

+IN THE HIGH COURT OF JUSTICE
002112
KING'S BENCH DIVISION

Claim No. QB-2020-

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

SECOND WITNESS STATEMENT OF NICHOLAS WAITE

I, **Nicholas Waite**, of Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UJ will say as follows:

1. I have been in the employment of Hampshire County Council (the Second Claimant) since May 2014 as a Gypsy Liaison Officer. As part of my duties I am responsible for the investigation and co-ordination of the response to complaints of unauthorised occupation of land for which the Second Claimant is responsible.
2. I am authorised by the Second Claimant to make this statement in support of the Claimants' application for the continuation of the injunction granted by HHJ Dight on 17th May 2024 which prohibits unauthorised encampments forming within a small portion of the Borough of Test Valley (known as 'the injunction area').

3. This statement is made from facts and matters which are within my knowledge save where indicated otherwise, and which I believe to be true. Where a matter is not within my knowledge, I identify the source of my information and believe the same to be true.
4. I produce exhibit NW2/1 to which I shall refer further below.

Hampshire County Council's position

5. Hampshire County Council is the highway authority within the county of Hampshire (the 'County') and is responsible for ensuring that highways and highways related land within the County are free of obstruction and are not being used for activities which might create a nuisance, with the exception of highways within the Southampton City Council and Portsmouth City Council areas).
6. In June 2020 I provided a witness statement confirming that Hampshire County Council as highway authority fully supported the Claim and Application that was being made by the Claimants at that time for an injunction preventing unauthorised encampments within the Test Valley area. Hampshire County Council as highways authority gave its consent to its land being included in the geographical area over which the injunction was sought.
7. I understand that the original interim application was granted against both named Defendants and Persons Unknown in 2020 and that order was then made final on 17th May 2024 for a period of five years against the named Defendants and for a period of one year against Persons Unknown.
8. The First Claimant is taking the lead in the application to continue the injunctive relief. I can confirm that Hampshire County Council as highway authority remains fully supportive of the aims of the original application to obtain an injunction and would wish the injunction against Persons Unknown to be continued for a further year.

Hampshire County Council's data

9. I exhibit hereto marked NW2/1 a spreadsheet compiled from my records detailing the numbers of unauthorised encampments that have formed in Hampshire County Council's

administrative area since 2013-2024. Whilst I endeavour to record all unauthorised encampments, it is possible that some encampments have been formed but which are not recorded in this data this most likely reason why an unauthorised encampment might not be included within this data is because an encampment may not have been reported to Hampshire County Council, or may have vacated the land before details of the encampment could be obtained. Nonetheless, I believe that the spreadsheet largely reflects the number of unauthorised encampments that have formed in the County; however, if there is any discrepancy between my figures and those held by other agencies, these are most likely the reasons why.

10. The data shows that in Test Valley Borough area, there has been a notable and significant decrease in the number of encampments forming in the County since the grant of injunctive relief in 2020. Specifically, the number of unauthorised encampments recorded is as follows:

- a. 2013: 16 encampments
- b. 2014: 16 encampments
- c. 2015: 22 encampments
- d. 2016: 45 encampments
- e. 2017: 29 encampments
- f. 2018: 36 encampments
- g. 2019: 37 encampments
- h. 2020: 23 encampments
- i. 2021: 9 encampments
- j. 2022: 16 encampments
- k. 2023: 12 encampments
- l. 2024: 8 encampments

11. I received two reports of unauthorised encampments in Test Valley however these were not actually unauthorised encampments, but homeless individuals so should not be counted as encampments which should be dealt with under the Injunction. One was a report of a vehicle on Charlton Road Andover (in the injunction area) on 1st February 2025 which had already vacated by the time I visited. The other is one caravan in a lay by near Ludgershall, reported on 17th April 2025 and which Hampshire County Council is dealing with.

12. I believe that the reduction in the number of encampments is due to the effectiveness of the injunctive relief. The data at **NW/1** shows that other boroughs and districts in the County have not experienced the same downward trend. The notable exception is Basingstoke and Deane Borough Council. This is notable because Basingstoke and Deane Borough Council also sought and obtained injunctive relief to prohibit encampments in some urban areas, with that relief first being granted in 2019. Hampshire County Council are also a Claimant in those proceedings in its capacity as the local highway authority.
13. My strong belief is that if the injunctive relief is not continued, there will be a return the pre-injunction levels of encampments. The data shows that there are clearly still a significant number of unauthorised encampments forming in the County, including in those areas surrounding Test Valley. If the injunctive relief is not continued, there will be some migration of those encampments into Test Valley and the injunction area specifically; as has been covered at length in the witness evidence in these proceedings, the injunction area appears to be particularly attractive to those forming unauthorised encampments and has historically been disproportionately targeted by encampments when compared to the rest of the Borough.

Provision for the Gypsy and Traveller community in the County

14. My understanding is that there is currently no statutory duty for Hampshire County Council to provide any form of permanent or transit site for the Gypsy and Traveller Community, It was on this basis that Hampshire County Council has been able to dispose of its stock of permanent residential sites by transferring them into the ownership of a company belonging to a company belonging to a member of the Travelling community.
15. We do have a statutory power to provide sites and have kept one permanent site that has been operated by Hampshire County Council for over 25 years. I have been the Star Hill site manager since December 2016.
16. The site consists of 19 residential pitches occupied mostly by families and a few single residents. Each fenced pitch consists of a bath/shower, toilet and laundry sink. Due to the design of the site, there is no room available for transit provision.

