

Police Powers	Landowner (LO)	Local Authority (LA)
<p>Sec 61 - 62 Criminal Justice and Public Order Act 1994</p> <ul style="list-style-type: none"> • Can only be used by Police • Any land except highway • Two or more persons trespassing • Does not require court • Enforced by Police • Return within 3 months is an offence • Landowner must have taken reasonable steps to ask persons to leave and either damage caused/threatening, abusive or insulting towards LO and agent/have six or more vehicles on the land • A Senior Officer will determine whether to use power based on availability of resources/impact on community and environment/whether has been ASB/crime or disorder associated with site. • Police determine time given to leave site which can be hours or days • Action must be Lawful/Proportionate Necessary and Least intrusive • Sec 62A requires alternative LA site to be available to direct persons to 	<p>Common Law Powers</p> <ul style="list-style-type: none"> • Can only be used by LO • Does not require court • Enforced by LO/ Private bailiffs • No sanction if persons return • Only reasonable force used • Person must be allowed to leave without force being used if request • Police should be contacted to prevent Breach of Peace • Police advice to delay if not safe should be followed <p>Part 55 Civil Procedure Rules</p> <ul style="list-style-type: none"> • Can only be used by LO • Require civil court • Enforced by county court bailiffs • No sanction if persons return 	<p>Sec 77 – 78 Criminal Justice and Public Order Act 1994</p> <ul style="list-style-type: none"> • Can be used by LA where requirement met • Courts only required if unauthorised campers do not leave on request • Enforced by LA Officers or private bailiffs • Return within three months is an offence. • Before using powers LA have an obligation to do a welfare assessment • Can only be used by LA • 24 hours must elapse between serving of an order and any action to evict • Considerable delay can occur if a legal challenge is mounted to a proposed eviction <p>The Local Authority can also consider Byelaws, look at target hardening of vulnerable sites and providing sites for persons to use for encampments.</p>

