

General Form of Judgment or Order

In the County Court at
Bristol

Claim Number M01BS389

Date 21 September 2026



BRISTOL CITY COUNCIL

1st Claimant
Ref

PERSONS UNKNOWN

1st Defendant
Ref

Before District Judge Napier sitting at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR.

IT IS ORDERED THAT

1. The Injunction Order made on 22 September 2025 is extended to 31 October 2026 or further order.
2. The application to extend will be considered at 10am on 8 October 2026 before District Judge Napier sitting at Bristol Magistrates Court.

Dated 21 September 2026

The court office at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577 Fax: 0117 0 3240048. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Notice of Hearing of Application

**In the County Court at
Bristol**

Claim Number M01BS389

Date 21 September 2026

BRISTOL CITY COUNCIL

**1st Claimant
Ref**

PERSONS UNKNOWN

**1st Defendant
Ref**

The hearing of the Claimant's application will take place **IN PERSON** at **10:00 AM on the 8 October 2026** at the County Court at Bristol, **Bristol Magistrates Court, Marlborough Street, Bristol, BS1 3NU**, with a time estimate of 45 minutes.

1. At least three clear working days before the hearing, the applicant shall file with the court and serve the other parties with any skeleton argument in respect of the Application. The respondent to the application may also file and serve a skeleton argument in reply, and, if so, this should reach the court at least 24 hours before the hearing. Failure to comply with this direction may result in the Judge being unable to read these documents in readiness for the hearing.

2. The documents referred to in paragraph 1 of this order should be filed by e-mail if possible addressed to e-filing.bristol.countycourt@justice.gov.uk. The Subject Line of any email should follow the format; "10am 21.05.13 Smith v Jones 1BS12345". Any email sent to the court or to a Judge must always be CCd to all other parties.

Court lists will be available on Courtel, the day before the hearing.

3. The parties should note that, at any hearing, the court will expect each of the parties to know the amount of legal costs incurred to date, and anticipated to be incurred to the end of the case.

4. Should the parties agree an order and seek to vacate the hearing, the proposed agreed order and request should be filed at least 5 clear days prior to the hearing. Note that all Application hearings will remain listed until a judge has specifically agreed that they can be vacated. Parties are reminded that a final hearing or trial date will only be vacated with the specific agreement of a judge, and then only in exceptional circumstances.

5. Important notice in relation to trial and application bundles

Although bundles are important for hearings, the court has no facility to store them routinely. At the conclusion of the hearing, parties are required to remove all bundles including witness bundles and those held for the Judge. Failure to remove these bundles will result in the court confidentially wasting them without notice being given to the parties.

- Court Lists are published from 4pm for the next day. To view please visit:
<https://www.court-tribunal-hearings.service.gov.uk/view-option>

- Witness Liaison Officer

The court has appointed witness liaison officers who can assist with pre-court visits and help support you if you are a vulnerable witness or require reasonable adjustments to support you in court or to play video/audio evidence. To contact the witness liaison officer, e-mail to: WLO-Bristol-County@justice.gov.uk.

The court office at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577 Fax: 0117 0 3240048. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by: H Randhawa
CJR027

Please note there is 25 mb and/or 50 page limit (single sided) and then anything above that will be charged photocopying charges (£11.00 for the first 10 pages and then 0.50p per page thereafter).

Please arrange for a hard copy to be sent or alternatively contact our fee taking section on 0117 3664840 in order to make the necessary payment.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.

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>

Name of court County Court at Bristol		Claim no. M01BS389
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
83472	[H][W][F]-[][][][]-[][][][]	
Warrant no. (if applicable)		
Claimant's name (including ref.) Bristol City Council		
Defendant's name (including ref.) Persons Unknown Residing in caravans or other vehicles adapted for residential purposes		
Date		

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

Bristol City Council

2. Are you a ☒ Claimant ☐ Defendant ☐ Legal Representative
☐ Other (please specify)

If you are a legal representative whom do you represent?

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

An extension to the Injunction Order granted by District Judge Napier on 22nd September 2025 which is due to expire on 21st September 2026. Evidence in support of the Claimants request to extend this Order can be found in the accompanying statement of Sarah Blazier dated 16th September 2026.

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

21st September 2026 expiry of Injunction

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

no one

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

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.

The Claimant is seeking an Order to extend the Injunction Order granted by DJ Napier on 22nd September 2025 until further Order of the Court.

The Claimant is seeking this Order due to this Injunction nearing the expiration date of 21st September 2026. The Injunction Order has provided strong boundaries to prevent those who would be Defendants from occupying the Claimants land within the North of the City of Bristol and the Claimant submits that should the injunction lapse, those Defendants occupying the Claimants land will only be moved on by way of a Possession Order and an Eviction Writ or Warrant if thereafter required. The Claimant submits that the cost of this in comparison to enforcing the Injunction, as outlined within the statement of Sarah Blazier dated 16th September 2026 and filed with this Application, is a significant amount and is borne by the tax payers of Bristol.

As can be seen from the statement of Sarah Blazier dated 16th September 2026, the Claimant has established that in the past 6 months alone the Claimant has saved approximately £60,000 in Court fees, fees for bailiffs and fees for clearing fly-tipped waste from occupied land simply by serving the Injunction Order at the earliest possible opportunity and moving an encampment on as soon as possible.

