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TRAVELLER EVICTIONS

Guide for landowners, land managers
and public bodies

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LANDOWNER SUPPORT
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LAND & ENCAMPMENT GUIDE

Traveller & Trespasser Evictions

Which legal route applies when people occupy private or commercial land without consent, and how possession is recovered lawfully and safely.

For landowners, managing agents, businesses, developers and public bodies
England & Wales · 2026 edition

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HOW TO USE THIS GUIDE

Sections 01 and 02 help you identify which route is realistic for your land. Sections 03 to 06 explain each route: common-law recovery, court proceedings, police powers and council powers. Sections 07 to 10 cover welfare, property left behind and protecting the site afterwards, and Section 12 lists what we need before we can accept an attendance.

Gold bracketed numbers such as ^[1] link to the Sources page, which gives the provision, rule or case relied on. The law is stated as at September 2026.

THE ONE RULE TO REMEMBER

“Traveller eviction” is a description, **not a legal procedure**. The route depends on who controls the land, how the people arrived and what is on site. Establish those facts **before** anyone attends.

01 · ONE DESCRIPTION, FOUR LEGAL ROUTES

There is no single “traveller eviction” procedure.

When people occupy land without consent, four separate legal routes may be relevant. They have different decision-makers, different conditions and different limits.

A private landowner controls two of them: recovering possession using common-law rights, and bringing a possession claim in court. The other two belong to public bodies. The police decide whether their statutory powers are available, and only a local authority can use the unauthorised-camper provisions. Neither can be exercised, or demanded, by a landowner or a private enforcement company.

ROUTE	WHEN IT MAY BE RELEVANT	WHO CONTROLS IT	KEY LIMIT
Common-law recovery	Genuine trespassers on open land, with no continuing right to remain. ^[2]	The person entitled to possession, or their authorised agents.	Not a universal shortcut. Status, buildings, consent and risk can rule it out.
Court possession claim	A court order is required or preferred, including against “persons unknown”. ^[1]	The court, then the court’s enforcement officers.	Issue, service, hearing and enforcement stages apply.
Police powers	The statutory conditions in the Criminal Justice and Public Order Act 1994 are met. ^[5]	The police.	Discretionary and conditional. They cannot be required by a landowner.
Local-authority powers	Unauthorised campers residing in vehicles, within sections 77 and 78. ^[10]	The local authority, and the magistrates’ court for a removal order.	Public-law powers. They do not pass to private landowners.

Why this matters to you

- ◆ **The right route is usually the fastest one.** Most private-land encampments we attend are resolved without court proceedings, but only after the route has been checked.
- ◆ **The wrong route creates liability.** Acting without authority, using excessive force or treating a protected occupier as a trespasser can expose the landowner and contractor to civil claims and criminal investigation.
- ◆ **Waiting for the police is not a plan.** Police powers are conditional and discretionary. A landowner should be ready to act on their own civil rights.

“Action concerns the unauthorised occupation of land, not the ethnicity or identity of the people on it.”

02 · BEFORE ANYONE ATTENDS

Entitlement and status come first.

Before any recovery without a court order, two things must be clear: the people present are genuine trespassers, and the person instructing has the right to recover the land.

An enforcement agent's certificate does not create a right to possession. The authority to act comes from the person entitled to possession, and from the legal route being used. ^[2] These six questions decide whether the common-law route is suitable or whether a court claim is the safer course.

01 · ENTITLEMENT

Who is entitled to possession?

Owner, leaseholder or manager? Check title, lease terms and the scope of any management authority.

02 · ENTRY

How did the occupation begin?

A trespasser who entered without consent is in a different position from a tenant, licensee, employee or someone once given permission.

03 · LAND

What is being occupied?

Open land, car parks, yards and fields raise different issues from buildings or residential accommodation.

04 · CONSENT

Was anything agreed?

A conversation with a site manager, a payment or a "few days" arrangement may have created a licence that must first be ended.

05 · RISK

What could change the plan?

Children, illness, animals, dogs, fire, damaged vehicles, hostility and traffic hazards all affect the approach.

