

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. QB-2020-002112

Before The Honourable Mr Justice Constable



BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL QB-2020-002112
(2) HAMPSHIRE COUNTY COUNCIL

Claimant

-and-

(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS
WITHIN THE BOROUGH OF TEST VALLEY

Defendants

ORDER

UPON the Claimants writing to the Court within 28 days of the decision in *Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors* [2023] UKSC 47, as required by paragraph 3 of the Order of the Honourable Mr Justice Soole dated 2 November 2023

AND UPON the Claimants' without notice application dated 21 December 2023 seeking (i) to vary paragraph 3(b) of the Order of the Honourable Mr Justice Soole dated 2 November 2023 and (ii) directions leading to the trial of the Claim on the earliest practicable date

AND UPON the Court considering the Application on the papers and without a hearing

IT IS ORDERED THAT:

Directions to trial

1. Paragraph 3(b) of the Order of the Honourable Mr Justice Soole is amended such that the Claimants must by 4.30pm on 29 February 2024 make all additional applications (if any) required to enable the trial to take place on the earliest practicable date thereafter.
2. The Claimants must file and serve any further evidence upon which they seek to rely at the trial of the Claim by 4.30pm on 29 February 2024.
3. The Defendants must file and serve any evidence or further evidence (as applicable) upon which they seek to rely at the trial of the Claim by 4.30pm on 21 March 2024.
4. The Claimants may (if so advised) file and serve any evidence in reply by 4.30pm on 4 April 2024.

Trial listing

5. The trial of the Claim shall be listed for trial on 13 and 14 May 2024 with a time estimate of two days. A further day should be allocated for judicial pre-reading.
6. The Claimants shall file and serve the hearing bundles by 4.30pm on 25 April 2024.
7. Skeleton arguments shall be filed and served by 4.30pm on 8 May 2024. The Claimants only need to serve their skeleton argument on those Defendants (if any) who have acknowledged service of the Claim or indicated that they intend to participate in the trial of the Claim.

Service of this Order

8. This Order shall be deemed served on the 90th Defendant (Persons Unknown) pursuant to CPR 6.26 and 6.27 on the date when the following steps are completed:
 - a. affixing copies (as opposed to originals) of this Order in a transparent envelope in a prominent position on or close to all adopted highway entry points within the area marked with a red line and marked as Area A in Schedule 1 of this Order with a notice to "Persons Unknown forming encampments within the Borough of Test Valley" that a copy of the supporting evidence can be obtained or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ;
 - b. affixing 50 copies (as opposed to originals) of this Order approximately equidistant to each other, as far as is reasonably practicable, around the perimeter of the area marked with a red line and marked as Area A (but inside the boundary where the boundary is marked through a road or waterway or is

otherwise inaccessible) on the map attached to Schedule 1 of this Order, with a notice to “Persons Unknown forming encampments within the Borough of Test Valley” that a copy of the supporting evidence can be obtained or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ;

- c. for the additional areas of land marked Area B on the map attached at Schedule 2 of this Order, by affixing copies (as opposed to originals) of this Order in a transparent envelope in a prominent position on the land with notice to “Persons Unknown forming encampments within the Borough of Test Valley” that a copy of the supporting evidence can be obtained or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ.

