

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

Claim No: QB-2019-000616

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

**APPLICATION BUNDLE**

*for the Application hearing listed on 3 December 2025*

<b>Tab</b>		<b>Page</b>
<b>Application</b>		
1	Application Notice dated 28 October 2025	2-6
2	Draft Order	7-27
<b>Injunction</b>		
3	<i>Nuneaton and Bedworth Borough Council &amp; Anr v Corcoran and Ors</i> (December 2024 judgment transcript)	28-44
4	Injunction Order of Cotter J dated 17 December 2024 (amended under the slip rule and re-sealed on 28 January 2025)	45-73
<b>Witness Statements</b>		
5	First witness statement of Amy Pittam	74-98
6	Exhibit AP1	99-190
7	First witness statement of Martin Rone-Clarke	191-197
8	First witness statement of Sarah Matile	198-203
9	Exhibit SM1	204-509
10	Exhibit SM2	510-534
11	Exhibit SM3	535-586
<b>Certificates of service</b>		
11	Service of the Injunction Order on 139 Injunction Sites	587-638
12	Service of the Continuation Application on the 138 Injunction Sites	639-686
13	Upload of the witness evidence in support of the Continuation Application to the Council's website	687
14	Service of the Continuation Application on the <i>Wolverhampton</i> Appellants	688-699
15	Service of the Continuation Application on sites 21, 23, 73 and 142	700-706
16	Service of the Injunction Order on sites 21, 73 and 142	707-714
17	Service of the 25 November 2025 Application on sites 21, 23, 73, 142	715-725
<b>25 November 2025 Application</b>		
18	N244	726-730
19	Second Witness Statement of Amy Pittam	731-736
20	Draft Order v2	737-757

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<b>Name of court</b> In the High Court of Justice King's Bench Division	<b>Claim no.</b> QB-2019-000616
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)
PBA0095250	<b>H W F</b> - [ ] [ ] [ ] - [ ] [ ] [ ]
<b>Warrant no.</b> (if applicable)	
<b>Claimant's name</b> (including ref.) (1) Nuneaton and Bedworth Borough Council (2) Warwickshire County Council	
<b>Defendant's name</b> (including ref.) (1) Thomas Corcoran (2)-(53) Other Named Defendants (54) Persons Unknown	
<b>Date</b>	28 October 2025

2

1. What is your name or, if you are a legal representative, the name of your firm?

Nuneaton and Bedworth Borough Council and Warwickshire County Council

2. Are you a  Claimant  Defendant  Legal Representative  
 Other (please specify) [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

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 CPR 40.12 and re-sealed on 28 January 2025) for the continuation of the injunction order and power of arrest for a further 12 month period. Pursuant to CPR 6.15 and CPR 6.27, the Claimants also seek the same alternative service provisions as those currently in operation.

4. Have you attached a draft of the order you are applying for?  Yes  No

5. How do you want to have this application dealt with?  at a hearing  without a hearing  
 at a remote hearing

6. How long do you think the hearing will last?  Hours  Minutes  
Is this time estimate agreed by all parties?  Yes  No

7. Give details of any fixed trial date or period

3 December 2025

8. What level of Judge does your hearing need?

High Court

9. Who should be served with this application?

Defendant 54 - Persons Unknown

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

To be served on the 142 sites contained within the Injunction Order of 28 January 2025

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

First Witness Statement of Sarah Matile

First Witness Statement of Amy Pittam

First Witness Statement of Martin Rone-Clarke

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

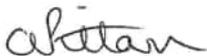
No

## Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

### Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

### Date

Day                      Month                      Year

Full name

Amy Pittam

Name of applicant's legal representative's firm

Nuneaton and Bedworth Borough Council

If signing on behalf of firm or company give position or office held

Solicitor to the Council

Applicant's address to which documents should be sent.

Building and street

Town Hall

Second line of address

Coton Road

Town or city

Nuneaton

County (optional)

Warwickshire

Postcode

C	V	1	1	5	A	A
---	---	---	---	---	---	---

If applicable

Phone number

02476 376376

Fax phone number

DX number

Your Ref.

X424-409B

Email

[legal.admin@nuneatonandbedworth.gov.uk](mailto:legal.admin@nuneatonandbedworth.gov.uk)

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

Claim No. QB-2019-000616

Before the Honourable [Judge]  
[xx] December 2025

**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

---

**ORDER AGAINST THE 54<sup>th</sup> DEFENDANT (PERSONS UNKNOWN)**

---

**IF YOU PERSONS UNKNOWN DISOBEY OR BREACH 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 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 28 October 2025 (the 'Application') seeking to continue to the injunction Order of Cotter J dated 17 December 2024 (as amended under the slip rule CPR 40.12 and re-sealed on 28 January 2025) for a period of one year as against the 54<sup>th</sup> Defendant (Persons Unknown) only

**AND UPON** the court being satisfied that the Application has been served on the 54<sup>th</sup> Defendant (Persons Unknown) in accordance with the Order of Cotter J dated 17 December 2024

**AND UPON** the court being satisfied that notice of the Application was given to the three Gypsy and Traveller representative groups who were the appellants in *Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors* [2023] UKSC 47

**AND UPON** hearing Natalie Pratt of counsel for the Claimants [*and there being no attendance by or representations made for or on behalf of the 54<sup>th</sup> Defendant (Persons Unknown)*]

### **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 a Judge of the High Court within a period of 24 hours beginning at the time of their arrest. For the purposes of this requirement, a remote hearing will suffice;**
- **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 December 2026**, the 54<sup>th</sup> 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 by the occupation of caravans/mobile homes and/or the 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, save for where the encampment is authorised by Written Permission from the Local Planning Authority (as defined below).
- 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 the Land, 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.
- e) Depositing or causing to be deposited, Controlled Waste (as defined below) 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.

### **Power of arrest**

- 2. There shall be a power of arrest attached to prohibitions 1(a) to 1(e) (inclusive) of this Order.

### **Definitions**

- 3. In this Order, the following definitions shall apply:
  - a) The **‘Land’** means all the land shaded in red on the maps at Schedule 3 to this Order, as identified by the key to the map and on the list of sites (and numbered 1 to 142 on that list).
  - b) **‘Encampment’** means the entering and/or occupying of any land or part of land for residential purposes (whether temporary or otherwise), including the occupation of caravans/mobile homes, and the storage of vehicles, caravans and residential paraphernalia.
  - c) **‘Controlled Waste’** has the same meaning as within s.75(4) of the Environmental Protection Act 1990, namely household, industrial or commercial waste or any such waste.
  - d) **‘Written Permission from the Local Planning Authority’** includes, but is not limited to, written permission granted pursuant to any negotiated stopping agreement, policy, procedure or practise.

**B. SERVICE**

4. Pursuant to CPR 6.26 and 6.27, this Order and the power of arrest shall be deemed served on the 54<sup>th</sup> Defendant (Persons Unknown) on the date when a copy of this Order and the power of arrest (as opposed to an original) is affixed as a laminated copy or in a transparent envelope in a prominent position on all 142 sites defined as the Land in paragraph 3(a) above.
5. For the avoidance of doubt, service shall be effected when a copy of the Order and the power of arrest is first affixed in accordance with paragraph 4 above, irrespective of whether the documents are subsequently removed by a someone other than the Claimants or their agents/representatives.

**C. LIBERTY TO APPLY**

6. The Defendants or anyone notified of this Order may each of them apply to the court on 72 hours written notice to both the court and the Claimant (without prejudice to the right of that person to apply to shorten the time for written notice) to vary or discharge this Order or so much as if it affects that person. The contact details for both the court and the Claimant can be found in paragraphs 8 and 9 below.
7. Any person who applies to vary or discharge or discharge this Order must supply their full name and address for service.

**D. COMMUNICATIONS WITH THE CLAIMANTS AND THE COURT**

8. All communications to the Claimants about this Order should be sent to Legal Services, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, Nuneaton CV11 5AA. The telephone number is 024 7637 6476, the email address in [legal.admin@nuneatonandbedworth.gov.uk](mailto:legal.admin@nuneatonandbedworth.gov.uk).
9. All communications with the court about this Order should be sent to [KBJudgesListingOffice@justice.gov.uk](mailto:KBJudgesListingOffice@justice.gov.uk) or Room E03 Royal Courts of Justice, Strand, London WC2A 2LL, tel: 020 3936 8957. The offices are open tween 10am and 4pm Monday to Friday.

**E. REVIEW OF THE ORDER AGAINST THE 54<sup>th</sup> DEFENDANT (PERSONS UNKNOWN)**

10. The Order against the 54<sup>th</sup> Defendant (Persons Unknown) will expire by the effluxion of time on 00:00hrs on **18 December 2026**. The Claimants may, if so advised, apply for the renewal of the Order against the 54<sup>th</sup> Defendant (Persons Unknown) (the ‘**Renewal Application**’). Any Renewal Application and evidence in support must be filed and served in accordance with paragraph 4 above by 4pm on **6 November 2026**.
11. A hearing shall be listed on **3 December 2026**, with a time estimate of ½ day, at which the Renewal Application shall be considered. If the Claimants do not make a Renewal Application, they must notify the Court as soon as reasonably practicable and seek to vacate the hearing.

12. Any person other than the Claimants who would like to participate in the hearing of the Renewal Application must also file and serve on the Claimants any evidence upon which they intend to rely at the hearing of the Renewal Application by 4pm on **20 November 2026**.

**F. COSTS**

13. No order as to costs against the 54<sup>th</sup> Defendant (Persons Unknown).

**Dated [xx] December 2025**

**GUIDANCE NOTES**

**EFFECT OF THIS ORDER**

1. A Defendant who is an individual who is ordered not to do something must not do it himself/herself/themselves or in any other way, and must not do it through others acting on his behalf or his/her/their instructions or with his/her/their encouragement.
2. 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**

3. 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**

4. In this Order, where there is more than one Defendant, unless otherwise stated, references to “the Defendants” means each or all of them.
5. A requirement to serve on “the Defendants” means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
6. An Order requiring the Defendants to do or not to do anything applies to all Defendants.

## SCHEDULE 1 – LIST OF NAMED DEFENDANTS

### List of Defendants and their addresses

- (1) THOMAS CORCORAN – Plot 10 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (2) JESSICA DODDS, Plot 10, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (3) MICHAEL DOYLE, 6 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (4) LUKE DELANEY, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (5) PATRICK McGINLEY, Barn Fisheries, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (6) ALPHONSUS McGINLEY, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (7) MICHAEL STOKES, 29 Oaktree Field Caravan Site, Odstock Road, Salisbury, Wiltshire SP2 8BY
- (8) MICHAEL STOKES, 6 Horsdean Travelers Site, Braypool Lane, Patcham Brighton, East Sussex BN1 8PP
- (9) DENNIS STOKES, Plot 6 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (10) DENNIS STOKES (JNR), Caravan 6 Dun Roamin Park, Whitfield, NN13 5TD
- (11) BRIAN STOKES, 12a, Orchard Drive, Smithy Fen, Cottenham, Cambridgeshire, CB24 8PT
- (12) JOHN MAUGHAN, 14 Long Green, Cressing, Braintree, Essex, CM77 8DL
- (13) TERRY MAUGHAN, 70 Exton Avenue, Luton, Bedfordshire, LU2 0LJ
- ~~(14) TERRY MAUGHAN, 10 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (15) PATRICK MAUGHAN, 12 Bashley Road Caravan Site, Bashley Road, London, NW10 6TH
- (16) OWEN MAUGHAN, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (17) OWEN MAUGHAN, 8 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(18) BERNARD CORCORAN, No Fixed Abode~~
- ~~(19) FRANCIS CORCORAN, No Fixed Abode~~
- (20) FRANCIS MAUGHAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (21) MARTIN MAUGHAN, 81 Constitution Road, Chatham, Kent, ME5 7DN
- (22) THOMAS MAUGHAN, 11 Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0SA
- (23) JOHN MONGAN, 1 Gapton Hall Road, Great Yarmouth, Norfolk, NR31 0NL
- ~~(24) MARTIN MONGAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL~~

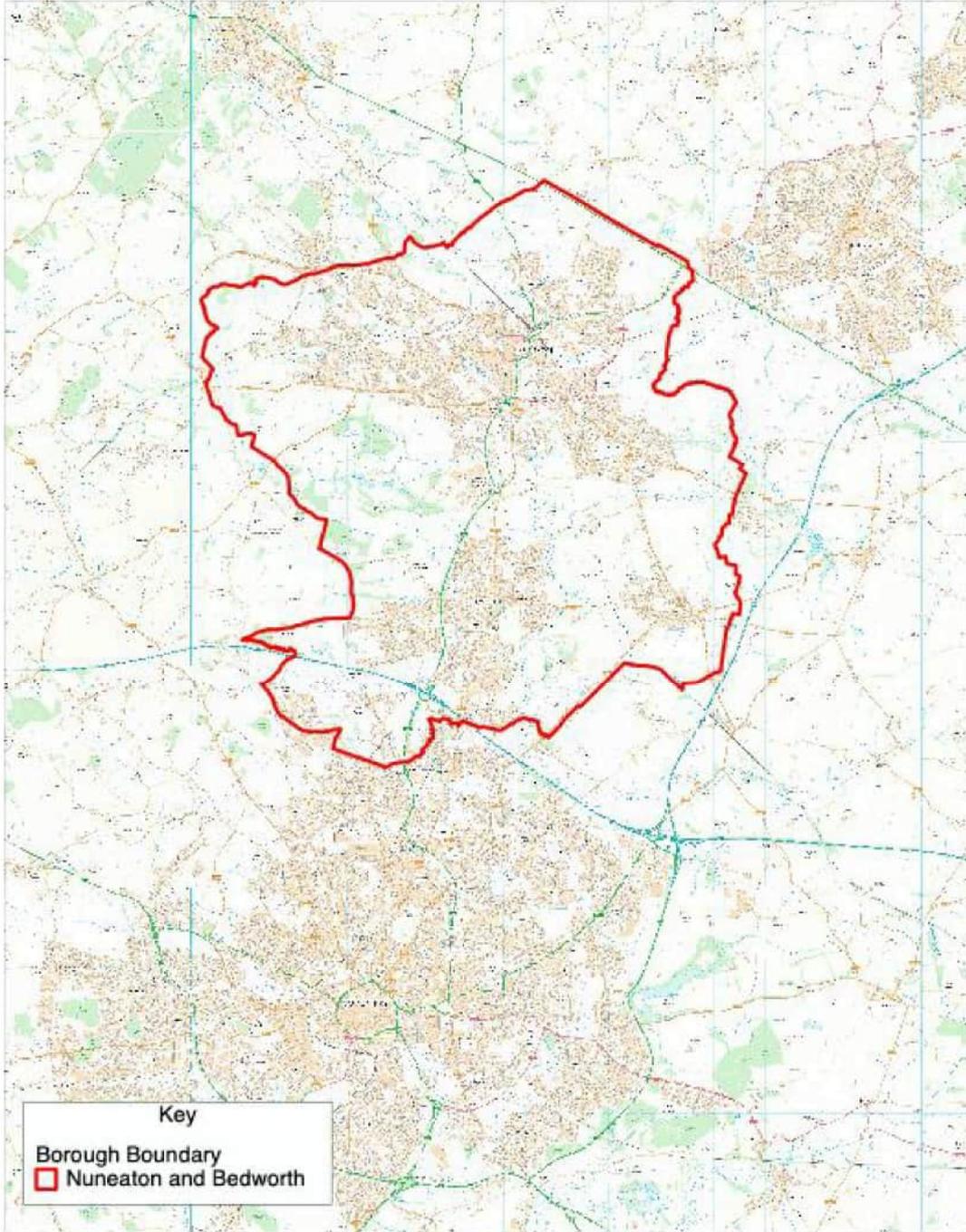
- (25) MARTIN MONGAN, 9 Limehouses, Boathorse Road, Stoke-On-Trent, Staffs ST6 4QQ
- (26) LEONARD MONGAN, 8 Pendles Paddock, Marlow Road, Stokenchurch, High Wycombe, Bucks, HP14 3UW
- (27) PAUL McDONAGH, 9 Russell Street, Derby
- ~~(28) SIMON McDONAUGH, 3 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (29) BERNARD McDONAGH, 37 Boathorse Road, Stoke-On-Trent, Staffordshire, ST7 4JA
- (30) JOHN McDONAGH, Caravan 7 Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- (31) MIKE McDONAGH, 62 De Laly Street, Ashton-On-Ribble, Preston, Lancashire, PR2 2DD
- (32) MARTIN McDONAGH, 29 Speyside Court, Orton, Southgate, Peterborough, PE2 6SN
- (33) AARON McDONAGH, 9 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- ~~(34) KATHLEEN McDONAUGH, 3 Orchard View, Horseman Side, Brentwood, Essex, CM14 5SU~~
- (35) WINNIE McDONAUGH, Caravan 14, Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- ~~(36) MARTIN WARD, 73 Mullacreevie Park, Armagh, BT60 4BB~~
- ~~(37) PAT WARD, 333 Mullacreevie Park, Armagh, BT60 4BB~~
- (38) MICHAEL WARD, Splashes, Castle Acre Road, Swaffham, Norfolk, PE37 7XE
- (39) KATHLEEN WARD, 2 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(40) ROSELEEN WARD, 6 St Agnells Lane, Hemel Hempstead, Herts, HP2 7AX~~
- (41) BERNIE SWEENEY, Kaneshill Caravan Park, 11 Botley Road, Southampton, SO19 USA
- (42) JOHN CONNORS, 2 Costalot Stables, Heath Road, Leicestershire, LE67 1DG
- ~~(43) TRACEY BROWN, 72 Lower Ecton, Ecton Lane Caravan Site, Northants NN3 5HQ~~
- ~~(44) WILLIAM BRIDGES, 16 Ling Croft, Brough, North Humberside, HU15 1TU~~
- ~~(45) TOM WARD, No Fixed Abode~~
- ~~(46) EDDIE McDONAUGH, No Fixed Abode~~
- ~~(47) EDDIE (AKA EDWARD) WARD, No Fixed Abode~~
- ~~(48) CHRISTOPHER McDONAUGH, No Fixed Abode~~
- ~~(49) WILLIAM DOHERTY, No Fixed Abode~~
- ~~(50) GERRY O'BRIEN, No Fixed Abode~~
- ~~(51) ELIZABETH O'BRIEN, No Fixed Abode~~
- ~~(52) PEARL BLAINLEY, No Fixed Abode~~

~~(53) — FIONA WARD, No Fixed Abode~~

(54) PERSONS UNKNOWN forming unauthorised encampments within the Borough of Nuneaton and Bedworth

