

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. QB-2020-002112

Before the Honourable [Judge]
[date]

B E T W E E N :

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

Claimant

-and-

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

Defendants

Draft ORDER

IF YOU, ANY OF THE ABOVE 90th DEFENDANTS, 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 the Application of the Claimants dated 22nd April 2025 (the 'Application') seeking to continue the injunction Order of His Honour Judge Dight CBE (sitting as a Judge of the High Court) dated 17 May 2024 for a period of one year as against the 90th Defendant (Persons Unknown) only

AND UPON the Court being satisfied that the Application has been served on the 90th Defendant (Persons Unknown) in accordance with the Order of His Honour Judge Dight CBE (sitting as a Judge of the High Court) dated 17 May 2024

AND UPON hearing counsel for the Claimants and the Defendants neither appearing or being represented

POWER OF ARREST

THIS ORDER CONTAINS A POWER OF ARREST FOR BREACH OF PARAGRAPHS 1(a) to 1(e) INCLUSIVE OF THIS ORDER PURSUANT TO SECTION 27 OF THE POLICE AND JUSTICE ACT 2006. ANY PERSON FOUND TO HAVE BREACHED PARAGRAPHS 1(a) to 1(e) INCLUSIVE OF THIS ORDER MAY BE ARRESTED AND BROUGHT BEFORE A JUDGE OF THE HIGH 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 High Court 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 calculating any period of 24 hours no account shall be taken of Christmas Day, Good Friday or any Sunday.

IT IS ORDERED THAT:

A. INJUNCTION ORDER

1. Until and including **17 May 2026**, the 90th Defendant (Persons Unknown) are **forbidden** from:
 - a) Entering and/or occupying any part of the Land (as defined below) 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 with Written Permission from the Local Planning Authority or in accordance with statutory permitted development rights.
 - b) Setting-up an Encampment (as defined below) on any part of the Land (as defined below) unless authorised to do so by the owner of the Land and provided the encampment does not breach planning control.
 - c) Setting-up an Encampment (as defined below) on any part of the Land (as defined below) 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.

- d) Bringing on to any part of the Land (as defined below) or stationing on any part of 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 that part of the Land, save for where that part of the Land is occupied in accordance with a lawful planning permission from the Local Planning Authority or the Secretary of State, or with Written Permission from the Local Planning Authority or in accordance with statutory permitted development rights.
 - e) Depositing or causing to be deposited, controlled waste in or on any part of the Land (as defined below) unless a waste management licence or environmental permit is in force and the deposit is in accordance with the licence or permit.
2. There shall be a power of arrest attached to prohibitions 1(a) to 1(e) (inclusive) of this Order.
 3. In this Order, the following definitions shall apply:
 - a) The '**Land**' means all land within the area marked red on the attached maps at plans 1-8 (inclusive) to this Order and which is within the administrative boundaries of Test Valley Borough Council.
 - b) '**Encampment**' means the entering and/or occupying any part of land for residential purposes (temporary or otherwise) with caravans/mobile homes.
 - c) '**Controlled waste**' has the same meaning as within s.75(4) of the Environmental Protection Act 1990.
 - d) '**Written Permission from the Local Planning Authority**' includes, but is not limited to, written permission granted pursuant to any negotiated stopping agreement, policy or procedure.

B. SERVICE

4. 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 on plans 1 to 5 (inclusive) 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) for the additional areas of land marked on plans 6 to 8 (inclusive) of this Order, by affixing copies (as opposed to originals) of this Order in a transparent envelope in a prominent position on that 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.

C. LIBERTY TO APPLY

5. The Defendants or anyone notified of this Order may each of them apply to the Court on 72 hours prior written notice (without prejudice to the right of that person to apply to shorten the time for written notice) to both the Court and the Claimants to vary or discharge this Order (or so much of it as affects that person). The contact details for both the Court and the Claimants can be found in paragraphs 12 and 13 below.

D. REVIEW OF THE ORDER AGAINST THE 90th DEFENDANT (PERSONS UNKNOWN)

6. The Order against Persons Unknown shall be reviewed at a hearing on **1 May 2026**, with a time estimate of one day, unless the Claimants indicate to the Court that they do not seek an extension of the Order, upon which the Order will expire by effluxion of time. The Claimants must file and serve in accordance with paragraph 4 above any evidence upon which they intend to rely at the review hearing by 4pm on 17 April 2026. Any other person who would like to participate in the review hearing must also file and serve on the Claimants any evidence upon which they intend to rely at the review hearing by 4pm on 17 April 2026.