06 · DISPUTE

Is the right to possession contested?

Where authority, consent or the right to remain is genuinely disputed, court proceedings are usually the safer route.

PRACTICAL TIP

Do not approach the encampment to gather information for us. Send only what you already know or can see safely.

PERMISSION CAN BE IMPLIED

If someone with apparent authority let the group on, even informally, they may hold a licence that must be ended with reasonable notice first. If that licence allowed people to live there, the Protection from Eviction Act 1977 may also require a court order, unless the licence is excluded, as it is where granted as a temporary expedient to someone who entered as a trespasser. ^[17] Tell us about any contact before the encampment arrived.

03 · COMMON-LAW RECOVERY

Asking, allowing time, and the limits on force.

A person entitled to possession may, in principle, recover land from trespassers without a court order. The law allows this, but it is tightly limited and must be carried out with care.

The courts have long recognised that a landowner may remove a trespasser, using no more force than is reasonably necessary, once the trespasser has been asked to leave and has had a reasonable opportunity to go. ^[2]^[3] In practice, a well-run attendance rarely gets close to the question of force. Clear communication, a credible plan and a realistic timetable are what clear sites.

A controlled common-law attendance

- 1 Identify and explain**
Agents identify themselves, explain who they act for and state the landholder's position clearly.
- 2 Request departure**
Occupants are asked to leave with their vehicles and belongings. A written request is handed over or displayed.
- 3 Allow a reasonable opportunity**
Time to hitch up, pack and move safely. What is reasonable depends on numbers, welfare, light, weather and vehicle condition.
- 4 Monitor and record**
Departure is supervised, decisions are logged and the site is recorded once vacated.

THERE IS NO "24-HOUR RULE"

No statute fixes a single notice period for every trespass on private land. The right period depends on the route used and the circumstances. Be wary of any provider that promises a fixed timetable for every site.

Where force is not an option

It is a criminal offence for anyone without lawful authority to use or threaten violence to secure entry to **premises** while someone inside opposes the entry. "Premises" is defined to centre on buildings and land ancillary to them, and violence can include violence against property. ^[4] On open land the general criminal law still applies to any force used.

- ◆ **Never** enter an occupied caravan, vehicle or tent to remove people.
- ◆ **Never** tow or move a vehicle that someone is living in.
- ◆ **Stop** if resistance, confrontation or a risk to safety develops, and reassess. Court proceedings remain available.

04 · COURT POSSESSION

CPR Part 55: the court route against trespassers.

Where non-court recovery is unsuitable, disputed or risky, a possession claim against trespassers provides a court-based route to recovery. It can move quickly, but the timetable depends on the court and the circumstances of the claim.

A “possession claim against trespassers” is a claim to recover land occupied only by people who entered or remained without the consent of the person entitled to possession. It does not include a claim against a tenant or sub-tenant, even after the tenancy has ended. ^[1]

STAGE	WHAT THE RULES REQUIRE
Defendants	If the claimant does not know the name of someone in occupation, the claim must be brought against “persons unknown”, in addition to any named defendants (CPR 55.3(4)). ^[1]
Evidence	The particulars must state the claimant's interest in the land and the circumstances of the occupation. Witness statements are filed and served with the claim.
Service on persons unknown	Attach the papers to the main door or another clearly visible part of the land and, if practicable, put copies through the letterbox in a sealed transparent envelope addressed to “the occupiers”; or place stakes in the land with copies attached in sealed transparent envelopes (CPR 55.6). ^[1]
Time before hearing	At least 2 clear days for land that is not residential property, and at least 5 clear days for residential property (CPR 55.5(2)). ^[1]
Order	Against trespassers, possession is ordinarily ordered to take effect immediately. ^[2]
Enforcement	An order is a separate step from recovering the land. It is enforced by County Court bailiffs under a warrant of possession or, where the court permits transfer, by a High Court Enforcement Officer under a writ.

