

B E T W 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
(91) – (137) OTHER NAMED DEFENDANTS**

Defendants

**PROCEDURAL BUNDLE – SECTION A
FOR HEARING ON 13 and 14 May 2024**

	<u>Claim Forms</u>	<u>Page Nos.</u>
1.	Part 8 Claim Form issued on 18 June 2020	A3-4
2.	Amended Claim Form dated 6 September 2021	A5-6
3.	Re-Amended Claim Form dated 26 August 2022	A7-8
4.	Re-Re-Amended Claim Form dated 26 March 2024 with Schedules	A9-49
	<u>Outstanding Applications</u>	
5.	Application to add further sites dated 29 November 2022	A50-61
	<u>Applications (Determined)</u>	
6.	Application for Injunction dated 17 June 2020	A62-66
7.	Application for alternative service dated 17 June 2020	A67-75
	<u>Orders</u>	
8.	Order of Mr Justice Robin Knowles dated 18 June 2020	A76-83
9.	Order of His Honour Judge Bird (sitting as a Judge of the High Court) dated 28 July 2020 with attached Schedules	A84-100
10.	Order of His Honour Judge Nicklin dated 16 October 2020 (Various Claimants)	A101-109

11.	Order of Mr Justice Nicklin dated 04 November 2020	A110-111
12.	Order of Mr Justice Nicklin dated 01 December 2020	A112-113
13.	Order of Mr Justice Nicklin dated 01 December 2020 (Various Claimants)	A114-122
14.	Order of Mr Justice Nicklin dated 17 December 2020 (Various Claimants)	A123-129
15.	Order of Mr Justice Nicklin dated 24 May 2021	A130-131
16.	Order of Mr Justice Nicklin dated 24 May 2021 amended on 2 June 2021	A132-133
17.	Order of Mr Justice Nicklin 28 June 2021	A134-135
18.	Order of Mr Justice Nicklin 02 July 2021	A136-137
19.	Order of Lord Justice Underhill 14 July 2021 (Court of Appeal permission to appeal)	A138-139
20.	Order of Mr Justice Nicklin dated 30 July 2021	A140-146
21.	Order of Sir Geoffrey Vos dated 01 February 2022 (Court of Appeal)	A147-148
22.	Order of Mr Justice Martin Spencer dated 29 July 2022 with Schedules	A149-160
23.	Order of Mr Justice Cotter dated 23 September 2022	A161-171
24.	Order of Lord Hodge, Lord Hamblen and Lord Stephens dated 25 October 2022 (Supreme Court permission to appeal)	A172
25.	Order of Mr Justice Constable dated 27 December 2023	A173-175
26.	Order of Mrs Justice Foster dated 29 February 2024	A176-187
27.	Order of Mr Justice Bourne dated 14 March 2024	A188-192

Claim no.

Details of claim (continued)

3. The areas to be protected are within the administrative boundaries of Test Valley Borough Council and the injunction is sought as the Claimants have experienced significant and prolonged issues associated with unauthorised encampments within the First Claimant's administrative area, including: fly-tipping, anti-social behaviour and environmental and health risks associated with these encampments.

4. The encampments are having a detrimental impact on the community as a whole, local business and the enjoyment of public spaces.

5. Existing powers are being undermined and are ineffective, the law is being flouted repeatedly and the Claimants have experienced significant expense both in legal costs and clean-up costs. Service of directions to leave land by the Claimants or the Police pursuant to s.61 and section 77&78 of the CJPOA only leads to the encampments moving from one site to the next site and has not deterred the Defendants from forming encampments within the area marked in red on the map attached at Schedule 2.

6. For the reasons set out in the witness statements, it is necessary and expedient for the promotion and protection of the interests of the inhabitants of the First Claimant and to prevent apprehended breaches of planning control to seek an injunction to prevent the establishment of unauthorised encampments by named individuals and Persons Unknown within the area marked in red on the attached map at Schedule 2 of the Draft Order.

7. It is also necessary to bring these proceedings against Persons Unknown to deter unauthorised encampments within the area identified on the map in Schedule 2 of the draft Order. It is not possible to identify all of the individuals who have formed these unauthorised encampments, many of whom are not prepared to identify themselves.

AND the Claimants Claim

- (i) An order in the terms set out in the draft Order attached to this Claim;
- (ii) Alternatively, an order in the terms that the Court thinks fit;
- (iii) Costs.

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

Full name Karen Louise Dunn

Name of claimant's legal representative's firm _____

signed Karen Dunn
*(Claimant)(Litigation friend)
(Legal representative)

position or office held Head of Legal & Democratic
(if signing on behalf of firm or company)

**delete as appropriate*

Head of Legal and Democratic Services
Test Valley Borough Council
Beech Hurst
Weyhill Road
Andover
SP10 3AJ

Claimant's or claimant's legal representative's
address to which documents should be sent if
different from overleaf. If you are prepared to
accept service by DX, fax or e-mail, please add
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AMENDED CLAIM FORM

AMENDED PURSUANT TO THE ORDER OF THE HONOURABLE MR JUSTICE NICKLIN DATED 30TH JULY 2021



Claim Form (CPR Part 8)

In the High Court of Justice Queen's Bench Division	
Claim no.	QB-2020-002112
Fee Account no.	PBA0083481
Help with Fees - Ref no. (if applicable)	HWF- - - - -

Claimant

- (1) TEST VALLEY BOROUGH COUNCIL
Beech Hurst, Weyhill Road, Andover, SP10 3AJ
- (2) HAMPSHIRE COUNTY COUNCIL
The Castle, Winchester, Hampshire, SO23 8UJ



QB-2020-002112

Defendant(s)

- (1) Mr ALBERT BOWERS
- 65 (2) ~~88~~ OTHER NAMED DEFENDANTS listed in Schedule 1 of the Claim Form
- 67 (90) PERSONS UNKNOWN (owners and/or occupiers of land at various addresses set out in the attached Schedule).

Does your claim include any issues under the Human Rights Act 1998? Yes No

Details of claim (see also overleaf)

1. The Claimants seeks an interim and final injunction pursuant to s.222 of the Local Government Act 1972 and/or s.187B of the Town and Country Planning Act with a power arrest attached to the appropriate provisions of the court order. The Claimants seeks to restrain the repeated breaches of directions to leave the land, served pursuant to sections 61 and 77 of the Criminal Justice and Public Order Act 1994 (CJPOA), breaches of planning control and trespass which is aggravated by environmental harm, risk to public health, damage to Land and anti-social behaviour.

2. The Claimants are local authorities and the administrative boundaries of the First Claimant are marked on the map attached to the Draft Order at Schedule 2. The Claimants seek an injunction to protect parts of the First Claimant's administrative area from further unauthorised encampments by the First to 90th Defendants, who have formed unauthorised encampments within the Borough, in particular within the area where the Claimants seeks the injunction. The limited area within the Borough that the Claimants seeks to protect by an injunction has suffered in total 67 of the 82 unauthorised encampments within the Borough over the last 2 ½ years as detailed in the evidence. These encampments have been formed on both private and public land including: public open space, the highways, village centres, business premises and residential areas.

Defendant's name and address

- 65 (1) Mr Albert Bowers
- 67 (2) ~~88~~ Other Named Defendants at various addresses set out in the attached schedule
- (90) Persons unknown

	£
Court fee	£528.00
Legal representative's costs	TBA
Issue date	17th June 2020

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.

Details of claim (continued)

3. The areas to be protected are within the administrative boundaries of Test Valley Borough Council and the injunction is sought as the Claimants have experienced significant and prolonged issued associated with unauthorised encampments within the First Claimant's administrative area, including: fly-tipping, anti-social behaviour and environmental and health risks associated with these encampments.

4. The encampments are having a detrimental impact on the community as a whole, local business and the enjoyment of public spaces.

5. Existing powers are being undermined and are ineffective, the law is being flouted repeatedly and the Claimants have experienced significant expense both in legal costs and clean-up costs. Service of directions to leave land by the Claimants or the Police pursuant to s.61 and section 77&78 of the CJPOA only leads to the encampments moving from one site to the next site and has not deterred the Defendants from forming encampments within the area marked in red on the map attached at Schedule 2.

6. For the reasons set out in the witness statements, it is necessary and expedient for the promotion and protection of the interests of the inhabitants of the First Claimant and to prevent apprehended breaches of planning control to seek an injunction to prevent the establishment of unauthorised encampments by named individuals and Persons Unknown within the area marked in red on the attached map at Schedule 2 of the Draft Order.

7. It is also necessary to bring these proceedings against Persons Unknown to deter unauthorised encampments within the area identified on the map in Schedule 2 of the draft Order. It is not possible to identify all of the individuals who have formed these unauthorised encampments, many of whom are not prepared to identify themselves.

AND the Claimants Claim

- (i) An order in the terms set out in the draft Order attached to this Claim;
- (ii) Alternatively, an order in the terms that the Court thinks fit;
- (iii) Costs.


Statement of Truth

*(I believe)(~~The Claimant believes~~) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

Full name Karen Louise Dunn

Name of claimant's legal representative's firm _____

signed 

*(Claimant)(Litigation friend)
(Legal representative)

position or office held Head of Legal & Democratic
(if signing on behalf of firm or company)

**delete as appropriate*

Head of Legal and Democratic Services
Teest Valley Borough Council
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In the High Court of Justice Queen's Bench Division	
Claim no.	QB-2020-002112
Fee Account no.	PBA0083481
Help with Fees - Ref no. (if applicable)	HWF- - - - -

Re-amended pursuant to the order of Martin Spencer J dated 29 July 2022

Claimant

(1) TEST VALLEY BOROUGH COUNCIL
Beech Hurst, Weyhill Road, Andover, SP10 3AJ
(2) HAMPSHIRE COUNTY COUNCIL
The Castle, Winchester, Hampshire, SO23 8UJ



Defendant(s)

- (1) Mr ALBERT BOWERS
- (2)-(89) OTHER NAMED DEFENDANTS listed in Schedule 1 of the Claim Form
- (90) PERSONS UNKNOWN (owners and/or occupiers of the land whose addresses set out in the attached Schedule) forming unauthorised encampments within the Borough of Test Valley

Does your claim include any issues under the Human Rights Act 1998? Yes No

Details of claim (see also overleaf)

1. The Claimants seeks an interim and final injunction pursuant to s.222 of the Local Government Act 1972 and/or s.187B of the Town and Country Planning Act with a power arrest attached to the appropriate provisions of the court order. The Claimants seeks to restrain the repeated breaches of directions to leave the land, served pursuant to sections 61 and 77 of the Criminal Justice and Public Order Act 1994 (CJPOA), breaches of planning control and trespass which is aggravated by environmental harm, risk to public health, damage to Land and anti-social behaviour.

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Defendant's name and address (1) Mr Albert Bowers (2)-(89) Other Named Defendants at various addresses set out in the attached schedule (90) Persons unknown forming unauthorised encampments in the Borough of Test Valley

	£
Court fee	£528.00
Legal representative's costs	TBA
Issue date	17th June 2020

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When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.

Details of claim *(continued)*

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AND the Claimants Claim

- (i) An order in the terms set out in the draft Order attached to this Claim;
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* I am duly authorised by the claimant to sign this statement.

Full name Karen Louise Dunn

Name of claimant's legal representative's firm _____

signed Karen Dunn:

*(Claimant)(Litigation friend)
(Legal representative)

position or office held Head of Legal & Democratic
(if signing on behalf of firm or company)

**delete as appropriate*

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Claim Form (CPR Part 8)

In the High Court of Justice King's Bench Division	
Claim no.	QB-2020-002112
Fee Account no.	PBA0083484 PBA0087028
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>

Re-amended pursuant to the order of Martin Spencer J dated 29 July 2022
 Re-re-amended pursuant to the Order of Mr Justice Bourne dated 14 March 2024

Claimant

(1) TEST VALLEY BOROUGH COUNCIL
 Beech Hurst, Weyhill Road, Andover, SP10 3AJ
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 (90) 67 (90) PERSONS UNKNOWN, (owners and/or occupiers of land at various addresses set out in the attached Schedule) forming unauthorised encampments within the Borough of Test Valley
 (91) – (137) OTHER NAMED DEFENDANTS listed in Schedule of the Claim Form

Does your claim include any issues under the Human Rights Act 1998? Yes No

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Defendant's name and address (1) Mr Albert Bowers
 (2)-(89) Other Named Defendants at various addresses set out in the attached schedule
 (90) 67 (90) Persons unknown forming unauthorised encampments within the Borough of Test Valley
 (91) – (137) Other Named Defendants at various addresses as set out in the Schedule 3 attached

	£
Court fee	£528.00
Legal representative's costs	TBA
Issue date	17th June 2020

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Details of claim (continued)

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- (ii) Alternatively, an order in the terms that the Court thinks fit;
- (iii) Costs.

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Full name Karen Louise Dunn

Name of claimant's legal representative's firm _____

signed Karen Dunn

*(Claimant)(Litigation friend)
(Legal representative)

position or office held Head of Legal & Democratic
(if signing on behalf of firm or company)

**delete as appropriate*

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Claim no:

IN THE HIGH COURT
KING'S
QUEENS BENCH DIVISION

BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS AND 88 NAMED DEFENDANTS
LISTED IN THE SCHEDULE ATTACHED TO THE CLAIM FORM
(90) PERSONS UNKNOWN

Defendants

SCHEDULE 1 – List of Defendants

- | | | |
|-----------------|-----------------------------|---|
| (1) | Albert Bowers | Kanes Hill Caravan Site Botley Road Southampton SO19 0SA |
| (2) | Ann McDonagh | 3 Turnpike Penbridge Leominster Hereford HR6 9JZ |
| (3) | Annie McDonagh McDonagh | 7 Stanley Street, Cudworth, Barnsley, S72 8HS |
| (4) | Anthony Jones | 11 Watery Lane, Stourport, Worcs, DY13 9PR |
| (5) | Anthony McDonagh | 73 Killyclogher Road, Omagh, BT79 7WU |
| (6) | Barbara Mcdonagh | 34 Flowitt Street, Mexborough, S64 9NN |
| (7) | Billy Harbour | 8 The Hatchingtan, Guilford, GU3 3SB |
| (8) | Brian Davis | 2 Leys Road, Harrington, Evesham |
| (9) | Cathal Mckenna | 22 Seapark lane, Holywood, BT18 0LA |
| (10) | Charlie McDonagh | 24 Grosvenor Street, Chester, CH1 2DD |
| (11) | Christopher McDonagh | 21 Centenary Park, Omagh, BT78 5HH |
| (12) | Crimea McDonald | 9 Stewart Road, Walsall, WS9 9NQ |
| (13) | Darren Lee | 2 Hipton Hill, Lenchwick, WR11 4UA |
| (14) | Darren Smith | 7 Melor View, Amesbury, Wiltshire, SP4 7RL |
| (15) | Dennis Booth | 8 Woodlands, Dunton Lane, Biggleswade, SG18 8YD |
| (16) | Dennis Sheridan | Shorthill Caravan Site, Corssway Green, DY13 9SH |
| (17) | Denny Quilligan | Preston Court, Preston Cross, Ledbury, HR8 2LL |
| (18) | Donna Marie Smith | 1 Rynal Place, Evesham |
| (19) | Dylan McDonagh McDonagh | 3 Rom Cres, Romford, Essex, RM7 0PL |
| (20) | Edward McDonagh | 2 Whitegate Stables, Copt Oak Road, LE67 9PJ |

- (21) Frank Loveridge 14 Hartlands Caravan Park, Church Road, Cranford, Hounslow, Middlesex, TW5 9RY
- (22) Frankie Loveridge 14 Kalima, Chertsey Road, Chobham
- (23) Frederick Bowers 3 Kanes Hill aCravan Site Botley Road Southampton SO19 0SA
- ~~(24) Gouri Shanker Asposa 23 Wilderness Heights, Soton, SO18 3PS~~
- (25) Henry Loveridge 14 Kalima, Chertsey Road, Chobham
- ~~(26) Isabell Lee 10 Shawlands Gresnet, Shawsburn, ML9 2PH~~
- ~~(27) Jabus Smith 19 Blakenhurst, Harrington~~
- (28) Jacob Smith 78 Elizabeth Rd, Basingstoke, RG22 6BA
- (29) Jade Loveridge 6 Star Hill, Hartney Witney
- (30) James Bowers Kanes Hill Caravan Site Botley Road Southampton SO19 0SA
- (31) James Dean Evans 23 Alverney View, Chester
- (32) James Smith Transit Site, Oldstocks Farm, Paices Hill, Berks, RG7 4PG
- (33) Janey Jones 2 New Start Park, Wettenhall Rd, Cheshire, CW5 6EL
- (34) Jason Lee 16 Justin Park, Northampton Rd, Leic, LE16 9HF
- ~~(35) Jason Lee 19 Shawlands Cres, Shawsburn, Larkhall, ML9 2PH~~
- ~~(36) Jim Stevens 4 Pine Grove, Sandbach, Cheshire, CW11 4JJ~~
- (37) Jimmy Loveridge Swift Lane Caravan Site, Bagshot
- (38) Joey Bowers 5 Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0SA
- ~~(39) John Crawl 6 Littleton Lane, Guildford, Surrey~~
- (40) John McDonagh 43 Gortview Close, Omagh
- (41) John McDonagh 38 Mourne Park, Newtonsteward, Omagh, BT78 4BL
- (42) Jonathan Smith 19 Blakenhurst, Harrington.
- (43) Joseph Booth 47A Guild Av, Walsall, WS3 1LG
- (44) Joseph R Ball Jnr Redklands, The Folly, Red Rd, Surrey, GU18 5XA
- (45) Julie Lee 20 Evelyn Way, Epsom, Surrey, KT19 7DJ
- (46) Kathleen McDonagh 67 Lavender'Place, London
- (47) Kenny Rogers Plot 6, Noose lane, Willenhall, WV13 3BJ
- (48) Leanne Baggett 9 Stwewart Rd, Walsall, WS9 9NQ
- ~~(49) Lisa Loveridge Carter Drive, Basingstoke~~
- (50) ~~Louis~~ Louis Ayres 77 Spring Vale, Swanmore, SO32 2AU
- ~~(51) Lorna Murphy Malsover, Calverleigh, EX16 8BA~~
- (52) Lorraine Loveridge 14 Chertsey Road, Chobham
- (53) Luke Clee Anvil, Bursnips Road, Staffordshire
- (54) Luke John Daniels Plot5 fern Hill, Essex, CM18 7HX
- (55) Margaret Bowers Kanes Hill Caravan Site Botley Road Southampton SO19 0SA
- (56) Margaret McDonagh 4 Dunbreen Close, Omagh, BT79 7XF
- (57) Mary McDonagh 113 Limewood, Banbridge County Down, BT32 3FH
- (58) Mary McDonagh 43 Gortview Close, Omagh, BT79 7WU
- (59) Michael Bowers Kane Hill Caravan Site, Botley Road, #3, Southampton, SO19 0SA
- (60) Michael McDonagh 19 Gortview, Close Omagh BT79 7WU
- (61) Michael McDonagh 113 Limewood, Banbridge County Down, BT32 3FH
- (62) Michael O'Driscoll 58 Armagh Road, Newry, BT35 6PW
- ~~(63) Natasha Cuparic 4 Bell lane, henley-on-Thames, Oxon, RG9 2HP~~

- (64) Nathan Crowth 3 Greenfield Farm Valewood Lane Barns Green Horsham RH13 0QJ
- ~~(65) Niamh Rainey 72 Ladybrook Park, Belfast BT11 9EN~~
- (66) Paddy Price Todd Street, Bury, BL9 5BJ
- (67) Pat McDonagh 21 Centenary Park, Omagh, BT78 5HH
- ~~(68) Patrick Collins 5 Turnpike Leominster Herefordshire HR6 9JZ~~
- (69) Patrick Connors Lower Cross Bungalow, Newton rd, Cardiff, CF3 2EJ
- ~~(70) Patrick McDonagh Cathedral House, Norfolk Street, Sheffield, S12 2JB~~
- ~~(71) Paul Cookson 14 Mill Meadow Close, Sheffield, S20 2NT~~
- ~~(72) Priscilla Garside 21 Tara Park, York rd, YO17 6TB~~
- (73) Saily Rogers 3 Platt Street, Hednesford, Cannock, WS11 5TG
- ~~(74) Simon Flynn 38 Shorthill Caravan Park, Stourport-on-Severn DY13 9SH~~
- (75) Sophie Loveridge 4 Hartley Wintney, Hook RG27 8RX
- (76) Steven McDonagh 17 Castleview Park, Omagh, BT79 7SG
- ~~(77) Thomas Grant 4 Peel Court Hartley Wintney Hook, RG27 8RX~~
- (78) Thomas McDonagh 136 Four Chimneys Cres, Hampton Vale, PE7 8FH
- (79) Thomas Stokes 9 Gables Close, Old Damson lane, Solihull, B92 9EE
- ~~(80) Tim Walder 2 Gilbey Green Newport Saffron Walkden Essex GB11 3RS~~
- (81) Tina Marie Bridges 47A Guild Av, Walsall, WS3 1LG
- ~~(82) Tom Kealy Longbow Caravan Park, Main Street, Milton, NG22 OPP~~
- (83) Tom McDonagh 13 Innishmore Gardens, Coalisland, Co. Tyrone BT71 4DL
- (84) ^{Thomas} Tommy McDonagh 43 Gortview Close, Omagh, BT79 7WU
- ~~(85) Tristan Beaumont 66 Occupation Road Corby Northamptonshire NN17 1EF~~
- (86) William Williams 34 Gethin St, Abercanaid, Merthyr Tydfil, CF48 1 PX
- (87) Willie Mcdonagh 5 Osborne Mews, barnsley, S70 1UU
- ~~(88) Winnie McDonagh 1 Eastwood Place, Stoke On Trent, Staffordshire, ST1 3DB~~
- (89) Winnie McDonagh 5 Osborne Mews, Barnsely, S.Yorks SO70 1UU

Claim no:

IN THE HIGH COURT
KING'S
~~QUEENS~~ BENCH DIVISION

BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS AND 88 NAMED DEFENDANTS
LISTED IN THE SCHEDULE ATTACHED TO THE CLAIM FORM
(90) PERSONS UNKNOWN

Defendants

SCHEDULE 2 – Draft ORDERS

IN THE HIGH COURT OF JUSTICE

Claim Number:

QUEEN'S BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972
AND S187B TOWN AND COUNTRY PLANNING ACT 1990

Before

On the

BETWEEN

- (1) TEST VALLEY BOROUGH COUNCIL
- (2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS & EIGHTY-EIGHT OTHER NAMED DEFENDANTS IN
SCHEDULE 1 OF THE CLAIM FORM

(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN
THE BOROUGH OF TEST VALLEY

Defendants

Draft ORDER INTERIM

IF YOU, ANY OF THE ABOVE NAMED FIRST TO EIGHTY-NINTH DEFENDANTS OR PERSONS UNKNOWN DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

UPON HEARING Counsel Miss Caroline Bolton for The Claimants

AND UPON reading the papers and hearing the application for an interim injunction pending the final injunction hearing pursuant to Section 222 Local Government Act 1972 And 187B Town and Country Planning Act 1990

POWER OF ARREST

THIS ORDER CONTAINS A POWER OF ARREST FOR BREACH OF PARAGRAPHS 1-5 OF THIS ORDER PURSUANT TO SECTION 27 OF THE POLICE AND JUSTICE ACT 2006. ANY PERSON CAUGHT BREACHING PARAGRAPHS 1-5 OF THIS ORDER MAY BE ARRESTED AND BROUGHT BEFORE THE COURT

Note to Arresting Officer: Where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006:-

- The defendant shall be brought before the judge within a period of 24 hours beginning at the time of their arrest
- A constable shall inform the person on whose application the injunction was granted forthwith where the defendant is arrested under these powers

Nothing in sections 27 of the Police and Justice Act 2006 shall authorise the detention of the defendant after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculation any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

IT IS ORDERED THAT:

Until further order, The First to Ninetieth Defendants are forbidden from:

1. Setting-up an encampment on any land within the area marked red on the attached maps at Schedule 2 of this Order unless authorised to do so by the owner of the land
2. Setting-up an encampment on any land within the area marked red on the attached maps at Schedule 2 of this Order without written permission from the Local Planning Authority, or, planning permission granted by the planning inspector.
3. Entering and/or occupying any land within the area marked red on the attached maps at Schedule 2 for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia.
4. Bringing on to the Land or stationing on the Land any caravans/mobile homes other than when driving through the highways on the Land or in compliance with the parking orders regulating the use of car parks or with the express permission from the owner of the land.
5. Deposit or cause to be deposited, controlled waste in or on the Land unless a waste management license or environmental permit is in force and the deposit is in accordance with the license or permit.
6. There be a power of arrest attached to prohibitions 1-5 of this order.
7. The Land in this order means all land within the area marked red on the attached map at Schedule 2 and is within the administrative boundaries of Test Valley Borough Council.
8. Service of this Order shall be deemed served on the 90th Defendant, Persons Unknown by:

- (i) Affixing copies (as opposed to originals) of this Order in a transparent envelope, or laminated copy, 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 2 of this Order with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ
 - (ii) 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 the 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 2 of this Order, with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ;
 - (iii) For the additional areas of Land marked Area B on the map attached to Schedule 2 of this Order by affixing copies (as opposed to originals) of this Order on a prominent position on Land with notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ.
9. The Defendants may each of them, or anyone notified of this Order, apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this order (or so much of it as affects that person)

10. Costs reserved.

GUIDANCE NOTES

EFFECT OF THIS ORDER

11. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or his instructions or with his encouragement.
12. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

PARTIES OTHER THAN THE CLAIMANT AND DEFENDANTS

EFFECT OF THIS ORDER

13. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined, or have their assets seized.

INTERPRETATION OF THIS ORDER

14. In this Order, where there is more than one Defendant, unless otherwise stated, references to "the Defendants" means each or all of them.

15. A requirement to serve on “the Defendants” means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
16. An Order requiring the Defendants to do or not to do anything applies to all Defendants.
17. “controlled waste” has the same meaning as within s.75(4) of the Environmental Protection Act 1990

COMMUNICATIONS WITH THE COURT

18. All communication to the Court about this order should be sent to Room WG08 Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010).

SCHEDULE 1 – LIST OF DEFENDANTS

1	Albert Bowers	Kanes Hill Caravan Site Botley Road Southampton SO19 0BA
2	Ann McDonagh	7 Tynke Penhidge Leominster Hereford HR6 9LZ
3	Annie Mcdonagh	7 Stanley Street, Dudworth Barnsley S72 8FF
4	Anthony Jones	11 Water Lane Sloupton, Worce DY13 2PH
5	Anthony McDonagh	13 Kilmocher Road Omagh, BT78 7AA
6	Barbara Mcdonagh	14 Fowl Street, Mexborough, S04 9RN
7	Billy Harbour	1 The Falconry, Guildford GU1 2JF
8	Brian Davis	2 Leys Road, Harington, Evesham
9	Cathal Mckenna	22 Seapark Lane, Holywood, BT18 0L9
10	Charlie McDonagh	24 Grosvenor Street, Chester, CH1 2EJ
11	Christopher McDonagh	21 Cemetery Park, Omagh, BT78 5FH
12	Crimea McDonald	2 Steven Road, Walsall, W3 89N
13	Darren Lee	2 Flock Hill, Leamington, CV11 2LA
14	Darren Smith	2 Melor View, Amesbury, Wiltshire, SP4 8L
15	Dennis Booth	2 Woodlands, Dunkon Lane, Baddleswade, SG8 8YL
16	Dennis Sheridan	Shorhall Caravan Site, Caraway Green, DY13 6SH
17	Denny Quilligan	Freston Court, Freston Cross, Lechlvy, HR9 2JL
18	Donna Marie Smith	1 Ryan Place, Evesham
19	Dylan Mcdonagh	4 Bon Cres, Romford, Essex, RM7 9PL
20	Edward McDonagh	2 Whitegate Stables, Cap Gar Road, LE17 9P
21	Frank Loveridge	14 Ha James Caravan Park, Church Road, Cranford, Hounslow, Middlesex, TW5 9R
22	Frankie Loveridge	14 Kalmia, Cherisey Road, Chobham
23	Frederick Bowers	2 Kanes Hill a Caravan Site Botley Road Southampton SO19 0BA
24	Gouri Shanker Asposa	23 Windness Heights, Solon, SO13 3P
25	Henry Loveridge	14 Kalmia, Cherisey Road, Chobham
26	Isabell Lee	10 Shawlands Crescent, Shawsbury, ML9 2PH
27	Jabus Smith	19 Blakeshurst, Harington
28	Jacob Smith	73 Elizabeth Rd, Basingstoke, RG22 6B
29	Jade Loveridge	1 Star Hill, Hatfield, Wilt
30	James Bowers	Kanes Hill Caravan Site Botley Road Southampton SO19 0BA
31	James Dean Evans	33 Aveney View, Chisle
32	James Smith	1 Trust Site, Oldstocks Farm, Pikes Hill, Berks, RG7 4P
33	Janey Jones	2 New Star Park, Waterfall Rd, Chesire, CV5 8EL
34	Jason Lee	16 Justin Park, Northampton Rd, Linc, LE12 3HF
35	Jason Lee	18 Shawlands Cres, Shawsbury, Larkhall, ML9 2PH
36	Jim Stevens	4 Pine Grove, Sandbach, Chesire, CV11 4W
37	Jimmy Loveridge	Swift Lane Caravan Site, Badsm
38	Joey Bowers	Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0BA
39	John Crawl	11 Hinton Lane, Guildford, Surrey
40	John McDonagh	23 Gortview Close, Omagh
41	John McDonagh	13 Mounse Park, Newtonsteward, Omagh, BT78 4BL

42	Jonathan Smith	14 Blakenhurst, Harrogate
43	Joseph Booth	7A Guild Av, Walsal, WS3 1LL
44	Joseph R Ball Jnr	Redlands, The Folly, Red Rd, Surrey, GU16 5XA
45	Julie Lee	20 Evelyn Way, Epsom, Surrey, KT19 7D
46	Kathleen McDonagh	37 Lavender Place, London
47	Kenny Rogers	Plot 6, Nourse Lane, Witleham, WY13 3B
48	Leanne Baggett	9 Gwenton Rd, Walsal, WS9 9NL
49	Lisa Loveridge	Carfer Drive, Basingstoke
50	Loius Ayres	77 Spring Vale, Swenmore, SO32 2AL
51	Lorna Murphy	Masover, Calverleigh, EX16 3BA
52	Lorraine Loveridge	14 Chertsey Road, Chertsey
53	Luke Clee	Arvil, Burdips Road, Staffordshire
54	Luke John Daniels	Plot 6, Hill, Essex, CM 8 7HL
55	Margaret Bowers	James Hill, Caravan Site, Boley Road, Southampton, SO16 1SA
56	Margaret McDonagh	4 Dunbrann Close, Omagh, BT79 7X
57	Mary McDonagh	115 Linswood, Banbridge County Down, BT32 3FH
58	Mary McDonagh	13 Gortview Close, Omagh, BT39 7WU
59	Michael Bowers	James Hill, Caravan Site, Boley Road, #1, Southampton, SO16 1SA
60	Michael McDonagh	19 Gortview, Close, Omagh, BT79 7WU
61	Michael McDonagh	113 Linswood, Banbridge County Down, BT32 3FH
62	Michael O'Driscoll	28 Lymagh Road, Newry, BT35 8PW
63	Natasha Cuparic	4 Ballians, Tenley-on-Thames, Oxon, OX9 3PH
64	Nathan Crawl	1 Greenfield Farm, Valewood Lane, Bains Green, Harsham, RH13 0Q
65	Niamh Rainey	72 Ladybrook Park, Belfast, BT11 9EN
66	Paddy Price	Long Street, Enniscorthy, BT9 5Z
67	Pat McDonagh	2 Terenure Park, Omagh, BT78 5HH
68	Patrick Collins	1 Tunstoke, Leominster, Herefordshire, HR6 8JJ
69	Patrick Connors	Lower Cross Bungalow, Newton rd, Cardiff, CF3 2EF
70	Patrick McDonagh	Cathedral House, Nopals Street, Sheffield, S12 2JE
71	Paul Cookson	14 Mill Meadow Close, Sheffield, S20 3N
72	Priscilla Garside	21 Tara Park, York rd, YO17 8TB
73	Sally Rogers	1 Plat Street, Hednesford, Cannock, WS17 5L
74	Simon Flynn	26 South Hill Caravan Park, Stourton-on-Severn, DY13 1SH
75	Sophie Loveridge	1 Hatley Wintrey, Hook, RG27 8FX
76	Steven McDonagh	17 Castleview Park, Omagh, BT79 7SL
77	Thomas Grant	1 Peel Court, Hatley Wintrey, Hook, RG27 8FX
78	Thomas McDonagh	135 Folly Ginnings Cres, Hampton Vale, PE7 8FH
79	Thomas Stokes	1 Gables Close, Old Darns Lane, Southill, B92 9EF
80	Tim Walder	1 Bliby Green, Newnham Saffron, Malden, Essex, CB1 2P
81	Tina Marie Bridges	7A Guild Av, Walsal, WS3 1LL
82	Tom Kealy	Longbow Caravan Park, Main Street, Milton, NG22 0PF
83	Tom McDonagh	13 Inishmore Gardens, Coalisland, Co. Tyrone, BT71 4D
84	Tommy McDonagh	13 Gortview Close, Omagh, BT79 7WU
85	Tristan Beaumont	66 Occupation Road, Colby, Northamptonshire, NN17 1EF

- 86 William Williams
- 87 Willie Mcdonagh
- 88 Winnie McDonagh
- 89 Winnie McDonagh

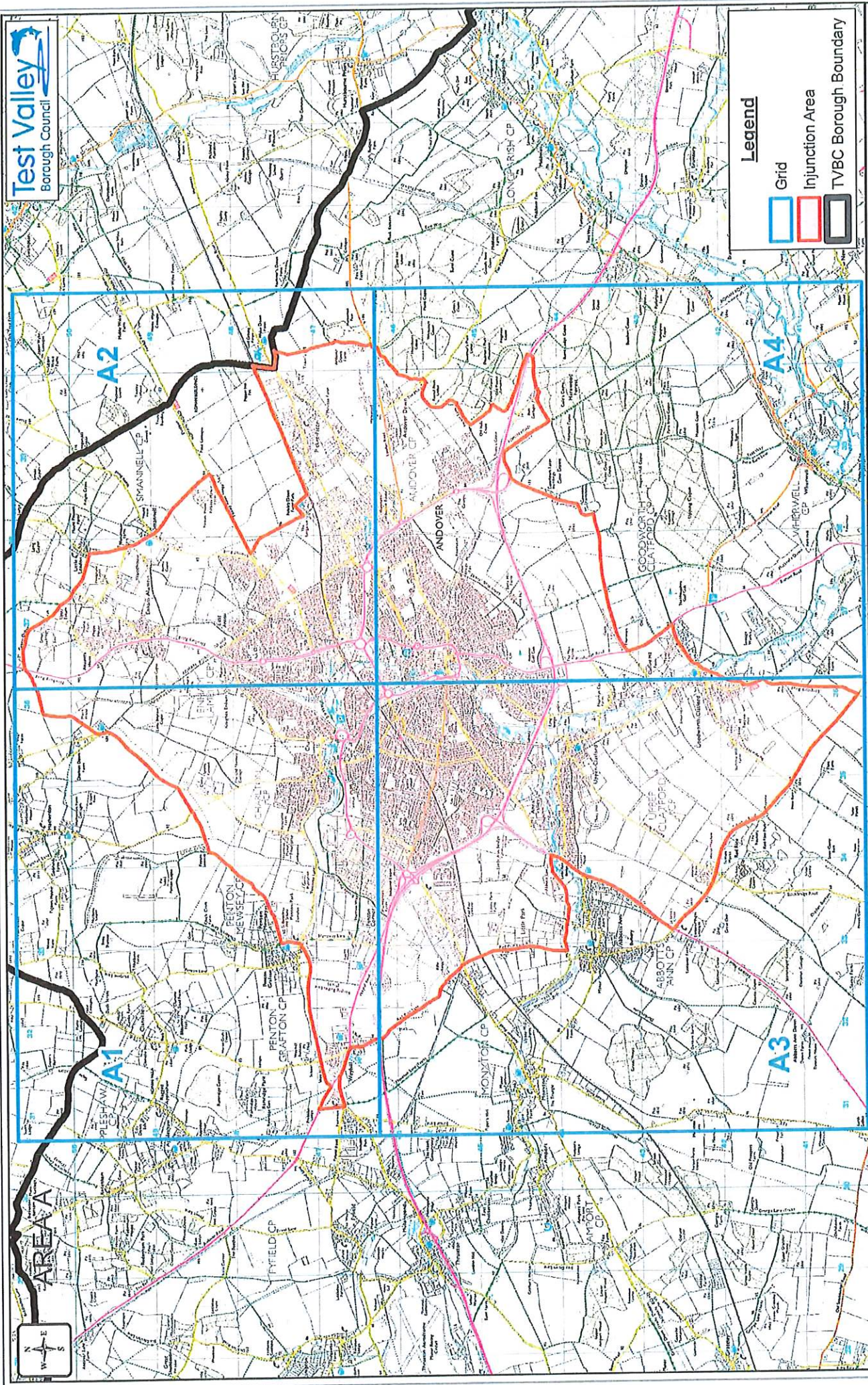
14 Gellin St, Abercarn, Merthyr Tydfil, CF48 1PX

Osborne Mews, Bamsley, S70 1UL

11 Eastwood Place, Stoke On Trent, Staffordshire ST1 3DE

Osborne Mews, Bamsley, s.Yorks S070 1UL

**SCHEDULE 2 –MAP OF AREA COVERED BY
THE INJUNCTION**



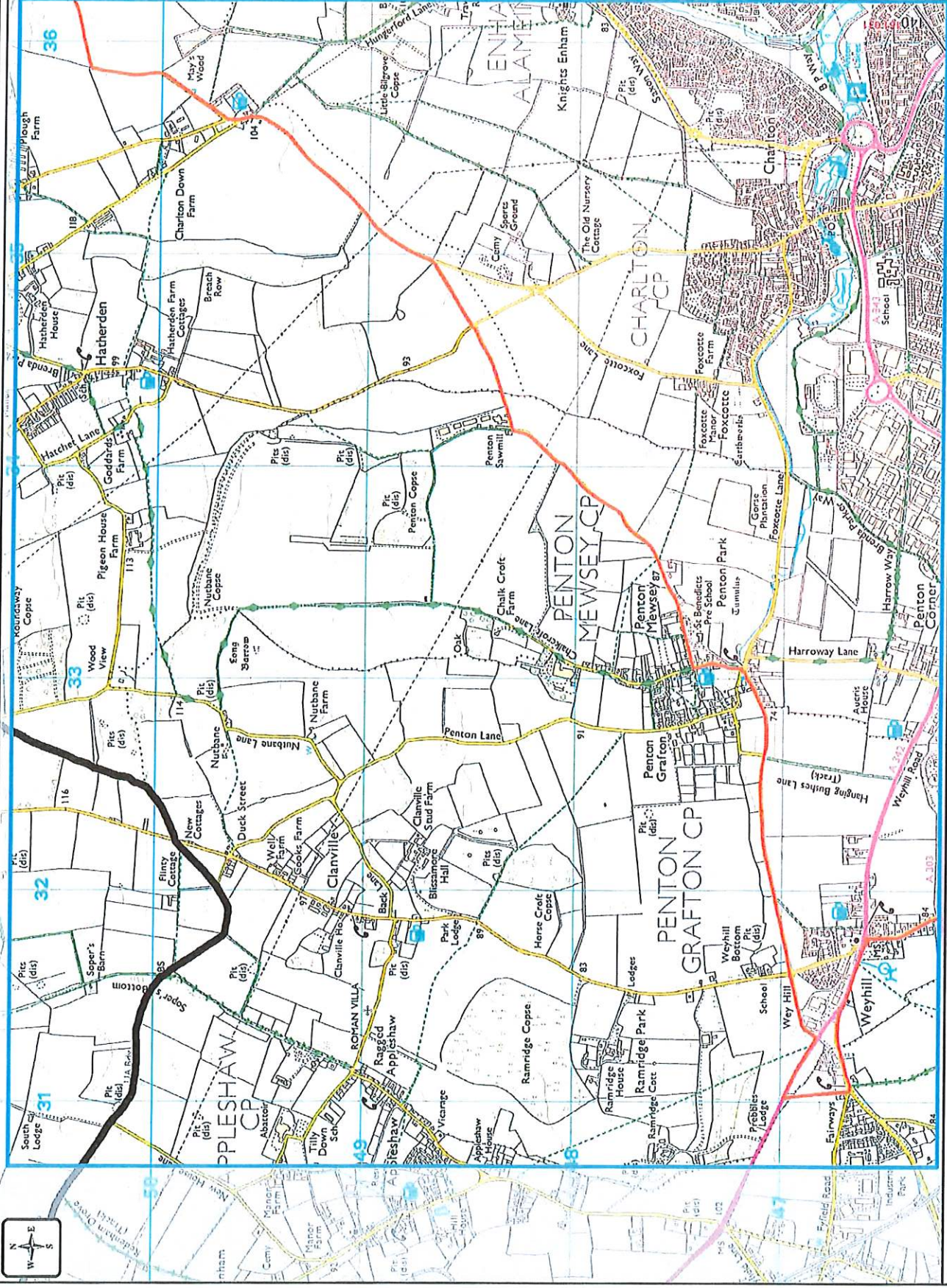
Legend

- Grid
- Injunction Area
- TVBC Borough Boundary

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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: A Murray
Dept: IMT/GIS



