

Brighton & Hove City Council

Cabinet

Agenda Item 52

Subject: Management of Tent and Vehicle Encampments: Delivery Update and Future Welfare-Led Approach

Date of meeting: Thursday, 17 September 2026

Report of: Cabinet Member for Children, Families and Youth Services

Lead Officer: Corporate Director for Families, Children and Wellbeing

Contact Officer: Richard Tuset

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Ward(s) affected: (All Wards);

Key Decision: Yes

Reason(s) Key: Is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (wards).

For general release

1. Purpose of the report and policy context

- 1.1 This report updates Cabinet on the strengthened approach being developed for managing unauthorised tent and vehicle encampments across Brighton & Hove. It brings together the operational improvements already completed and underway, including clearer method statements, weekly multi-agency coordination, escalation arrangements, additional staffing capacity, targeted use of vehicle removal powers, Traffic Regulation Orders and physical prevention measures
- 1.2 The council's approach remains welfare led, evidence based and proportionate. For tent encampments, this includes established welfare engagement, support offers and safeguarding checks before enforcement action is considered. For vehicle encampments, the council is now strengthening operational delivery and developing a future welfare led model, recognising that people living in vehicles do not currently receive the same routine outreach and welfare engagement as people living in tents.
- 1.3 The approach to the management of tents and vehicle encampments is aligned to the Council Plan priority of a fair and inclusive city, where people feel safe, included and welcome.

2. Recommendations

- 2.1 Cabinet notes the operational improvements being undertaken to strengthen the management of unauthorised tent and vehicle encampments across the city, including clearer operational processes, enhanced multi-agency

coordination, strengthened governance arrangements, targeted enforcement activity, preventative measures and additional staffing capacity.

- 2.2 Cabinet endorses the continuation of a phased and balanced approach to encampment management, combining welfare engagement, proportionate enforcement, prevention activity and effective partnership working, as set out at paragraph 4.1 (Option 2).
- 2.3 Cabinet notes that the council is developing a welfare-led approach for people living in vehicle encampments, aligned with the planned recommissioning of outreach services and subject to consideration through the 2027/28 budget setting process.
- 2.4 Cabinet delegates authority to the Corporate Director Families, Children & Wellbeing in consultation with the Cabinet Member for Children, Families and Youth Services, to progress the development of the Encampments Service and implement operational changes required in response to evolving service needs and demand pressures.

3. Context and background information

- 3.1 Unauthorised encampments, both tents and vehicles, have become increasingly visible and complex across Brighton & Hove in recent years. They present overlapping challenges relating to homelessness, welfare, public safety, environmental impact and community concern.
- 3.2 Tent encampments fluctuate seasonally, with higher numbers during summer months and concentrations in locations such as the seafront and Hove Lawns. Many individuals living in tents present with multiple and complex needs, including homelessness, poor physical and mental health, substance misuse and wider vulnerability.
- 3.3 Vehicle encampments have also increased in visibility across the city. Circumstances vary considerably, ranging from individuals experiencing acute housing need through to those pursuing alternative living arrangements. Notwithstanding these differing circumstances, the council increasingly encounters individuals living in vehicles who have significant welfare, health and support needs.
- 3.4 The council's response to encampments has historically differed between tents and vehicles. For tent encampments, a welfare-led model has been established over several years, involving early engagement with outreach services, welfare assessments, safeguarding checks, and offers of support and accommodation pathways prior to enforcement action wherever appropriate. This approach typically includes repeated contact with individuals, assessment of vulnerability and support needs, and multi-agency working involving outreach, housing and relevant council services. Vehicle encampments have historically relied more heavily on legal and enforcement powers, supported by more limited welfare engagement.

