IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. QB-2020-002112

Before The Honourable Mrs Justice FOSTER

B E T WE E N:

(1) TEST VALLEY BOROUGH COUNCIL
(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 without notice Application dated 29 February 2024 seeking (i) an extension to the deadline for the Claimants' filing of all additional applications required ahead of the trial of the Claim, as provided for in paragraph 1 of the Order of Constable J dated 27 December 2023, (ii) an extension to the deadline for the Claimants' filing and serving of updating evidence, as provided for in paragraph 2 of the Order of Constable J dated 27 December 2023, (iii) consequent amendments to the directions to trial and (iv) permission to serve this Order by alternative means.

AND UPON the Court considering the witness statement of Karen Dunn dated 28 February 2024

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

IT IS ORDERED THAT:

Amended directions

1. The Claimants must by 4.30pm on 14 March 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 14 March 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 4 April 2024.

4. The Claimants may (if so advised) file and serve any evidence in reply by 4.30pm on 18 April 2024.

5. Save as where varied in the foregoing paragraphs, all directions in the Order of the Honourable Mr Justice Constable dated 27 December 2023 shall remain in effect

Service of this Order

6. 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

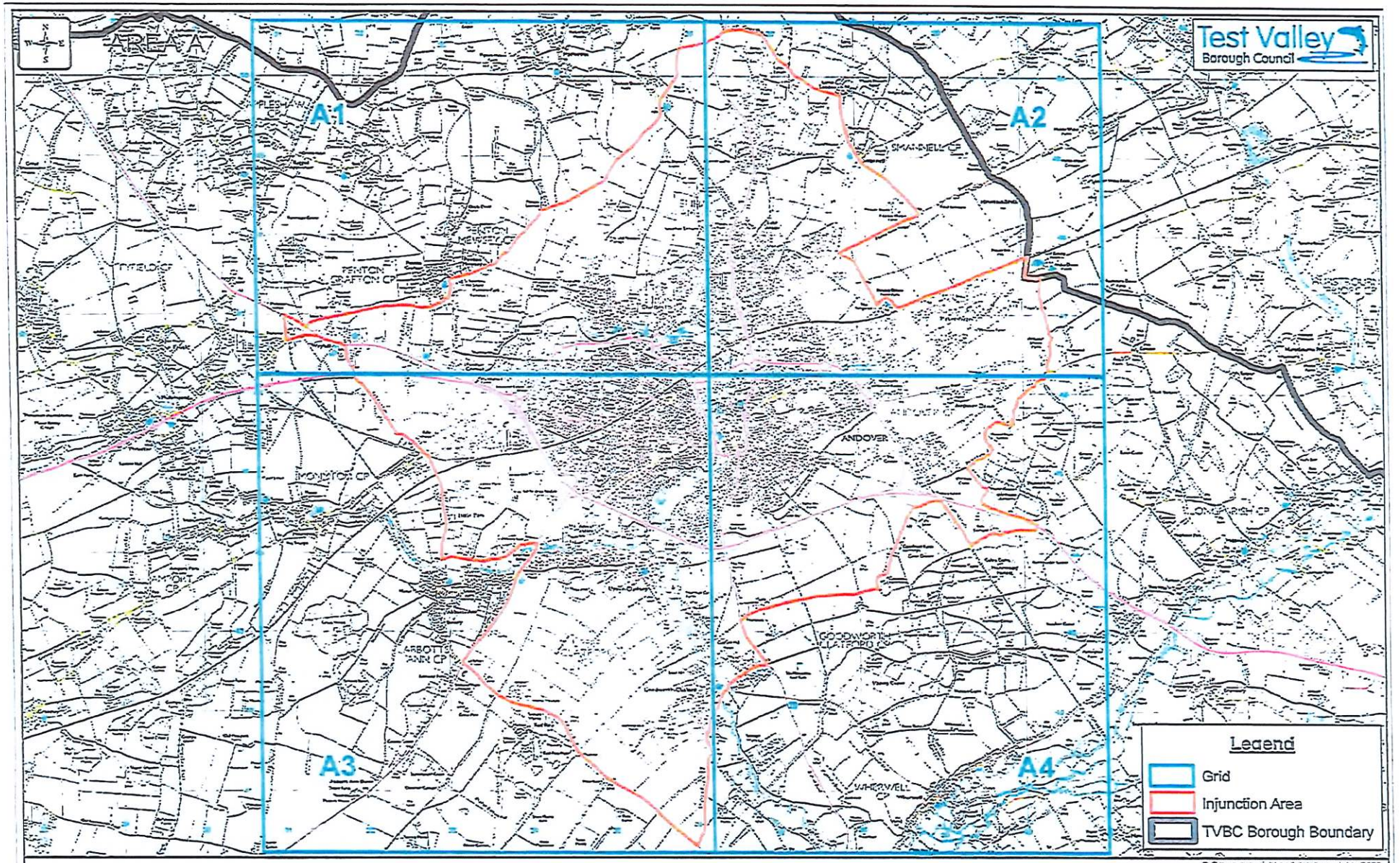
7. The Claimant and Defendants (or anyone notified of this Order) may apply to the Court on 72 hours written notice to all parties to these proceedings and their legal advisers to vary or discharge this Order (or so much of it as affects that person).