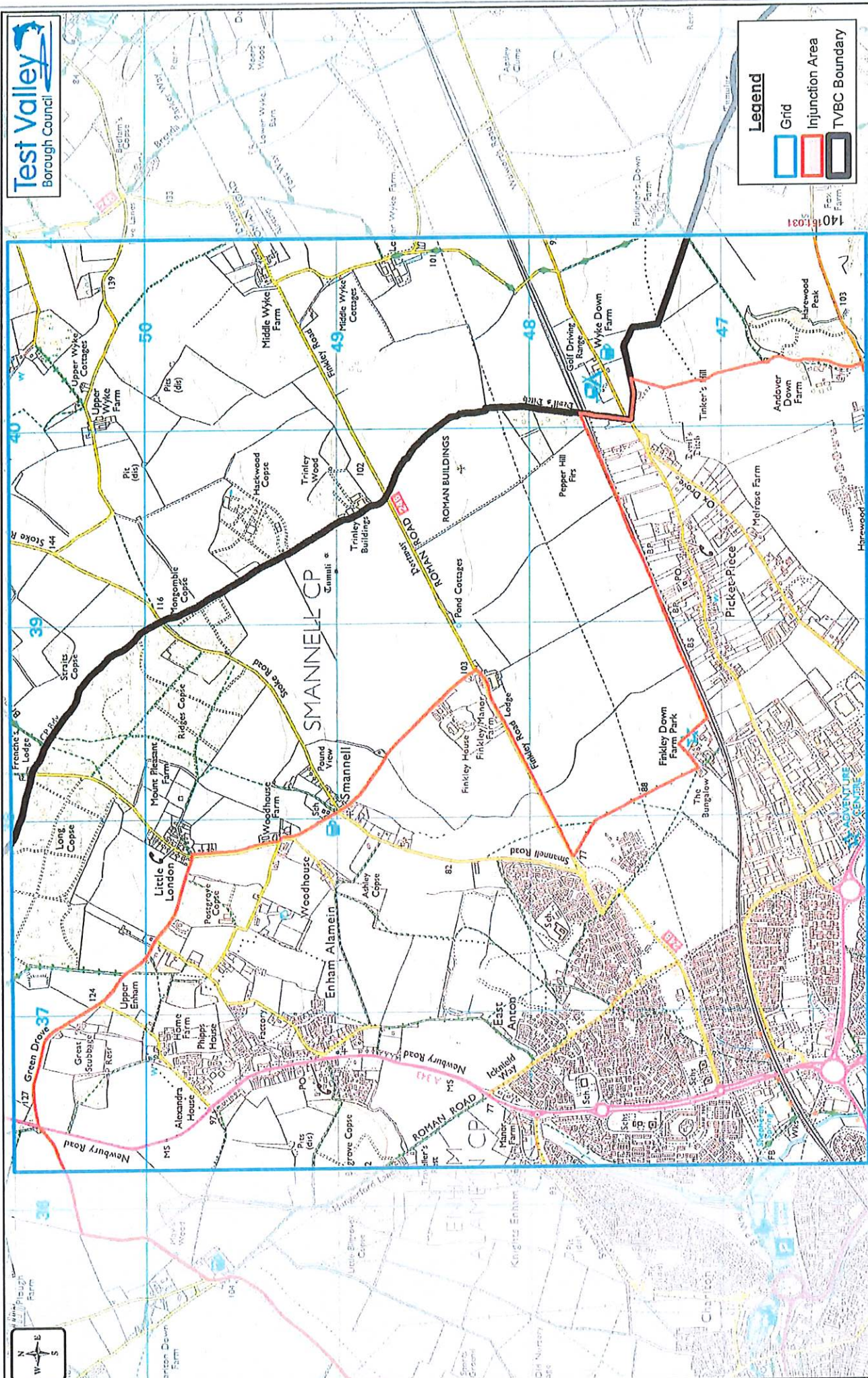
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A1 Grid Section

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

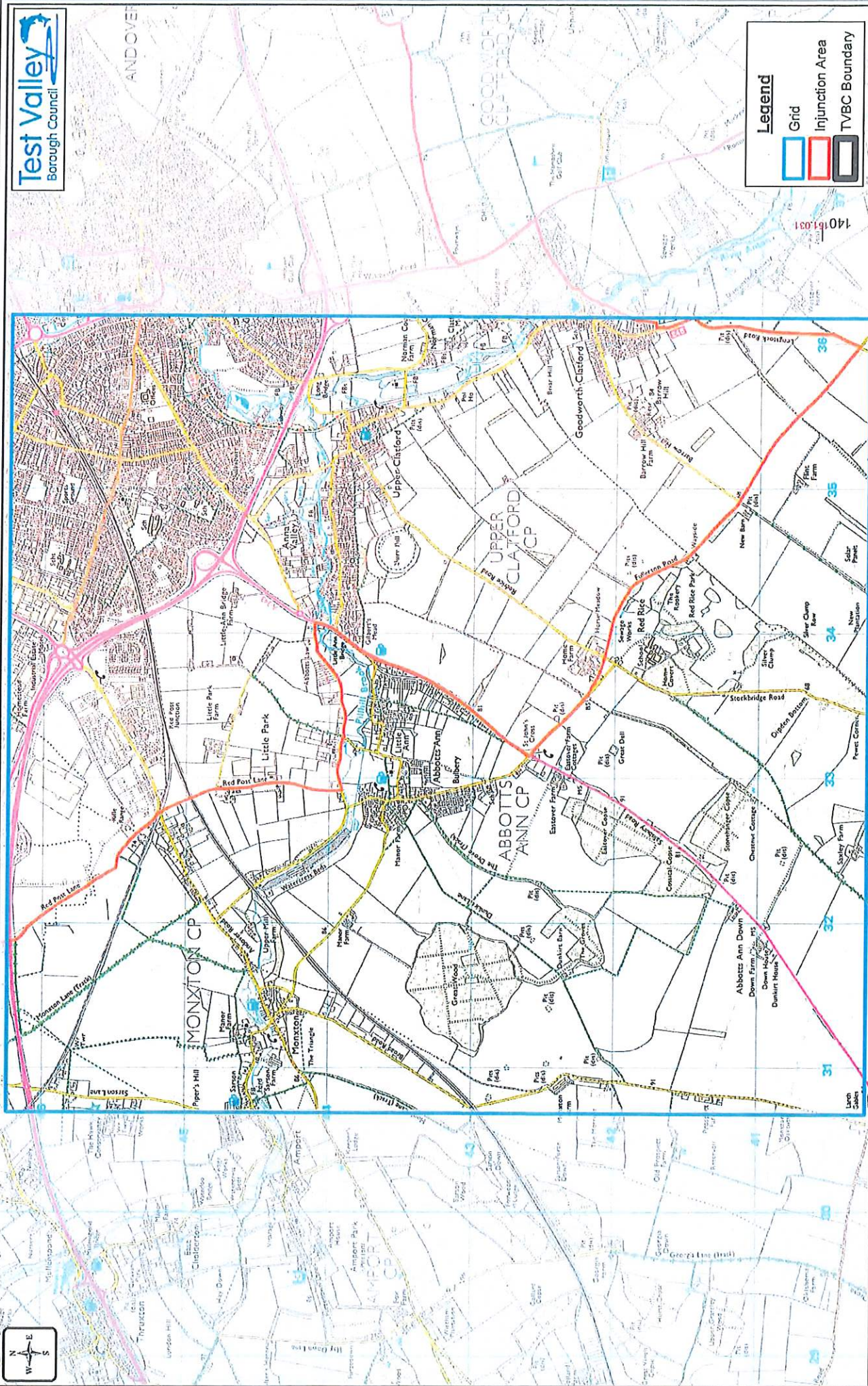


Legend
□ Grid
□ Injunction Area
 TVBC Boundary

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

Scale: 1:24,250@A4L
 Date: 11/06/2020
 Drawn: AMurray
 Dept: IMT/GIS



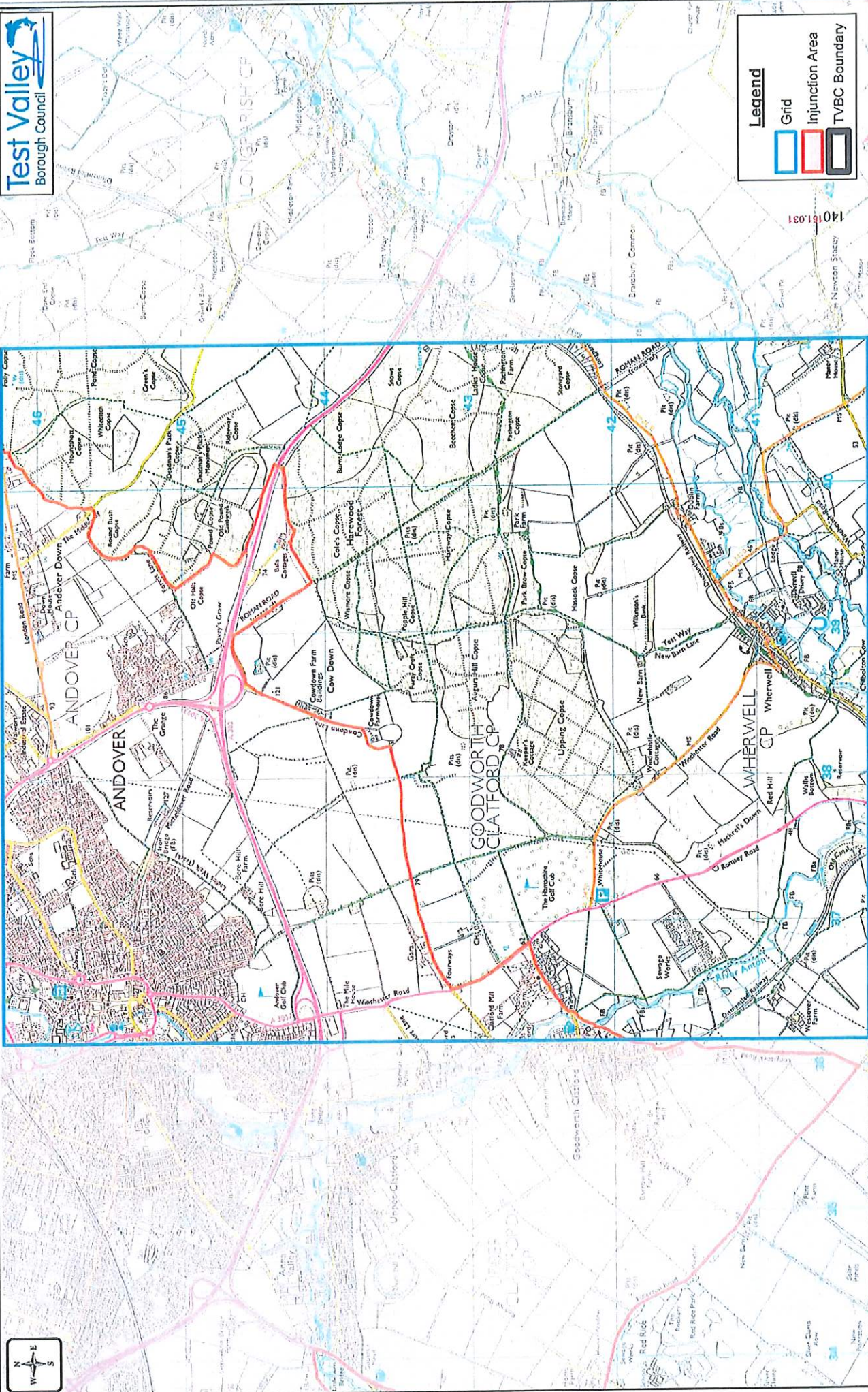
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A3 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



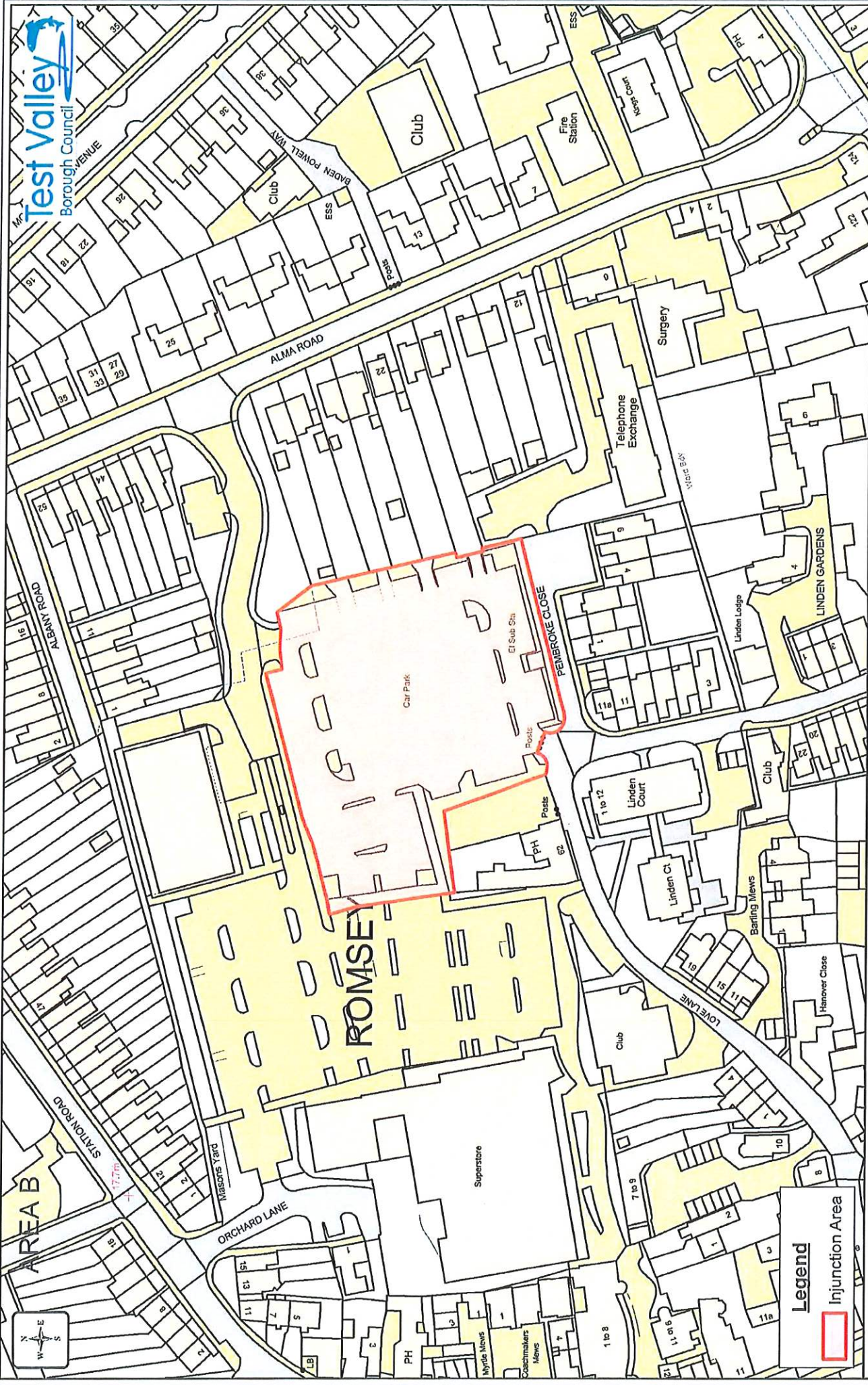
Legend

- Grid
- Injunction Area
- TVBC Boundary

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**Injunction Application Plan - North/Andover
A4 Grid Section**

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



Legend

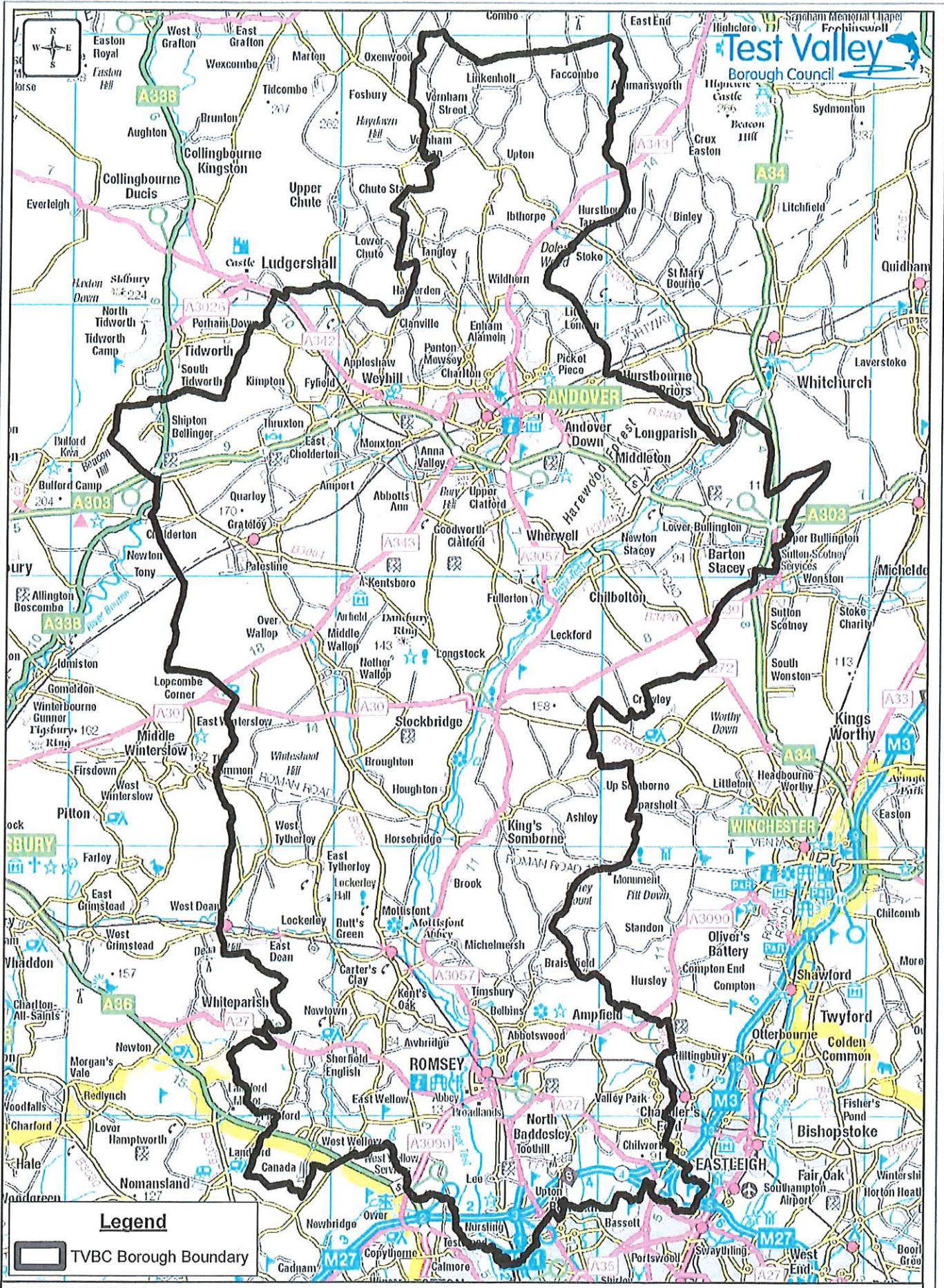
Injunction Area

Scale: 1:1,330@A4L
 Date: 28/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:

**Injunction Application Plan -
 Alma Road Car Park, Romsey**

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SCHEDULE 3 – MAP OF THE BOROUGH



Scale: 1:178,232@A4P
 Date: 27/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:

Test Valley Borough Council

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IN THE HIGH COURT OF JUSTICE

Claim Number:

QUEEN'S BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972
AND S187B TOWN AND COUNTRY PLANNING ACT 1990

Before

On the

BETWEEN

- (1) TEST VALLEY BOROUGH COUNCIL
- (2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS & EIGHTY-EIGHT OTHER NAMED DEFENDANTS IN
SCHEDULE 1 OF THE CLAIM FORM

(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN
THE BOROUGH OF TEST VALLEY

Defendants

Draft ORDER

FINAL.

IF YOU, ANY OF THE ABOVE NAMED FIRST TO EIGHTY-NINTH DEFENDANTS OR PERSONS UNKNOWN DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

UPON HEARING Counsel Miss Caroline Bolton for The Claimants

AND UPON reading the papers and hearing the Claim for the final injunction and disposal of the claim pursuant to Section 222 Local Government Act 1972 And 187B Town And Country Planning Act 1990

POWER OF ARREST

THIS ORDER CONTAINS A POWER OF ARREST FOR BREACH OF PARAGRAPHS 1-5 OF THIS ORDER PURSUANT TO SECTION 27 OF THE POLICE AND JUSTICE ACT 2006. ANY PERSON CAUGHT BREACHING PARAGRAPHS 1-5 OF THIS ORDER MAY BE ARRESTED AND BROUGHT BEFORE THE COURT

Note to Arresting Officer: Where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006:-

- **The defendant shall be brought before the judge within a period of 24 hours beginning at the time of their arrest**
- **A constable shall inform the person on whose application the injunction was granted forthwith where the defendant is arrested under these powers**

Nothing in sections 27 of the Police and Justice Act 2006 shall authorise the detention of the defendant after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculation any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

IT IS ORDERED THAT:

Until [ENTER TERM], The First to Ninetieth Defendants are forbidden from:

1. Setting-up an encampment on any land within the area marked red on the attached maps at Schedule 2 of this Order unless authorised to do so by the owner of the land
2. Setting-up an encampment on any land within the area marked red on the attached maps at Schedule 2 of this Order without written permission from the Local Planning Authority, or, planning permission granted by the planning inspector.
3. Entering and/or occupying any land within the area marked red on the attached maps at Schedule 2 for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia.
4. Bringing on to the Land or stationing on the Land any caravans/mobile homes other than when driving through the highways on the Land or in compliance with the parking orders regulating the use of car parks or with the express permission from the owner of the land.
5. Deposit or cause to be deposited, controlled waste in or on the Land unless a waste management license or environmental permit is in force and the deposit is in accordance with the license or permit.
6. There be a power of arrest attached to prohibitions 1-5 of this order.
7. The Land in this order means all land within the area marked red on the attached maps at Schedule 2 and is within the administrative boundaries of Test Valley Borough Council.
8. Service of this Order shall be deemed served on the Eighty-Ninth Defendant, Persons Unknown by:

- (i) Affixing copies (as opposed to originals) of this Order in a transparent envelope, or laminated copy, 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 2 of this Order with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ.
 - (ii) 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 the 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 2 of this Order, with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ;
 - (iii) For the additional areas of Land marked Area B in the maps attached to Schedule 2 of this Order by affixing copies (as opposed to originals) of this Order on a prominent position on Land with notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ.
9. The Defendants may each of them, or anyone notified of this Order, apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this order (or so much of it as affects that person)
10. The Defendants shall pay the Claimants costs assessed in the sum of £TBC

GUIDANCE NOTES

EFFECT OF THIS ORDER

11. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or his instructions or with his encouragement.
12. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

PARTIES OTHER THAN THE CLAIMANT AND DEFENDANTS

EFFECT OF THIS ORDER

13. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined, or have their assets seized.

INTERPRETATION OF THIS ORDER

14. In this Order, where there is more than one Defendant, unless otherwise stated, references to “the Defendants” means each or all of them.
15. A requirement to serve on “the Defendants” means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
16. An Order requiring the Defendants to do or not to do anything applies to all Defendants.
17. “controlled waste” has the same meaning as within s.75(4) of the Environmental Protection Act 1990

COMMUNICATIONS WITH THE COURT

18. All communication to the Court about this order should be sent to Room WG08 Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010).

SCHEDULE 1 – LIST OF DEFENDANTS

1	Albert Bowers	Kanes Hill Caravan Site Boley Road Southampton, SO19 0SA
2	Ann McDonagh	3 Turnpike Penbridge Ledwinstle Hereford HR3 9JZ
3	Annie Mcdonagh	7 Stone Tree, Cutworth, Barnsley, S72 6PS
4	Anthony Jones	11 Watery Lane, Skipton, Wolds DY13 9FR
5	Anthony McDonagh	23 Killybegher Road, Omagh, BT79 7WJ
6	Barbara Mcdonagh	14 Floyds Street, Mexborough, S64 9WA
7	Billy Harbour	5 The Fatchington, Gullford, GU24 2SE
8	Brian Davis	2 Leys Road, Hattington, Evesham
9	Cathal Mckenna	22 Sedgwick Lane, Holywell, E13 0LA
10	Charlie McDonagh	24 Grosvenor Street, Chester, CH1 2DQ
11	Christopher McDonagh	21 Centenary Park, Omagh, BT78 5HF
12	Crimea McDonald	8 Stewart Road, Walsall, West Midlands
13	Darren Lee	2 Foston Hill, Letchworth, WD17 4JA
14	Darren Smith	1 Melor View, Amesbury, Wiltshire, SP4 7ER
15	Dennis Booth	2 Woodlands, Elm Hill Lane, Boscawen, SG10 8XL
16	Dennis Sheridan	10 Royal Caravan Site, Carsway Green, DY12 9SH
17	Denny Quilligan	1 Preston Court, Preston Cross, Ledbury, HR3 2LL
18	Donna Marie Smith	1 Rydal Place, Evesham
19	Dylan Mcdonagh	4 Road Green, Rufford, Essex, RM17 0PZ
20	Edward McDonagh	1 Whitehall Stables, Coat Oak Road, LE67 9PZ
21	Frank Loveridge	14 Harlan's Caravan Park, Church Road, Cranford, Hounslow, Middlesex, TW3 9RZ
22	Frankie Loveridge	14 Kalina, Chertsey Road, Chobham
23	Frederick Bowers	Kanes Hill Caravan Site Boley Road Southampton SO19 0SA
24	Gouri Shanker Asposa	23 Midsessess Heights, Solihull, SO18 0PS
25	Henry Loveridge	14 Kalina, Chertsey Road, Chobham
26	Isabell Lee	10 Shawards Crescent, Shawsbury, ML3 2PH
27	Jabus Smith	15 Blakenhurst, Hattington
28	Jacob Smith	3 Elizabeth Rd, Basingstoke, RG22 6SA
29	Jade Loveridge	1 Star Hill, Barby, W. Leics
30	James Bowers	Kanes Hill Caravan Site Boley Road Southampton SO19 0SA
31	James Dean Evans	23 Alverney View, Chester
32	James Smith	101st site, Sixstocks Farm, Paces Hill, Berk, RG7 4RQ
33	Janey Jones	1 New Stan Park, Wetheral Rd, Cheshire, TW5 8EJ
34	Jason Lee	16 Justr Park, Northampton Rd, Leic, LE14 2HF
35	Jason Lee	15 Shawards Cres, Shawsbury, Lathal, ML3 2PH
36	Jim Stevens	2 Pine Grove, Sandbach, Cheshire, CW11 4JL
37	Jimmy Loveridge	Swift Lane Caravan Site, Bagshu
38	Joey Bowers	Kanes Hill Caravan Site Boley Road Southampton SO19 0SA
39	John Crawl	8 Littleton Lane, Gifford, Surrey
40	John McDonagh	23 Gortview Close, Omagh
41	John McDonagh	23 Melrose Park, Newington, Omagh, BT78 4SL

42	Jonathan Smith	19 Blakenhurst, Harrogate
43	Joseph Booth	47A Guild Av, Walsall, WS3 1LU
44	Joseph R Ball Jnr	Redkings, The Folly, Red Rd, Surrey, GU13 5XA
45	Julie Lee	21 Evelyn Way, Epsom, Surrey, KT19 7DJ
46	Kathleen McDonagh	37 Lavender Place, London
47	Kenny Rogers	Plot 5, Moose lane, Wiltonhall, WY13 3B
48	Leanne Baggett	5 Stewart Rd, Walsall, WS3 8NA
49	Lisa Loveridge	Carat Drive, Basingstoke
50	Loius Ayres	77 Spring vale, Swenmore, SO32 2AU
51	Lorna Murphy	Wasswell, Calverley, EX16 834
52	Lorraine Loveridge	14 Chelmsy Road, Chobham
53	Luke Clee	Amel, Burslem Road, Staffordshire
54	Luke John Daniels	Plot 101st Hill, Essex, CM18 7HZ
55	Margaret Bowers	Kings Hill Caravan Site, Botley Road, Southampton, SO10 0SF
56	Margaret McDonagh	4 Durbeen Close, Omagh, BT79 7XJ
57	Mary McDonagh	113 Linewood, Banbridge County Down, BT32 3FH
58	Mary McDonagh	43 Gorbies Close, Omagh, BT79 7WL
59	Michael Bowers	Kings Hill Caravan Site, Botley Road, #1, Southampton, SO10 0SF
60	Michael McDonagh	19 Garvies, Close Omagh, BT79 7WL
61	Michael McDonagh	113 Linewood, Banbridge County Down, BT32 3FH
62	Michael O'Driscoll	18 Anriach Road, Newry, BT32 8PA
63	Natasha Cuparic	1 Bell lane, Henley-on-Thames, Oxon, RG9 2HF
64	Nathan Crawl	3 Greenfield Farm, vaewood, Lins Barts Green, Horsham, RH13 2Q
65	Niamh Rainey	12 Ladbroke Park, Bellas, BT11 3EN
66	Paddy Price	100a Street, Bury, B. 9 5B
67	Pat McDonagh	21 Centenary Park, Omagh, BT79 5HH
68	Patrick Collins	5 Turpin Lodge, Leominster, Herefordshire HR8 9 7
69	Patrick Connors	Lower Cross Bungalow, Newton rd, Cardiff, CF3 2E
70	Patrick McDonagh	Cathedral House, Norfolk Street, Sheffield, S12 2JB
71	Paul Cookson	14 Hill Meadow Close, Sheffed, S20 2NH
72	Priscilla Garside	21 Tara Park, York rd, YO17 4FE
73	Sally Rogers	3 Park Street, Hereford, Cannock, WS11 5TE
74	Simon Flynn	18 Short Hill Caravan Park, Southampton-Severn DY13 9SH
75	Sophie Loveridge	4 Hanley Winney Hook, RG27 8PA
76	Steven McDonagh	17 Castleview Park, Omagh, BT79 7XJ
77	Thomas Grant	1 Peel Court, Hanley Winney Hook, RG27 8PA
78	Thomas McDonagh	122 Four Chimneys Cres, Hamdon Vale, PE7 8E
79	Thomas Stokes	1 Gates Close, Old Danson lane, Southall, BS2 9EE
80	Tim Walder	1 Gilbey Green, Newport Saffron Walden, Essex CB1 1JP
81	Tina Marie Bridges	74 Guild Av, Walsall, WS3 1LU
82	Tom Kealy	1 Kings Hill Caravan Park, Main Street, Milton, NG22 0PE
83	Tom McDonagh	13 Innismore Gardens, Coalisland, Co. Tyrone, BT71 4DL
84	Tommy McDonagh	13 Gorbies Close, Omagh, BT79 7WL
85	Tristan Beaumont	16 Occupation Road, Corby, Northamptonshire NN17 1EE

- 86 William Williams
- 87 Willie Mcdonagh
- 88 Winnie McDonagh
- 89 Winnie McDonagh

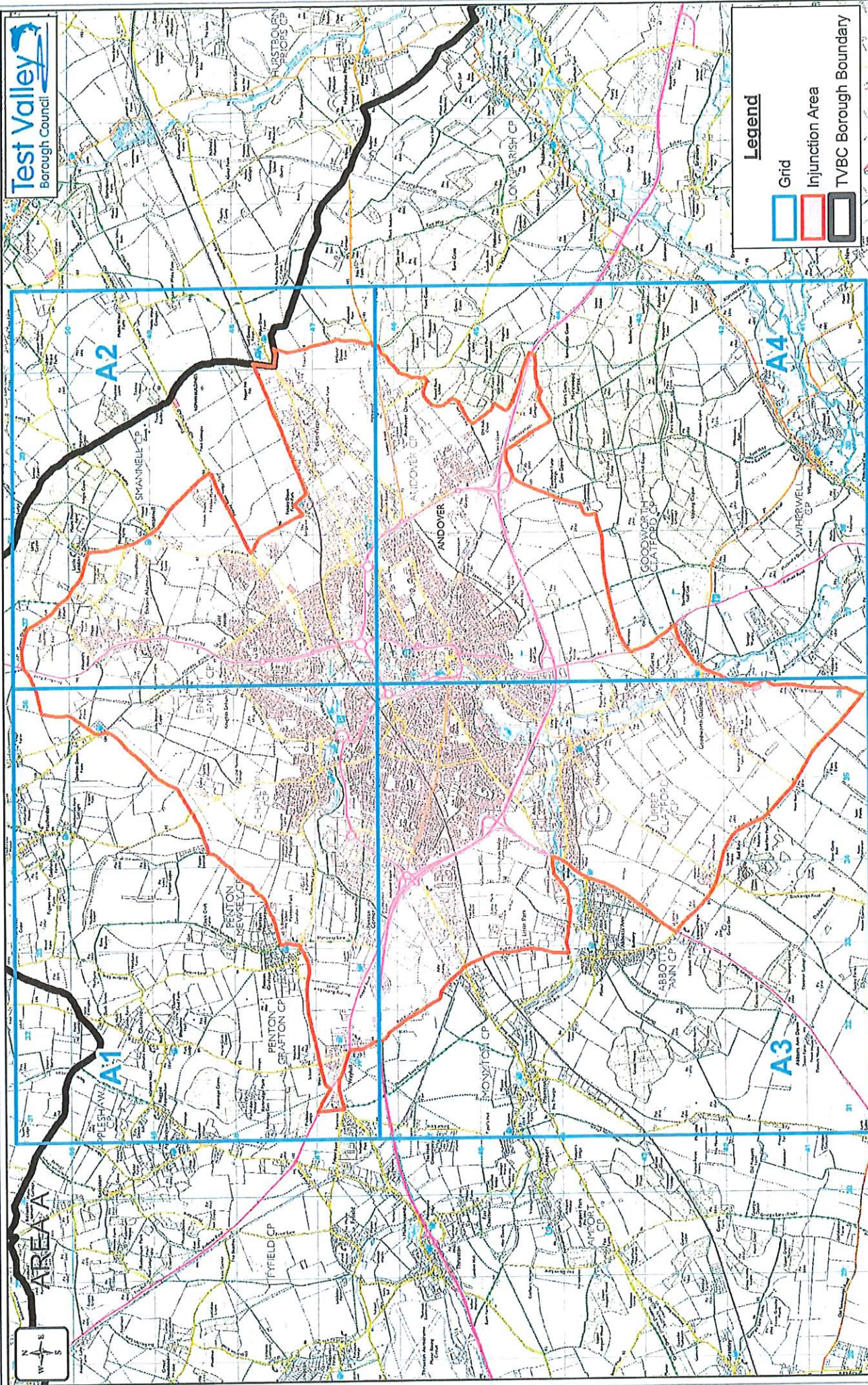
14 Gethin St. Abercarnid, Merthyr Tydfil, CF48 1 PX

Osborne News, Barnsley, S70 1JJ

1 Eastwood Place, Stoke On Trent, Staffordshire, ST1 2DE

Osborne News, Barnsley, S.Yorks S070 1JJ

**SCHEDULE 2 –MAP OF AREA COVERED BY
THE INJUNCTION**



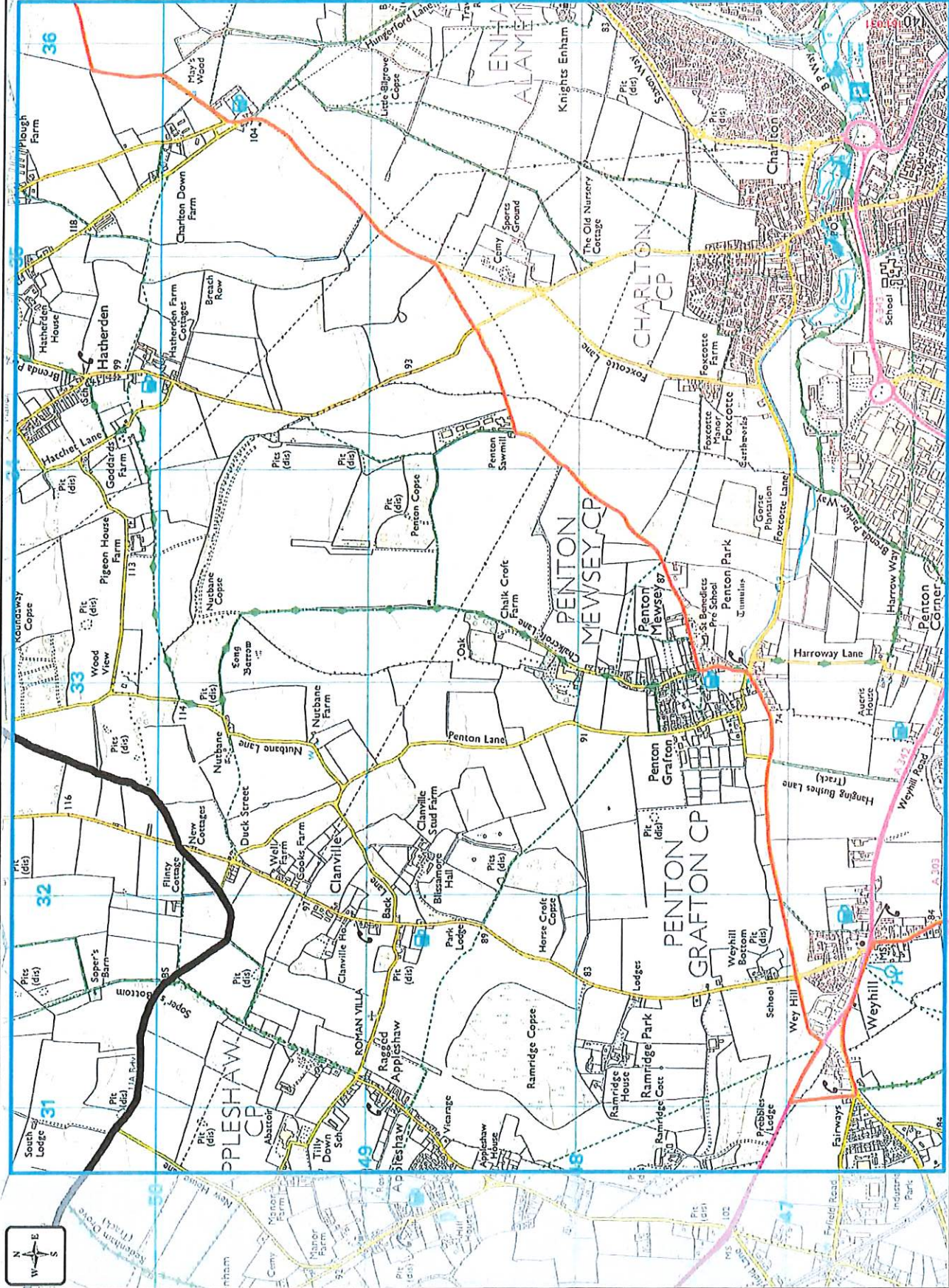
Legend

- Grid
- Injunction Area
- TVBC Borough Boundary

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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



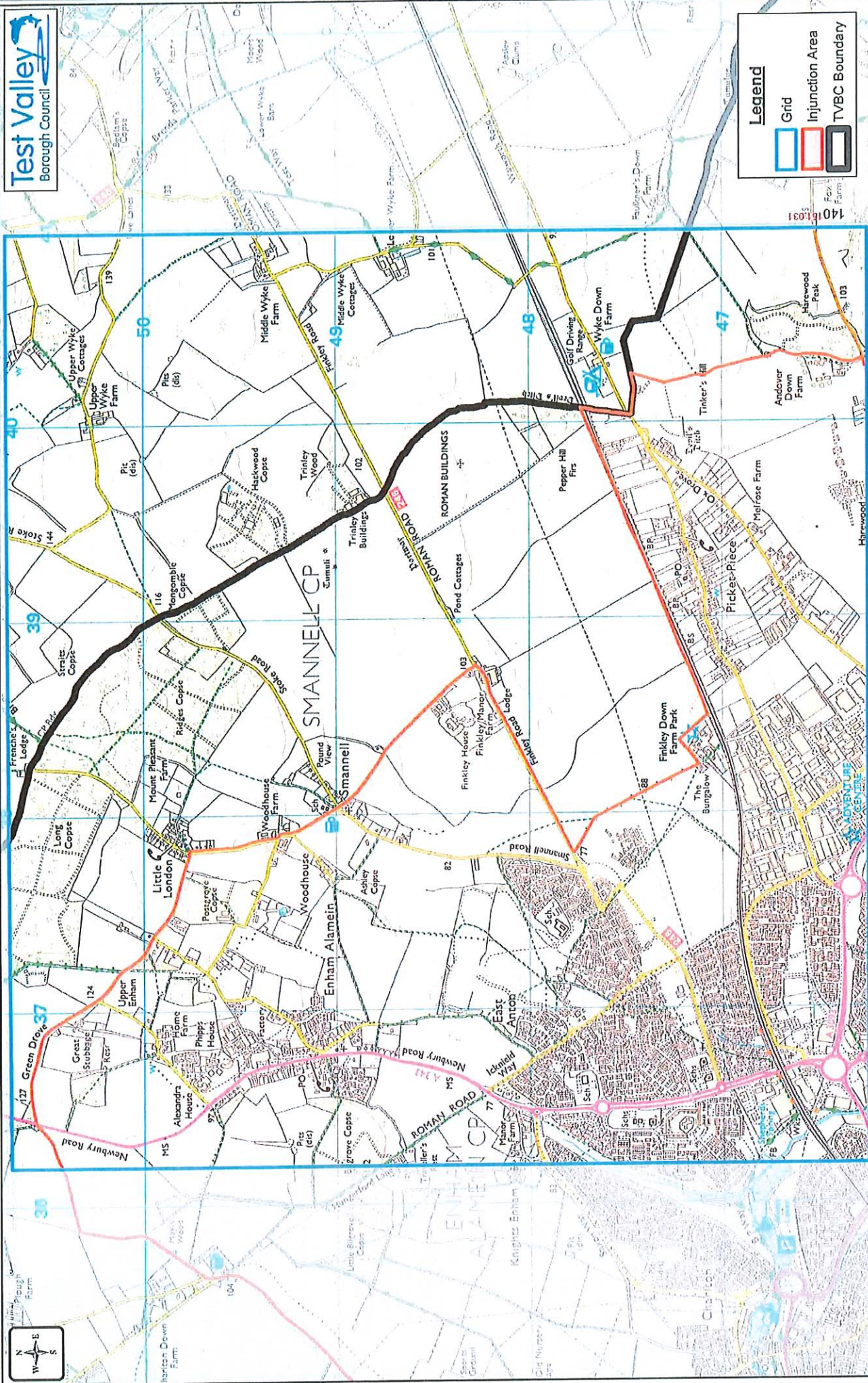
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A1 Grid Section