The delay to this Application, I am told, was caused by a change of staff within the Claimant's Parks Services and as a result of this staffing change, it was unclear who would be in charge of seeking to extend the Injunction Order. I am told by my colleague Tom Marshall that as the Injunction Order neared its expiration date, an urgent cost review was carried out which led to the Claimants realisation that not only was the Injunction effective in reducing the length of time that encampments were present on its land, the cost of moving these encampments off the land was significantly reduced by the Injunction Order and it was agreed that seeking an extension was sought. It is regrettable that this review was not undertaken sooner.

If the matter cannot be listed before 21st September 2026, I would invite the Court to extend the Injunction on a temporary basis so that it does not lapse.

There are no service issues as an Interim extension is ordered, but I appreciate the Court may well want to give directions as to service of the Application and any Order made.

I draw the Court's attention to the accompanying statement of Sarah Blazier dated 16th September 2026 filed with this application.

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.

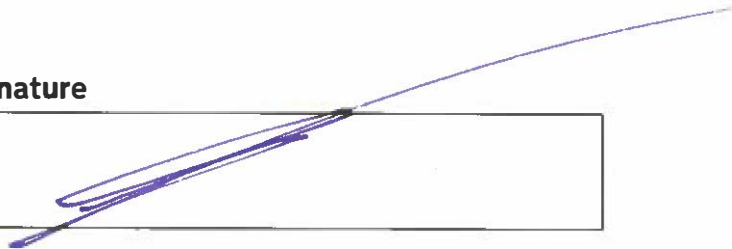
☒ No

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

Name of applicant's legal representative's firm

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

Applicant's address to which documents should be sent.

Building and street

Legal Services

Second line of address

PO BOX 3300

Town or city

Bristol

County (optional)

Postcode

B	S	1		9	L	N
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If applicable

Phone number

Fax phone number

DX number

7827 Bristol 1

Your Ref.

24978936

Email

BETWEEN:-

BRISTOL CITY COUNCIL

Claimant

AND

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

If you the within-named Persons unknown residing in caravans or other vehicles adapted for residential purposes, do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets seized.

On the the Court considered an Application for an Injunction

BEFORE DJ Sitting at

AND UPON READING the witness statements of Sarah Blazier dated 16th September 2026

UPON HEARING the Solicitor of the Claimant

The Court Ordered that Persons unknown residing in caravans or other vehicles adapted for residential purposes:

- i. Must within two hours of being served a copy of this Injunction Order, not enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant. This area is defined within Map 1 shaded in Yellow and hatched in red, excluding the area shaded in red and green as defined within Map 2.
- ii. Must not dispose of any waste and/or fly-tip any rubbish on any private car park, green space, or public road owned or managed by Bristol City Council and located within the City of Bristol, without the consent of the Claimant.

This Order shall remain in force until (the
revoked by a further Order of the Court.

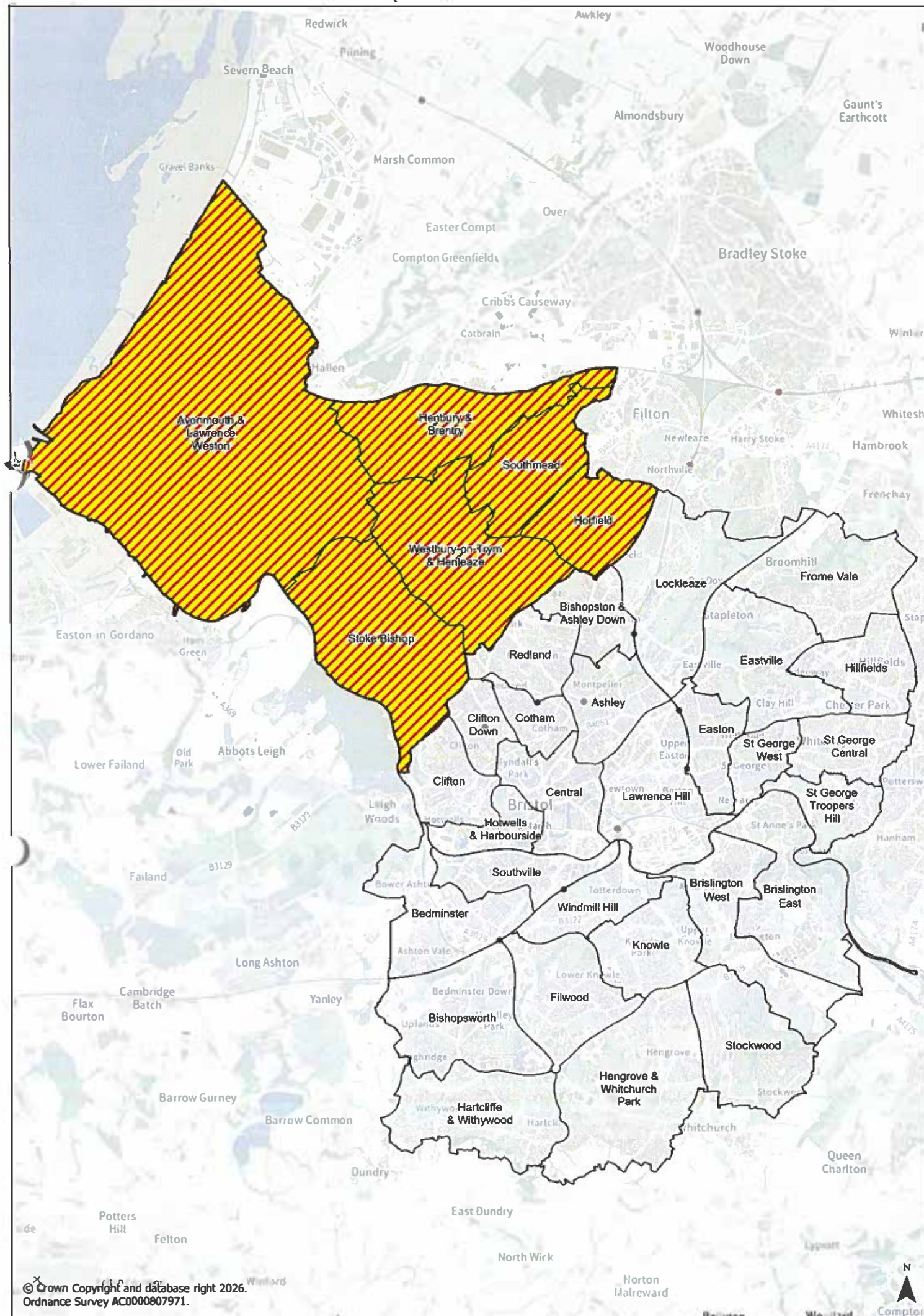
at 23.59 o'clock unless before then it is