E. COSTS

7. No order as to costs against Persons Unknown.

GUIDANCE NOTES

EFFECT OF THIS ORDER

8. A Defendant who is an individual who is ordered not to do something must not do it either themselves or in any other way. A Defendant must not do it through others acting on his, her or their behalf or his, her or their instructions or with his, her or their encouragement.
9. 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

10. 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

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

COMMUNICATIONS WITH THE COURT

12. All communication to the Court about this order should be sent to Room E03 Royal Courts of Justice, Strand, London, WC2A 2LL. The telephone number is 020 3938957. The offices are open between 10am and 4pm Monday to Friday.
13. All communication to the Claimants about this Order should be sent to Legal and Democratic Services, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover SP10 3AJ (legal@testvalley.gov.uk).

Dated this [xx] day of [xx] 2025

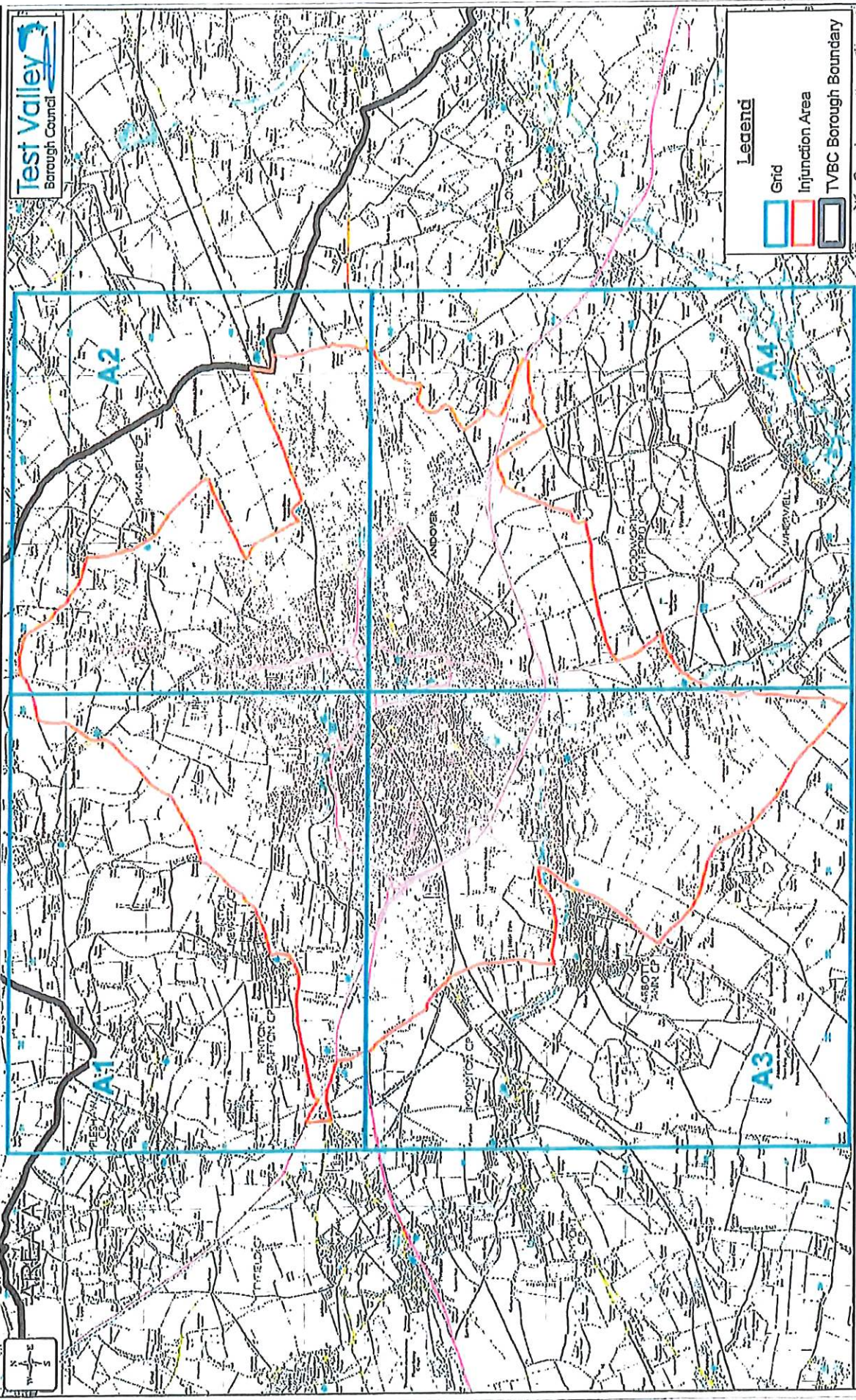
SCHEDULE OF NAMED DEFENDANTS

- (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 Mekenna~~
- ~~(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 Crawl~~
- (40) John McDonagh
- (41) John McDonagh
- (42) Jonathan Smith
- (43) Joseph Booth
- (44) Joseph R Ball Jnr