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17. Currently there is full occupancy at Star Hill with a waiting list of 5 names.

18. Housing and accommodation would very much be the prerogative of the Local Authorities and Districts within Hampshire, as they are the local housing authorities with specific duties in that regard. They would therefore be required to carry out their own Gypsy and Traveller Accommodation Assessments and to deal with the issue of transit site provision based on the requirements in their own area and their duties to prevent homelessness.

STATEMENT OF TRUTH

I believe the facts stated in this witness statement are true. 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.

Signed: *N. W. Cite*

Dated: *24/4/25*

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EXHIBIT

NW2/1

REFERRED TO IN THE SECOND WITNESS STATEMENT OF NICHOLAS
WAITE

2013

LA's	Sites	Caravans
Basingstoke & Deane	132	455
East Hants	4	4
Eastleigh	8	52
Fareham	4	33
Gosport	1	1
Hart	11	51
Havant	10	58
New Forest	4	45
Portsmouth	7	50
Rushmoor	1	1
Test Valley	16	83
Winchester	16	85
Southampton	5	44

2014

LA's	Sites	Caravans
Basingstoke & Deane	62	225
East Hants	11	38
Eastleigh	3	7
Fareham	2	13
Gosport	1	4
Hart	6	19
Havant	8	34
New Forest	12	32
Portsmouth	11	44
Rushmoor	4	14
Test Valley	16	71
Winchester	18	59
Southampton	3	12

2015

LA's	Sites	Caravans
Basingstoke & Deane	93	202
East Hants	6	14
Eastleigh	5	40
Fareham	6	9
Gosport	1	0
Hart	5	24
Havant	5	14
New Forest	12	37
Portsmouth	5	17
Rushmoor	0	0
Test Valley	22	55
Winchester	15	96
Southampton	0	0

2016

LA's	Sites	Caravans
Basingstoke & Deane	49	100
East Hants	7	17
Eastleigh	8	45
Fareham	12	67
Gosport	2	14
Hart	10	54
Havant	4	0
New Forest	3	7
Portsmouth	8	62
Rushmoor	6	57
Test Valley	45	95
Winchester	20	67
Southampton	6	32

2017

LA's	Sites	Caravans
Basingstoke & Deane	84	269
East Hants	6	20
Eastleigh	14	96
Fareham	10	31
Gosport	1	8
Hart	8	22
Havant	8	32
New Forest	6	33
Portsmouth	14	55
Rushmoor	3	2
Test Valley	29	74
Winchester	22	95
Southampton	7	28

2018

LA's	Sites	Caravans
Basingstoke & Deane	57	217
East Hants	11	53
Eastleigh	4	10
Fareham	9	44
Gosport	10	13
Hart	11	94
Havant	15	50
New Forest	8	37
Portsmouth	21	86
Rushmoor	6	83
Test Valley	36	125
Winchester	21	73
Southampton	4	16

2019

LA's	Sites	Caravans
Basingstoke & Deane	15	40
East Hants	8	35
Eastleigh	12	86
Fareham	7	15
Gosport	7	6
Hart	4	6
Havant	20	102
New Forest	15	33
Portsmouth	19	147
Rushmoor	7	61
Test Valley	37	122
Winchester	26	115
Southampton	7	66

2020

LA's	Sites	Caravans
Basingstoke & Deane	6	28
East Hants	14	81
Eastleigh	12	79
Fareham	7	55
Gosport	2	1
Hart	10	28
Havant	9	30
New Forest	18	90
Portsmouth	8	111
Rushmoor	5	54
Test Valley	23	76
Winchester	25	96
Southampton	13	73

2021

LA's	Sites	Caravans
Basingstoke & Deane	2	2
East Hants	8	15
Eastleigh	10	67
Fareham	11	39
Gosport	3	3
Hart	8	79
Havant	13	82
New Forest	11	35
Portsmouth	9	54
Rushmoor	12	94
Test Valley	9	15
Winchester	15	47
Southampton	17	109

2022

LA's	Sites	Caravans
Basingstoke & Deane	7	25
East Hants	15	51
Eastleigh	16	152
Fareham	8	46
Gosport	7	42
Hart	4	11
Havant	14	138
New Forest	21	95
Portsmouth	24	221
Rushmoor	4	44
Test Valley	16	65
Winchester	17	117
Southampton	14	96

2023

LA's	Sites	Caravans
Basingstoke & Deane	7	86
East Hants	9	52
Eastleigh	10	74
Fareham	10	79
Gosport	3	21
Hart	4	20
Havant	20	51
New Forest	23	113
Portsmouth	14	91
Rushmoor	6	72
Test Valley	12	73
Winchester	14	306
Southampton	16	101

2024

LA's	Sites	Caravans
Basingstoke & Deane	20	35
East Hants	4	10
Eastleigh	13	94
Fareham	4	214
Gosport	5	19
Hart	10	44
Havant	26	85
New Forest	5	15
Portsmouth	0	0
Rushmoor	10	142
Test Valley	8	6
Winchester	21	129
Southampton	13	72