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



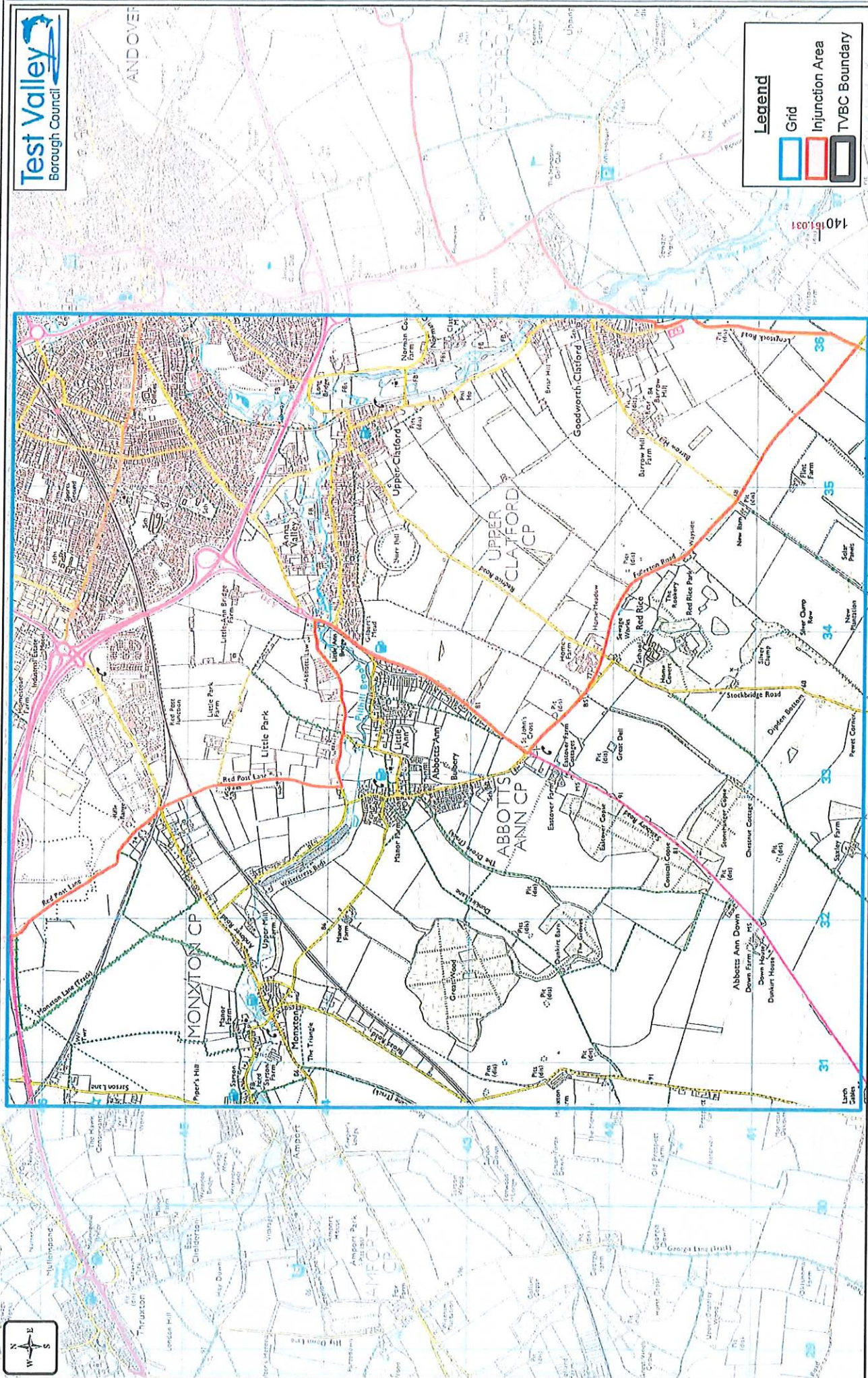
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A2 Grid Section

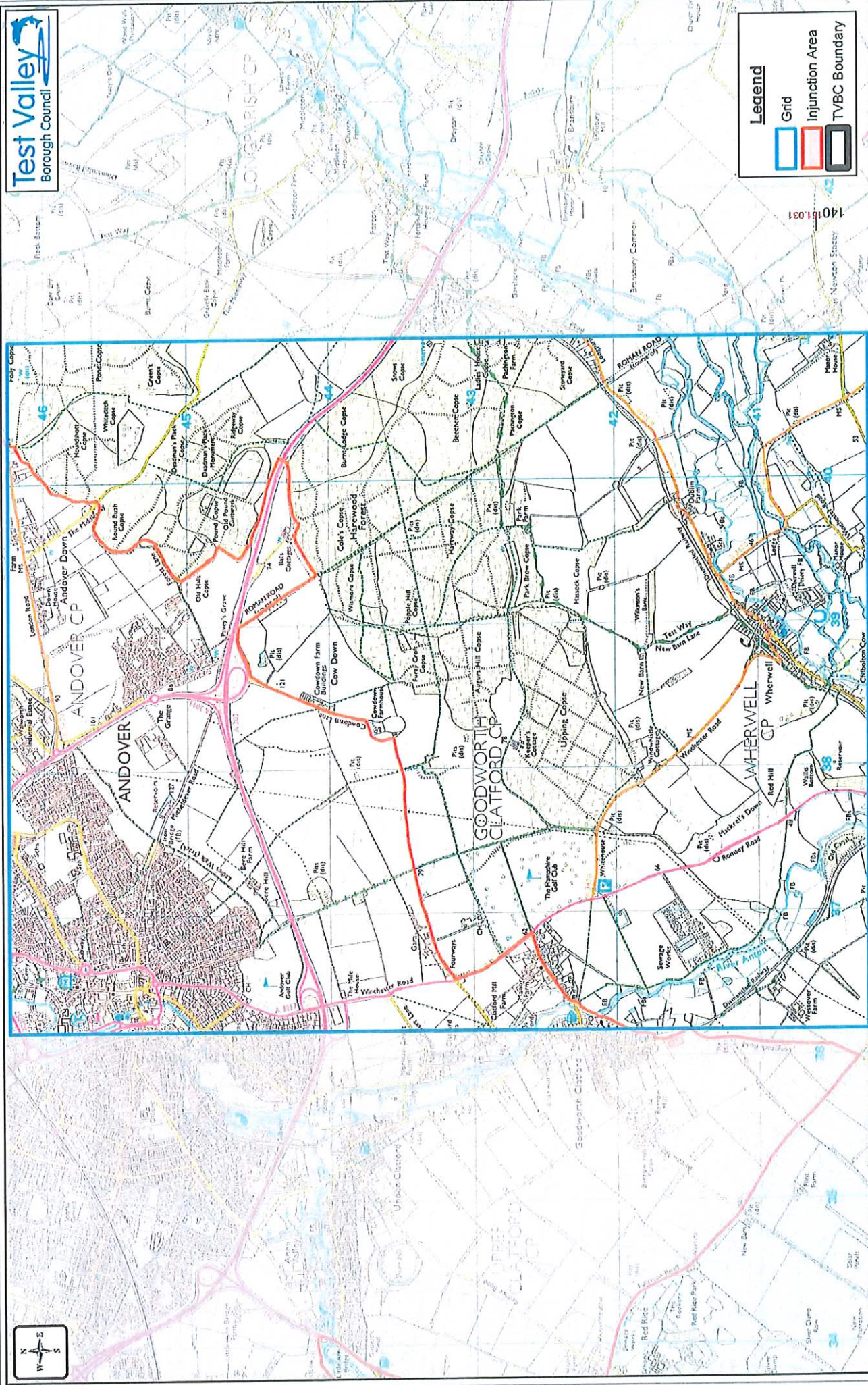
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Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



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Injunction Application Plan - North/Andover A3 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



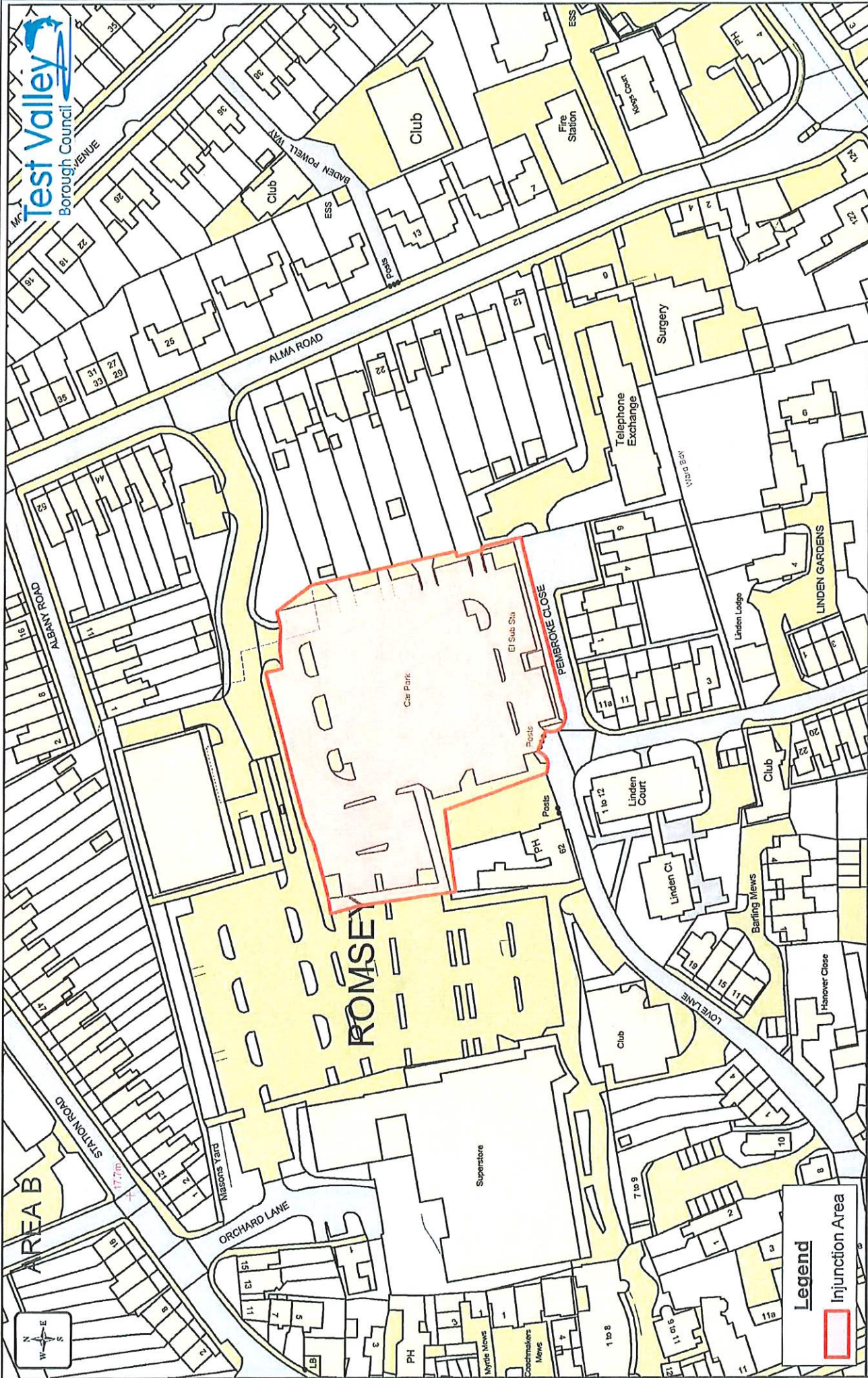
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A4 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



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Injunction Application Plan - Alma Road Car Park, Romsey

Legend

Injunction Area

Scale: 1:1,330@A4L
Date: 28/05/2020
Drawn: AMurray
Dept: IMT/GIS
Doc:

SCHEDULE 3 – MAP OF THE BOROUGH



Scale: 1:178,232@A4P
 Date: 27/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:

Test Valley Borough Council

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B E T W E 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

SCHEDULE 3

D No.	Name	Address for service
91	Simon McGinley	134 Alder Street, Newton-Le-Willows, Merseyside WA12 8HP
92	Martina Quilligan	Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW
93	Bridget Quilligan	Carousel Park, Basingstoke Road, Micheldever, Winchester, Hampshire SO21 3BW
94	Linda Barnett	Park Place Nursery Cottage, Titchfield Lane, Wickham PO17 5HB
95	James Galbraith	40 Nevis Grove, Bletchley, Bucks MK2 3NY
96	Steven Jackson	6 Gretsby Buildings, Nantwich, Cheshire CW5 5PX
97	Martin Doherty	31 Thingley Caravan Site, Easton Lane, Wiltshire SN14 0RW
98	Paul Kranjiewski	16 Oasktree Way, Cannington, Bridgewater, Somerset TA5 2RL
99	Paddy Mohan	73 Holloway Road, London N7 8JZ

100	Jayson Stanley	Keepers Yard, Nash Lee Road, Terrick, Aylesbury HP17 0TQ
101	Savanah Carter	Heatherley House, Aldermarston Road, Pamber End, Hampshire RG26 5QN
102	John Mufhy	6 Sandiares Caravan Site, Long Green, Cressing, Essex CM77 8DL
103	Martin McDonagh	13 Castlebalfour Park, Enniskillen BT92 0GD
104	Patrick Collins	LG10 Springfield House, Springfield Street, Barnsley S70 6EQ
105	Charlie McDonagh	9 Rockfield Park, Belleek, Enniskillen BT93 3GJ
106	Willie McDonagh	56 Main Street, Castleberg, County Tyrone BT81 7AN
107	Tony Murphy	6 Sydney Lane, Aughnacloy, County Tyrone BT69 6AF
108	Sarah Crawley	42D the Fairway, Leicester LE26 6LN
109	Charles Ward	7 New Acres, Spade Lane, Sittingbourne, Kent ME9 7TT
110	Mary McDonagh	5 Boggs Cottages, Keele Road, Newcastle, Staffordshire ST5 5AB
111	Sally Ann O'Connor	7 Gisborne Green, Derby DE1 3NA
112	David Moors	79 Towcester Road, Northampton NN4 8LR
113	Nathan Stewart	11 Meynells Gorse, Gold Course Lane, Leicester LE3 1UY
114	James McDonagh	The Woodlands, Rotherham Road, Killamarsh, Sheffield S21 2DS
115	Bridget Quiligan	Annexe Henroost Farm, Old Gloucester Road, Winterbourne, Bristol BS36 1RZ
116	John Mohan	9B Carousel Park, Micheldever, Winchester, Hampshire SO21 3BW
117	Matthew Watts	3 Epton House, Fairfield Avenue, Staines, Middlesex TW18 4JH
118	Vanessa Sweeney	14 Harris Road, Upper Heyford, Bicester, Oxfordshire OX25 5TR
119	Eddie Lee	52 Liquorice Lane, Woking, Surrey GU22 9NZ
120	Richard John Smith	4 Attlee Drive, Dartford, Kent DA1 5DE
121	Jake Howard	25 Beards Road, Ashford, Middlesex TW15 1TE
122	James Price	8 Highwood Park, Highwood Road, Patchway, Bristol BS34 5DJ
123	Michael Finney	2 Station Terrace, Station Road, Sandycroft CH5 2QU
124	Martin Quilligan	93 Armoury Road, London SE8 4LB

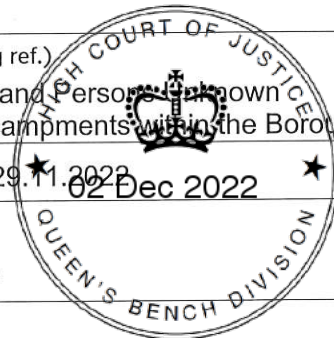
125	James Cooper	27 Beards Road, Ashford, Middlesex TW15 1TE
126	James Lee	7a Highwood Road, Patchway, Bristol BS34 5DJ
127	Sophie Hay	56 The Crescent, Egham, Surrey TW20 9PH
128	Tim McDonald	Caravan 18, Sunset Park Homes, Whitfield, Brackley, Northants NN13 5TD
129	Joseph McDonagh	Caravan 20, Sunset Park Homes, Whitfield, Brackley, Northants NN13 5TD
130	John Ward	7 Watling Farm Close, Stanmore, Middlesex HA7 4UY
131	Charlotte Nevin	33 Hereford Road, Luton, Bedfordshire LU4 0PS
132	Simon McDonagh	121 Meadow Way, Leighton Buzzard, Bedfordshire, LU7 3XP
133	Harry Moore	13 Methuen Road, Bournemouth BH8 8NB
134	Kathleen Hanrahan	35 Nethermead Court, Northampton NN3 8NE
135	Patrick Oliver McDonagh	133 Church Lane, Manchester M9 4WH
136	John McDonagh	2 Rockfield Park, Belleek, Enniskillen BT93 3GJ
137	Martin McDonagh	9 Rockfield Park, Belleek, Enniskillen BT93 3GJ

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court High Court KB Division	Claim no. QB-2020-002112
Fee account no. (if applicable) PBA0083481	Help with Fees – Ref. no. (if applicable) H W F - [] [] [] - [] [] []
Warrant no. (if applicable)	
Claimant's name (including ref.) Test Valley Borough Council and Hampshire County Council	
Defendant's name (including ref.) Albert Bowers and others and Persons Unknown forming Unauthorised Encampments within the Borough	
Date	29.11.2022 02 Dec 2022



1. What is your name or, if you are a legal representative, the name of your firm?
 Karen Louise Dunn
 QB-2020-002112

2. Are you a Claimant Defendant Legal Representative Other (please specify) _____
 Sub Event ID: 185

If you are a legal representative whom do you represent? Claimants

3. What order are you asking the court to make and why?
 The Claimants seek an order adding sites over which injunctive relief is sought to this Claim.

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with?
 at a hearing without a hearing
 at a remote hearing

6. How long do you think the hearing will last?
 1 Hours [] Minutes
 Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period
 2nd October 2023

8. What level of Judge does your hearing need?

9. Who should be served with this application?
 Named Defendants and Persons Unknown

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.
 See Schedule

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

This application is made pursuant to paragraph 2c of the order of Mr Justice Jacobs 24th October 2022. An interim order curtailing unauthorised encampments within a strictly defined area was made within these proceedings on 28th June 2020. Trial is listed for 2nd October 2023.

By way of this application (to be heard at trial in accordance with the order of 24th October 2022) the Claimants seek an order adding two further sites over which relief is sought to this Claim, namely:

1. Romsey Rapids campus, Southampton Road, Romsey, SO51 8AF as shown hatched red area on the plan at Schedule 1 to this application and
2. Nursling and Rownhams Hall and Recreation Ground, Joe Bigwood Close, Nursling, Hampshire, SO16 0YL as shown hatched red on the plan at Schedule 2 to this application

The Romsey Rapids site comprises a Leisure Centre (owned by Test Valley Borough Council and leased to a leisure provider) surrounded by car parking and playing fields.

The Nursling site comprises the Nursling and Rownhams Parish Council owned village hall and recreation grounds.

Both of these sites have experienced significant unauthorised encampments over the last two years. Encampments have been established on the Romsey Rapids site on 29th June 2020, 10th March 2021, 23rd July 2021, 30th July 2021, 2nd July 2022 and 5th August 2022 as more fully described in the third witness statement of Inspector Chris Taylor dated 4th November 2022 and Ninth Witness Statement of Karen Dunn dated 3rd November 2022 within these proceedings.

Two unauthorised encampments have been established on the Nursling site on 26th June 2020 and 12th July 2022. Criminal damage and antisocial behaviour accompanied both encampments. The July 2022 encampment comprised over 70 vehicles and police exercised their s61 powers to disperse this encampment. Again, these encampments are more fully described on in the witness statements of Karen Dunn and Inspector Chris Taylor as described above.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

This application is made pursuant to paragraph 2c of the order of Mr Justice Jacobs 24th October 2022. An interim order curtailing unauthorised encampments within a strictly defined area was made within these proceedings on 28th June 2020. Trial is listed for 2nd October 2023.

By way of this application (to be heard at trial in accordance with the order of 24th October 2022) the Claimants seek an order adding two further sites over which relief is sought to this Claim, namely:

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2. Nursling and Rownhams Hall and Recreation Ground, Joe Bigwood Close, Nursling, Hampshire, SO16 0YL as shown hatched red on the plan at Schedule 2 to this application

The Romsey Rapids site comprises a Leisure Centre (owned by Test Valley Borough Council and leased to a leisure provider) surrounded by car parking and playing fields.

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Two unauthorised encampments have been established on the Nursling site on 26th June 2020 and 12th July 2022. Criminal damage and antisocial behaviour accompanied both encampments. The July 2022 encampment comprised over 70 vehicles and police exercised their s61 powers to disperse this encampment. Again, these encampments are more fully described on in the witness statements of Karen Dunn and Inspector Chris Taylor as described above.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

Full name

Name of applicant's legal representative's firm


If signing on behalf of firm or company give position or office held

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

Full name

Name of applicant's legal representative's firm

If signing on behalf of firm or company give position or office held

Applicant's address to which documents should be sent.

Building and street

Beech Hurst

Second line of address

Weyhill Road

Town or city

Andover

County (optional)

Hampshire

Postcode

S	P	1	0	3	A	J
---	---	---	---	---	---	---

If applicable

Phone number

01264 368401

Fax phone number

--

DX number

123080 ANDOVER 6

Your Ref.

KLD

Email

kdunn@testvalley.gov.uk

Claim no:

IN THE HIGH COURT
QUEENS BENCH DIVISION
BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS AND 88 NAMED DEFENDANTS
LISTED IN THE SCHEDULE ATTACHED TO THE CLAIM FORM
(90) PERSONS UNKNOWN

Defendants

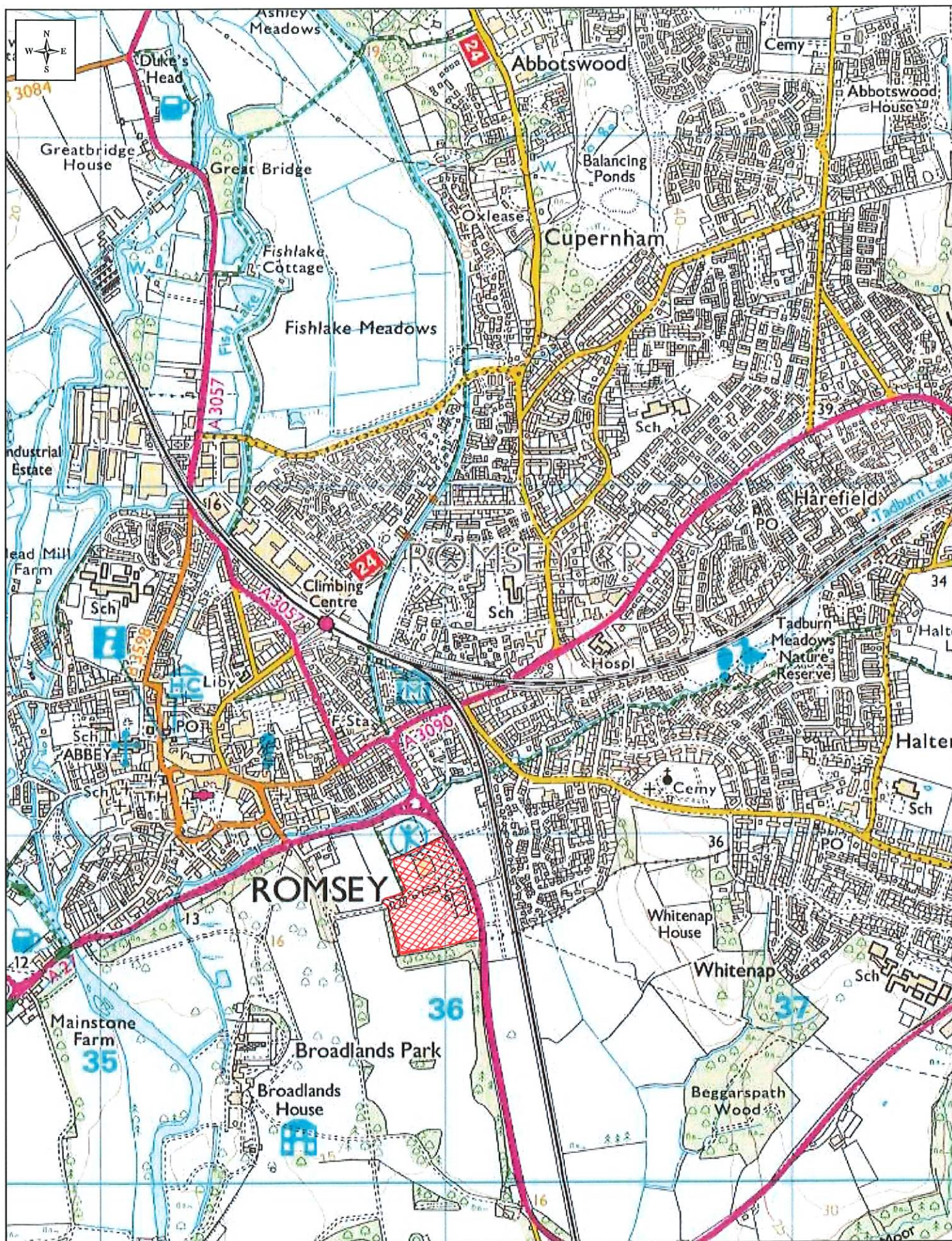
SCHEDULE 1 – List of Defendants

(1)	Albert Bowers	Kanes Hill Caravan Site Botley Road Southampton SO19 0SA
(2)	Ann McDonagh	3 Turnpike Penbridge Leominster Hereford HR6 9JZ
(3)	Annie Mcdonagh	7 Stanley Street, Cudworth, Barnsley, S72 8HS
(4)	Anthony Jones	11 Watery Lane, Stourport, Worcs, DY13 9PR
(5)	Anthony McDonagh	73 Killyclogher Road, Omagh, BT79 7WU
(6)	Barbara Mcdonagh	34 Flowitt Street, Mexborough, S64 9NN
(7)	Billy Harbour	8 The Hatchingtan, Guilford, GU3 3SB
(8)	Brian Davis	2 Leys Road, Harrington, Evesham
(9)	Cathal Mckenna	22 Seapark lane, Holywood, BT18 0LA
(10)	Charlie McDonagh	24 Grosvenor Street, Chester, CH1 2DD
(11)	Christopher McDonagh	21 Centenary Park, Omagh, BT78 5HH
(12)	Crimea McDonald	9 Stewart Road, Walsall, WS9 9NQ
(13)	Darren Lee	2 Hipton Hill, Lenchwick, WR11 4UA
(14)	Darren Smith	7 Melor View, Amesbury, Wiltshire, SP4 7RL
(15)	Dennis Booth	8 Woodlands, Dunton Lane, Biggleswade, SG18 8YD
(16)	Dennis Sheridan	Shorthill Caravan Site, Gorssway Green, DY13 9SH
(17)	Denny Quilligan	Preston Court, Preston Cross, Ledbury, HR8 2LL
(18)	Donna Marie Smith	1 Rynal Place, Evesham
(19)	Dylan Mcdonagh	3 Rom Cres, Romford, Essex, RM7 0PL
(20)	Edward McDonagh	2 Whitegate Stables, Copt Oak Road, LE67 9PJ

- (21) Frank Loveridge 14 Hartlands Caravan Park, Church Road, Cranford, Hounslow, Middlesex, TW5 9RY
- (22) Frankie Loveridge 14 Kalima, Chertsey Road, Chobham
- (23) Frederick Bowers 3 Kanes Hill aCravan Site Botley Road Southampton SO19 0SA
- ~~(24) Gouri Shanker Asposa 23 Wilderness Heights, Soton, SO18 3PS~~
- (25) Henry Loveridge 14 Kalima, Chertsey Road, Chobham
- ~~(26) Isabell Lee 10 Shawlands Cresent, Shawsburn, ML9 2PH~~
- ~~(27) Jabus Smith 19 Blakenhurst, Harrington~~
- (28) Jacob Smith 78 Elizabeth Rd, Basingstoke, RG22 6BA
- (29) Jade Loveridge 6 Star Hill, Hartney Witney
- (30) James Bowers Kanes Hill Caravan Site Botley Road Southampton SO19 0SA
- (31) James Dean Evans 23 Alverney View, Chester
- (32) James Smith Transit Site, Oldstocks Farm, Paices Hill, Berks, RG7 4PG
- (33) Janey Jones 2 New Start Park, Wettenhall Rd, Cheshire, CW5 6EL
- (34) Jason Lee 16 Justin Park, Northampton Rd, Leic, LE16 9HF
- ~~(35) Jason Lee 19 Shawlands Gres, Shawsburn, Larkhall, ML9 2PH~~
- ~~(36) Jim Stevens 4 Pine Grove, Sandbach, Cheshire, CW11 4JJ~~
- (37) Jimmy Loveridge Swift Lane Caravan Site, Bagshot
- (38) Joey Bowers 5 Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0SA
- ~~(39) John Crawt 6 Littleton Lane, Guildford, Surrey~~
- (40) John McDonagh 43 Gortview Close, Omagh
- (41) John McDonagh 38 Mourne Park, Newtonsteward, Omagh, BT78 4BL
- (42) Jonathan Smith 19 Blakenhurst, Harrington.
- (43) Joseph Booth 47A Guild Av, Walsall, WS3 1LG
- (44) Joseph R Ball Jnr Redklands, The Folly, Red Rd, Surrey, GU18 5XA
- (45) Julie Lee 20 Evelyn Way, Epsom, Surrey, KT19 7DJ
- (46) Kathleen McDonagh 67 Lavender Place, London
- (47) Kenny Rogers Plot 6, Noose lane, Willenhall, WV13 3BJ
- (48) Leanne Baggett 9 Stewart Rd, Walsall, WS9 9NQ
- ~~(49) Lisa Loveridge Carter Drive, Basingstoke~~
- (50) Loius Ayres 77 Spring Vale, Swanmore, SO32 2AU
- ~~(51) Lorna Murphy Malsover, Galverleigh, EX16 8BA~~
- (52) Lorraine Loveridge 14 Chertsey Road, Chobham
- (53) Luke Clee Anvil, Bursnips Road, Staffordshire
- (54) Luke John Daniels Plot5 fern Hill, Essex, CM18 7HX
- (55) Margaret Bowers Kanes Hill Caravan Site Botley Road Southampton SO19 0SA
- (56) Margaret McDonagh 4 Dunbreen Close, Omagh, BT79 7XF
- (57) Mary McDonagh 113 Limewood, Banbridge County Down, BT32 3FH
- (58) Mary McDonagh 43 Gortview Close, Omagh, BT79 7WU
- (59) Michael Bowers Kane Hill Caravan Site, Botley Road, #3, Southampton, SO19 0SA
- (60) Michael McDonagh 19 Gortview, Close Omagh BT79 7WU
- (61) Michael McDonagh 113 Limewood, Banbridge County Down, BT32 3FH
- (62) Michael O'Driscoll 58 Armagh Road, Newry, BT35 6PW
- ~~(63) Natasha Cuparic 4 Bell lane, henley-on-Thames, Oxon, RG9 2HP~~

- (64) Nathan Crawl 3 Greenfield Farm Valewood Lane Barns Green Horsham RH13 0QJ
- ~~(65) Niamh Rainey 72 Ladybrook Park, Belfast BT11 9EN~~
- (66) Paddy Price Todd Street, Bury, BL9 5BJ
- (67) Pat McDonagh 21 Centenary Park, Omagh, BT78 5HH
- ~~(68) Patrick Collins 5 Turnpike Leominster Herefordshire HR6 9JZ~~
- (69) Patrick Connors Lower Cross Bungalow, Newton rd, Cardiff, CF3 2EJ
- ~~(70) Patrick McDonagh Cathedral House, Norfolk Street, Sheffield, S12 2JB~~
- ~~(71) Paul Cookson 14 Mill Meadow Close, Sheffield, S20 2NT~~
- (72) Priscilla Garside 21 Tara Park, York rd, YO17 6TB
- (73) Saily Rogers 3 Platt Street, Hednesford, Cannock, WS11 5TG
- ~~(74) Simon Flynn 38 Shorthill Caravan Park, Stourport-on-Severn DY13 9SH~~
- (75) Sophie Loveridge 4 Hartley Wintney, Hook RG27 8RX
- (76) Steven McDonagh 17 Castleview Park, Omagh, BT79 7SG
- ~~(77) Thomas Grant 4 Peel Court Hartley Wintney Hook, RG27 8RX~~
- (78) Thomas McDonagh 136 Four Chimneys Cres, Hampton Vale, PE7 8FH
- (79) Thomas Stokes 9 Gables Close, Old Damson lane, Solihull, B92 9EE
- ~~(80) Tim Walder 2 Gilbey Green Newport Saffron Walkden Essex GB11 3RS~~
- (81) Tina Marie Bridges 47A Guild Av, Walsall, WS3 1LG
- ~~(82) Tom Kealy Longbow Caravan Park, Main Street, Milton, NG22 0PP~~
- (83) Tom McDonagh 13 Innishmore Gardens, Coalisland, Co. Tyrone BT71 4DL
- (84) Tommy McDonagh 43 Gortview Close, Omagh, BT79 7WU
- ~~(85) Tristan Beaumont 66 Occupation Road Corby Northamptonshire NN17 1EF~~
- (86) William Williams 34 Gethin St, Abercanaid, Merthyr Tydfil, CF48 1PX
- (87) Willie McDonagh 5 Osborne Mews, barnsley, S70 1UU
- (88) Winnie McDonagh 1 Eastwood Place, Stoke On Trent, Staffordshire, ST1 3DB
- (89) Winnie McDonagh 5 Osborne Mews, Barnsely, S.Yorks SO70 1UU

ArcGIS Web Map **SCHEDULE 1**



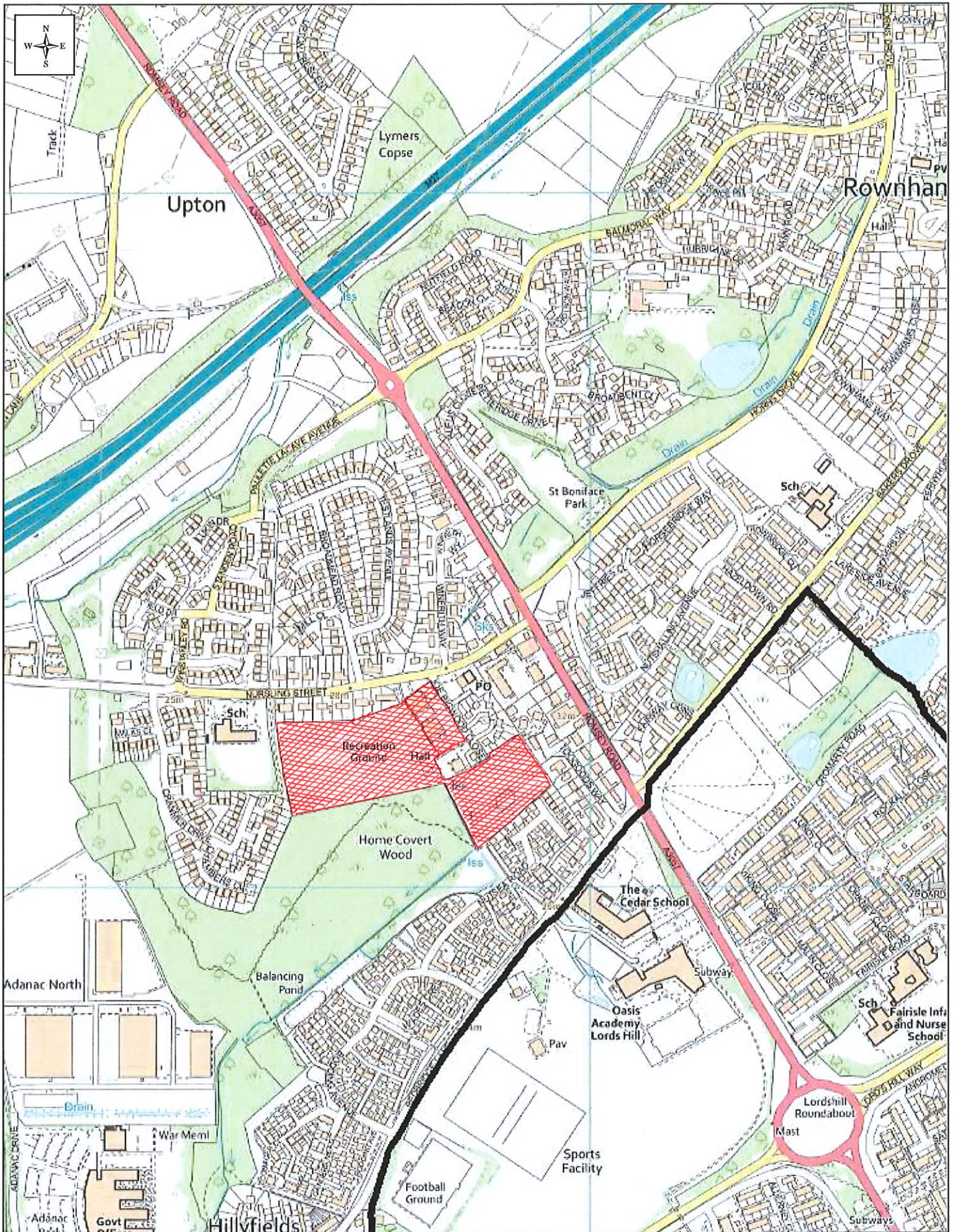
Date: 28/11/2022

Scale: 1:14,192

Author: Test Valley Borough Council

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ArcGIS Web Map **SCHEDULE 2.**



Date: 28/11/2022

Scale: 1:7,096

Author: Test Valley Borough Council

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Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court High Courts of Justice QBD	Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
PBA0083481	HWF - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>
Warrant no. (if applicable)	
Claimant's name (including ref.) Test Valley Borough Council (1) Hampshire County Council (2)	
Defendant's name (including ref.) 1. Albert Bowers and 88 other named Defendants set out in the attached schedule (90) Persons unknown	
Date	17th June 2020

1. What is your name or, if you are a legal representative, the name of your firm?

Test Valley Borough Council

2. Are you a Claimant Defendant Legal Representative
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Claimants seek an injunction pursuant to Section 222 Local Government Act 1972 and 187B of the Town and Country Planning Act 1990. The reasons for the injunction are set out in the witness statements detailed in section 10

4. Have you attached a draft of the order you are applying for? Yes No
(ATTACHED TO CLAIM FORM)
5. How do you want to have this application dealt with? at a hearing without a hearing
 at a telephone hearing
6. How long do you think the hearing will last? Hours Minutes
Is this time estimate agreed by all parties? Yes No
7. Give details of any fixed trial date or period
8. What level of Judge does your hearing need?
9. Who should be served with this application?
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

Witness statements and exhibits of; 1. First witness statement of Karen Dunn ,2. Second witness statement of Karen Dunn, 3. Witness statement of Nicholas Waite, 4. Witness statement of Inspector Chris Taylor, 5. Witness statement of Lorraine Cooper, 6. Witness statement of Boyce Jeffrey, 7. Witness statement of Rod Mason, 8. Witness statement of Tracey Wilson, 9. Witness statement of Lorna Taylor, 10. Witness statement of Dominic Harding, 11. Witness statement of Ian Hodson, 12. Witness statement of PC Mark Potter, 13. Witness statement of Ben Hamilton, 14. Witness statement of Anonymous Resident A, 15. Witness statement of Anonymous Resident B, 16. Witness statement of Anonymous Resident C

Statement of Truth

(I believe) (~~The applicant believes~~) that the facts stated in this section (and any continuation sheets) are true.

Signed Karen Dunn Dated 17.60.2020

Applicant('s legal representative)('s litigation friend)

Full name Test Valley Borough Council

Name of applicant's legal representative's firm Karen Louise Dunn

Position or office held Head of Legal and Democratic Services
(if signing on behalf of firm or company)

11. Signature and address details

Signed Karen Dunn Dated 17.60.2020

Applicant('s legal representative)('s litigation friend)

Position or office held Head of Legal and Democratic Services
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

Test Valley Borough Council, Beech Hurst, Weyhill
Road, Andover, Hampshire, SP10 3AJ

Postcode

S	P	1	0	3	A	J
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If applicable	
Phone no.	01264 368401
Fax no.	
DX no.	DX 123080 ANDOVER 6
Ref no.	