- 3.5 A range of service improvements have already been introduced to strengthen the council's response to encampments and improve consistency, coordination and effectiveness across services. These changes have been introduced in two phases, with Phase 1 complete and Phase 2 currently being implemented:

Phase 1 – Completed

- **Development of clearer operational method statements**, including agreed processes, roles and responsibilities across services.
 - **Weekly multi-agency coordination meetings**, bringing together outreach services, enforcement teams, housing, legal and land-managing services.
 - **Escalation meetings with senior officers**, including weekly escalation to Head of Service level and regular oversight at Corporate Director level.
 - **Expanded use of Bye Laws, Community Protection Warnings and Notices (CPW/CPN)** to address persistent anti-social behaviour associated with some encampments, such as noise nuisance, fly-tipping and environmental impacts.
 - **Establishment of a vehicle processing facility**, addressing key operational barriers that has previously limited enforcement activity for vehicle encampments, for example the cleansing and storage of vehicles before their disposal.
- 3.6 The purpose of this phase is not simply to increase enforcement activity. It is intended to improve consistency, strengthen operational coordination, test the effectiveness of different interventions and generate local evidence to inform future decisions.
- 3.7 Detailed operational method statements for the management of both tent and vehicle encampments, described above, are included at Appendix 1 and Appendix 2. These set out the standard processes, including stages of engagement, legal routes, escalation points and indicative timescales. These processes are designed to ensure that decision-making is structured, proportionate and legally robust, while maintaining a clear audit trail for enforcement activity.
- 3.8 It is important to note that the council's approach is welfare-led. As such, the indicative timescales set out in the appendices are not fixed and may be extended where appropriate in order to support individuals to engage with services, access accommodation or address safeguarding needs. This flexibility is a key principle of the council's approach and reflects the complexity and vulnerability of many individuals living in encampments.

Phase 2 - Underway

- **Additional staffing capacity:** Recruitment of an additional Encampments Coordinator is underway to strengthen the council's ability to respond to increasing demand, improve consistency of

approach across services, and maintain effective oversight of complex or high-risk cases. The current operating model relies on a single officer coordinating activity across multiple services, landowners and partner agencies, supported by weekly operational and escalation meetings. Increasing this capacity will enable more proactive and timely case management, improve coordination across stakeholders, and strengthen service resilience and continuity, particularly during periods of heightened encampment activity.

- **Increased Vehicle Encampment Action:** Increased resources have been allocated to remove vehicle encampments. This element of the programme will be carefully targeted at locations where impacts are highest, and will generate learning on issues such as displacement, repeat activity and the effectiveness of enforcement as a deterrent.
- **Additional Traffic Regulatory Orders:** Increased resources for the introduction of additional Traffic Regulation Orders (TROs), subject to statutory consultation, have been allocated to reduce repeat vehicle encampments in known hotspot locations. TROs allow the council to restrict certain vehicle behaviours, including overnight stays, and to take enforcement action where breaches occur. TROs will be targeted and aligned with other measures, including enforcement and planned physical interventions.
- **Physical Works:** Physical works are being considered and delivered at locations that experience sustained seasonal pressure and recurring encampment activity.
- **Development of Recreational Camping Public Space Protection Orders (PSPOs):** The council has developed two new proposed Public Space Protection Orders (PSPOs) focused on addressing the impacts of recreational camping within the city. The first would address the use of tents and temporary camping structures in specified locations, and the second would address recreational overnight occupation of vehicles. The intention is to provide a proportionate enforcement framework for managing persistent environmental, community safety and public nuisance impacts associated with recreational camping, while ensuring that enforcement activity is not directed towards people who are homeless or sleeping rough, who will continue to be supported through established homelessness pathways and welfare-led interventions. Where enforcement is being considered, council officers will undertake site visits to understand individual circumstances and distinguish recreational camping from homelessness or rough sleeping, ensuring that the appropriate response is taken. Officers will engage with individuals, explain any applicable restrictions and provide information about lawful camping provision and alternative facilities available in the area before enforcement action is considered. Further details of the proposed PSPOs, including the rationale, scope and recommendations, are set out in a separate report being considered by Cabinet alongside this report.