Liberty to apply

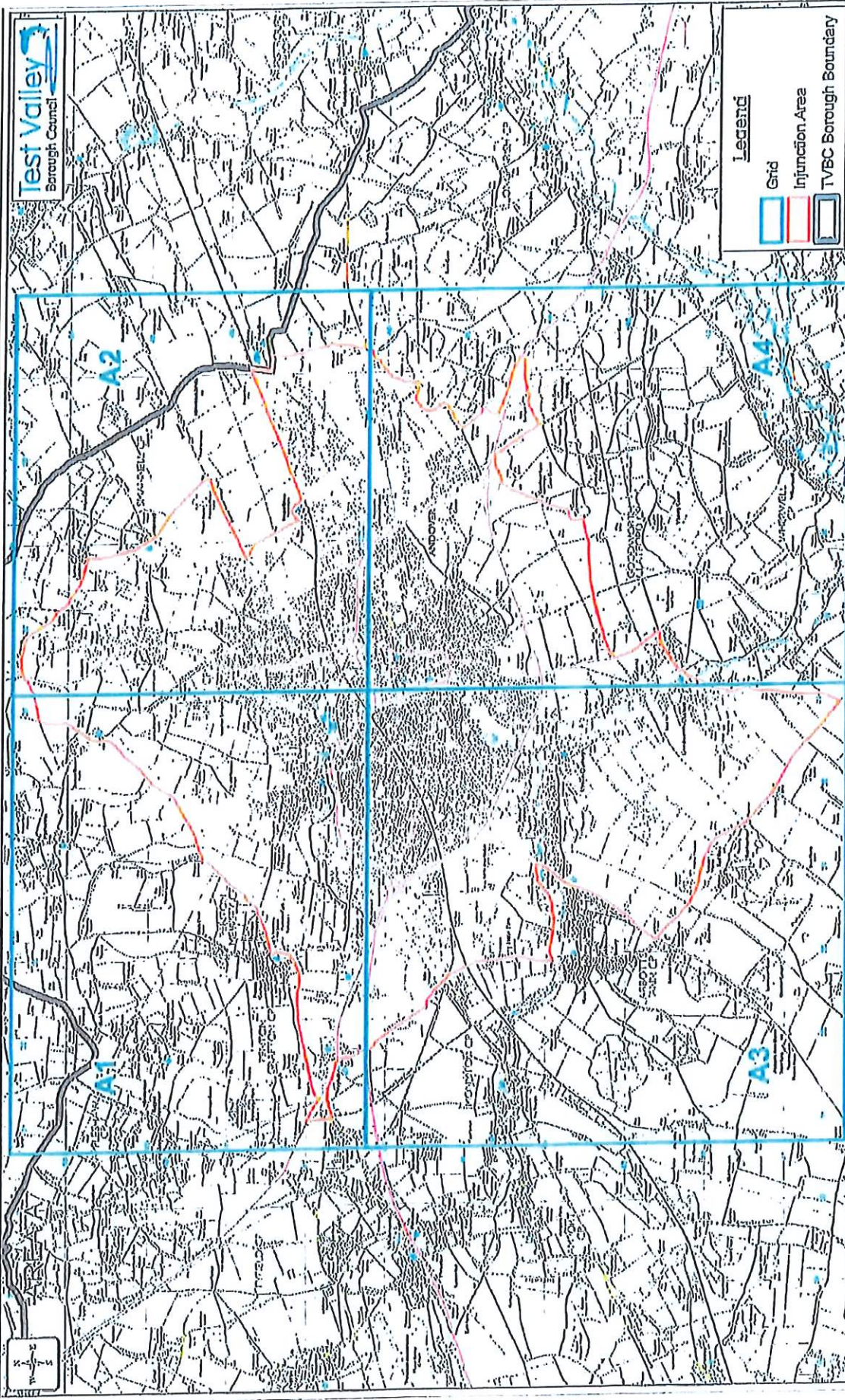
- 9. The Claimant and Defendants (or anyone notified of this Order) may apply to the Court on 72 hours written notice to all parties to these proceedings and their legal advisers to vary or discharge this Order (or so much of it as affects that person).

Costs

- 10. No order as to costs.

Dated this 27TH day of December 2023.

