



UK BAILIFFS

PRACTICAL CLIENT GUIDE | ENGLAND AND WALES

Unauthorised Occupied Vehicles

A practical guide to van dwellers, stealth camping and vehicle encampments on private and local-authority land



PRIVATE LANDOWNERS | PLCs | MANAGING AGENTS | LOCAL AUTHORITIES

A clear route from first report to proportionate, documented resolution.

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A DESCRIPTION, NOT A LEGAL CATEGORY

What 'van dwelling' and 'stealth camping' mean

People use vehicles as accommodation for many reasons. Some vans are clearly converted; others retain commercial markings or an ordinary exterior. The label used does not decide the legal route.



Van dwelling

Living in a van or similar vehicle, full-time or intermittently. It is a social description, not a separate form of tenure or trespass.

Stealth camping

Informal language for sleeping in a vehicle designed to attract little attention. A low-profile appearance does not itself prove trespass or wrongdoing.

The operational question

Is the vehicle lawfully present? Who controls the land? Is anyone residing in it? What impact is being caused, and which lawful route is available?

Do not infer occupation, vulnerability, consent or legal status from appearance alone.

START WITH STATUS AND IMPACT

Parking, residence or trespass?

The same vehicle can fall into a different legal and operational route depending on where it is, what permission exists and what is happening on site.

Lawfully parked

Check parking terms and duration. Occupation alone does not cancel permission.

Private land without consent

Confirm the person entitled to possession and consider common law or a court route.

Council land

Identify the council's chosen statutory, landowner, parking or court power and record the decision.

Highway or regulated parking

Highways, traffic orders, parking enforcement or police powers may be relevant.

Apparently abandoned

Apply the separate abandoned-vehicle regime; do not assume an occupied van is abandoned.

Record before instructing

- Exact land and boundary
- Ownership or management authority
- Vehicle count and registrations
- Whether people are known to be inside
- Arrival time and prior contact
- Damage, obstruction or safety risks
- Photos, CCTV and incident logs
- Known welfare or safeguarding concerns

A reliable chronology makes the response faster and more defensible.

LANDOWNER-LED RESOLUTION

A proportionate route for private sites

Where vehicles and occupants are on private land without consent, the person entitled to possession may have a common-law route to require departure. CPR Part 55 possession proceedings remain available where facts, authority or risk call for court oversight.

1 Verify the instruction

Confirm ownership or management authority, the site boundary, the absence or withdrawal of consent, and any contractual parking terms.

2 Assess and engage

Establish occupation and impact, identify immediate risk, communicate the requirement to leave and allow an appropriate opportunity to comply.

3 Choose the lawful route

Use common law only where suitable. Escalate disputed possession, injunction or other complex cases for legal review and, where appropriate, CPR Part 55 proceedings.

4 Document the outcome

Record service, conversations, departure, remaining property, vehicle movements, incidents and any reason enforcement was paused or changed.

Important limits

- A certificated enforcement agent's certificate is not, by itself, the source of a power to evict trespassers.
- Protection of Freedoms Act 2012, s54 restricts immobilising, moving or restricting a motor vehicle on private land without lawful authority.
- An occupied vehicle should not simply be treated as abandoned or towable property.
- Violence to secure entry to premises against a person present who opposes entry is an offence under Criminal Law Act 1977, s6. Any force or interference must remain lawful and proportionate.

PUBLIC POWER, PUBLIC DUTIES

Council land requires a recorded decision

A local authority may have several potential routes. The correct route depends on the land, the facts, local policy and the council's assessment. UK Bailiffs can support implementation, but the authority should retain and evidence the legal and public-law decision.

POTENTIAL ROUTES**Landowner route**

Common law or CPR Part 55 possession proceedings.

CJPOA 1994 ss77-78

The power belongs to the authority and is not limited to council-owned land: it may cover highways, unoccupied land, or occupied land without occupier consent.

Injunction

For repeated, serious or clearly defined conduct where the legal test is satisfied.

Site-specific controls

Parking, traffic, highways, byelaw or contractual powers, according to location.