SCHEDULE 2 – MAP OF THE BOROUGH

Nuneaton and Bedworth Borough Boundary

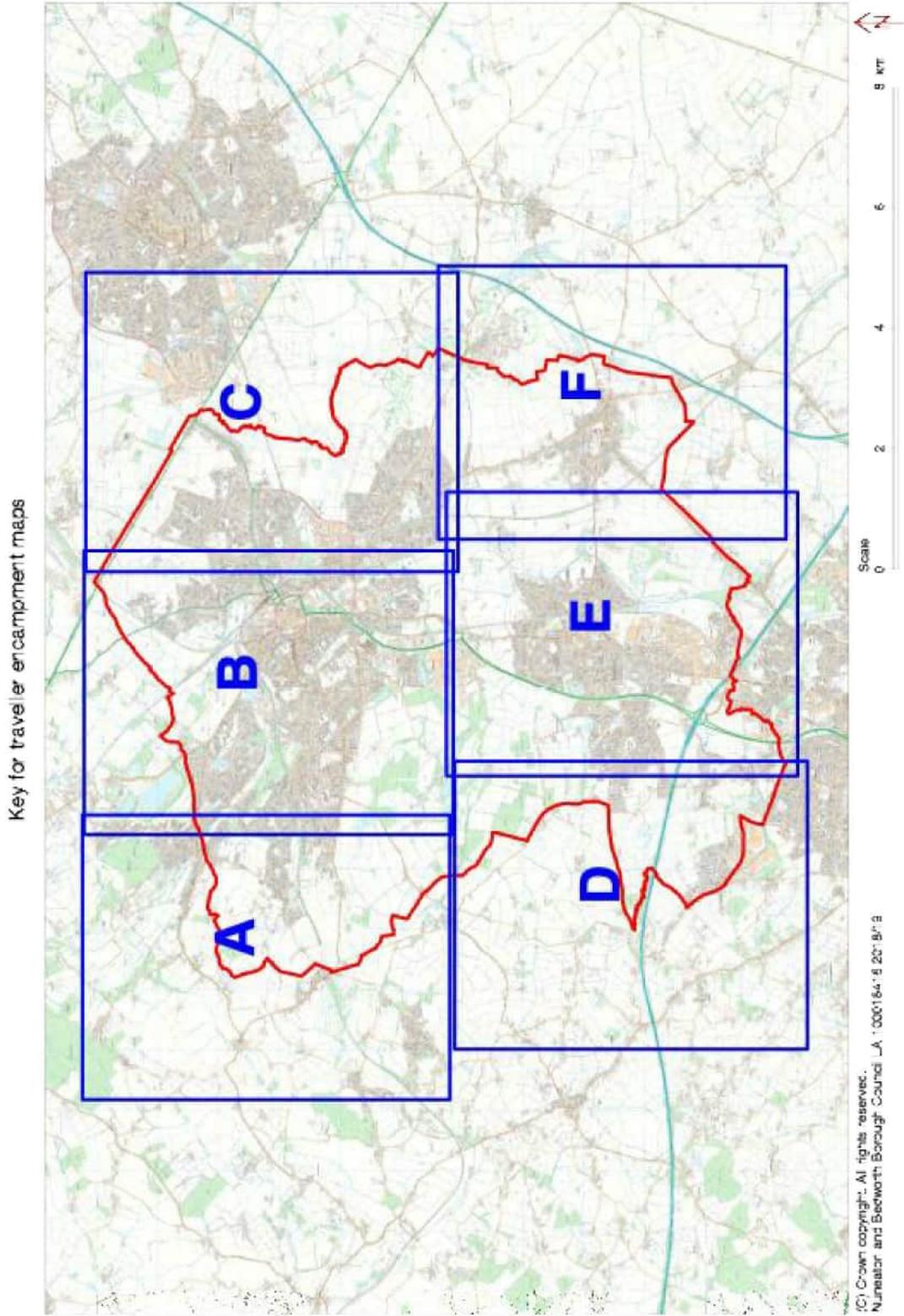


(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Not to scale

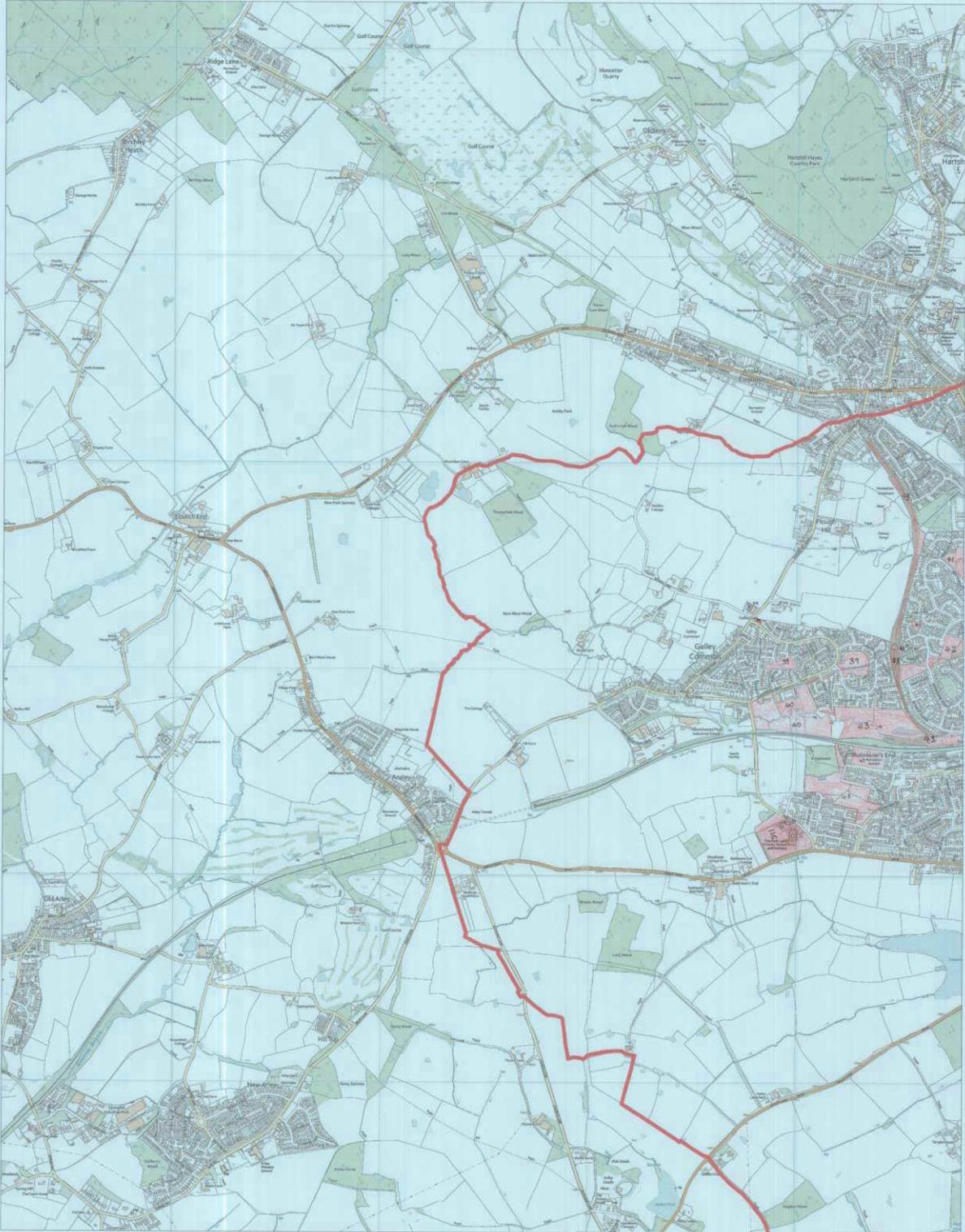


SCHEDULE 3 – LIST OF SITES AND MAP FOR PERSONS UNKNOWN



A

### Northwest Nuneaton



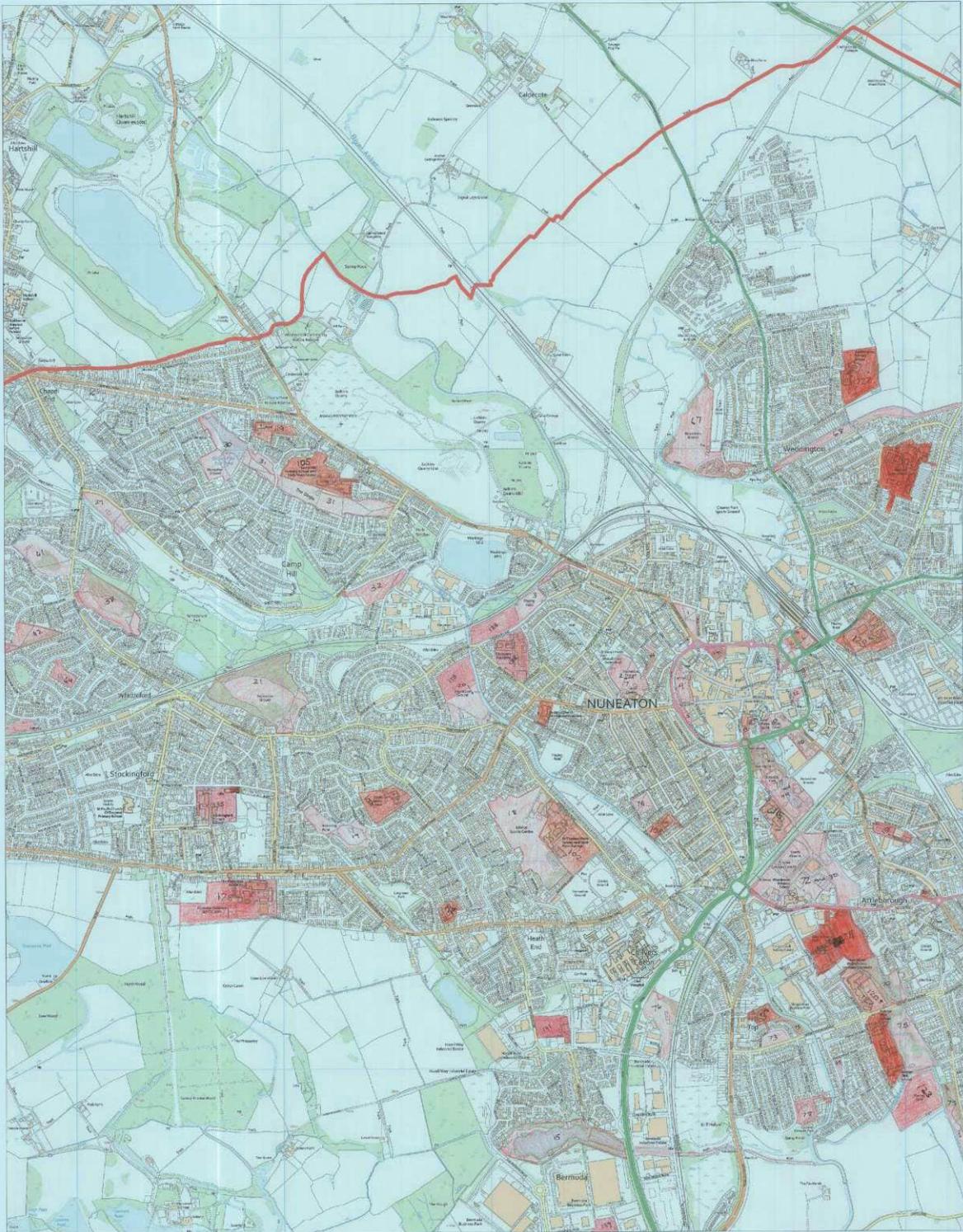
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



B

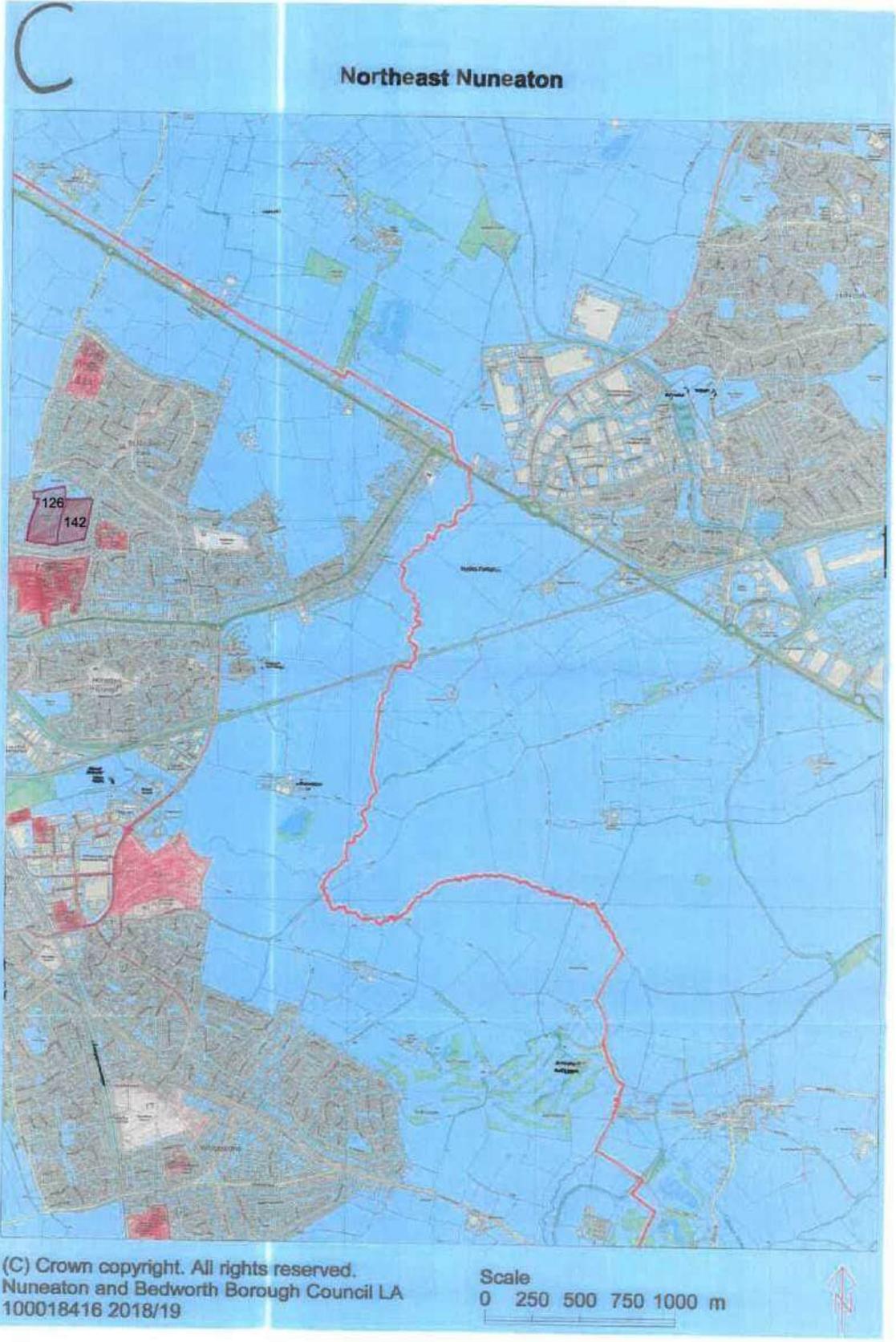
North of Nuneaton



(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m





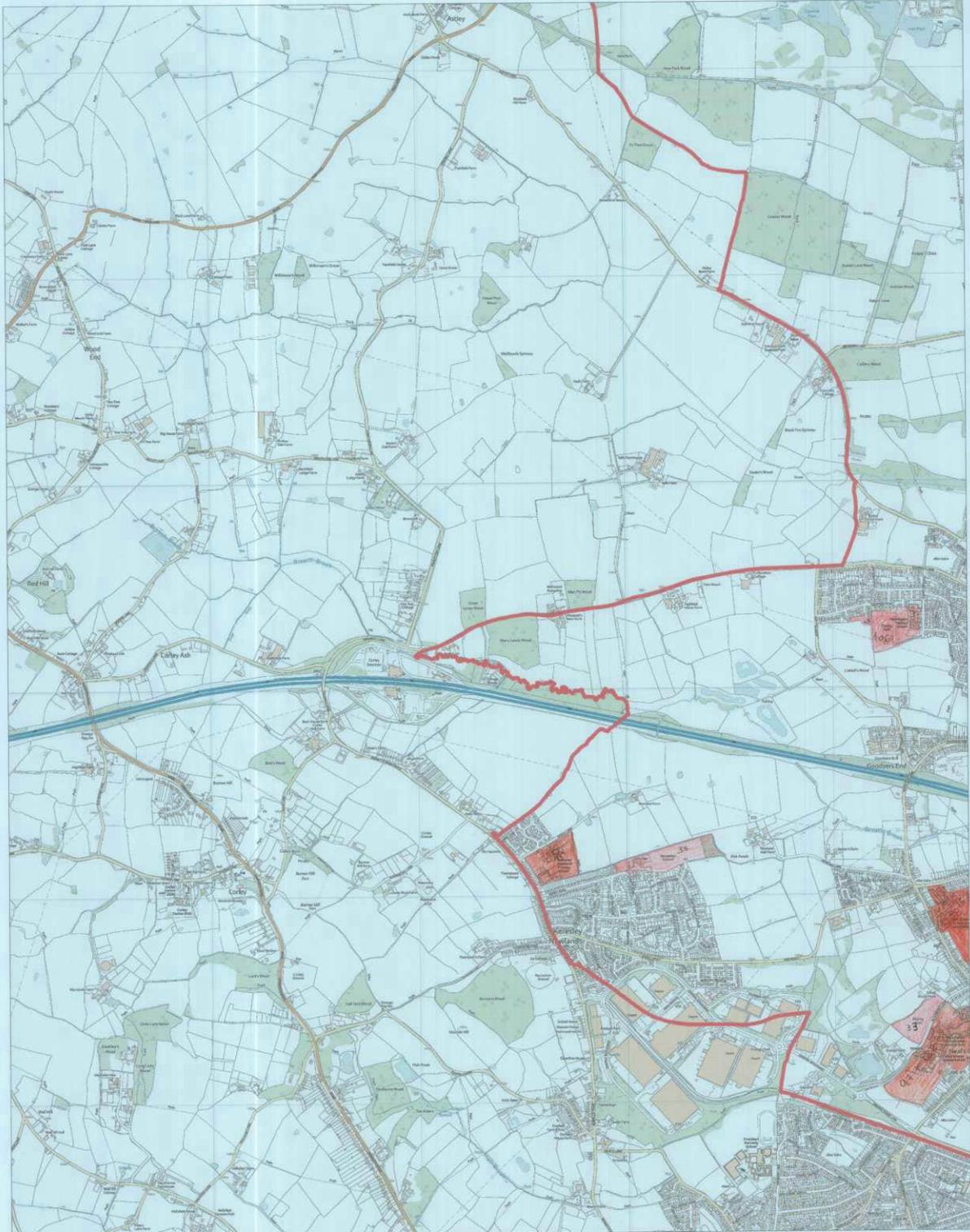
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



D

### Southwest Bedworth



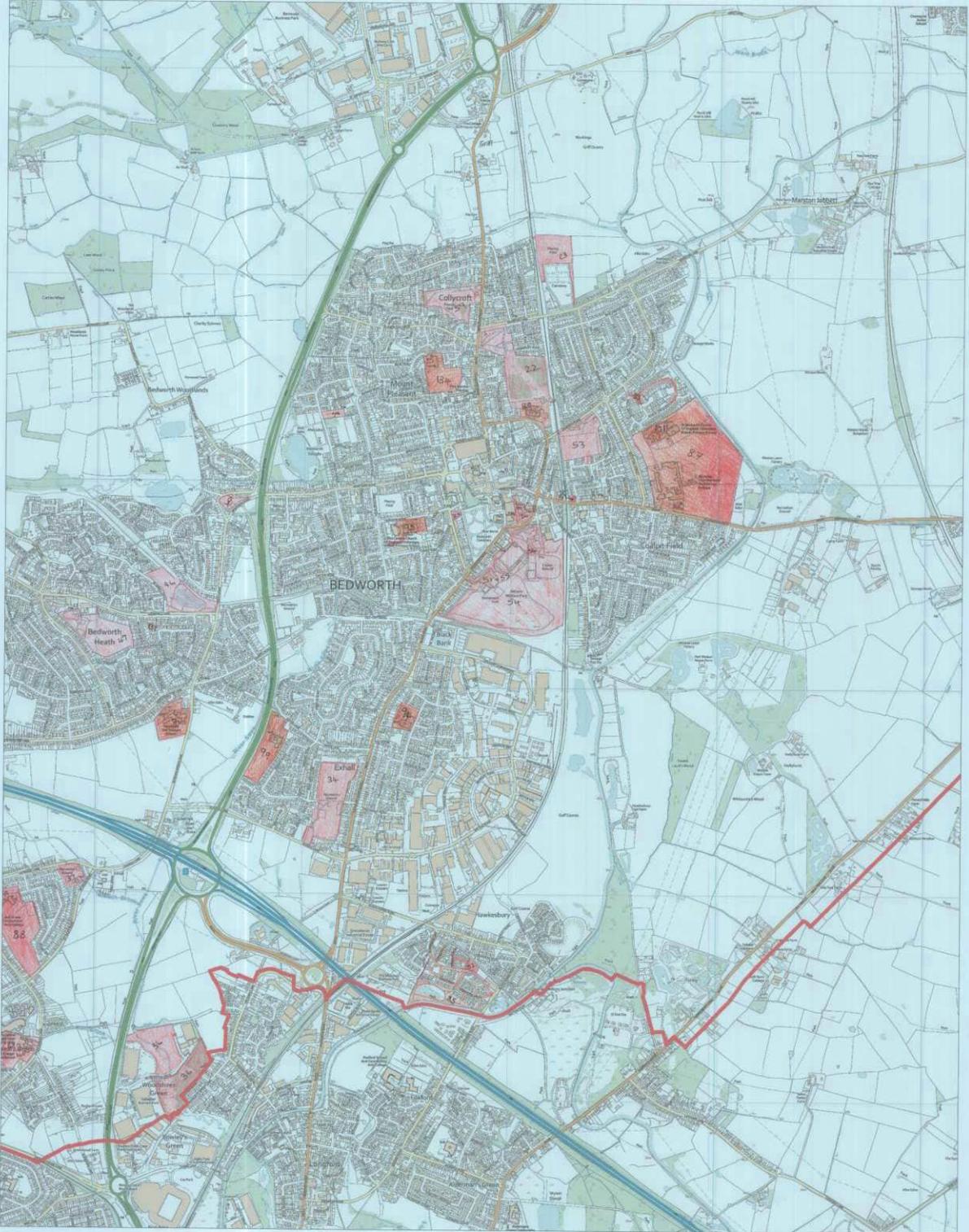
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



E

### South of Bedworth



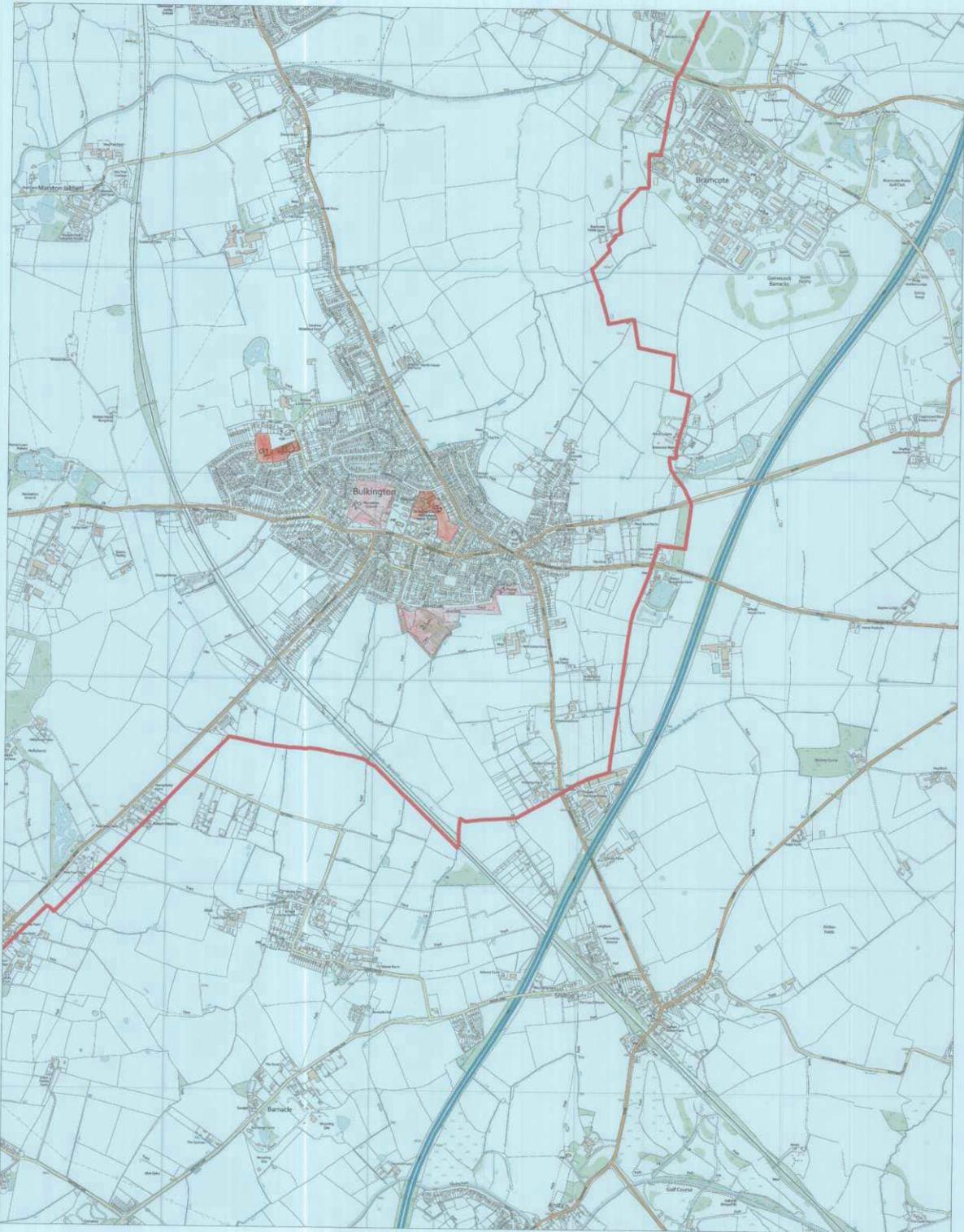
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



F

Southeast Bedworth



(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



SITE NUMBER	MAP SITE APPEARS ON	SITE	>5 acres	POSTCODE	Land Owner
1	B	Land on the north side of Corporation Street, Nuneaton (aka Abbey Green POS)	x		NBBC
2	B	Recreation ground lying to the north of Queens Road, Nuneaton (aka Nuneaton Recreational Ground/Pool Bank St)	✓	CV11 5PZ	NBBC
3	B	Land on the north west of Vernons Lane and land lying to the South West of Midland Road, Nuneaton (aka Stanley Road/Vernons Lane Recreational Ground)	✓	CV11 5ET	NBBC
4	B	Land being car park on the south west side of Corporation Street, Nuneaton (aka Upper Abbey Street Car Park)	x	CV11 5DG	NBBC
5	B	Victoria Street Car Park and 60 Victoria Street, Nuneaton (CV11 5RJ) (aka Victoria Street Car Park 1 and 2)	x	CV11 5QE	NBBC
6	B	Joinery works and adjacent premises fronting Regent Street, Nuneaton (aka Regent Street Car Parks 1 and 2)	x	CV11 4BW	Private
7	B	Land on the west and east sides of Vicarage Street, Nuneaton (aka Pool Bank Street Car Park)	x	CV11 5DB	NBBC
8	B	Riversley Park Clinic, Coton Road, Nuneaton, (CV11 5TY)(aka Orchard Street Car Park)	x	CV11 4BS	Private
9	B	Land and buildings on the east side of Broad Street, the north side of Queen's Road and the south west side of Abbey Street (aka Abbey Street Car Park)	x	CV11 5NE	NBBC
10	B	Land at Church Street, Nuneaton (aka Church Street Car Park)	x	CV11 4AS	NBBC
11	B	Land and buildings lying to the East of Coton Road (aka Town Hall Car Park)	x	CV11 5AA	NBBC
12	B	Land at Vicarage Street, Nuneaton (aka Justice Walk Car Park)	x	CV11 4AL	NBBC
13	B	Land at Coton Road, Nuneaton (aka Riverside Car Park)	x	CV11 5AA	NBBC
14	B	Meadow Court, Meadow Street, Nuneaton, (CV11 5JE)(aka Meadow Street Car Park)	x	CV11 5JF	NBBC
15	B	Land to the south side of Bermuda/land lying to the east and west of Coventry Road, Chilvers Coton/land on the west side of a road leading from Coventry to Nuneaton and a balancing lake and land to the south of Bermuda Road, Nuneaton (aka Bermuda Balancing Lake)	✓		NBBC
16	C	Recreation Ground at Easyboro Way, Nuneaton (aka Attleborough Recreational Ground)	✓	CV11 4PY	NBBC
17	C	Land on south side of Lutterworth Road, Nuneaton (aka Pauls Land)	✓	CV11 6QA	NBBC
18	B	Land lying to the north east of Braemer Way, Nuneaton, Land on the south west and north east sides of Greenmoor Road & Land lying to the south east side of croft road (aka Jubilee Sports Centre)	✓	CV10 7EL	NBBC
19	B	Land lying to the east of Westbury Road and Land lying to the North of Herbert Street, Nuneaton (aka Marsdale Drive)	✓		NBBC
20	B	Land at Recreation Ground, Tomkinson Road, Nuneaton	✓	CV10 8DS	NBBC
21	B	Land at Whittleford Park, Haunchwood Road Nuneaton, land lying to the north east of Haunchwood Road (aka Whittleford Park)	✓	CV10 8PY	NBBC
22	E	Land on the south side of Marston Lane, Nuneaton (aka Bailey Park)	✓	CV12 8DR	NBBC
23	E	Land on the north side of Marston Lane, Bedworth (aka Marston Lane Recreation Ground)	✓		NBBC
24	E	Spitalfields 1 and 2 (Car Park) - land lying to the east of High Street Bedworth, land on the north-west side of Rye Piece Ringway, Bedworth & Zion Chaple, High Street Bedworth	x	CV12 8NF	NBBC