SCHEDULE 1 – AREA A



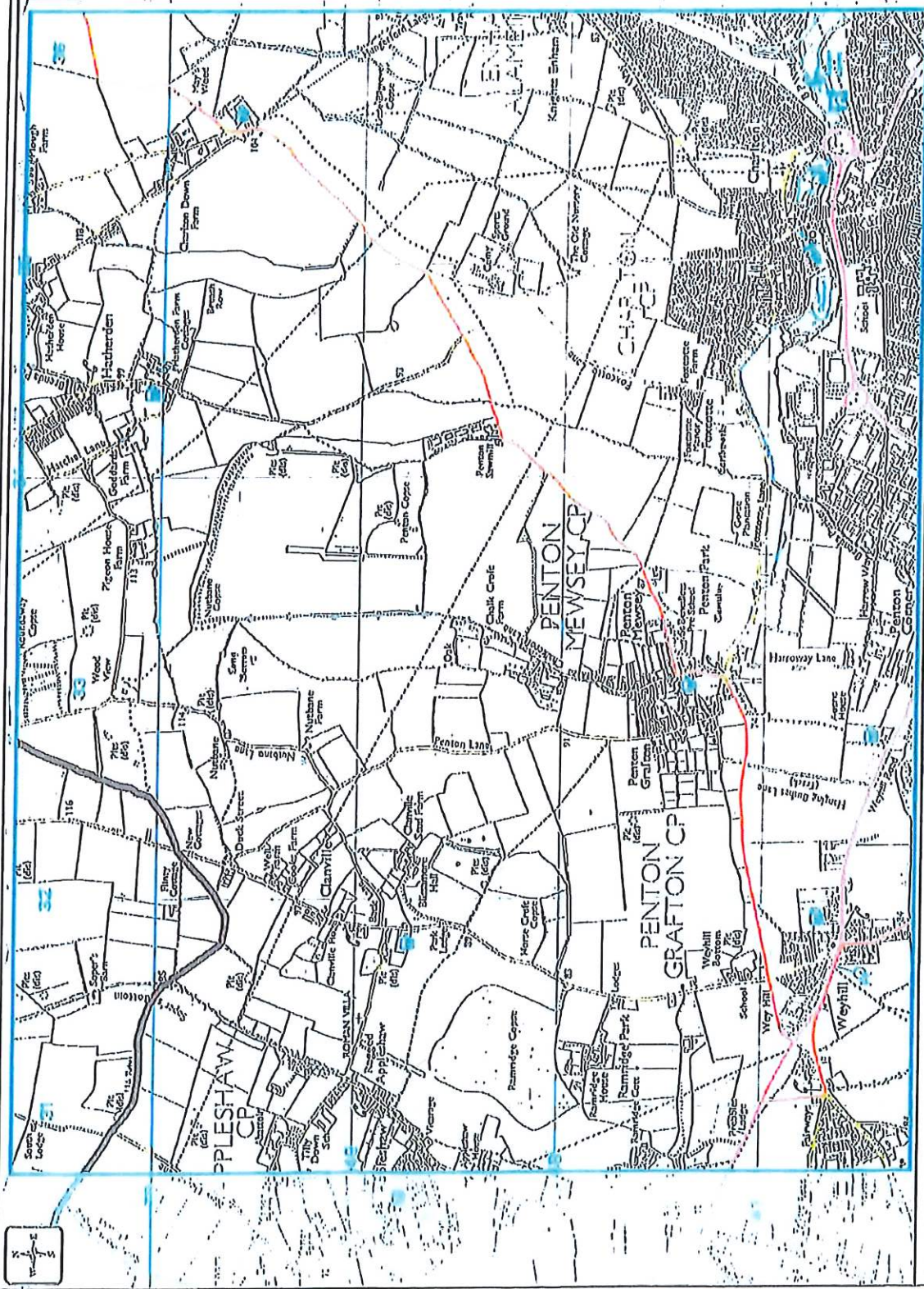
Legend

- Grid
- Injunction Area
- TVBC Borough Boundary

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Injunction Application Plan - North/Andover