INTERIM POSSESSION ORDERS

The faster interim possession order procedure applies only to **premises** (buildings and land ancillary to them), and the claim must be made within 28 days of when the claimant first knew, or ought reasonably to have known, of the occupation. It is not normally available for an encampment on open land. ^[1]

Choose the court route when

Authority or consent is disputed, a building is occupied, the group is large or hostile, or previous attempts have failed.

What UK Bailiffs can do

Serve claims on site in line with CPR 55.6, provide service evidence, and support enforcement and site security once possession is ordered.

05 · POLICE POWERS

Police powers are real, but not yours to use.

The Criminal Justice and Public Order Act 1994 gives the police powers over trespassers residing on land. Each depends on statutory conditions and police judgement.

POWER	MAIN CONDITIONS	EFFECT
Section 61	Two or more people trespassing with a common purpose of residing; reasonable steps taken by or for the occupier to ask them to leave; and they have caused damage, disruption or distress, or have six or more vehicles between them. ^[5]	A senior officer may direct them to leave. Failing to leave, or returning within three months, is an offence.
Section 62A	The person and at least one other are trespassing with a common purpose of residing, with at least one vehicle between them; the occupier has asked the police to remove them; and, for each caravan, a suitable pitch is available on a relevant caravan site. ^[6]	A direction to leave and not return within the prohibited period.
Section 60C	A person aged 18 or over residing, or intending to reside, on land without consent with at least one vehicle, where significant damage or disruption has been or is likely to be caused by the residence, or significant distress by offensive conduct (threatening, abusive or insulting words, behaviour or signs, or disorderly behaviour); and who, without reasonable excuse, fails to comply as soon as reasonably practicable when asked by the occupier, their representative or a constable to leave and remove their property. ^[7]	A criminal offence (up to three months' imprisonment, a fine or both), with police powers to seize vehicles.

CHANGE FROM 29 JUNE 2026

The Crime and Policing Act 2026 cut the no-return period from **twelve months back to three** across sections 60C, 61, 62, 62B and 62C, ^[8] after the High Court declared the twelve-month period incompatible with Convention rights. ^[9] Guidance quoting twelve months is out of date.

What this means in practice

- ◆ **A landowner can make the section 60C request.** The request to leave may come from the occupier or their representative. Whether an offence has been committed, and what follows, is for the police.
- ◆ **Police attendance is not police eviction.** Officers may attend to prevent a breach of the peace without taking over the landowner's civil process. Their use of these powers follows Home Office statutory guidance. ^[11]

06 · LOCAL-AUTHORITY POWERS

Council powers run alongside yours.

Sections 77 and 78 of the 1994 Act give local authorities a separate statutory route for unauthorised campers. A council may use them on its own land, and in some cases on other land within its area.

Section 77: direction to leave

Where people are residing in vehicles on highway land, other unoccupied land, or occupied land without the occupier's consent, the authority may direct them to leave and remove their vehicles and property. ^[10]

Failing to leave as soon as practicable, or returning within three months, is an offence.

Section 78: removal order

If a direction is not complied with, the authority may apply to a magistrates' court for an order requiring removal of the vehicles, property and people. ^[10]

The order can authorise the authority to enter the land and take reasonable steps to carry it out. Where the land is occupied, the owner and occupier must first be given at least 24 hours' notice.

Duties that apply to public bodies

Councils and police are subject to the public sector equality duty and to human rights obligations. Before acting they are expected to make welfare inquiries and to consider the needs of the people on site, including children, health and education. ^[12] These duties apply to the public body, not to a private landowner using common-law rights, although welfare remains central to how we plan any attendance (see Section 07).

WORKING WITH A COUNCIL

Where a council is the landowner, UK Bailiffs can act on its civil rights as landowner in the usual way. Its statutory powers under sections 77 and 78 remain the council's own, and the decision to use them stays with the authority.

WALES

The 1994 Act powers apply in England and Wales. Welsh public bodies also follow the Welsh Government's step-by-step guidance on managing unauthorised encampments, which places particular weight on welfare assessment and site provision. ^[16] Tell us at the outset if the land is in Wales.

07 · WELFARE, EQUALITY AND SAFETY

Firm on the land, fair to the people.