Costs

8. No order as to costs.

Dated this 29 Feb 2024

SCHEDULE 1 – AREA A



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

Injunction Application Plan - North/Andover

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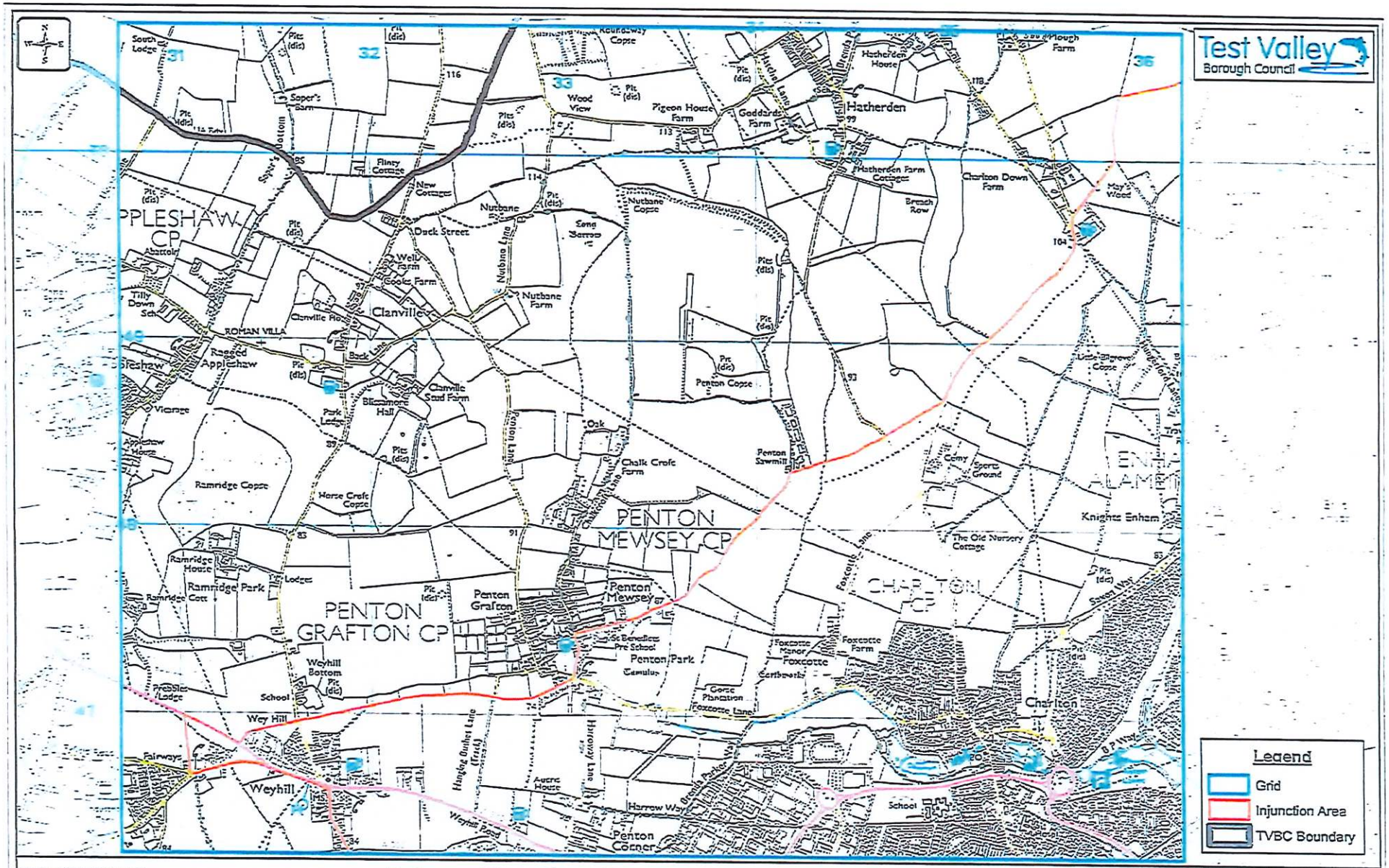
Test Valley
Borough Council
Legend
Grid
Injunction Area
TVBC Boundary
PENTON GRAFTON CP
PENTON MEWSEY CP
CHARLTON CP
Clanville
Hatherden
Charlton
Penton Grafton
Penton Mewsey
Penton Park
Weyhill
Foxcotte
Knights Enham
Clanville Stud Farm
Bloomore Hall
Ragged Applershaw
Ramridge Copse
Ramridge Park
Weyhill Bottom
Wey Hill
Fairways
Penton Corner
Harrow Way
Penton Lane
Foxcotte Lane
Hatherden Lane
Nutbane Lane
Duck Street
Back Lane
Hanging Bushes Lane (Track)
Weyhill Road
Penton Sawmill
Chalk Croft Farm
Penton Copse
Nutbane Farm
Nutbane Copse
Wood View
Pigeon House Farm
Goddards Farm
Hatherden House
Hatherden Farm Cottage
Charlton Down Farm
Branch Row
May's Wood
Mough Farm
Flinty Cottage
New Cottage
Well Farm
Cooks Farm
Clanville Hse
ROMAN VILLA
Abattoir
Tilly Down Sch
Vicarage
Applershaw House
Ramridge House
Ramridge Cott
Lodges
Prebbles Lodge
School
Penton Grafton
St Benedicts Pre School
Tumulus
Foxcotte Manor
Foxcotte Farm
Earthworks
Gorse Plantation
Charlton
Knights Enham
The Old Nursery Cottage
Sports Ground
Little Bigwood Copse
Knightsbridge Lane
Seven Ways
B 3 Way
Brands Parlour Way
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Hanaway Lane
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South Lodge
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Kourdeway Copse
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Clanville Hse
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Penton Lane
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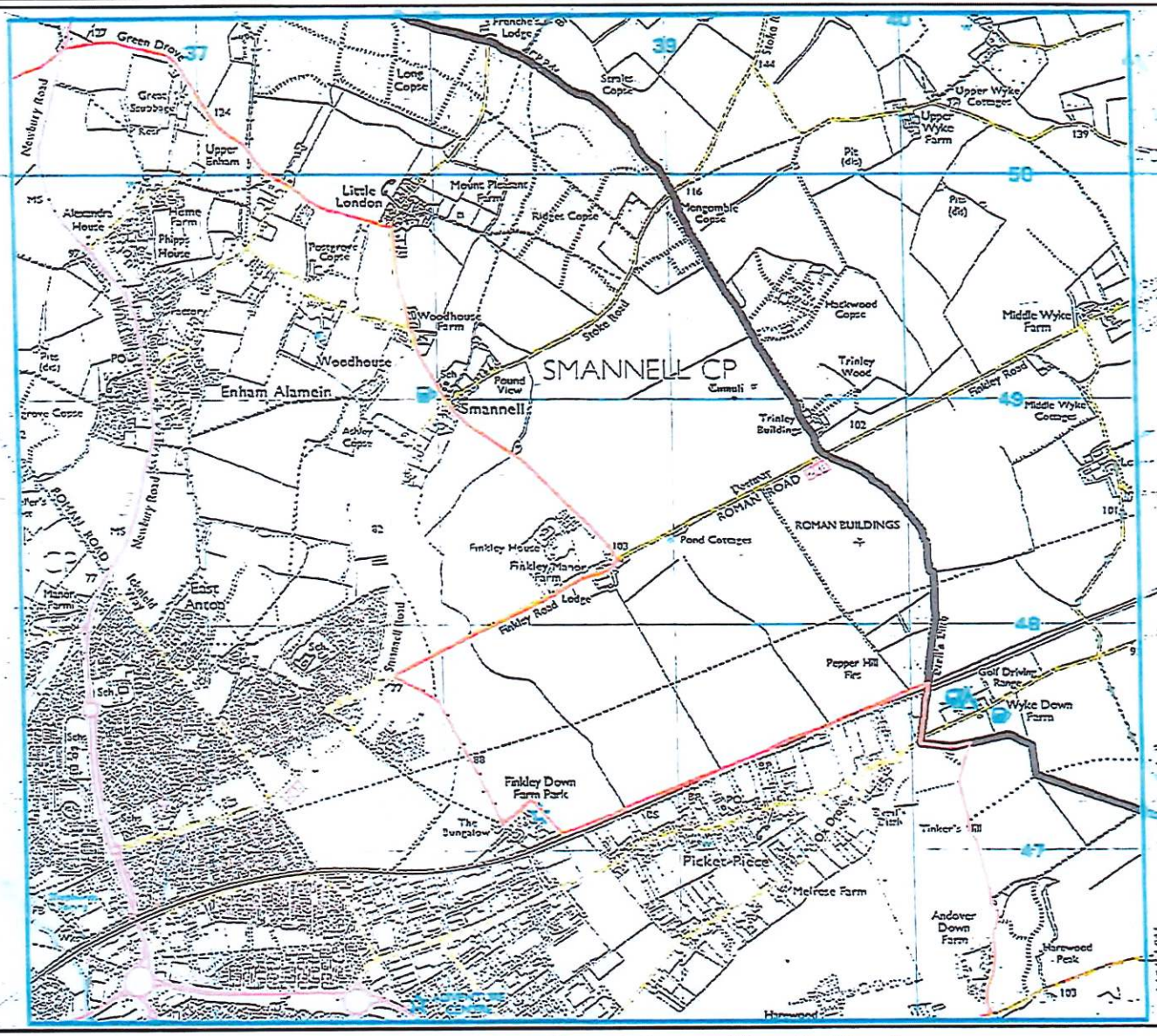

