



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 7

PUBLIC ORDER AND TRESPASS

60 Power to remove trespassers: alternative site available

After section 62 of the Criminal Justice and Public Order Act 1994 (c. 33) insert—

“62A Power to remove trespassers: alternative site available

- (1) If the senior police officer present at a scene reasonably believes that the conditions in subsection (2) are satisfied in relation to a person and land, he may direct the person—
 - (a) to leave the land;
 - (b) to remove any vehicle and other property he has with him on the land.
- (2) The conditions are—
 - (a) that the person and one or more others (“the trespassers”) are trespassing on the land;
 - (b) that the trespassers have between them at least one vehicle on the land;
 - (c) that the trespassers are present on the land with the common purpose of residing there for any period;
 - (d) if it appears to the officer that the person has one or more caravans in his possession or under his control on the land, that there is a suitable pitch on a relevant caravan site for that caravan or each of those caravans;
 - (e) that the occupier of the land or a person acting on his behalf has asked the police to remove the trespassers from the land.
- (3) A direction under subsection (1) may be communicated to the person to whom it applies by any constable at the scene.
- (4) Subsection (5) applies if—

Changes to legislation: There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 60. (See end of Document for details)

- (a) a police officer proposes to give a direction under subsection (1) in relation to a person and land, and
 - (b) it appears to him that the person has one or more caravans in his possession or under his control on the land.
- (5) The officer must consult every local authority within whose area the land is situated as to whether there is a suitable pitch for the caravan or each of the caravans on a relevant caravan site which is situated in the local authority's area.
- (6) In this section—
- “caravan” and “caravan site” have the same meanings as in Part 1 of the Caravan Sites and Control of Development Act 1960;
 - “relevant caravan site” means a caravan site which is—
 - (a) situated in the area of a local authority within whose area the land is situated, and
 - (b) managed by a relevant site manager;
 - “relevant site manager” means—
 - (a) a local authority within whose area the land is situated;
 - (b) a registered social landlord;
 - “registered social landlord” means a body registered as a social landlord under Chapter 1 of Part 1 of the Housing Act 1996.
- (7) The Secretary of State may by order amend the definition of “relevant site manager” in subsection (6) by adding a person or description of person.
- (8) An order under subsection (7) must be made by statutory instrument and is subject to annulment in pursuance of a resolution of either House of Parliament.”

Commencement Information

II S. 60 in force at 27.2.2004 by [S.I. 2003/3300](#), [art. 3\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Anti-social Behaviour Act 2003, Section 60.