Recovering land quickly and treating people properly are not in tension. A calm, respectful attendance is safer for everyone and far more likely to end with the site clear.

Romany Gypsies and Irish Travellers are recognised as ethnic groups, and are protected from race discrimination under the Equality Act 2010. ^[13] UK Bailiffs acts on the unauthorised occupation of land. The ethnicity, culture or identity of the occupants is never the reason for action, and our agents are briefed accordingly.

What we consider before and during attendance

People

Children, pregnancy, older people, illness, disability, medical treatment and anyone who appears vulnerable.

Animals

Horses, dogs and other animals, their welfare, and safe arrangements for moving them.

Site hazards

Fires, gas bottles, generators, sharps, waste, traffic access and the condition of the ground.

- ◆ **Proportionate resourcing.** Agent numbers reflect the site, not a show of strength. Many encampments are resolved by a small, experienced team.
- ◆ **Dynamic risk assessment.** Weapons, aggressive dogs, fire, medical emergencies or growing numbers can require a revised plan, extra support or withdrawal.
- ◆ **Safeguarding referrals.** Where we see a welfare or safeguarding concern, we pass it to the client and, where appropriate, to the relevant authority.
- ◆ **Recorded decisions.** Body-worn video and attendance notes record what was said and decided.

KEY POINT

Welfare information can change the **timing and method** of an attendance. It does not, in itself, give occupiers a right to remain on private land.

08 · VEHICLES, CARAVANS, ANIMALS AND BELONGINGS

Nothing left behind is automatically abandoned.

Caravans are homes, and vehicles, animals and belongings remain someone's property. Removing, storing or disposing of them needs its own legal basis.

ITEM	POSITION	USUAL APPROACH
Occupied caravan or vehicle	A home. Never moved while anyone is inside.	Occupants are asked to move it themselves, with time to do so safely.
Unoccupied vehicle left behind	Not automatically abandoned. The owner may return or be traced.	Record, secure and assess. Local authorities have separate abandoned-vehicle powers.
Goods and belongings	Remain the owner's property.	Inventory, photograph and store safely. Where the landowner holds goods as a bailee, the statutory notice procedure can be used before disposal; otherwise take advice. ^[15]
Horses and animals	Welfare duties apply to whoever has care of them.	Separate assessment, and specialist transport if needed.
Waste and fly-tipping	Often left after departure.	Specialist clearance, including needle sweeps where required.

DO NOT TAKE MATTERS INTO YOUR OWN HANDS

Blocking vehicles in, removing wheels, towing caravans or seizing goods to force a departure can amount to unlawful interference with goods, and may escalate a peaceful site into a confrontation.

PRACTICAL TIP

If items are left behind, photograph them where they lie before anything is moved. A clear record protects the landowner if ownership or condition is later disputed.

09 · HOW AN ATTENDANCE WORKS

Attendance is not the same as departure.

Our operational target is initial attendance within two hours of accepting a complete instruction. Arrival, the opportunity to leave and full clearance are three different timings.

STAGE 01**Initial attendance**

Targeted within two hours of accepting a complete instruction, subject to location, checks, availability and specialist resources.

STAGE 02**Opportunity to leave**

The landholder's position is explained. The time allowed depends on the facts at the site.

STAGE 03**Site clearance**

Same-day clearance is often the aim but is not guaranteed. Refusal, new arrivals or hazards can need further action.

Our recorded outcomes in 2026

79

Traveller and trespasser instructions recorded

79

Recorded clearances

60

Cleared on day one

18

Cleared on days two or three

UK Bailiffs internal case records, position at 26 September 2026; one further clearance after day three. Each instruction involves different facts, routes and risks, and past outcomes do not guarantee the timing or result of a future instruction.

Operational example: two caravans reported, eighteen on arrival

A client called at 9.30pm reporting two caravans. Two experienced agents attended at 7.30am the next morning and found eighteen. The occupiers initially said they would not leave. The agents completed their assessment, explained the process and the landholder's position, and the site was clear by about 12.30pm.