E-mail address kdunn@testvalley.gov.uk

IN THE HIGH COURT

QUEENS BENCH DIVISION

BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS AND 88 NAMED DEFENDANTS
LISTED IN THE SCHEDULE ATTACHED TO THE CLAIM FORM
(90) PERSONS UNKNOWN

Defendants

SCHEDULE 1 – List of Defendants

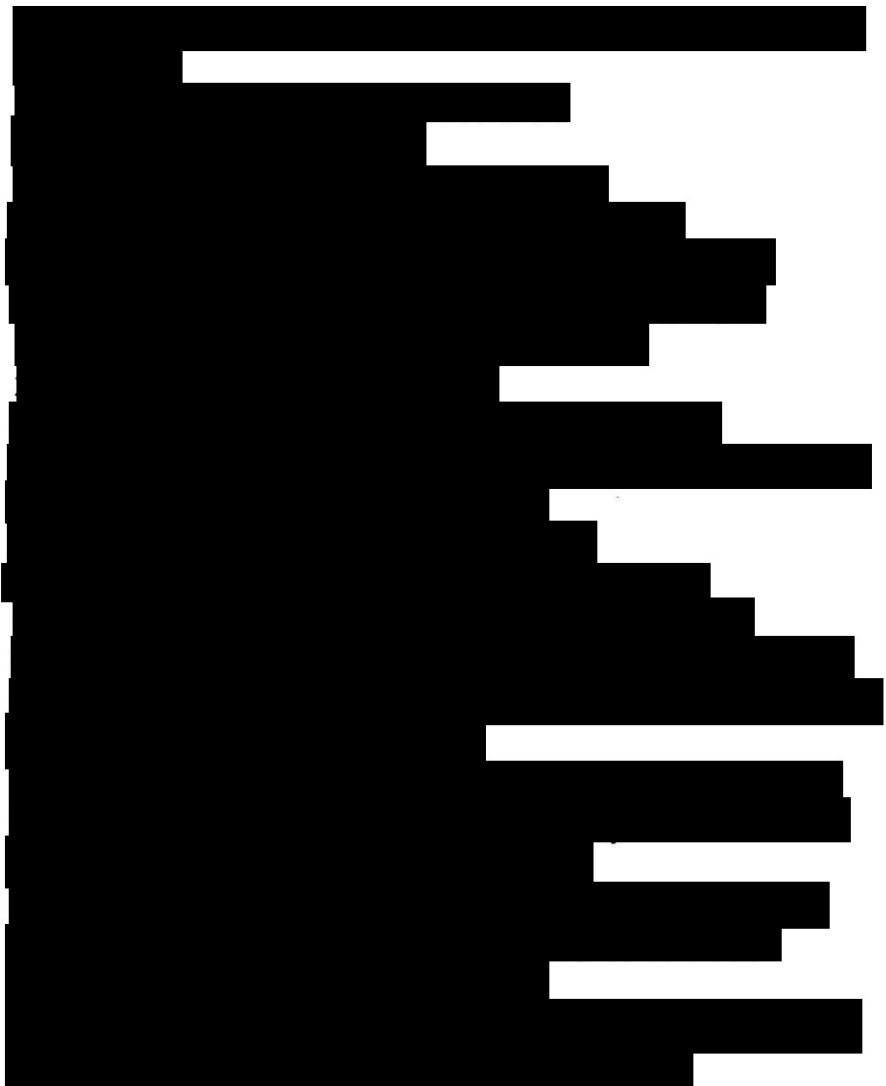
- (1) Albert Bowers
- (2) Ann McDonagh
- (3) Annie Mcdonagh
- (4) Anthony Jones
- (5) Anthony McDonagh
- (6) Barbara Mcdonagh
- (7) Billy Harbour
- (8) Brian Davis
- (9) Cathal Mckenna
- (10) Charlie McDonagh
- (11) Christopher McDonagh
- (12) Crimea McDonald
- (13) Darren Lee
- (14) Darren Smith
- (15) Dennis Booth
- (16) Dennis Sheridan
- (17) Denny Quilligan
- (18) Donna Marie Smith
- (19) Dylan Mcdonagh
- (20) Edward McDonagh



- (21) Frank Loveridge
- (22) Frankie Loveridge
- (23) Frederick Bowers
- (24) Gouri Shanker Asposa
- (25) Henry Loveridge
- (26) Isabell Lee
- (27) Jabus Smith
- (28) Jacob Smith
- (29) Jade Loveridge
- (30) James Bowers
- (31) James Dean Evans
- (32) James Smith
- (33) Janey Jones
- (34) Jason Lee
- (35) Jason Lee
- (36) Jim Stevens
- (37) Jimmy Loveridge
- (38) Joey Bowers
- (39) John Cawt
- (40) John McDonagh
- (41) John McDonagh
- (42) Jonathan Smith
- (43) Joseph Booth
- (44) Joseph R Ball Jnr
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- (49) Lisa Loveridge
- (50) Loius Ayres
- (51) Lorna Murphy
- (52) Lorraine Loveridge
- (53) Luke Clee
- (54) Luke John Daniels
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- (56) Margaret McDonagh
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- (58) Mary McDonagh
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- (61) Michael McDonagh
- (62) Michael O'Driscoll
- (63) Natasha Cuparic



- (64) Nathan Crowth
- (65) Niamh Rainey
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- (84) Tommy McDonagh
- (85) Tristan Beaumont
- (86) William Williams
- (87) Willie Mcdonagh
- (88) Winnie McDonagh
- (89) Winnie McDonagh



Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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Name of court High Court of Justice Queen		Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
PBA0083481	HWF - [][] - [][]	
Warrant no. (if applicable)		
Claimant's name (including ref.) (1) Test Valley Brough Council (2) Hampshire County Council		
Defendant's name (including ref.) (1) Albert Bowers and 88 other named Defendants set out in the attached Schedule (90) Persons Unknown		
Date	17th June 2020	

1. What is your name or, if you are a legal representative, the name of your firm?

Test Valley Borough Council

2. Are you a Claimant Defendant Legal Representative Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

The Claimant seeks a order permitting alternative service pursuant to CPR Part 6.14, 6.15, 6.26 and 6.27 as per the attached draft order and witness statement of Karen Dunn.

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with? at a hearing without a hearing at a telephone hearing

6. How long do you think the hearing will last? [] Hours [20] Minutes
Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court

9. Who should be served with this application?

90 Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

See attached Schedule

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed Karen Dunn Dated 17.06.2020
Applicant(~~s~~ legal representative)(~~s~~ litigation friend)

Full name Karen Louise Dunn

Name of applicant's legal representative's firm For the Claimant

Position or office held Head of Legal and Democratic Services
(if signing on behalf of firm or company)

11. Signature and address details

Signed Karen Dunn Dated 17.06.2020
Applicant(~~s~~ legal representative's)(~~s~~ litigation friend)

Position or office held Head of Legal and Democratic Services
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

Test Valley Borough Council, Beech Hurst, Weyhill
Road, Andover, Hampshire, SP10 3AJ

Postcode

S	P	1	0	3	A	J
---	---	---	---	---	---	---

If applicable	
Phone no.	01264 368401
Fax no.	
DX no.	DX 123080 ANDOVER 6
Ref no.	

E-mail address kdunn@testvalley.gov.uk

IN THE HIGH COURT
QUEENS BENCH DIVISION
BETWEEN:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimants

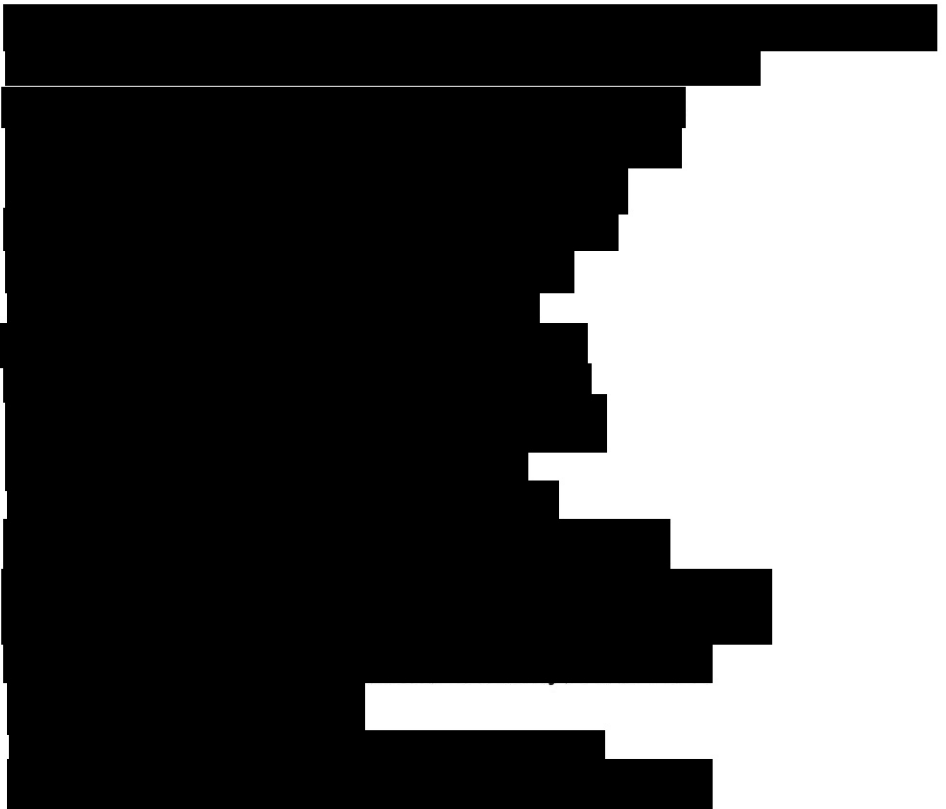
-and-

(1) ALBERT BOWERS AND 88 NAMED DEFENDANTS
LISTED IN THE SCHEDULE ATTACHED TO THE CLAIM FORM
(90) PERSONS UNKNOWN

Defendants

SCHEDULE 1 – List of Defendants

- (1) Albert Bowers
- (2) Ann McDonagh
- (3) Annie Mcdonagh
- (4) Anthony Jones
- (5) Anthony McDonagh
- (6) Barbara Mcdonagh
- (7) Billy Harbour
- (8) Brian Davis
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- (85) Tristan Beaumont
- (86) William Williams
- (87) Willie Mcdonagh
- (88) Winnie McDonagh
- (89) Winnie McDonagh



IN THE HIGH COURT OF JUSTICE

Claim Number:

QUEEN'S BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972

AND S187B TOWN AND COUNTRY PLANNING ACT 1990

Before Mr Justice Robin Knowles

On the 17th day of June 2020

BETWEEN

- (1) TEST VALLEY BOROUGH COUNCIL
- (2) HAMPSHIRE COUNTY COUNCIL

Claimants

-and-

(1) ALBERT BOWERS & EIGHTY-EIGHT OTHER NAMED DEFENDANTS IN SCHEDULE 1 OF THE CLAIM FORM

(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH OF TEST VALLEY

Defendants

Draft ORDER

UPON HEARING Counsel for the Claimants without notice to the Defendants

AND UPON reading the Second Witness statement of Karen Dunn in support of this application

IT IS ORDERED THAT:

1. The interim injunction application shall be listed before a Judge on 17 July 2020 at 10.30am to allow three clear days between service of the proceedings and the hearing date for the application for an interim injunction. There shall be a 2-hour time estimate.
2. Pursuant to CPR Part 6.14, 6.15, 6.26 and 6.27 the Claimants have permission to serve the named Defendants between 6.30 am and 8 pm during the week and 7am and 4pm on a Saturday. Copies (as opposed to originals) of the Claim Form and Applications served on a Saturday will be deemed served on the second working day after the date of service and copies (as opposed to originals) of claim forms and applications served after 4.p.m. on a working day shall be deemed served on the second working day after the date of service.
3. In the event that the Claimants are unable to personally serve the 1st to 88th Defendants, pursuant to CPR 6.14 and 6.15 the Claimants shall be permitted to serve any such Defendants by leaving a copy (as opposed to an original) of the application notice, claim form, draft order and supporting evidence in a clear transparent envelope and affixing the same to a caravan, mobile home or other vehicle, or to the front door of any residential premises which in each case is reasonable believed to be owned or occupied by the said Defendants, or by putting such copy documents through the letter box of any such residential premises. Any such copy documents served by this method will be deemed served the second working day after service of the application notice and claim form.
4. The Claimants shall be permitted pursuant to CPR 6.27 to serve the evidence in support of the Claim and application for an interim injunction by providing a digital link to the evidence contained on the First Claimant's website and shall provide any Defendant that requests copies of the same within 5 working days of receipt of such request, and shall have a copy of all evidence relied upon in these proceedings available for inspection at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ between the hours of 10am and 4pm Monday to Friday, excluding public holidays.

5. The Claim Form and applications shall be deemed served on Persons Unknown (89th Defendant) pursuant to CPR 6.14, 6.15, 6.26 and 6.27 by
- (i) Affixing copies (as opposed to originals) of the Claim Form, Application Notice and draft Orders 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 2 of this Order with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council [enter address];
 - (ii) Affixing 50 copies (as opposed to originals) of the Claim Form, Application Notice and draft Orders approximately equidistant to each other, as far as is reasonably practicable, around the perimeter of the area marked with the 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 2 of this Order, with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ;
 - (iii) For the additional areas of Land marked Area B on the map attached to Schedule 2 of this Order by affixing copies (as opposed to originals) of the Claim Form, Application Notice and draft Orders on a prominent position on Land with notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ
6. The Defendants shall acknowledge service of the claim form 21 days after the date of deemed service and file any written evidence in support of the Defence by the same date.

7. The Claimants has permission to serve the Defendants with a sealed copy of this order (as opposed to an original).

IN THE HIGH COURT OF JUSTICE

Claim Number: QB-2020-002112

QUEEN'S BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972

AND S187B TOWN AND COUNTRY PLANNING ACT 1990

Before Mr Justice Robin Knowles

On the 18th day of June 2020

BETWEEN

- (1) TEST VALLEY BOROUGH COUNCIL
- (2) HAMPSHIRE COUNTY COUNCIL



QB-2020-002112

Claimants

-and-

(1) ALBERT BOWERS & EIGHTY-EIGHT OTHER NAMED DEFENDANTS IN SCHEDULE 1 OF THE CLAIM FORM

(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH OF TEST VALLEY

Defendants

ORDER

UPON HEARING Counsel for the Claimants without notice to the Defendants

AND UPON reading the Second Witness statement of Karen Dunn in support of this application

IT IS ORDERED THAT:

1. The interim injunction application shall be listed before a Judge on 28 July 2020 at 10.30am to allow three clear days between service of the proceedings and the hearing date for the application for an interim injunction. There shall be a ½ day time estimate.
2. Pursuant to CPR Part 6.14, 6.15, 6.26 and 6.27 the Claimants have permission to serve the named Defendants between 6.30 am and 8 pm during the week and 7am and 4pm on a Saturday. Copies (as opposed to originals) of the Claim Form and Application Notice served on a Saturday will be deemed served on the second working day after the date of service and copies (as opposed to originals) of claim form and application notice served after 4.p.m. on a working day shall be deemed served on the second working day after the date of service.
3. In the event that the Claimants are unable to effect personal service on the 1st to 89th Defendants, pursuant to CPR 6.14 and 6.15 the Claimants shall be permitted to serve any such Defendants by leaving a copy (as opposed to an original) of the application notice, claim form, draft order (very plainly marked as a draft) and this order in a clear transparent envelope and affixing the same to a caravan, mobile home or other vehicle, or to the front door of any residential premises which in each case is reasonably believed to be owned or occupied by the said Defendants, or by putting such copy documents through the letter box of any such residential premises. Any such copy documents served by this method will be deemed served the second working day after service of the application notice and claim form.
4. The Claimants shall be permitted pursuant to CPR 6.27 to serve the evidence in support of the Claim and application for an interim injunction by providing a digital link to the evidence contained on the

First Claimant's website and shall provide any Defendant who requests copies of the same within 5 working days of receipt of such request, and shall have a copy of all evidence relied upon in these proceedings available for inspection at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ between the hours of 10am and 4pm Monday to Friday, excluding public holidays. Notice of the digital link to this evidence shall be included in a covering letter and placed in the same clear transparent envelope referred to in paragraph 3 above and shall be served with the documents referred to in paragraph 2 and 3 above.

5. The Claim Form and applications shall be deemed served on Persons Unknown (Forming Unauthorised Encampments Within the Borough of Test Valley) (90th Defendant) pursuant to CPR 6.14, 6.15, 6.26 and 6.27 by

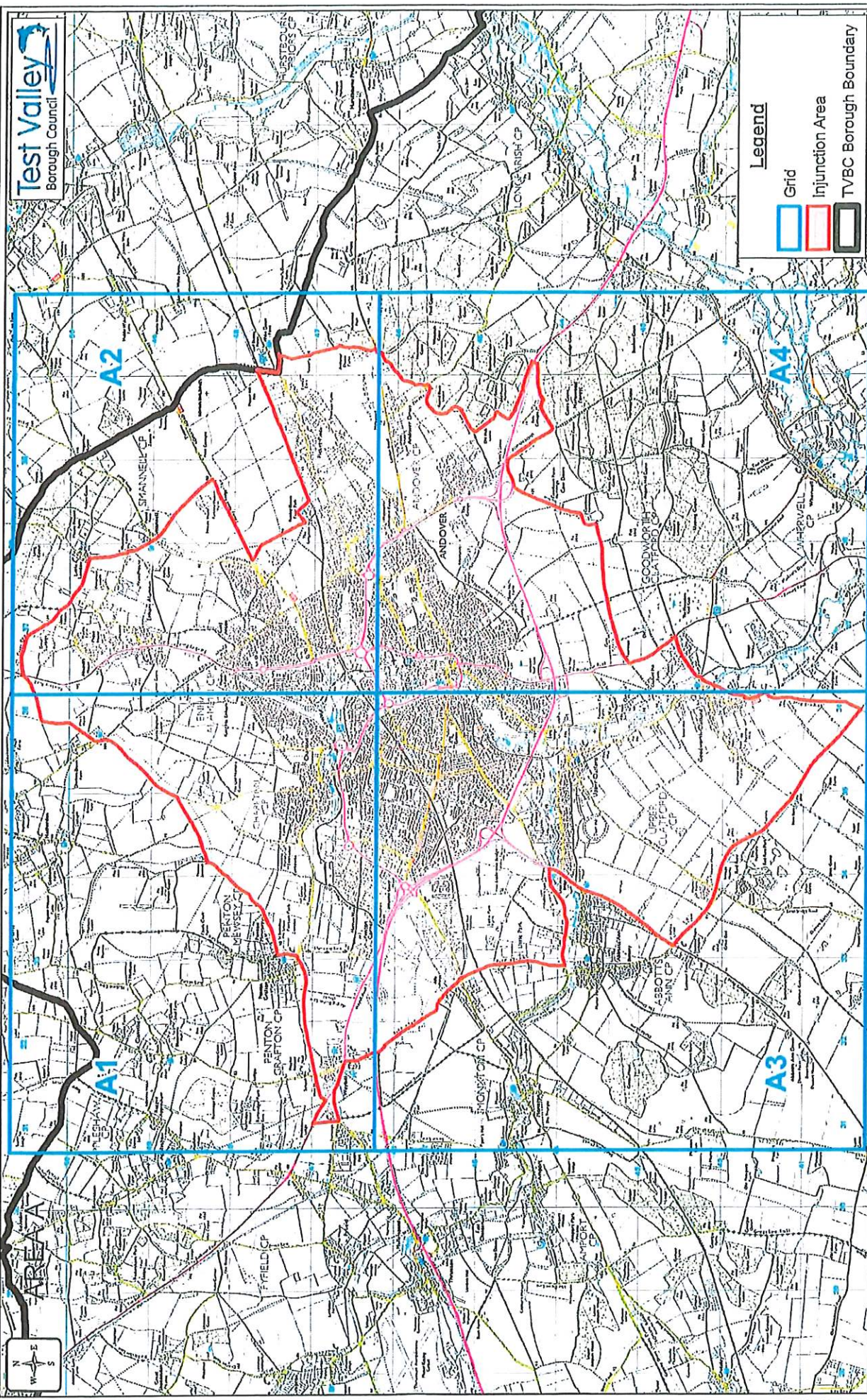
- (i) Affixing copies (as opposed to originals) of the Claim Form, Application Notice and draft Order (very plainly marked as a draft) and this order in a transparent envelope in a prominent position on or close to all adopted highway entry points within the area marked with a red line and marked as Area A in Schedule 1 of this Order with a notice in the form of a covering letter to Persons Unknown (Forming Unauthorised Encampments Within the Borough of Test Valley) that a copy of the supporting evidence can be obtained from or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ;
- (ii) Affixing 50 copies (as opposed to originals) of the Claim Form, Application Notice and draft Order (very plainly marked as a draft) and this order approximately equidistant to each other, as far as is reasonably practicable, around the perimeter of the area marked with the 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 Unauthorised Encampments Within the Borough of Test Valley) that a copy of the supporting evidence can be obtained from or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ;

- (iii) For the additional areas of Land marked Area B on the map attached to Schedule 2 of this Order by affixing copies (as opposed to originals) of the Claim Form, Application Notice and draft Order (very plainly marked as a draft) and this order on a prominent position on Land with notice to Persons Unknown (Forming Unauthorised Encampments Within the Borough of Test Valley) that a copy of the supporting evidence can be obtained from or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ

6. The Defendants shall acknowledge service of the claim form 21 days after the date of deemed service.
7. The Claimants have permission to serve the Defendants with a sealed copy of this order (as opposed to an original).

SCHEDULE 1



Legend

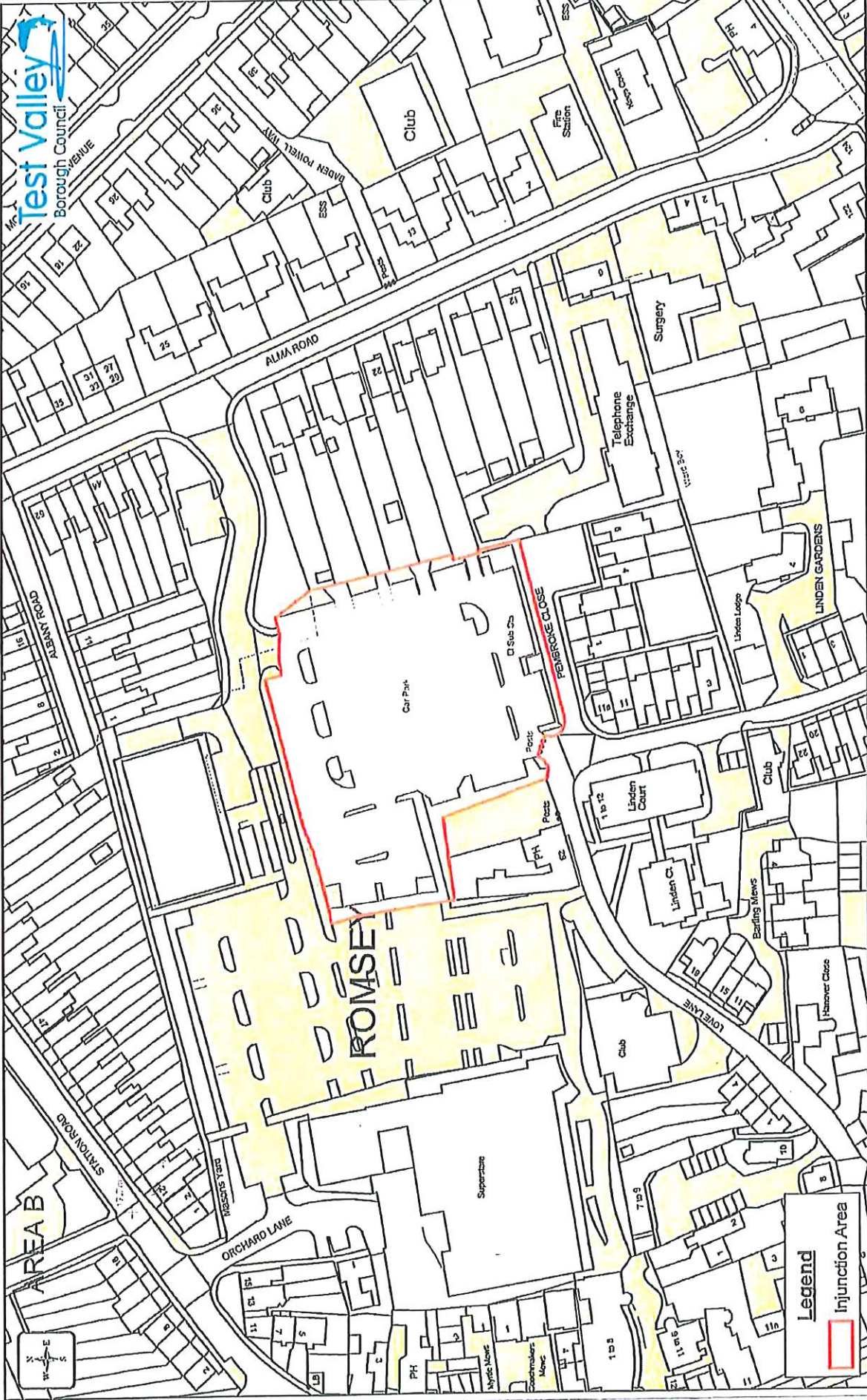
- Grid
- Injunction Area
- TVBC Borough Boundary

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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

SCHEDULE 2



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Injunction Application Plan - Alma Road Car Park, Romsey

Legend
 Injunction Area

Scale: 1:1,330@A4L
 Date: 28/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:



IN THE HIGH COURT OF JUSTICE

Claim Number:

QUEEN'S BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972
AND S187B TOWN AND COUNTRY PLANNING ACT 1990

Before His Honour Judge Bird (sitting as a Judge of the High Court)

On the 28th day of July 2020

BETWEEN

- (1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL



-and-

QB-2020-002112

- (1) ALBERT BOWERS & EIGHTY-NINTH OTHER NAMED
DEFENDANTS IN SCHEDULE 1 OF THE CLAIM FORM

- (90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS
WITHIN THE BOROUGH OF TEST VALLEY

Defendants

ORDER

IF YOU, ANY OF THE FIRST, THIRD TO EIGHTH, ELEVENTH TO FIFTEENTH, SEVENTEENTH TO TWENTY-THIRD, TWENTY-FIFTH, TWENTY-EIGHT TO THIRTY- FOURTH, , THIRTY-SEVENTH AND THIRTY-EIGHTH, FORTIETH TO FORTY-EIGHTH, FIFTIETH, FIFTY-SECOND TO SIXTY-SECOND SIXTY-FOURTH, SIXTY-SIXTH AND SIXTY-SEVENTH, SIXTY-NINTH SEVENTY-THIRD, SEVENTY-FIFTH TO SEVENTY-SIXTH, SEVENTY-EIGHTH TO SEVENTY-NINTH, EIGHTY-FIRST, EIGHTY THIRD TO EIGHTY FOURTH, EIGHTY-SIXTH TO EIGHTY-NINTH DEFENDANTS OR PERSONS UNKNOWN (NINETIETH DEFENDANT) FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH OF TEST VALLEY DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF

COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

UPON HEARING Counsel Miss Caroline Bolton for The Claimants and Mr Christopher Johnsons of the Community Law Partnership on behalf of Friends Families and Travellers who made representations on behalf of the Ninetieth Defendant

AND UPON reading the papers and hearing the application for an interim injunction pending the final injunction hearing pursuant to Section 222 Local Government Act 1972 And 187B Town and Country Planning Act 1990

AND UPON the matter being on notice to the First, Third, Fourth, Sixth to Eighth, Twelfth to Fifteenth, Seventeenth to Twenty-Third, Twenty-Fifth, Twenty-Eight to Thirty-Third, Thirty-Fourth, Thirty-Seventh and Thirty-Eighth, Forty Second to Forty-Eighth, Fiftieth, Fifty-Second to Fifty-Fifth, Fifty-Ninth, Sixty-Fourth, Sixty-Sixth, Sixty-Ninth, Seventy-Third, Seventy-Fifth, Seventy-Eighth to Seventy-Ninth, Eighty-First Eighty-Sixth to Eighty-Ninth Defendants

AND UPON the Court having considered the witness statement of service of Ian McCullins dated 16 July 2020, and having decided to grant this Order without notice to the, Fifth, , Eleventh, Fortieth, Forty-First, Fifty-Sixth-Fifty-Eighth, Sixtieth, Sixty-First, Sixty-Second, Sixty-Seventh, and Seventy-Sixth, Eighty-Third and Eighty-Fourth Defendants and having determined that it is proportionate and in accordance with the overriding objective not to require an on notice return date because the Order provides for liberty to apply in accordance with paragraph 10 of the Order

POWER OF ARREST

THIS ORDER CONTAINS A POWER OF ARREST FOR BREACH OF PARAGRAPHS 1-5 OF THIS ORDER PURSUANT TO SECTION 27 OF THE POLICE AND JUSTICE ACT 2006. ANY PERSON CAUGHT BREACHING PARAGRAPHS 1-5 OF THIS ORDER MAY BE ARRESTED AND BROUGHT BEFORE THE COURT

Note to Arresting Officer: Where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006:-

- **The defendant shall be brought before the judge within a period of 24 hours beginning at the time of their arrest**
- **A constable shall inform the person on whose application the injunction was granted forthwith where the defendant is arrested under these powers**

Nothing in sections 27 of the Police and Justice Act 2006 shall authorise the detention of the defendant after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculation, any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

IT IS ORDERED THAT:

Until further order, the First, third to Eighth, Eleventh to Fifteenth, Seventeenth to Twenty-Third, Twenty-Fifth, Twenty-Eight to Thirty-Third, Thirty-Fourth, Thirty-Seventh and Thirty-Eighth, Fortieth to Forty-Eighth, Fiftieth, Fifty-Second to Sixty-First, Sixty-Fourth, Sixty-Sixth and Sixty-Seventh, Sixty-Ninth, Seventy-Third, Seventy-Fifth to Seventy-Sixth, Seventy-Eighth to Seventy-Ninth, Eighty-First, Eighty Third, Eighty Fourth, Eighty-Sixth to Ninetieth Defendants are forbidden from:

1. Setting-up an encampment on any land within the area marked red on the attached map at Schedule 2 of this Order unless authorised to do so by the owner of the land and provided the encampment does not breach planning control.
2. Setting-up an encampment on any land within the area marked red on the attached map at Schedule 2 of this Order without written permission from the Local Planning Authority, or, planning permission granted by the Secretary of State or in accordance with statutory permitted development rights.
3. Entering and/or occupying any land within the area marked red on the attached map at Schedule 2 for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia, save for where the Land is occupied in accordance with a lawful planning permission from the Local Planning Authority, or, the Secretary of State, or, written consent from the Local Planning Authority, or, in accordance with statutory permitted development rights.
4. Bringing on to the Land or stationing on the Land any caravans/mobile homes other than when driving through the highways on the Land or in compliance with the parking orders regulating the use of car parks or with the express permission from the owner of the land, save for where the Land is occupied in accordance with a lawful planning permission from the Local Planning Authority, or, the Secretary of State, or, written consent from the Local Planning Authority or in accordance with statutory permitted development rights.
5. Deposit or cause to be deposited, controlled waste in or on the Land unless a waste management license or environmental permit is in force and the deposit is in accordance with the license or permit.
6. There be a power of arrest attached to prohibitions 1-5 of this order.
7. The Land in this order means all land within the area marked red on the attached map at Schedule 2 and is within the administrative boundaries of Test Valley Borough Council.

8. Service of this Order shall be deemed served on the Ninetieth Defendant, Persons Unknown by:

(i) Affixing copies (as opposed to originals) of this Order in a transparent envelope, or laminated copy, 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 2 of this Order with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3A;

(ii) 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 the 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 2 of this Order, with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3A);

(iii) For the additional areas of Land marked Area B on the map attached to Schedule 2 of this Order by affixing copies (as opposed to originals) of this Order on a prominent position on Land with notice to Persons Unknown that a copy of the supporting evidence can be obtained from Test Valley Borough Council Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3A).

9. Pursuant to CPR Part 6.15 and 6.27 the Claimants have permission to serve the Claim Form, Applications and this Order on the, Fifth, , Eleventh, Fortieth, Forty-First, Fifty-Sixth-Fifty-Eighth, Sixtieth, Sixty-First, Sixty-Second, Sixty-Seventh, and Seventy-Sixth, Eighty-Third and Eighty-Fourth Defendants by posting the same to their last known address.

10. The Defendants may each of them, or anyone notified of this Order, apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this order (or so much of it as affects that person)

11. Costs reserved.

GUIDANCE NOTES

EFFECT OF THIS ORDER

12. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do

it through others acting on his behalf or his instructions or with his encouragement.

13. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

PARTIES OTHER THAN THE CLAIMANT AND DEFENDANTS

EFFECT OF THIS ORDER

14. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined, or have their assets seized.

INTERPRETATION OF THIS ORDER

15. In this Order, where there is more than one Defendant, unless otherwise stated, references to "the Defendants" means each or all of them.
16. A requirement to serve on "the Defendants" means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
17. An Order requiring the Defendants to do or not to do anything applies to all Defendants.
18. "controlled waste" has the same meaning as within s.75(4) of the Environmental Protection Act 1990

COMMUNICATIONS WITH THE COURT

19. All communication to the Court about this order should be sent to Room WG08 Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010).

- 42 Jonathan Smth
- 43 Joseph Booth
- 44 Joseph R Ball Jnr
- 45 Julie Lee
- 46 Kathleen McDonagh
- 47 Kenny Rogers
- 48 Leanne Baggett
- 49 Lisa Loveridge
- 50 Loius Ayres
- 51 ██████████
- 52 Lorraine Loveridge
- 53 Luke Clee
- 54 Luke John Daniels
- 55 Margaret Bowers

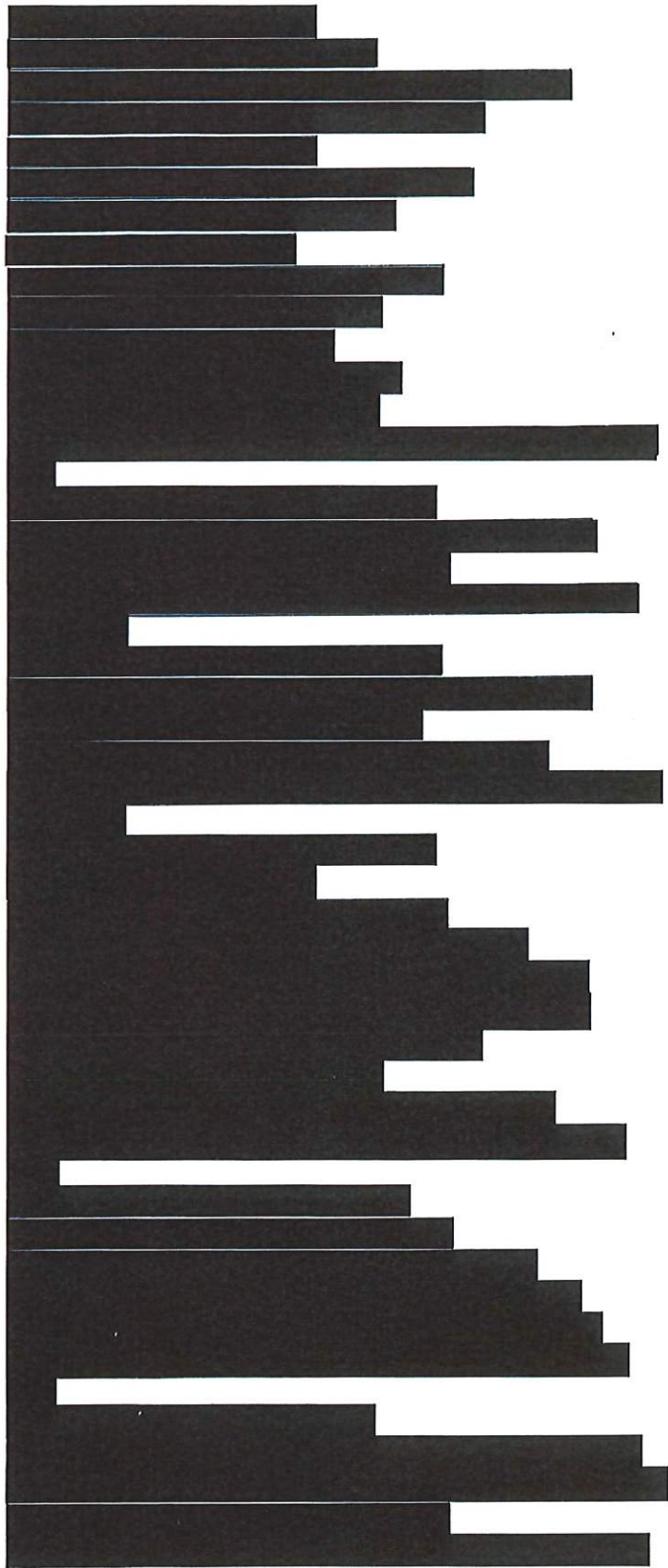
- 56 Margaret McDonagh
- 57 Mary McDonagh
- 58 Mary McDonagh
- 59 Michael Bowers

- 60 Michael McDonagh
- 61 Michael McDonagh
- 62 Michael O'Driscoll
- 63 ██████████
- 64 Nathan Crawl

- 65 ██████████
- 66 Paddy Price
- 67 Pat McDonagh
- 68 Patrick Collins
- 69 Patrick Connors
- 70 Patrick McDonagh
- 71 ██████████
- 72 Priscilla Garside
- 73 Saily Rogers
- 74 Simon Flynn

- 75 Sophie Loveridge
- 76 Steven McDonagh
- 77 Thomas Grant
- 78 Thomas McDonagh
- 79 Thomas Stokes
- 80 ██████████

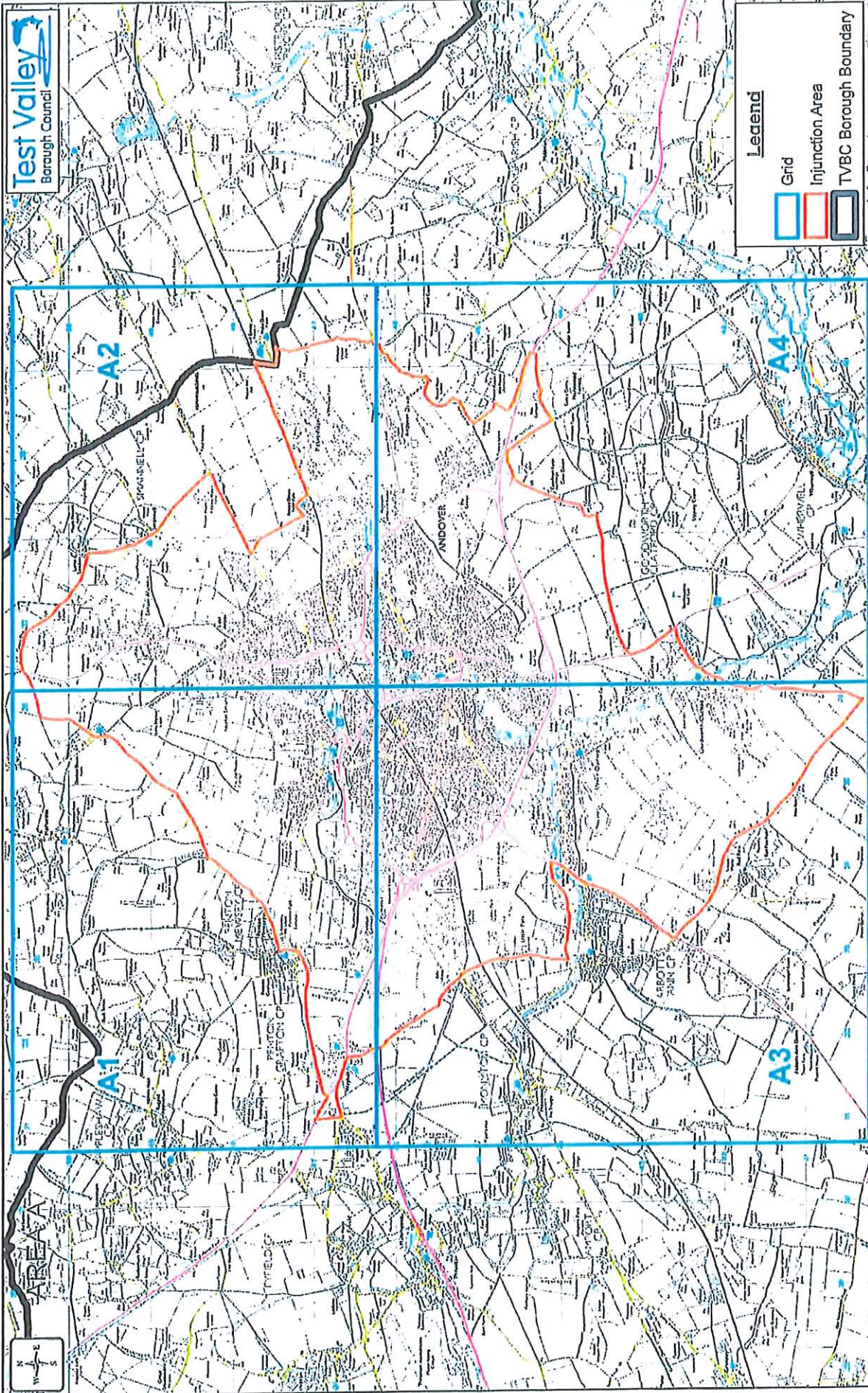
- 81 Tina Marie Bridges
- 82 Tom Kealy
- 83 Tom McDonagh
- 84 Tommy McDonagh
- 85 ██████████



- 86 William Williams
- 87 Willie Mcdonagh
- 88 Winnie McDonagh
- 89 Winnie McDonagh