25	E	Park Road (Car Park) - land on the east side of Park Road, Bedworth	x	CV12 8LH	NBBC
26	F	Barnacle Lane EA - land to the south of Barnacle Lane, Bulkington, Bedworth; land at Barnacle Lane, Bulkington, Bedworth	✓		NBBC
27	F	Land at Brewer Road, Bulkington, Bedworth and land at Eustace Road, Bulkington, Bedworth	x	CV12 9RF	NBBC
28	F	Bulkington Recreation Ground, Bedworth Road, Bulkington, Bedworth, (CV12 9PZ)	✓	CV12 9LT	NBBC
29	B	Land on the south west side of Queen Elizabeth Road, Nuneaton	✓	CV10 9DA	NBBC
30	B	Land on south east side of Green Lane, Nuneaton and land lying on the east side of Ramsden Avenue, Nuneaton (aka Stubbs Pool)	✓	CV10 9DJ	NBBC
31	B	Land and buildings on the east side of Camp Hill Drive, Camp Hill, Nuneaton and land at The Dingle, Queen Elizabeth Road, Nuneaton (aka The Dingle)	✓	CV10 9DE	NBBC
32	B	Land on the south side of Willow Road, Nuneaton	✓		NBBC
33	D	Land on the West side of Blackberry Lane, Bedworth	✓		NBBC
34	E	Heckley Recreational Ground - land lying to the north of School Lane, Exhall, Coventry	✓	CV7 9EX	NBBC
35	D	Keresley Recreational Ground - Land lying to the North East of Howat Road, Bedworth	✓	CV7 8NG	NBBC
36	E	Land lying to the North West of Rowley's Green Lane, Exhall, Coventry (aka Silverstone Drive)	✓		NBBC
37	E	St. Giles Recreational Ground - Land on the South side of Vicarage Lane, Exhall, Bedworth and Land lying to the West of St Giles Road, Exhall	x	CV7 9GZ	NBBC
38	B	Land on the east side of Bucks Hill, Nuneaton (aka Bucks Hill Marl.)	✓	CV10 9TD	NBBC
39	A	Land south-east of Hickman Road, Galley Common, Nuneaton (aka Chaucer Drive)	✓	CV10 9SD	NBBC
40	A	Nuneaton & North Warks Group Riding for Disabled, Valley Road, Galley Common (CV10 9NJ) / land at Campbell Close, Nuneaton and land at Galley Common, Nuneaton (CV10 9NJ)( aka as Equestrian Centre and Fields of the Nuneaton and North Warwickshire Riding for Disabled Centre)	x	CV10 9PZ	NBBC
41	B/A	Land on the south west side of Selby Way, land on the north side of Frensham Drive and land on the north east side of Merlin Avenue, south east side of Freeland Rise, Whittleford and land lying to the West of Bucks Hill (aka Freeland Rise)	✓	CV10 9QF	NBBC
42	B/A	Land on the east and west side of Sherbourne Avenue, Whittleford, Nuneaton (aka Fernsham Drive/Poplar Tree Farm EA)	✓	~	NBBC
43	A	Land on Galley Common, Nuneaton; land at Galley Common Nuneaton and Land on the south side of Plough Hill Road, Stockingford (aka North Field)	✓	CV10 9PZ	NBBC
44	B	Land on the south side of Sherbourne Avenue, Nuneaton	x	CV10 9JH	NBBC
45	D	Land on the south side of Cardigan Road, Bedworth (aka Anderton Road POS)	✓	CV12 0HD	NBBC
46	E	Land and Buildings at Market End Farm and Orchard Farm, Smorrall Lane	✓	CV12 0GE	Private
47	E	Newdigate Recreational Ground - Land at Smorrall Lane, Bedworth	✓	CV12 0JP	NBBC
48	A	Land on the North side of Ansley Road, Stockingford (aka Grove Farm/Thorntons Way)	✓	CV10 8NN	NBBC
49	A	Kingswood Road Recreational Ground - Land on the North side of Ansley Road, Stockingford	x	CV10 9QG	NBBC
50	B	Stockingford Recreational Ground - Land on the west side of Westbury Road, Nuneaton and land on the north-east side of Grove Road, Nuneaton and land lying to the west of Nuneaton Road	✓	CV10 8JX	NBBC
51	E	Bedworth Leisure Centre - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8NW	NBBC
52	E	Land lying to the West side of Blackhorse Road, Bedworth (aka Ironbridge Way)	x	CV6 6TE	Private
53	E	Land on the North side of Bulkington Road and land on the South side of Johnson Road/Alex Wilson Centre, 34 Nuneaton Road, Bedworth (CV12 8AL) and land lying to the west of Wootton Street and land at Elizabeth Centre, Johnson Road	✓	CV12 9BH	NBBC
54	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8JT	NBBC
55	E	Bedworth Leisure Centre (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	x	CV12 8NN	NBBC
56	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	x	CV12 8JT	NBBC

57	E	Bedworth Railway Station (Car Park) - Land on the north side of Bulkington Road, Bedworth	x	CV12 8JG	NBBC
58	E	Land at Arbury Avenue, Bedworth (aka Arbury Road POS)	x		NBBC
59	E	Collycroft Recreational Ground - Land lying to the east of Amos Jacques Road, Collycroft, Bedworth and land to the west of Nuneaton Road/Alex Wilson Centre 34 Nuneaton Road Bedworth and land to the west of Nuneaton Road	✓		NBBC
60	E	Land on the north and south sides of Newtown Road, Nuneaton (aka Heath Road)	x	CV12 0AL	NBBC
61	C	Land lying to the north of Buttermere Avenue, Nuneaton	✓	CV11 6EP	NBBC
62	C	Land at Horseton Grange, Nuneaton and land lying south and west of Camborne Drive, Nuneaton	x		NBBC
63	C	Land lying to the south of Hinckley Road, Nuneaton and land to the west of Clovelly Way	x	CV11 6YB	NBBC
64	C	Recreation Ground, The Long Shoot, Nuneaton, (CV11 6JH)	x	CV11 6JH	NBBC
65	C	Land at Horseton Grange and land to the south of Hinckley Road, Nuneaton (aka Tiverton Drive/Tavistock Way)	✓	CV11 6YL	NBBC
66	C	Land on the east side of Changebrook Close and land on the west and east side of Pallett Drive, Nuneaton	✓	~	NBBC
67	B	Land on the south side of Church Lane, Nuneaton (Cleaver Gardens/Sandon Fields)	✓	CV10 0HG	NBBC
68	B	Land on the north side of Brookdale Road, Nuneaton and Land on the North side of Ryde Avenue, Nuneaton (aka Coronation Walk)	✓	CV10 0BN	NBBC
69	B	Land at Bradestone Road, Nuneaton	x		NBBC
70	B	Land on the north side of Donnithorne Avenue, Nuneaton (aka Caldwell Grange)	x		NBBC
71	B	Land on the south side of Avenue Road, Nuneaton (aka Gala Fields)	✓		NBBC
72	B	Land on the north side of Avenue Road, Nuneaton (aka Heritage Centre/Pingles Showground)	✓		NBBC
73	B	Land on the north side of Donnithorne Avenue, Nuneaton and land at Knebley Crescent, Nuneaton	x		NBBC
74	B	Marlborough Road Recreational Ground - Land on the south-west side of Marlborough Road, Nuneaton	x	CV11 5PQ	NBBC
75	B	Land at Donnithorne Avenue, Nuneaton; land lying to the east of Raveloe Drive, Nuneaton; land on the east side of Marston Lane, Nuneaton and Land on the east and west sides of Marston Lane, Nuneaton (aka Marston Lane Fields)	✓	CV11 4RE	NBBC
76	B	Land lying on the north side of St Georges Way, Nuneaton and land on the North side of St Georges Way, Chilvers Coton	✓	CV10 7BX	NBBC
77	B	Riversley Park, Coton Road, Nuneaton	✓	CV11 5TY	NBBC
78	B	Land at Sorrell Road, Nuneaton	✓	CV10 7AW	NBBC
79	B	Riversley Park (Car Park) - Riversley Park, Coton Road, Nuneaton	x	CV11 5TX	NBBC
80	B	Land on the north side of Avenue Road, Nuneaton (aka Pingles Leisure Centre Car Park)	✓	CV11 4LX	NBBC
81	C	Crowhill Recreation Ground - Land lying to the east of Eastboro Way, Nuneaton	✓	CV11 6XA	NBBC
82	B	Trinity Court Flats (Car Park) - land on the West side of Highfield Road, Nuneaton	x	CV11 4PW	NBBC
83	E	Land at Acacia Crescent, Bedworth	x		NBBC
84	B	Land at Dunns Close, Nuneaton	x		NBBC
85	E	Land lying to the West of Blackhorse Road, Bedworth (aka Lymington Drive, Coventry)	x		Private
86	C	Attleborough Fields Farm, Nuneaton and Land at Slingsby Close, Attleborough Fields Industrial Estate, Nuneaton	x		WCC
87	E	Nicholas Chamberlaine School, Bulkington Road, Bedworth (CV12 9EA)	✓	CV12 9EA	WCC
88	D/E	Ash Green Sports & Arts College, Ash Green Lane, Coventry (CV79AH)	✓	CV7 9AH	Private
89	E	Race Leys Infant School, Bedworth	x	CV12 8AD	WCC
90	E	Goodyers End County First School, Bowling Green Lane, Bedworth, (CV12 0HP)	✓	CV12 0HP	WCC
91	E	All Saints Bedworth C of E Primary School and Nursery, Bedworth	x	CV12 9HP	WCC

92	F	Arden Forest Infant School - aka Land on the West side of Weston Lane, Bulkington, Bedworth	x	CV12 9RT	WCC
93	E	The Cannons C of E Primary School - aka Land and buildings on the South side of Derwent Road, Bedworth	✓	CV12 8RT	Private
94	E	Exhall Cedars Infant School - aka Land lying to the East of Coventry Road, Bedworth	x	CV7 9FJ	WCC
95	D	Keresley Newland Primary Academy and Keresley Newland School, , Grove Lane, Keresley, Coventry, (CV7 8JZ)	✓	CV7 8JZ	WCC
96	D	Newdigate Primary School and Nursery - aka Land lying to the South of Smorral Lane, Goodyears End, Bedworth and Land lying to the South of smorral Lane Bedworth	✓	CV12 0HA	WCC
97	D/E	Wheelwright Lane Primary School, Ash Green, Coventry	✓	CV7 9HN	WCC
98	E	St Francis Roman Catholic School, Nicholas Street, Bedworth	x	CV12 8JN	Private
"		Land lying to the North of Rye Piece Ringway, Bedworth			Private
"		Land on the East Side of Nicholas Street, Bedworth			WCC
99	E	St Giles Junior School Bedworth - aka Land on the South Side of Hayes Lane, Exhall, Bedworth	✓	CV7 9NS	WCC
100	F	St James Church of England School, Barbridge Road, Bulkington, Bedworth (CV12 9PF)	✓	CV12 9PF	Private
"		Playing fields at St. James Church of England Junior School, Barbridge Road, Bulkington, Bedworth, CV12 9PF			Private
101	E	St Michael' s Primary School, Hazel Grove, Bedworth, (CV12 9DA)	✓	CV12 9DA	Private
102	B	Land adjoining St Thomas More Catholic School and Sixth Form College, Greenmoor Road, Nuneaton, CV10 7EX	✓	CV10 7EX	Private
"		St Thomas More Catholic School, Greenmoor Road, Nuneaton, CV10 7EX			Private
"		Arbury High School, Greenmoor Road, Nuneaton			Private
103	B	Abbey Cof E Infant School, Nuneaton	x	CV11 5EL	WCC
104	B	All Saints C of E Primary School & Nursery, Knebley Crescent, Nuneaton (CV10 7AT)	x	CV10 7AT	Private
105	B	Camp Hill Primary School, aka Land to the South of Tuttle Hill, Camp Hill, Nuneaton	✓	CV10 9QA	WCC
106	C	Chetwynd Junior School, aka Land lying to the South of Gipsy Lane, Nuneaton	✓	CV11 4SE	WCC
107	B	Land at Judkins Quarry Tuttle Hill, Nuneaton (aka Recycling Centre)	✓	CV10 0HU	WCC
108	B	Chilvers Coton Community Infant School, Frank Street, Nuneaton (CV11 5RB)	x	CV11 5RB	WCC
109	B	Croft Junior School, aka Land lying to the west of Northumberland Avenue, Nuneaton	✓	CV10 8ER	WCC
110	B	Galley Common Infant School, Nuneaton	x	CV10 9NZ	WCC
111	C	Milby Primary School, aka Land lying to the East of Higham Lane, Nuneaton	✓	CV11 6JS	WCC
112	B	Glendale Infant School, aka Land on the south side of Skye Close, Nuneaton	x	CV10 7LW	WCC
113	B	Middlemarch School, Nuneaton	✓	CV10 7BQ	WCC
114	B	Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	x	CV10 8HW	WCC
"		Land and buildings on the south side of St Paul's Road, Nuneaton			WCC
115	B	Our Lady of the Angels Infant School and St Josephs RC First School at Coton Road, Nuneaton	x	CV11 5TY	Private
"		Our Lady of the Angels Infant School and St Josephs RC First School, Coton Road, Nuneaton, CV11 5TY			Private
116	A	Park Lane Primary School, Park Lane, Nuneaton (CV10 8LU) and land on the North side of Ansley Road, Nuneaton	✓	CV10 8NL	Private
"		Land on the North Side of Ansley Road, Nuneaton			Private
117	B	Queens County Junior and Infant School, Bentley Road, Nuneaton, CV11 5LR			Private
118	B	St Pauls C of E Primary School, Nuneaton	x	CV10 8NH	Private
119	B	Land at St Anne's RC Primary School, Camp Hill Drive, Nuneaton	x	CV10 0JX	Private
"		St. Anne's Roman Catholic Primary School, Camp Hill Drive, Nuneaton, CV10 0JX			Private
120	B	Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH	x	CV11 4QH	Private

	"	Oakwood Secondary School, Morris Drive, Nuneaton			Private
	"	Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH			WCC
121	C	Playing field adjoining St Nicholas C of E Primary School, Windemere Avenue, Nuneaton CV11 6HJ	x	CV11 6HJ	WCC
	"	Land on the East Side of Windemere Avenue, Nuneaton			Private
	"	St Nicolas C of E First School, Windemere Avenue, Nuneaton, CV11 6HJ			Private
122	B	Weddington Primary School, aka Land lying to the North East of Oakdene Crescent, Nuneaton	✓	CV10 0DR	WCC
123	B	Land at George Eliot School, Raveloe Drive, Nuneaton, CV11 4QP	✓	CV11 4QP	Private
124	B	Wembrook Primary School, aka Land on the North Side of Avenue Road, Nuneaton	✓	CV11 4LU	NBBC
125	B	Etone College, Leicester Road, Nuneaton, CV11 6AA	✓	CV11 6AA	WCC
126	B	Higham Lane School, Higham Lane, Nuneaton, CV10 0BJ	✓	CV10 0BJ	Private
127	B	Oakwood Primary and Secondary School, Morris Drive, Nuneaton, CV11 4QH	✓	CV11 4QH	WCC
128	B	The Nuneaton Academy, aka Land lying on the South of Arbury Road, Nuneaton and Nuneaton Academy, Rad	✓	CV10 7PD	WCC
129	C	North Warwickshire and Hinckley College, Hinckley Road, Nuneaton, CV11 6BH	✓	CV11 6BH	Private
130	B	King Edward VI College, King Edward Road, Nuneaton, CV11 4BE	✓	CV11 4BE	Private
131	E	Bedworth Heath Nursery School, Glebe Avenue, Bedworth, CV12 0DP	x	CV12 0DP	WCC
132	D	Exhall Grange School and Science College, Wheelwright Lane, Bedworth			WCC
	"	Exhall Grange Special School, Wheelwright Lane, Coventry			Private
	"	Land at Exhall Grange School, Wheelwright Lane, Coventry, CV7 9HP	✓	CV7 9HP	Private
133	E	Quest Academy, North Side of Griff Lane, Nuneaton	✓	CV10 7SD	WCC
134	E	Race Leys Junior School, Bedworth aka Land lying to the West of Leicester Road, Nuneaton	x	CV12 8AG	WCC
	"	Race Leys Middle School, Barton Road, Bedworth, CV12 8HG		CV12 8HG	Private
135	B	Stockingford Primary School, aka Land and buildings on the south side of St Paul's Road, Nuneaton			WCC
	"	Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	✓	CV10 8JH	WCC
136	C	Whitestone Infant School, aka Land on the South West Side of Magyer Crescent, Nuneaton	x	CV11 4SQ	WCC
137	B	Attleborough Mills, Attleborough Road, Nuneaton (aka Holman Way)	x		Private
138	B	The Discovery Academy, aka Manor Park Community School, Beaumont Road, Nuneaton	x	CV11 5SS	Private
139	B	St Davids Way Hub, St Davids Way, Bermuda Park, Nuneaton	✓	CV10 7SD	Private
140	B	Halfords - land and buildings on the south side of Newtown Road, Nuneaton	x	CV11 5UT	Private
141	B	Bermuda Road Community Centre, Bermuda Road, Nuneaton (aka Bermuda Phoenix Centre)	✓	CV10 7HU	Private
142	C	Land on the North Side of Ambleside Way, Nuneaton CV11 6AT (aka Ambleside Community Sports Club)	✓	CV11 6AT	Private

**NCN: [2024] EWHC 3691 (KB)**  
**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**

Case No: QB-2019-000616

Royal Courts of Justice  
 Strand  
 London WC2A 2LL

Tuesday, 17 December 2024

BEFORE:

**MR JUSTICE COTTER**

BETWEEN:

-----  
**(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

-----  
**MS CAROLINE BOLTON** appeared on behalf of the Claimants  
 There was no appearance on behalf of the Defendants

-----  
**JUDGMENT**  
**(Approved)**

---

Digital Transcription by Epiq Europe Ltd,  
 Lower Ground, 46 Chancery Lane, London WC2A 1JE  
 Web: [www.epiqglobal.com/en-gb/](http://www.epiqglobal.com/en-gb/) Email: [civil@epiqglobal.co.uk](mailto:civil@epiqglobal.co.uk)  
 (Official Shorthand Writers to the Court)

*This Transcript is Crown Copyright. It may not be reproduced in whole or in part other than in accordance with relevant licence or with the express consent of the Authority. All rights are reserved.*

*WARNING: reporting restrictions may apply to the contents transcribed in this document, particularly if the case concerned a sexual offence or involved a child. Reporting restrictions prohibit the publication of the applicable information to the public or any section of the public, in writing, in a broadcast or by means of the internet, including social media. Anyone who receives a copy of this transcript is responsible in law for making sure that applicable restrictions are not breached. A person who breaches a reporting restriction is liable to a fine and/or imprisonment. For guidance on whether reporting restrictions apply, and to what information, ask at the court office or take legal advice.*

**(Please note that due to the poor standard of audio recording it has not been possible to produce a high quality transcript in this case)**

1. MR JUSTICE COTTER: This is the ex tempore judgment following the final hearing of a claim for injunctive relief against the various named Defendants. The injunction sought is a so-called Traveller injunction in that it prohibits the formation of unauthorised encampments and depositing of controlled waste. Interim relief was granted by Timothy Straker KC (sitting as a Deputy Judge of the High Court) on 19 March 2019. The injunction is sought against the named Defendants on a borough-wide basis for a period of five years. The injunction against the persons unknown is sought on the basis it should apply only to a list of specific sites within the borough and is sought for a period of one year. Where the injunction is sought against named Defendants, it can properly be characterised as a final injunction; whereas, following the decision of the Supreme Court in *Wolverhampton City Council & ors v London Gypsies and Travellers & ors* [2023] UKSC 47, an injunction cannot properly be so described in relation to unnamed persons unknown. In such circumstances, the injunction is a continuation of existing interim injunctions subject to future review.
2. The final hearing in this matter was listed as long ago as December 2022; however, the claim then became subject to the hearing within *Barking and Dagenham* and then the *Wolverhampton* litigation and as such, the proceedings have a complex and protracted procedural history.
3. The Defendants have not attended this hearing. In line with the guidance in the *Wolverhampton* case, organisations that represent the interests of the Gypsy and Traveller community have been notified of this hearing but have not attended. No named Defendant has formally acknowledged service or defended the claim. In respect of each of these Defendants, there is an entry within a comprehensive Scott schedule. There is no information before me by way of response to those schedules in any format from any person. Such failure to engage is in my experience (over the last 21 years of sitting in the County Court and High Court) not unusual in applications concerning injunctions such as this, save where there is a mandatory requirement in respect of

building and other works that have been undertaken by Defendants on a specific site. Nevertheless the Court must carefully consider the merits of the injunctions sought.

4. Turning to the history of the claim, an order for alternative service was granted by Dove J as long ago as 22 February 2019. On 19 March 2019, an interim injunction was made. Thereafter, in 2020, a series of orders were made by Nicklin J in relation to a number of injunctions of broadly the same nature as the interim injunction granted in this case. I need not deal with the history of the matter in any great detail, suffice to say that Nicklin J ordered that matters came before him and eventually discharged elements of the orders. The Claimants appealed his decision. The appeal was heard by the Court of Appeal and the Claimants were successful (*London Borough of Barking and Dagenham v Persons Unknown* [2022] EWCA Civ 13). Permission to appeal that was granted by the Supreme Court who heard the matter and eventually handed down judgment on 29 November 2023, refusing the appeal. This matter then became re-energised with a directions hearing on 27 March 2024 and following that, additional evidence has been served.
5. I turn to the Claimant. Nuneaton and Bedworth is a local government district with borough status. It is located in the region of Warwickshire and is one of five boroughs or districts within the area. It is the smallest in size at just under 80 km<sup>2</sup> but has the second largest population at something over 125,000. Indeed, it is the most densely populated area of the county. Largely urban in character, the borough has two market towns, Nuneaton and Bedworth. The second Claimant is the relevant local higher authority.
6. As for a factual overview, between April 2015 and the end of 2018, the Claimant experienced 103 unauthorised encampments within the Borough. The encampments caused significant nuisance for businesses and local inhabitants with sites targeted including green space areas, business sites, sports and recreation areas, car parks and sites close to schools. Sadly, the occupation of these sites has been accompanied by criminal damage, fly-tipping, commercial and domestic waste, antisocial behaviour, and the leaving of human and animal waste. There have been very significant remedial costs incurred due to the risk to public health arising from the state of the sites as left. It is pointed out by Ms Bolton that several of the encampments were very large with

a significant amount of human and animal activity with the amount of excrement left upon vacation of the site significant. A number of sites have been close to sports, recreation areas and schools.

7. The evidence served confirms that where Travellers have been approached by members of the public and officers, there have been at times serious threats of violence and intimidation. Travellers' conduct has also led to school closures and other adverse impacts on schools.
8. The Claimants' have attempted to manage these encampments through the issue of section 77 notices pursuant to the Criminal Justice and Public Order Act 1994 requiring the Defendants to leave the land. Police have also exercised their powers under section 61 of the same Act also directing the Defendants to leave the land. But the practical reality is that these powers have proved ineffective in resolving the issue and on many occasions it has simply served only to move the encampment from one site to another close by; necessitating the whole process to start all over again.
9. The geographical spread of encampments is shown on maps and exhibited in evidence and was explained in the witness statements of Mr Philip Richardson and Waheeda Sheikh. There are now 142 sites chosen for specific protection against persons unknown and these are sites which have been or are likely to be targeted by unauthorised encampments. The order sought on an interim basis does not extend to a borough-wide ban in relation to the persons unknown; it is rather limited to specific sites. A borough-wide order is sought in relation to the named Defendants. However in either case, it does not prohibit lawful encampments or prohibit encampments in any way not covered by the specific terms of the proposed order.
10. As regards the named Defendants, the order sought is for relief against 33 named Defendants. It has been confirmed that many of the relevant encampments concerned have involved these individuals, this being ascertained through vehicle checks. The Scott schedules set out the details of the relative involvement of these Defendants within the encampments and those details do not need to be repeated in detail within this judgment. However, it is worthy of note, as confirmed by PC Strutton at paragraph 6 of his witness statement of 1 September 2021, that as regards of all the

encampments suffered by the Claimant, it is the named individuals and their families who have had the greatest impact. The Claimant submits that it has not been possible to identify all of those who have to date unlawfully camped on these sites; and, further, it is more likely than not that but for the existence of the injunction, the Defendants would continue to form unauthorised encampments on/within the Claimant's land.

11. The statement of 15 February 2019 of Robert Watson, the Environmental Health Officer, speaks to the hazard of human faeces left at the identified sites. This is of significance as, when submissions were made in relation to the power of arrest, it was stated that not only was there threatened, and indeed actual, violence associated with the encampments, but they also posed a significant risk to human health. In that regard, reliance is placed upon the statement of Mr Watson and others as regards the state in which the sites were left. It is, I observe, difficult to understand the thought processes of those who leave a site in such a state.
  