- (45) Julie Lee
- (46) Kathleen McDonagh
- (47) Kenny Rogers
- (48) Leanne Baggett
- ~~(49) Lisa Loveridge~~
- (50) Louis Ayres
- ~~(51) Lorna Murphy~~
- (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) Natasha Cuparie~~
- (64) Nathan Crawl
- ~~(65) Niamh Rainey~~
- ~~(66) Paddy Price~~
- (67) Pat McDonagh
- ~~(68) Patrick Collins~~
- (69) Patrick Connors
- ~~(70) Patrick McDonagh~~
- ~~(71) Paul Cookson~~
- ~~(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) Tim Walder~~
- (81) Tina Marie Bridges
- ~~(82) Tom Kealy~~
- (83) Tom McDonagh
- (84) Thomas McDonagh
- ~~(85) Tristan Beaumont~~
- (86) William Williams
- (87) Willie McDonagh
- ~~(88) Winnie McDonagh~~
- (89) Winnie McDonagh
- (90) Persons Unknown

- (91) Simon McGinley
- ~~(92) Martina Quilligan~~
- ~~(93) Bridget Quilligan~~
- ~~(94) Linda Barnett~~
- (95) James Galbraith
- ~~(96) Steven Jackson~~
- (97) Martin Doherty
- ~~(98) Paul Kranjiewski~~
- (99) Paddy Mohan
- (100) Jayson Stanley
- (101) Savanah Carter
- (102) John Mufhy
- ~~(103) Martin McDonagh~~
- (104) Patrick Collins
- (105) Charlie McDonagh
- (106) Willie McDonagh
- (107) Tony Murphy
- ~~(108) Sarah Crawley~~
- (109) Charles Ward
- (110) Mary McDonagh
- ~~(111) Sally Ann O'Connor~~
- (112) David Moors
- (113) Nathan Stewart
- (114) James McDonagh
- (115) Bridget Quilligan
- (116) John Mohan
- ~~(117) Matthew Watts~~
- ~~(118) Vanessa Sweeney~~
- (119) Eddie Lee
- ~~(120) Richard John Smith~~
- (121) Jake Howard
- (122) Jake Howard
- (123) Michael Finney
- (124) Martin Quilligan
- (125) James Cooper
- (126) James Lee
- (127) Sophie Hay
- (128) Tim McDonald
- (129) Joseph McDonagh
- (130) John Ward
- (131) Charlotte Nevin
- (132) Simon McDonagh
- (133) Harry Moore
- (134) Kathleen Hanrahan
- (135) Patrick Oliver McDonagh
- (136) John McDonagh
- (137) Martin McDonagh

PLAN 1



Legend

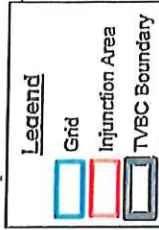
- Grid
- Injunction Area
- TVBC Borough Boundary