You are entitled to apply to the Court to re-consider the Order before that day.

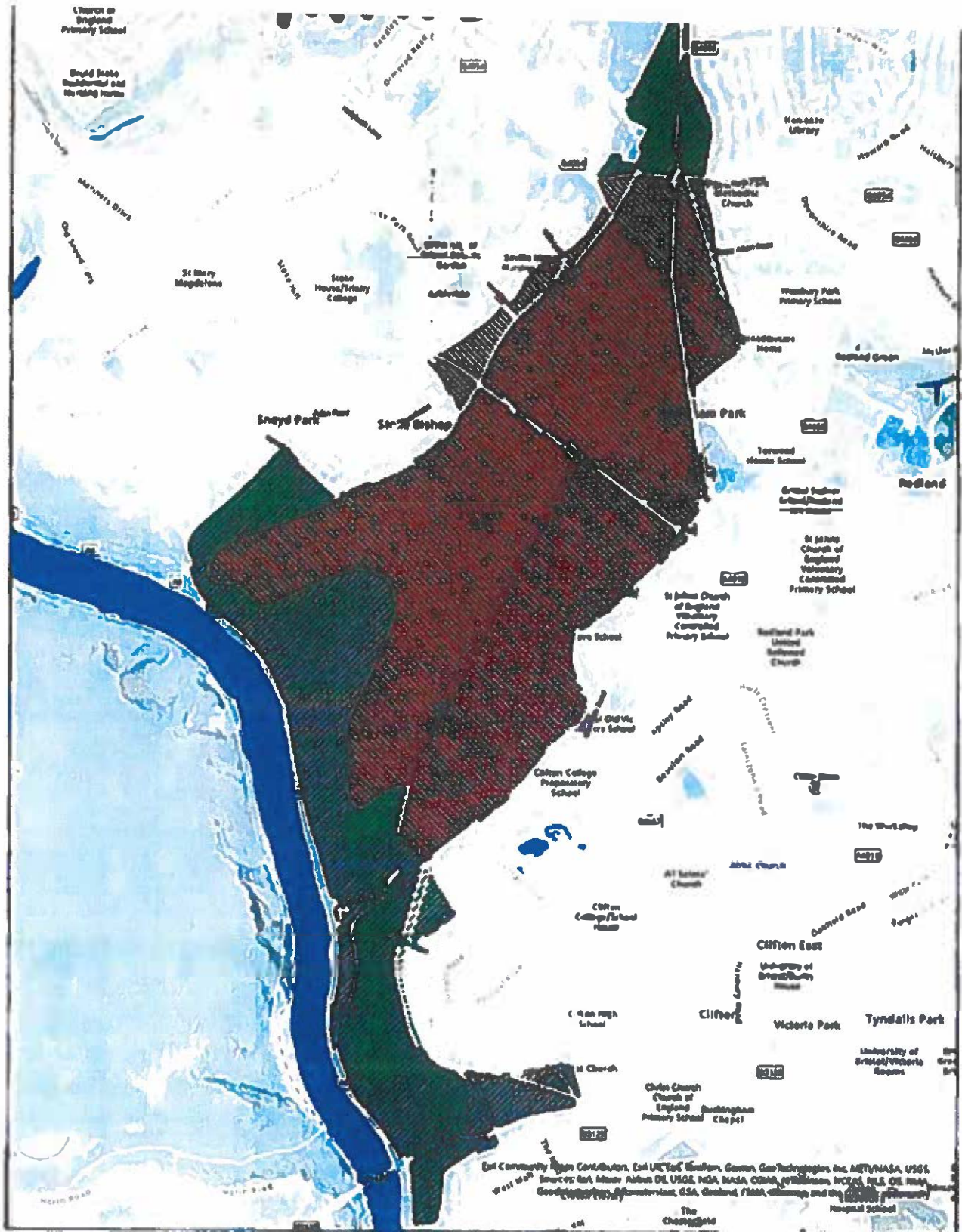
If you do not understand anything in this Order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

Address all communications to the Chief Clerk AND QUOTE THE ABOVE CASE No.

The Court Office at Bristol Civil Justice Centre, Redcliff Street, Bristol, is open from 10am to 4pm, Monday to Friday.



Map 2



Bristol City Council
Clifton and Durdham Green - Information

The information on this map is for general information only. It is not a legal document. The Council makes no warranty or representation as to the accuracy or completeness of the information. The information is provided as a service to the public and is not intended to be used for any other purpose.

