

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

**B E T W E E N :**

**(1) NUNEATON AND BEDWORTH BOROUGH COUNCIL  
(2) WARWICKSHIRE COUNTY COUNCIL**

**Claimants**

**– and –**

**(1) THOMAS CORCORAN  
(2)-(53) OTHER NAMED DEFENDANTS  
(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS  
WITHIN THE BOROUGH OF NUNEATON AND BEDWORTH**

**Defendants**

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**SECOND WITNESS STATEMENT OF AMY PITTAM**

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I, **Amy Pittam**, solicitor to the Council at Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA will say as follows:

1. I am a solicitor at the First Claimant, Nuneaton and Bedworth Borough Council (the '**Council**'). The Claimants apply pursuant to paragraph 7 of the Order of the Honourable Mr Justice Cotter dated 17 December 2024 (amended under the slip rule and re-sealed on 28 January 2025) for the continuation of the injunction and power of arrest within that Order for a further 12 months against Persons Unknown (the '**Continuation Application**'). I make this statement in support of the Continuation Application. I am authorised by both the Council and the Second Claimant, Warwickshire County Council, to make this statement.
2. This statement is made from facts and matters which are within my own 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 the information and believe the same to be true. This statement has been prepared following email exchanges with the Claimants' legal advisers.

3. I make this witness statement to supplement my first witness statement dated 5 November 2025 and:
  - i. in support of the Claimants' application for relief from sanctions dated 25 November 2025;
  - ii. to discharge the Claimants' duty of full and frank disclosure, specifically:
    - a. to update the court as to the progress of the negotiated stopping policy discussed in my first witness statement; and
    - b. to notify the court of issues that I have discovered in service of the Cotter J Order (ie. the Injunction, as defined in my first witness statement).
4. I acknowledge that, strictly, the Claimants require permission to rely on this statement for the purposes of (ii) above. However, as this statement is made to assist the court in relation to matters that have come to my attention since the date of my first witness statement, and given the duty of full and frank disclosure incumbent on the Claimants, I respectfully submit that the court should properly consider this statement.
5. The application for relief from sanctions and this witness statement will be served on the four Injunction Sites set out below and uploaded to the First Claimant's injunction website in advance of the hearing. Certificates of service will be produced in the hearing bundle.

### **Relief from Sanctions**

6. On 24 November 2025, and when preparing the hearing bundle and certificates of service for the Continuation Application, it came to my attention that four sites had not been served with the Continuation Application in accordance with the order of Cotter J (ie. by posting a copy on the relevant site by 4pm on 6 November 2025). The relevant sites are Injunction Site numbers 21, 23, 73 and 142.

7. Upon making that discovery, I set about drafting the application for relief from sanctions, and have given instructions to the relevant officers of the First Claimant to serve the Continuation Application on the four sites, along with the application for relief from sanctions, as soon as possible. I expect this to be done on either 25 or 26 November 2025, and will confirm the date in a subsequent certificate of service. It will, in any event, be done more than three clear days in advance of the hearing listed for 3 December 2025.
8. The Claimants can only apologise for the non-service of these four sites. It was not intentional, and was simply an oversight in what is a very onerous and resource intensive service task. The Claimants well-understand the importance of notifying Persons Unknown of the Continuation Application, and have set about rectifying the oversight as soon as it was discovered.
9. I can confirm that, in the period 6 November until 25 November 2025, no unauthorised encampments have formed on these four sites. As such, it is my belief that no Person Unknown has been prejudiced and denied the opportunity to learn of the Continuation Application.

### **Negotiated Stopping Policy**

10. In my first witness statement, I explained that it was expected that the draft negotiated stopping policy would be put before the First Claimant's cabinet for approval in January 2026 (subject to the finalisation of the appendices, to be provided by Martin Rone-Clark of Warwickshire Police).
11. By way of update, the appendices are still not finalised, which may cause some slippage in the timetable. Further, upon circulating the policy, several questions have been raised by Officers about the policy, which need responding to. In my revised view, the policy will not be ready to go before cabinet in January 2026, and extra time will be needed.
12. I respectfully submit that the slippage in the timetable should not impact on the continuation of the Injunction. The position today is as it was on 17 December 2024 when Cotter J granted the Injunction, such that there has been no material change of circumstances.