12. The statement of Carol Ingleston, 15 February 2019, the Technical Officer in private sector housing, outlines the nature and extent of the encampment issues. She says that since 2014, at the time of her statement, there had been about 80 unauthorised encampments consisting of vans, cars and caravans for a total of 419 days. They were often in public open spaces, recreation grounds and car parks. She said that orders under section 77 of the 1994 Act had been sought on 44 occasions. She noted that since January 2018 alone, there had been 24 unauthorised encampments, 13 of which were made up of the family of, and related to, the First Defendant. She noted that, in relation to section 77 orders, the persons subject to the order tended to simply move on to another site, leaving the site to be cleaned up. She gave an indication of the costs of cleaning individual sites. For example, one site on 6 August 2018 cost in the region of £3000: that was in Gala Field; caravans having been on site. She pointed out that the Corcoran family, that being the family of and related to the First Defendant, have cost the council over £16,000 so far in 2019. She also pointed out that the council had spent over £64,000 in the period between 2012 and 2015 trying to prevent inappropriate access to council-owned land. She gave a breakdown of the encampments and pointed out that of the 28 sites targeted over the last three and a half years, 64 per cent had been targeted more than once.

13. Philip Richardson has compiled several statements for the purposes of this litigation, most importantly for the purposes of this hearing the first and the sixth. He is the director of arts, leisure and recreation. His first statement, 19 February 2019 supported the grant of the interim injunction. He pointed out that, as at that stage, since 2015, there had been 103 unauthorised encampments: 18 on Borough Council land, six on County Council land, and 17 on private land. He gave a list of sites; that is the list of sites that is appended to the draft order sought at this hearing. He pointed out that encampments can have consisted of between one and 45 caravans and associated vehicles; also, that entry onto the site was very often late night and early morning with locks and fences broken. He annexed by way of example photographs showing a fence being broken down. He also pointed out that many sites are adjacent to schools, businesses and leisure centres, all of which have been affected. He too set out details of fly-tipping, littering and defecation. He pointed out that in October 2018 at a full council meeting on the issue, a motion was passed to seek an injunction.
  
14. As regards the First Defendant, he pointed out that there had been engagement with him and his family with offers made of limited facilities to afford short stays but these had been rejected. Indeed, the response had been threats. He also referred within the witness statement to intimidation. It is a section of the statement that Ms Bolton refers to in support of her submission that there should be a power of arrest. It says as follows:

“The witness statement of Sergeant Andrew Scrutton details many instances of threatening and intimidating behaviour to members of the business community and public, including children using play areas.”

He then goes on to outline a number of incidents concerning various locations where there had been threats and indeed assaults, including Travellers’ dogs biting others. Sadly, there have been incidents of verbal abuse, bricks thrown at properties, cars jumped on, and buildings attacked.
  
15. There is reference to the witness statement of James Collins of the new community centre, its co-ordinator, who confirms that he was assaulted and had his teeth knocked out in an assault by a member of the encampment. He was unable to identify a single individual amongst the group present. The witness statement of a community centre

administrator at Keresley Community Centre who wishes to remain anonymous (I pause to observe, understandably in the circumstances) also records threats of violence being made with a bladed weapon when an attempt was made to obstruct the group of Travellers trying to gain entry to a site. The witness statement sets out numerous incidences of threats, intimidation and also violence by individuals and also through the use of animals.

16. There is a statement of Martin Stevens of 27 February 2019 within which he sets out in a spreadsheet details of the encampments and the particular concerns that were felt in relation to the effects on the school land. He also set out the details of the site provision for Gypsies and Travellers as of February 2019: there were 67 pitches at three permanent sites and also seven transit sites together with some privately owned sites.
17. Catherine Martin in her witness statement sets out the details of relevant planning considerations and annexed the local planning's relevant details. She pointed out that there had been an assessment of the recommendation of a need for 39 permanent pitches and five transient pitches.
18. There is a significant degree of detail within the witness statements of PS Scutton of Warwickshire Police. He has set out the unauthorised encampments and the associated antisocial behaviour, threats, abuse, damage and theft. The litany of poor behaviour has been detailed in what have been referred to as the "Scutton reports".
19. In his fourth witness statement, Mr Richardson pointed out that the interim order did not prevent Defendants from entering the area of the First Claimant or from encamping lawfully on authorised sites or indeed in accordance with the ongoing policy in relation to negotiating stopping; such being of particular use where there are identifiable welfare needs at the assessment. He annexed the emergency stopping places policy.
20. Mr Richardson, by an updated statement of 27 July 2022, updated the position in relation to the First Claimant, indicating that since the interim injunction the Claimant had been able to manage encampments by speaking to people concerned and they had moved on swiftly. He says that the injunction had reduced the number of

encampments and also reduced the length of any encampments. He also pointed out that the First Defendant had undertaken a review of Gypsy Traveller site arrangements in 2021 and there had been new assessments identifying the 16 pitches. A plan had been put in place to go up to as far away as 2037, setting out the details of what was required. There was a further witness statement from Caroline Ingleton updating the picture since the interim injunction on 9 March 2019. She reported that since then, there have been six unauthorised encampments on sites covered by the injunction for 11 days. In his second witness statement of PS Strutton, referred to the fact that a significant amount of the involvement in encampments of vans has involved the First Defendant and associated family members.

21. Martin Stein has provided a witness statement of 24 June 2022 stating that since the interim injunction, there has been a considerable reduction in unauthorised encampments on land owned by the second Claimant, indeed virtually none.
22. There is an initial witness statement from John Bosworth of the Ambleside Community Sports Club which supports the application for its site.
23. Ms Sheikh, in a witness statement of 30 September 2024, she being the solicitor for the First Claimant also updated the picture since the witness statements. She stated that since June 2022, there had been 17 encampments, six on the First Claimant's land, three on Warwickshire County Council land, and eight on private land. There have been up to 15 caravans involved in the relevant encampments which has been in the main on land covered by the injunctions. She gave an example of the continuing difficulties experienced: an encampment between 11 and 20 September 2023 at Middlemarch Recreation Ground. Twenty caravans and associated vehicles entered the land. It required an order from the magistrates' court and the vehicles all left. What was left behind was fly-tipping, refuse, human waste and, during the period of the encampment, there had been antisocial behaviour and nuisance caused by dogs. The cost of the cleaning was just over £6000. This was an example of the continuing behaviour that would occur, Ms Bolton submitted, were an injunction not to be granted. Overall, Ms Sheikh said that the existence of the injunction has reduced the number of encampments and also their duration. She referred to the plan which Mr Richardson had referred to in relation to Gypsy and Traveller allocations and said that it had now

been approved after public examination before a planning inspector. It was approved by the council on 17 January 2024. This ensures an adequate five years' supply of spaces. This is also an ancillary negotiated stopping policy as an alternative to transit pitches.

24. By way of summary, of what I have set out between April 2015 and the end of 2018, the Claimants experienced 103 unauthorised encampments. There were then at least 12 encampments between grant of the injunction in March 2019 and June 2022; and since June 2022, a further 17 encampments. In relation to these encampments, there are relevant details on Scott schedules in respect of the named Defendants.
25. I turn to the legal framework. I can take this shortly. The Claimants sought and obtained two injunctions pursuant to section 222 of the Local Government Act 1972 and section 87B of the Town and Country Planning Act. The court's ability to grant an injunction is a discretionary one, and that discretion is not fettered (see *South Buckinghamshire District Council v Porter & ors* [2003] UKHL 26), but must be exercised judicially. As for the power of arrest, where injunctions are granted under section 222, power of arrest may be attached pursuant to the Police and Justice Act 2006, section 27. That section provides that:

“If the court grants an injunction which prohibits conduct which is capable of causing nuisance or annoyance to any person it may ... attach a power of arrest [provided that the following requirements are met]:

“... [T]he local authority applies to the court and the court thinks that either (a) the conduct mentioned consists of or includes the use or threatened use of violence, or (b) there is a significant risk of harm to the person[s] mentioned in [the] subsection.”

26. I turn now to the judgment of *Wolverhampton City Council v London Gypsies and Travellers* and others. It is not necessary for me to set out the detail of analysis of the Court of Appeal or indeed the lengthy analysis of the judgments in the Supreme Court. Suffice to say that in dismissing the appeal, the Supreme Court found that timely injunctive relief can be granted against newcomers and persons unknown. The court examined many features of injunctions of this type and gave valuable guidance as to how the court should approach an application such as the present one. Specifically, the court set out at [167] that:

“[Whilst] there is no immovable obstacle in the way of granting injunctions against newcomer Travellers, on an essentially without notice basis, regardless of whether in form interim or final, ... this by no means leads straight to the conclusion that they ought to be granted, either generally or on the facts of any particular case.”

I pause to observe what the court necessarily required, as has taken place in this case, is evidence placed before the court to allow a detailed analysis of the merits of the individual application. The Lordships concluded that:

“[An injunction was] only likely to be justified as a novel exercise of an equitable discretionary power if:

“(i) There is a compelling need, sufficiently demonstrated by the evidence, for the protection of civil rights (or, as the case may be, the enforcement of planning control, the prevention of anti-social behaviour, or such other statutory objective as may be relied upon) in the locality which is not adequately met by any other measures available to the applicant local authorities (including the making of byelaws). This is a condition which would need to be met on the particular facts about unlawful Traveller activity within the applicant local authority’s boundaries.

“(ii) There is [sufficient] procedural protection for the rights (including Convention rights) of the affected newcomers, sufficient to overcome the strong prima facie objection of subjecting them to a without notice injunction otherwise than as an emergency measure to hold the ring. This will need to include an obligation to take all reasonable steps to draw the application and any order made to the attention of all those likely to be affected by it ...; and the most generous provision for liberty (ie permission) to apply to have the injunction varied or set aside, and on terms that the grant of the injunction in the meantime does not foreclose any objection of law, practice, justice or convenience which the newcomer so applying might wish to raise.

“(iii) Applicant local authorities can be seen and trusted to comply with the most stringent form of disclosure duty on making an application, so as both to research for and then present to the court everything that might have been said by the targeted newcomers against the grant of injunctive relief.

“(iv) The injunctions are constrained by both territorial and temporal limitations so as to ensure, as far as practicable, that they neither outflank nor outlast the compelling circumstances relied upon.

“(v) It is, on the particular facts, just and convenient that such an injunction be granted. It might well not for example be just to grant an injunction restraining Travellers from using some sites as short-term transit camps if the applicant local authority has failed to exercise its power or, as the case may be, discharge its duty to provide authorised sites for that purpose within its boundaries.”

The practical application of those principles was considered in detail by the Lordships and I shall return to the analysis in due course.

27. Ms Bolton submitted that the Court should consider and apply principles that apply to the grant of precautionary relief. However, as I observed that the relief is not purely precautionary because there have been a number of wrongs resulting harm. The reality is that what the Claimants seek here is to prevent reoccurrence. Nevertheless, it is in my judgment, right to have regard to the guiding principles for precautionary relief as set out by Marcus Smith J in *Vastint Leeds BV v Persons Unknown* [2018] EWHC 2456, the analysis having been approved subsequently by the Court of Appeal in the *London Borough of Barking and Dagenham*. It is not necessary to set out in detail the full analysis of Marcus Smith J. He did, however, within his relevant propositions, set out as follows:

“When considering whether to grant a *quia timet* injunction, the court follows a two-stage test:

“(a) First, is there a strong probability that, unless restrained by injunction, the Defendant will act in breach of the Claimant’s rights?

“(b) Secondly, if the Defendant did an act in contravention of the Claimant’s rights, would the harm resulting be so grave and irreparable that, notwithstanding the grant of an immediate interlocutory injunction (at the time of actual infringement of the Claimant’s rights) to restrain further occurrence of the acts complained of, a remedy of damages would be inadequate?

“(4) There will be multiple factors relevant to an assessment of each of these two stages, and there is some overlap between what is material to each. Beginning with the first stage – the strong possibility that there will be an infringement of the Claimant’s rights – and without seeking to be comprehensive, the following factors are relevant:

“(a) If the anticipated infringement of the Claimant’s rights is entirely anticipatory – as [it was in that case] – it will be relevant to ask what other steps the Claimant might take to ensure that the infringement does not occur.

...

“(b) The attitude of the Defendant or anticipated Defendant ...”

He also pointed out that:

“(5) Turning to the second stage, it is necessary to ask the counterfactual question: assuming no *quia timet* injunction, but an infringement of the Claimant’s rights, how effective will a more-or-less immediate interim injunction plus damages in due course be as a remedy for that infringement?”

28. The principles in both *Wolverhampton* and *Vastint* were considered by Butcher J in the case of *Rochdale Metropolitan Borough Council v Heron & ors* [2024] EWHC 1653. In that matter, Butcher J was considering a position akin to that faced by the court in this application in that the Claimant was also a respondent to the *Wolverhampton* appeal, also seeking a borough-wide order against the named Defendants, and a site-specific order against persons unknown, and also sought an order in circumstances where there had been no engagement by the Defendants. I will return to this judgment in due course.
29. I turn now to the merits of the application before me, having regard to the evidence and principles which I have outlined. I turn first, to what was set out in *Wolverhampton*, as an overarching principle that must guide the court at all stages of its consideration. The Supreme Court held that:

“There must be a strong probability that a tort or breach of planning control or other aspect of public law is to be committed and that this will cause real harm.”

There can be no doubt on the evidence before me of a compelling justification for a remedy. The evidence amply shows that unless restrained, there is highly likely to be further encampments upon the relevant sites and also on a borough-wide basis, which would cause significant damage to the Claimant in terms of financial obligation and also to those directly affected in respect of whom it has duty (being people who own or live by the land affected).

30. It is stated at [188] to [217] of *Wolverhampton* that the court should have three preliminary questions in mind: firstly, whether the local authority has complied with its obligations to consider and provide lawful stopping places for Gypsies and Travellers; secondly, whether the local authority has exhausted all reasonable alternatives, including whether it has engaged in a dialogue with the Gypsy and Traveller communities to try to find a way to accommodate their nomadic lifestyle by giving them time and assistance to find alternative or transit sites, or indeed permanent

accommodation; third, whether the local authority has taken steps to control or prohibit unauthorised encampments and related activities by using the other measures and powers at its disposal.

31. The evidence to which I have referred in brief overview, amply supports the case in respect of all of those preliminary questions. The Claimants have established that there is provision for Travellers in the Borough, both permanent and transit, and that it operates a relevant and appropriate policy, the Dealing with Unauthorised Encampments Protocol 2017. As Ms Sheikh was able to say at [23] of her witness statement, that the Council has in place a suitable plan that supplies transit plots for Gypsy and Traveller communities for the next five years as well as a good working relationship with other local authorities and Warwickshire Police to agree a negotiated stopping policy and standard agreement that would benefit both the settled and the travelling communities when in the Borough. A final injunction order would assist the Council in taking a proportionate approach to the effective management of unauthorised encampments and would be used only as necessary as demonstrated earlier.
32. Turning to reasonable alternatives, I am satisfied that the Claimants have explored and exhausted all reasonable measures prior to seeking injunctive relief. It is plainly and simply the case that such steps have proved inadequate.
33. Regarding engagement with the Gypsy and Traveller communities, as I have indicated, the relevant organisation has been notified of these proceedings and the named Defendants, have made up a significant proportion of the relevant encampments but there has been no engagement or representation on the submissions made or at this hearing.
34. As for attempts to control or obtain enforcement by other measures, attempts have been made, indeed significant costs incurred, but they have also proved ineffective.
35. Turning to the procedural protection required for an injunction such as this, as identified by the Supreme Court in *Wolverhampton*, there will be relevant notice

provisions concerning the injunction and what has been referred to as “generous” liberty to apply provisions.

36. I turn to the territorial and temporal limitations. The order sought bears in mind the detailed analysis of the Lordships in *Wolverhampton*. In that case, it was indicated that the court had considerable doubt as to whether it could ever be justifiable to grant an injunction such as this directed at persons unknown for significantly more than a year. Here, the order sought is limited to a year. Further, an injunction which extends borough-wide is likely to lead Gypsy and Traveller communities with “little or no room for manoeuvre”. However, here, the position is that in relation to persons unknown, it is only limited sites to which the injunction applies. I am satisfied that the order sought is proportionate to the unlawful activity to which it is directed and that the order ensures that there is a review within a year.
37. As to territorial limits, it is right to observe that in relation to the named Defendants, the order sought is borough-wide. That still in my view amounts to a proportionate approach to matters that have occurred to date.
38. I now finally turn to the matter of whether or not it is just and convenient to grant the injunctive relief. The Supreme Court gave an example where it may not be; where the Local Authority has failed to comply with its duties in relation to the provision of sites for members of the travelling community or indeed has failed to engage with the community. However, in the present case, there is substantial evidence to show that the Claimants have recognised and sought to comply with their obligations and engage with the community to the extent that the community has been willing to engage with them.
39. As for the final procedural matters outlined by the Supreme Court, it is necessary that the order must be defined as precisely as possible to identify the persons who may be caught by it; I have no doubt that that is the case here. Thirdly, the injunction should be clear and precise, using everyday terms when setting out the acts that it prohibits; and such acts must correspond as closely as possible to the actual threat and unlawful conduct and extend no further than that which is minimally required to achieve the purpose. Again, I am satisfied that that is the case here.

40. Turning to the named Defendants, I am also satisfied that, on the evidence before me, it is just and convenient to grant an injunction.
41. I turn now to some further issues; firstly, the undertaking in damages. As to the question of a cross-undertaking in damages, it is often the case that in proceedings such as these brought by a Local Authority for the court not to require an undertaking in damages (see *Kirklees Metropolitan Borough Council v Wickes Building Supplies Ltd* [1993] AC 227). As to the question of a cross-undertaking, I note and respectfully agree with the analysis of Butcher J in *Rochdale NBC v Heron*. I accept there is no reason here to depart from the position that I have outlined and to require the Claimants to give an undertaking in damages. No undertaking in damages has been required in these proceedings to date. In so doing, I take into account that the First Claimant is responsible for the enforcement of planning control in the Borough and in the absence of the First Claimant taking action, no other person can or will take action to enforce the breaches of planning control.
42. Secondly, as regards article 8 rights, it is difficult to see how there can be infringements as to rights of a home of any Defendant, or unidentified member of the Gypsy and Traveller community, for the very reason that it is difficult to have a home on land owned by another, as identified by the Court in *London Borough of Barking and Dagenham*. To the extent that there is an interference with the right to a family and private life, that right is in any event qualified and must be balanced against the rights of others. In my opinion, the injunction is unlikely to cause a material loss that cannot be compensated by damages.
43. I turn finally to the *Vastint* multifactorial test. I am satisfied that the requirements as outlined by Marcus Smith J have been satisfied. I should point out that the reduction in incidents of encampments since the grant of the injunction was not taken as a reason to refuse final injunctive relief; rather, it is indicative of a success of the interim order as outlined by Ms Sheikh and indeed Mr Richardson. As the Claimant reasonably, justifiably and realistically contends without the injunction further encampments would be highly likely.

44. Finally, I turn to the issue of power of arrest. I have considered this matter carefully in light of the many significant difficulties that can arise for Defendants subject to the exercise of such power. I am satisfied on the evidence of Sgt Scrutton, as outlined and referred to by Mr Richardson in his witness statement, that there has indeed been violence and threatened violence such as to justify a power of arrest to be attached to this order. I was, on reading the papers, somewhat more dubious about Ms Bolton's submission in relation to there being a significant risk of harm to individuals arising from human waste such as to satisfy the second limb in the event that the first limb was not satisfied. However, on the evidence in this case, due to the size of the encampments, the positioning juxtaposed to leisure services, if not on leisure services, and/or schools or other places to which the public have access; and the sheer amount of human and animal waste created within these encampments I am satisfied as to the existence of a significant risk of harm. However, in this case, that is very much a secondary limb because, as set out within the witness statements, there have been very serious incidents of violence and threats of violence related to these encampments.
45. For the reasons that I have set out, I therefore grant the injunction in the terms sought.

**Epiq Europe Ltd** hereby certify that the above is an accurate and complete record of the proceedings or part thereof.

Lower Ground, 46 Chancery Lane, London WC2A 1JE

Email: [civil@epiqglobal.co.uk](mailto:civil@epiqglobal.co.uk)

**This transcript has been approved by the Judge**

Amended under the slip rule CPR 40.12 by The Honourable Mr Justice Cotter

**IN THE HIGH COURT OF JUSTICE**  
**KING'S BENCH DIVISION**  
 Before the Honourable Mr Justice Cotter

**Claim No. QB-2019-000616**



QB-2019-000616

**BETWEEN:**

**(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**

---

**ORDER**

---

**IF YOU, ANY OF THE ABOVE DEFENDANTS (WHETHER NAMED OR NOT), 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 Claimants' Claim seeking injunctive relief pursuant to the Local Government Act 1972, s222 and the Town and Country Planning Act 1990, s187B to restrain unauthorised encampments in the Borough of ~~Test Valley~~ Nuneaton and Bedworth.

**AND UPON** hearing Caroline Bolton and Natalie Pratt of counsel for the Claimants, and no Defendant appearing or being represented

**AND UPON** the Court being satisfied that the Defendants have been served with both the Claim Form and the notice of this hearing

### **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 a Judge of the High Court within a period of 24 hours beginning at the time of their arrest. For the purposes of this requirement, a remote hearing will suffice;
- 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 December 2029**, the 1<sup>st</sup> to 13<sup>th</sup> (inclusive), 15<sup>th</sup> to 17<sup>th</sup> (inclusive), 20<sup>th</sup> to 23<sup>rd</sup> (inclusive), 25<sup>th</sup> to 27<sup>th</sup> (inclusive), 29<sup>th</sup> to 33<sup>rd</sup> (inclusive), 35<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup>, 41<sup>st</sup> and 42<sup>nd</sup> Defendants (as set out at Schedule 1 to this Order) (the '**Named Defendants**' hereafter)

And

Until and including **17 December 2025**, the 54<sup>th</sup> 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 written consent 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, save for where the encampment is authorised by Written Permission from the Local Planning Authority (as defined below).
- 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 the land, 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.
- e) Depositing or causing to be deposited, Controlled Waste (as defined below) 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.

### **Power of arrest**

2. There shall be a power of arrest attached to prohibitions 1(a) to 1(e) (inclusive) of this Order.

### **Definitions**

3. In this Order, the following definitions shall apply:
  - a) The '**Land**' means:

- i. For the Named Defendants, all land within the Borough of Nuneaton and Bedworth as marked with the red outline on the map attached at Schedule 2 to this Order;
  - ii. For the 54<sup>th</sup> Defendant (Persons Unknown), all the land marked on the maps at Schedule 3 to this Order and identified by the key to the map and list of sites, and numbered 1 to 142 on that list.
- b) **'Encampment'** means the entering and/or occupying of 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. Pursuant to CPR 6.26 and 6.27, the Claimants are permitted to serve this Order on the Named Defendants by way of first-class post to the last known address of the Defendant. Service shall be deemed to have been effected on the second business day after the posting.
5. Pursuant to CPR 6.26 and 6.27, this Order shall be deemed served on the 54<sup>th</sup> Defendant (Persons Unknown) on the date when a copy of this Order (as opposed to an original) is affixed as a laminated copy or in a transparent envelope in a prominent position on all 142 sites defined as the Land in paragraph 3(a)(ii) above.

#### **C. LIBERTY TO APPLY**

6. 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 abridge time for service) 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 19 and 20 below.

#### **D. REVIEW OF THE ORDER AGAINST THE 54<sup>th</sup> DEFENDANT (PERSONS UNKNOWN)**

7. The Order against the 54<sup>th</sup> Defendant (Persons Unknown) will expire by the effluxion of time on 00:00hrs on **18 December 2025**. The Claimants may, if so advised, apply for the renewal of the Order against the 54<sup>th</sup> Defendant (Persons Unknown) (the **'Renewal Application'**). Any Renewal Application and evidence in support must be filed and served in accordance with paragraph 5 above by 4pm on **6 November 2025**.

8. A hearing shall be listed on **3 December 2025**, with a time estimate of 1 day, at which the Renewal Application shall be considered. If the Claimants do not make a Renewal Application, they must notify the Court as soon as reasonably practicable and seek to vacate the hearing.
9. Any person other than the Claimants who would like to participate in the hearing of the Renewal Application must also file and serve on the Claimants any evidence upon

which they intend to rely at the hearing of the Renewal Application by 4pm on **19 November 2025**.