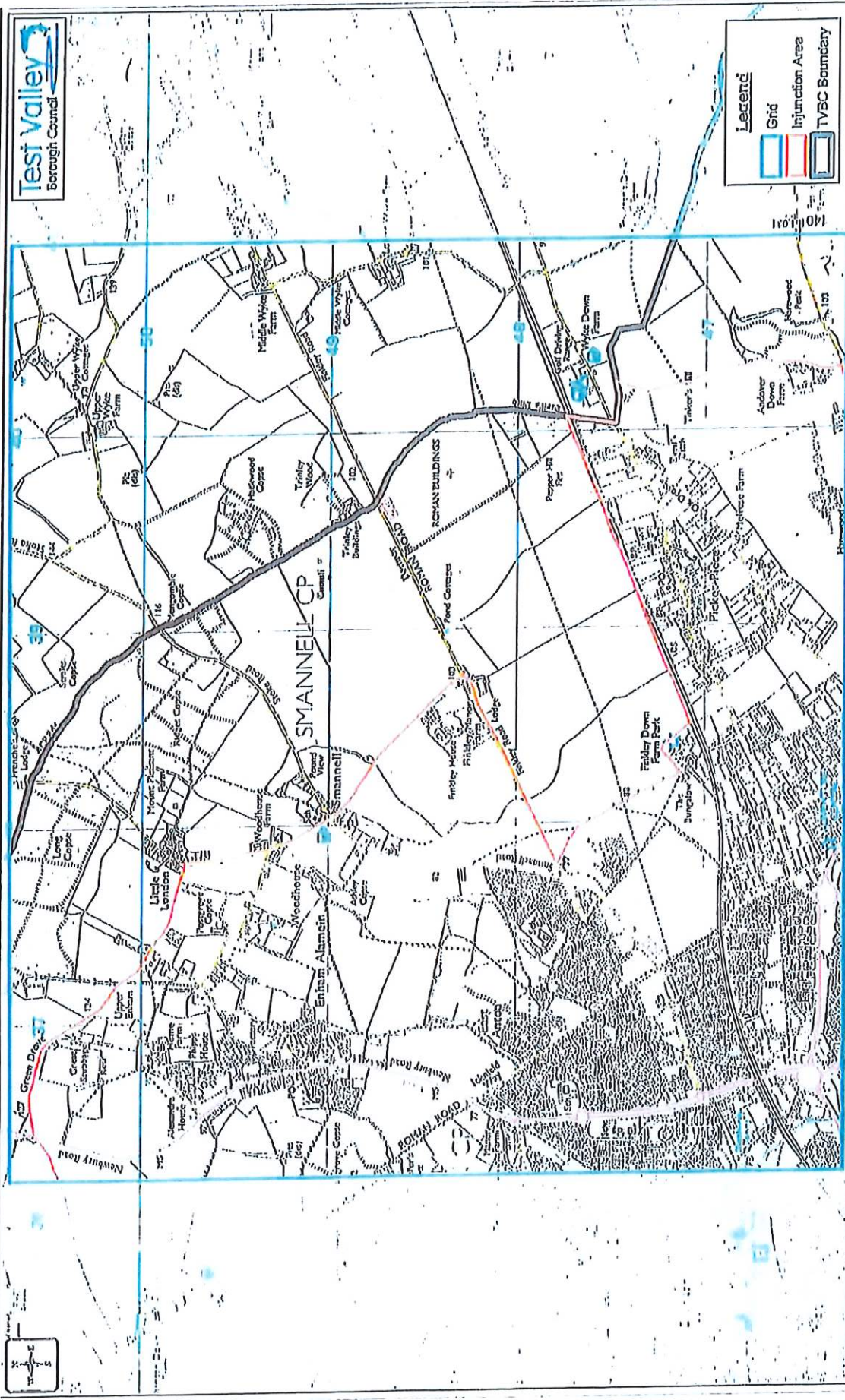
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Dept: IMT/GIS



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Injunction Application Plan - North/Andover A1 Grid Section

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Date: 11/06/2020
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Dept: INT/GIS