WHY THIS MATTERS

The size and character of an encampment can be very different from the first report. Plans are based on what is found on site, and resources are scaled up only where the assessment shows it is necessary.

10 · AFTER THE SITE IS CLEAR

Clearance is only half of recovering the site.

Land that is easy to re-enter is often re-occupied, sometimes within days. Protection should follow possession without a gap.

IMMEDIATELY AFTER DEPARTURE

- Attendance record and photographs
- Belongings and vehicle assessment
- Needle sweep and waste clearance
- Gates, locks, barriers or earth bunds

LONGER-TERM PROTECTION

- Manned guarding or mobile patrols
- K9 security where appropriately assessed
- CCTV and alarmed access points
- A documented history for future action

Injunctions against future encampments

In 2023 the Supreme Court confirmed that the courts can, in principle, grant injunctions against “newcomers”: people who are not yet on the land and cannot be identified. ^[14] Such orders are exceptional. They require strong evidence of a real risk, careful procedural safeguards and regular review, and they have mainly been sought by local authorities. A landowner facing repeated encampments on the same land should take legal advice on whether one is realistic.

PRACTICAL TIP

Keep a simple log of every incursion: dates, numbers of vehicles, damage and costs. If the land is repeatedly targeted, that record supports an injunction application, a security business case or an insurance claim.

“The best time to secure a site is the hour after it is cleared, not the morning it is reoccupied.”

11 · STATEMENTS THAT ARE NOT RULES

Seven things landowners are often told.

Each of these contains a grain of truth, which is why they are repeated. None is a safe basis for action on its own.

WHAT YOU MAY HEAR	THE ACCURATE POSITION
"You always need a court order."	Too broad. A properly assessed common-law route may be available for genuine trespassers on open land. ^[2]
"The police must remove travellers."	Incorrect. Police powers depend on statutory conditions and on police decision-making. ^[5]
"All trespass is criminal."	Incorrect as a general rule. Trespass to land is usually a civil matter, although particular conduct or statutory conditions can create offences. ^[7]
"There is always 24 hours' notice."	Incorrect. The request, notice or opportunity to leave depends on the route and the circumstances.
"A bailiff certificate gives eviction powers."	Incorrect. Authority comes from the person entitled to possession and the legal route used, not from certification.
"Vehicles left behind can be scrapped."	Incorrect. A vehicle is not automatically abandoned. Removal, storage and disposal need a separate legal basis. ^[15]
"Once moved on, they can't return for a year."	Out of date. Since 29 June 2026 the police no-return period is three months. ^[8]

WE DO NOT MAKE UNSAFE PROMISES

No universal two-hour clearance. No fixed notice period claimed for every trespass. No assumption that the police will attend. No claim that certification creates a special eviction power.

12 · BEFORE YOU INSTRUCT US

What we need to assess the site.

Every instruction is reviewed before acceptance. We confirm the proposed route, resources, timing and charging basis before anyone attends.

Information checklist

- ☐ The exact site location, a what3words reference or plan, and safe access details.
- ☐ Approximate numbers of people, caravans and vehicles, and when they arrived.
- ☐ Your ownership, lease or management authority, and who will make decisions on the day.
- ☐ Any contact, agreement or payment before or since the group arrived.
- ☐ Known incidents, damage, hazards, dogs or other animals.
- ☐ Known welfare or safeguarding information, and any police or council involvement.
- ☐ Photographs or CCTV images, obtained safely and lawfully.
- ☐ What you need once possession is recovered: securing, clean-up or guarding.
- ☐ Whether the land is in England or Wales.

How your instruction progresses

- 1 Tell us what has happened**
You send the information above by phone, email or our secure online form.
- 2 We assess the route**
We check authority, apparent status and risk, and tell you if court proceedings or legal advice should come first.
- 3 We agree the plan and cost**
Agents, resources, timing and charging basis are confirmed before deployment.
- 4 We attend, clear and report**
A controlled attendance, a documented outcome and site protection where needed.