### **E. COSTS**

10. The Named Defendants shall pay the Claimants' costs of the Claim on the standard basis to be assessed if not agreed. The time by which detailed assessment must be commenced is to be extended to the date of the review hearing, as set out in paragraph 8 above.
11. The Named Defendants shall each make a payment on account of costs to the Claimants in the sum of £2,817 by 4pm on 31<sup>st</sup> December 2024, the said sum being an assessment of a reasonable sum on account of costs.
12. No order as to costs against the 54<sup>th</sup> Defendant.

### **GUIDANCE NOTES**

#### **EFFECT OF THIS ORDER**

13. A Defendant who is an individual who is ordered not to do something must not do it himself/herself/themselves or in any other way. He must not do it through others acting on his behalf or his/her/their instructions or with his/her/their encouragement.
14. 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**

15. 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

16. In this Order, where there is more than one Defendant, unless otherwise stated, references to “the Defendants” means each or all of them.
17. A requirement to serve on “the Defendants” means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
18. An Order requiring the Defendants to do or not to do anything applies to all Defendants.

### COMMUNICATIONS WITH THE COURT

19. All communication to the Court about this order should be sent to Kings Bench Listing, Royal Courts of Justice, Strand, London, WC2A 2LL. The telephone number is 0203 936 8957. The offices are open between 10am and 4pm Monday to Friday. The email address is [kjudgeslistingoffice@justice.gov.uk](mailto:kjudgeslistingoffice@justice.gov.uk).
20. All communication to the Claimants about this Order should be sent to Legal Services, Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, Nuneaton CV11 5AA. The telephone number is 024 7637 6476, the email address in [legal.admin@nuneatonandbedworth.gov.uk](mailto:legal.admin@nuneatonandbedworth.gov.uk).

**Order Dated 17 December 2024**

**SCHEDULE 1 – LIST OF NAMED DEFENDANTS**

**List of Defendants and their addresses**

- (1) THOMAS CORCORAN – Plot 10 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (2) JESSICA DODDS, Plot 10, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (3) MICHAEL DOYLE, 6 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (4) LUKE DELANEY, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (5) PATRICK McGINLEY, Barn Fisheries, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (6) ALPHONSUS McGINLEY, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (7) MICHAEL STOKES, 29 Oaktree Field Caravan Site, Odstock Road, Salisbury, Wiltshire SP2 8BY
- (8) MICHAEL STOKES, 6 Horsdean Travelers Site, Braypool Lane, Patcham Brighton, East Sussex BN1 8PP
- (9) DENNIS STOKES, Plot 6 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB
- (10) DENNIS STOKES (JNR), Caravan 6 Dun Roamin Park, Whitfield, NN13 5TD
- (11) BRIAN STOKES, 12a, Orchard Drive, Smithy Fen, Cottenham, Cambridgeshire, CB24 8PT
- (12) JOHN MAUGHAN, 14 Long Green, Cressing, Braintree, Essex, CM77 8DL
- (13) TERRY MAUGHAN, 70 Exton Avenue, Luton, Bedfordshire, LU2 0LJ
- ~~(14) TERRY MAUGHAN, 10 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (15) PATRICK MAUGHAN, 12 Bashley Road Caravan Site, Bashley Road, London, NW10 6TH
- (16) OWEN MAUGHAN, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (17) OWEN MAUGHAN, 8 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(18) BERNARD CORCORAN, No Fixed Abode~~
- ~~(19) FRANCIS CORCORAN, No Fixed Abode~~
- (20) FRANCIS MAUGHAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (21) MARTIN MAUGHAN, 81 Constitution Road, Chatham, Kent, ME5 7DN
- (22) THOMAS MAUGHAN, 11 Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0SA
- (23) JOHN MONGAN, 1 Gapton Hall Road, Great Yarmouth, Norfolk, NR31 0NL
- ~~(24) MARTIN MONGAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL~~

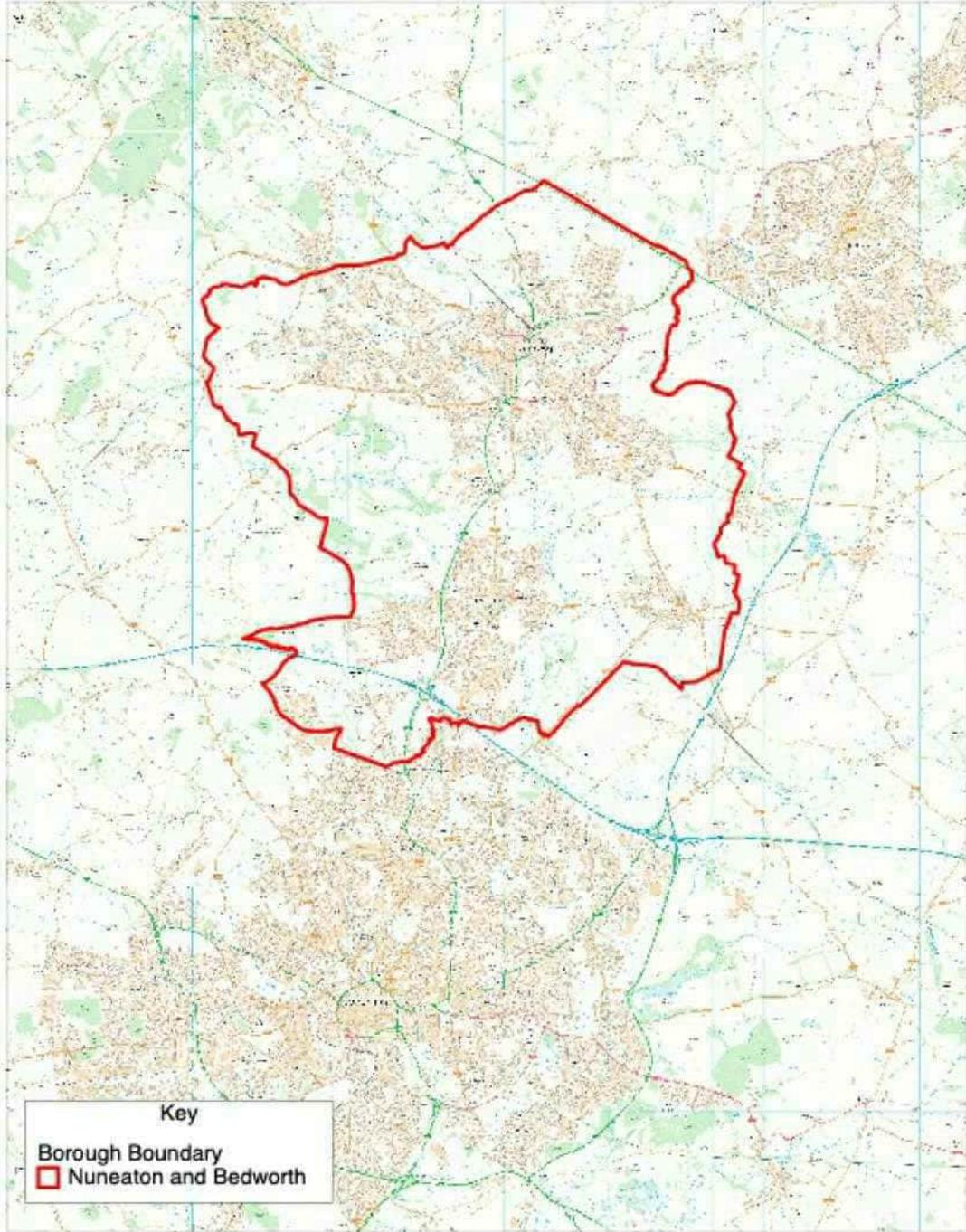
- (25) MARTIN MONGAN, 9 Limehouses, Boathorse Road, Stoke-On-Trent, Staffs ST6 4QQ
- (26) LEONARD MONGAN, 8 Pendles Paddock, Marlow Road, Stokenchurch, High Wycombe, Bucks, HP14 3UW
- (27) PAUL McDONAGH, 9 Russell Street, Derby
- ~~(28) SIMON McDONAUGH, 3 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (29) BERNARD McDONAGH, 37 Boathorse Road, Stoke-On-Trent, Staffordshire, ST7 4JA
- (30) JOHN McDONAGH, Caravan 7 Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- (31) MIKE McDONAGH, 62 De Laly Street, Ashton-On-Ribble, Preston, Lancashire, PR2 2DD
- (32) MARTIN McDONAGH, 29 Speyside Court, Orton, Southgate, Peterborough, PE2 6SN
- (33) AARON McDONAGH, 9 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- ~~(34) KATHLEEN McDONAUGH, 3 Orchard View, Horseman Side, Brentwood, Essex, CM14 5SU~~
- (35) WINNIE McDONAUGH, Caravan 14, Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- ~~(36) MARTIN WARD, 73 Mullacreevie Park, Armagh, BT60 4BB~~
- ~~(37) PAT WARD, 333 Mullacreevie Park, Armagh, BT60 4BB~~
- (38) MICHAEL WARD, Splashes, Castle Acre Road, Swaffham, Norfolk, PE37 7XE
- (39) KATHLEEN WARD, 2 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(40) ROSELEEN WARD, 6 St Agnells Lane, Hemel Hempstead, Herts, HP2 7AX~~
- (41) BERNIE SWEENEY, Kaneshill Caravan Park, 11 Botley Road, Southampton, SO19 USA
- (42) JOHN CONNORS, 2 Costalot Stables, Heath Road, Leicestershire, LE67 1DG
- ~~(43) TRACEY BROWN, 72 Lower Ecton, Ecton Lane Caravan Site, Northants NN3 5HQ~~
- ~~(44) WILLIAM BRIDGES, 16 Ling Croft, Brough, North Humberside, HU15 1TU~~
- ~~(45) TOM WARD, No Fixed Abode~~
- ~~(46) EDDIE McDONAUGH, No Fixed Abode~~
- ~~(47) EDDIE (AKA EDWARD) WARD, No Fixed Abode~~
- ~~(48) CHRISTOPHER McDONAUGH, No Fixed Abode~~
- ~~(49) WILLIAM DOHERTY, No Fixed Abode~~
- ~~(50) GERRY O'BRIEN, No Fixed Abode~~
- ~~(51) ELIZABETH O'BRIEN, No Fixed Abode~~
- ~~(52) PEARL BLAINLEY, No Fixed Abode~~

(53) — ~~FIONA WARD, No Fixed Abode~~

(54) PERSONS UNKNOWN forming unauthorised encampments within the Borough of Nuneaton and Bedworth

SCHEDULE 2 – MAP OF THE BOROUGH

Nuneaton and Bedworth Borough Boundary

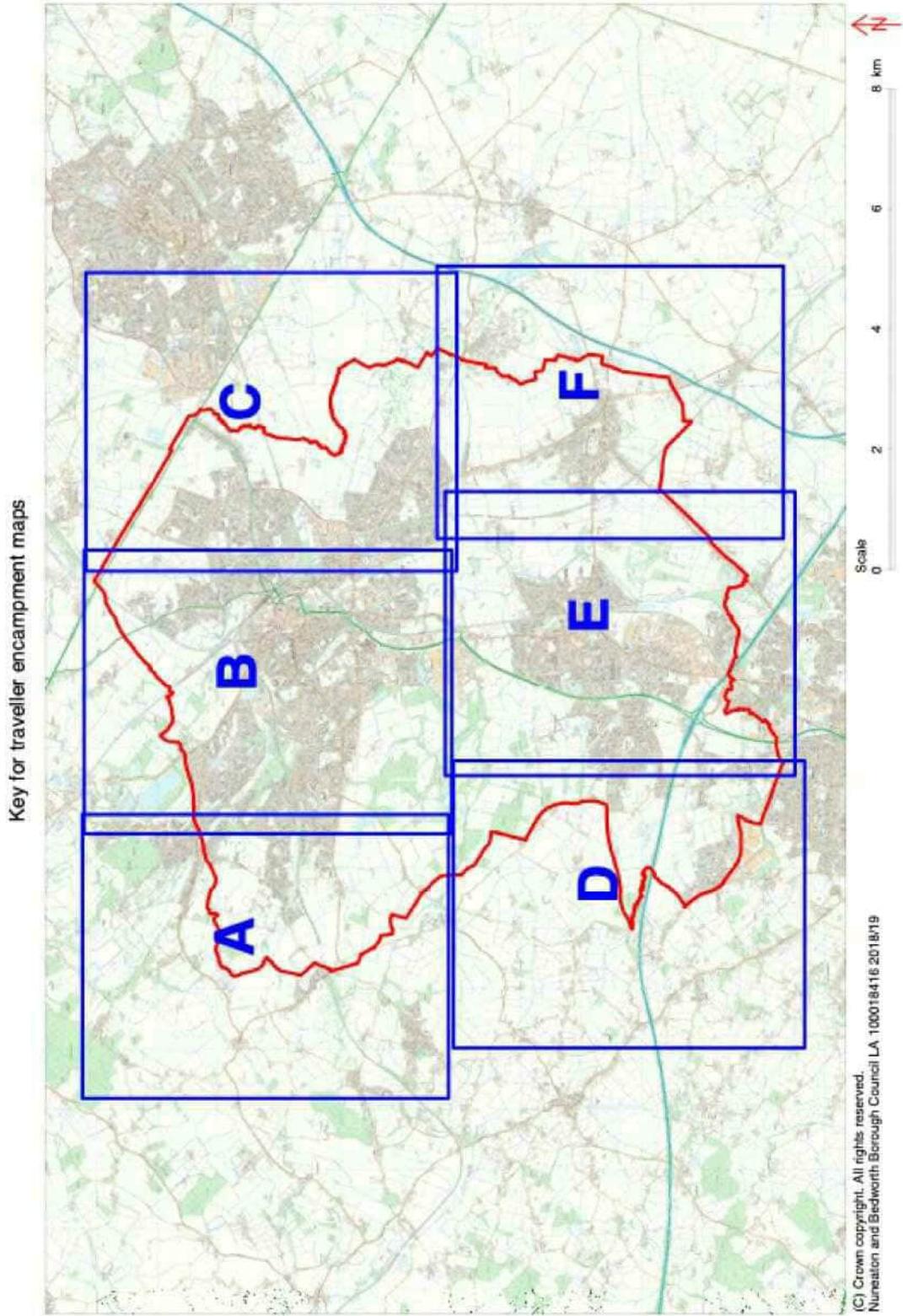


(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Not to scale

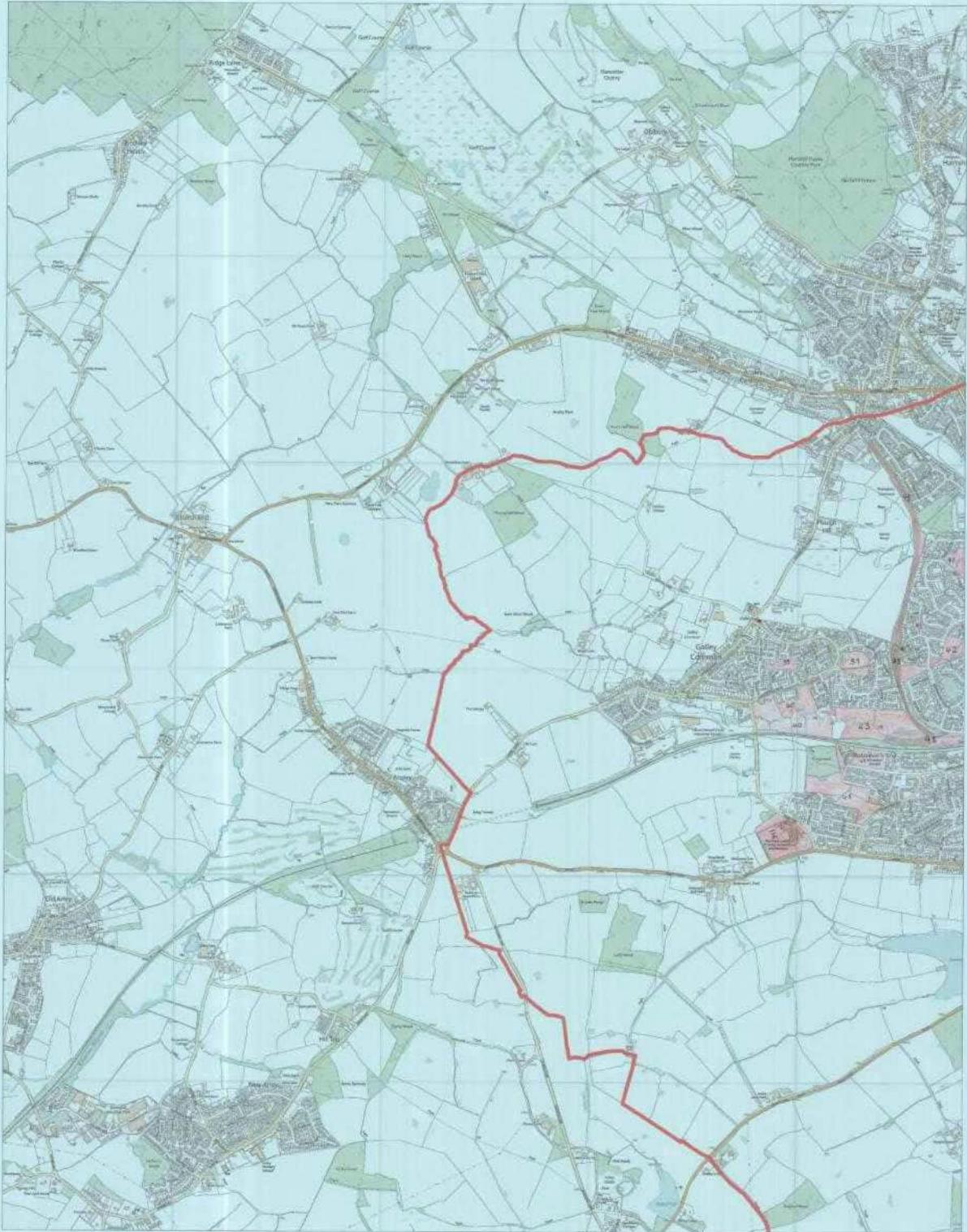


SCHEDULE 3 – LIST OF SITES AND MAP FOR PERSONS UNKNOWN



A

### Northwest Nuneaton



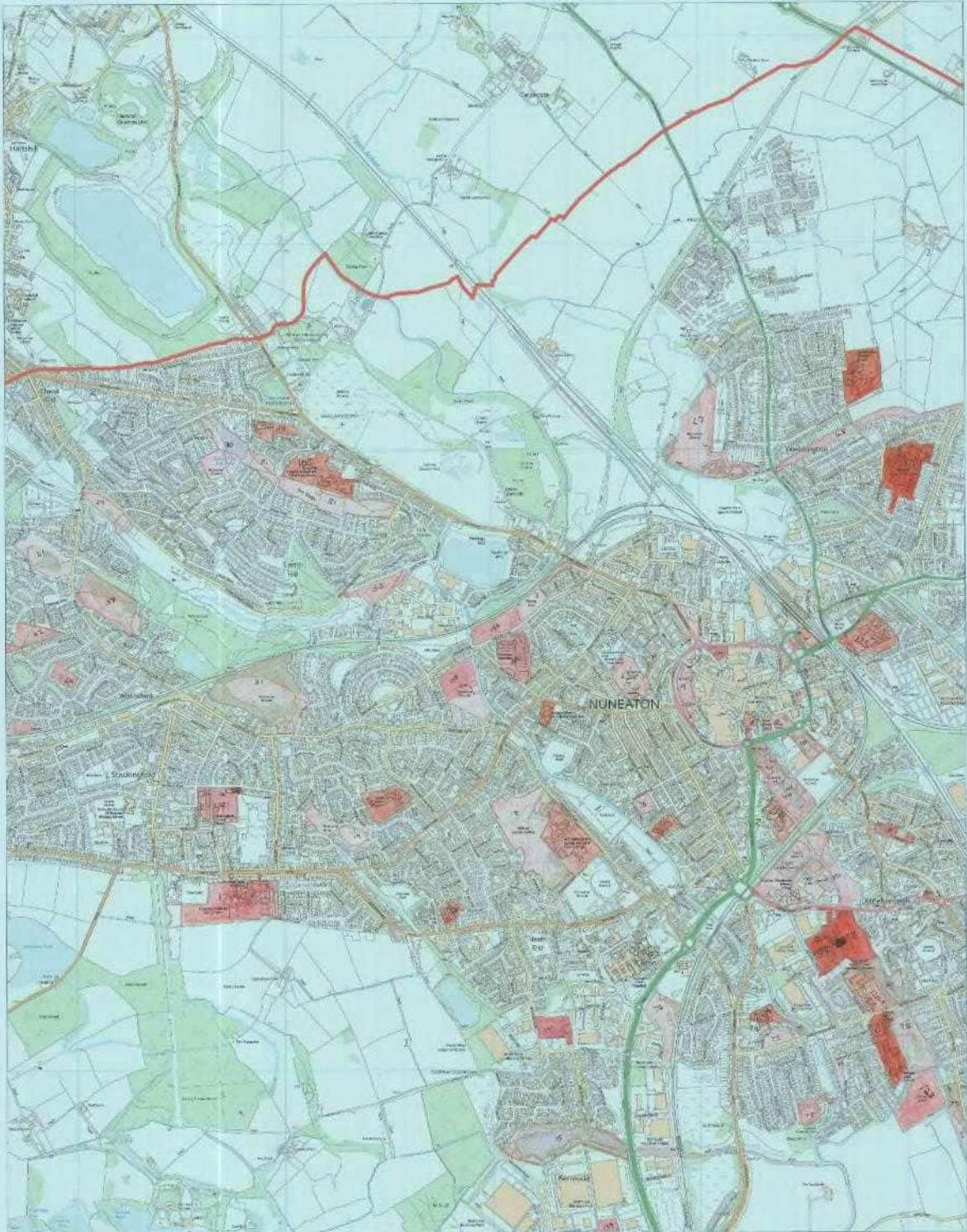
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



B

North of Nuneaton



(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m





D

Southwest Bedworth



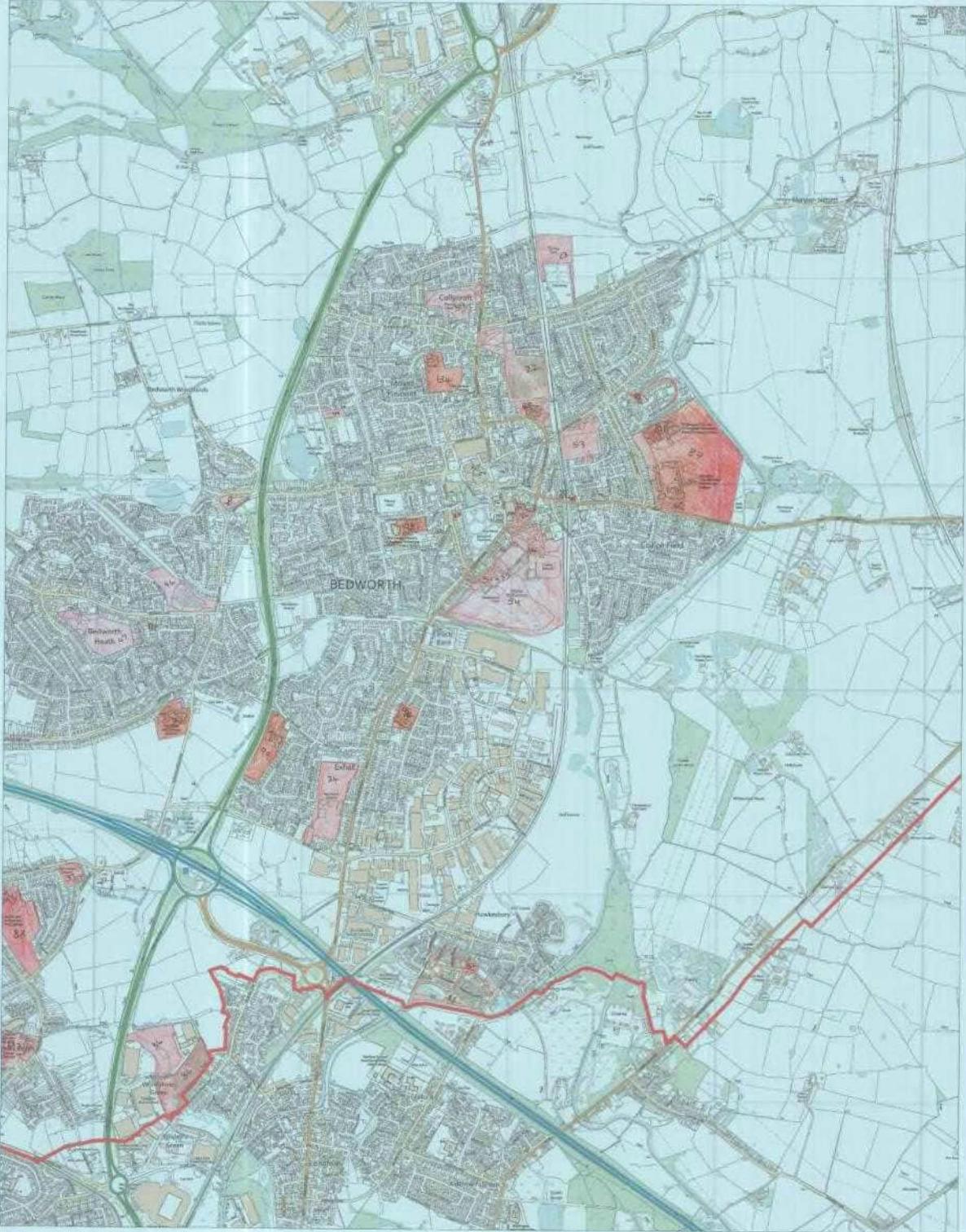
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