Phase 3 – Extend Welfare Approach to Vehicle Encampments

- 3.9 In addition to the above improvements, the council will seek to further develop its welfare-first approach by extending this model to people living in vehicle encampments. At present, the outreach service and associated welfare provision are primarily focused on individuals identified as sleeping rough, including those living in tents, meaning that a significant cohort of people living in vehicles, some of whom have significant vulnerabilities, do not routinely receive the same level of support or engagement.
- 3.10 This proposal aligns with the planned re-procurement of the outreach service by Housing and Rough Sleeping Team, scheduled for 2027/28. This provides an opportunity to review the overall model, scope and delivery of outreach services, including how best to provide support for vehicle dwellers, and to ensure that services are delivered in the most effective and financially sustainable way. As part of this process, the council will seek to ensure best value for money through market engagement, service redesign and outcome-focused commissioning.

4 Analysis and consideration of alternative options

- 4.1 Alternative approaches have been considered in developing the proposals set out in Section 2 of this report. These include differing levels of enforcement, prevention and welfare provision.

- **Option 1: Immediate extension of welfare provision (not recommended)**

Extending welfare support to vehicle dwellers at this stage. While this would improve consistency of approach with tent encampments, it is considered that better value for money and service effectiveness can be achieved by aligning this with the planned re-procurement of Housing and Rough Sleeping Team's outreach services in 2027.

Option 2: Phased and balanced approach (recommended)

This option (Phases 1, 2 and 3 described above), reflected in the recommendations at Section 2, builds on the Council's existing balanced approach to encampment management. It combines strengthened operational arrangements, targeted and proportionate enforcement, preventative measures, improved multi-agency coordination and continued welfare-led engagement with people experiencing homelessness and other vulnerabilities.

The approach enables the Council to respond more effectively to the increasing complexity and scale of unauthorised encampments while ensuring compliance with its statutory duties and maintaining a welfare-first focus. It also provides a pragmatic and cost-effective route to further service improvement by aligning the development of enhanced support for people living in vehicle encampments alongside the planned recommissioning of

Housing's outreach services. This approach should maximise value for money, support stronger service integration and allow the Council to build on the operational improvements already underway.

Community engagement and consultation

- 5.1 The proposals have been shaped by extensive operational feedback from residents, members, visitors to the city and landowners / managers, including farmers and the Diocese of Chichester. The need for clear and consistent communication with residents and businesses has been identified as a key requirement. Feedback from those living tent and vehicle encampments has also been used.
- 5.2 Engagement has also been undertaken with internal services, including Housing and Rough Sleeping Team, City Services, Legal Services and Community Safety, as well as street outreach providers (CGL) and operational teams involved in encampment management. Ongoing engagement with Sussex Police has informed the approach to legal powers, enforcement thresholds and partnership working.
- 5.3 Further consultation will be undertaken as required, particularly in relation to PSPO adoption for recreational camping and TRO implementation, which will follow statutory consultation processes.

6. Financial implications

- 6.1 The estimated cost of the Phase 2 improvement programme is £0.196m in 2026/27. The investment comprises the following elements:
 - £0.050m for an additional Encampments Coordinator to strengthen operational capacity and improve coordination of the council's response to encampments. This has been identified and reported as an in-year overspend through TBM.

The following additional funding has been allocated as one-off investment from the Transformation Fund:

- £0.125m for vehicle removal, storage and associated enforcement activity.
 - £0.010m for Traffic Regulation Orders and associated implementation costs.
 - £0.015m for targeted physical prevention and site protection measures.
- 6.2 Ongoing funding for the additional Encampments Officer, together with the proposed extension of welfare provision to vehicle encampments, will be considered as part of the budget proposals to be determined by Budget Council in 2027.