The information on this map is for general information only. It is not a legal document. The Council makes no warranty or representation as to the accuracy or completeness of the information. The information is provided as a service to the public and is not intended to be used for any other purpose.

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Ordnance Survey
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Scale 1:1,000 @A4
Date 20/01/2015



BRISTOL CITY COUNCIL
Information of Public Access
This is a public document. It is not a legal document. It is not intended to be used for any other purpose.

Claimant: Bristol City Council
Witness: S Blazier
Exhibits: SB1 – SB2
Date: 16th September 2026
CLAIM NUMBER:M01BS389

IN THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

STATEMENT OF SARAH BLAZIER

I, **Sarah Blazier** of, Bristol City Council, 100 Temple Street, Bristol, BS1 6AG will say as follows:

1. I am employed by the Claimant as the Area Manager for the Parks department of the Claimant covering the North of the City. I am responsible for Parks and Green Spaces owed by the Claimant which includes all the parks and green spaces within the highlighted area on Map 1 and I am authorised to make this statement.
2. In making this statement, I have had access to the Claimant's computer records as well as liaising with various colleagues including the Gypsy Roma and Traveler Team, and representatives from Avon and Somerset Police.
3. This Injunction, which prevented the Defendants from entering or remaining on land owned and managed by the Claimant for the purposes of residence in the

North area of the City of Bristol, and further restricts individuals from disposing of waste or fly tipping any rubbish on and green space, private car park or public road owned or managed by the Claimant within the City of Bristol; is due to expire on 21st September 2026. I make this statement in support of the Claimants Application to extend this Injunction Order. **I have exhibited a copy of this Injunction Order as SB1.**

4. The initial Injunction was sought following a number of encampments appearing in the North area of the City of Bristol in the Summer and Autumn of 2025. These encampments resulted in the Claimant seeking possession of the land being occupied and often this possession action was followed by the Claimant seeking an eviction warrant and thereafter employing the services of a Bailiff to facilitate any eviction. Further to this, the Claimant would find that the land would need to be decontaminated as fly tipping as well as hazardous materials such as gas canisters and human waste were often left on the land and on the roadside.
5. This possession action and follow on work to restore the land to usable levels was costing the public purse tens of thousands of pounds and as such the Injunction of 22nd September 2025 (the "Injunction Order") was sought to reduce the number of encampments and to reduce the cost to the general public.
6. In the life of this Injunction Order, the Claimant has moved on encampments swiftly and saved thousands of pounds as often the service of the Injunction has resulted in encampments moving on within a short period of time. In comparison, possession claims now take weeks to resolve whilst the Claimant waits for a Hearing for possession of the land and then awaits an eviction warrant being granted. One such example is an Application for possession of Brandon Hill which the Claimant lodged with the Court on 27th May 2026 and the Claimant is still waiting for a Hearing for possession on.
7. I am informed that in 2026 alone the Injunction Order has been served at eight different encampments, with the result being that occupants on the land have moved on often within 24 hours of their being served. On some occasions, the

Claimant has agreed to a reasonable time frame which is longer than 24 hours, with those present on the land and this has often been when those occupying the land have sought assistance or support with long term accommodation.

8. These eight encampments and the dates they were occupied are: Hallen Marsh (Washingpool Lane) on 21 April 2026, Trymside Open Space on 23 April 2026, Hallen Marsh (Severn Road entrance) on 27 April 2026, Lawrence Weston Football Ground on 16 June 2026, Blaise Castle Estate on 24 July 2026, Horfield Common (Dorian Road) on 8 August 2026, Doncaster Road Park on 8 August 2026 and Sea Mills Recreation Ground on 15 August 2026. Interestingly, the Injunction Order was sought following the occupation of Sea Mills Recreation Ground in 2025.
9. In all of these cases, the Claimant's service of the Injunction Order has been enough to deter those occupying the land from remaining or returning and the Claimant has not had to seek action to enforce the Injunction Order by way of Committal proceedings, or any other form of action.
10. The Injunction Order, having allowed the Claimant to rapidly move those encamped off the land, has also resulted in a reduction in the amount of fly tipping on the Claimants land by such encampments. In scrutinizing the costs incurred by the Claimant I have found that on average, following an encampment on the Claimants land, it would cost between £3,000 and £4,000 to clear a site depending on the amount of waste left behind. This figure can of course vary depending on the type of waste left, with specialist cleaning and clearing resulting in a higher financial cost to the Claimant. The amount of time to clear a site of waste also varies but on average it takes at least 1-2 days meaning locations such as parks and green spaces are not available to members of the public whilst this work is completed. For the eight sites I have referred to, clearing and cleaning the sites of fly tipped waste would have cost on average £28,000.
11. Further to the cost of clearing waste, the Injunction Order has also saved the Claimant from seeking legal action to regain possession of those eight occupied sites. An Application for Possession costs the Claimant, and as a result the

public purse, £400 per claim. This does not include the cost of officers' time writing statements, preparing, issuing and Advocating these Applications. This means that the Injunction Order has saved the public purse £3,200 just on Application fees alone for these eight occupied sites alone.

