mailto:CommunitySafety@angus.gov.uk)

### **Thereafter**

The *Visit Checklist* is assessed by staff at the Community Safety Team. If there are any obvious concerns or requests arising from the checklist which require the attention/action of a specific agency or department, then this will be noted at section G of the checklist.

Any agency/service noted with an action at section G will also be sent an *Agency/Service Response Sheet* (GTI 02-14(b)). This form should be returned to [CommunitySafety@angus.gov.uk](mailto:CommunitySafety@angus.gov.uk) once the required action has been completed. This information is then collated on the encampment overview spreadsheet held by Community Safety.

There is also a section which allows agencies and services to note any complaints regarding an encampment which have come directly to them. This will be collated onto the encampment overview spreadsheet.

All GTLC services and agencies will also hold a blank template of the *Agency/Service Response Sheet* to cover any action(s) taken without input from the JST.

A data protection compliant version of the *Visit Checklist* will then be circulated to the agencies and services who make up the Gypsies/Travellers Liaison Group. They may wish to offer services to the travellers during their stay.

This procedure has been agreed by the Strategic Director of Communities and other relevant senior managers. If anyone has any queries arising from this guidance, please contact the Community Safety Team for further clarification.

You may also be asked to move if:

- you are on land which is in the process of being sold by Angus Council;
- your location leaves Angus Council liable to legal action;
- your behaviour/actions are such as would not be accepted or would be acted upon by Angus Council within the settled community;
- you are sited upon operational council premises such as recycling centres, country parks, car parks, public parks, playing fields or land which forms part of a public road.

If you follow these conditions, Angus Council will not, as a matter of course, take action to remove an encampment. Staff from Angus Council will regularly visit and monitor any encampment to see that the code is being met.

Where you park on private land, it will be the decision of the landowner whether or not to take eviction action.

Further details of the Angus Council policy on the management of unauthorised encampments of Gypsies/Travellers Encampment can be found at [www.angus.gov.uk/gypsytravellers](http://www.angus.gov.uk/gypsytravellers)

**Angus Council ACCESSline - 08452 777 778**  
**Police Scotland - 101**

This leaflet can be translated on request into other community languages. For people with visual impairment, large print, audio or braille versions can also be provided.



## INFORMATION FOR GYPSIES/TRAVELLERS UNAUTHORISED CAMPING IN ANGUS



Angus Council recognises the right of Gypsies/Travellers to practise a nomadic lifestyle, travelling and staying on short term sites and seeks to balance this with the needs of the settled community of Angus.

Angus Council also acknowledges that there should be no discrimination against Gypsies/Travellers due to their lifestyle.

Gypsies/Travellers must recognise that they are required to behave responsibly as members of the settled community. Angus Council seeks to promote a positive environment for good community relations and to prevent incidents of racial harassment.

This leaflet gives guidance as to the expected standards of behaviour to Gypsies/Travellers visiting and camping in Angus.



## **CODE OF CONDUCT FOR GYPSIES/TRAVELLERS VISITING ANGUS**

Unauthorised Gypsies/Travellers encampments residing on Angus Council land will be required to adhere to a code of behaviour in order to remain on site. *Please note Angus Council will always give you details of our fixed sites (if pitches are available) as an alternative to unauthorised encamping.*

These conditions are provided to each encampment by Angus Council.

- a) Keep groups small; no more than 5 vehicles;
- b) Look after the land you park on and respect nearby residents;
- c) Keep animals under control at all times, this includes minimising the noise from dog barking;
- d) Dispose of litter and other rubbish in the black bags provided. Angus Council will arrange to collect these;
- e) Get rid of animal and human waste hygienically;
- f) Do not fly-tip. Dispose of commercial waste at the appropriate landfill site or recycling centre;
- g) For your own safety and that of others remember the Highway Code;
- h) Do not start fires or burn rubbish on the site;
- i) Noise from generators should be minimised to prevent nuisance.

## SCOTTISH GOVERNMENT GUIDANCE

The Scottish Government document entitled **Guidelines for Managing Unauthorised Camping by Gypsies/Travellers in Scotland** can be found at:

<http://www.gov.scot/Publications/2004/12/20417/48826>