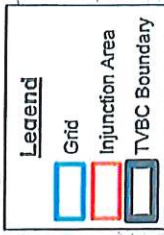
SCHEDULE 2 -MAP OF AREA COVERED BY
THE INJUNCTION



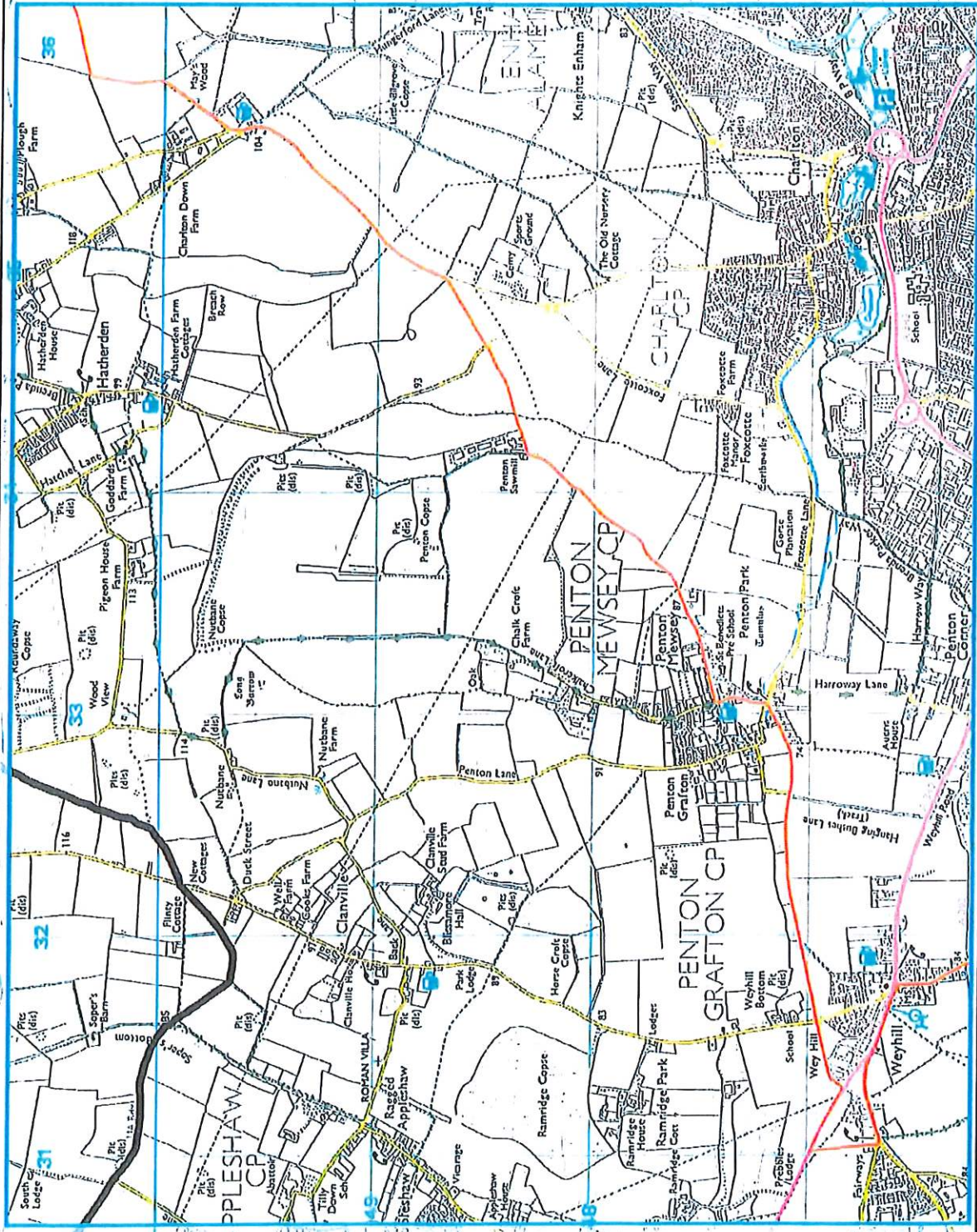
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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

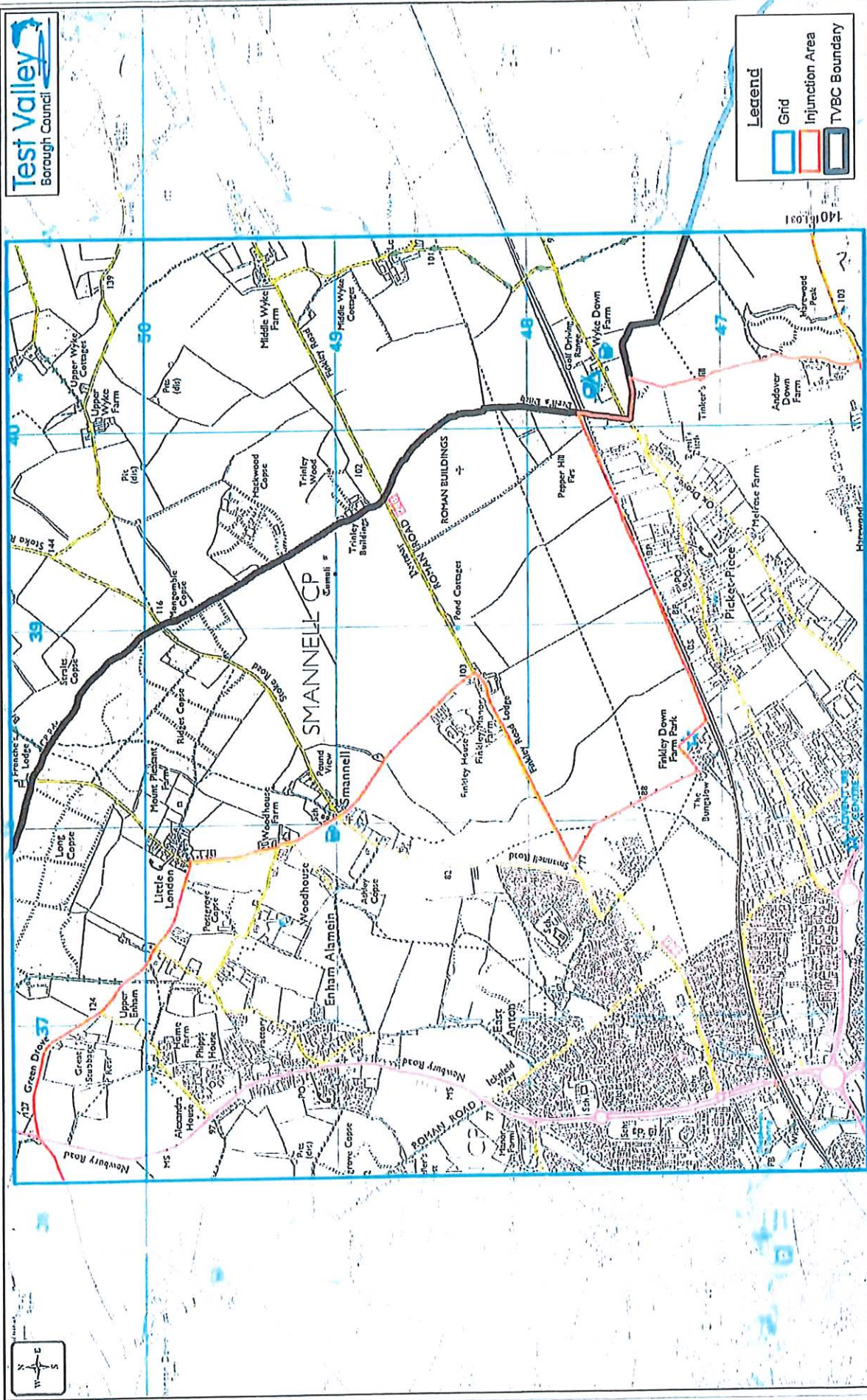


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**Injunction Application Plan - North/Andover
A1 Grid Section**

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

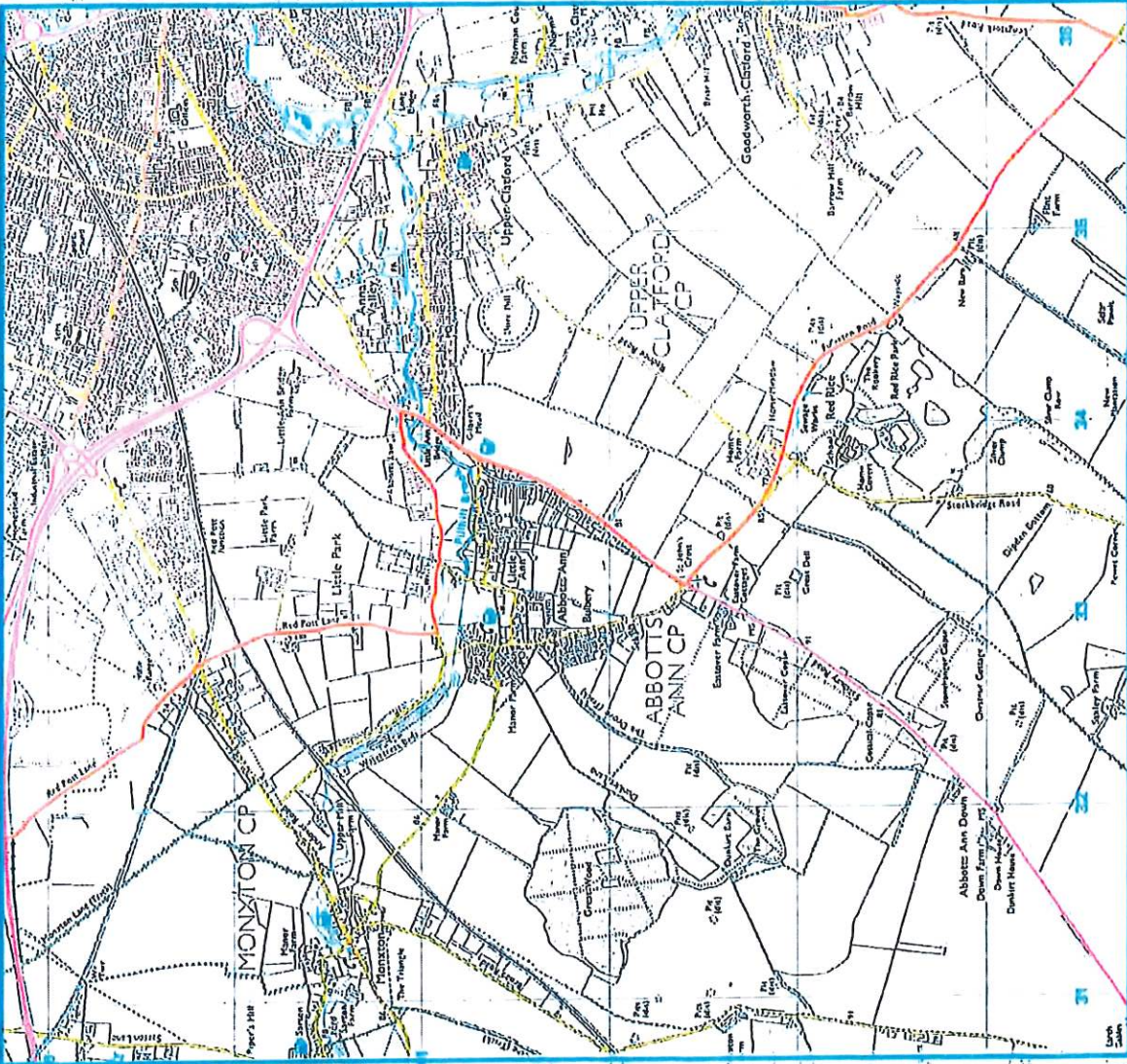


Legend
 Grid
 Injunction Area
 TVBC Boundary

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Injunction Application Plan - North/Andover A2 Grid Section

Scale: 1:24,250@A4L
 Date: 11/06/2020
 Drawn: A Murray
 Dept: IMT/GIS



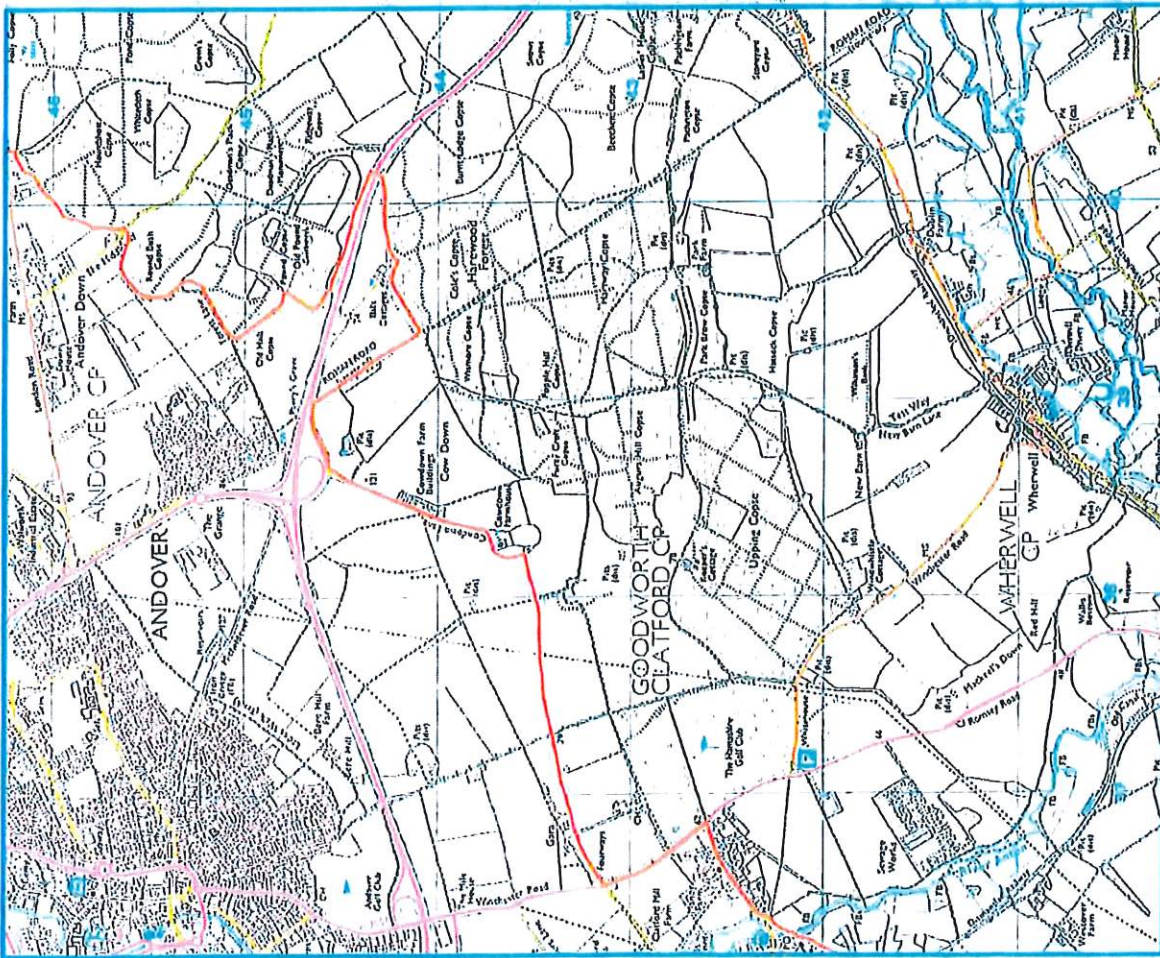
Legend

- Grid
- Injunction Area
- TVBC Boundary

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**Injunction Application Plan - North/Andover
A3 Grid Section**

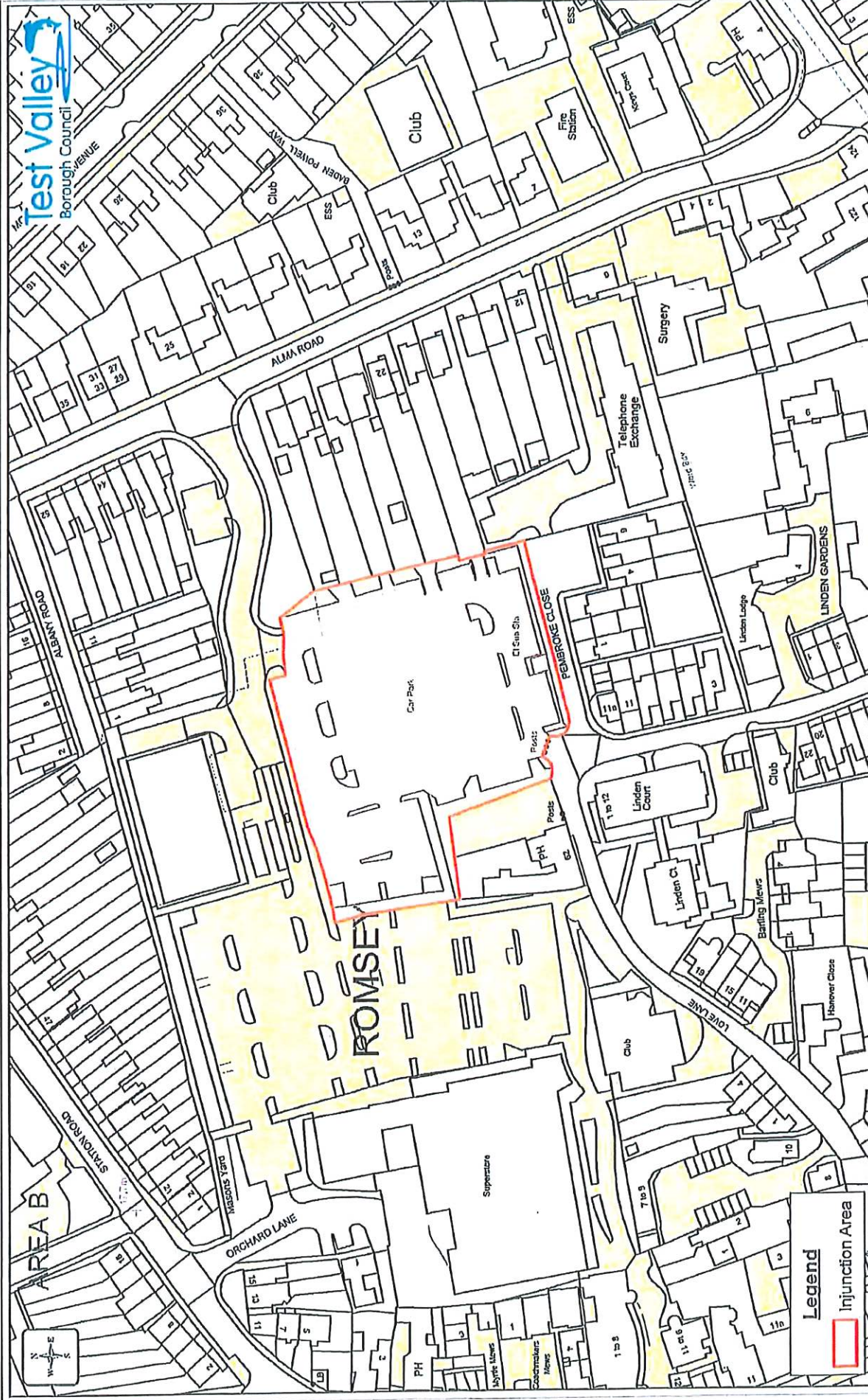
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Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



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Injunction Application Plan - North/Andover A4 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



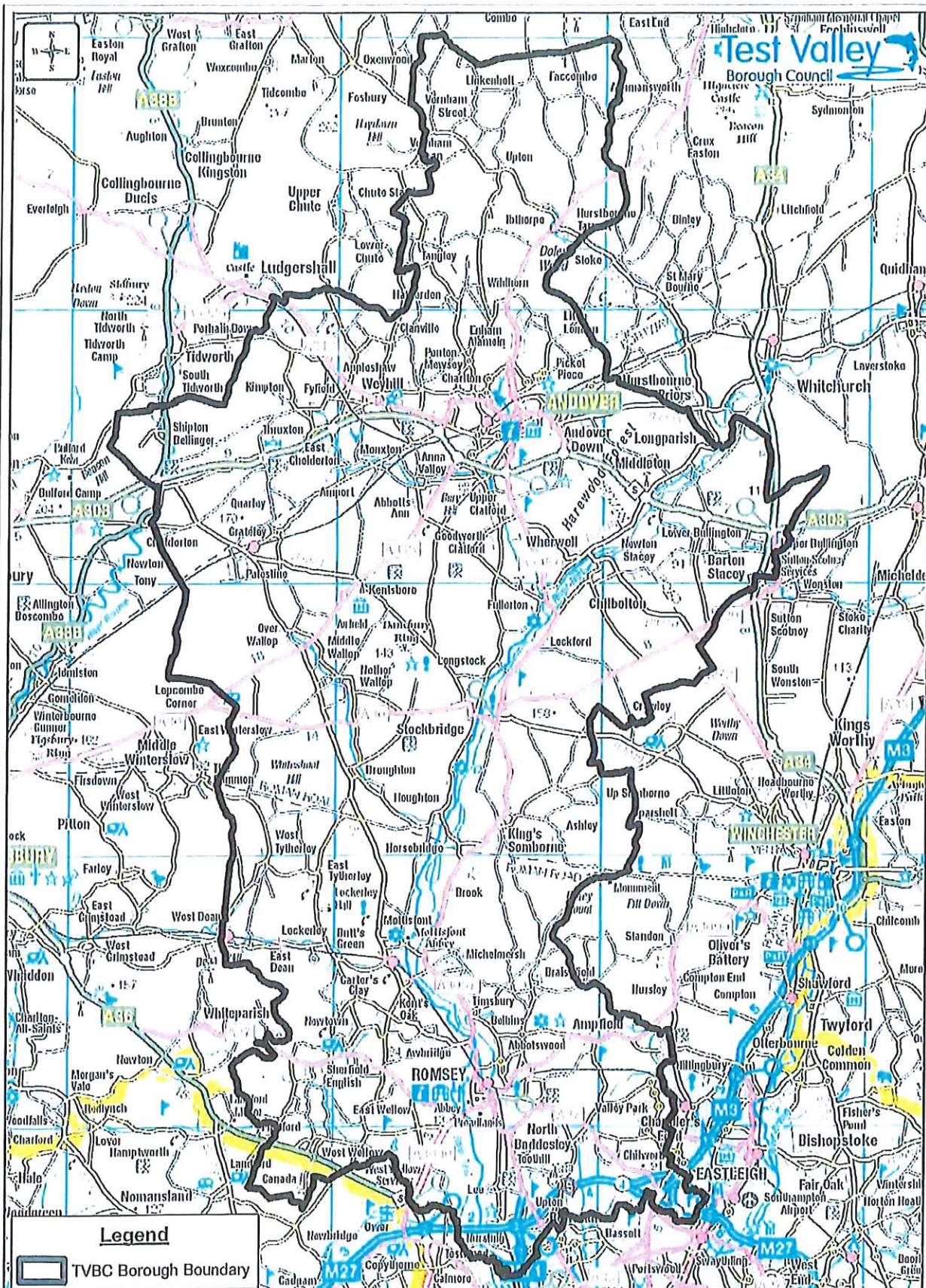
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**Injunction Application Plan -
Alma Road Car Park, Romsey**

Legend
Injunction Area

Scale: 1:1,330@A4L
Date: 28/05/2020
Drawn: AMurray
Dept: IMT/GIS
Doc:

SCHEDULE 3 – MAP OF THE BOROUGH



Scale: 1:170,232@A4P
 Date: 27/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:

Test Valley Borough Council

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Claim Nos: see attached schedule

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
16 October 2020

BETWEEN: -

Various Claimants
(see attached Schedule 1)



-and-

(1) Persons Unknown
(2) Various other Defendants
(see attached Schedule 1)

Defendants

ORDER

THIS ORDER had been made with the concurrence of the President of the Queen's Bench Division and Mr Justice Stewart, the Judge in Charge of the Queen's Bench Division Civil List

UPON the Court in the claim *London Borough of Enfield -v- Persons Unknown* (QB-2020-003471) ("the *Enfield* case") having, on 2 October 2020:

- adjourned the Claimant's Application for an interim and final injunction against Persons Unknowns who enter and/or occupy any of 96 sites in the London Borough of Enfield for residential purposes (whether temporary or otherwise) including siting a caravans, mobile homes, associated vehicles and domestic paraphernalia ("the Application");
- directed a hearing of the Claimant's Application which has been fixed for 2 days on 27-28 January 2021;

- directed a Case Management Hearing which has been fixed for 17 December 2020 (“the Case Management Hearing”); and
- directed that the Attorney General be invited to instruct an advocate to the court given the wider issues of public importance raised by the Application

AND UPON it appearing that:

- injunctions in similar terms to that granted in the *Enfield* case may have been granted in the actions identified in Schedule 1 to this Order;
- it is likely that common issues or considerations are likely to arise in the actions identified in Schedule 1 to this Order; and
- the most proportionate way of managing the resolution of any common issues is by identifying lead cases from amongst the actions identified in Schedule 1 to this Order

WITHOUT A HEARING AND OF THE COURT’S OWN MOTION IT IS ORDERED:

1. Pursuant to CPR 30.2(4) and s.41 County Courts Act 1980, the actions identified 18, 19, 21, 29, 31, 32, 35 and 36 in Schedule 1 are forthwith transferred to the High Court, Queen’s Bench Division, Royal Courts of Justice.
2. By 4.30pm on 30 October 2020, each Claimant in actions identified 18, 19, 21, 29, 31, 32, 35 and 36 are to upload to the CE-File copies of:
 - a. the Claim Form (and any Particulars of Claim if applicable)
 - b. all Application Notices filed in the claim; and
 - c. all orders made by the Court in the claim.
3. By 4.30pm on 30 October 2020, all other Claimants (not covered by Paragraph 2 above) are to ensure that the Claim Form, all Application Notices filed in the claim and all orders made by the Court in their actions are available on the CE-File, by uploading any missing documents.
4. By 4.30pm on 13 November 2020, each Claimant in the actions identified in the attached Schedule 1 must file in the action (and provide a copy to the Clerk to Mr Justice Nicklin: Daniel.Mendonca@justice.gov.uk) a completed and signed Questionnaire (Schedule 2).
5. Any Claimant who answers either Question 8(a) or 8(b) in the Questionnaire “yes”, must attend or be represented at the Case Management Hearing.
6. Any Claimant who, having considered the Court of Appeal decisions in *Bromley LBC -v- Persons Unknown* [2020] PTSR 1043 and *Canada Goose UK Retail Ltd -v- Persons Unknown* [2020] 1 WLR 2802, wishes to:

- a. discontinue its claim under CPR 38.2, or
- b. apply to vary or discharge any current injunction previously granted in its favour

must issue, file and serve an Application Notice by 4.30pm on 13 November 2020 and, unless the Court otherwise orders, the Application will be heard at the Case Management Conference.

7. Until further order, any application in each of the actions identified in Schedule 1 must be made to Mr Justice Nicklin.
8. Pursuant to CPR 3.3(5), any person affected by this Order may apply to the Court for it to be varied. Any such application:
 - a. must be made by Application Notice and supported by evidence;
 - b. issued and filed by 4.30pm on 23 October 2020; and
 - c. will be determined by Mr Justice Nicklin.

Reasons

- (A) The recent hearing in the **Enfield** case has led to the identification of issues that are likely to arise in other cases involving the grant of local authority wide injunctions to prohibit trespass on land granted against Persons Unknown who have typically, but not exclusively, been defined as Gypsies or Travellers (“Traveller Injunction”). The issues concern existing injunctions that have previously been granted (in most cases for several years) as well as applications for new or renewed injunctions of this type. The principles upon which such injunctions are granted have been subject to review in a series of cases: **Cameron -v- Liverpool Victoria Insurance Co Ltd** [2019] 1 WLR 1471; **Boyd -v- Ineos Upstream Ltd** [2019] 4 WLR 100; **Bromley LBC -v- Persons Unknown** [2020] PTSR 1043; **Cuadrilla Bowland Ltd -v- Persons Unknown** [2020] 4 WLR 29; and **Canada Goose UK Retail Ltd -v- Persons Unknown** [2020] 1 WLR 2802.
- (B) The Court has identified the cases listed in Schedule 1 as claims in which Traveller Injunctions may have been granted in the past. The Court has held, in the **Enfield** case [32], that a local authority which has, in the past, obtained a Traveller Injunction is under a duty to restore the claim before the court if it becomes aware that there exist grounds upon which there is a realistic prospect that the injunction would be modified or discharged by the Court. This includes grounds that arise as a result of a change in the legal principles that apply. Any local authority not identified in Schedule 1 which has been granted a Traveller Injunction should provide the details to the Clerk to Mr Justice Nicklin (details in Paragraph 4 of this Order).

- (C) It is likely that common issues will arise between the **Enfield** case and those identified in Schedule 1 (and any other cases in which a Traveller Injunction has been granted). The Court wants to manage the resolution of any common issues in an effective and proportionate manner. The Order provides (a) for transfer of Claims in Schedule 1 to the Queen's Bench Division of the High Court at the Royal Courts of Justice; (b) for completion of a Questionnaire to gather information about the Schedule 1 Claims; and (c) a Case Management Hearing on **17 December 2020** which will enable the Court to identify the extent of common issues and determine the best way of resolving them.

- (D) Prior to formulation of any common issues, the Court's first objective is to identify those local authorities with existing Traveller Injunctions who wish to maintain such injunctions (possibly with modification), and those who wish to discontinue their claims and/or discharge the current Traveller Injunction granted in their favour.

16 October 2020

SCHEDULE 1

	Claimant(s)	Defendants	CASE No:
1.	LB Barking and Dagenham	Tommy Stokes & 63 others	QB-2017-006899 (HQ17X00849)
2.	LB Bromley	Persons Unknown	QB-2018-003485 (HQ18X02920)
3.	LB Croydon	Persons Unknown	QB-2018-003395 (HQ18X03041)
4.	LB Ealing	Persons Unknown	QB-2019-001696
5.	LB Greenwich	Persons Unknown	QB-2018-003037 (HQ18X04086)
6.	LB Havering	William Stokes & 104 others and Persons Unknown	QB-2019-002737
7.	LB Hillingdon	Persons Unknown	QB-2019-001138
8.	LB Hounslow	Persons Unknown	QB-2019-002113
9.	LB Kingston-upon-Thames	Persons Unknown	QB-2019-000150
10.	LB Merton	Persons Unknown	QB-2018-000452
11.	LB Redbridge	Martin Stokes & 99 others	QB-2018-003983 (HQ18X01522)
12.	LB Richmond-upon-Thames	Persons Unknown	QB-2019-000777
13.	LB Sutton	Persons Unknown	QB-2018-003487 (HQ18X02913)
14.	LB Waltham Forest	Persons Unknown	QB-2017-005691 (HQ17X03769)
15.	LB Wandsworth	Persons Unknown	QB-2019-000778
16.	(1) Basingstoke and Deane Borough Council (2) Hampshire County Council	Henry Loveridge & 115 others and Persons Unknown	QB-2018-003748 (HQ18X02304)
17.	(1) Basildon Borough Council (2) Essex County Council	Dennis Ainey & 44 others and Persons Unknown	QB-2017-005724 (HQ17X03732)
18.	Birmingham City Council	Persons Unknown	Birmingham District Registry D90BM148-149
19.	(1) Boston Borough Council (2) Lincolnshire County Council	Persons Unknown	Birmingham District Registry E90BM073
20.	Canterbury City Council	Persons Unknown	QB-2019-001304
21.	Central Bedfordshire	Levi Parker & 21 others and Persons Unknown	Bedford District Registry E01LU344
22.	Elmbridge Borough Council	Persons Unknown	QB-2018-003423 (HQ18X02948)
23.	Epsom and Ewell Borough Council	Persons Unknown	QB-2018-000383

24.	(1) Harlow District Council (2) Essex County Council	Michael Stokes & 71 others	QB-2015-002380
25.	Hertsmere Borough Council	Persons Unknown	QB-2018-000333
26.	(1) Nuneaton and Bedworth Borough Council (2) Warwickshire County Council	Thomas Corcoran & 52 others and Persons Unknown	QB-2019-000616
27.	Reigate and Banstead Borough Council	Persons Unknown	QB-2019-002297
28.	Rochdale Metropolitan Borough Council	Shane Heron & 91 others	QB-2017-005202 (HQ17X04668)
29.	Rugby Borough Council	McDonough & 5 others and Persons Unknown	Nuneaton County Court E00NU379
30.	Runnymede Borough Council	Andrew Doig & 15 others and Persons Unknown	QB-2017-006641 HQ17X01528
31.	Sandwell Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	Birmingham District Registry D90BM116
32.	Solihull Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	Birmingham District Registry E90BM026
33.	Test Valley Borough Council	Albert Bowers & 88 others and Persons Unknown	QB-2020-002112
34.	Thurrock Council	Martin Stokes & 106 others and Persons Unknown	QB-2019-002738
35.	Walsall Metropolitan Borough Council	Brenda Bridges & 17 others and Persons Unknown	Walsall County Court C00WJ967
36.	Wolverhampton City Council	Persons Unknown	Birmingham District Registry E90BM139
37.	Wycombe District Council	Persons Unknown	QB-2019-002783

Schedule 2 - Questionnaire

Details of Claim:

Name of Claimant:

Name(s) of Defendant(s):

RCJ Case Number:

Previous District Registry (if applicable):.....

Service of the Claim Form

1. Has the Claim Form been personally served in accordance with CPR 6.5 on any Persons Unknown?

.....

2. Has the Court made an order for alternative service of the Claim Form on Persons Unknown under CPR 6.15(1) or CPR 6.15(2)?

.....

If no, go to Question 3.

If yes,

a. Did you issue an Application for an order for alternative service of the Claim Form under CPR 6.15(1) or 6.15(2)?

.....

b. Does the Order for alternative service comply with CPR 6.15(4)?

.....

c. provide a copy of the order for alternative service of the Claim Form on Persons Unknown.

3. Has the Court made an order dispensing with service of the Claim Form on Persons Unknown under CPR 6.16?

.....

4. Has any defendant in the category of Persons Unknown filed an Acknowledgement of Service?

.....

Injunction

5. In your claim, is there an injunction currently in force against Persons Unknown?

.....

If no, you need not answer any further questions.

If yes,

a. When was it granted?

.....

b. Is it an interim or final order?

.....

c. When does the injunction expire?

.....

d. If an interim order, when is the next hearing?

.....

e. If it is a final order, do the terms of the injunction purport to apply to and bind “newcomers” (as defined in **Canada Goose UK Retail Ltd -v- Persons Unknown [2020] 1 WLR 2802 [89]**):

.....

f. Please provide a copy of the Order

6. Has the Injunction order been served on identified (or identifiable) individuals in the category of Persons Unknown?

.....

If yes, on a separate sheet, identify (by name or other method) those served with the Injunction and when they were served.

7. If a final injunction has been granted in your claim, is it possible to identify (by name or other method) those against whom, in the category of persons unknown, judgment has been granted?

.....

If yes, on a separate sheet, identify (by name or other method) those against whom judgment has been granted.

8. Having regard to the Court of Appeal decisions in ***Bromley LBC -v- Persons Unknown*** [2020] PTSR 1043 and ***Canada Goose UK Retail Ltd -v- Persons Unknown*** [2020] 1 WLR 2802:

a. Are you satisfied that the injunction you have previously been granted complies with the principles identified in these decisions?

.....

b. Do you intend to seek an extension to the injunction that you have been granted (whether by application in the current proceedings or fresh claim)?

.....

9. If applicable, when is the next hearing listed for your case?

.....

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this questionnaire (and any continuation sheets) are true.

Signed: **Full name:**
Claimant's (legal) representative

Name of legal representative's firm (if applicable):

Position or office held:
(if signing on behalf of the Claimant, firm or company)

Date:

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
4 November 2020

B E T W E E N:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL



-and-

(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN

Defendants

ORDER

UPON FURTHER REVIEW of the documents available on CE-File including documents uploaded by the Claimant pursuant to the Order of 16 October 2020

AND UPON NOTING

- (1) The Claim Form was issued on 18 Jun 2020 against 89 named defendants and "Persons Unknown forming unauthorised encampments within the Borough of Test Valley" as the 90th Defendant.
- (2) An order for alternative service of the Claim Form on Persons Unknown by alternative means was granted on 18 Jun 2020.
- (3) An interim injunction was granted on 28 July 2020 "until further order:"
- (4) The Claimant appears not to have progressed the action to a final hearing and the grant of a final order disposing of the claim.

WITHOUT A HEARING AND OF THE COURT'S OWN INITIATIVE IT IS ORDERED
that:

1. By 4.30pm on 20 November 2020 the Claimant must file a witness statement which:
 - a. confirms whether (i) there has been full compliance with Paragraph 5 of the Order for alternative service of the Claim Form dated 18 Jun 2020 and (ii) copies of the Claim Form and Injunction Order have remained available and legible at all times at every site affected by the Order;
 - b. explains what steps the Claimant took after the grant of the interim injunction to progress this claim to a final hearing; and
 - c. exhibits (i) a copy of the Skeleton Argument of the Claimant for the hearing on 28 July 2020; (ii) a note of the hearing; and (iii) a copy of the judgment of the Court (or, if not available, a note of the judgment)
2. Pursuant to CPR 3.3(5), the Claimant may apply to the Court for this Order to be varied or discharged. Any such application:
 - a. must be made by Application Notice and supported by evidence;
 - b. issued and filed by 4.30pm on 11 November 2020; and
 - c. unless otherwise directed, will be determined by Mr Justice Nicklin on paper.

REASONS

- (A) The Court wishes to be assured as to compliance with the Order for alternative service and the steps taken by the Claimant to progress the claim after the grant of the interim injunction. Further, the Court wishes to understand the basis on which the interim injunction was sought and granted on 28 July 2020.

4 November 2020

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
1 December 2020

B E T W E E N:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL



-and-

(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN

Defendants

ORDER

UPON APPLICATION by the Claimant by Application Notice dated 23 October 2020 seeking to discharge the Order of 16 October 2020 insofar as it relates to the Claimant and that the Community Law Partnership pay the costs of the Application

AND UPON READING the Witness Statement of Karen Dunn dated 23 October 2020 and the exhibits thereto

WITHOUT A HEARING PURSUANT TO CPR 23.8(c) IT IS ORDERED that:

1. The Application is refused.
2. Pursuant to CPR 3.3(5), the Claimant may apply to the Court for it to be varied. Any such application:
 - a. may be made informally by the Claimant notifying the Judge's clerk;
 - b. should be notified by 4.30pm on 8 December 2020; and

c. will be determined by Mr Justice Nicklin.

3. No order for costs.

REASONS

- (A) The Claimant was granted an interim injunction on 28 July 2020. One of the issues to be resolved in the cohort of cases is the impact of **Canada Goose** on final injunctions. The Claimant's claim will be progressed towards a final hearing. Until, then, the claim will remain part of the cohort of managed cases.
- (B) I have made this order without a hearing, although I note that the Claimant sought a hearing of the application. I have done so because I do not think that a hearing is necessary or appropriate. The Claimant has made its points. I do not think it is necessary or proportionate to hear further argument at an oral hearing. If the Claimant disagrees, it can utilise the liberty to apply under Paragraph 2.

4 November 2020

Claim Nos: see attached schedule

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
1 December 2020



BETWEEN: -

**Various Claimants
(see attached Schedule 1)**

Claimants

-and-

**(1) Persons Unknown
(2) Various other Defendants
(see attached Schedule 1)**

Defendants

ORDER

FURTHER TO THE ORDER of 16 October 2020

AND UPON the Claimants whose names are shown struck out in Schedule 1 having discontinued their claims or the claims having otherwise been dismissed and/or the Court having discharged the injunctions that had been granted in those cases or those cases otherwise not having subsisting injunctions and having therefore been removed from the cohort of managed cases, leaving 16 claims ("the Cohort Claims")

AND UPON various Claimants in the Cohort Claims having issued the Application Notices in Schedule 2 to this Order at the date hereof ("the Pending Applications")

AND UPON CONSIDERING (1) Questionnaires filed by the Claimants pursuant to the Order of 16 October 2020; (2) further documents uploaded by the Claimants to the CE-File; and (3) the Pending Applications

AND UPON the Case Management Hearing for the Cohort Claims having been fixed for 17 December 2020 ("the CMH")

AND UPON IDENTIFYING the following issues that are common to several of the Cohort Claims:

The issues

- (A) Whether the Court has the power – either generally, under CPR 3.1(7) or otherwise, or specifically having regard to the particular terms of the relevant order – to case manage the proceedings and/or to vary or discharge injunctions that have previously been granted by final order.
- (B) Whether the principle that final injunctions bind only the parties to the claim at the date the order is granted – and not newcomers (**Canada Goose** [89]) - applies to the type of injunctions granted to the Claimant(s).
- (C) If it does,
 - a. is it possible to identify the Defendants in the category of persons unknown who were parties to the proceedings at the date the final order was granted and are bound by it; and
 - b. insofar as the final injunction binds newcomers, should it be discharged.
- (D) Whether the description or definition of “Persons Unknown” in the Claim Form complies with the requirement that they are defined by reference to conduct which is alleged to be unlawful: **Canada Goose** [82(2)].
- (E) Whether the order that is relied upon by the Claimant(s) as granting permission for alternative service of the Claim Form on persons unknown under CPR 6.15, but which fails to comply with CPR 6.15(4):
 - a. is an error of procedure which invalidates the purported service of the Claim Form on persons unknown and, if so, whether the Court should make an order remedying that error; or
 - b. should be corrected under the CPR 40.12 (the slip rule); and in either case
 - c. if not, whether the Court should make an order under CPR 6.15(1) and (2) that steps taken by the relevant Claimant(s) to bring the Claim Form to the attention of persons unknown is good service.
- (F) In claims where an interim injunction has been granted whether any delay in progressing the claim to a final hearing is an abuse of process justifying the dismissal of the claim.
- (G) Whether the Court should grant a final injunction in the claim and, if so, on what terms.
- (H) Whether the Court can grant a *contra mundum* civil injunction to restrain unauthorised encampments so as to prevent future trespass.