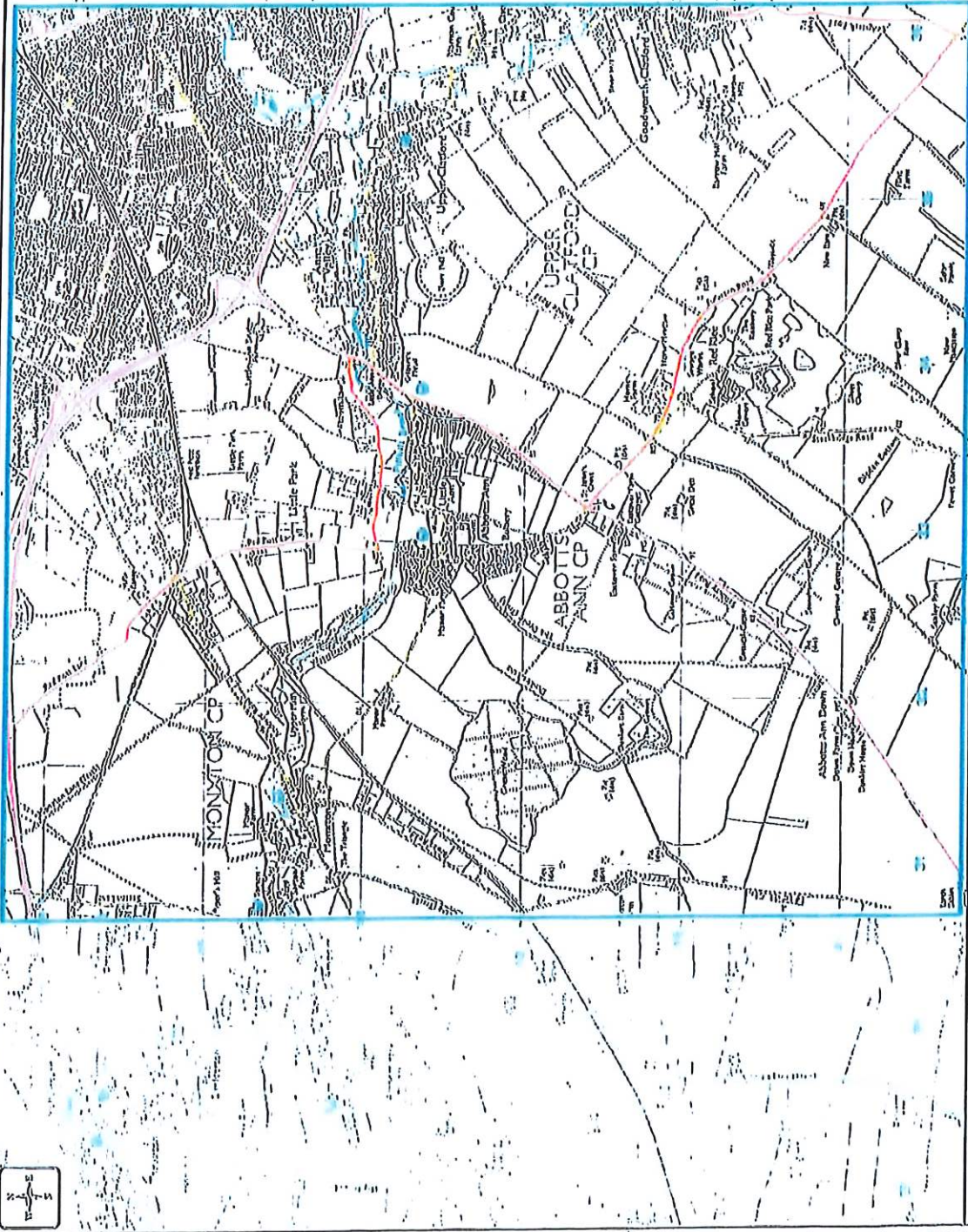
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover **A2 Grid Section**