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Date: 11/06/2020
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Dept: IMT/GIS

Injunction Application Plan - North/Andover
A2 Grid Section

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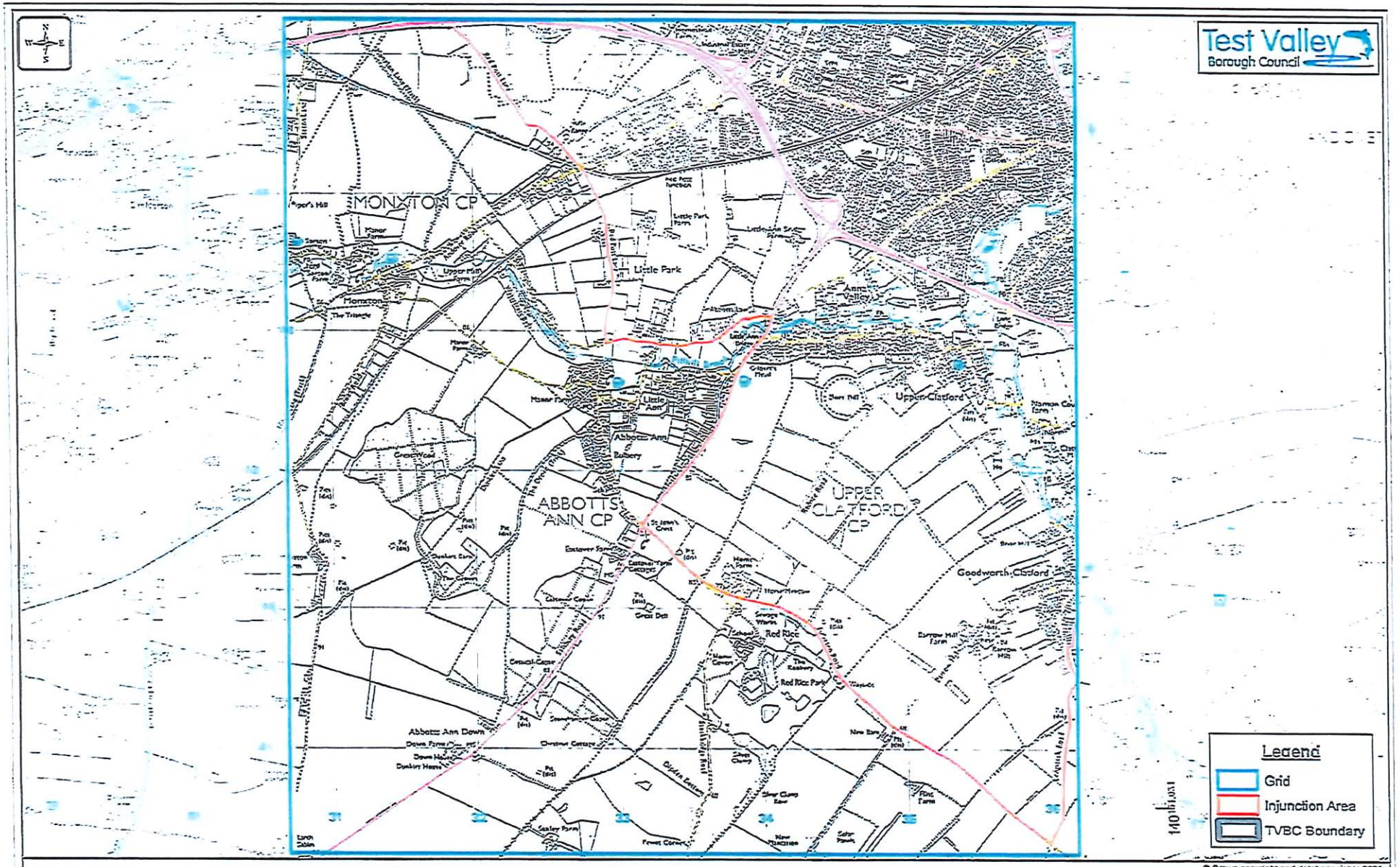

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Injunction Application Plan - North/Andover
A3 Grid Section