- (I) Whether the Court should set-aside the Order dated 2 October 2020 granting permission to serve the Claim Form by alternative means.

WITHOUT A HEARING AND OF THE COURT'S OWN MOTION IT IS ORDERED:

1. Unless the Court otherwise directs, the Pending Applications will not be determined at the CMH but directions may be given as to their disposal at a future hearing.
2. By 4.30pm on 9 December 2020, each Claimant is to notify the Court (and each other Claimant – via the Email address shown in Schedule 1 – and the Community Legal Partnership (chrisjohnson@communitylawpartnership.co.uk) (“CLP”):
 - a. whether it agrees that the issues raised in its case are properly reflected in the “Issues” column in Schedule 1 and insofar as it contends that there are any further issues for determination, identify them; and
 - b. the name of the advocate who will be representing them at the CMH
3. By 4.30pm on 9 December 2020, each Claimant is to file and serve on each other Claimant and on CLP an electronic bundle for the CMH which must contain the following documents from its claim:
 - a. the Claim Form (and any Particulars of Claim if applicable)
 - b. all Orders made by the Court in the Claim (excluding the Order of 16 October 2020)
 - c. the Questionnaire filed in response to the Order of 16 October 2020;
 - d. any outstanding Application Notice (including those identified in Schedule 2); and
 - e. any other documents which are **essential** for the CMH.

Where there is more than one Claimant in any Claim, a joint bundle should be filed. Each bundle should be paginated as follows: NN:xxx, where “NN” is the number of the Claim in Schedule 1 and “xxx” are sequential page numbers of the bundle.

4. By midday on 11 December 2020, each Claimant is to file and serve a skeleton argument for the CMH. The skeleton should (a) identify any issues that the relevant Claimant(s) contend should be resolved at the CMH; (b) propose directions for the resolution of the issues at the hearing fixed for 27-28 January 2020.

5. The Community Law Partnership ("CLP"), representing various interested parties, may file and serve a skeleton argument for the CMH by 4.30pm on 14 December 2020.
6. The CMH will be conducted remotely via MS Teams. By midday on 15 December 2020, each Claimant and CLP are to notify QBJudgesListingOffice@justice.gov.uk (cc daniel.mendonca@Justice.gov.uk), the name, email address and contact telephone number of each person who it is intended will attend the CMH and in what capacity.
7. Pursuant to CPR 3.3(5), any person affected by this Order may apply to the Court for it to be varied. Any such application:
 - a. must be made by Application Notice;
 - b. issued, served and filed by 4.30pm on 7 December 2020; and
 - c. will be determined by Mr Justice Nicklin.

Reasons

- (A) This order attempts to identify the issues that arise for determination and to provide directions for the CMH. The parties are expected to assist the Court in identification of the issues that arise for determination (CPR 1.3). Broadly, the intention of the directions is to provide for hearing bundles and skeleton arguments to be available in good time for the CMH and to be available to all parties. The Court may give further directions as to the conduct of the CMH, in particular timetabling the submissions in order fairly to allocate the time. If the parties are able to agree that one advocate will deal with an issue (common to several Claimants) then that will assist in making best use of the available time.
- (B) Issue (I) raises an issue by the Court's own motion pursuant to CPR 3.3(2) in respect of LB Enfield's claim. The Order of 2 October 2020 was made without notice to the Persons Unknown Defendants and without Persons Unknown attending the hearing. Pursuant to CPR 23.11(2), the Court intends to relist the application for further consideration. In particular, having regard to ***Cameron - v- Liverpool Victoria Insurance Co Ltd [2019] 1 WLR 1471 [21]***, whether the proposed method of service is one that can reasonably be expected to bring the proceedings to the attention of the person unknown defendants.

1 December 2020

SCHEDULE 1

	Claimant(s)	Defendants	CASE No:	Issues
1.	LB Barking and Dagenham adam.rulewski@lbbd.gov.uk	Tommy Stokes & 63 others and Persons Unknown	QB-2017-006899 (HQ17X00849)	(A), (B), (C), (D)
2.	LB Bromley	Persons Unknown	QB-2018-003485 (HQ18X02920)	
3.	LB Croydon	Persons Unknown	QB-2018-003395 (HQ18X03041)	
4.	LB Ealing RobinsonK@ealing.gov.uk	Persons Unknown	QB-2019-001696	(D), (E), (F), (G)
5.	LB Greenwich	Persons Unknown	QB-2018-003037 (HQ18X04086)	
6.	LB Havering adam.rulewski@lbbd.gov.uk	William Stokes & 104 others and Persons Unknown	QB-2019-002737	(D), (E), (F), (G)
7.	LB Hillingdon Byron.Britton@merton.gov.uk	Persons Unknown	QB-2019-001138	(D), (E), (F), (G)
8.	LB Hounslow Jabou.Kinteh@harrow.gov.uk	Persons Unknown	QB-2019-002113	(D), (E), (F), (G)
9.	LB Kingston-upon-Thames	Persons Unknown	QB-2019-000150	
10.	LB Merton	Persons Unknown	QB-2018-000452	
11.	LB Redbridge adam.rulewski@lbbd.gov.uk	Martin Stokes & 99 others and Persons Unknown	QB-2018-003983 (HQ18X01522)	(A), (B), (C), (D)
12.	LB Richmond-upon-Thames Byron.Britton@merton.gov.uk	Persons Unknown	QB-2019-000777	(D), (E), (F), (G)
13.	LB Sutton	Persons Unknown	QB-2018-003487 (HQ18X02913)	
14.	LB Waltham Forest	Persons Unknown	QB-2017-005691 (HQ17X03769)	
15.	LB Wandsworth	Persons Unknown	QB-2019-000778	
16.	(1) Basingstoke and Deane Borough Council (2) Hampshire County Council	Henry Loveridge & 115 others and Persons Unknown	QB-2018-003748 (HQ18X02304)	(A), (B), (C), (D)

	wrose@sharpepritchard.co.uk			
17.	(1) Basildon Borough Council (2) Essex County Council	Dennis Ainey & 44 others and Persons Unknown	QB-2017-005724 (HQ17X03732)	
18.	Birmingham City Council	Persons Unknown	QB-2020-003833 (formerly Birmingham District Registry D90BM148-149)	
19.	(1) Boston Borough Council (2) Lincolnshire County Council	Persons Unknown	Birmingham District Registry E90BM073	
20.	Canterbury City Council	Persons Unknown	QB-2019-001304	
21.	Central Bedfordshire	Levi Parker & 24 others and Persons Unknown	Bedford District Registry E01LU344	
22.	Elmbridge Borough Council	Persons Unknown	QB-2018-003423 (HQ18X02948)	
23.	Epsom and Ewell Borough Council	Persons Unknown	QB-2018-000383	
24.	(1) Harlow District Council (2) Essex County Council	Michael Stokes & 74 others	QB-2015-002380	
25.	Hertsmere Borough Council	Persons Unknown	QB-2018-000333	
26.	(1) Nuneaton and Bedworth Borough Council (2) Warwickshire County Council wrose@sharpepritchard.co.uk	Thomas Corcoran & 52 others and Persons Unknown	QB-2019-000616	(D), (F), (G)
27.	Reigate and Banstead Borough Council Rosie.Sykes@reigate- banstead.gov.uk	Persons Unknown	QB-2019-002297	(D), (E), (F), (G)
28.	Rochdale Metropolitan Borough Council wrose@sharpepritchard.co.uk	Shane Heron & 89 others and Persons Unknown	QB-2017-005202 (HQ17X04668)	(D), (F), (G)
29.	Rugby Borough Council	McDonough & 5 others and Persons Unknown	Nuneaton County Court E00NU379	
30.	Runnymede Borough Council wrose@sharpepritchard.co.uk	Callum Wooding & 22 others and Persons Unknown	QB-2017-006165 HQ17X02485	(A), (B), (C), (D), (E)

31.	Sandwell Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	QB-2020-003844 (formerly Birmingham District Registry D90BM116)	
32.	Solihull Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	QB-2020-003848 (formerly Birmingham District Registry E90BM026)	
33.	Test Valley Borough Council KDunn@testvalley.gov.uk	Albert Bowers & 88 others and Persons Unknown	QB-2020-002112	(G)
34.	Thurrock Council adam.rulewski@lbbd.gov.uk	Martin Stokes & 106 others and Persons Unknown	QB-2019-002738	(D), (F), (G)
35.	Walsall Metropolitan Borough Council Javed.iqbal@walsall.gov.uk	Brenda Bridges & 17 others and Persons Unknown	QB-2020-003850 (formerly Walsall County Court C00WJ967)	(A), (B), (C), (D), (E)
36.	Wolverhampton City Council Chris.Simmonds@wolverhampton.gov.uk	Persons Unknown	QB-2020-003838 (formerly Birmingham District Registry E90BM139)	(A), (B), (C), (D), (H)
37.	Buckinghamshire Council (formerly) Wycombe District Council	Persons Unknown	QB-2019-002783	
38.	LB Enfield balbinder.kaur-geddes@enfield.gov.uk	Persons Unknown	QB-2020-003471	(G), (I)

Schedule 2 – Application Notices issued by the Claimants

1. LB Barking & Dagenham
None
4. LB Ealing
Application Notice dated 13 November 2020 seeking orders under CPR 3.10 and 6.15(2)
6. LB Havering
Application Notice dated 20 November 2020 seeking permission to amend the description of the 106th defendant in the Claim Form to “persons unknown forming unauthorised encampments within the London Borough of Havering”.
7. LB Hillingdon
None
8. LB Hounslow
Application Notice dated 13 November seeking to (1) amend the Part 8 claim pursuant to CPR r.17(2)(b); (2) add additional defendants to the claim under CPR Part 19 and (3) vary the current interim injunction dated 12 June 2019.
11. LB Redbridge
None
12. LB Richmond-upon-Thames
None
16. (1) Basingstoke and Deane Borough Council (2) Hampshire County Council
None
26. Nuneaton & Bedworth Borough Council (2) Warwickshire County Council
None
33. Test Valley
None

34. Thurrock Council

None

35. Walsall Metropolitan Borough Council

Application Notice dated 25 November 2020 seeking to insert a review provision into the Injunction Order dated 21 October 2016

36. Wolverhampton City Council

None

Claim Nos: see attached schedule

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
17 December 2020



BETWEEN: -

**Various Claimants
(see attached Schedule)**

Claimants

-and-

**(1) Persons Unknown
(2) Various other Defendants
(see attached Schedule)**

Defendants

-and-

**(1) London Gypsies and Travellers
(2) Friends, Families and Travellers
(3) National Federation of Gypsy Liaison Groups**

Interveners

ORDER

UPON the Case Management Hearing ordered by way of the order dated 16 October 2020 conducted remotely by MS Teams

AND UPON APPLICATION (1) by the London Gypsies and Travellers, Friends, Families and Travellers, and the National Federation of Gypsy Liaison Groups by Application Notice dated 10 December 2020 for permission to intervene in the proceedings ("the First Intervener Application"); (2) by the London Boroughs of Merton, Sutton, Kingston-upon-Thames and Waltham Forest and the Boroughs of Epsom & Ewell and Elmbridge by Application Notice dated 9 December 2020 for permission to intervene in the proceedings ("the Second Intervener Application"); and (3) by the London Borough of Ealing and Reigate & Banstead Borough Council by oral

application at the Case Management Hearing for permission to be excused from the hearing on 28-29 January 2021

AND UPON hearing Leading Counsel Mr. Ranjit Bhowse QC and Counsel, Mr. Steven Woolf for the London Boroughs of Enfield, Richmond and Hillingdon; Leading Counsel Mr. Ranjit Bhowse QC and Counsel, Ms. Sarah Salmon for the London Borough of Hounslow; Leading Counsel Mr. Nigel Giffin QC and Counsel Mr. Simon Birks for Walsall Metropolitan Borough Council; Leading Counsel Mr. Mark Anderson QC and Counsel Ms. Michelle Caney for Wolverhampton City Council; Counsel Ms. Caroline Bolton and Dr. Natalie Pratt for the London Boroughs of Barking and Dagenham, Redbridge and Havering, Test Valley Borough Council, Hampshire County Council, Basingstoke and Deane Borough Council, Rochdale Metropolitan Borough Council, Thurrock Council, Nuneaton and Bedworth Borough Council and Warwickshire County Council; and Leading Counsel Mr. Marc Willers QC and Counsel Mr. Owen Greenhall and Ms. Tessa Buchanan for the Interveners

IT IS ORDERED THAT:

1. The First Intervener Application is granted, and the three parties identified above are permitted to intervene in these proceedings (“the “Interveners”) and to make both written and oral submissions, on the basis that there shall be no order as to costs as between the Interveners and any of the Claimants.
2. The Court will determine the following issues (“the Issues of Principle”) at the hearing fixed for 27 and 28 January 2021:
 - (1) Whether the Court has the power – either generally under CPR 3.1(7) or otherwise, or specifically having regard to the particular terms of the relevant order – to case manage the proceedings and/or to vary or discharge injunctions that have previously been granted by final order.
 - (2) Whether the Court has jurisdiction, and/or whether it is correct in principle, generally or in any relevant category of claim, to grant a claimant local authority final injunctive relief either against “Persons Unknown” who are not, by the date of the hearing of the application for a final injunction, persons whom the law regards as parties to the proceedings, and/or on a *contra mundum* basis.
 - (3) In the event that the Court finds that it does not have jurisdiction to grant a final injunction in the circumstances set out in paragraph 2(2) above, whether
 - a. it is possible to identify the Defendants in the category of persons unknown who were parties to the proceedings at the date the final order was granted and are bound by it; and
 - b. insofar as the final injunction binds newcomers, it should be discharged.

The 1st, 11th, 16th, 35th and 36th Claimants shall indicate in their skeleton arguments whether they seek to show that the answer to (3)(a) above is the affirmative, and (if so) whether they consider that the evidence required to address issue 3 cannot be prepared and served ahead of the hearing on 27 and 28 January 2021 and/or cannot be addressed at that hearing in the required detail and should be reserved to a later date to be fixed.

- (4) If there is no jurisdiction to grant such final injunctive relief in all or any of the cases identified above, in what circumstances (if any) should the Court be prepared to grant interim injunctive relief against “Persons Unknown” Defendants in such a claim, in a form in which final relief would not be granted?
3. Following determination (alternatively hearing) of the Issues of Principle, the Court will give such further directions as may be needed, in each or any of the individual cases, for the determination of Issues (D) – (G) and (I), as identified in the Order of 1 December 2020.
4. The hearing of the claim in Case No.38 on the Schedule (LB Enfield -v- Persons Unknown), presently fixed to be heard on 27-28 January 2021, is adjourned until determination of the Issues of Principle, following which the Court will give such further directions as may be needed.
5. Permission for each Claimant to rely upon the evidence, or extracts from the evidence, previously filed and served in its Claim as it considers relevant to the determination of the Issues of Principle. Copies of the same to be filed with the Court as an indexed and paginated bundle and served on every other Claimant and the Interveners by 4pm on 8 January 2021.
6. The Claimant authorities have permission if so advised to provide further evidence of the use which is in practice made of injunctions in favour of local authorities restraining Persons Unknown, and which they consider is relevant to the determination of the Issues of Principle. Copies of the same to be filed with the Court as an indexed and paginated bundle and served on every other Claimant and the Interveners by 4pm on 8 January 2021.
7. The Interveners to file and serve any evidence in response to any evidence filed by the Claimants by 15 January 2021.
8. Skeleton arguments are to be filed and served as follows:
 - (1) By 4pm on 18 January 2021 for the Claimants. Those Counsel who act for more than one authority should, if reasonably possible, serve one skeleton argument common to their clients;
 - (2) By 4pm on 21 January 2021 for the Interveners; and
 - (3) By 4pm on 25 January 2021 for the Advocate to the Court.

9. The Counsel teams for the Claimant authorities are to liaise with one another to agree a fair division of the time available at the hearing for their oral submissions (*assumed to be 1 day for all the claimants together, with 1 hour for a reply*), and then seek to agree the final timetable with all other parties. The agreed timetable is to be filed by noon on 26 January 2021.
10. The Claimants to file and serve a Core Bundle containing all orders, claim forms, application notices and judgments in the Cohort Claims that the Claimants seek to rely upon by 4pm on 12 January 2021 to be prepared by Sharpe Pritchard LLP, solicitors for the 16th, 26th and 28th Claimants.
11. Authorities Bundles to be agreed between the Claimants and the Interveners and filed at Court by 4pm on 22 January 2021.
12. The Second Intervener Application is refused.
13. The London Borough of Ealing and Reigate & Banstead Borough Council are excused from attendance at the hearing on the 27 and 28 January 2021 if so advised.
14. No order as to costs.
15. Any party has permission to apply for any purpose.

17 December 2020

SCHEDULE 1

	Claimant(s)	Defendants	CASE No:
1.	LB Barking and Dagenham adam.rulewski@lbbd.gov.uk	Tommy Stokes & 63 others and Persons Unknown	QB-2017-006899 (HQ17X00849)
2.	LB Bromley	Persons Unknown	QB-2018-003485 (HQ18X02920)
3.	LB Croydon	Persons Unknown	QB-2018-003395 (HQ18X03041)
4.	LB Ealing RobinsonK@ealing.gov.uk	Persons Unknown	QB-2019-001696
5.	LB Greenwich	Persons Unknown	QB-2018-003037 (HQ18X04086)
6.	LB Havering adam.rulewski@lbbd.gov.uk	William Stokes & 104 others and Persons Unknown	QB-2019-002737
7.	LB Hillingdon Byron.Britton@merton.gov.uk	Persons Unknown	QB-2019-001138
8.	LB Hounslow Jabou.Kinteh@harrow.gov.uk	Persons Unknown	QB-2019-002113
9.	LB Kingston-upon-Thames	Persons Unknown	QB-2019-000150
10.	LB Merton	Persons Unknown	QB-2018-000452
11.	LB Redbridge adam.rulewski@lbbd.gov.uk	Martin Stokes & 99 others and Persons Unknown	QB-2018-003983 (HQ18X01522)
12.	LB Richmond-upon-Thames Byron.Britton@merton.gov.uk	Persons Unknown	QB-2019-000777
13.	LB Sutton	Persons Unknown	QB-2018-003487 (HQ18X02913)
14.	LB Waltham Forest	Persons Unknown	QB-2017-005694 (HQ17X03769)
15.	LB Wandsworth	Persons Unknown	QB-2019-000778
16.	(1) Basingstoke and Deane Borough Council (2) Hampshire County Council	Henry Loveridge & 115 others and Persons Unknown	QB-2018-003748 (HQ18X02304)

	wrose@sharpepritchard.co.uk		
17.	(1) Basildon Borough Council (2) Essex County Council	Dennis Ainey & 44 others and Persons Unknown	QB-2017-005724 (HQ17X03732)
18.	Birmingham City Council	Persons Unknown	QB-2020-003833 (formerly Birmingham District Registry D90BM148-149)
19.	(1) Boston Borough Council (2) Lincolnshire County Council	Persons Unknown	Birmingham District Registry E90BM073
20.	Canterbury City Council	Persons Unknown	QB-2019-001304
21.	Central Bedfordshire	Levi Parker & 21 others and Persons Unknown	Bedford District Registry E01LU344
22.	Elmbridge Borough Council	Persons Unknown	QB-2018-003423 (HQ18X02948)
23.	Epsom and Ewell Borough Council	Persons Unknown	QB-2018-000383
24.	(1) Harlow District Council (2) Essex County Council	Michael Stokes & 74 others	QB-2015-002380
25.	Hertsmere Borough Council	Persons Unknown	QB-2018-000333
26.	(1) Nuneaton and Bedworth Borough Council (2) Warwickshire County Council wrose@sharpepritchard.co.uk	Thomas Corcoran & 52 others and Persons Unknown	QB-2019-000616
27.	Reigate and Banstead Borough Council Rosie.Sykes@reigate- banstead.gov.uk	Persons Unknown	QB-2019-002297
28.	Rochdale Metropolitan Borough Council wrose@sharpepritchard.co.uk	Shane Heron & 89 others and Persons Unknown	QB-2017-005202 (HQ17X04668)
29.	Rugby Borough Council	McDonough & 5 others and Persons Unknown	Nuneaton County Court E00NU379
30.	Runnymede Borough Council	Callum Wooding & 22 others and Persons Unknown	QB-2017-006165 HQ17X02485
31.	Sandwell Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	QB-2020-003844 (formerly Birmingham District Registry

			D90BM416)
32.	Solihull Metropolitan Borough Council	John Cassidy & 13 others and Persons Unknown	QB-2020-003848 (formerly Birmingham District Registry E90BM026)
33.	Test Valley Borough Council KDunn@testvalley.gov.uk	Albert Bowers & 88 others and Persons Unknown	QB-2020-002112
34.	Thurrock Council adam.rulewski@lbbd.gov.uk	Martin Stokes & 106 others and Persons Unknown	QB-2019-002738
35.	Walsall Metropolitan Borough Council Javed.iqbal@walsall.gov.uk	Brenda Bridges & 17 others and Persons Unknown	QB-2020-003850 (formerly Walsall County Court C00WJ967)
36.	Wolverhampton City Council Chris.Simmonds@wolverhampton.gov.uk	Persons Unknown	QB-2020-003838 (formerly Birmingham District Registry E90BM139)
37.	Buckinghamshire Council (formerly) Wycombe District Council	Persons Unknown	QB-2019-002783
38.	LB Enfield balbinder.kaur-geddes@enfield.gov.uk	Persons Unknown	QB-2020-003471

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
24 May 2021

B E T W E E N:

**(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL**

-and-

**(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN**

-and-

**(1) LONDON GYPSIES AND TRAVELLERS
(2) FRIENDS, FAMILIES AND TRAVELLERS
(3) NATIONAL FEDERATION OF GYPSY LIAISON GROUPS**



QB-2020-002112

Defendants

Interveners

ORDER

UPON THE COURT having handed down judgment on 12 May 2021 ([2021] EWHC 1201 (QB))

AND UPON HEARING Caroline Bolton and Natalie Pratte of Counsel for the Claimants; Marc Willers QC and Owen Greenhall and Tessa Buchanan of Counsel for the Interveners; and Sarah Wilkinson of Counsel as Advocate to the Court

AND UPON all applications consequent upon judgment (including any application for permission to appeal) having been adjourned until 24 May 2021

IT IS ORDERED that:

1. The power of arrest contained in the interim injunction dated 28 July 2020 ("the Injunction Order") is discharged as against the 90th Defendant "Persons Unknown".

2. The Claimants must

- a. by 4.30pm on Monday 7 June 2020, remove every copy of the Injunction Order that has been posted or displayed by the Claimants; and
- b. by 4.30pm on Tuesday 1 June 2020, place a notice on each Claimant's website giving notice that the Injunction Order has been discharged.

The Claimants may replace the Injunction Order with a revised copy of the injunction with the power of arrest removed as against the 90th Defendant "Persons Unknown".

3. By 4.30pm on Monday 14 June 2021, the Claimants must file a witness statement confirming compliance with Paragraph 2 of this Order.
4. By 4.30pm on 5 July 2021, the Claimants must issue, file and serve any Application Notice together with evidence in support seeking to add any named defendants to the Claim.
5. A directions hearing will be fixed for 15 July 2021 with a time estimate of 1 hour.
6. The Claimants must serve a copy of this Order upon the 1st to 89th and 91st Defendants.
7. No order as to costs.

24 May 2021

Amended pursuant to CPR 40.12 on 2 June 2021

Claim No. QB-2020-002112

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
24 May 2021

B E T W E E N:

**(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL**



-and-

**(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN**

Defendants

-and-

**(1) LONDON GYPSIES AND TRAVELLERS
(2) FRIENDS, FAMILIES AND TRAVELLERS
(3) NATIONAL FEDERATION OF GYPSY LIAISON GROUPS**

Interveners

ORDER

UPON THE COURT having handed down judgment on 12 May 2021 ([2021] EWHC 1201 (QB))

AND UPON HEARING Caroline Bolton and Natalie Pratte of Counsel for the Claimants; Marc Willers QC and Owen Greenhall and Tessa Buchanan of Counsel for the Interveners; and Sarah Wilkinson of Counsel as Advocate to the Court

AND UPON all applications consequent upon judgment (including any application for permission to appeal) having been adjourned until 24 May 2021

IT IS ORDERED that:

1. The power of arrest contained in the interim injunction dated 28 July 2020 (“the Injunction Order”) is discharged as against the 90th Defendant “Persons Unknown”.
2. The Claimants must
 - a. by 4.30pm on Monday 7 June 2020, remove every copy of the Injunction Order that has been posted or displayed by the Claimant; and
 - b. by 4.30pm on Tuesday 1 June 2020, place a notice on its website giving notice that the power of arrest as against the 106th Defendant “Persons Unknown” in the Injunction Order has been discharged.

The Claimants may replace the Injunction Order with a revised copy of the injunction with the power of arrest removed as against the 90th Defendant “Persons Unknown”.

3. By 4.30pm on Monday 14 June 2021, the Claimants must file a witness statement confirming compliance with Paragraph 2 of this Order.
4. By 4.30pm on 5 July 2021, the Claimants must issue, file and serve any Application Notice together with evidence in support seeking to add any named defendants to the Claim.
5. A directions hearing will be fixed for 15 July 2021 with a time estimate of 1 hour.
6. The Claimants must serve a copy of this Order upon the 1st to 89th and 91st Defendants.
7. No order as to costs.

24 May 2021

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
28 June 2021

B E T W E E N:

**(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL**

-and-

**(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN**

Defendants

-and-

**(1) LONDON GYPSIES AND TRAVELLERS
(2) FRIENDS, FAMILIES AND TRAVELLERS
(3) NATIONAL FEDERATION OF GYPSY LIAISON GROUPS**

Interveners



QB-2020-002112

ORDER

UPON THE COURT by Order dated 24 May 2021 having directed a directions hearing on 15 July 2021 with a time estimate of 1 hour (“the Directions Hearing”)

AND UPON THE COURT having granted permission to appeal to several Claimants in the Cohort Claims on Issue 2 (as identified in the judgment [2021] EWHC 1201 (QB) (“the Judgment”)) and such appeals being likely to be listed to be heard by the Court of Appeal in the Autumn 2021 (“the Appeals”)

AND UPON THE APPLICATION by the Claimant to the Court of Appeal for permission to appeal in respect of Issue 1 (having been refused permission to appeal by the Judge)

AND UPON APPLICATION by the Claimant by Application Notice dated 18 June 2021 seeking an order, without a hearing, adjourning the Directions Hearing until the Appeals have been heard and determined (“the Adjournment Application”)

AND UPON CONSIDERING (1) Sharpe Pritchard's letters to the Court of Appeal dated 7 and 9 June 2021; and (2) written submissions on behalf of the Claimant (and others) submitted on 25 June 2021

AND UPON the Interveners indicating that they do not wish to make any submissions on the Claimant's Application.

WITHOUT A HEARING IT IS ORDERED:

1. The Adjournment Application is refused.
2. The Directions Hearing will be listed at 10am on 14 July 2021.
3. Skeleton arguments to be filed together with a bundle for the hearing by 4.30pm on 9 July 2021. Hearing to be held in person unless the Court otherwise directs.
4. Save as varied by the above, the directions given in the Order of 24 May 2021 continue to apply.
5. No order as to costs.

REASONS

- (A) The Claimant's interim injunction was granted on 28 July 2020. Given that an interim injunction is in place, it needs to be progressed to a final hearing.
- (B) The original listing of the hearings in July 2021 was in anticipation that the Court of Appeal may have dealt with the Appeals by that stage. Had it not been for that, I would have heard the cases sooner. Now that the Appeals will not be heard until the Autumn, there is much to be said for resolving promptly the question of final orders in the Cohort claims in which there are presently only interim injunctions, which includes the identification of defendants to the Claim.
- (C) I have revised the listing of the Directions Hearing so that the issues to be resolved in the Claimant's claim can be dealt with the more substantial hearings in the Abuse of Process Applications in the cases of LB Havering (QB-2019-002737); Nuneaton & Bedworth BC (QB-000616) and Rochdale MBC (QB-2017-005202).
- (D) As the Claimant has an interim injunction, no point arises in relation to Issue 1 from the Judgment. The fact that the Interveners have not made submissions in respect of the Adjournment Application is of limited weight in all the circumstances. They have particularly scarce resources and I can well understand if they wish to prioritise those resources to the Appeals.
- (E) Finally, I am satisfied that there is no procedural unfairness in my continuing to manage the outstanding Cohort claims.

28 June 2021

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
2 July 2021

B E T W E E N:

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

-and-

(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN

Defendants

-and-

(1) LONDON GYPSIES AND TRAVELLERS
(2) FRIENDS, FAMILIES AND TRAVELLERS
(3) NATIONAL FEDERATION OF GYPSY LIAISON GROUPS

Interveners



ORDER

UPON THE COURT by Order dated 24 May 2021 having directed a directions hearing on 15 July 2021 with a time estimate of 1 hour ("the Directions Hearing")

AND CONSIDERING representations on behalf of the Claimants

WITHOUT A HEARING IT IS ORDERED:

1. The Directions Hearing will be refixed to be heard at 10am on 28 July 2021.
2. Skeleton arguments to be filed together with a bundle for the Directons Hearing by 10am on 23 July 2021.
3. The directions given in the Orders of 24 May 2021 and 28 June 2021 are varied accordingly.

4. No order as to costs.

2 July 2021



IN THE COURT OF APPEAL, CIVIL DIVISION

REF: A2/2021/1026



TEST VALLEY BOROUGH COUNCIL & ANR -v- BOWERS & OTHERS

ORDER made by the Rt. Hon. Lord Justice Underhill

On consideration of the appellant's notice and accompanying documents, but without an oral hearing, in respect of an application for permission to appeal

Decision:

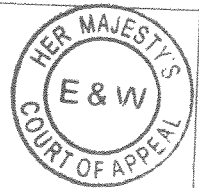
Permission granted

Reasons

See judgment dated 8 July 2021.

Information for or directions to the parties

To be listed with A2/2021/0994; A2/2021/0999; A2/2021/1017 and A2/2021/1021

**Mediation:** Where permission has been granted or the application adjourned:

Does the case fall within the Court of Appeal Mediation Scheme (CAMS) automatic pilot categories (see below)?

Yes/No (delete as appropriate)

Pilot categories:

- All cases involving a litigant in person (other than immigration and family appeals)
- Personal injury and clinical negligence cases;
- All other professional negligence cases;
- Small contract cases below £500,000 in judgment (or claim) value, but not where principal issue is non-contractual;
- Boundary disputes;
- Inheritance disputes.
- EAT Appeals
- Residential landlord and tenant appeals

If yes, is there any reason not to refer to CAMS mediation under the pilot?

Yes/No (delete as appropriate)

If yes, please give reason:

Non-pilot cases: Do you wish to make a recommendation for mediation?

Yes/No (delete as appropriate)

Where permission has been granted, or the application adjourned

- a) time estimate (excluding judgment)
- b) any expedition

Signed:

Nicklas Underhill

Date: 13 July 2021

*By the Court***Notes**

- (1) Rule 52.3(6) provides that permission to appeal may be given only where –
 - a) the Court considers that the appeal would have a real prospect of success; or
 - b) there is some other compelling reason why the appeal should be heard.
- (2) Rule 52.3(4) and (5) provide that where the appeal court, without a hearing, refuses permission to appeal that decision may be reconsidered at a hearing, provided that the request for such a hearing is filed in writing within 7 days after service of the notice that permission has been refused. Note the requirement imposed on advocates by paragraph 16(1) of CPR PD 52C.
- (3) Where permission to appeal has been granted you must serve the proposed bundle index on every respondent within 7 days of the date of the listing window notification letter and seek to agree the bundle within 21 days of the date of the listing window notification letter (see paragraph 21 of CPR PD 52C).

Case Number: Error! Reference source not found.

DATED 13TH JULY 2021
IN THE COURT OF APPEAL

ORDER

Copies to:

Test Valley Borough Council
Karen Dunn
DX 123080
Andover 6

The Community Law Partnership
Chris Johnson
4th Floor
Ruskin Chambers
191 Corporation Street, Birmingham
B4 6RP

Lower Court Ref: QB-2020-002112

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

The Honourable Mr Justice Nicklin
30 July 2021

B E T W E E N:

**(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL**



-and-

**(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN**

Defendants

ORDER

UPON THE COURT having directed, by Order dated 24 May 2021, a directions hearing
AND UPON HEARING Caroline Bolton and Natalie Pratt of Counsel for the Claimants at
a CVP hearing on 28-30 July 2021 and no defendant attending or being represented

IT IS ORDERED that:

Discontinuance of Claims

1. In respect of any defendant that the Claimants no longer wish to proceed against,
by 4.30pm on 20 August 2021 the Claimants must either:
 - a. file a notice of discontinuance in respect of any defendant against whom
no injunction was granted; or
 - b. make an application for permission to discontinue the claim against any
defendant in respect of whom an injunction was granted. Unless the Court
otherwise directs, the Application will be dealt with on paper.

Amended Claim Form

2. The Claimants have permission to amend the Claim Form:
 - a. to add sites in respect of which the Claimant intends to seek a final injunction; and
 - b. to delete defendants (a) who have not been served with the Claim Form; and (b) in respect of whom the claim is discontinued under Paragraph 1 above.

Service of Amended Claim Form, letter to named defendants and further evidence

3. By 4.30pm on 3 September 2021 the Claimants must:
 - a. file an Amended Claim Form;
 - b. serve the Amended Claim Form on each remaining named Defendant pursuant to CPR Part 6.3 (1) (a) or (b);
 - c. send a copy of the letter in the Appendix to this Order to each remaining named Defendant with the required information for each defendant inserted and the relevant documents enclosed; and
 - d. file and serve an Application Notice seeking permission to rely upon any further evidence together with copies of the evidence.
4. By 4.30pm on 30 September 2021 the Claimants must replace the Claim Form with the Amended Claim Form at each of the sites where the Claim Form was originally posted. In the event that no named defendants are removed from the Claim, the Claimants may apply for this paragraph to be stayed pending determination of the Claim against the named defendants. Unless the Court otherwise directs, the Application will be dealt with on paper.
5. By 4.30pm on 1 October 2021 the Claimants must file a witness statement confirming (a) compliance with paragraph 3 of this Order; and (b) whether any letter sent under Paragraph 4(c) has been returned undelivered and exhibiting in respect of each remaining defendant, copies of:
 - a. the letter (together with enclosures) sent in accordance with Paragraph 3(c); and
 - b. any response received.
6. Any evidence upon which a named defendant wishes to rely must be served on the Claimants by 4.30pm on 24 September 2021.
7. If the Claimants are unable to personally serve any of the named Defendants in accordance with CPR Part 6.3 (1) (a) or (b), then pursuant to CPR 6.14 and 6.15 and 6.27 the Claimants shall be permitted to serve any such Defendants by leaving a copy (as opposed to an original) of any application notice, amended claim form, and supporting evidence in a clear transparent envelope and:

- a. affixing the same to a caravan, or, mobile home, or, the front door of any residential premises which is reasonable believed to be the address of a named Defendant in these proceedings, or
- b. by putting such copy documents through the letter box of any residential premises which is reasonable believed to be the address of a named Defendant in these proceedings.

Any such copy documents served by this method will be deemed served the second working day after service.

Directions for trial

8. The Court will give further directions for the final hearing of the claim once the Court has heard and determined the final hearing in the claim brought by Thurrock Council (QB-2019-002738) listed for 25 October 2021.
9. No order as to costs.

30 July 2021

APPENDIX: Letter to be sent to named defendants

Dear [name],

[Local Authority] -v- [named Defendant] and others [Claim Number]

We are writing to you because you are one of the defendants in the above proceedings. The terms of this letter have been approved by the High Court to ensure that you are aware of the proceedings and the claim that is being made against you personally.

1. The Claim

- 1.1 [Local Authority] commenced proceedings against you (and other defendants) on [date]. The **Claim Form** was served on you by [*what means, if post state the address to which it was sent*] on [date]. The deemed date of service of the Claim Form is [date]
- 1.2 Under the rules of Court, you were required to file an acknowledgement of service and any written evidence you wished to rely upon by [date]. To date, you have not filed an acknowledgement of service or any evidence.
- 1.3 The Court granted an interim injunction order against you on [date]. A copy of the injunction order is enclosed.

2. The Claim against you

- 2.1 [Local authority] alleges that you did the following acts:
 - (a) [*identify by description and date*]

3. The Evidence relied upon

- 3.1 [Local authority] relies upon the following evidence in support of
 - (a) [*identify the paragraphs of each witness statement relied upon*]Copies of the witness statements relied upon to prove the matters alleged against you in Paragraph 2 are enclosed.

4. The Final Hearing

- 4.1. The Court intends to give further directions, including setting a timetable towards a final hearing in the Autumn of 2021.
- 4.2 At the final hearing, [*the local authority*] will ask the Court to impose an injunction against you in the following terms:
[state terms]

The Court will also be asked to make an order [*state any further orders to be sought against the defendant*]

- 4.2 At the final hearing the Court will decide whether [the local authority]'s evidence justifies making these orders.

5. Your opportunity to respond and to be heard at the hearing

- 5.1 As a defendant you can attend the final hearing, but as you have not filed an acknowledgement of service or filed any evidence, you will need the Court's permission to participate in the hearing.
- 5.2 The Court wants to understand what you say in answer to the allegations that [*the local authority*] is making against you as set out above. To assist, you can fill in and return the attached short Response Form. A reply-paid envelope is provided.
- 5.3 If you want the Court to consider any evidence, you should send it to us as soon as you can. The Court has set a deadline of **24 September 2021** for you to send to us any evidence upon which you want to rely. If you think you will need more time to submit your evidence, you should contact us and ask for an extension of time.
- 5.4 If you do not respond to this letter, fail to provide any evidence that you want the Court to consider and/or do not attend the final hearing, the Court will make such order as it considers is appropriate and justified by the evidence provided to the Court.
- 5.5 **You are advised to take legal advice on your position.** You may be able to get advice from local Citizens' Advice Bureau or Legal Advice Centres. Advice and assistance may also be available from:

Friends, Families and Travellers,
Community Base,
113 Queens Road,
Brighton, East Sussex, BN1 3XG

Tel: 01273 234 777
email: fft@gypsy-traveller.org

Yours etc.,

[Defendant's Name]

RESPONSE FORM

1. Did you receive the Claim Form referred to in Paragraph 1.1 of the Letter?

Yes/No

2. Do you admit or deny the allegations made against you in Paragraph 2.1?

Admit/Deny

3. If you deny the allegations, please state briefly what you say in response. (If you need more space for your answer, please use a further sheet of paper.)

4. Do you intend to attend (or be represented at) the final hearing?

Yes/No

5. If you do not intend to attend the final hearing, you can provide below any information that you would like the Court to consider. (If you need more space for your answer, please use a further sheet of paper.)

Please see over

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I believe that the facts stated in this Response Form are true.

Signature:

Name:

Date:



TUESDAY 1ST FEBRUARY 2022.



IN THE COURT OF APPEAL

ON APPEAL FROM Queen's Bench Claims
QB-2020-002112

BEFORE SIR GEOFFREY VOS, MASTER OF THE ROLLS
AND LORD JUSTICE LEWISON
AND LADY JUSTICE ELISABETH LAING

CA-2021-000637

B E T W E E N

ON PAPER

Application No.

CA-2021-000637
(A2/2021/1026)

- 1. TEST VALLEY BOROUGH COUNCIL
- 2. HAMPSHIRE COUNTY COUNCIL

CLAIMANTS /
APPELLANTS,

- and -

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

DEFENDANTS /
RESPONDENTS

- and -

- 1. LONDON GYPSIES AND TRAVELLERS
- 2. FRIENDS, FAMILIES AND TRAVELLERS
- 3. DERBYSHIRE GYPSY LIAISON GROUP
- 4. HIGH SPEED TWO (HS2) LIMITED
- 5. BASILDON BOROUGH COUNCIL

INTERVENERS

UPON the Appellant's appeal brought by way of an appellant's notice dated 7 June 2021 against the Order of Nicklin J dated 24 May 2021 (as amended on 2 June 2021 with the permission of the Judge in accordance with CPR 40.12), and with permission to appeal being granted by Underhill LJ on 13 July 2021

AND UPON hearing Caroline Bolton and Natalie Pratt for the Appellants, Marc Willers QC, Tessa Buchanan and Owen Greenhall for the First to Third Interveners, Richard Kimblin QC for the Fourth Intervener, Tristan Jones as Advocate to the Court, and receiving written submissions from Wayne Beglan for the Fifth Intervener and the Defendants neither appearing nor being represented

IT IS ORDERED THAT:

- 1. The appeal is allowed.
- 2. The proceedings shall be restored to the general Queen's Bench list and listed for a directions hearing before a judge on the first available date after 18 March 2022, with a time estimate of 2 hours.

