

## FAQ's

Unauthorised encampments are not uncommon in the Dover District, and we do have a procedure in place that we follow should an encampment arrive in our district and on our land.

See our [process map \(Insert link to process map on website\)](#) to see each step we take as your local council when informed about an encampment and what we do.

### **Q: Why does it take so long before an encampment can be removed?**

A: We must follow a process where to remove the encampment we gain a court order, to do this we have to conduct welfare enquiries with the person/s present before appearing in front of the court. We also take into consideration how long the encampment intends on being present as their intended duration may be shorter than the court process, therefore enforcement may not be required.

### **Q: Do you deal with all travellers in the district?**

A: As Dover District Council we are responsible to liaise with traveller encampments that are present on Dover District Council owned land. If an encampment is on private land or land owned by Kent County Council, it is the owner's responsibility. Kent County Council has their own process they follow however we will assist and work with private landowners to ensure they have support.

### **Q: Are there any traveller sites in the Dover District?**

A: Yes, we have an authorised encampment in Aylesham; Snowdown Caravan Site, Aylesham Road, Snowdown, Dover CT15 for more information click [here](#)

### **Q: If the encampment is unauthorised why can't they be banned or removed by police as it's illegal?**

A: Though an encampment may be on land where they shouldn't, trespass is a civil offence and therefore must go through the court process. The police cannot act on the removal of encampments but can act should offences be committed, such as criminal damage and anti-social behaviour.

Under the Equality Act 2010, travellers and gypsies cannot be discriminated against due to having protected characteristics, therefore cannot be routinely banned.

### **Q: What happens with the waste left behind?**

A: We work closely with any encampments present, alongside Kent Police and our CCTV team to ensure that the site remains clean and tidy and discuss how to prevent waste and keep tidiness. Within our district we have a zero tolerance to littering and fly tipping and this would be no different. If littering was observed by an environmental enforcement officer a fixed penalty notice

would be issued for £75. Also fly tipping in the district is also investigated and if evidence is found fixed penalty notices can be issued from £400 or prosecution action taken.

**Q: Can you stop travellers from occupying land before the encampment has set up?**

A: No, we cannot block any persons from occupying land as it is not a criminal offence. However, we can look at measures to prevent land being occupied such as fencing off land.

**Q: What if fences are damaged to cause entry to gain access to land?**

A: Damage caused to gain access to land where permission is not granted covers two offences. Damage to property is criminal damage, which is a criminal offence, and gaining access is trespass which is a civil breach. Kent police investigate criminal offences so the damage caused should be reported as a crime to them.

**Q: Do police have any involvement?**

A: Yes, we work closely with Kent Police day to day and this includes when an encampment is present in our district. Police cannot move on encampments unless authorised by a senior officer to use powers under Section 61 of the Criminal Justice and Public Order Act 1994 in situations where for example serious criminality or public order offences are being committed that cannot be resolved with the location being a determining factor.

**Q: When and who do we contact?**

A: If the purpose of contact is to report an encampment contact us on 01304 872220 where you will be put through to our community services team or use our online report form by clicking **here**

Alternatively, if you wish to report damage, or anti-social behaviour contact the police on 101 or report online by clicking [here](#)

**Q: What do I do if an encampment appears on my land?**

A: Try and speak to the person/s present to find out their intentions and how long they intend to stay, try to negotiate with them to agree a date when they will leave. Though we do not own the land we will do our best to support you so please call us on 01304 872220 or email us on:

CCTV@dover.gov.uk

Also see our **leaflet** for advice.

**Q: What legislation is used when dealing with encampments?**

A: There are different types of legislation that are used but when following the court process, it is section 77 of the Criminal Justice and Public Order Act 1994. If this is not complied with then an Order under section 78 of the same Act, is sought from the Courts.

**Q: What if the encampment is in a car park?**

A: If the car park is owned by Dover District Council, we may be able to utilise our powers under the relevant parking order to move the encampment. If the car park is privately owned it is the landowner's responsibility.

**Q: What about Gypsies and Travellers who buy their own land and set up home on that?**

A: Planning enforcement has powers under the Town and Country Planning legislation to consider the expediency and proportionality of taking formal action against unlawful encampments on private land where there is a breach of planning control. Tools are available for this purpose and are set out in the Council's Planning Enforcement Plan.