12. There is also the fee of employing Bailiffs to enforce any Possession Orders and eviction warrants which the Claimant would have had to obtained if we had sought possession of those eight occupied sites. This cost can vary depending on the number of individuals occupying a site but the base cost of an enforcement agency for such work is around £2,000 to £5,000 and the cost of a Request for Warrant of Possession of Land Application through the Court is £148 per appointment. This means that the cost of serving and enforcing a Possession Order for those eight occupied sites would have been approximately £29,184 if the Claimant had had to seek a Possession Order and then enforcement by way of an eviction warrant thereafter.
13. An estimation of the costs of seeking a Possession Order and then enforcement by way of an eviction warrant and then clearing and cleaning an occupied site, rather than relying on the Injunction Order for these eight occupied sites in 2026 alone would roughly be £60,384 based on the average cost. This does not take into account the other hidden costs to Possession Claims and enforcement of eviction warrants such as the cost of the Claimants Legal Services, the employment of Counsel if required, and the cost of Police Officer time should the additional support of Avon and Somerset Police be required. The Injunction Order covering the North of the City has prevented these costs being incurred by the public purse and the Injunction Order has also reduced the time scale of resolving the issue of occupied land.
14. One of the eight sites which I refer to was Blaise Castle Estate on which a large convoy of vehicles used for residential purposes arrived on the land on 25th July 2026 during a family event. These occupiers were spoken to by members of the Claimants Gypsy and Roman Traveller team and were informed of the Injunction Order and asked to vacate the land. The Group agreed to do so saying that they would leave before the end of the weekend. The group had fully left the land on by Monday 27th July 2026.

15. In comparison to this quickly resolved occupation of the Claimants land, Eastville Park in the East of the City of Bristol was occupied by persons in vehicles used for residential purposes on 21st October 2025. Attempts were made to engage with this group, but they were ignored. The Claimant lodged an Application for Possession of the land on 11th February 2026 with a Notice of Hearing for Possession of Property received from the County Court on 16th March 2026 with a Hearing date of 20th March 2026.
16. A Possession Order was granted however the Claimant did not receive a copy of this Order from the Court until 20th April 2026. The Order was served on those present on the site on 22nd April 2026 and as those in occupation did not leave, and a Request for Warrant of Possession of Land Application was lodged with the Bailiff. The Appointment with the Bailiff was provided to the Claimant on 28th July 2026 with the date of eviction set for 24th August 2026.
17. In total from the time that the Claimant has lodged the initial Application for possession and the eviction of those occupying the land, 195 days had passed. Furthermore, the Claimant had spent a considerable amount of money on both the Possession and eviction process and, should any vehicle adapted for residential purposes appear at Eastville Park, and occupy the land, the Claimant would need to start the possession process again, and the cost of this process would be to the public purse. In comparison, the Injunction Order resulted in individuals occupying Blaise Castle Estate moving on after two days.
18. I have considered the efficacy of alternative remedies to Possession Order in support of that point I attached as exhibit **SB2** a copy of the Judgement of District Judge Napier wherein he agreed with the Claimants submissions in relation to the problems which arise when other forms of enforcement were considered and in that analysis were discounted.
19. For the reasons set out above, I respectfully ask the Court to extend the Injunction Order of District Judge Napier dated 22nd September 2025 for a further 12 months in the following terms:

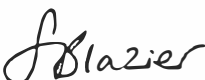
Persons unknown residing in caravans or other vehicles adapted for the purposes of residence:

- i. Must within two hours of being served a copy of this Injunction Order, not enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant. This area is defined within Map 1 shaded in Yellow and hatched in red, excluding the area shaded in red and green as defined within Map 2.
 - ii. Must not dispose of any waste and/or fly-tip any rubbish on any private car park, green space, or public road owned or managed by Bristol City Council and located within the City of Bristol, without the consent of the Claimant.
20. The Court will note the addition of Map 2 as an area not covered by the Injunction Order. Map 2 designates the area covered by "the Downs" and which is subject to another claim being brought by the Claimant. As such, this area would not make up part of the Injunction Order being sought in this Application.
21. In seeking this extension, I have considered the rights, under Article 8 (right to Privacy), 10 (freedom of expression) and 11 (freedom of association) of the European Convention on Human Rights of any potential Defendant who may be served with the Injunction Order. I have concluded that any interference with the Defendant's Human Rights can be justified in the interest of public safety and the protection of the rights and freedoms of others, accordingly these restrictions to the Defendant's Human Rights, are proportionate and necessary.
22. In making this Application, I have spoken with the Claimants Gypsy Roma and Traveler Team who have confirmed that the Injunction Order has not affected their engagement with the traveller community. All welfare checks and attempts to engage with persons on the Claimants land are still made and will continue to be made and enforcement of the Injunction Order will only be sought if individuals occupying the Claimants land refuse to leave.

23. Indeed, the Claimant is happy to work with those individuals occupying our land to locate pitches on Meanwhile sites and to provide advice and guidance on accessing services for such needs as health care and education should this be required. The Claimant has also been flexible in its approach to enforcing the Injunction Order, on many occasions in the eight examples I have mentioned, agreement to vacate the site has been reached over taking enforcement action even when this means that those occupying a site remain beyond the two-hour time limit set out in condition ii of the Injunction Order.
24. The Claimant can assure the Court therefore that before service of the Injunction, the Claimant will make all reasonable attempts to engage with any individual present on its land asking them to vacate. Should all reasonable attempts to obtain compliance by any Defendants fail, the Claimant will serve the Injunction Order and require those to leave within the given time frame. The Claimant will only seek to enforce the Injunction Order if those present continue to refuse to leave. When serving the Injunction Order, the Claimant will continue to be flexible with the time frame for those served to move on. The Claimant will continue to take the approach that once served, Officers will stay on site until those present have moved on and any further refusal to leave will result in the Claimant seeking committal proceedings.