3. There be no order as to costs.
4. Permission to appeal is refused.

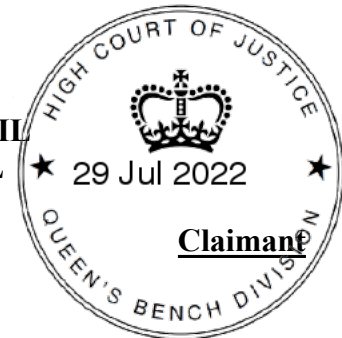
BY THE COURT

THE HONOURABLE MR JUSTICE MARTIN SPENCER

29 July 2022

B E T W E E N :

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL



-and-

QB-2020-002112

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

Defendants

DIRECTIONS ORDER 29 JULY 2022

UPON the listing of a directions hearing pursuant to the Order of the Court of Appeal dated 2 February 2022

AND UPON the Claimants' Application of 27 July 2022 to re-amend the Amended Claim Form

AND UPON the Court noting the Order of Robin Knowles J made on 18 June 2020, and in particular paragraph 5 and the alternative service provision made therein in respect of the 90th Defendant (Persons Unknown), as well as paragraphs 8 and 9 of the Injunction Order of HHJ Bird (sitting as a Judge of the High Court) dated 28 July 2020

AND UPON hearing Caroline Bolton and Natalie Pratt of counsel for the Claimant and the Defendants neither appearing nor being represented

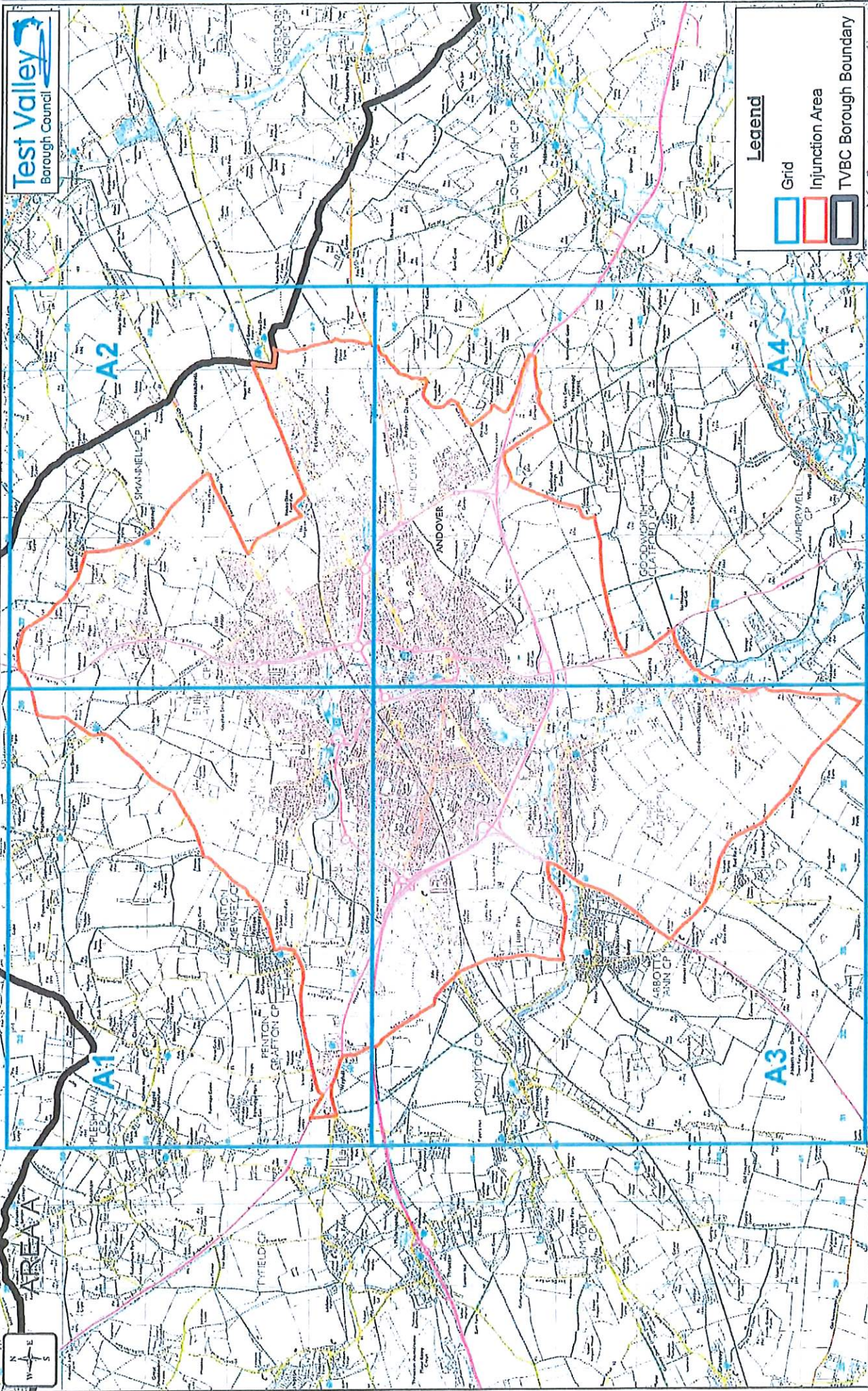
IT IS ORDERED THAT:

1. The Claimants shall file a re-amended Claim Form by 4.30pm on 26 August 2022. The Claimants have permission to re-amend the Claim Form to:
 - a. Amend the definition of the 90th Defendant to “Persons Unknown forming unauthorised encampments within the Borough of Test Valley”;
 - b. Remove the four erroneous red amendments made to the face of the Amended Claim Form by which the Defendant numbering was amended;
 - c. Correct typographical errors;
2. The Claimants are permitted to file and serve further updating evidence, such evidence to be filed and served by 4.30pm on 23 September 2022.
3. The Claimants shall, by 4.30pm on 21 October 2022, file and serve on each and every Defendant:
 - a. The Re-amended Claim Form;
 - b. A Scott Schedule setting out the allegations against each Defendant with a reference to where the evidence in support of those allegations may be located in the Claimant’s evidence;
 - c. Any application to add to the Claim further sites over which injunctive relief is sought with supporting evidence. Any such application shall be heard at the trial of the Claim.
4. In the event that the Claimants are unable to serve in accordance with CPR 6.9 and 6.14, the Claimants are permitted, pursuant to CPR 6.15, 6.26 and 6.27, to serve the 1st to 89th Defendants with the documents referred to in paragraph 3 above, the notice of the trial date and this Order, by leaving a copy of the same in a transparent envelope and affixing the same to any caravan, mobile home or other vehicle, or to the front door of any residential premises which in each case is reasonably believed to be owned or occupied by the relevant Defendant, or by putting such copy documents through the letter box of any such residential premises. Any copy documents served by this method will be deemed served the second working day after service is completed in accordance with this paragraph.
5. The Claimants are permitted, pursuant to CPR 6.15 and 6.27, to serve the evidence in support of the claim by providing a digital link to the evidence contained on the First Claimant’s website. The Claimants shall provide copies of the evidence to any Defendant that requests copies of the same within 2 working days of receipt of such request, and shall have a copy of all evidence relied upon in these proceedings available for inspection at the Council offices at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ between the hours of 10am and 4pm Monday to Friday, excluding public holidays. Any documents served by this method will be deemed served on the day on which service is completed in accordance with this paragraph.

6. Pursuant to CPR 6.15 and 6.27 the Claimants have permission to serve the Amended Claim Form, notice of the trial date, this Order and the documents referred to in paragraph 3 above on the 5th, 11th, 40th, 41st, 56th, 58th, 60th, 61st, 62nd, 67th, 76th, 83rd and 84th Defendants by posting the same to their last known address.
7. Any Defendant who intends to defend the claim against them shall file and serve any evidence in defence of the claim, along with responses to the Scott Schedule set out in paragraph 4 above, by 4.30pm on 18 November 2022.
8. The Claimants are permitted to file and serve any evidence in response to the Defendants' evidence and response to the Scott Schedule, such evidence to be filed and served by 4.30pm on 2 December 2022. The Claimants need only serve those Defendants who have acknowledged service of the claim and/or filed evidence in defence of the claim.
9. The claim shall be listed for trial on the first available date after 23 January 2023 with a time estimate of 2 days and a further ½ day judicial pre-reading.
10. The Claimants shall file and serve a hearing bundle 7 days before the date of trial. The Claimants need only serve those Defendants who have acknowledged service of the claim and/or filed evidence in defence of the claim.
11. The Claimants shall file and serve on those Defendants who have acknowledged service of the claim and/or filed evidence in defence of the claim its skeleton argument 3 days before the date of trial. Any represented Defendant shall also file and serve a skeleton argument 3 days before the date of trial.
12. The Amended Claim Form, notice of the trial date and this Order shall be deemed served on the 90th Defendant (Persons Unknown) pursuant to CPR 6.14, 6.15, 6.26 and 6.27 by:
 - a. affixing copies (as opposed to originals) of the Amended Claim Form, notice of the trial date and 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 the Amended Claim Form, notice of the trial date and 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 the Amended Claim Form, notice of the trial date and 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;
13. The Claimant and Defendants (or anyone notified of this Order) may apply to the Court on 72 hours written notice to vary or discharge this Order (or so much of it as affects that person). Where the application is made by anyone other than the Claimant, written notice of any such application shall be given to the Claimant, who shall forthwith forward the same to any party who has acknowledged service of the claim and/or filed a defence, and provided an address for service. If any evidence is to be relied upon in support of the application, the evidence must be served on the Claimant and any Defendant who has acknowledged service of the claim and/or filed a defence (as applicable) 2 working days in advance of the hearing. Where evidence is to be served on a Defendant who has acknowledged service of the claim and/or filed a defence, service shall occur by the Claimant forwarding the same to the relevant person where that person has provided an address for service.
14. There shall be no order as to costs on the Order made at paragraph 1 above.
15. All other costs shall be costs in the case.

SCHEDULE 1 – AREA A



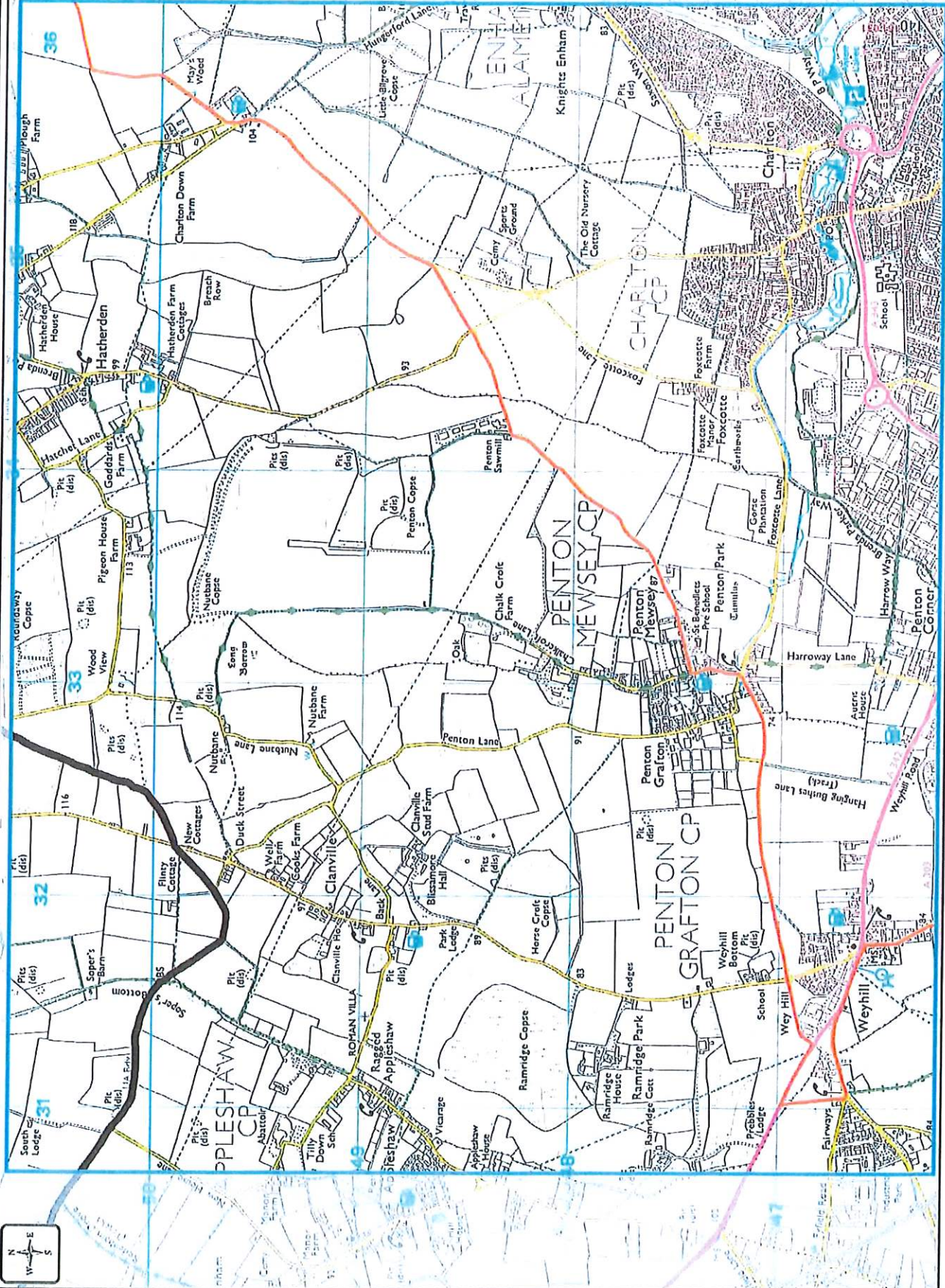
Legend

- Grid
- Injunction Area
- TVBC Borough Boundary

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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



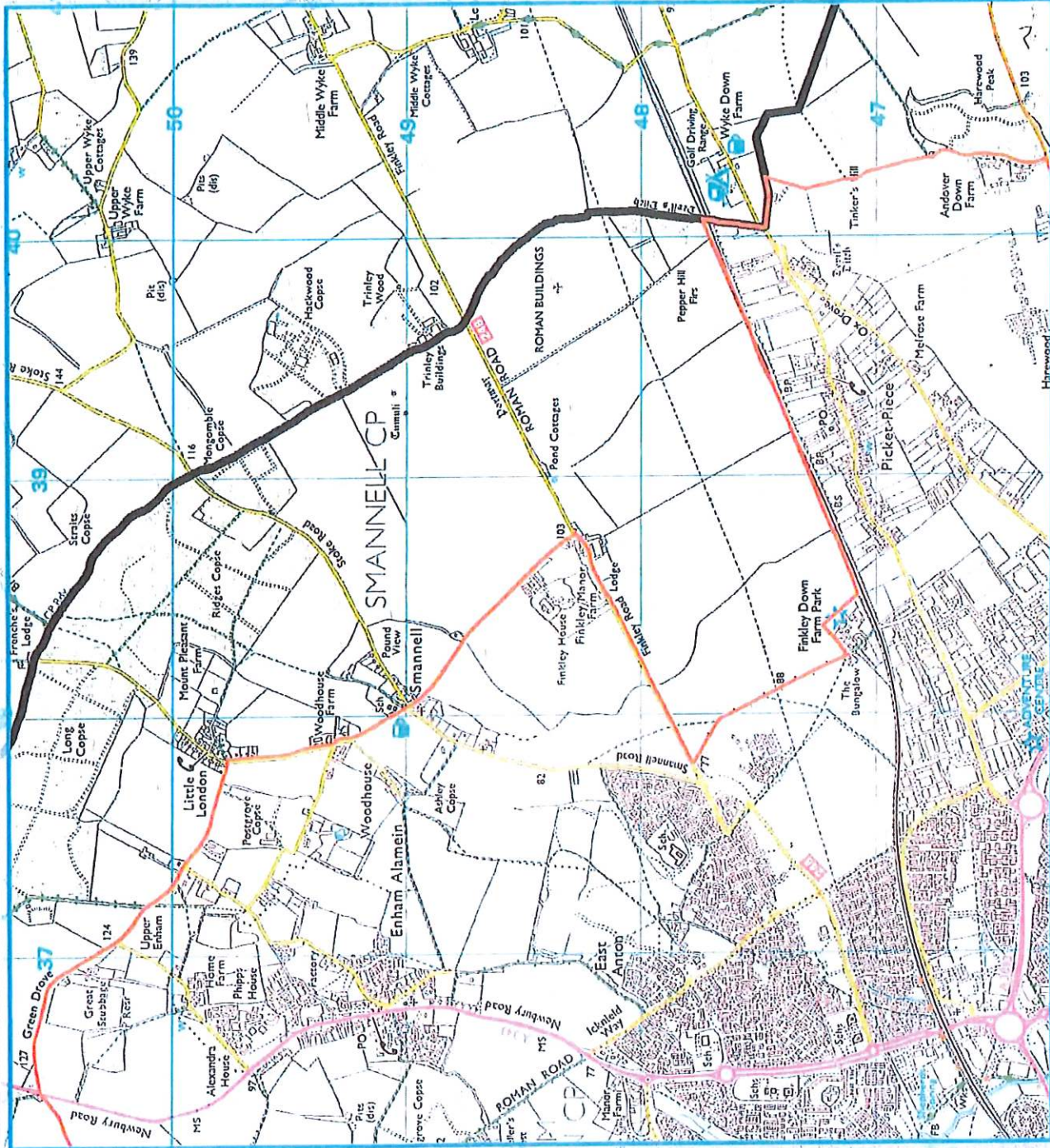
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**Injunction Application Plan - North/Andover
A1 Grid Section**

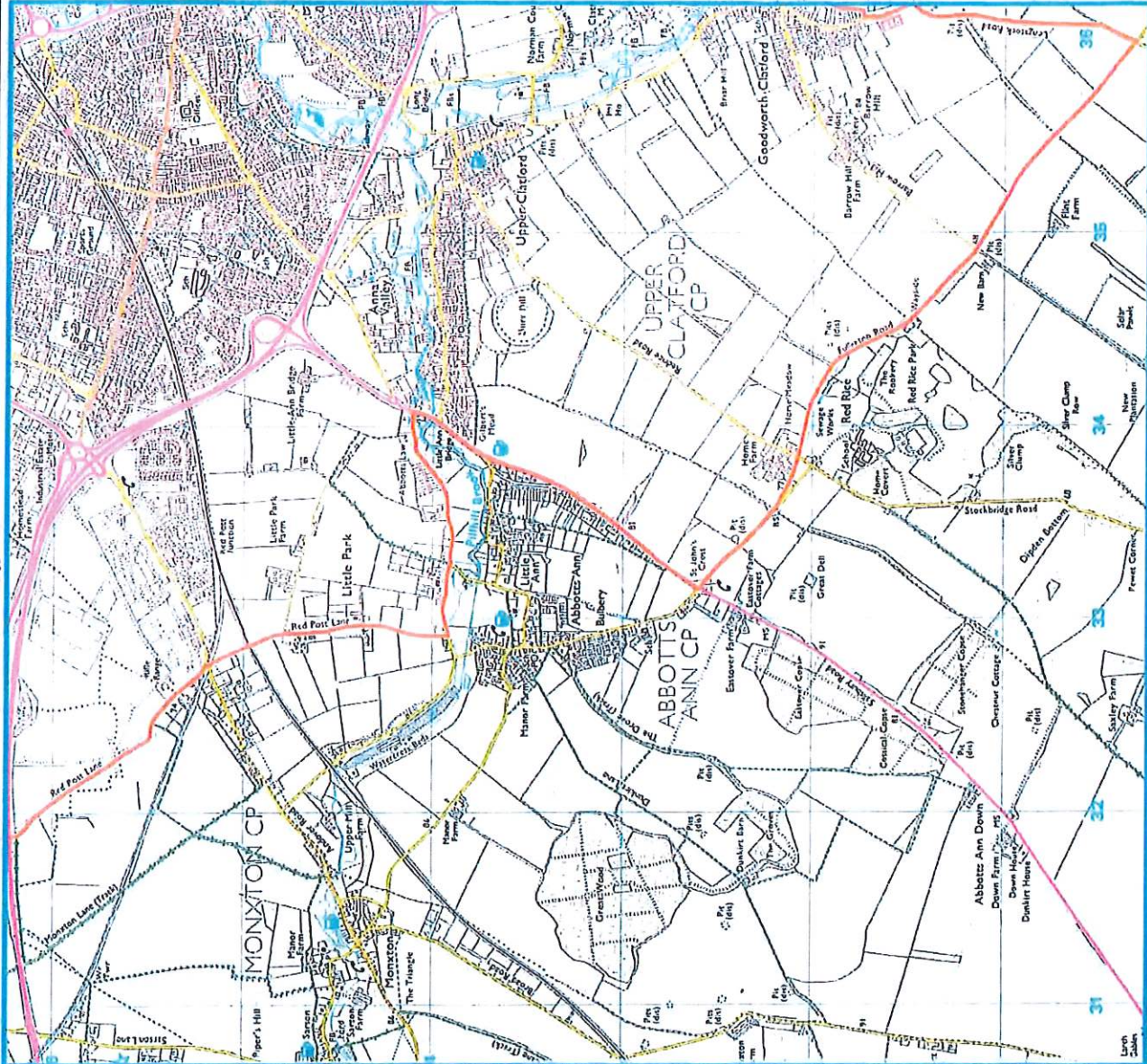
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Drawn: AMurray
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Injunction Application Plan - North/Andover A2 Grid Section

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



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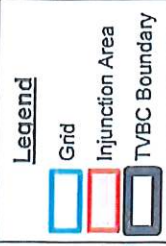
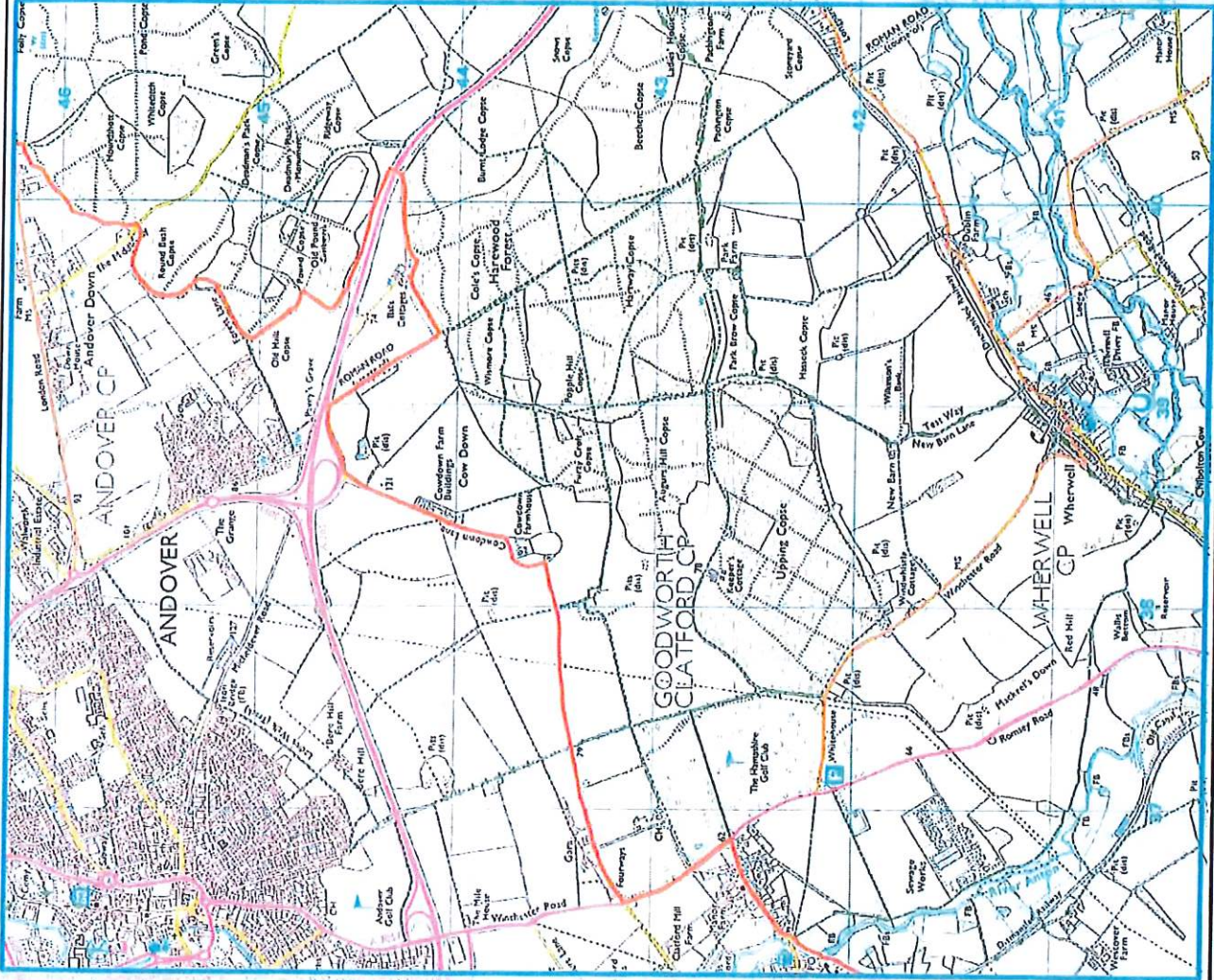
Legend

- Grid
- Injunction Area
- TVBC Boundary

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Injunction Application Plan - North/Andover A3 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

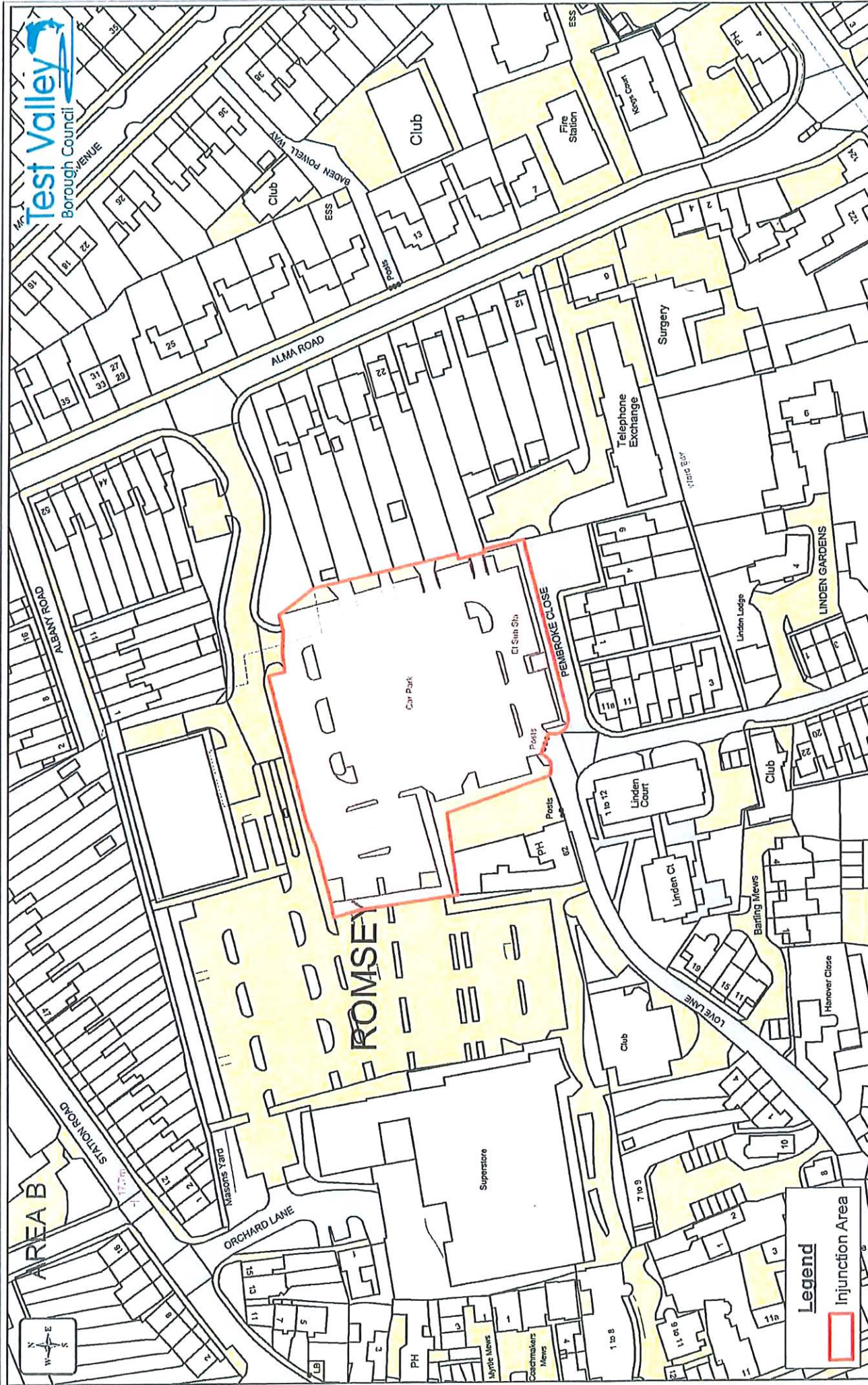


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Injunction Application Plan - North/Andover A4 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

SCHEDULE 2 – AREA B



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**Injunction Application Plan -
Alma Road Car Park, Romsey**

Legend
Injunction Area

Scale: 1:1,330@A4L
Date: 28/05/2020
Drawn: AMurray
Dept: IMT/GIS
Doc:

IN THE HIGH COURT OF JUSTICE

Claim No. QB-2020-002112

KING'S BENCH DIVISION

BEFORE: THE HONOURABLE MR JUSTICE COTTER

Dated: 23rd September 2022



BETWEEN :

**(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 Application of the Claimants seeking:

- (i) an extension to the deadline for the Claimants' filing and serving of updating evidence, as provided for in paragraph 2 of the Order of Martin Spencer J dated 29 July 2022, and consequent amendments to the directions to trial;
- (ii) permission to serve this Order by alternative means.

AND UPON the Court considering the witness statement of Karen Dunn dated 16th September 2022

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

IT IS ORDERED THAT:

Amended Directions

1. The Claimants are permitted to file and serve further updating evidence, such evidence to be filed and served by 4.30pm on 21 October 2022.
2. The Claimants shall, by 4.30pm on 18 November, file and serve on each and every Defendant:
 - a. The re-Amended Claim Form;
 - b. A Scott Schedule setting out the allegations against each Defendant with a reference to where the evidence in support of those allegations may be located in the Claimant's evidence;
 - c. Any application to add to the Claim further sites over which injunctive relief is sought with supporting evidence. Any such application shall be heard at the trial of the Claim.
3. Any Defendant who intends to defend the claim against them shall file and serve any evidence in defence of the Claim, along with responses to the Scott Schedules set out in paragraph 2(b) above, by 4.30pm on 18 November 2022.
4. The Claimants are permitted to file and serve any evidence in response to the Defendants' evidence and response to the Scott Schedules, such evidence to be filed and served by 4.30pm on 16 December 2022. The Claimants need only serve those Defendants who have acknowledged service of the claim and/or filed evidence in defence of the claim.
5. The Claim shall be listed for trial on the first available date after 23 January 2023 with a time estimate of 2 days and a further ½ day judicial pre-reading.

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 by:
 - a. affixing copies (as opposed to originals) of the re-Amended Claim Form, notice of the trial date and 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 the re-Amended Claim Form, notice of the trial date and 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 the re-Amended Claim Form, notice of the trial date and 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

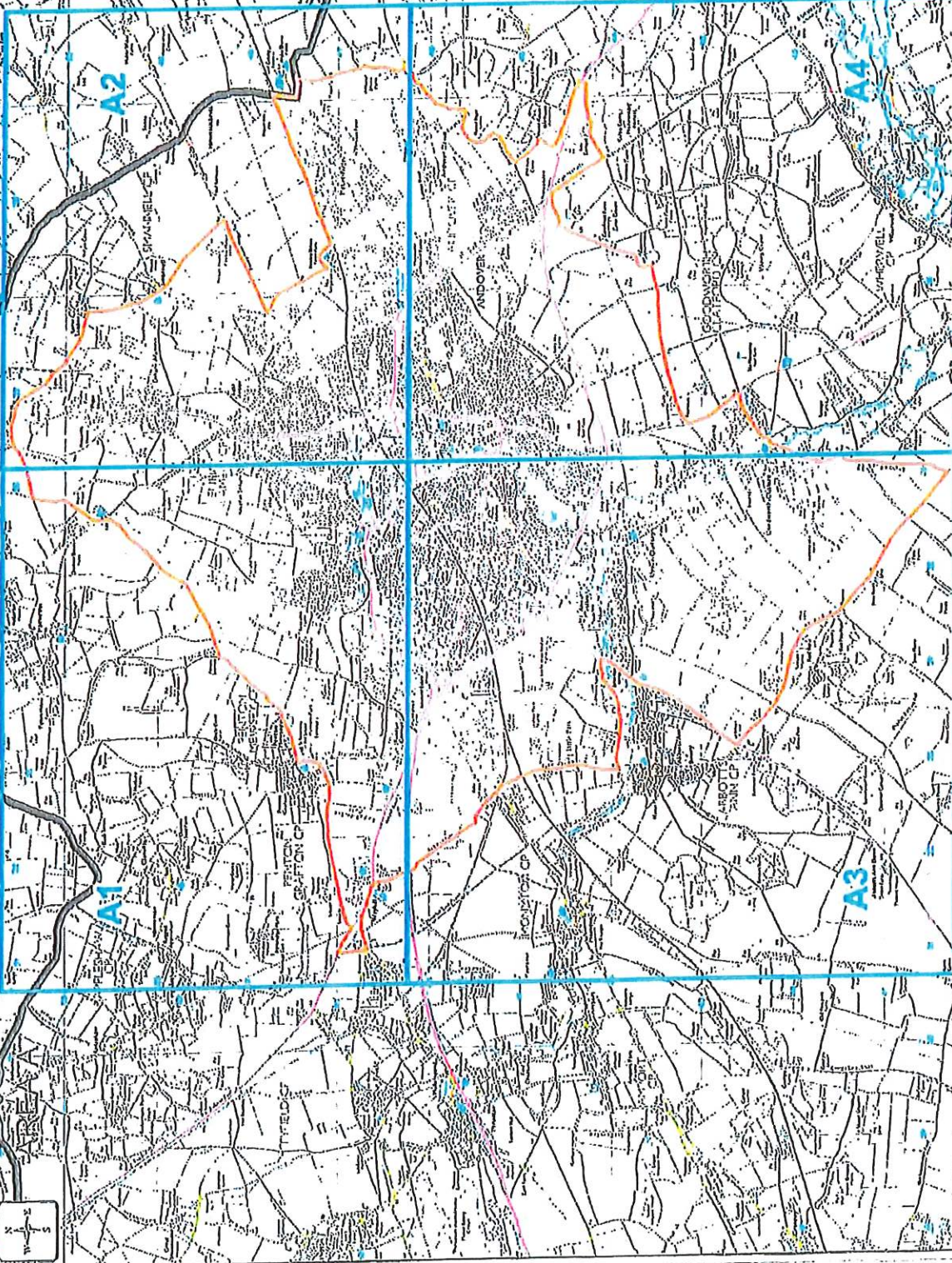
7. The Claimant and Defendants (or anyone notified of this Order) may apply to the Court on 72 hours written notice to all parties to these proceedings and their legal advisers to vary or discharge this Order (or so much of it as affects that person). If any evidence is to be relied upon in support of the application, the evidence must be served on the parties 2 working days in advance of the hearing.

Costs

8. No order as to costs.

23rd September 2022

SCHEDULE 1 – AREA A



Legend




- Grid
- Injunction Area
- TV/BC Borough Boundary

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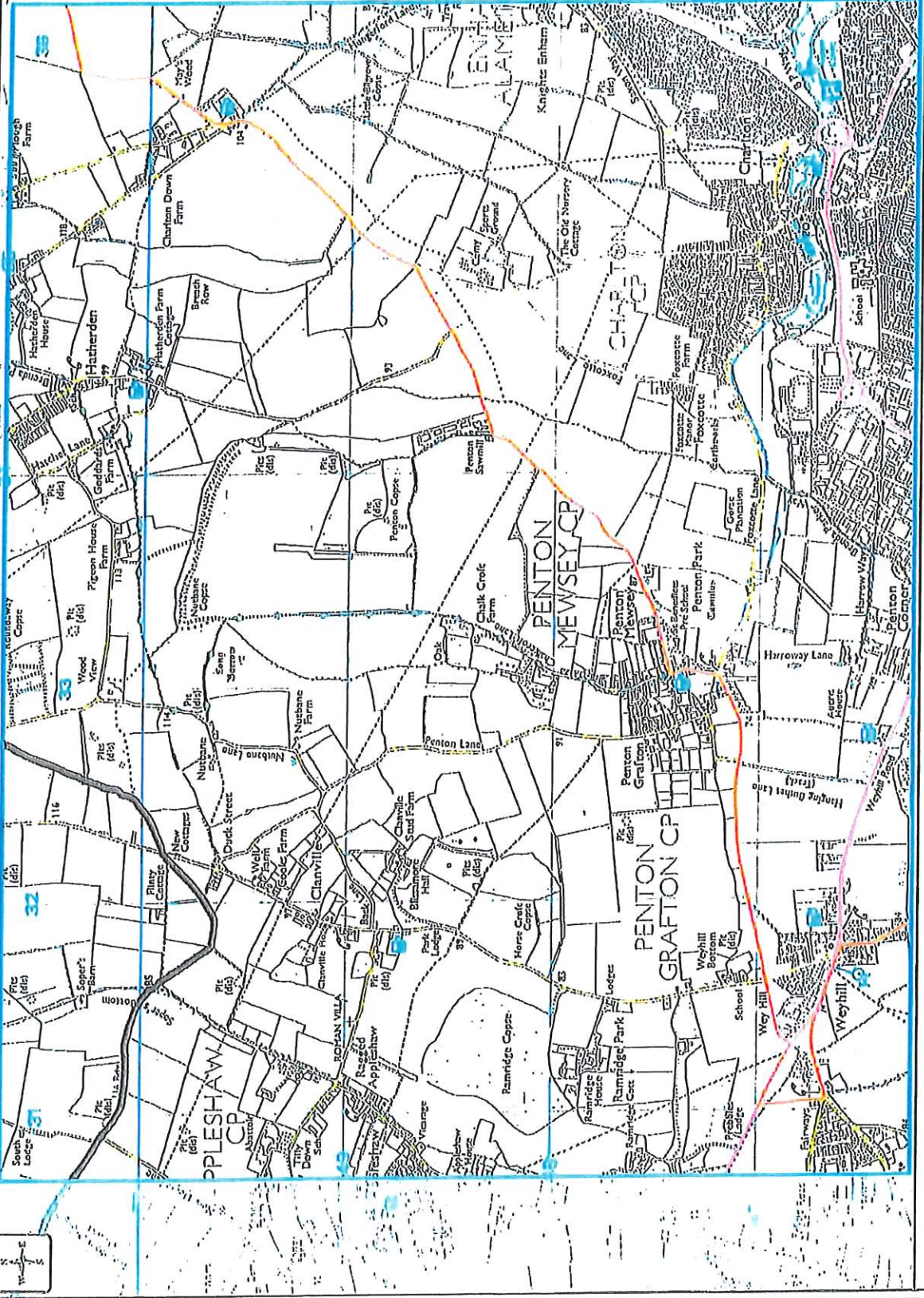
Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: A.Murray
Dept: IMT/GIS

Legend

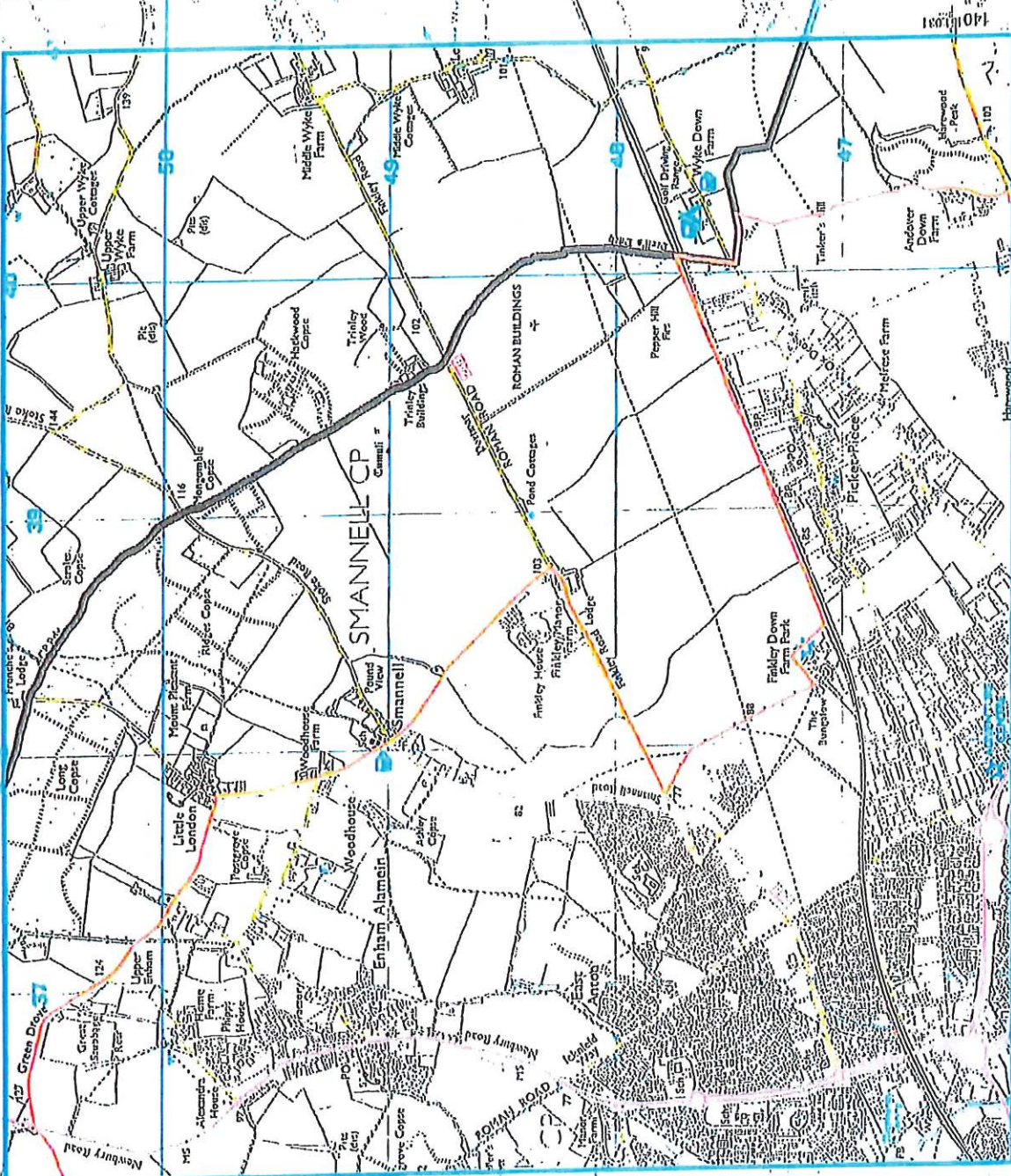
-  Grid
-  Injunction Area
-  TVBC Boundary

