



Claim Form (CPR Part 8)

CLAIMANT'S COPY

In the High Court of Justice
Queen's Bench Division

Claim no. QB-2019-000616

Fee Account no.

Help with Fees -

Ref no. (if applicable)

H W F -

Claimant

(1) NUNEATON & BEDWORTH BOROUGH COUNCIL
Town Hall, Coton Rd, Nuneaton CV11 5AA

(2) WARWICKSHIRE COUNTY COUNCIL
Shire Hall, Warwick CV34 4RL



Assigned to Master McCloud

Defendant(s)

(1) Mr THOMAS CORCORAN AND 52 OTHER NAMED DEFENDANTS IN SCHEDULE 1
OF THE CLAIM FORM

(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN
THE BOROUGH OF NUNEATON AND BEDWORTH

See attached for further details

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).

2. The First and Second Claimant 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 seeks an injunction to protect the First Claimant's administrative area from further unauthorised encampments by the First to Fifty-Third Defendants, who have formed unauthorised encampments within the Borough. Further, the First and Second Claimant seek an order against the Fifty-Fourth Defendant, Persons Unknown, to prevent Persons Unknown from encamping on identified areas within the Borough shaded in red on the map attached to the Draft Order at Schedule 3; as these areas have suffered in total 103 unauthorised encampments throughout the last 3 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, industrial estates, residential areas, and close to schools.

Defendant's
name and
address

(1) Mr Thomas Corcoran, [REDACTED]

See attached for further details

£

Court fee	528.00
Legal representative's costs	TBA
Issue date	22 February 2019

For further details of the courts www.gov.uk/find-court-tribunal.

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Claim no.

Details of claim *(continued)*

3. The areas to be protected are within the administrative boundaries of Nuneaton and Bedworth 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 local business, as well as on the enjoyment of public spaces.

5. Existing powers are being undermined and are ineffective, the law if 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 travellers 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 First Claimant and to prevent apprehended breaches of planning control to seek an injunction to prevent the establishment of unauthorised encampments by named individuals within the area marked in red on the attached map at Schedule 2 to the Draft Order and to prevent Persons Unknown from forming unauthorised encampments on the areas identified on the map at Schedule 3 of the Draft Order.

7. It is also necessary to bring these proceedings against Persons Unknown to deter unauthorised encampments on sites, which have been identified on the map in Schedule 3. 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.

CAROLINE BOLTON

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 William Maxwell Hunt Rose

Name of claimant's legal representative's firm Sharpe Pritchard LLP

signed 

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

position or office held Partner

(if signing on behalf of firm or company)

**delete as appropriate*

Sharpe Pritchard LLP
Elm Yard
10-16 Elm Street
London WC1X 0BJ
DX: 353 London/Chancery Lane
Tel: 020 7405 4600
Fax: 020 7242 2210
Email: wrose@sharpepritchard.co.uk

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 details.

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List of Defendants and their addresses

- (2) JESSICA DODD, [REDACTED]
- (3) MICHAEL DOYLE, [REDACTED]
- (4) LUKE DELANEY, [REDACTED]
- (5) PATRICK McGINLEY, [REDACTED]
- (6) ALPHONSUS McGINLEY, [REDACTED]
- (7) MICHAEL STOKES, [REDACTED]
- (8) MICHAEL STOKES, [REDACTED]
[REDACTED]
- (9) DENNIS STOKES, [REDACTED]
- (10) DENNIS STOKES (JNR), [REDACTED]
- (11) BRIAN STOKES, [REDACTED]
- (12) JOHN MAUGHAN, [REDACTED]
- (13) TERRY MAUGHAN, [REDACTED]
- (14) TERRY MAUGHAN, [REDACTED]
- (15) PATRICK MAUGHAN, [REDACTED]
- (16) OWEN MAUGHAN, [REDACTED]
- (17) OWEN MAUGHAN, [REDACTED]
- (18) BERNARD CORCORAN, [REDACTED]
- (19) FRANCIS CORCORAN, [REDACTED]
- (20) FRANCIS MAUGHAN, [REDACTED]
- (21) MARTIN MAUGHAN, [REDACTED]
- (22) THOMAS MAUGHAN, [REDACTED]
- (23) JOHN MONGAN, [REDACTED]
- (24) MARTIN MONGAN, [REDACTED]
- (25) MARTIN MONGAN, [REDACTED]
- (26) LEONARD MONGAN, [REDACTED]
[REDACTED]
- (27) PAUL McDONAUGH, [REDACTED]
- (28) SIMON McDONAUGH, [REDACTED]
- (29) BERNARD McDONAUGH, [REDACTED]
- (30) JOHN McDONAUGH, [REDACTED]
- (31) MIKE McDONAUGH, [REDACTED]
- (32) MARTIN McDONAUGH, [REDACTED]
- (33) AARON McDONAUGH, [REDACTED]
- (34) KATHLEEN McDONAUGH, [REDACTED]
- (35) WINNIE McDONAUGH, [REDACTED]
- (36) MARTIN WARD, [REDACTED]
- (37) PAT WARD, [REDACTED]
- (38) MICHAEL WARD, [REDACTED]
- (39) KATHLEEN WARD, [REDACTED]
- (40) ROSELEEN WARD, [REDACTED]
- (41) BERNIE SWEENEY, [REDACTED]
- (42) JOHN CONNORS, [REDACTED]
- (43) TRACEY BROWN, [REDACTED]
- (44) WILLIAM BRIDGES, [REDACTED]

- (45) TOM WARD, [REDACTED]
- (46) EDDIE McDONAUGH, [REDACTED]
- (47) EDDIE (AKA EDWARD) WARD, [REDACTED]
- (48) CHRISTOPHER McDONAUGH, [REDACTED]
- (49) WILLIAM DOHERTY, [REDACTED]
- (50) GERRY O'BRIEN, [REDACTED]
- (51) ELIZABETH O'BRIEN, [REDACTED]
- (52) PEARL BLAINLEY, [REDACTED]
- (53) FIONA WARD, [REDACTED]
- (54) PERSONS UNKNOWN