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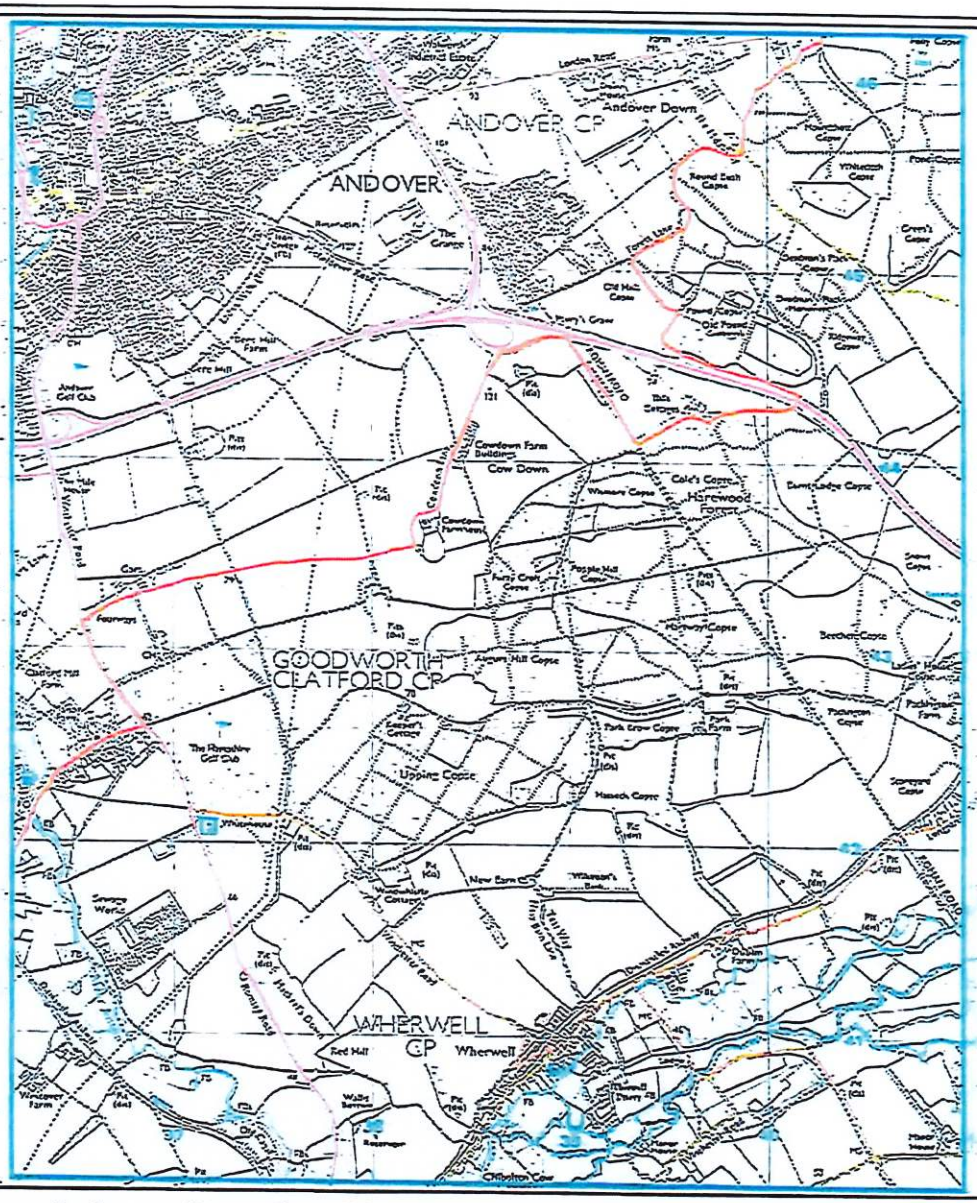

Test Valley Borough Council

Legend

- Grid
- Injunction Area
- TVBC Boundary

Scale: 1:32,750@A4L
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Injunction Application Plan - North/Andover
A4 Grid Section

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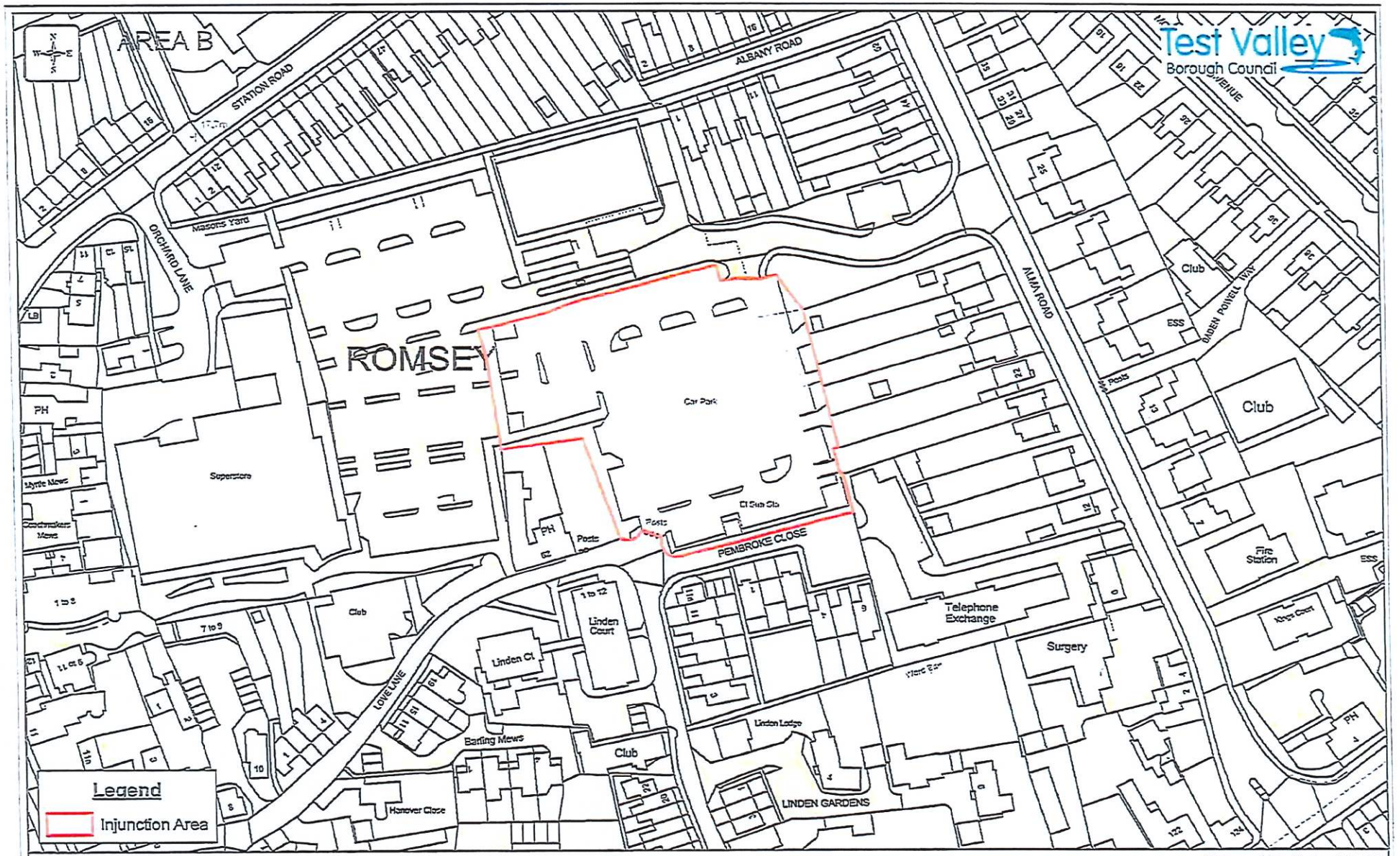
SCHEDULE 2 – AREA B