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**Injunction Application Plan - North/Andover
A1 Grid Section**

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: A Murrey
Dept IMT/GIS



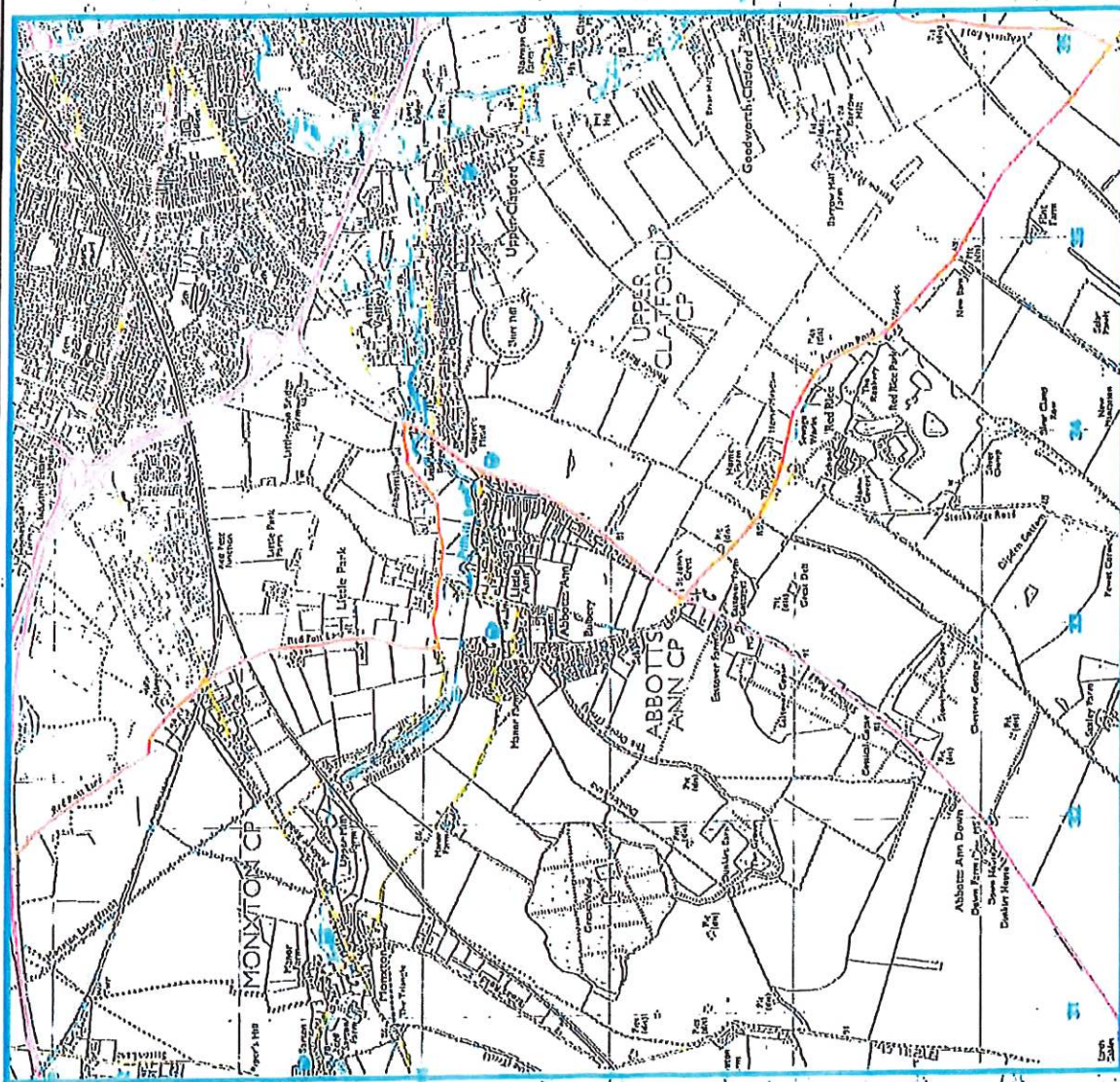
Legend

- Grid
- Injunction Area
- TVBC Boundary




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

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: A.Murray
Dept: IMT/GIS



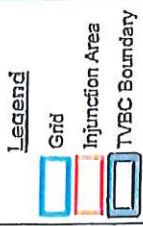
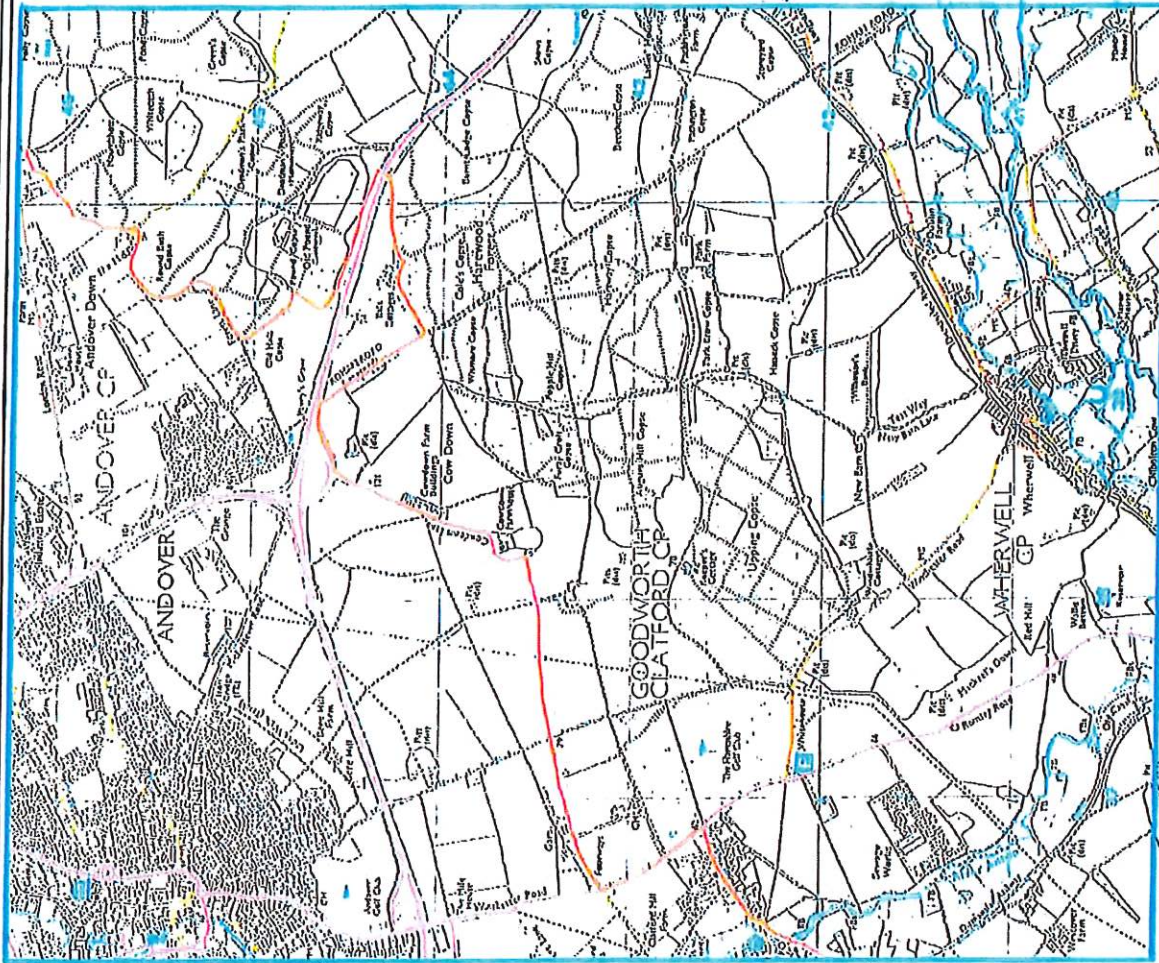
Legend

-  Grid
-  Injunction Area
-  TVBC Boundary

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**Injunction Application Plan - North/Andover
A3 Grid Section**

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurrey
Dept: IMT/GIS

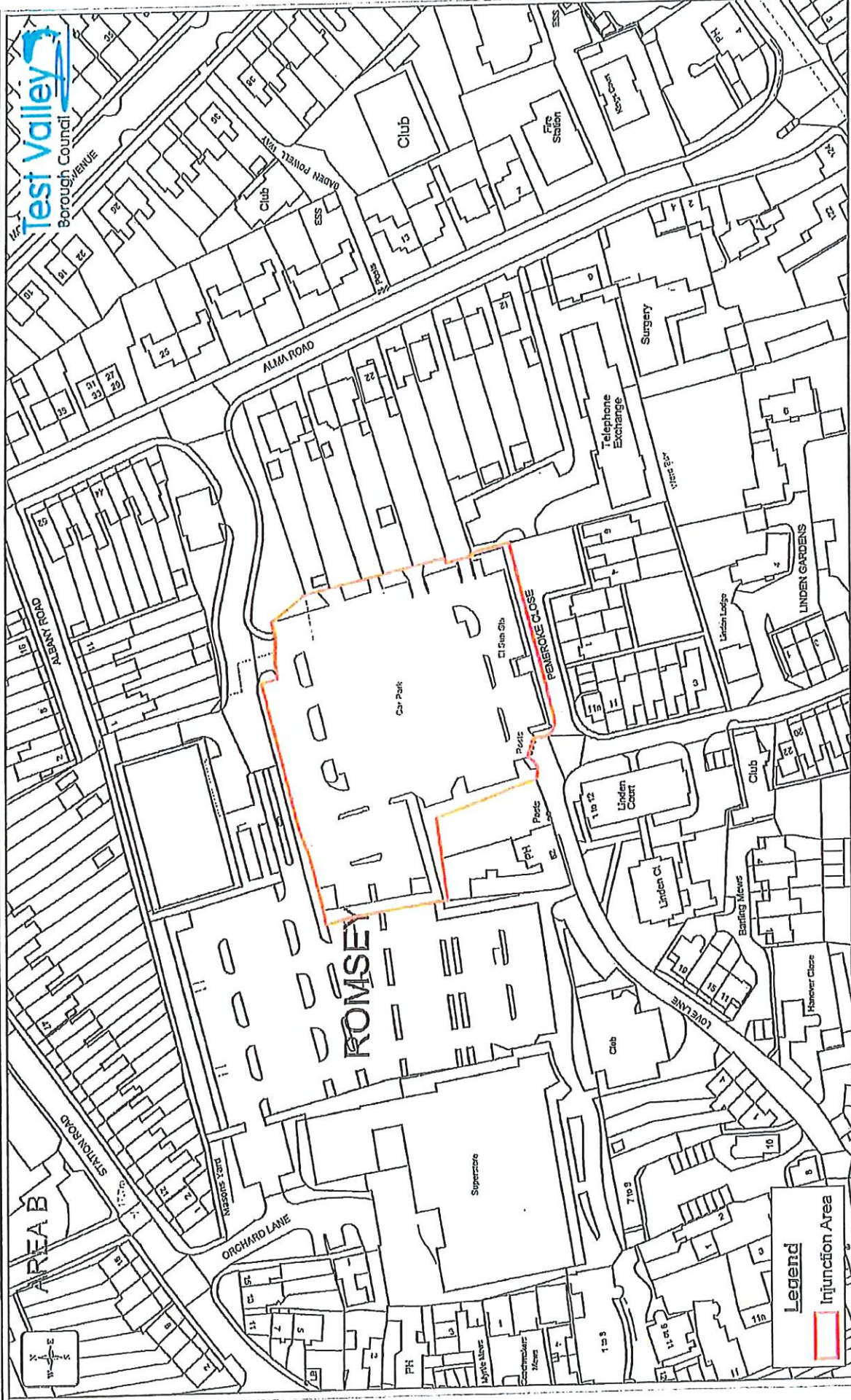


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**Injunction Application Plan - North/Andover
A4 Grid Section**

Scale: 1:32,750@A4L
Date: 11/06/2020
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SCHEDULE 2 – AREA B



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**Injunction Application Plan -
Alma Road Car Park, Romsey**

Legend
Injunction Area

Scale: 1:1,330@A4L
Date: 28/05/2020
Drawn: AMurray
Dept: IMT/GIS
Doc



IN THE SUPREME COURT OF THE UNITED KINGDOM

25 OCTOBER 2022

UKSC 2022/0046

Before:

Lord Hodge
Lord Hamblen
Lord Stephens

**Wolverhampton City Council and others (Respondents) v
London Gypsies and Travellers and others (Appellants)**

AFTER CONSIDERATION of the Appellants' application for permission to appeal the order made by the Court of Appeal on 1 February 2022, and application for a protective costs order and alternative service, and of the notices of objection filed by the Respondents and the submissions filed by the Interveners

THE COURT ORDERED that

- 1) Permission to appeal be GRANTED
- 2) No costs be awarded against or in favour of the Appellants in any event
- 3) The application for alternative service be GRANTED.

Registrar
25 October 2022

Before The Honourable Mr Justice Constable



B E T W E E N :

(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.

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

Claim No. QB-2020-002112

Before The Honourable Mrs Justice FOSTER

B E T W E 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

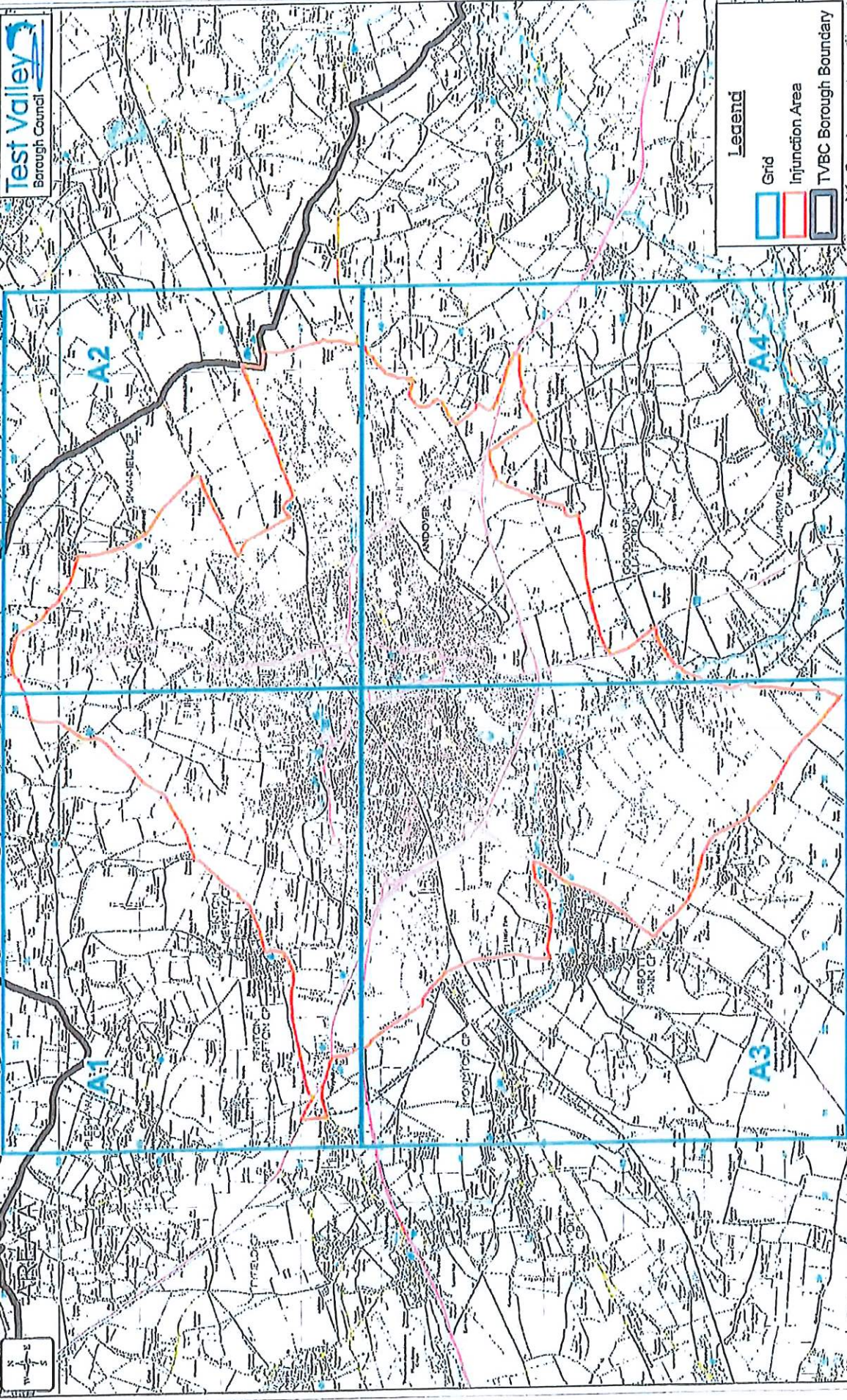
7. The Claimant and Defendants (or anyone notified of this Order) may apply to the Court on 72 hours written notice to all parties to these proceedings and their legal advisers to vary or discharge this Order (or so much of it as affects that person).

Costs

8. No order as to costs.

Dated this 29 Feb 2024

SCHEDULE 1 – AREA A



Legend




- Grid
- Injunction Area
- TVBC Borough Boundary

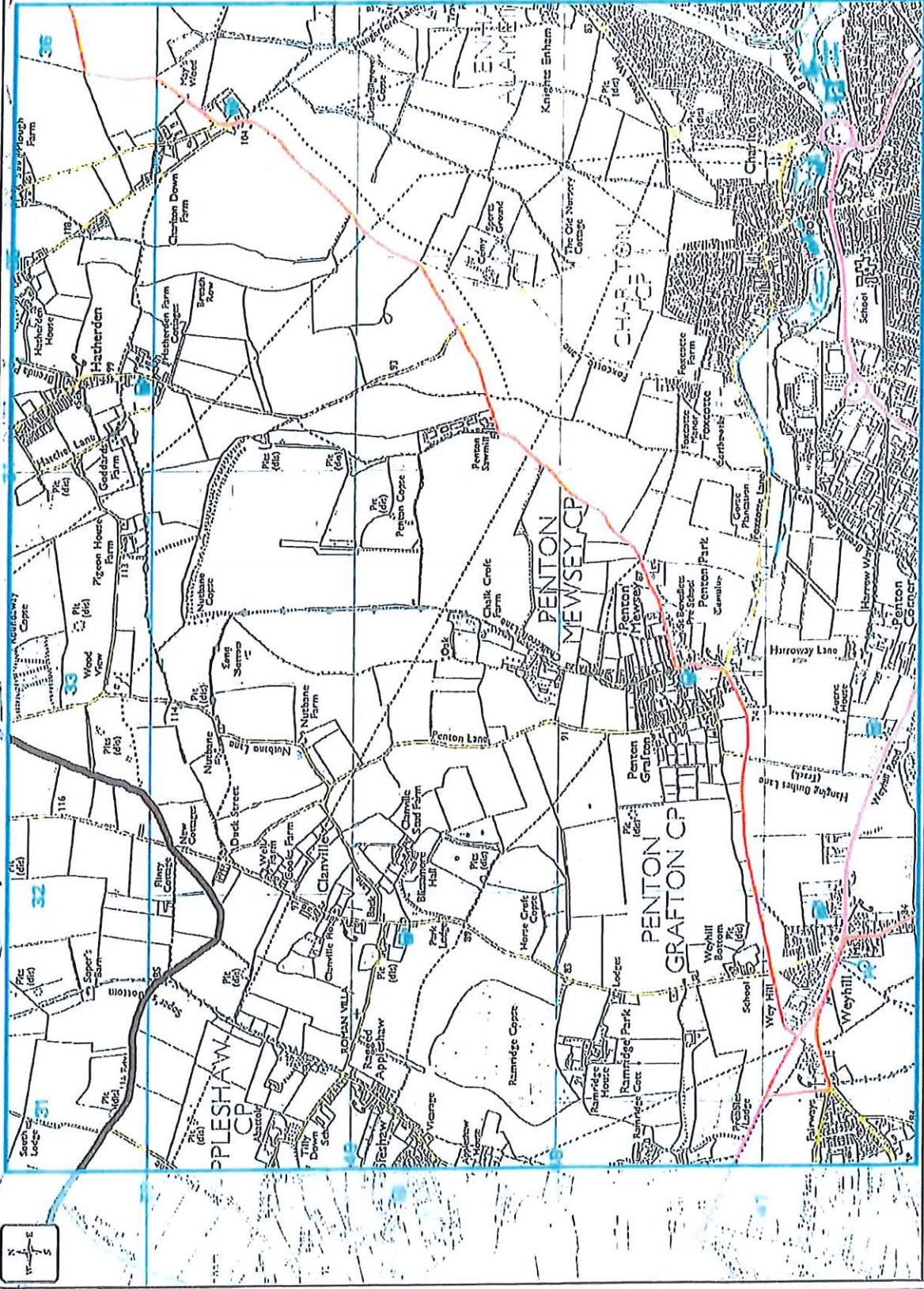
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Injunction Application Plan - North/Andover

Scale: 1:57,000@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

Legend

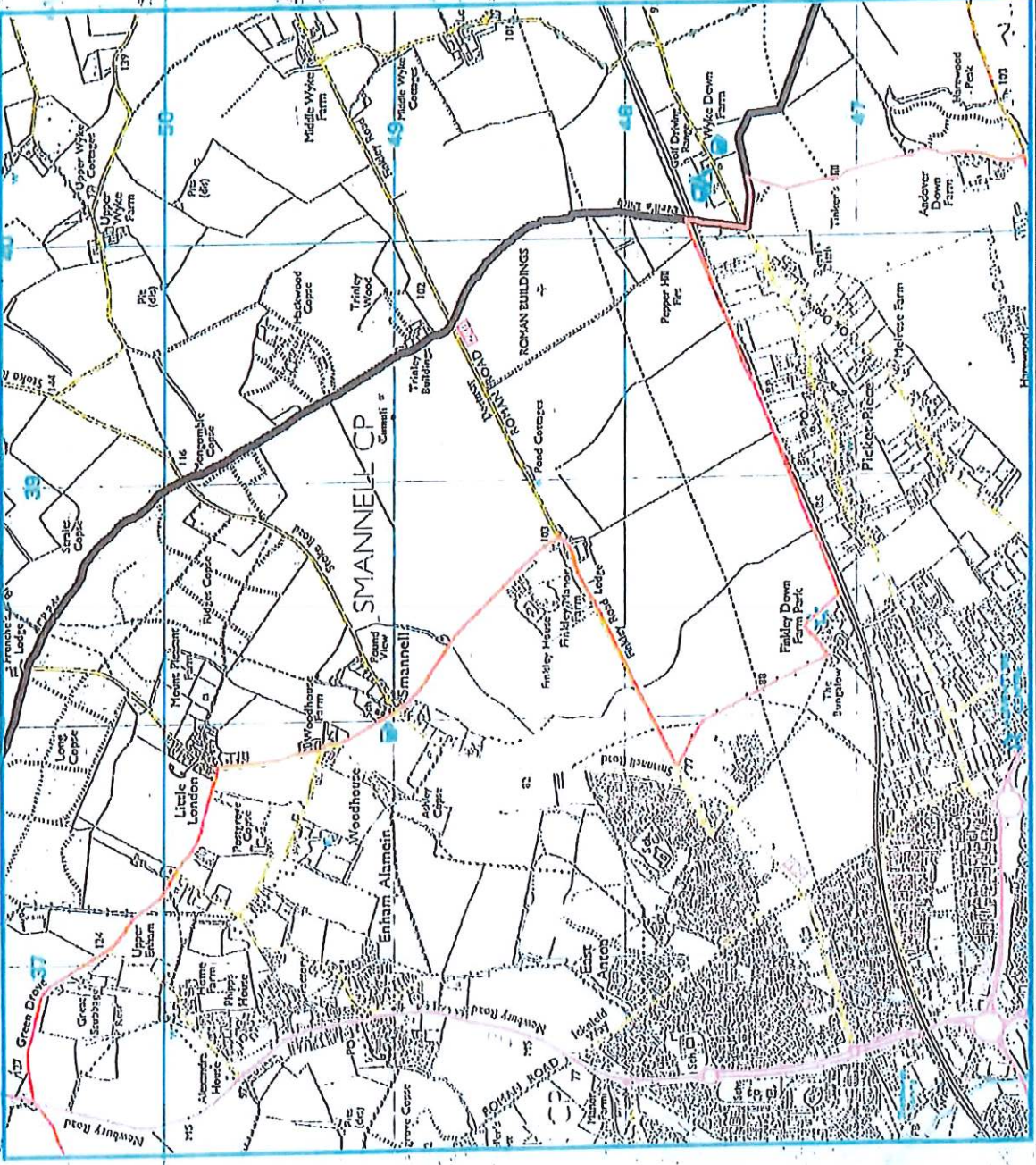
-  Grid
-  Injunction Area
-  TVBC Boundary



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**Injunction Application Plan - North/Andover
 A1 Grid Section**

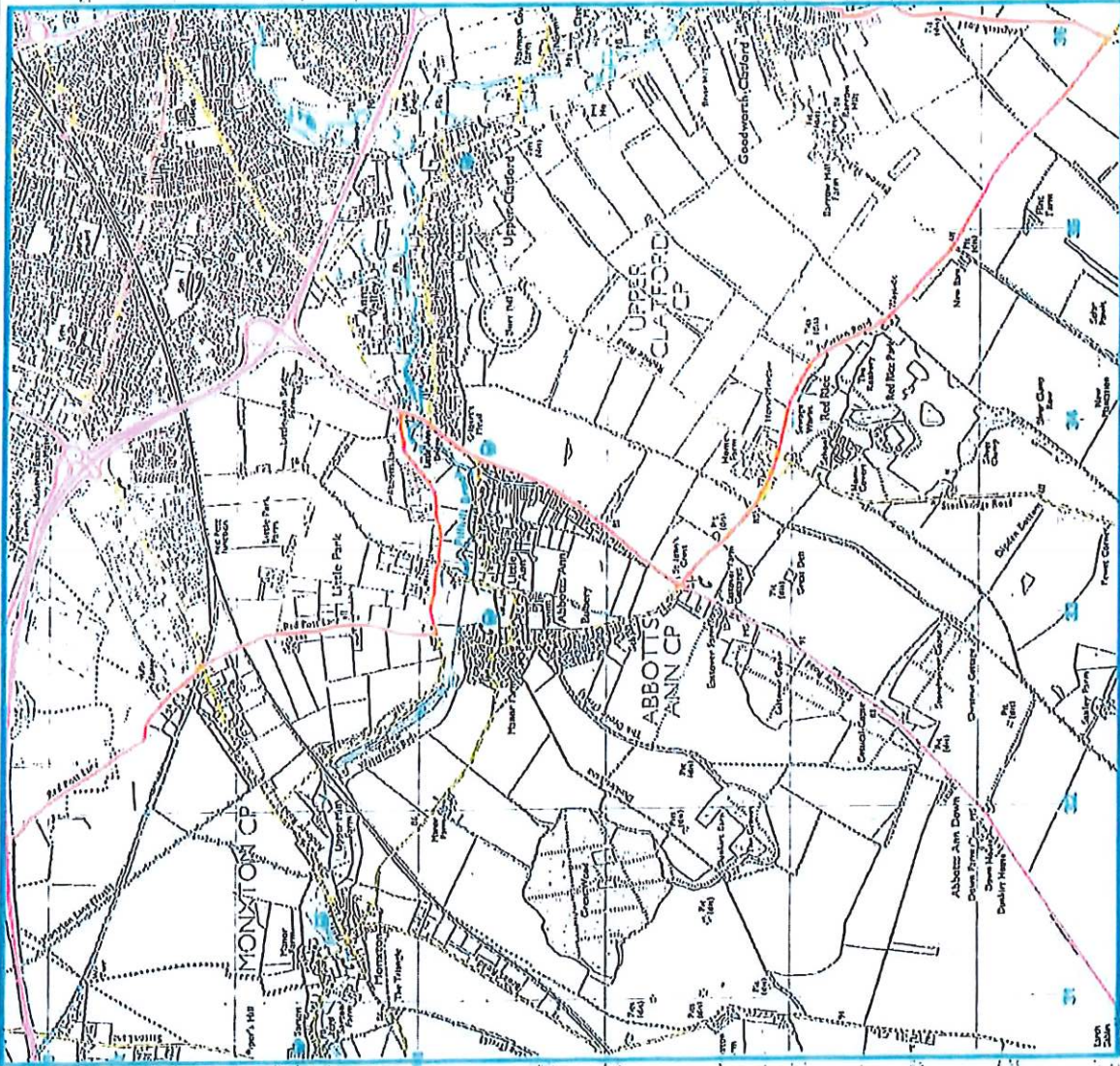
Scale: 1:24,250 @ A41
 Date: 11/06/2020
 Drawn: AMurray
 Dept: IMT/GIS



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

Scale: 1:24,250@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS



1401000

Legend

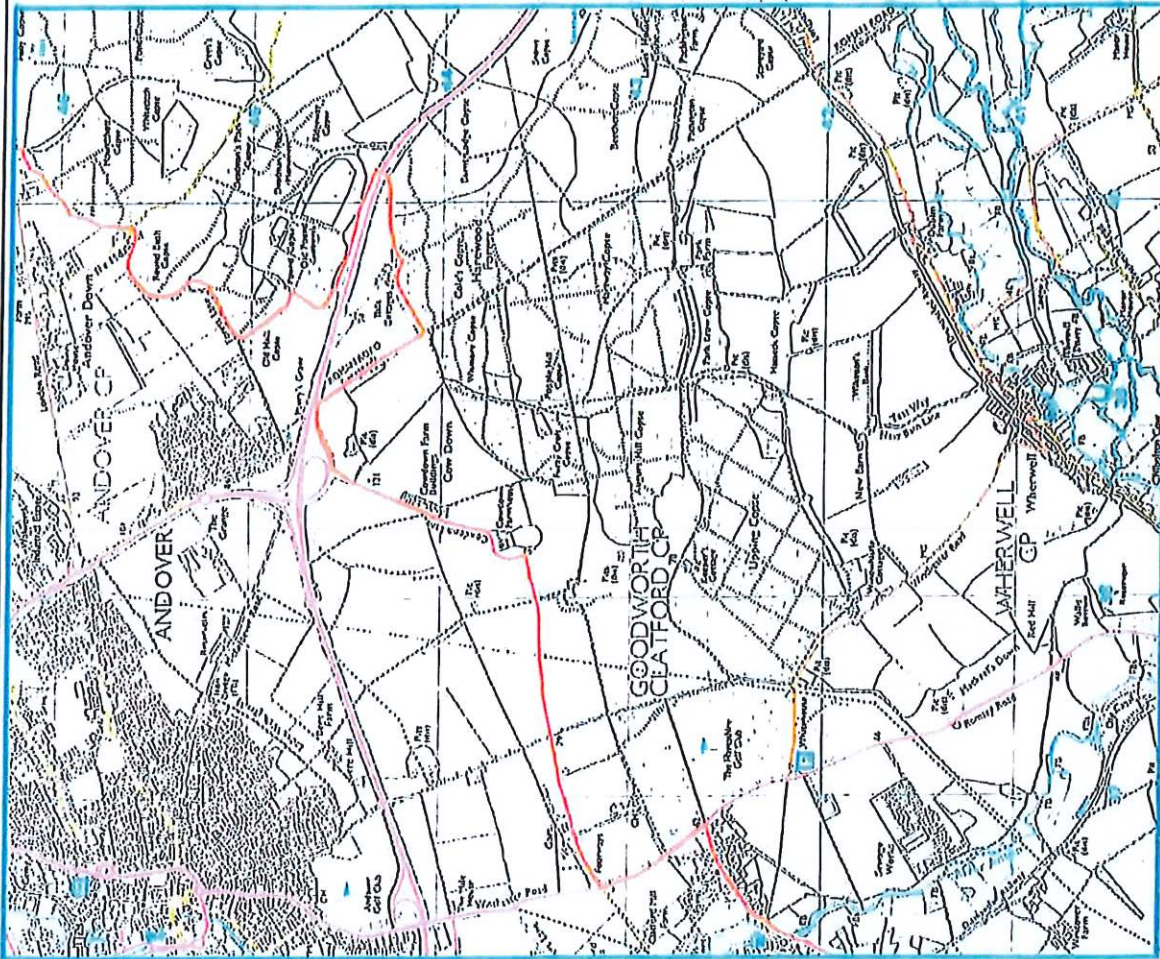
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-  Injunction Area
-  TVBC Boundary

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**Injunction Application Plan - North/Andover
A3 Grid Section**

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: A Murray
Dept: IMT/GIS



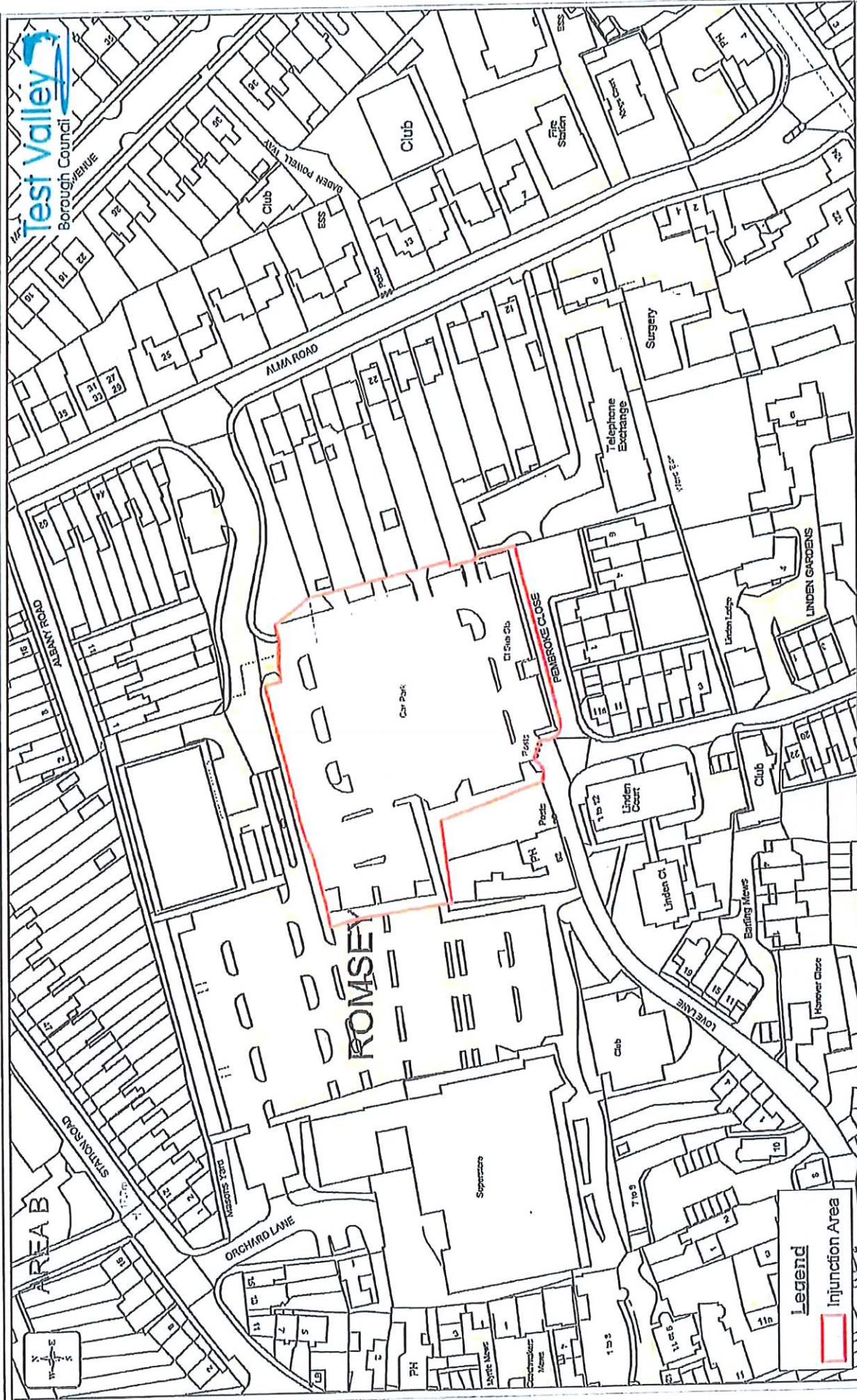


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**Injunction Application Plan - North/Andover
A4 Grid Section**

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
Dept: IMT/GIS

SCHEDULE 2 – AREA B



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**Injunction Application Plan -
Alma Road Car Park, Romsey**

Legend
Injunction Area

Scale: 1:1,330@A4L
Date: 28/05/2020
Drawn: A.Murray
Dept: IMT/GIS
Doc:

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. QB-2020-002112

Before the Honourable Mr Justice Bourne
on 14 March 2024



QB-2020-002112

BETWEEN:

(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' Application dated 12th March 2024 made pursuant to the Order of Foster J dated 29 February 2024, by which the Claimants seek:

- i. to add further named Defendants to the Claim;
- ii. to discontinue against D88, Winnie McDonagh;
- iii. to amend the spelling of the names of D3, D19, D50 and D84;
- iv. permission to serve this Order by alternative means;

- v. a further alternative service order in relation to two sites that the Claimants have previously sought to add to the proceedings and over which injunctive relief is sought; and
- vi. consequential directions.

And upon reading the twelfth witness statement of Karen Dunn dated 11th March 2024

And upon considering the Application on the papers and without a hearing

IT IS ORDERED THAT:

Addition of further Defendants

1. The Claimants are permitted to add the persons named at Schedule 3 of this Order as Defendants to the proceedings (the '**Additional Defendants**').
2. The Additional Defendants shall follow the same directions as all other named Defendants in these proceedings which, for the avoidance of doubt, are as follows:
 - a. 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;
 - b. The Claimants may (if so advised) file and serve any evidence in reply by 4.30pm on 18 April 2024;
 - c. The trial of the Claim shall be listed for trial on 13 and 14 May 2024 with a time estimate of 2 days. A further day should be allocated for judicial pre-reading;
 - d. The Claimants shall file and serve hearing bundles by 4.30pm on 25 April 2024;
 - e. 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.
3. The Claimants shall serve on the Additional Defendants the Re-Re-Amended Claim Form (in which the Additional Defendants are named) within 21 days of this Order.

Discontinuance

4. The Claimants are permitted to discontinue the Claim against D88, Winnie McDonagh, and the interim injunction dated 28 July 2020 is discharged as against D88 (only) accordingly.

Amendments to the Claim Form

5. The Claimants are permitted to make the following amendments to the Re-Amended Claim Form:
 - a. The addition of the Additional Defendants;
 - b. The strikethrough of D88, Winnie McDonagh;
 - c. The amendment of the following spellings:
 - i. D3 Annie Mcdonagh to **Annie McDonagh**;
 - ii. D19 Dylan Mcdonagh to **Dylan McDonagh**;

- i. D50 Loius Ayres to **Louis Ayres**;
 - ii. D84 Tommy McDonagh to **Thomas McDonagh**;
6. Service of the Re-Re-Amended Claim Form on the 1st to 90th Defendants is dispensed with.

Alternative service

7. 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;
 - d. affixing copies (as opposed to originals) of this Order in a transparent envelope in a prominent position on the following sites (i) The Romsey Rapids, Southampton Road, Romsey S051 8AF, and (ii) Nursling and Rownhams Recreation Ground, Joe Bigwood Close, Nursling, Hampshire S016 OYL, along 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.
8. Pursuant to CPR 6.14, 6.15, 6.26 and 6.27, the Claimants are permitted to serve the Application dated 29 November 2022 by which they sought to add two additional sites to the Claim for injunctive relief, along with all pre-existing documents in this Claim, on the 90th Defendant (Persons Unknown) by affixing copies (as opposed to originals)

of the Application Notice dated 29 November 2022 in a transparent envelope in a prominent position on the following sites (i) The Romsey Rapids, Southampton Road, Romsey S051 8AF, and (ii) Nursling and Rownhams Recreation Ground, Joe Bigwood Close, Nursling, Hampshire SO16 OYL, along with a notice to "Persons Unknown forming encampments within the Borough of Test Valley" that a copy of all documents in the Claim can be obtained or inspected at Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ. Documents shall be deemed served on the date on which the required steps are completed.

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. On the Application to add the Additional Defendants, costs in the case.
11. Save as where provided above, no order as to costs.

Reasons

In advance of the trial which is scheduled to start in 2 months, the orders sought make sensible provision for (1) adding named defendants of whose identity there is evidence from the PNC, (2) deleting a named defendant and correcting typographical errors in a few other names and (3) providing for alternative service in terms mirroring the orders previously made in the case.

Dated 14th March 2024