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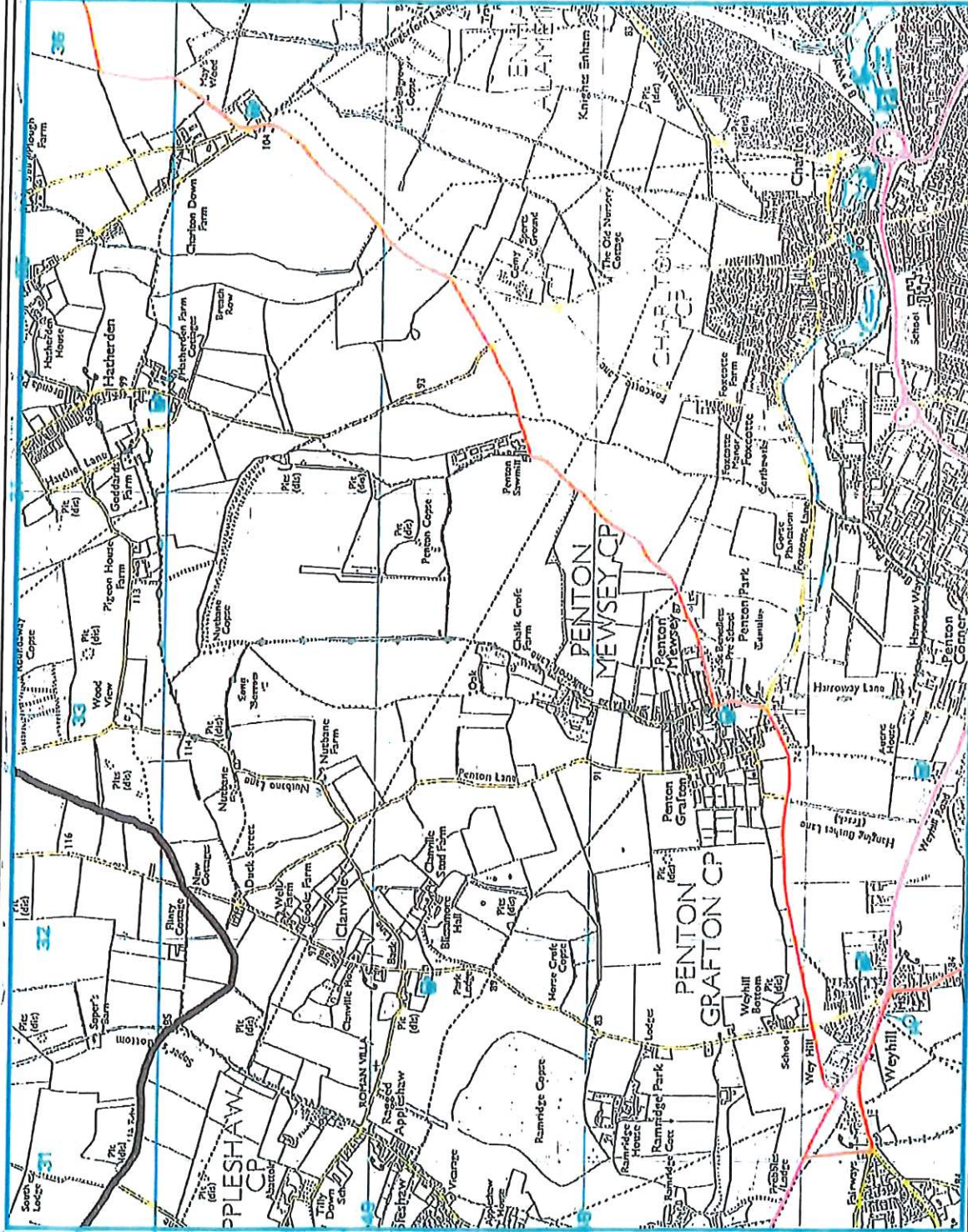
Injunction Application Plan - North/Andover