Statement of Truth

I believe the facts stated 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 

Dated 16th September 2026

Claimant: Bristol City Council
Witness: S Blazier
Date: 16th September 2026
CLAIM NUMBER: M01BS389

THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

EXHIBIT SB1

**THIS IS EXHIBIT SB1 REFERRED TO IN THE
STATEMENT OF SARAH BLAZIER AND DATED 16th SEPTEMBER 2026**

I verify that this is the exhibit SB1 referred to in my witness statement dated 16.09.2026.

Signed Sarah Blazier

Date: 16th September 2026

Injunction Order

Between Persons Unknown, Defendant
and Bristol City Council, Claimant

Bristol City Council Legal Services
City Hall
College Green
Bristol
BS1 5TR

In the County Court at
Bristol

Claim Number	M01BS389
Claimant (including ref.)	Bristol City Council
Defendant (including ref.)	Persons Unknown



If you the within-named Persons Unknown residing in caravans or other vehicles adapted for residential purposes do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets seized.

BEFORE District Judge Napier sitting at County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR

UPON HEARING the Solicitor of the Claimant.

AND UPON reading the witness statements of Caroline Ennions dated 5 September 2025 and Tom Marshall dated 19 September 2025 and 22 September 2025

AND UPON the Court considering it just and convenient to grant an Injunction Order.

AND UPON the Court having regard to S.1 and S.2 of the Anti-Social Behaviour Crime and Policing Act 2014

On 22 September 2025 the court considered an application for an injunction

The Court ordered that Persons Unknown residing in caravans or other vehicles adapted for residential purposes must not:

- i. Enter or remain on any area within Maps 1 shaded in yellow and bound by the red line, for the purposes of residence.
- ii. Within two hours of being served a copy of this Injunction Order, enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant as defined within Map 2 shaded in yellow and bound by the red line excluding the area shaded in red and green as defined within Map 3.
- iii. Dispose of any waste and/or fly-tip any rubbish on any private car park, green space or public road owned or managed by Bristol City Council and located in the City of Bristol, without the consent of the Claimant.

The court office at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577 Fax: 0870 3240048 Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Miss J Bates
CJR105

Your attention is drawn to your right to apply to the Court to set aside or vary this Injunction. Any application must be made to the County Court at Bristol at the Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR or by email to e-filing.bristol.countycourt@justice.gov.uk.

Your application must be made on HMCTS Form N244 or by way of a letter provided it is signed with a statement of truth and a copy must be sent to legal.support@bristol.gov.uk at the same time it is filed with the Court. A hearing will then be arranged with no less than two clear days' notice to all parties, or shorter if the parties agree or the Court orders otherwise.

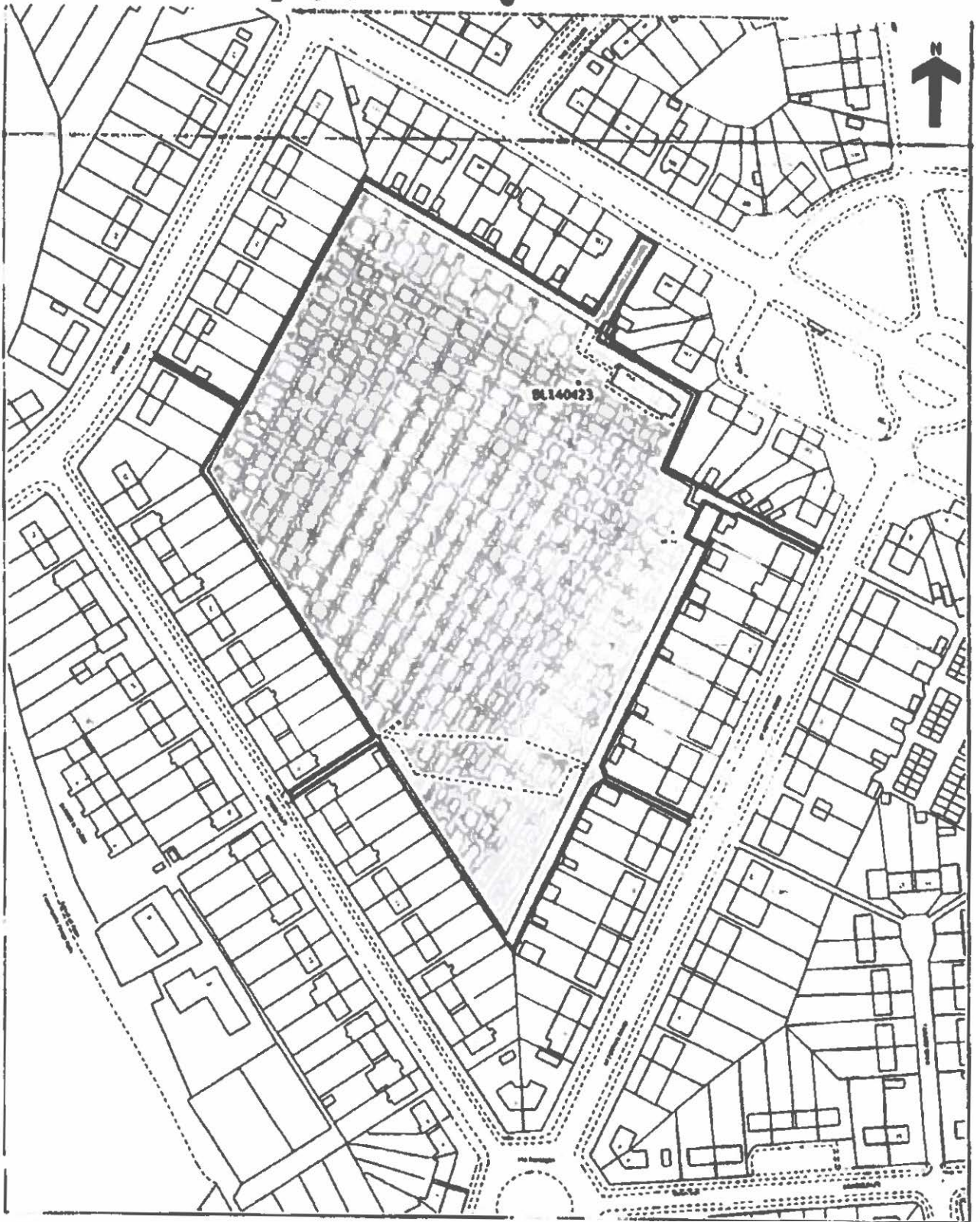
This order shall remain in force until 21 September 2026 at 11:59 PM unless before then it is revoked by further order of the court

