

IN THE HIGH COURT OF JUSTICE

Claim No.

QUEEN'S BENCH DIVISION

IN THE MATTER OF SECTION 222 LOCAL GOVERNMENT ACT 1972 AND  
SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990 AND  
SECTION 130 OF THE HIGHWAYS ACT 1980

BETWEEN:

THE LONDON BOROUGH OF CROYDON



Claimant

-and-

PERSONS UNKNOWN OCCUPYING LAND AND / OR DEPOSITING WASTE

Defendant

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INJUNCTION ORDER

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**PENAL NOTICE**

IF YOU PERSONS UNKNOWN OCCUPYING LAND AND / OR DEPOSITING WASTE  
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 PERSONS UNKNOWN OCCUPYING LAND AND / OR  
DEPOSITING WASTE 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 FOR THE CLAIMANT AND THERE BEING NO NOTICE TO THE DEFENDANT

AND UPON READING THE PAPERS AND HEARING THE APPLICATION FOR AN INTERIM INJUNCTION ORDER PENDING THE FINAL INJUNCTION HEARING

AND UPON READING THE WITNESS STATEMENTS LISTED AT APPENDIX A TO THIS ORDER;

AND UPON ANYONE FROM THE GYPSY AND TRAVELLING COMMUNITY WHO WISHES TO ATTEND THE RETURN DAY BEING AT LIBERTY TO DO SO

AND UPON THE CLAIMANT UNDERTAKING TO NOTIFY THE LONDON GYPSY AND TRAVELLERS GROUP OF THE TERMS OF THIS ORDER

IT IS ORDERED THAT:

The Defendant as Persons Unknown Occupying Land and / or Depositing Waste are forbidden from:

- (1) Setting-up an encampment on any Land identified on the attached map ("Map 1") on sites numbered 1 to 217 and on the second attached map ("Map 2") on Land identified on Map 2 at sites numbered 1 to 11 without written permission from the Planning Authority of the London Borough of Croydon, or, planning permission granted by a planning inspector;
- (2) Entering and/or occupying any part of the Land identified on Map 1 at sites numbered 1 to 217 and on the Land identified on Map 2 at sites numbered 1 to 11 for residential purposes (temporary or otherwise) including caravans, mobile homes, vehicles, and residential paraphernalia;
- (3) Bringing on to the Land identified on Map 1 at sites numbered 1 to 217 and on the Land identified on Map 2 at sites numbered 1 to 11 any caravans/mobile homes other than if driving through the London Borough of Croydon or in compliance with the Parking Orders regulating the use of Car Parks/Highways or with express permission from the owners of the Land.
- (4) Bringing on to the Land identified on the Map 1 at sites numbered 1 to 217 and on the Land identified on Map 2 at sites numbered 1 to 11 any vehicle whether for the purposes of disposal of waste and materials or otherwise, other than when driving through the London Borough of Croydon or in compliance with the Parking Orders regulating the use of Car Parks/Highways or with express permission from the owners of the Land.

**The Land in this Order means:**

- (5) All Land within the Borough of Croydon identified on Map 1 at sites numbered 1 to 217 and on Land identified on Map 2 at sites numbered 1 to 11;

- (6) Service of this Order shall be deemed served pursuant to CPR 6.27 by affixing a copy of this Order as opposed to an original contained in a transparent waterproof envelope in a prominent position at each of the entrances to the Land identified on Map 1 at sites numbered 1 to 217 and on Land identified on Map 2 at sites numbered 1 to 11;
- (7) Any person who is presently a Person Unknown Occupying Land and / or Depositing Waste (or anyone notified of this Order) who wishes to identify him or herself and join as a named Defendant to the proceedings may apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this Order (or, so much as it affects that person).
- (8) The Claimant shall notify the London and Gypsy and Travellers Group of the terms of this Order and of the Return Day
- (9) This application be listed for its Return Day at 10:30 on 17<sup>th</sup> October 2018
- (10) This Order shall remain in force until midnight on 18<sup>th</sup> October 2018.
- (11) Costs Reserved.

## **GUIDANCE NOTES**

### **Effect of this Order**

- (11) A Person Unknown Occupying Land and / or Depositing Waste (or anyone notified of this Order) who is an individual who is ordered not to do something must not do it him or herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her 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 his assets seized.

## **UNDERTAKINGS**

- (14) The Claimant will serve a copy of this Order in a transparent waterproof envelope in a prominent position at all the entrances to the Land on each of the sites marked on the attached maps, numbered 1 to 217 on Map 1 and 1 to 11 on Map 2.

- (15) The Claimant will place a copy of this Order together with the evidence served in support and the Part 8 Claim Form on the Claimant's website.

### **COMMUNICATIONS WITH THE COURT**

- (16) All communications to the Court about this Order should be sent to Room WG08 Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010)

### **APPENDIX A**

1. Witness Statement of Chris McAvoy dated 17th July 2018;
2. Witness Statement of Mohammed Basith dated 17th July 2018;
3. Witness Statement of Barry Lambton dated 17th July 2018
4. Witness Statement of Anthony Guntrip dated 17th July 2018