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Dept: IMT/GIS

PLAN 2



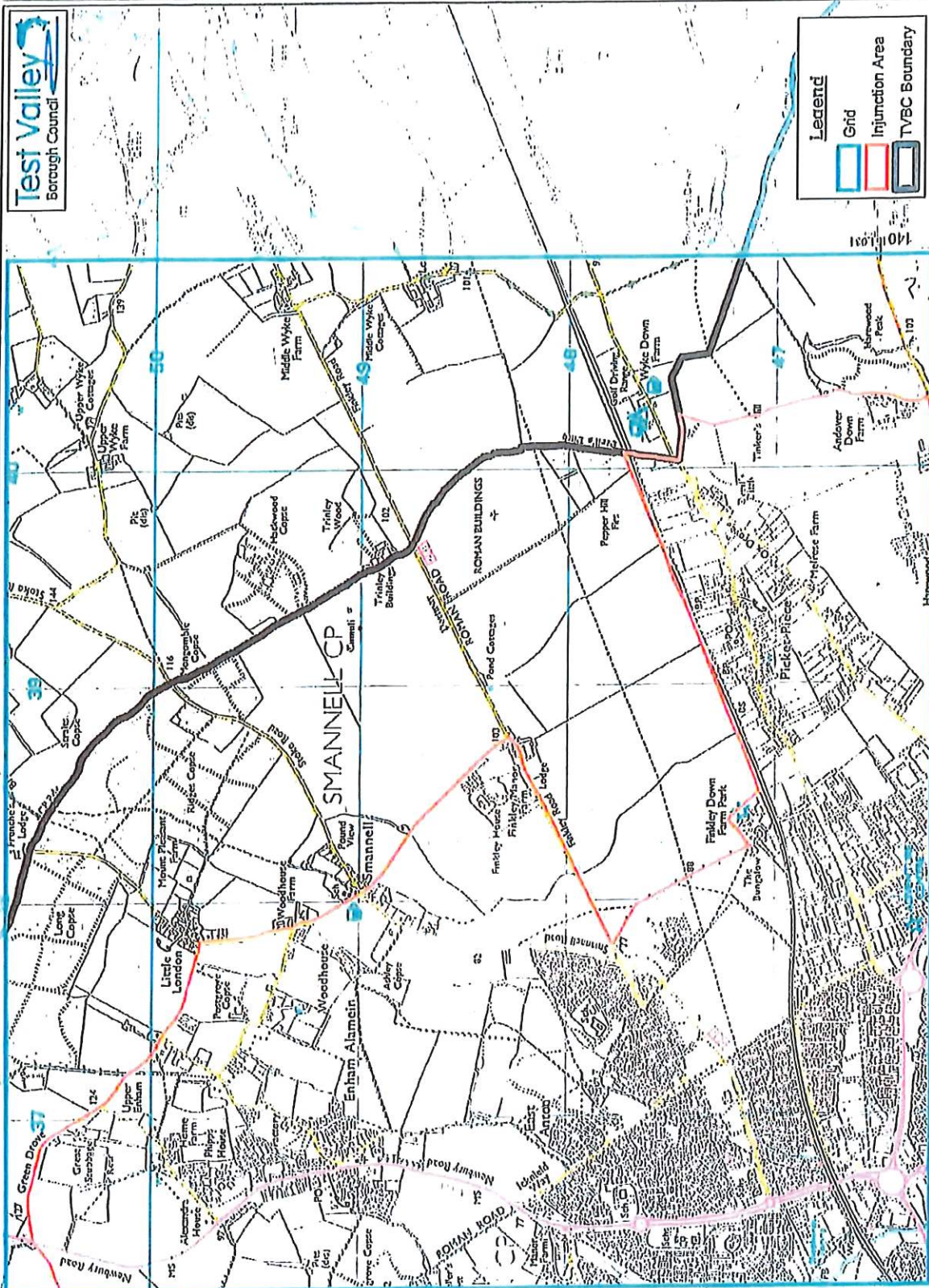
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Injunction Application Plan - North/Andover A1 Grid Section

Scale: 1:24,250@A4L
Date: 11/05/2020
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PLAN 3



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


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


PLAN 4



Legend

 Grid

 Injunction Area

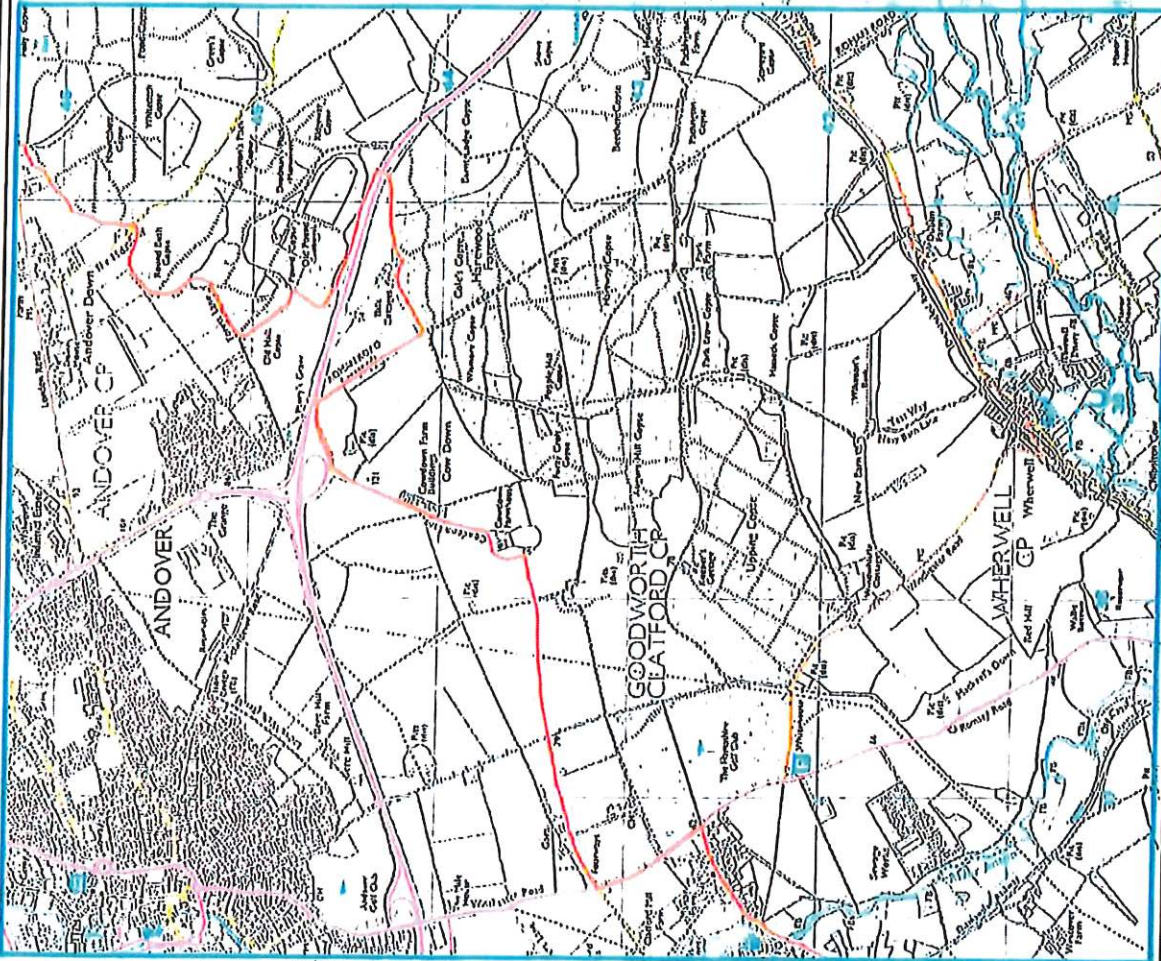
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***Injunction Application Plan - North/Andover
A3 Grid Section***