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Dept: IMT/GIS
Doc:

Injunction Application Plan – Alma Road Car Park, Romsey

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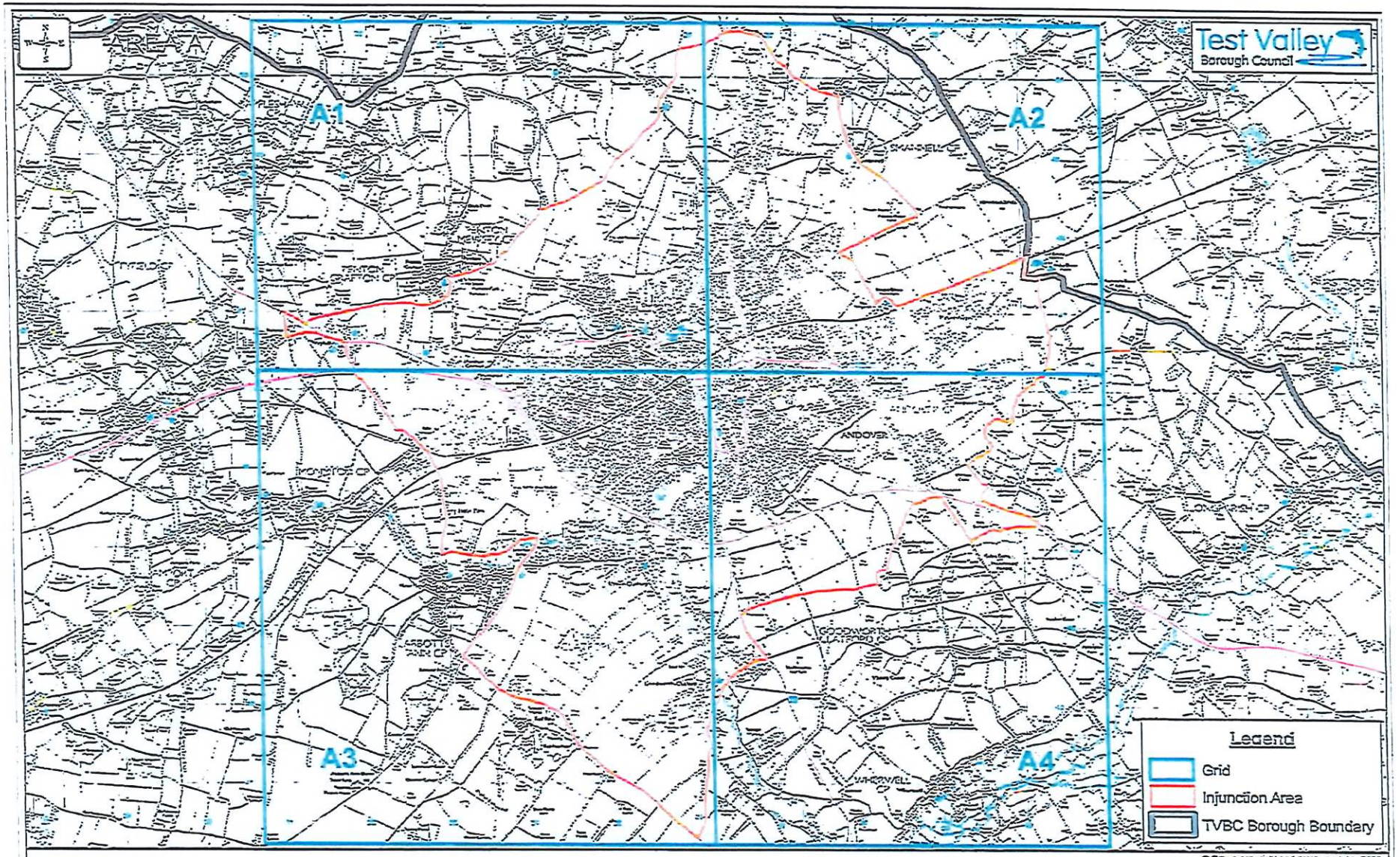
SCHEDULE 1 – AREA A



