

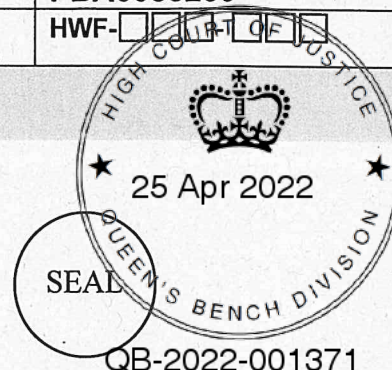


Claim Form (CPR Part 8)

In the HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim No.	for court use only
Fee Account No.	PBA0088256
Help with Fees Ref No. (if applicable)	HWF- <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Claimant
ROYAL BOROUGH OF GREENWICH
The Woolwich Centre,
35 Wellington Street,
London,
SE18 6HQ



Defendant(s)

(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND / OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary accommodation) WITH OR WITHOUT VEHICLES AT ANY OF THE 27 SITES WITHIN THE ROYAL BOROUGH OF GREENWICH LISTED ON THE SCHEDULE ATTACHED TO THIS ORDER MARKED "1"

(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 27 SITES WITHIN THE ROYAL BOROUGH OF GREENWICH LISTED ON THE SCHEDULE ATTACHED TO THIS ORDER MARKED "1"

Does your claim include any issues under the Human Rights Act 1998 ☐ Yes ☒ No

Details of claim (see also overleaf)

1. The Claimant seeks an interim and final injunction pursuant to Section 222 of the Local Government Act and / or Section 187B of the Town and Country Planning Act 1990

Defendant's
name and
address

PERSONS UNKNOWN
(who have unlawfully encamped
in the Royal Borough of
Greenwich)

	£
Court Fee	569.00
Legal representative's costs	69.50
Issue Date	

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number

Claim No.	
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Details of claim (continued)

2. The Claimant owns and / or is responsible for the management of the Parks, Sports Fields, Leisure Areas, Agricultural Land, Woodland Areas and Open Spaces ("the Green Spaces") in the Royal Borough of Greenwich ("the Borough"). In addition the Claimant owns and is responsible for a large number of Car Parks.
3. In total there are 27 locations that the Claimant has identified as needing protection.
4. There have been numerous incidents of unauthorised encampments and the depositing of waste, including the fly-tipping of commercial waste in the Royal Borough over the last 5 years resulting in considerable inconvenience and expense.
5. The Royal Borough fears further unauthorised encampments on the locations within the Greenwich.
6. These unauthorised encampments include large groups of Travellers with up to 30-50 people and 20-30 vehicles, mobile homes and caravans. There are also a number of dogs;
7. The unauthorised encampments have been established on locations which belong to the Claimant. In addition other land in the Royal Borough owned by private landowners and businesses have been affected.
8. The unlawful occupation of the Claimant's land is disruptive and has a harmful impact. The unauthorised encampments raise health and safety concerns. The harm caused to the residents of Greenwich, among other members of the public is significant. The health risks to the residents include:
 - (1) human and animal excrement left in the Green Spaces from those establishing the encampments;
 - (2) domestic waste strewn over the land;
 - (3) fire hazards caused by the use of propane gas cylinders in public spaces;
 - (4) fly-tipping domestic and commercial scale waste, including green vegetation, building materials, glass, asbestos, rubble and soil;
 - (5) driving of vehicles over and across Parks, Recreational Areas, Woodland Areas.
9. The unauthorised encampments cause considerable disruption to the residents and visitors of the Royal Borough. In addition, the encampments have an adverse impact on local businesses which is detrimental to the Royal Borough's future development.
10. The fly-tipping causes considerable distress and anxiety and results in recreational facilities being un-usable.
11. Further considerable expense is incurred in the cleaning up operations including the removal of untreated human and dog excrement, domestic litter, general waste, gas cylinders and building waste, including hard core and soil;

12. The unauthorised encampments also cause considerable expense to be incurred in restoring the sites to a fit, hygienic and safe level for usage by the public.
13. Further costs are incurred in attempting to secure the sites owned by the Claimant.
14. Since May 2018, unknown persons have formed at least 53 encampments on the Claimant's land within the Royal Borough.
15. To recover possession the Claimant exercised powers under Section 77 & 78 Criminal Justice and Public Order Act 1994 ("the 1994 Act").
16. The use of the 1994 Act is a reactionary step because it addresses the problem only after the encampments have been established and after the fly-tipping damage has taken place.
17. Further, reliance upon Sections 77 & 78 of the 1994 Act only leads to the encampments moving from one site to the next and will not deter the Defendants from forming these encampments at other locations within the Royal Borough.
18. It is averred that these procedures have not acted as a significant enough deterrent and it is not uncommon that immediately following the clearance of an unauthorised encampment, another one is set-up a short distance away. On some occasions the unlawful occupiers have returned to a location that has previously been the location of an encampment and therefore previous clearance and removal.
19. Accordingly, it is necessary and expedient for the promotion and / or protection of the interest of the residents of Greenwich to prevent further acts of nuisance and trespass and further breaches of planning control to seek an injunction.
20. An injunction will prevent the repeated establishment of unauthorised encampments and the disruption and loss of resources caused by this type of unlawful action.
21. It is necessary to bring these proceedings against the Defendants named on the heading as the Claimant is not aware of the names of any Persons Unknown as any name which is provided are often found to be false names. Further there may be newcomers that the Claimant is not aware of and newcomers who they have no knowledge of but who become a defendant as a result of the activity described in the heading to the Claim Form
22. An injunction is intended to prevent any future unauthorised encampments on the Green Spaces and Car Parks being established by the Persons Unknown as described in the heading.
23. An injunction against the Defendants will confine the scope of the Order to specifically identifiable sites within the Royal Borough as identified on the attached Master Map. This is not blanket coverage as many other areas of land in the Royal Borough are not to be the subject of protection.

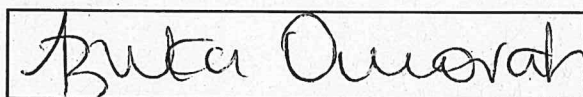
Statement of Truth

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.

☐ I believe that the facts stated in these Particulars of Claim are true

☒ The Claimant believes that the facts stated in these Particulars of Claim are true. I am authorised by the Claimant to sign this statement

Signature



☐ Claimant

☐ Litigation Friend (where claimant is a child or Protected Party)

☒ Claimant's Legal Representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

25

04

2022

Full Name

Azuka Onuorah

Name of Claimant's legal representative firm

Legal Services, Royal Borough of Greenwich

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

Head of Legal Services

ROYAL BOROUGH OF GREENWICH

The Woolwich Centre,
35 Wellington Street,
London,
SE18 6HQ

E-mail: caroline.herbert@royalgreenwich.gov.uk

Claimant's or claimant's legal representative's address to which documents or payments should be sent if different from overleaf including (if appropriate) details of DX, fax or e-mail.

DX: 40851 Woolwich 5

"1"