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

PLAN 5

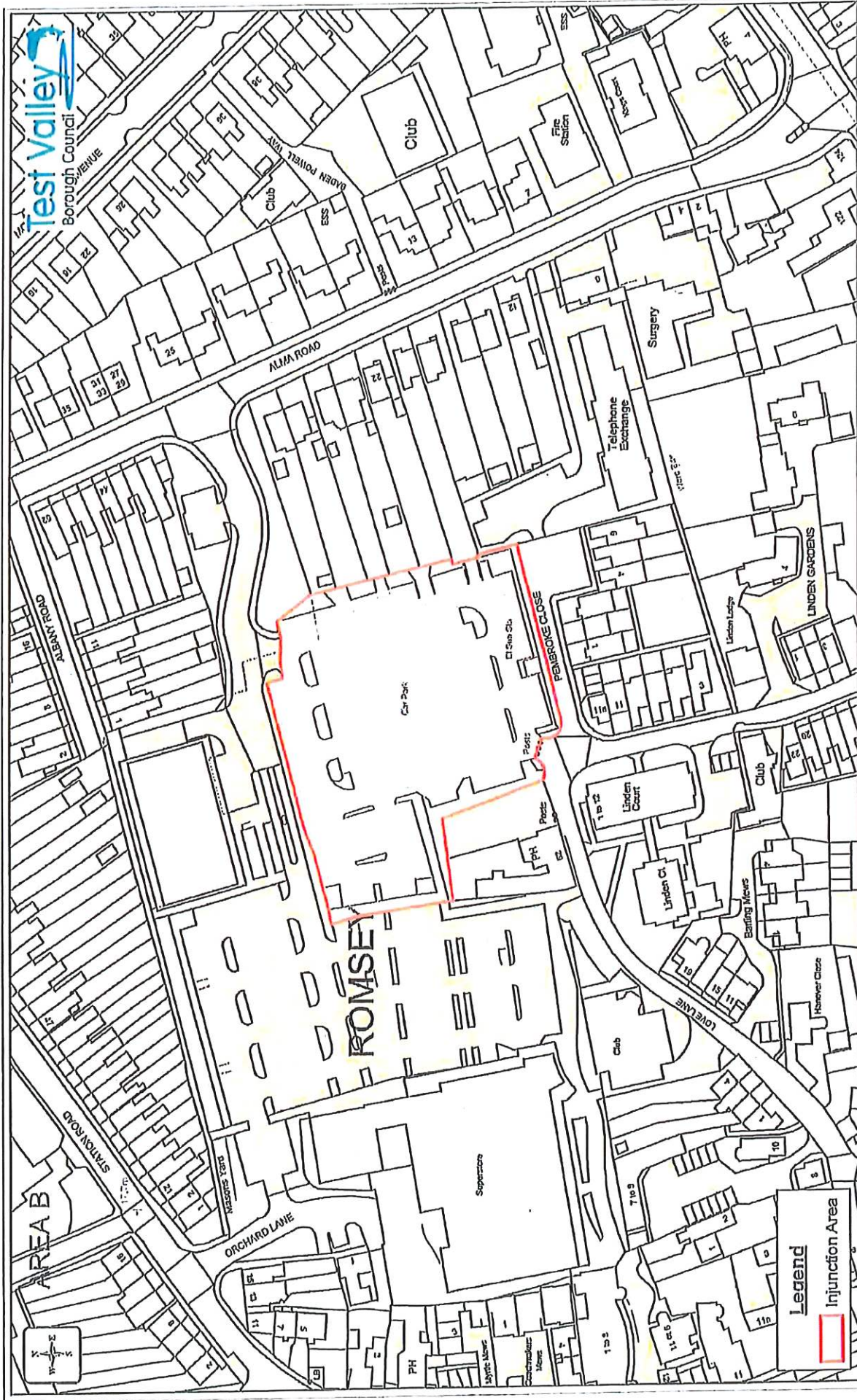


Injunction Application Plan - North/Andover A4 Grid Section

Scale: 1:32,750@A4L
Date: 11/06/2020
Drawn: AMurray