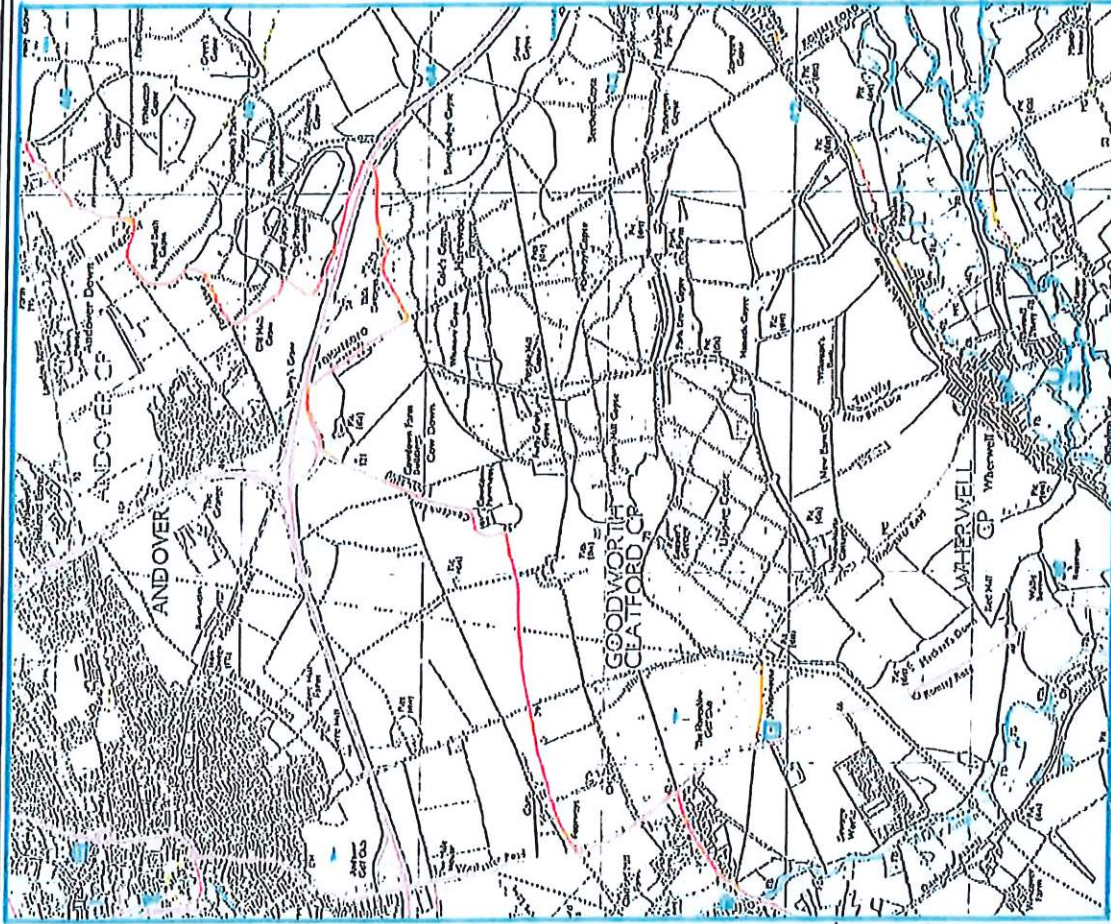
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Date: 11/06/2020
Drawn: AMurray
Dept: INT/GIS



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Injunction Application Plan - North/Andover A3 Grid Section

Scale: 1:52,750 @ A4
Date: 11/05/2020
Drawn: Al Murray
Dept: IMT/GIS



Scale: 1:32,750 @ A4
Date: 11/06/2020
Drawn: AMurrey
Dept: IMT/GIS

Injunction Application Plan - North/Andover A4 Grid Section

Legend

- Grid
- Injunction Area
- TVBC Boundary

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SCHEDULE 2 – AREA B



Depo-

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