E

### South of Bedworth



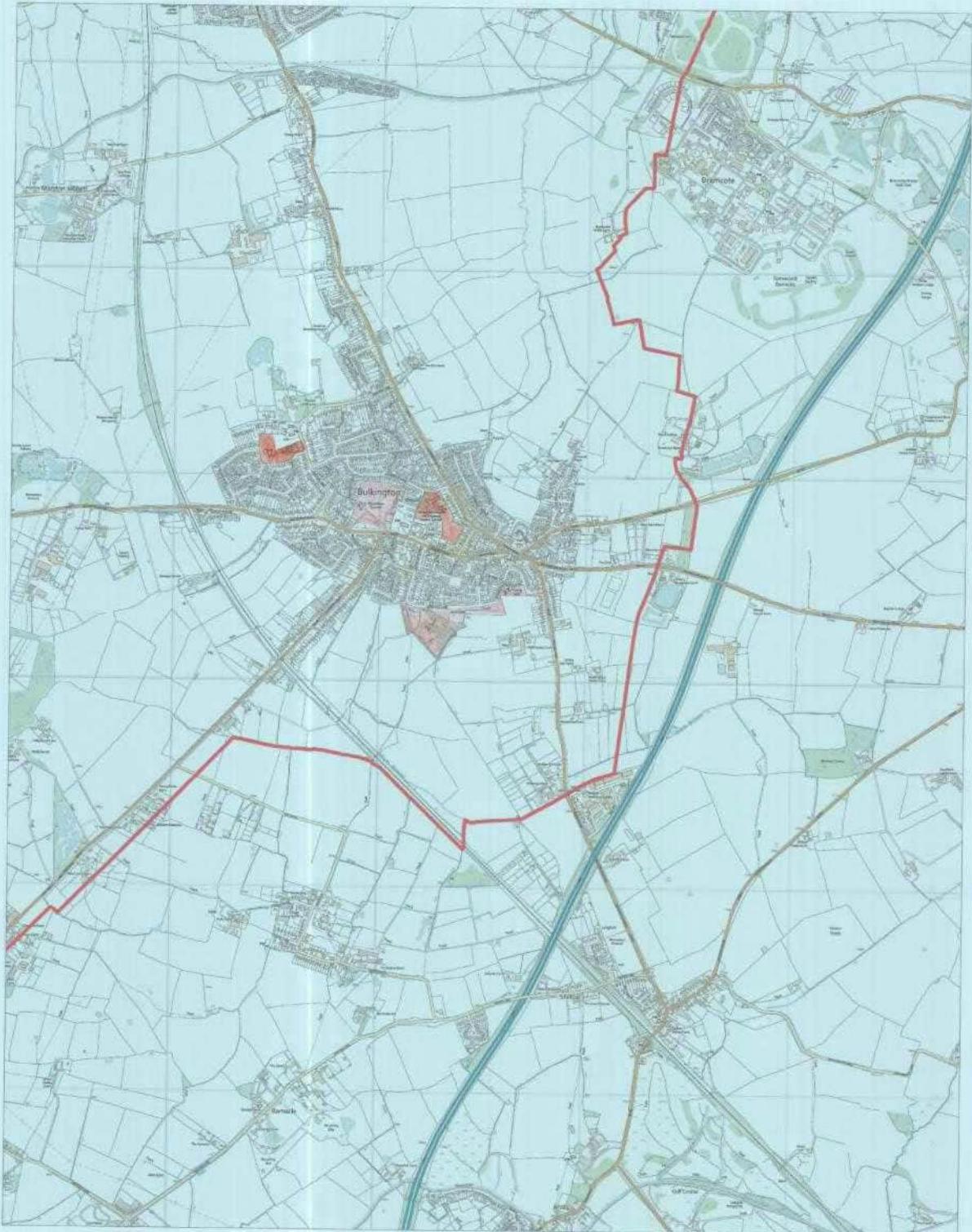
(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



F

### Southeast Bedworth



(C) Crown copyright. All rights reserved.  
Nuneaton and Bedworth Borough Council LA  
100018416 2018/19

Scale  
0 250 500 750 1000 m



SITE NUMBER	MAP SITE APPEARS ON	SITE	>5 acres	POSTCODE	Land Owner
1	B	Land on the north side of Corporation Street, Nuneaton (aka Abbey Green POS)	x		NBBC
2	B	Recreation ground lying to the north of Queens Road, Nuneaton (aka Nuneaton Recreational Ground/Pool Bank St)	✓	CV11 5PZ	NBBC
3	B	Land on the north west of Vernons Lane and land lying to the South West of Midland Road, Nuneaton (aka Stanley Road/Vernons Lane Recreational Ground)	✓	CV11 5ET	NBBC
4	B	Land being car park on the south west side of Corporation Street, Nuneaton (aka Upper Abbey Street Car Park)	x	CV11 5DG	NBBC
5	B	Victoria Street Car Park and 60 Victoria Street, Nuneaton (CV11 5RJ) (aka Victoria Street Car Park 1 and 2)	x	CV11 5QE	NBBC
6	B	Joinery works and adjacent premises fronting Regent Street, Nuneaton (aka Regent Street Car Parks 1 and 2)	x	CV11 4BW	Private
7	B	Land on the west and east sides of Vicarage Street, Nuneaton (aka Pool Bank Street Car Park)	x	CV11 5DB	NBBC
8	B	Riversley Park Clinic, Coton Road, Nuneaton, (CV11 5TY)(aka Orchard Street Car Park)	x	CV11 4BS	Private
9	B	Land and buildings on the east side of Broad Street, the north side of Queen's Road and the south west side of Abbey Street (aka Abbey Street Car Park)	x	CV11 5NE	NBBC
10	B	Land at Church Street, Nuneaton (aka Church Street Car Park)	x	CV11 4AS	NBBC
11	B	Land and buildings lying to the East of Coton Road (aka Town Hall Car Park)	x	CV11 5AA	NBBC
12	B	Land at Vicarage Street, Nuneaton (aka Justice Walk Car Park)	x	CV11 4AL	NBBC
13	B	Land at Coton Road, Nuneaton (aka Riverside Car Park)	x	CV11 5AA	NBBC
14	B	Meadow Court, Meadow Street, Nuneaton, (CV11 5JE)(aka Meadow Street Car Park)	x	CV11 5JF	NBBC
15	B	Land to the south side of Bermuda/land lying to the east and west of Coventry Road, Chilvers Coton/land on the west side of a road leading from Coventry to Nuneaton and a balancing lake and land to the south of Bermuda Road, Nuneaton (aka Bermuda Balancing Lake)	✓		NBBC
16	C	Recreation Ground at Easyboro Way, Nuneaton (aka Attleborough Recreational Ground)	✓	CV11 4PY	NBBC
17	C	Land on south side of Lutterworth Road, Nuneaton (aka Pauls Land)	✓	CV11 6QA	NBBC
18	B	Land lying to the north east of Braemer Way, Nuneaton, Land on the south west and north east sides of Greenmoor Road & Land lying to the south east side of croft road (aka Jubilee Sports Centre)	✓	CV10 7EL	NBBC
19	B	Land lying to the east of Westbury Road and Land lying to the North of Herbert Street, Nuneaton (aka Marsdale Drive)	✓		NBBC
20	B	Land at Recreation Ground, Tomkinson Road, Nuneaton	✓	CV10 8DS	NBBC
21	B	Land at Whittleford Park, Haunchwood Road Nuneaton, land lying to the north east of Haunchwood Road (aka Whittleford Park)	✓	CV10 8PY	NBBC
22	E	Land on the south side of Marston Lane, Nuneaton (aka Bailey Park)	✓	CV12 8DR	NBBC
23	E	Land on the north side of Marston Lane, Bedworth (aka Marston Lane Recreation Ground)	✓		NBBC
24	E	Spitalfields 1 and 2 (Car Park) - land lying to the east of High Street Bedworth, land on the north-west side of Rye Piece Ringway, Bedworth & Zion Chaple, High Street Bedworth	x	CV12 8NF	NBBC

25	E	Park Road (Car Park) - land on the east side of Park Road, Bedworth	x	CV12 8LH	NBBC
26	F	Barnacle Lane EA - land to the south of Barnacle Lane, Bulkington, Bedworth; land at Barnacle Lane, Bulkington, Bedworth	✓		NBBC
27	F	Land at Brewer Road, Bulkington, Bedworth and land at Eustace Road, Bulkington, Bedworth	x	CV12 9RF	NBBC
28	F	Bulkington Recreation Ground, Bedworth Road, Bulkington, Bedworth, (CV12 9PZ)	✓	CV12 9LT	NBBC
29	B	Land on the south west side of Queen Elizabeth Road, Nuneaton	✓	CV10 9DA	NBBC
30	B	Land on south east side of Green Lane, Nuneaton and land lying on the east side of Ramsden Avenue, Nuneaton (aka Stubbs Pool)	✓	CV10 9DJ	NBBC
31	B	Land and buildings on the east side of Camp Hill Drive, Camp Hill, Nuneaton and land at The Dingle, Queen Elizabeth Road, Nuneaton (aka The Dingle)	✓	CV10 9DE	NBBC
32	B	Land on the south side of Willow Road, Nuneaton	✓		NBBC
33	D	Land on the West side of Blackberry Lane, Bedworth	✓		NBBC
34	E	Heckley Recreational Ground - land lying to the north of School Lane, Exhall, Coventry	✓	CV7 9EX	NBBC
35	D	Keresley Recreational Ground - Land lying to the North East of Howat Road, Bedworth	✓	CV7 8NG	NBBC
36	E	Land lying to the North West of Rowley's Green Lane, Exhall, Coventry (aka Silverstone Drive)	✓		NBBC
37	E	St. Giles Recreational Ground - Land on the South side of Vicarage Lane, Exhall, Bedworth and Land lying to the West of St Giles Road, Exhall	x	CV7 9GZ	NBBC
38	B	Land on the east side of Bucks Hill, Nuneaton (aka Bucks Hill Marl.)	✓	CV10 9TD	NBBC
39	A	Land south-east of Hickman Road, Galley Common, Nuneaton (aka Chaucer Drive)	✓	CV10 9SD	NBBC
40	A	Nuneaton & North Works Group Riding for Disabled, Valley Road, Galley Common (CV10 9NJ) / land at Campbell Close, Nuneaton and land at Galley Common, Nuneaton (CV10 9NJ) (aka as Equestrian Centre and Fields of the Nuneaton and North Warwickshire Riding for Disabled Centre)	x	CV10 9PZ	NBBC
41	B/A	Land on the south west side of Selby Way, land on the north side of Frensham Drive and land on the north east side of Merlin Avenue, south east side of Freeland Rise, Whittleford and land lying to the West of Bucks Hill (aka Freeland Rise)	✓	CV10 9QF	NBBC
42	B/A	Land on the east and west side of Sherbourne Avenue, Whittleford, Nuneaton (aka Fernsham Drive/Poplar Tree Farm EA)	✓	~	NBBC
43	A	Land on Galley Common, Nuneaton; land at Galley Common Nuneaton and Land on the south side of Plough Hill Road, Stockingford (aka North Field)	✓	CV10 9PZ	NBBC
44	B	Land on the south side of Sherbourne Avenue, Nuneaton	x	CV10 9JH	NBBC
45	D	Land on the south side of Cardigan Road, Bedworth (aka Anderton Road POS)	✓	CV12 0HD	NBBC
46	E	Land and Buildings at Market End Farm and Orchard Farm, Smorrall Lane	✓	CV12 0GE	Private
47	E	Newdigate Recreational Ground - Land at Smorrall Lane, Bedworth	✓	CV12 0JP	NBBC
48	A	Land on the North side of Ansley Road, Stockingford (aka Grove Farm/Thorntons Way)	✓	CV10 8NN	NBBC
49	A	Kingswood Road Recreational Ground - Land on the North side of Ansley Road, Stockingford	x	CV10 9QG	NBBC
50	B	Stockingford Recreational Ground - Land on the west side of Westbury Road, Nuneaton and land on the north-east side of Grove Road, Nuneaton and land lying to the west of Nuneaton Road	✓	CV10 8JX	NBBC
51	E	Bedworth Leisure Centre - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8NW	NBBC
52	E	Land lying to the West side of Blackhorse Road, Bedworth (aka Ironbridge Way)	x	CV6 6TE	Private
53	E	Land on the North side of Bulkington Road and land on the South side of Johnson Road/Alex Wilson Centre, 34 Nuneaton Road, Bedworth (CV12 8AL) and land lying to the west of Wootton Street and land at Elizabeth Centre, Johnson Road	✓	CV12 9BH	NBBC
54	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	✓	CV12 8JT	NBBC
55	E	Bedworth Leisure Centre (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	x	CV12 8NN	NBBC
56	E	Miners Welfare Park (Car Park) - Miners Welfare Park, Rye Piece Ringway, Bedworth	x	CV12 8JT	NBBC

57	E	Bedworth Railway Station (Car Park) - Land on the north side of Bulkington Road, Bedworth	x	CV12 8JG	NBBC
58	E	Land at Arbury Avenue, Bedworth (aka Arbury Road POS)	x		NBBC
59	E	Collycroft Recreational Ground - Land lying to the east of Amos Jacques Road, Collycroft, Bedworth and land to the west of Nuneaton Road/Alex Wilson Centre 34 Nuneaton Road Bedworth and land to the west of Nuneaton Road	✓		NBBC
60	E	Land on the north and south sides of Newtown Road, Nuneaton (aka Heath Road)	x	CV12 0AL	NBBC
61	C	Land lying to the north of Buttermere Avenue, Nuneaton	✓	CV11 6EP	NBBC
62	C	Land at Horseton Grange, Nuneaton and land lying south and west of Camborne Drive, Nuneaton	x		NBBC
63	C	Land lying to the south of Hinckley Road, Nuneaton and land to the west of Clovelly Way	x	CV11 6YB	NBBC
64	C	Recreation Ground, The Long Shoot, Nuneaton, (CV11 6JH)	x	CV11 6JH	NBBC
65	C	Land at Horseton Grange and land to the south of Hinckley Road, Nuneaton (aka Tiverton Drive/Tavistock Way)	✓	CV11 6YL	NBBC
66	C	Land on the east side of Changebrook Close and land on the west and east side of Pallett Drive, Nuneaton	✓	~	NBBC
67	B	Land on the south side of Church Lane, Nuneaton (Cleaver Gardens/Sandon Fields)	✓	CV10 0HG	NBBC
68	B	Land on the north side of Brookdale Road, Nuneaton and Land on the North side of Ryde Avenue, Nuneaton (aka Coronation Walk)	✓	CV10 0BN	NBBC
69	B	Land at Bradestone Road, Nuneaton	x		NBBC
70	B	Land on the north side of Donnithorne Avenue, Nuneaton (aka Caldwell Grange)	x		NBBC
71	B	Land on the south side of Avenue Road, Nuneaton (aka Gala Fields)	✓		NBBC
72	B	Land on the north side of Avenue Road, Nuneaton (aka Heritage Centre/Pingles Showground)	✓		NBBC
73	B	Land on the north side of Donnithorne Avenue, Nuneaton and land at Knebley Crescent, Nuneaton	x		NBBC
74	B	Marlborough Road Recreational Ground - Land on the south-west side of Marlborough Road, Nuneaton	x	CV11 5PQ	NBBC
75	B	Land at Donnithorne Avenue, Nuneaton; land lying to the east of Raveloe Drive, Nuneaton; land on the east side of Marston Lane, Nuneaton and Land on the east and west sides of Marston Lane, Nuneaton (aka Marston Lane Fields)	✓	CV11 4RE	NBBC
76	B	Land lying on the north side of St Georges Way, Nuneaton and land on the North side of St Georges Way, Chilvers Coton	✓	CV10 7BX	NBBC
77	B	Riversley Park, Coton Road, Nuneaton	✓	CV11 5TY	NBBC
78	B	Land at Sorrell Road, Nuneaton	✓	CV10 7AW	NBBC
79	B	Riversley Park (Car Park) - Riversley Park, Coton Road, Nuneaton	x	CV11 5TX	NBBC
80	B	Land on the north side of Avenue Road, Nuneaton (aka Pingles Leisure Centre Car Park)	✓	CV11 4LX	NBBC
81	C	Crowhill Recreation Ground - Land lying to the east of Eastboro Way, Nuneaton	✓	CV11 6XA	NBBC
82	B	Trinity Court Flats (Car Park) - land on the West side of Highfield Road, Nuneaton	x	CV11 4PW	NBBC
83	E	Land at Acacia Crescent, Bedworth	x		NBBC
84	B	Land at Dunns Close, Nuneaton	x		NBBC
85	E	Land lying to the West of Blackhorse Road, Bedworth (aka Lymington Drive, Coventry)	x		Private
86	C	Attleborough Fields Farm, Nuneaton and Land at Slingsby Close, Attleborough Fields Industrial Estate, Nuneaton	x		WCC
87	E	Nicholas Chamberlaine School, Bulkington Road, Bedworth (CV12 9EA)	✓	CV12 9EA	WCC
88	D/E	Ash Green Sports & Arts College, Ash Green Lane, Coventry (CV79AH)	✓	CV7 9AH	Private
89	E	Race Leys Infant School, Bedworth	x	CV12 8AD	WCC
90	E	Goodyers End County First School, Bowling Green Lane, Bedworth, (CV12 0HP)	✓	CV12 0HP	WCC
91	E	All Saints Bedworth C of E Primary School and Nursery, Bedworth	x	CV12 9HP	WCC

92	F	Arden Forest Infant School - aka Land on the West side of Weston Lane, Bulkington, Bedworth	x	CV12 9RT	WCC
93	E	The Cannons C of E Primary School - aka Land and buildings on the South side of Derwent Road, Bedworth	✓	CV12 8RT	Private
94	E	Exhall Cedars Infant School - aka Land lying to the East of Coventry Road, Bedworth	x	CV7 9FJ	WCC
95	D	Keresley Newland Primary Academy and Keresley Newland School, , Grove Lane, Keresley, Coventry, (CV7 8JZ)	✓	CV7 8JZ	WCC
96	D	Newdigate Primary School and Nursery - aka Land lying to the South of Smorral Lane, Goodyears End, Bedworth and Land lying to the South of smorral Lane Bedworth	✓	CV12 0HA	WCC
97	D/E	Wheelwright Lane Primary School, Ash Green, Coventry	✓	CV7 9HN	WCC
98	E	St Francis Roman Catholic School, Nicholas Street, Bedworth	x	CV12 8JN	Private
"	"	Land lying to the North of Rye Piece Ringway, Bedworth			Private
"	"	Land on the East Side of Nicholas Street, Bedworth			WCC
99	E	St Giles Junior School Bedworth - aka Land on the South Side of Hayes Lane, Exhall, Bedworth	✓	CV7 9NS	WCC
100	F	St James Church of England School, Barbridge Road, Bulkington, Bedworth (CV12 9PF)	✓	CV12 9PF	Private
"	"	Playing fields at St. James Church of England Junior School, Barbridge Road, Bulkington, Bedworth, CV12 9PF			Private
101	E	St Michael' s Primary School, Hazel Grove, Bedworth, (CV12 9DA)	✓	CV12 9DA	Private
102	B	Land adjoining St Thomas More Catholic School and Sixth Form College, Greenmoor Road, Nuneaton, CV10 7EX	✓	CV10 7EX	Private
"	"	St Thomas More Catholic School, Greenmoor Road, Nuneaton, CV10 7EX			Private
"	"	Arbury High School, Greenmoor Road, Nuneaton			Private
103	B	Abbey Cof E Infant School, Nuneaton	x	CV11 5EL	WCC
104	B	All Saints C of E Primary School & Nursery, Knebley Crescent, Nuneaton (CV10 7AT)	x	CV10 7AT	Private
105	B	Camp Hill Primary School, aka Land to the South of Tuttle Hill, Camp Hill, Nuneaton	✓	CV10 9QA	WCC
106	C	Chetwynd Junior School, aka Land lying to the South of Gipsy Lane, Nuneaton	✓	CV11 4SE	WCC
107	B	Land at Judkins Quarry Tuttle Hill, Nuneaton (aka Recycling Centre)	✓	CV10 0HU	WCC
108	B	Chilvers Coton Community Infant School, Frank Street, Nuneaton (CV11 5RB)	x	CV11 5RB	WCC
109	B	Croft Junior School, aka Land lying to the west of Northumberland Avenue, Nuneaton	✓	CV10 8ER	WCC
110	B	Galley Common Infant School, Nuneaton	x	CV10 9NZ	WCC
111	C	Milby Primary School, aka Land lying to the East of Higham Lane, Nuneaton	✓	CV11 6JS	WCC
112	B	Glendale Infant School, aka Land on the south side of Skye Close, Nuneaton	x	CV10 7LW	WCC
113	B	Middlemarch School, Nuneaton	✓	CV10 7BQ	WCC
114	B	Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	x	CV10 8HW	WCC
"	"	Land and buildings on the south side of St Paul's Road, Nuneaton			WCC
115	B	Our Lady of the Angels Infant School and St Josephs RC First School at Coton Road, Nuneaton	x	CV11 5TY	Private
"	"	Our Lady of the Angels Infant School and St Josephs RC First School, Coton Road, Nuneaton, CV11 5TY			Private
116	A	Park Lane Primary School, Park Lane, Nuneaton (CV10 8LU) and land on the North side of Ansley Road, Nuneaton	✓	CV10 8NL	Private
"	"	Land on the North Side of Ansley Road, Nuneaton			Private
117	B	Queens County Junior and Infant School, Bentley Road, Nuneaton, CV11 5LR			Private
118	B	St Pauls C of E Primary School, Nuneaton	x	CV10 8NH	
119	B	Land at St Anne's RC Primary School, Camp Hill Drive, Nuneaton	x	CV10 0JX	Private
"	"	St. Anne's Roman Catholic Primary School, Camp Hill Drive, Nuneaton, CV10 0JX			Private
120	B	Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH	x	CV11 4QH	Private

	"	Oakwood Secondary School, Morris Drive, Nuneaton			Private
	"	Oakwood Primary School, Morris Drive, Nuneaton, CV11 4QH			WCC
121	C	Playing field adjoining St Nicholas C of E Primary School, Windemere Avenue, Nuneaton CV11 6HJ	x	CV11 6HJ	WCC
	"	Land on the East Side of Windemere Avenue, Nuneaton			Private
	"	St Nicolas C of E First School, Windemere Avenue, Nuneaton, CV11 6HJ			Private
122	B	Weddington Primary School, aka Land lying to the North East of Oakdene Crescent, Nuneaton	✓	CV10 0DR	WCC
123	B	Land at George Eliot School, Raveloe Drive, Nuneaton, CV11 4QP	✓	CV11 4QP	Private
124	B	Wembrook Primary School, aka Land on the North Side of Avenue Road, Nuneaton	✓	CV11 4LU	NBBC
125	B	Etone College, Leicester Road, Nuneaton, CV11 6AA	✓	CV11 6AA	WCC
126	B	Higham Lane School, Higham Lane, Nuneaton, CV10 0BJ	✓	CV10 0BJ	Private
127	B	Oakwood Primary and Secondary School, Morris Drive, Nuneaton, CV11 4QH	✓	CV11 4QH	WCC
128	B	The Nuneaton Academy, aka Land lying on the South of Arbury Road, Nuneaton and Nuneaton Academy, Rad	✓	CV10 7PD	WCC
129	C	North Warwickshire and Hinckley College, Hinckley Road, Nuneaton, CV11 6BH	✓	CV11 6BH	Private
130	B	King Edward VI College, King Edward Road, Nuneaton, CV11 4BE	✓	CV11 4BE	Private
131	E	Bedworth Heath Nursery School, Glebe Avenue, Bedworth, CV12 0DP	x	CV12 0DP	WCC
132	D	Exhall Grange School and Science College, Wheelwright Lane, Bedworth			WCC
	"	Exhall Grange Special School, Wheelwright Lane, Coventry			Private
	"	Land at Exhall Grange School, Wheelwright Lane, Coventry, CV7 9HP	✓	CV7 9HP	Private
133	E	Quest Academy, North Side of Griff Lane, Nuneaton	✓	CV10 7SD	WCC
134	E	Race Leys Junior School, Bedworth aka Land lying to the West of Leicester Road, Nuneaton	x	CV12 8AG	WCC
	"	Race Leys Middle School, Barton Road, Bedworth, CV12 8HG		CV12 8HG	Private
135	B	Stockingford Primary School, aka Land and buildings on the south side of St Paul's Road, Nuneaton			WCC
	"	Stockingford Junior And Infant School, Grove Road, Nuneaton (CV10 8JY)	✓	CV10 8JH	WCC
136	C	Whitstone Infant School, aka Land on the South West Side of Magyer Crescent, Nuneaton	x	CV11 4SQ	WCC
137	B	Attleborough Mills, Attleborough Road, Nuneaton (aka Holman Way)	x		Private
138	B	The Discovery Academy, aka Manor Park Community School, Beaumont Road, Nuneaton	x	CV11 5SS	Private
139	B	St Davids Way Hub, St Davids Way, Bermuda Park, Nuneaton	✓	CV10 7SD	Private
140	B	Halfords - land and buildings on the south side of Newtown Road, Nuneaton	x	CV11 5UT	Private
141	B	Bermuda Road Community Centre, Bermuda Road, Nuneaton (aka Bermuda Phoenix Centre)	✓	CV10 7HU	Private
142	C	Land on the North Side of Ambleside Way, Nuneaton CV11 6AT (aka Ambleside Community Sports Club)	✓	CV11 6AT	Private

N110A

**Power of arrest**

Name of defendant

(1) Thomas Corcoran  
(2) - (54) Others (see attached continuation sheet)

Defendant's address

See attached continuation sheet

<b>Name of court</b> High Court of Justice King's Bench Division	<b>Claim No.</b> QB-2019-000616
--	------------------------------------

**Claimant's name** (including ref.)  
(1) Nuneaton and Bedworth Borough Council  
(2) Warwickshire County Council

**Defendant's name** (including ref.)  
(1) Thomas Corcoran  
(2) - (54) Others



Date order made 17 / 12 / 2024

Name of judge The Honourable Mr Justice Cotter

**Order made under** (insert statutory provision)

Local Government Act 1972, s222

This order includes a power of arrest under (insert statutory provision)

Police and Justice Act 2006, s27

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Paragraphs 1(a) to 1(e) inclusive of the Order of the Honourable Mr Justice Cotter dated 17 December 2024 (see attached continuation sheet)

This power of arrest was ordered on 17 / 12 / 2024

and expires on the 17 / 12 / 2029

**Note to Arresting Officer**

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the 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 the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent 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.