Before action

Public bodies should consider and record matters that may include:

- welfare, health and vulnerability
- children and safeguarding
- disability and the Public Sector Equality Duty
- human-rights and proportionality considerations
- housing or homelessness duties and referral routes
- site impact, safety and the rights of others
- available alternatives and local policy
- delegated authority and reasons for the decision

Operational handover

The instruction should identify the land, chosen power, authorised decision-maker, notices or orders already issued, welfare findings, known risks and the precise outcome required. This separates the council's decision from the contractor's site activity.

CONDITIONAL POWERS, NOT AUTOMATIC REMOVAL

When police powers may be relevant

Police powers are discretionary and depend on statutory conditions. A landowner or council should not promise police removal or use a police provision as a substitute for its own lawful decision.

Current return period: 3 months, not 12, following the Crime and Policing Act 2026 and R (Smith).

CJPOA 1994 s60C: residing on land without consent

Broadly, the offence requires an adult to reside or intend to reside on land with a vehicle, without consent, while causing or being likely to cause significant damage, disruption or distress; a request to leave or remove property; and failure to comply without reasonable excuse. The exact statutory test must be applied.

CJPOA 1994 s61: police direction to leave

This requires two or more trespassers with a common purpose of residing, reasonable steps by the occupier to ask them to leave, and either damage, disruption or distress, or six or more vehicles. It can apply on highway land only where the other conditions are met. A lone occupant acting alone does not satisfy the threshold.

CJPOA 1994 s62A: direction to an alternative site

A direction may be available where the statutory conditions are satisfied and a suitable pitch on a relevant caravan site is available. Availability and police assessment are critical; prohibited return is addressed by s62B.

Vehicles: pause before recovery

- An occupied van is not automatically abandoned, unlawfully parked or liable to be towed.
- Recovery, seizure, removal and disposal each need a clearly identified power and compliant process.
- Consider occupants, personal belongings, animals, access to medication, safeguarding and safe onward movement.

A CONTROLLED OPERATIONAL RESPONSE

From instruction to documented outcome

The preferred outcome is often a voluntary, controlled departure after clear authority, professional contact and realistic notice. Where that is not achieved, escalation should follow the chosen lawful route.

We do not prescribe one route for every occupied vehicle. We establish the facts and help the client implement the route it has lawfully selected.

1 Instruction review

Authority, route, land, risks and required outcome.

2 Site assessment

Vehicle status, occupation, impact and welfare indicators.

3 Notice and engagement

Clear communication, opportunity to comply and managed timescale.

4 Attendance and report

Proportionate action, incident record, evidence and client update.



'Stealth' is a description, not a legal category.

Client deliverables

- named point of contact and planned attendance
- photographic and body-worn video evidence where appropriate
- time-stamped service and engagement record
- welfare or safeguarding escalation notes
- departure, non-compliance or next-step report
- ECB-accredited organisation; accreditation does not confer eviction powers

READY TO INSTRUCT

Client checklist

Send the following information where available. Do not delay reporting an immediate safety or safeguarding risk while gathering routine evidence.

- | | |
|--|---|
| ☐ land address, plan and access instructions | ☐ photos, CCTV, damage, obstruction and incident logs |
| ☐ proof of ownership or management authority | ☐ known occupants, animals and welfare concerns |
| ☐ vehicle count, descriptions and registrations | ☐ the legal route or council decision already authorised |
| ☐ arrival time, site history and previous requests to leave | ☐ site contact, security arrangements and required timescale |



Discuss an occupied-vehicle problem

0330 133 1818 | help@ukbailiffs.org

ukbailiffs.co.uk/van-dweller-stealth-camper-removal

KEY SOURCES AND FURTHER READING

Home Office: [Unauthorised encampments: a summary of available powers](#)

Legislation.gov.uk: [Criminal Justice and Public Order Act 1994](#)

Protection of Freedoms Act 2012: [Section 54 - vehicles on private land](#)

Criminal Law Act 1977: [Section 6 - violence for securing entry](#)

Civil Procedure Rules: [Part 55 - Possession Claims](#)

Welsh Government: [Managing unauthorised encampments: step-by-step guide](#)

INSTRUCTION AND COMPANY INFORMATION

Submitting an enquiry or supplying this checklist does not mean an instruction has been accepted or that enforcement has begun.

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General information only. This guide is not legal advice. Each case should be assessed on its own facts and current law. England and Wales only; Scotland and Northern Ireland require separate assessment.