

Unauthorised Encapmmment & Trepass Policy



Policy Owner: Board of Trustees

Approved by: Board of Trustees

Approval Date: 15th August 2026

Review Date: 15th August 2027

Version: 1.0

Organisation: Nunthorpe & Marton Playing Fields Association

Charity Number: 523396

Policy Owner: Board of Trustees

Review: Annually

1. Purpose

NMPFA is committed to protecting its land, facilities, members, visitors, employees, volunteers and community sporting activities from unauthorised occupation, encampments, trespass, damage and associated disruption.

This policy establishes the authority and process for responding promptly, proportionately and lawfully.

2. Land Ownership and Occupation

NMPFA owns parts of its site and facilities. Approximately c35% of the playing-field area is owned by **Middlesbrough Council** and is lawfully occupied and managed by NMPFA under lease.

NMPFA will exercise its rights as:

- freehold owner where it owns the land; and
- lawful leaseholder and occupier where the land is owned by Middlesbrough Council.

The terms of the relevant lease will always be respected.

3. Policy Position

NMPFA **does not consent to unauthorised occupation** of land it owns or lawfully occupies under lease.

Unauthorised occupation includes, but is not limited to:

- unauthorised camping or residential occupation;
- caravans, motorhomes or other accommodation;
- unauthorised vehicles or structures;

- obstruction of access;
- damage to land or facilities; and
- associated anti-social or unlawful behaviour.

4. Legal Enforcement

Ordinary trespass is generally a **civil matter**. NMPFA may use appropriate civil remedies, including legal advice, possession proceedings or injunctions where appropriate.

Where circumstances may constitute a criminal offence or engage statutory police powers, NMPFA will provide evidence to **Cleveland Police** and request an assessment.

NMPFA will not undertake physical removal or use force unless specifically authorised by law and appropriate professional advice.

5. Middlesbrough Council

Where Council-owned land leased to NMPFA is affected, **Middlesbrough Council will be notified as landowner**.

NMPFA will cooperate with the Council and Cleveland Police while continuing to exercise its rights and responsibilities as lawful leaseholder and occupier.

6. Chair's Delegated Authority

The Board of Trustees delegates authority to the **Chair or nominated trustee to act in representation of, and on behalf of, the Board of Trustees** in relation to unauthorised encampments, trespass and unlawful occupation.

The Chair or nominated trustee is authorised to:

- liaise with Cleveland Police and Middlesbrough Council;
- issue or authorise a Notice to Leave;
- obtain urgent legal advice;
- instruct NMPFA's solicitor;
- instruct appropriate enforcement agents where legally permitted;
- take reasonable steps to protect NMPFA land, facilities and people; and
- authorise reasonable expenditure within Trustee-approved financial limits.

The Chair or nominated trustee shall report material action to the Trustees at the earliest practical opportunity.

The Chair or nominated trustee cannot grant permanent occupation rights, dispose of NMPFA property or act outside the authority of the Trustees.

7. Equality and Safeguarding

The policy will be applied based upon **ownership/lawful occupation, conduct, damage, disruption and risk**, not ethnicity, race, Traveller status or any other protected characteristic.

Any safeguarding, fire, environmental or serious safety concern involving children or vulnerable users must be escalated immediately.

8. Evidence and Records

NMPFA will maintain an incident record including, where appropriate:

- photographs;
- CCTV;
- vehicle details;
- damage;
- disruption;
- police/Council references;
- notices issued;
- legal advice;
- costs and repairs.

Information will be handled in accordance with NMPFA's data-protection requirements.

9. Review

The policy will be reviewed annually or following significant legislative change, legal advice, a material incident or changes to NMPFA's land or lease arrangements.

TRUSTEE ADOPTION

Approved by: Board of Trustees

Chair: _____ Chris Foggin _____

Signature: _____ CF _____

Date: _____ 15th August 2026 _____

Next Review: _____ Annually _____

APPENDIX 1

UNAUTHORISED ENCAMPMENT – CHAIR'S INCIDENT CHECKLIST

STEP 1 – SAFETY FIRST

- ☐ Do not confront occupants.
- ☐ Do not attempt physical removal.
- ☐ Do not enter caravans/vehicles.
- ☐ Call emergency services if there is an immediate threat, violence, fire or serious criminal activity.

STEP 2 – ESTABLISH THE FACTS

- ☐ Notify the Chair/Incident Lead.
- ☐ Confirm exact location.
- ☐ Establish whether the land is **NMPFA-owned or Council-owned/leased to NMPFA**.
- ☐ Record date and time.
- ☐ Record number/type of vehicles.
- ☐ Record registration numbers where lawful and necessary.

STEP 3 – PRESERVE EVIDENCE

- ☐ Secure CCTV.
- ☐ Take photographs from a safe location.
- ☐ Record damage.
- ☐ Record obstruction.
- ☐ Record disruption to sport/bookings.
- ☐ Record environmental or safeguarding concerns.
- ☐ Obtain witness details where appropriate.

STEP 4 – NOTIFY

NMPFA-owned land:

- ☐ Chair
- ☐ Cleveland Police where appropriate
- ☐ Middlesbrough Council where appropriate

Council-owned leased land:

- ☐ Chair
- ☐ Middlesbrough Council as landowner
- ☐ Cleveland Police where appropriate

STEP 5 – NOTICE

- ☐ Confirm NMPFA does **not consent** to occupation.
- ☐ Issue a written **Notice to Leave** where appropriate.
- ☐ Retain a copy and record when/how it was issued.

STEP 6 – ENFORCEMENT

If occupants leave:

- ☐ Confirm departure.
- ☐ Inspect land.
- ☐ Record damage/waste.
- ☐ Calculate costs.

If occupants refuse to leave:

- ☐ Chair obtains legal advice.

- ☐ Consider civil possession/injunction proceedings.
- ☐ Request Cleveland Police assessment of any applicable statutory powers.
- ☐ Liaise with Middlesbrough Council where relevant.
- ☐ Consider enforcement agents where legally authorised.

STEP 7 – AFTER DEPARTURE

- ☐ Inspect playing fields, car park, buildings and facilities.
- ☐ Photograph damage.
- ☐ Record waste/environmental issues.
- ☐ Arrange cleaning/repairs.
- ☐ Record all costs.
- ☐ Secure evidence for potential recovery of costs.

STEP 8 – GOVERNANCE

- ☐ Complete incident report.
- ☐ Chair reports material action to Trustees.
- ☐ Review security arrangements.
- ☐ Record any repeat occurrence.
- ☐ Consider whether legal/security measures need strengthening.

Core NMPFA position

NMPFA does not consent to unauthorised occupation of its land or land which it lawfully occupies under lease. The Chair is authorised by the Trustees to act promptly, firmly and lawfully to protect the charity's property, lawful occupation, members and community facilities.