Name of Claimant

(1) Nuneaton and Bedworth Borough Council  
(2) Warwickshire County Council

Claimant's address

Legal Services  
Nuneaton and Bedworth Borough Council  
Town Hall  
Coton  
Nuneaton CV11 5AA

Claimant's phone number

0204 7637 6476

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

Claim No. QB-2019-000616

Before the Honourable Mr Justice Cotter  
17 December 2024

**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**

---

**POWER OF ARREST: CONTINUATION SHEET**

---

**SCHEDULE 1 – LIST OF NAMED DEFENDANTS**

**List of Defendants and their addresses**

- (1) THOMAS CORCORAN – Plot 10 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB  
(2) JESSICA DODDS, Plot 10, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB  
(3) MICHAEL DOYLE, 6 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL  
(4) LUKE DELANEY, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB  
(5) PATRICK McGINLEY, Barn Fisheries, Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB  
(6) ALPHONSUS McGINLEY, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL  
(7) MICHAEL STOKES, 29 Oaktree Field Caravan Site, Odstock Road, Salisbury, Wiltshire SP2 8BY  
(8) MICHAEL STOKES, 6 Horsdean Travelers Site, Braypool Lane, Patcham Brighton, East Sussex BN1 8PP  
(9) DENNIS STOKES, Plot 6 Kirby Glebe Farm, Hartshill, Nuneaton CV10 0TB

- (10) DENNIS STOKES (JNR), Caravan 6 Dun Roamin Park, Whitfield, NN13 5TD
- (11) BRIAN STOKES, 12a, Orchard Drive, Smithy Fen, Cottenham, Cambridgeshire, CB24 8PT
- (12) JOHN MAUGHAN, 14 Long Green, Cressing, Braintree, Essex, CM77 8DL
- (13) TERRY MAUGHAN, 70 Exton Avenue, Luton, Bedfordshire, LU2 0LJ
- ~~(14) TERRY MAUGHAN, 10 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (15) PATRICK MAUGHAN, 12 Bashley Road Caravan Site, Bashley Road, London, NW10 6TH
- (16) OWEN MAUGHAN, 7 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (17) OWEN MAUGHAN, 8 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(18) BERNARD CORCORAN, No Fixed Abode~~
- ~~(19) FRANCIS CORCORAN, No Fixed Abode~~
- (20) FRANCIS MAUGHAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- (21) MARTIN MAUGHAN, 81 Constitution Road, Chatham, Kent, ME5 7DN
- (22) THOMAS MAUGHAN, 11 Kanes Hill Caravan Site, Botley Road, Southampton, SO19 0SA
- (23) JOHN MONGAN, 1 Gapton Hall Road, Great Yarmouth, Norfolk, NR31 0NL
- ~~(24) MARTIN MONGAN, 14 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL~~
- (25) MARTIN MONGAN, 9 Limehouses, Boathorse Road, Stoke-On-Trent, Staffs ST6 4QQ
- (26) LEONARD MONGAN, 8 Pendles Paddock, Marlow Road, Stokenchurch, High Wycombe, Bucks, HP14 3UW
- (27) PAUL McDONAGH, 9 Russell Street, Derby
- ~~(28) SIMON McDONAGH, 3 Thistle Grove Caravan Park, Main Road, Collin, Dumfries, DG1 4JE~~
- (29) BERNARD McDONAGH, 37 Boathorse Road, Stoke-On-Trent, Staffordshire, ST7 4JA
- (30) JOHN McDONAGH, Caravan 7 Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- (31) MIKE McDONAGH, 62 De Laly Street, Ashton-On-Ribble, Preston, Lancashire, PR2 2DD
- (32) MARTIN McDONAGH, 29 Speyside Court, Orton, Southgate, Peterborough, PE2 6SN
- (33) AARON McDONAGH, 9 Sandiacre, Long Green, Cressing, Braintree, Essex CM77 8DL
- ~~(34) KATHLEEN McDONAGH, 3 Orchard View, Horseman Side, Brentwood, Essex, CM14 5SU~~

- (35) WINNIE McDONOUGH, Caravan 14, Dun Roamin Park, Whitfield, Brackley, Northants, NN13 5TD
- ~~(36) MARTIN WARD, 73 Mulla Creevie Park, Armagh, BT60 4BB~~
- ~~(37) PAT WARD, 333 Mulla Creevie Park, Armagh, BT60 4BB~~
- (38) MICHAEL WARD, Splashes, Castle Acre Road, Swaffham, Norfolk, PE37 7XE
- (39) KATHLEEN WARD, 2 Imari Park, 38 Russell Street, Derby DE24 8AL
- ~~(40) ROSELEEN WARD, 6 St Agnells Lane, Hemel Hempstead, Herts, HP2 7AX~~
- (41) BERNIE SWEENEY, Kanes Hill Caravan Park, 11 Botley Road, Southampton, SO19 USA
- (42) JOHN CONNORS, 2 Costalot Stables, Heath Road, Leicestershire, LE67 1DG
- ~~(43) TRACEY BROWN, 72 Lower Ecton, Ecton Lane Caravan Site, Northants NN3 5HQ~~
- ~~(44) WILLIAM BRIDGES, 16 Ling Croft, Brough, North Humberside, HU15 1TU~~
- ~~(45) TOM WARD, No Fixed Abode~~
- ~~(46) EDDIE McDONOUGH, No Fixed Abode~~
- ~~(47) EDDIE (AKA EDWARD) WARD, No Fixed Abode~~
- ~~(48) CHRISTOPHER McDONOUGH, No Fixed Abode~~
- ~~(49) WILLIAM DOHERTY, No Fixed Abode~~
- ~~(50) GERRY O'BRIEN, No Fixed Abode~~
- ~~(51) ELIZABETH O'BRIEN, No Fixed Abode~~
- ~~(52) PEARL BLAINLEY, No Fixed Abode~~
- ~~(53) FIONA WARD, No Fixed Abode~~
- (54) PERSONS UNKNOWN forming unauthorised encampments within the Borough of Nuneaton and Bedworth

**Paragraphs 1(a) to 1(e) of the Order of the Honourable Mr Justice Cotter dated 17 December 2024 (to which the power of arrest applies)**

1. Until and including **17 December 2029**, the 1<sup>st</sup> to 13<sup>th</sup> (inclusive), 15<sup>th</sup> to 17<sup>th</sup> (inclusive), 20<sup>th</sup> to 23<sup>rd</sup> (inclusive), 25<sup>th</sup> to 27<sup>th</sup> (inclusive), 29<sup>th</sup> to 33<sup>rd</sup> (inclusive), 35<sup>th</sup>, 38<sup>th</sup>, 39<sup>th</sup>, 41<sup>st</sup> and 42<sup>nd</sup> Defendants (as set out at Schedule 1 to this Order) (the '**Named Defendants**' hereafter)

And

Until and including **17 December 2025**, the 54<sup>th</sup> 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 written consent 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, save for where the encampment is authorised by Written Permission from the Local Planning Authority (as defined below).
- 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 the land, 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.
- e) Depositing or causing to be deposited, Controlled Waste (as defined below) 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.

### **Power of arrest**

2. ...

### **Definitions**

3. In this Order, the following definitions shall apply:

- a) The '**Land**' means:
  - i. For the Named Defendants, all land within the Borough of Nuneaton and Bedworth as marked with the red outline on the map attached at Schedule 2 to this Order;
  - ii. For the 54<sup>th</sup> Defendant (Persons Unknown), all the land marked on the maps at Schedule 3 to this Order and identified by the key to the map and list of sites, and numbered 1 to 142 on that list.

- b) **‘Encampment’** means the entering and/or occupying of 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.

**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**

---

**FIRST WITNESS STATEMENT OF AMY PITTAM**

---

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 conference calls and email exchanges with the Claimants' legal advisers.

3. I exhibit to this witness statement a bundle of documents marked **AP1**. Where I refer to that exhibit I shall do so in the format **AP1/exhibit number**.

## **INTRODUCTION**

4. On 17 December 2024, Cotter J granted the Claimants final injunctive relief against 33 Named Defendants until and including 17 December 2029. Further, the Judge granted injunctive relief against the 54<sup>th</sup> Defendant, a defined category of Persons Unknown. In accordance with the principles set down by the Supreme Court in *Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors* [2023] UKSC 47 (*'Wolverhampton'*), that relief was granted for a period of one-year, with the option to apply for the continuation of the relief if so advised. I shall refer to the injunction against the 54<sup>th</sup> Defendant as the **'Injunction'**. I exhibit a copy of the Order at **AP1/1**.
5. A power of arrest was attached to the prohibitions of the Injunction (both as against the Named Defendants and Persons Unknown), pursuant to the Police and Justice Act 2006, s27.
6. The Injunction, as against both Persons Unknown and the Named Defendants, is a so-called 'Traveller injunction', and prohibits the formation of unauthorised encampments and the depositing of waste (ie. fly-tipping). The Injunction is **not** borough-wide against Persons Unknown, nor has it ever been, and captures only 142 sensitive sites in the administrative area of Nuneaton and Bedworth (the **'Borough'**). The Injunction, as it applies to the Named Defendants, is borough-wide.
7. Pursuant to paragraph 7 of the Order of Cotter J, the Claimants were given the express liberty to apply for the renewal of the Injunction against Persons Unknown. The Claimants now make that Application. Absent renewal, the Injunction will expire at 00:00 on 18 December 2025.

## **Content of this statement**

8. In this statement, I shall cover the following:
  - i. Background to the proceedings and the Continuation Application;
  - ii. The injunctive relief sought;
  - iii. How the Council responds to unauthorised encampments;
  - iv. The success of the Injunction;
  - v. The continuing need for injunctive relief;
  - vi. Engagement with the Traveller community;
  - vii. Stopping provision in the Borough.
  
9. The Claimants also rely on the witness statements of Martin Rone-Clarke, Gypsy and Traveller Liaison Officer at Warwickshire Police, and Sarah Matile, Planning Manager (Policy) at the Council.

## **BACKGROUND**

10. The Claimants commenced proceedings by way of a Part 8 Claim Form issued on 22 February 2019. The claim for injunctive relief was made in the discharge of the Claimants' public functions pursuant to the Town and Country Planning Act 1990, s187B to restrain breaches of planning control (that being the material change of use of the relevant land) and the Local Government Act 1972, s222 (specifically to restrain acts of trespass and various nuisances, and to restrain repeated breaches of directions to leave land made under the Criminal Justice and Public Order Act 1994).
  
11. The Council is the local planning authority for the Borough. The Second Claimant, Warwickshire County Council, is the local highway authority for the county of Warwickshire, in which the Borough is situated, and in whom the adopted highways are vested.
  
12. The claim was brought in response to the high numbers of unauthorised encampments that were being experienced in the Borough. In the claim, the Claimants' evidence showed that between April 2015 and the end of 2018, approximately 103 unauthorised encampments

were experienced in the Borough; this included 80 encampments that had formed on the Council's land, six on land vested in the Second Claimant and 17 on privately owned land.

13. The sites that were being targeted by unauthorised encampments typically included open green spaces, business sites, sports and recreation areas and facilities, car parks and sites close to schools. The sites were often accessed through forced entry, causing damage to land and property.
14. The formation of unauthorised encampments caused significant harm to the Borough and the inhabitants of the Borough. Those harms, which were explored in full in the Claimants' evidence included:
  - i. the fly-tipping of waste (including green waste, household waste and general rubble/ building waste);
  - ii. the depositing of untreated human excrement at encampment sites. This is especially concerning where the encampment has formed on land facilities used by children. The failure to practise proper sanitation risks the spread of disease and infection. The Claimants' evidence included examples of the following (which are not exhaustive):
    - a. raw sewerage was left behind on the school fields at Vernons Lane (this was an especially large encampment of 32 caravans) in September 2018;
    - b. excrement and soiled nappies and toilet paper was deposited in hedges at the Keresley Community Centre in both May 2017 and July 2018;
    - c. bottles of urine, as well as excrement in clothes, nappies and bedding were thrown over the fence and into the Wembrook Primary School playground when unauthorised encampments formed on adjacent land (that being Pingles overflow car park);

- d. human excrement, soiled nappies and toilet tissue was left on the perimeter of the Camp Hill Primary School in April and September 2017 by an unauthorised encampment that had formed on adjacent land;
      - e. human excrement was left behind at the Bermuda Phoenix Community Centre in August 2018 by a large encampment comprising around 30 caravans;
  - iii. public open spaces, sports and recreation facilities being unavailable to the public both during an encampment and during the clean-up process after an encampment (especially where untreated human waste is being removed). Often this would lead to community tensions, and altercations between the occupants of encampments and the inhabitants of the Borough;
  - iv. threats, and the use of, force and violence against the inhabitants of the Borough. The Claimants' evidence included multiple examples of altercations between members of encampments and inhabitants of the Borough, some of which escalated into physical violence. Examples included, but were not limited to, the following:
    - a. in August 2018, the co-ordinator of the Bermuda Phoenix Community Centre reported having two teeth knocked out in an altercation with occupants of an encampment;
    - b. in May 2017, the administrator at the Keresley Community Centre reported being threatened with a bladed weapon when trying to prevent a group of Travellers accessing the site; and
    - c. in January 2019, the manager of the Nuneaton Harriers Club reported that they were slapped across the face by a youth from an encampment when asking that person to leave the running track;
  - v. the Claimants' evidence also included two examples of a school having to close by reason of the formation of an unauthorised encampment in April and September 2017. The school was closed for a combined total of five days;

- vi. costs incurred in cleaning-up after encampments (by both the Claimants and private landowners) and in guarding against encampments and preventative measures;
  - vii. various anti-social behaviours, including verbal abuse and intimidating and threatening behaviour from occupants of unauthorised encampments.
15. The sites targeted by the unauthorised encampments were often not suitable sites for an encampment to form on, especially where an encampment caused harms of the nature described above; they were sites that had a high public footfall and usage, including by children.

### **Procedural history**

16. Following issue, the claim endured an extended procedural path on its way to final hearing.

In summary:

- i. on 22 February 2019, an alternative service order was granted by Dove J;
- ii. on 19 March 2019, interim injunctive relief was granted by Timothy Straker QC (sitting as a Deputy Judge of the High Court). I exhibit a copy of the Order at **AP1/2**;
- iii. the claim was then brought into the *Barking and Dagenham* litigation by Nicklin J, which culminated in the appeal to the Supreme Court in *Wolverhampton* in February 2023. The appeal determined the question of whether and in what circumstances final injunctive relief could be granted against newcomer persons unknown and, if so, what safeguards were required. The Claimants were successful respondents in the Supreme Court, with judgment being handed down on 29 November 2023;
- iv. following *Wolverhampton*, directions were made and the claim came to ‘final’ hearing before Cotter J in December 2024 (the relief only being ‘final’ against the Named Defendants, following *Wolverhampton*), and the Injunction was granted.

### **Unauthorised encampments since the grant of injunctive relief**

17. The Claimants' evidence in the claim showed that, from the grant of the interim injunction on 19 March 2019 to June 2022, the Borough experienced at least 12 unauthorised encampments. Seventeen further encampments were then recorded between June 2022 and the Claimant's final updating evidence in September 2024.
18. I have reviewed the witness statement of Martin Rone-Clarke, upon which the Claimants also rely on this Continuation Application. Whilst the date ranges in which his data is presented are different to the Council's, it does appear that Mr Rone-Clarke has recorded more encampments than the Council, especially in the period 2019 to 2022. There could be many reasons for the discrepancy in the data recording. In particular, if an encampment is not reported to the Council, and is short lived, it may not be attended by the Council and be recorded. Given Mr Rone-Clarke's specialist role, and his strong community contacts, it is unsurprising if he were to receive the first report of an encampment, and be the first to respond. Discrepancies in the data are unavoidable when multiple agencies are trying to record the formation of unauthorised encampments, and may sometimes simply be due to differences in recording methods.
19. Overall, the discrepancy in the data is limited and, as it was the Council's data that was relied on in December 2024, the data upon which the grant of the Injunction was based was actually more favourable to Persons Unknown.
20. Mr Rone-Clarke's data shows a dramatic drop in the number of unauthorised encampments forming in the Borough following the grant of the interim injunction in 2019 (save for an unusual blip in 2023 which, as I shall explain shortly, coincided with a period in which the power of arrest attached to the Injunction prohibitions was discharged, or at least treated as being discharged).

### **INJUNCTIVE RELIEF SOUGHT**

21. As set out above, and as it applied to Persons Unknown, the Injunction prohibits the formation of unauthorised encampments and the depositing of waste on the 142 sites set

out at Schedule 3 of the Order (the ‘**Injunction Sites**’). The relief is due to expire at 00:00 on 18 December 2025.

22. The Claimants seek the continuation of the Injunction and power of arrest for a further 12 months.
23. The Draft Order produced with the Continuation Application contains minor typographical and stylistic changes from the Order made by Cotter J on 17 December 2024, as well as any changes necessary to reflect that the Order does not in any way relate to the Named Defendants. Some small amendments have been made to the prohibition at paragraph 1(a) and to the definitions used in the Order, which bring the Order into line with the other orders of this nature; Counsel will explain these minor changes at the hearing on 3 December 2025.
24. In line with the *Wolverhampton* guidance, the Draft Order provides for the expiry of the continued Injunction after a period of one-year, with the option for the Claimants to make an application for its continuation (if so advised).

### **The 142 Injunction Sites**

25. As was explained in the Claimants’ evidence in the claim, the 142 Injunction Sites were selected by reason of these sites having been targeted by unauthorised encampments or, in some cases, being sites of a similar nature to those that have already been targeted by unauthorised encampments.
26. The Injunction Sites are sites where it is inappropriate (and harmful) for unauthorised encampments to form; many of the sites are used frequently by the inhabitants of the Borough, with many provided by the Council for the specific use and enjoyment of the inhabitants of the Borough. As set out above, the Injunction Sites include areas such as public open spaces, business sites, sports and recreation facilities, car parks and land close to schools. In selecting the Injunction Sites, the Claimants were, and remain, mindful of the need to balance the rights of the inhabitants of the Borough (to whom the Claimants owe various duties) and the nomadic way of life of the Gypsy and Traveller community; the Claimants’ view is that the selection of the 142 Injunction Sites strikes that balance,

and is a proportionate response to the wrongs that have already been suffered and which are further apprehended.

27. When preparing this Continuation Application, I asked the Second Claimant to use its mapping tools to calculate the area of the Borough, and the area covered by the 142 Injunction Sites. The Second Claimant informs me that the area of the Borough is approximately 78.91 square km/ 30.47 square miles. The maps of the Injunction Sites had not been digitised, so this needed to be done in order to arrive at a figure for the area of the Injunction Sites. I am informed that there are several potential sources of inaccuracy, but that the Second Claimant's calculation, with that caveat attached, is that the total area covered by the Injunction Sites is approximately 4.45 square km/ 1.72 square miles. In percentage terms, that means that the Injunction Sites equate to around 5.6% of the Borough.
28. When preparing this Continuation Application, the Council has considered whether the 142 Injunction Sites require any further additions, or whether any sites should be removed from the scope of the Injunction. On balance, the Council considers that the Injunction should continue to capture all 142 sites; the Injunction Sites were selected carefully, and it is considered that this still represents the best balance between the rights and interests of the various communities.
29. The 142 Injunction Sites are only a small portion of the Borough; there are still very many sites in the Borough where an unauthorised encampment can stop and form without being in breach of the Injunction. Further, the Injunction does not act as a blunt exclusion/prohibition from the Injunction Sites, and the Injunction prohibitions have built in safeguards by which an encampment can stop on an Injunction Site without being in breach of the Injunction; most notably, those forming an encampment will not be in breach of the Injunction if they have formally negotiated with the Council to stop on the site.

### **The power of arrest**

30. The Claimants seek the continuation of the power of arrest that support the Injunction prohibitions. The power of arrest is what gives the injunction its force and utility in restraining the formation of unauthorised encampments. Cotter J was satisfied that the

conditions for the grant of the power of arrest were met in December 2024 (as was the Deputy Judge when granting interim relief in March 2019). It is pleasing that there have been no further incidents since December 2024 which display the harms (including threats and use of force or violence) that justified the power of arrest; that shows the efficacy of the Injunction (and not that the threat of such harms has dissipated), such that the power should be continued along with the prohibitions.

31. Without the power of arrest, the Claimants are left with the option of enforcement by way of contempt proceedings. As against Persons Unknown, this is especially unsatisfactory and inefficient, and would undermine the Injunction as, in reality, there would probably be very little consequence for breach. Contempt proceedings require the identification of those in breach of the Injunction to enable the proceedings to be prepared, issued and served. As was explored in detail in the claim, it is often impossible to identify those on the land for a multitude of reasons; often those forming encampments choose not to engage with the Council, give incorrect or incomplete identification details and, where vehicle registration data is used to identify those persons forming the encampments, issues such as cloned plates and incorrect or complete data held by the PNC and/or DVLA often thwarts attempts at identification.
32. I should make clear that the use of the power of arrest is a last resort, and it has never in fact been relied upon. The Council prefers, and has found it effective, to pursue a constructive approach by which officers of the Council visit an encampment and serve a copy of the injunction orders (where applicable and engaged) and engage with the occupants and explain the effect of those orders. Only if an encampment refused to move on after this engagement would the use of the power of arrest be considered.

### **HOW THE COUNCIL RESPONDS TO UNAUTHORISED ENCAMPMENTS**

33. Whilst there have been very few unauthorised encampments forming in the Borough in the last two years (which, as I shall set out below, the Council says is as a result of the efficacy of the injunctive relief), the Council does still have a standardised process for responding to unauthorised encampments that do form.

34. Upon receiving a report of the formation of an unauthorised encampment, officers from the Private Sector Housing Team will visit the encampment as soon as reasonably possible. At that visit, they will try and establish the identity of the occupants, how many occupants, caravans and associated vehicles are present, why the encampment has formed, and the intentions of those at the encampment (and specifically how long they intend to stay for). A welfare check and assessment will also be completed; officers will make enquiries as to whether there are any vulnerable persons present at the encampment, and assess whether there are any welfare needs. The officers will also make enquiries to determine who the landowner of the relevant land is.
  
