

Notification and / or complaint of Unauthorised Encampment

Private Land Owner (Not MDDC land)

Mid Devon District Council Land

Property Services Officer visits plot of land to make an assessment.

Property Services to make enquiries to establish Land Ownership.

Land registry search, local knowledge.

Land Owned by Private Land Owner.

Land Owned by Local Authority including Housing.

Planning Service to give advice to Private Land Owner.

Devon County Council Land

Refer to Stage 1 GTLS

Officer visits site to undertake initial welfare enquiries and site investigation.

If welfare need identified, refer to Stage 2.

No welfare need identified.

No permission of Land Owner to be on the land.

Encampment have permission of land owner or land owner refuses to co-operate or :

Land Owner cannot be traced.

Service/Agency to provide appropriate advice and support where necessary.

Land Owner asks Unauthorised Encampment to leave the land.

Asset Directorate to determine/ advise the action to be taken with the encampment.

No request made.

Decision to Enforce.

Decision to allow temporary encampment.

Encampment leave as requested.

Land Owner evicts using Common Law Powers or Part 55 Civil Procedure Rules.

Planning Enforcement?

Local Authority may take action under s77 Criminal Justice and Public Order Act 1994 and seek costs from the Land.

Local authority has to step in in due to local complaints/issues.

Legal instructed to take action under Civil Procedure Rules.

CMT Manager - to review.

Court Application.

Court Order.

Decision taken that the temporary encampment is no longer appropriate.

Local authority bills land owner/ puts charge on the land for the costs.

Clean up site

Eviction by court bailiff.