7. Legal implications

- 7.1 The council has a range of legal powers available to manage unauthorised encampments, including civil possession proceedings under Part 55 of the Civil Procedure Rules, the Criminal Justice and Public Order Act 1994 (Sections 77 and 78), Traffic Regulation Orders and byelaws. These powers apply in different circumstances. Part 55 is typically used for encampments on council land, while Sections 77 and 78 are primarily used in relation to occupied vehicles, particularly on the highway. The proposed approach does not prioritise one route over another, but supports more consistent and coordinated use of the most appropriate legal powers in each case, informed by evidence, proportionality and individual circumstances.
- 7.2 All enforcement activity must comply with the Human Rights Act 1998 and the Equality Act 2010, including the Public Sector Equality Duty. This requires the council to take into account the impact of its decisions on vulnerable individuals and groups, and to ensure that any interference with individuals' rights is proportionate, justified and supported by appropriate evidence. It is also noted that there is guidance produced by the Government. This strongly recommends limitations on the enforcement powers in particular to tent residents. For instance, a PSPO should not be used to make rough sleeping (as opposed to leisure camping) in tents unlawful. The PSPO and other remedies can target any linked ASB, but not the fact of being homeless in a tent in and of itself. Going beyond what is agreed in the current draft places the Council at risk of legal challenge.
- 7.3 The council's welfare-first approach is a significant strength and, for certain groups, an important element of ensuring legal compliance. It is also helpful to be able to demonstrate to a court the steps that have been taken to understand and address welfare needs before enforcement action is pursued. Undertaking welfare assessments and facilitating engagement with relevant support services should generally be considered before progressing enforcement action, as the outcomes may influence both the timing and nature of any intervention. However, a proportionate approach is required. There may be circumstances where welfare checks are unlikely to provide additional benefit, for example where there are significant safety concerns for staff or where individuals are already well known to services following repeated engagement and assessment. In such cases, it may be appropriate to proceed without further welfare checks, provided the rationale is clearly documented and the approach remains reasonable and proportionate. In such cases, it may be appropriate to proceed without further welfare checks, provided the rationale is clearly documented and the approach remains reasonable and proportionate. There is a clear judicial expectation that any policy be flexible to adapt to circumstances and not so rigid that individual circumstances are ignored.
- 7.4 The proposed development of a Public Space Protection Order (PSPO) is intended to provide an additional, proportionate tool to address specific

behaviours associated with recreational camping in defined locations. Any such PSPO must be supported by a robust evidence base, subject to consultation, and clearly targeted at behaviours that have a detrimental impact on public spaces. It cannot be used to criminalise homelessness or rough sleeping and must be designed to ensure compliance with equalities and human rights requirements.

- 7.5 Legal risk arises where enforcement action is taken without sufficient evidence, or where proportionality cannot be demonstrated, particularly in the context of limited alternative accommodation options. The approach set out in this report seeks to mitigate this risk through clear processes, consistent decision-making and strengthened coordination between services.
- 7.6 As is often the case there is a balance to be achieved, between the circumstances of those who live in bricks and mortar accommodation, residents and visitors accessing public spaces and those who for a variety of reasons find themselves not accommodated in 'normal' housing. This process will meet the legal tests and is a good fit for recognising the need to protect the property rights of the Council and by extension the residents, the needs of residents to be able to access and utilise public spaces and those who find themselves living in vehicles and tents. There is a fundamental difference between those who have accommodation available to them and those who do not.

Name of lawyer consulted: Simon Court Date consulted (17/07/2026):

8. Risk implications

- 8.1 The management of encampments presents a number of interrelated risks:
- There is a legal risk where enforcement action is taken without sufficient evidence or without demonstrating proportionality, particularly given the councils legal duties. This is mitigated through a welfare-first approach, clear processes and legal oversight.
 - It should be noted that there is a risk that extended periods of toleration, could generate claims that an interest in land has been obtained. Brighton and Hove Council have experienced such claims previously, but successfully resisted them. This is an area of concern for legal.
 - There is a risk of displacement, where enforcement or preventative measures move encampments to other parts of the city rather than resolving underlying issues. The proposed coordinated and phased approach is designed to mitigate this.
 - A financial risk arises from the high costs associated with enforcement, particularly vehicle removal. Limiting activity to a targeted programme helps manage affordability and supports evidence-based future decisions.