35. If the encampment has formed on an Injunction Site, a copy of the Injunction will be provided to those present, and the officer will explain what the Injunction means, and how it operates (including with the power of arrest). The Council's aim is to engage constructively with the members of the encampment to educate them on the Injunction and assist their understanding; a constructive relationship is more likely to lead to a positive outcome, and reduce the chances of future breaches of the Injunction.
  
36. If the encampment has formed on an Injunction Site, the encampment will usually be requested to vacate the land. A short but reasonable period will generally be given to allow the orderly packing up and vacation of the land. However, the Injunction is not enforced blind to any compelling welfare needs, and the Injunction has the built-in safeguard that a breach will not be committed if the encampment is present on the land by way of a negotiated stop. Therefore, if there is a compelling welfare need identified, and the Council considers that the encampment should be tolerated on the Injunction Site (rather than being directed to an alternative site), a stopover can and will be negotiated. That stopover will always be subject to the condition that the encampment should remain clean and tidy, and that there should be no nuisances caused by the encampment; the Council's Parks, and Green Spaces department will provide bins to assist with keeping the stopping site tidy.
  
37. The above process has proved effective. The Council has never needed to enforce the Injunction by way of the power of arrest or contempt proceedings; encampments generally tend to move on swiftly when informed of the power of arrest.

38. Where the encampment has formed somewhere other than on an Injunction Site, the officers visiting the encampment will first establish whether there are any Named Defendants present at the encampment; if there are, the abovementioned process will be followed, as the Injunction is borough-wide as against the Named Defendants. If there are no Named Defendants present, the officers will continue to undertake the abovementioned welfare checks and consider what harms are likely to be caused by the encampment, and whether there is a reason to tolerate the encampment and negotiate a stop. If there is no reason to tolerate, the encampment will again be given a short but reasonable period in which to vacate. If the encampment remains in situ, the Council (or the Second Claimant or Warwickshire Police, as applicable), must then have recourse to the various powers under the Criminal Justice and Public Order Act 1994 to remove the encampment (which powers I shall explain further below).
39. As explained in the Council's evidence in the claim, the Council previously responded to unauthorised encampments in accordance with the standards and procedure set out in the County-wide 'Dealing with Unauthorised Encampments in Warwickshire Protocol 2017' (written by the Police and Crime Commissioner for Warwickshire), which was exhibited in the claim. That Protocol has since been reviewed and updated, most recently in September 2025, and I exhibit a copy of the September 2025 Protocol at **AP1/3**. The Council also has its own flow chart that records its own process and how it responds to unauthorised encampments, which I exhibit at **AP1/4**, and which was last updated in 2019 (shortly after the grant of the interim injunction); further updates to that flow chart are now being considered, especially as the position with the power of arrest is settled, and will be actioned once the outcome of the Continuation Application is known. There are two processes documented; one where the injunctive relief can be relied upon, and the second where powers under the Criminal Justice and Public Order Act 1994 are to be relied upon.
40. I should also add that, in its updating evidence of September 2024, the Council alerted the court to the possibility that the interim injunction had not been served on every encampment (where its terms were engaged) that formed up to the end of 2023. That was due to a high turnover of staff, such that not all officers were up to speed with the process at that time. As I have mentioned above, there had also been some confusion regarding the power of arrest, and the Council was anxious and cautious not to represent that it was in force whilst its status was unclear. The position with the power of arrest is now clear, and it is in force.

## THE SUCCESS OF THE INJUNCTION

41. The Injunction, and its predecessor orders, have been successful in reducing the frequency of unauthorised encampments forming in the Borough, especially on the 142 Injunction Sites. As set out above, the data presented by the Claimants in the claim record the following:

<b>Date range</b>	<b>Number of encampments</b>
April 2015 to the end of 2018	103
19 March 2019 to June 2022 (ie. after the grant of the interim injunction)	12
June 2022 to September 2024	17
December 2024 onwards (i.e after the grant of the Injunction)	3

42. During the course of the *Barking & Dagenham* litigation, Nicklin J discharged the power of arrest that had been attached to the prohibitions of the interim injunction as against Persons Unknown (by way of an order dated 24 May 2021 **AP1/5**). I note that the data shows an increase in the number of encampments following the discharge, until its reinstatement by Cotter J in December 2024. When the Court of Appeal allowed the Claimants' appeal (along with that of the other local authorities), it was not clear whether the power of arrest had been reinstated; therefore, the Council took a cautious approach and proceeded on the basis that it had not. The data therefore suggests that there is a correlation between the power of arrest and lower encampment numbers.

43. None of the three unauthorised encampments that have formed in the Borough since the grant of the Injunction has formed on an Injunction Site.

44. The Claimants' evidence in the claim showed that, when unauthorised encampments did form on Injunction Sites, they were able to be moved on swiftly with the assistance of the Injunction. As such, the duration of encampments has also fallen by reason of the Injunction.

### Reduction in harms suffered

45. The reduction in the frequency and duration of unauthorised encampments in the Borough has also caused a reduction in the harms that are suffered by reason of those encampments.
46. For example, the Claimants' presented the following data in relation to legal and eviction costs incurred by the Council by reason of unauthorised encampments:

Item of cost	2018/2019	2019/2020	2021/2022	2022/2023	Total
Court costs	£3140	£32,924			£36,334
Eviction	£5983	£3,980	£735	£280	£10,977
<b>Total</b>	<b>£9393</b>	<b>£36,903</b>	<b>£735</b>	<b>£280</b>	<b>£47,311</b>

47. That table shows that, following the grant of the interim injunction, the legal and eviction costs incurred by the Council fell dramatically; this is because the injunction orders, rather than other powers, could often be relied upon to remove encampments. It should be remembered that the Council has finite resources and is spending public money in the discharge of its public functions, so the reduced spend is welcome.
48. When preparing this witness statement, I have reviewed the Council's budget records and cannot find a record of any court fees having been incurred in relation to unauthorised encampments (save for in these injunction proceedings) since 2023.
49. The Claimants' evidence in the claim was also that, between 2012 and 2015, the Council spent approximately £64,000 on target hardening measures to try and prevent the formation of unauthorised encampments (this included the hire of concrete blocks to restrict access to open spaces). The Council still incurs costs of this nature, and is not wholly reliant on the Injunction to protect sensitive land in the Borough.
50. To that end, I exhibit at **API/6** a spreadsheet that shows the costs that have been incurred in 2025 in protecting land from the formation of unauthorised encampments (which is in the sum of £10,125).

51. Since the grant of the Injunction in 2024, none of the three unauthorised encampments that have formed in the Borough have been associated with fly-tipping or the depositing of human waste, such that this harm (and the costs associated with clearing up after such waste deposits), has fallen to nil in the last year.
52. Generally, since the grant of the interim injunction in 2019, incidents of fly-tipping and the depositing of waste have reduced; the reduced frequency and duration of encampments often means that there is reduced scope for such harms to occur. However, some encampments were still associated with such harms, with the most recent example in the Claimant's evidence having occurred in September 2023 when a large unauthorised encampment formed on Injunction Site 76 (Middlemarch Recreation Ground), and which lasted for approximately nine days (this being in the period when it was unclear if the power of arrest was in force). Costs in the sum of £6,055.61 (or £7,266.73 including VAT) were incurred by the Council in cleaning up after the encampment, which included the removal of tipped and human waste.

#### **Unauthorised Encampments since December 2024**

53. Since the grant of the Injunction on 17 December 2024, there have been three unauthorised encampments in the Borough. None of these encampments have formed on Injunction Sites.
54. In his witness statement, which I have reviewed, Martin Rone-Clarke has given details of two of those unauthorised encampments (which formed on 13 May 2025, and between 24 March to 4 April 2025). Until informed of those two encampments, the Council had been unaware of their formation; as I have mentioned above, Mr Rone-Clarke's specialist role means that he is often the first to receive reports of and respond to the formation of unauthorised encampments. It would appear from his witness statement that the encampment on 13 May 2025 was responded to and resolved quickly, such that Council intervention was not needed (nor was there time for the same), and that the encampment between 24 March and 4 April 2025 was not problematic or causing harm, such that neither Mr Rone-Clarke or members of the public to report it to the Council. Therefore, whilst the

Council has now counted these encampments within their data, I have nothing further to add in relation to these encampments.

***4 September 2025: Aldi, Weddington***

55. I personally observed the encampment at this site on Thursday 4 September 2025 at approximately 4:55pm, but I am unsure as to the exact date and time at which the encampment formed on the land. I noted a horse drawn caravan with two horses on the path/grass verge adjacent to the public highway and next to the Aldi car park. I was driving at the time, and therefore did not take note of further details. Upon reaching my destination, I reported what I had seen to the Private Sector Housing Team. The site is not one of the 142 Injunction Sites. I am informed by the Private Sector Housing Team that Bilal Ismail (Technical Officer for Private Housing) attended the Aldi site on 5 September 2025 at around 11am. The encampment was still present, and I exhibit at **AP1/7** two photographs taken by Mr Ismail of the encampment, but I am informed that no welfare checks were carried out. Mr Ismail spoke to the Manager at Aldi and asked if the area belonged to Aldi. The Manager was going to speak with Head Office and call Mr Ismail. I am informed that no call was in fact received, and no information was provided about the behaviour of the encampment. Mr Ismail further attended the site on Saturday 6 November 2025 at around 11:00am, and observed that the encampment had moved on.

56. In the process of making this statement, and in making enquiries with Mr Ismail and the Private Sector Housing Team, it has come to my attention that the Council received a telephone call from a member of the public on 3 September 2025, in which it was reported that two caravans with horses were present on King Street in Bedworth. I am informed that Mr Ismail did not see that the call had been received until 4 September 2025 and, when he returned the call, he was advised that the caravans and horses had moved on. It seems likely that these were the same caravans and horses that attended the Aldi site on 4 September 2025. I have not counted this report as an encampment, as it is not clear when the caravans and horses arrived and how long they stayed for (they could have just parked up briefly to rest, and not stopped over, for example), and no other details are known.

## **THE CONTINUING NEED FOR INJUNCTIVE RELIEF**

57. The Claimants' view is that there is a continuing need for the Injunction against Persons Unknown for two principal reasons:

- i. the Claimants apprehend that, if the Injunction was to expire and not be renewed, the frequency and duration of unauthorised encampments forming in the Borough, and especially on the sensitive Injunction Sites would increase, and significant harm would be suffered by the inhabitants of the Borough;
- ii. the alternative powers that are available to the Claimants to enforce against and manage the formation of unauthorised encampments are not as effective or efficient as the Injunction, and significant harm will be suffered by the inhabitants of the Borough if the Claimants were forced to rely on these powers exclusively (as they did before the grant of injunctive relief).

### **The need for relief against Persons Unknown**

58. The Continuation Application relates only to the 54<sup>th</sup> Defendant, Persons Unknown. At this time, the Claimants have not identified any other person against whom it would be proportionate to seek injunctive relief. Only one of the three encampments since December 2024 has been formed by persons whose identity has become known to the Claimants; those persons had not previously been identified in the Borough, and have not since been identified in the Borough, and did not appear to be 'transiting' through the Borough in any event, but targeting a specific vacant commercial premises in pursuit of their well-established criminal enterprise.

59. The need for injunctive relief against Persons Unknown remains, as the nomadic way of life of the Gypsy and Traveller community means that there is a revolving cast of people passing through the Borough who may form encampments. As such, it is impossible for the Claimants to know who will in fact visit the Borough and form an encampment.

60. As I have also mentioned above (in the context of the power of arrest), when unauthorised encampments form, the Claimants are not always able to identify those who are present at

the encampment. It is common for members of encampments to decline to give their names and identification details, or they will sometimes give false or incomplete names, or nicknames. Most of the Named Defendants in the claim were identified by their association with a vehicle registration; however, that method of identification is also fraught with issues. Often the details held by the PNC and/or DVLA were incorrect or out of date, and many encampments were attended by vehicles with cloned number plates. Many Named Defendants had to be discontinued against because the identification data was unreliable.

61. Therefore, the Injunction against Persons Unknown must be renewed to ensure the effective protection of the rights of the inhabitants of the Borough.

### **Likelihood of further encampments**

62. As set out above, the Injunction (and its predecessor orders) has been effective in reducing the frequency and duration of unauthorised encampments, especially on Injunction Sites. That said, three encampments did still form in 2025, which shows that the Borough is still attractive to unauthorised encampments. The Claimants apprehend that, if the Injunction were to expire and not be renewed, the number of unauthorised encampments would increase, as would the associated harms (such as fly-tipping, depositing of human waste and anti-social behaviour). It is not sustainable or acceptable for encampment numbers and associated harms to increase to pre-injunction levels, or anywhere close to that.

63. The data produced by Martin Rone-Clarke in his witness statement (which I have reviewed) supports the Claimants' apprehension. Neighbouring local authority areas, which do not have the benefit of injunctive relief, have reported much higher encampment numbers in 2024 as compared to the Borough. That shows that there clearly are unauthorised encampments that frequent the geographical area, and the Claimants apprehend that these encampments will migrate into the Borough and onto the Injunction Sites specifically should the Injunction not be renewed.

64. Mr Rone-Clarke's data also shows that neighbouring local authority areas have been experiencing fairly stable numbers of unauthorised encampments since 2020, with only a minor fluctuation. That suggests that the reduction in the numbers in the Borough is not being achieved by displacement to other local authority areas. The exception to that

observation the Rugby Borough, although Mr Rone-Clarke explains in his witness statement the particular circumstances in Rugby Borough that are giving rise to their increased numbers.

### **Alternative methods of enforcement and management**

65. The powers available to the Claimants and the Police to enforce against and manage unauthorised encampments are ineffective and inefficient. The most notable of these powers are found in the Criminal Justice and Public Order Act 1994, s60C (introduced in 2022), s61 and ss77-78. These powers were used prior to the grant of injunctive relief, and are still used in circumstances where the Injunction does not apply.
66. The ineffectiveness of these powers is evidenced by the high encampment numbers and resulting harms that were suffered prior to the grant of injunctive relief.

### ***Criminal Justice and Public Order Act 1994, ss77-78***

67. The Claimants have the power to give a direction under s77 that persons residing in a vehicle or vehicles on highway land, unoccupied land or occupied land without the consent of the occupier must leave the land and remove the vehicle(s). Failure to comply with the direction is an offence, punishable by a fine. A s77 direction is effective for three months, and a person may not re-enter the land during that period. If a s77 direction is not complied with, the local authority may make a complaint to the Magistrates' Court, and an order for the removal of the person(s), vehicle(s) and any other property of the persons(s) can be obtained (per s78).
68. In practice, s77 is a very inefficient way of securing the removal of encampments, and encampments are often able to stay in situ for some time, and all of the harms associated with such encampments are still suffered. In particular, members of the Gypsy and Traveller community are often well-versed in the enforcement mechanisms available to local authorities. The Claimants' experience is that encampments will, once served with s77 directions, wait until the date of a Magistrates' Court hearing (or the date on which enforcement of a s78 order is due to take place), and then vacate the encampment site. By then, the Claimants have incurred the cost of issuing proceedings and run the matter up to

a hearing. Depending on how long it takes to secure a hearing in the Magistrates' Court and/or the resources to enforce an order, the encampment can remain in situ for days or weeks, and the harms that the Claimants are trying to prevent have time to occur.

69. Further weaknesses in the use of s77 include:

- i. directions are only effective for three months, after which time those persons directed to leave the land can re-enter, and fresh enforcement proceedings are required. Section 77 is not a mechanism which can secure medium to long-term protection for especially sensitive or vulnerable land;
- ii. directions (and order obtained under s78) relate only to a specific parcel of land. The Claimants' experience is that when issued with s77 directions, encampments often move only a very short distance away to a new parcel of land, necessitating fresh enforcement proceedings (and causing yet further cost to the Claimants). This often creates a 'cat-and-mouse' series of enforcement proceedings as encampments move from one site to the next.

70. When dealing with the 142 Injunction Sites, time is of the essence; the longer an encampment is allowed to remain in situ, the more chance there is that harms will be suffered. The Injunction enables encampments to be moved on to more appropriate sites swiftly and efficiently, and thus reduces (or even altogether prevents) harm being suffered by the inhabitants of the Borough and the Claimants.

71. Lastly, ss77-78 can be a costly and financially inefficient method of enforcement. Costs are incurred in the drafting of the necessary documents and court applications. That cost is on top of court fees, should an order need to be sought, as well as other disbursements such as counsel's fees. Repeating that cost for each encampment can quickly cause costs to accumulate. In contrast, once injunctive relief is secured, there are very few, if any, ongoing legal costs, as the enforcement is led by the Claimant's own enforcement officers with the assistance of Warwickshire Police.

*Criminal Justice and Public Order Act 1994, s60C and s61*

72. Warwickshire Police also have specific powers to deal with unauthorised encampments. In particular, if the conditions of s61 are met, police officers can direct person(s) trespassing on land (for the purpose of residing there) to leave the land and remove any vehicles or property that they have with them. The conditions for the use of this power mean that it is available when an encampment is large (six or more vehicles) or aggravated (damage, disruption or distress is being caused). Failure to comply with a s61 direction is an offence, punishable by a fine or a custodial sentence of up to three months. A section 61 direction is effective for 12 months.
73. The 1994 Act was amended by the Police, Crime, Sentencing and Courts Act 2022 to insert s60C (with effect from 28 June 2022), which creates the offence of residing on land without consent and with or in a vehicle, subject to the conditions set out therein. An offence under the provision is again an offence punishable by a fine or a custodial sentence of up to three months. This is the power that Warwickshire Police relied upon in relation to the encampment on 13 May 2025.
74. The police powers under s61 and s60C are not a viable alternative to the Injunction in the medium and long-term, and will not prevent (or reduce to a significant degree) the harms suffered by reason of unauthorised encampments. In particular, the powers are police-led, and rely on Warwickshire Police having the available resourcing to use and enforce those powers.
75. The Claimants' experience prior to the grant of injunctive relief that the Warwickshire Police cannot resource the use of those powers for every encampment that meets the conditions of the statutory provisions (or at least not in a swift enough manner to prevent harm being suffered). The reality is that the organisation has limited and finite resources, and cannot always prioritise responses to (and enforcement against) unauthorised encampments.
76. The power is also reactive and not proactive. It can only be relied upon once an unauthorised encampment has formed, and harms are being suffered. In contrast, the Injunction seeks to prevent harm to the most sensitive and vulnerable sites in the Borough.

Further, the penalties carried by s61 and s60C again rely on the Magistrates' Courts being able to accommodate hearings.

77. Therefore, the Injunction is especially important as the enforcement is Claimant-led and proactive. In the Claimants' experience it is the most efficient way to manage and move on unauthorised encampments from the 142 Injunction Sites to reduce or prevent any harm being caused.

***Public space protection orders and byelaws***

78. In *Wolverhampton* (in which the Claimants were successful respondents), The Supreme Court said that local authorities should consider whether using byelaws or public space protection orders ('PSPO') are a suitable alternative to injunctive relief.

79. The process of introducing a PSPO can be slow; there are statutory requirements relating to consultation, publicity and notification. Therefore, a PSPO cannot be implemented (or amended) swiftly to react to problematic conduct, unlike injunctive relief. For example, if various PSPOs were used to prohibit encampments, but a site outside of the PSPO area became a frequent target for harmful encampments, the Council would not be able to react with speed to bring that site within the protection of a PSPO; in contrast, an application for the variation of the Injunction, or standalone injunctive relief, can be made with speed to protect the site and prevent harm.

80. The enforcement of a PSPO may also not succeed in moving on an encampment that has formed; a Police officer or Council officer could issue a fine (by way of a fixed penalty notice) to the occupants of the encampment, but this would not ensure the encampment was moved on, meaning that any negative impact on the local community would remain. Only for persistent breaches of a PSPO, where multiple fixed penalty notices have been issued, will there be a summons to court. In that time, the harm of the encampment would have been suffered, and resources used in ineffective enforcement against the encampment. The enforcement of a PSPO contrasts with the Injunction, where encampments can and are moved on swiftly.

81. Lastly, a PSPO is punitive in nature, with fines or a prosecution the result of any contraventions. The Claimants do not seek to punish the Gypsy and Traveller community for their way of life, but simply restrict the areas of the Borough in which they can exercise their way of life and achieve a balance between their interests and the rights of the inhabitants of the Borough. Whilst the Injunction could be enforced by way of the use of the power of arrest or contempt proceedings, that would not result in a prosecution per se, and the way in which the Injunction has in fact been used in practise has been by educating those in breach and providing advice where possible.
82. Many of the reasons as to why PSPOs are unhelpful and inefficient for dealing with unauthorised encampments also apply to byelaws. Most notably, the enforcement of a byelaw does not include the power to move on an encampment, with a fixed penalty notice again being the primary method of enforcement. Further, a byelaw is again punitive in nature, with fines for breach.

### **STOPPING PROVISION IN THE BOROUGH**

83. As is set out in the witness statement of Martin Rone-Clarke (which I have reviewed), the Borough does not operate a transit site, nor does the Council at this time have a formal adopted negotiated stopping policy (although it does operate the ‘Warwickshire Protocol 2025’ exhibited at AP1/3 and the Council’s own documented procedure exhibited at AP1/4).
84. The Borough did not have a designated transit site when Cotter J granted the Injunction in December 2024, nor did it have a formally adopted negotiated stopping policy. The Judge nonetheless granted the Injunction and, when counsel raised the possibility that an undertaking to adopt a formal negotiated stopping policy could be given (as had been done in other similar matters), the Judge expressly said that he did not require the same.
85. As to the absence of a transit site, the Council respectfully says that this should not affect whether the Injunction is continued for a further year, especially in circumstances where:
- i. no transit site was in operation when the Injunction was granted;

- ii. the Claimants have a power, but not an obligation, to provide a transit site (Criminal Justice and Public Order Act 1994, s80 and the Caravan Sites and Control of Development Act 1960, s24);
- iii. a policy or procedure of negotiated stopping is a much more flexible approach to stopping and transit needs, and can better serve the needs of the Gypsy and Traveller community who may need to stop in a particular place for a short period (for example, to attend medical appointments), rather than directing them to a designated site which may not be suitably located for their needs.

### **Negotiated stopping policy**

86. As explained above, the Council does not currently have a formally adopted negotiated stopping policy, but does practise a policy of toleration where appropriate (and specifically where compelling welfare needs require).

87. As Martin Rone-Clarke has explained in his witness statement, he has drafted a negotiated stopping policy with a view to it being adopted by all local authorities in Warwickshire, and his view is that the policy is ready to be adopted (subject to the finalisation of the appendices). I exhibit at **AP1/8** a copy of the policies (minus the appendices). The Council's Senior Leadership Team has approved the policy, and it will now be put before Cabinet for formal adoption; I expect that this will happen in December 2025 at the earliest, given the dates of the meetings and the work and process that is required to put the policy before Cabinet, but is more likely to be January 2026 (but will in any event happen within the next few months).

### **ENGAGEMENT WITH THE TRAVELLER COMMUNITY**

88. Lastly, the Claimants are fortunate that its local police force, Warwickshire Police, has a specialist Gypsy and Traveller Liaison Officer (that being Martin Rone-Clarke) who encourages engagement between local authorities and public bodies and the Traveller Community. Whilst the Second Claimant is more active in assisting with the organising of engagement events than the Council, the Council does participate and attend such events wherever possible.

89. Since the grant of the Injunction in December 2024, the Council attended an event on 30 June 2025 at Warwickshire Police HQ Leek Wootton, Warwick CV35 7QA. Doreen Katusiime (Private Sector Housing Manager) attended in support of the event. The event was a conclusion of several events in the County to celebrate Gypsy Roma Traveller History Month. The day saw artwork on display created by primary schools across the County. It gave professionals the opportunity to engage with other professionals dealing with Gypsy Roma Travellers and to speak to Gypsies and Travellers attending the event to gain a better understand of culture and history.

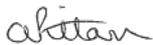
### **CONCLUSION**

90. The Claimants seek a 12 month continuation to the Injunction in the form of the Draft Order. There is a continuing need for the Injunction, and the Claimants apprehend that, if the Injunction was to expire, the frequency, size and duration of unauthorised encampments forming on the 142 Injunction Sites would increase, with the harm being suffered by reason of those unauthorised encampments increasing commensurately.

### **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:



**Amy Pittam**

5<sup>th</sup> November 2025

IN THE HIGH COURT OF JUSTICE  
KING’S BENCH DIVISION

Claim No: QB-2019-000616

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

---

Exhibit ‘AP1’

---