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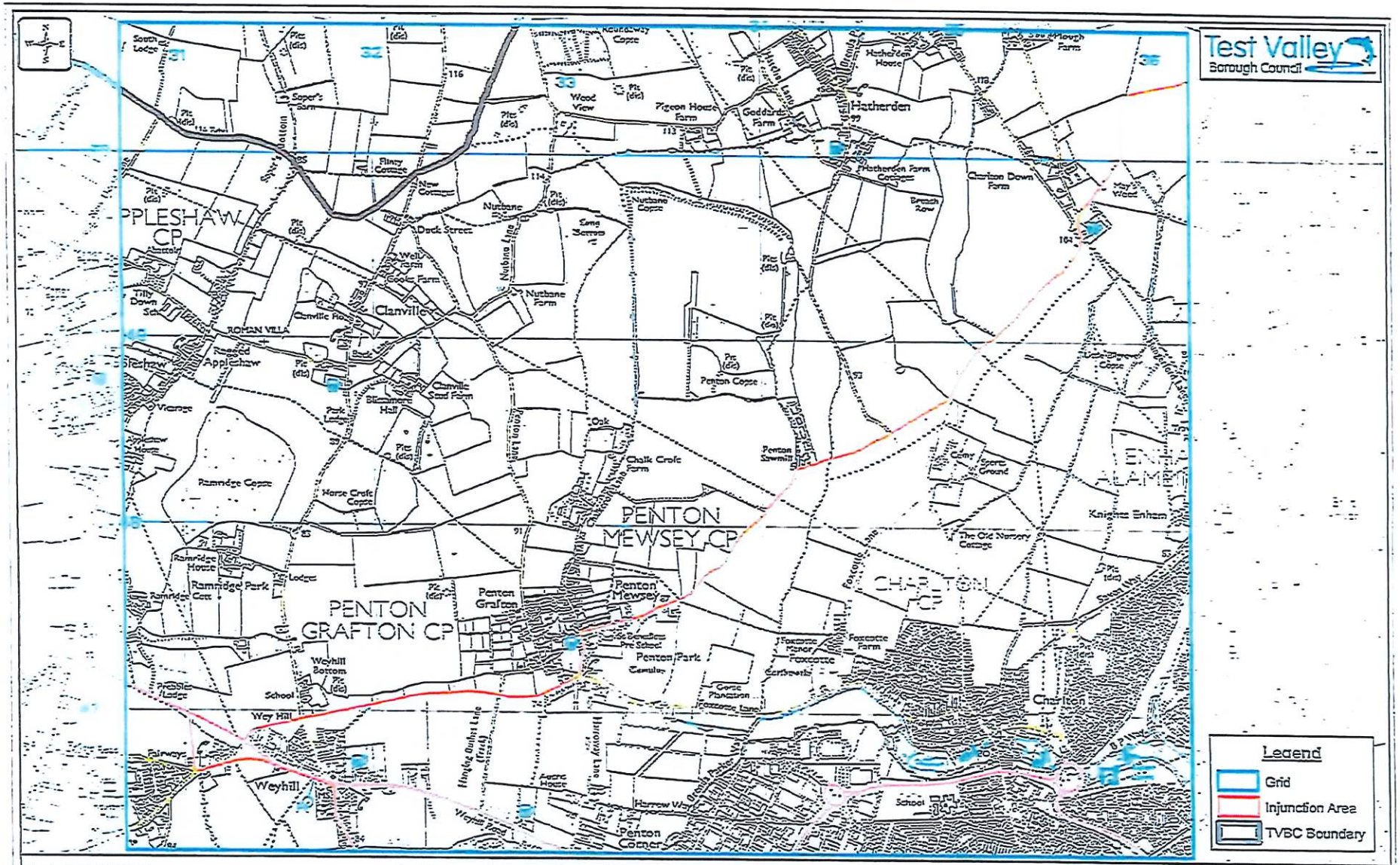

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Injunction Application Plan - North/Andover
A1 Grid Section

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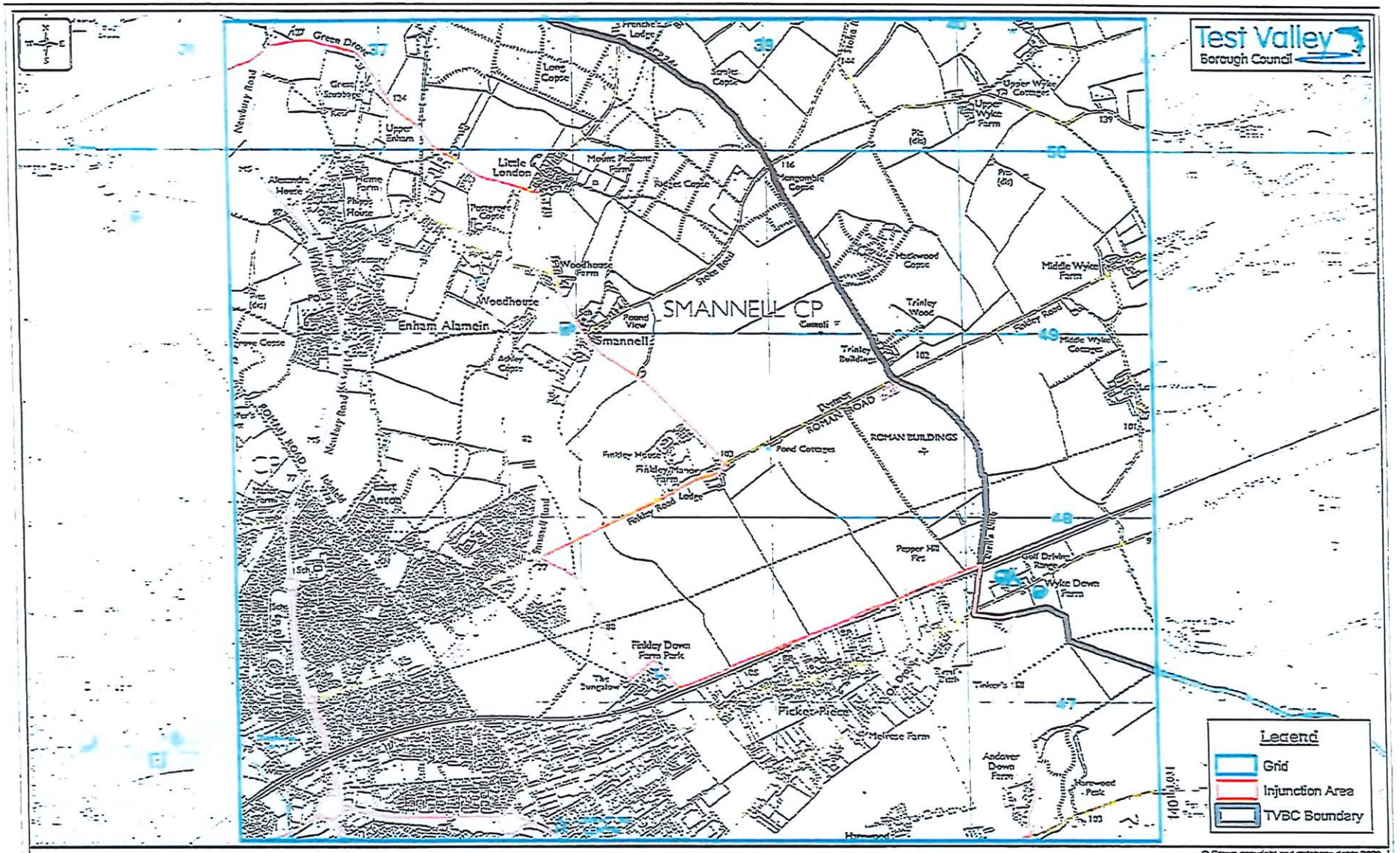