SPEAK TO OUR TEAM**0330 133 1818**help@ukbailiffs.org · ukbailiffs.co.uk/traveller-trespasser-and-rough-sleepers

SOURCES

Legislation, rules and cases referred to

- [1] Civil Procedure Rules, Part 55 (possession claims against trespassers, rr.55.1, 55.3, 55.5, 55.6; interim possession orders, Section III).
[justice.gov.uk/courts/procedure-rules/civil/rules/part55](https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part55)
- [2] *McPhail v Persons Unknown* [1973] Ch 447, CA (recovery of possession from trespassers; possession ordered forthwith).
- [3] *Hemmings v Stoke Poges Golf Club* [1920] 1 KB 720, CA (removal of trespassers using no more force than reasonably necessary).
- [4] Criminal Law Act 1977, s.6 (violence for securing entry) and s.12 (meaning of “premises”).
legislation.gov.uk/ukpga/1977/45/section/6
- [5] Criminal Justice and Public Order Act 1994, s.61 (power to remove trespassers on land), as amended.
legislation.gov.uk/ukpga/1994/33/section/61
- [6] Criminal Justice and Public Order Act 1994, ss.62A–62E (removal where a suitable alternative pitch is available).
legislation.gov.uk/ukpga/1994/33/section/62A
- [7] Criminal Justice and Public Order Act 1994, ss.60C–60E (offence of residing on land without consent in or with a vehicle; seizure and forfeiture), inserted by the Police, Crime, Sentencing and Courts Act 2022, s.83, from 28 June 2022.
legislation.gov.uk/ukpga/1994/33/section/60C
- [8] Crime and Policing Act 2026, s.168 (prohibited period reduced from twelve months to three months; in force 29 June 2026).
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- [9] *R (Smith) v Secretary of State for the Home Department* [2024] EWHC 1137 (Admin) (declaration of incompatibility, 14 May 2024).
- [10] Criminal Justice and Public Order Act 1994, ss.77–78 (local-authority directions and magistrates' court removal orders).
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- [12] Equality Act 2010, s.149 (public sector equality duty); Human Rights Act 1998, s.6.
legislation.gov.uk/ukpga/2010/15/section/149
- [13] Equality Act 2010, s.9 (race, including ethnic origins); *CRE v Dutton* [1989] QB 783, CA (Romany Gypsies); *O'Leary v Allied Domecq* (2000, Central London County Court) (Irish Travellers).
legislation.gov.uk/ukpga/2010/15/section/9
- [14] *Wolverhampton City Council v London Gypsies and Travellers* [2023] UKSC 47 (injunctions against newcomers).
- [15] Torts (Interference with Goods) Act 1977, s.12 and Sch. 1 (notice procedure for a bailee of uncollected goods).
legislation.gov.uk/ukpga/1977/32/section/12
- [16] Welsh Government, *Managing unauthorised encampments: step-by-step guide*.
gov.wales/guidance-managing-unauthorised-encampments-step-step-guide-html
- [17] Protection from Eviction Act 1977, s.3 (eviction without due process) and s.3A(6) (excluded licence granted as a temporary expedient to a trespasser).
legislation.gov.uk/ukpga/1977/43/section/3A

IMPORTANT

This guide provides general information about the law of England and Wales as at September 2026. It is not legal advice and should not be relied on as such. The correct route depends on the facts of each occupation. Where the position is unclear or disputed, obtain independent legal advice before taking any step to recover possession.

UK Bailiff Services Ltd trading as UK Bailiffs.



Land occupied without consent?

Tell us what is on site and what you need to achieve. We will confirm the route, resources, timing and cost before anyone attends, and whether legal advice or court proceedings should come first.

0330 133 1818

help@ukbailiffs.org

[View the service and instruct online · ukbailiffs.co.uk](https://ukbailiffs.co.uk)



SCAN TO FIND OUT MORE

Traveller and trespasser removal: view the service and instruct online.

ukbailiffs.co.uk/traveller-trespasser-and-rough-sleepers

Every instruction is reviewed before acceptance. Availability, scope, cost and timing are agreed for the circumstances. This guide is general information, not legal advice.

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