

## Parker, Christine

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**From:** Wortley, Stuart  
**Sent:** 21 June 2018 09:28  
**To:** Wortley, Stuart  
**Subject:** Consultation - Lester Aldridge

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**From:** Charlotte Wilson [mailto:Charlotte.Wilson@LA-Law.com]  
**Sent:** 18 June 2018 13:59  
**To:** Peter.Bourke@wilsonslaw.com  
**Cc:** Wortley, Stuart <StuartWortley@eversheds-sutherland.com>; Charlotte.Tyfield@gowlingwlg.com  
**Subject:** Consultation on unauthorised development and encampments - URGENT

Dear All

Whilst I note that you requested responses by Friday 15<sup>th</sup> June, please see below my response (albeit belated). I hope that this can be of some assistance.

### Question 2 of the Consultation:

- a. Lester Aldridge act for a number of housing developers and our instructions come exclusively from these developers. I have yet to have an instruction from a private landowner. In terms of numbers, this year alone I have dealt with approximately five instances of unauthorised traveller encampments. Last year I dealt with at least the same number again. Typically the scale is around 10 to 50 caravans, together with tipper trucks and transit vans. The most pressing issue is nearly always fly tipping and / or damage to property. Primarily, the location of the problem is central London.
- b. Fly tipping is the biggest problem, with clean-up costs being in excess of £25,000 on some sites. This is because often the material that is being deposited at the site is hazardous. In almost all instances of fly tipping, asbestos have been found in the clean up operation.
- c. On one or two occasions, bailiffs have attended a site and managed to persuade the travellers to vacate the premises by serving a common law notice. However, in the majority of cases we have needed to obtain an emergency possession order from the High Court.

### Question 6 of the Consultation:

My experience with asking the police for help, is that they are unable / unwilling to assist unless there is a Court Order. On one occasions, the travellers dragged a concrete bollard into the middle of the road in order to gain access, and the police watched on informing concerned members of the public that there is nothing that they can do. The police have, however been of assistance to bailiffs exercising a writ of possession following obtaining a Court Order.

### Question 12 of the Consultation

I have never attempted to obtain an IPO as my personal view is that as they are not enforceable, the cost / risk analysis is unsatisfactory. In nearly all of my instructions, I have managed to obtain a High Court possession order and exercise a writ of possession within a working week. If an IPO were to be obtained, should the travellers refuse to leave, the IPO has no "bite" and we are then stuck in the slow County Court process, and unable to use the much faster High Court process. The travellers that I have come across are not stupid – they know the law and won't move for an IPO. I would only consider applying for an IPO when the grounds for obtaining a High Court possession order could not be satisfied.

I do hope this feedback is of some assistance.

Kind regards

**Charlotte Wilson**

Solicitor



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