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PLAN 6



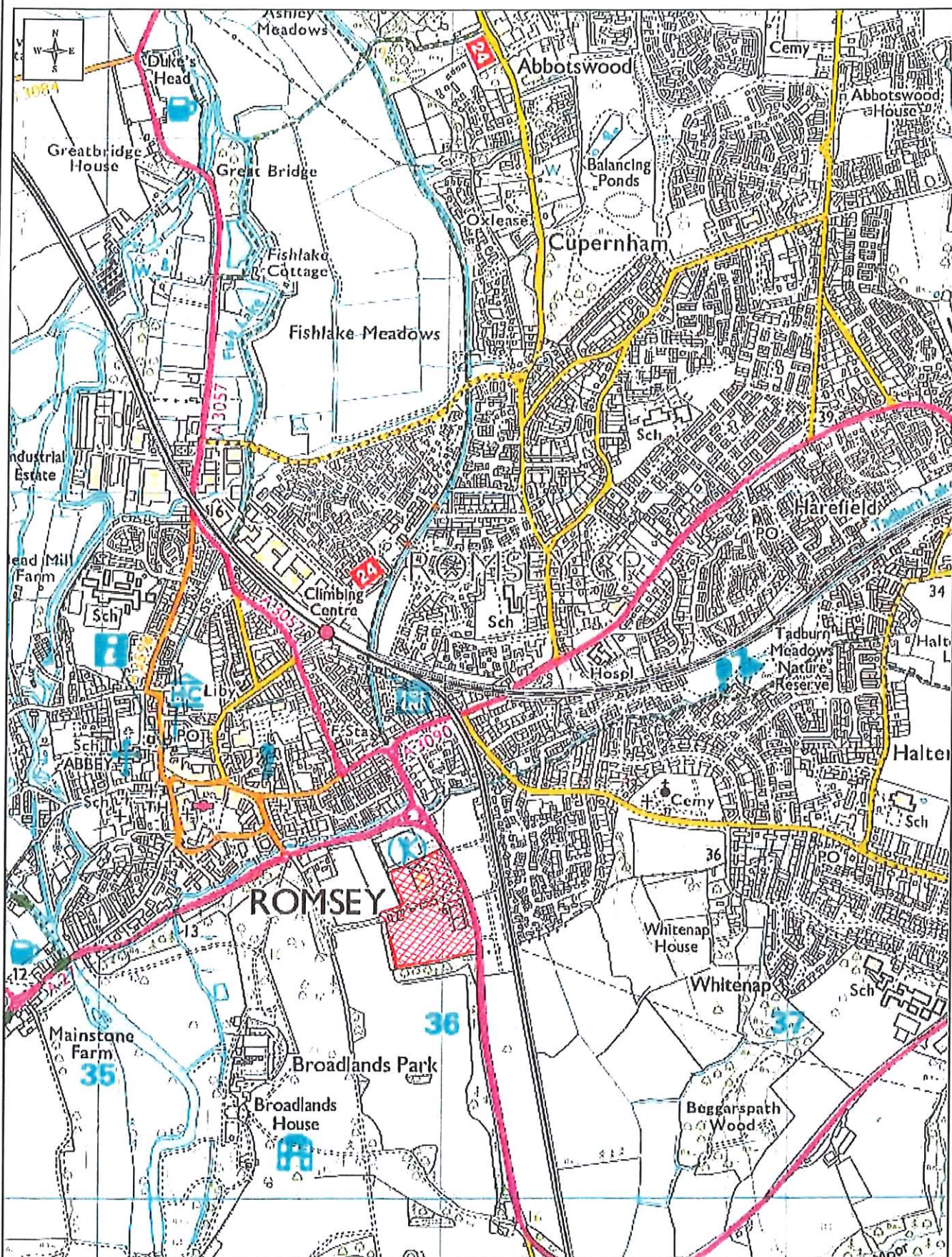
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Injunction Application Plan - Alma Road Car Park, Romsey