You are entitled to apply to the court to reconsider the order before the day.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

If you do not understand anything in this Order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

MAP 1



This official copy is incomplete without the preceding notice page

THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR IRELAND
Said: 1994. REVIEW OF BOUNDARIES
Final Recommendations for the Boundary of the City of Dublin May 20 1994

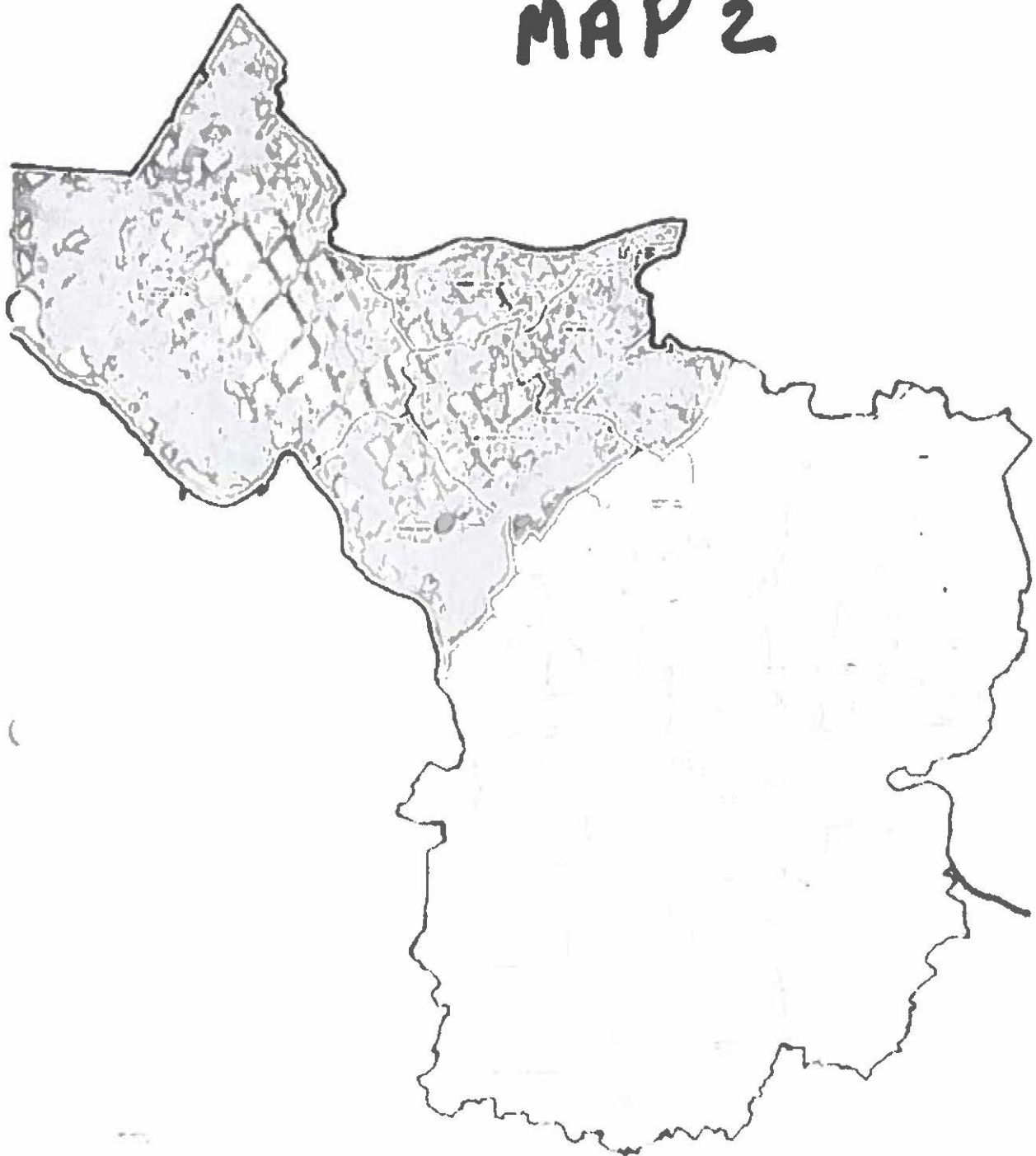
For the purpose of the Review of the Boundary of the City of Dublin the Commission has considered the following proposals:

Boundary of the City of Dublin as it stands in 1994
Boundary of the City of Dublin as it stands in 1994
Boundary of the City of Dublin as it stands in 1994

Scale: 1:100,000

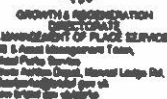


MAP 2



[illegible]

Scale 1 3.425 (G4)
Date 20/07/2025



Claimant: Bristol City Council
Witness: S Blazier
Date: 16th September 2026
CLAIM NUMBER: M01BS389

THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

EXHIBIT SB2

**THIS IS EXHIBIT SB2 REFERRED TO IN THE
STATEMENT OF SARAH BLAZIER AND DATED 16th SEPTEMBER 2026**

I verify that this is the exhibit SB2 referred to in my witness statement dated 16.09.2026.