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Injunction Application Plan - North/Andover
A2 Grid Section

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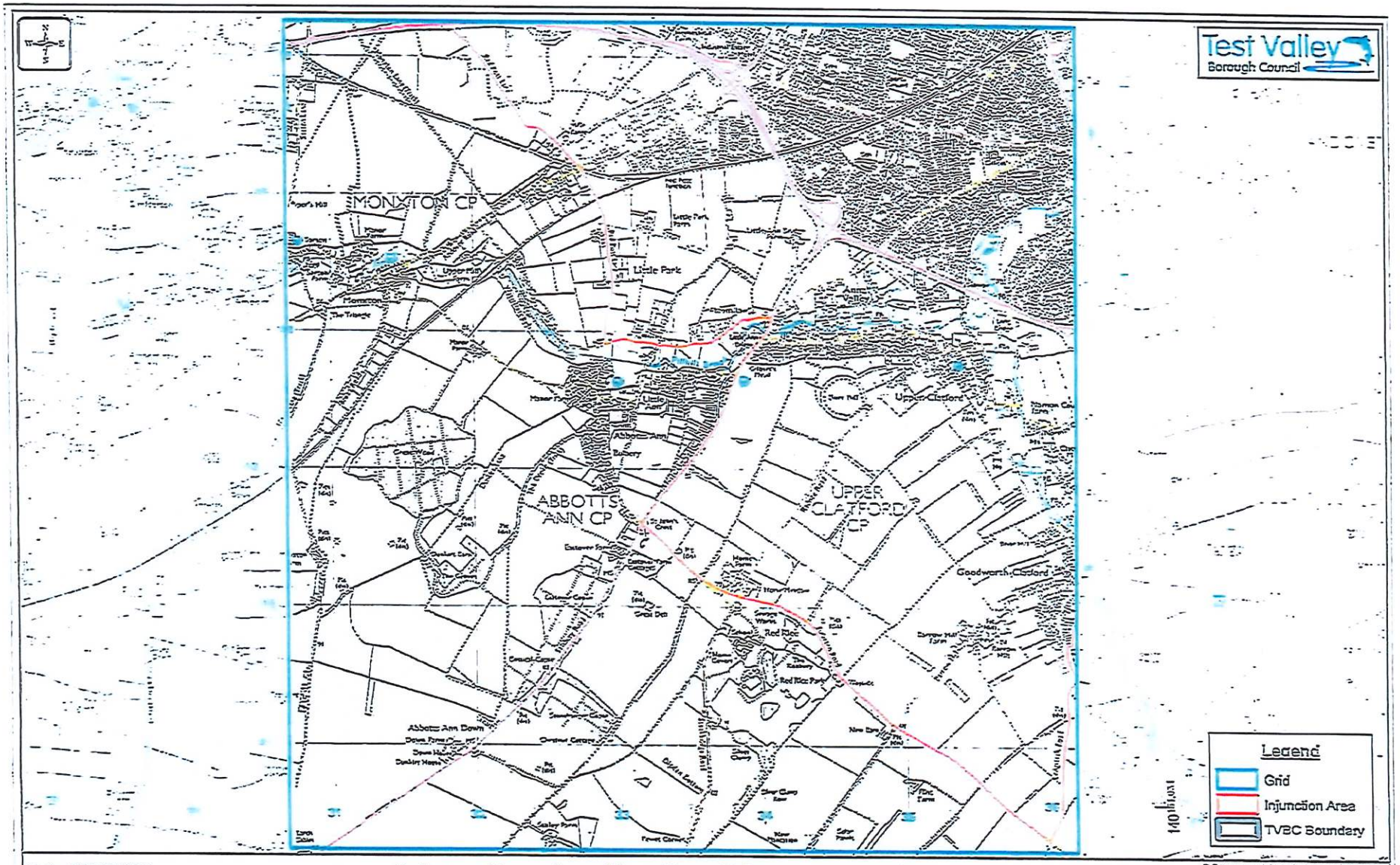

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Injunction Application Plan - North/Andover
A3 Grid Section