Scale: 1:1,330@A4L
 Date: 22/05/2020
 Drawn: AMurray
 Dept: IMT/GIS
 Doc:

PLAN 7

ArcGIS Web Map



Date: 28/11/2022

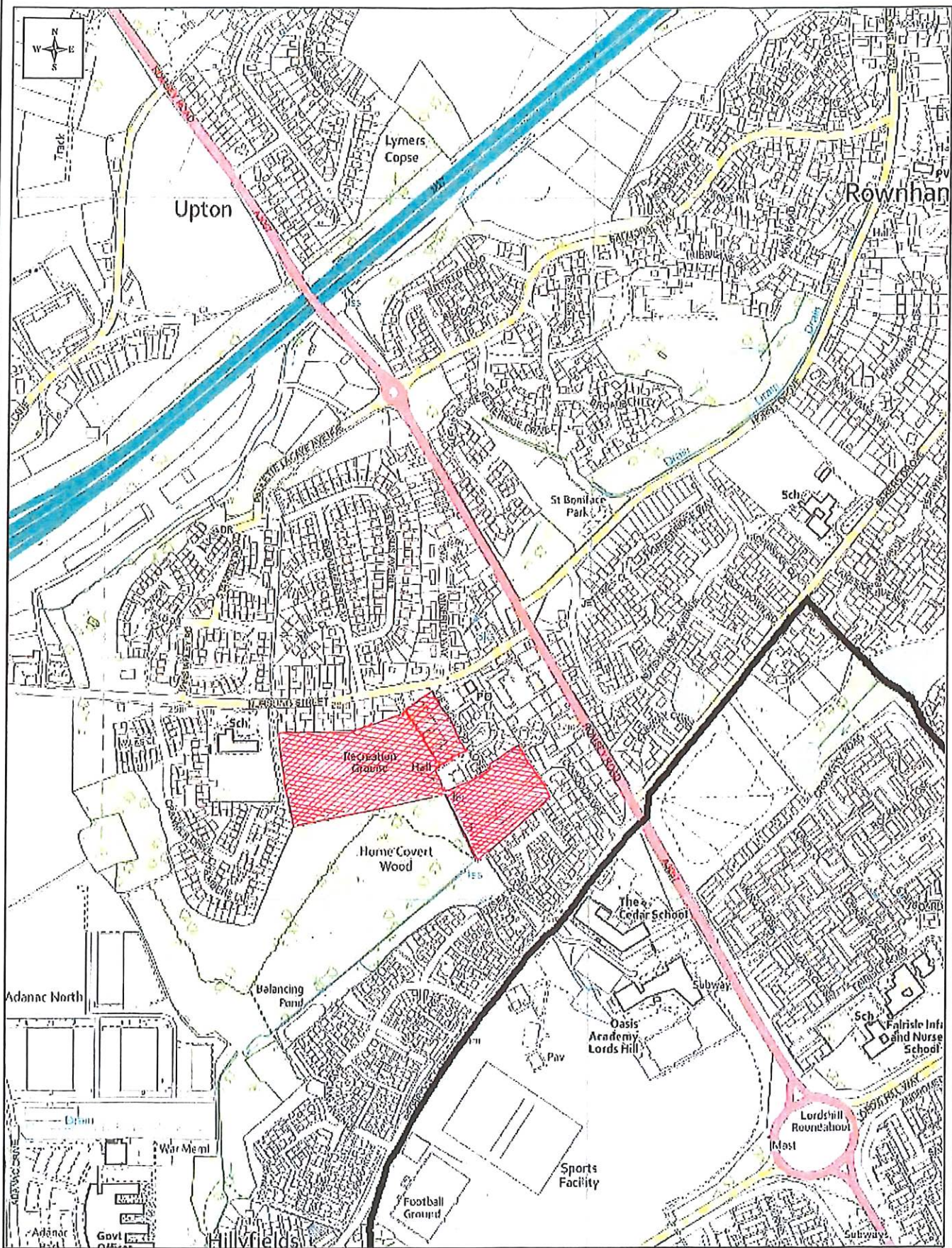
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PLAN 8

ArcGIS Web Map



Date: 28/11/2022

Scale: 1:7,096

Author: Test Valley Borough Council

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