- There are also operational and reputational risks, including capacity constraints and public expectations that may exceed legal powers. These are mitigated through improved coordination and clear communication.

The recommended phased approach reduces overall risk by enabling the council to test interventions, monitor impacts and adapt its approach based on evidence.

9. Equalities implications

9.1 Encampments can include individuals with protected characteristics under the Equality Act 2010, particularly in relation to disability, including mental health conditions and other complex needs. In addition, many individuals experience multiple disadvantage and vulnerability, which, while not a protected characteristic in itself, is relevant to the council's duties to act proportionately and to consider safeguarding impacts.

9.2 The council's welfare-first approach to tents reflects the need to balance enforcement with safeguarding and support. Any enforcement action must be proportionate and informed by welfare assessments.

9.3 It is noted that this group is hard to engage with but based in the information from officers those living in tents and vehicles are primarily (but not exclusively) white males. The causation of this is beyond the remit of this report. This group will also be protected under the Equality Act and going forward it would be of assistance to identify why this group represents a majority. Sexual orientation is not known, but it is not believed that the LGBTQ+ community are disproportionately represented. If future research is done all the Equalities issues could be more fully explored, but in any event the welfare approach as set out in this report is applicable to all and no detriment to any group is expected by use of this process.

10. Sustainability implications

10.1 Encampments can have environmental impacts including waste accumulation and damage to public spaces. The proposed measures, particularly improved management and targeted physical works, aim to mitigate these impacts while balancing wider sustainability considerations.

11. Health and Wellbeing Implications:

11.1 Encampments raise significant health and wellbeing issues for those living within them, often linked to homelessness, multiple and complex needs, and high levels of vulnerability. Individuals may experience poor physical health, mental ill health, and barriers to accessing services. The council's continued welfare-first approach supports engagement, promotes access to health and support services, and contributes to improved outcomes over time.

11.2 Improved management of encampments also supports the health and wellbeing of residents, businesses and communities by reducing environmental impacts, including waste, sanitation issues and damage to public spaces. A more coordinated and consistent approach helps to mitigate these impacts while maintaining a balanced response that considers both individual needs and wider community wellbeing.

Other Implications

12. Procurement implications

12.1 Procurement considerations relate to enforcement services, vehicle removal and physical works. These will be delivered in line with the council's procurement processes and social value objectives.

13. Crime & disorder implications:

13.1 Encampments can be associated with anti-social behaviour, environmental crime and wider community safety concerns, including noise nuisance, fly-tipping and impacts on public spaces. The council has a duty under section 17 of the Crime and Disorder Act 1998 to take reasonable steps to prevent crime and disorder across its functions.

13.2 The proposed approach strengthens the council's ability to meet these duties through improved coordination, targeted enforcement and more consistent use of legal powers. This includes the use of proportionate tools such as Community Protection Warnings and Notices, Traffic Regulation Orders and, where appropriate, other enforcement measures.

13.3 The continued welfare-first approach also supports longer-term crime prevention by addressing underlying vulnerability and promoting engagement with services, helping to reduce repeat issues and improve outcomes for individuals and communities.

14 Conclusion

14.1 Encampments present complex and increasing challenges for the city. The council has an established welfare-first approach for tents, but a more consistent and coordinated approach across tents and vehicles is required.

14.2 The work set out in this paper provides a proportionate and targeted set of actions to strengthen coordination, test increased enforcement, and address high-impact locations.

14.3 This approach enables the council to improve outcomes for individuals and communities while building the evidence base for future policy and investment decisions.

Supporting Documentation

1. Appendices

- Appendix 1: Tent Encampments – Operational Method Statement
- Appendix 2: Vehicle Encampments – Operational Method Statement