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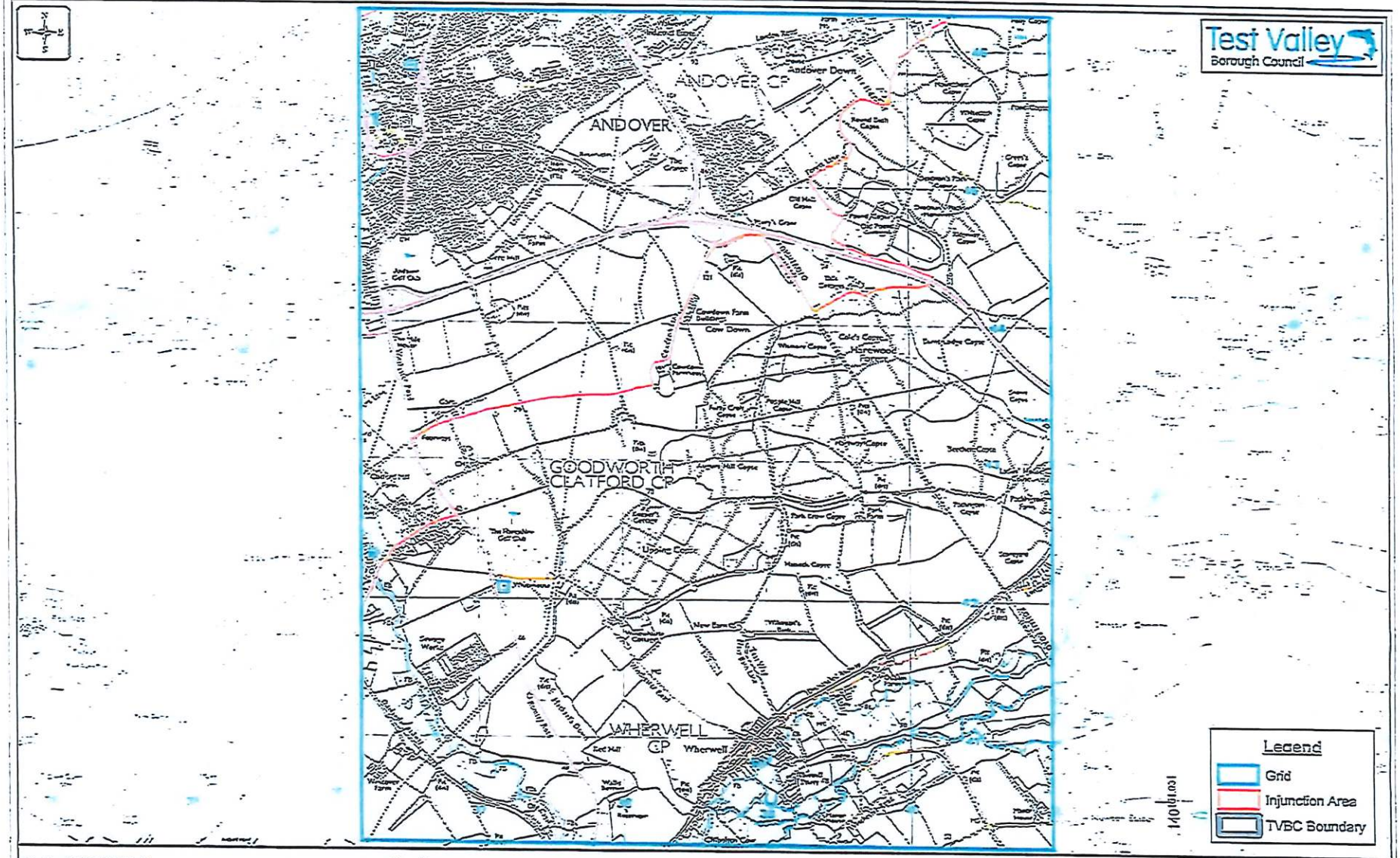

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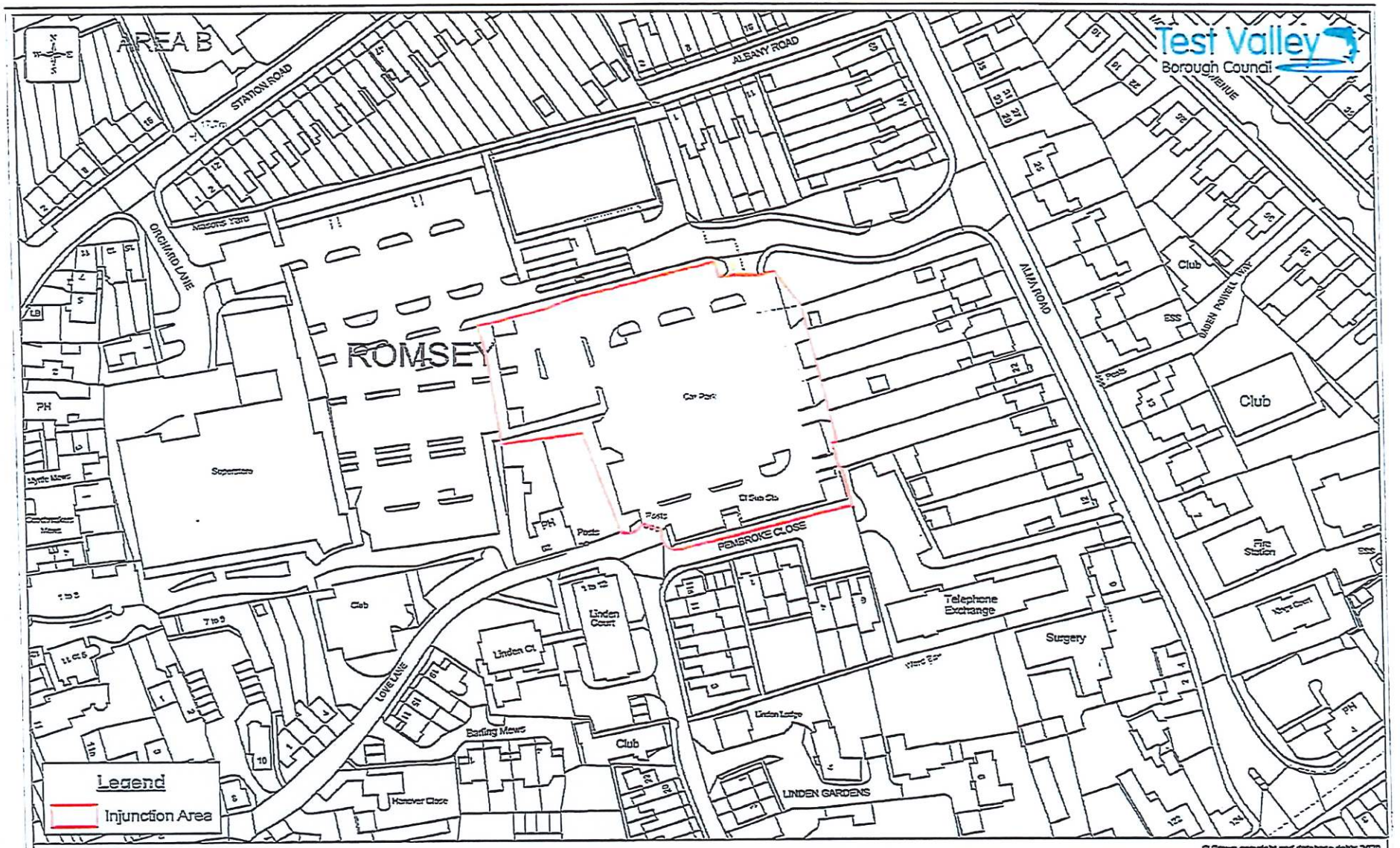
SCHEDULE 2 – AREA B



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