13. I understand that in the *Basingstoke* and *Havering* Traveller injunctions (to which counsel will refer in submissions), the court accepted an undertaking from the local authority claimants to put a policy before their cabinets for adoption by a specific time and, if the policy had not been put before cabinet and adopted by them, the claimants were/are to seek an early review of their injunctions. In both proceedings, the claimants operated a practise of negotiated stopping, but not a formally adopted policy.
14. It is notable that Cotter J did not require such an undertaking in December 2024, even when counsel expressly raised the same with the Judge. As such, the First Claimant's primary position is that no such undertaking should be required now in this Continuation Application (especially given that the First Claimant has nonetheless made great progress towards adopting such a policy of its own motion).
15. If and to the extent that it is required to do so, the First Claimant could offer an undertaking to put before its cabinet a negotiated stopping policy for adoption and that, in the event that no such policy has been adopted by 3 June 2026, the First Claimant shall immediately notify the court of the same and seek a listing of a hearing at which the continuation of the Injunction shall be reviewed.

#### **Service of the Cotter J Order (the Injunction)**

16. The Cotter J order was made on 17 December 2024 and amended under the slip rule (CPR 40.12) and re-sealed on 28 January 2025.
17. In assembling the hearing bundle and the certificates of service, I have come to realise that there could be said to have been some delay in serving the Injunction. In accordance with the Claimants' duty of full and frank disclosure, I alert the court to the same.
18. Having reviewed the First Claimant's file, I can see the following:
  - i. on 4 February 2025, all documents to be served were sent to the First Claimant's administration team for printing;

- ii. the documents relating to the Named Defendants were dealt with first, and were posted on 20 February 2025;
- iii. the packs to be served on the 142 Injunction Sites were then printed, and collected by the First Claimant's contractor on 19 March 2025, upon which service commenced;
- iv. further packs were required by 1 April 2025, as the contractor had run out, which were arranged;
- v. service on all 139 Injunction Sites was completed by 12 May 2025 (I shall explain the issue with the remaining three sites shortly).

19. As will be clear from the Claimants' evidence in the Continuation Application, one unauthorised encampment occurred in the Borough between 17 December 2024 and 12 May 2025. However, that encampment did not occur on an Injunction Site, such that I believe that no Person Unknown was deprived of the opportunity to learn of the Injunction during this period. Even if the encampment had formed on an Injunction Site, the persons forming the encampment would not have been liable for a breach of the Injunction if the Order had not in fact been posted at the site prior to the encampment arriving; there was no risk that a Person Unknown might inadvertently fall into error and be held liable for a breach of the Injunction.

20. The First Claimant accepts that the timetable set out above is far from ideal. It is a product of the onerous printing and service exercise that needed to be undertaken (and in part also the month delay in obtaining a re-sealed order), and the limited available resources of the First Claimant. The First Claimant understands that it must do better in the future, and will endeavour to serve any order made in this Continuation Application expeditiously.

21. Lastly, in preparing the hearing bundle and certificates of service, I have discovered that three Injunction Sites were not served with the Injunction Order of Cotter J at all. These are sites 21, 73 and 142 (which overlap with the four sites not served with the Continuation Application). As soon as I discovered this on 25 November 2025, I have directed that these sites must be served. Certificates of service will be produced in the hearing bundle. This

was again an unfortunate oversight in the service exercise, but was entirely at the Claimants' own risk. The Claimants wish to retain these sites within the scope of the continued Injunction.

### **STATEMENT OF TRUTH**

I believe that the facts set out 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:

A handwritten signature in black ink, appearing to read 'Amy Pittam', written in a cursive style.

**Amy Pittam**  
25<sup>th</sup> November 2025