Signed Sarah Blazier

Date: 16th September 2026

IN THE COUNTY COURT AT BRISTOL



2 Redcliff Street
Bristol
BS1 6GR

Date of hearing: 16 April 2026

Before:

DISTRICT JUDGE NAPIER

Between:

BRISTOL CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendants

Mr Denford appeared on behalf of the Claimant
There was no appearance by the Defendants

JUDGMENT

Handed down in open court at 2pm on Tuesday 5 May 2026

DISTRICT JUDGE NAPIER:

1. This is my reserved judgment following the hearing on 16 April 2026. At that hearing, I granted the possession order sought by the Claimant and indicated my

reasons would follow. These are those reasons, along with my decision on the application to extend the terms and area of the current injunction.

2. I start with some general observations given the heightened public interest in these proceedings.
3. The question of the use of the Downs is a multi-faceted one and one which gives rise to emotions on all sides of the debate. There are those who believe, fervently, that vehicle dwelling should not be permitted and that the Claimant has ignored the growing numbers of van dwellers over the years.
4. On the other side, there are the people who find themselves living on the Downs. They are ordinary people trying to live in their homes in often difficult circumstances. I am very aware they do not fit into any one single demographic. They come from all walks of life and include those who live in vehicles out of necessity, but also out of choice. I am conscious some of them have very difficult personal, medical, and social circumstances.
5. The function of the Court is not to decide social policy questions about housing, the cost of living, or the 'politics' of the use of the Downs. Those are political matters for the Claimant as the local authority and its elected councillors. Those councillors, and the Downs Committee, are responsible for the policy decisions governing the Downs and van dwelling in the City.
6. The role of the judiciary is to decide claims brought to us impartially, independently and without fear or favour to anyone. The Claimant has decided to bring a legal claim for a possession order and for a further injunction. That is a decision for it to take. Having done so, it is my role to consider the evidence

properly put before the Court, apply the law, and reach a decision on whether the Claimant is entitled to the orders it seeks.

BACKGROUND

7. The background to the claim, along with my analysis of the law, factual findings, and conclusions as to why the current injunction should be granted, are set out in my judgment of 25 July 2025 published at the National Archives, BAILII and on the Claimant's website. The relevant citation is Bristol City Council v Persons Unknown [2025] EWCC 53.
8. I will not repeat what is in my earlier judgment and this judgment must be read alongside it.
9. I will refer to the injunction order which came out of the hearing in July, and which is still in force, as "the Main Order".

JULY 2025 TO DATE

10. Following the Main Order, and consistent with case law for newcomer injunctions, a review hearing for the Main Order was conducted on 18 November 2025. At that hearing, a member of the public¹ ("X") indicated he wished to challenge the Main Order. The hearing was adjourned to 5 December 2025 to allow X to file their evidence and consider whether or not they wished to be joined as a defendant to the proceedings.

¹ At the hearing on 5 December 2025, I decided that it was inappropriate to name X due to the sensitive and private medical information which they had filed with the court and that this outweighed the strong public interest of knowing the identity of those seeking to be involved in the proceedings

11. On 5 December 2025, for the reasons stated on the order from that occasion, X's request was refused. However, the Claimant indicated that it would be applying to extend the Main Order. A further hearing was listed for 5 February 2026 for the giving of directions once the applications had been issued.
12. The Claimant issued their application to extend the Main Order on 4 February 2026 ("the Extension Application"). They issued a claim for a possession order of various areas of land and roads on 18 February 2026 which was issued under claim number N00BS177 ("the Possession Claim").
13. On 5 February 2026, I held the directions hearing and made a number of orders concerning case management. It is important to record at that hearing I permitted a number of different groups to address the Court even though they were not parties to the claim. I permitted this because it was in keeping with the review nature of the hearing, the number of people who would potentially be affected by the Extension Application and the Possession Claim, and the overriding objective.
14. In particular, I heard from the Claimant, the group called "Protect the Downs" and the group called "Bristol Housing Action Movement" (who support those living on the Downs). They were all permitted to address the Court on the best and most inclusive way forward for the proceedings. Those speaking on behalf of those living on the Downs were particularly concerned that more needed to be done to inform people of the proceedings and make them aware of the Claimant's case. I agreed with that position and (as will follow) required the Claimant to take steps over and above those which would normally be expected of claimants in the service and preparation of the proceedings.

15. Equally, I made clear to everyone present (of which there were a good number of people) that the Civil Procedure Rules (“CPR”) applied and there must be fairness to the Claimant as well as to any potential defendants. Whilst I was prepared to have an open and inclusive ‘discussion’ at that hearing to allow those affected to engage with the proceedings, it was explained in no uncertain terms that the trial of the Extension Application and Possession Claim must be conducted on a formal basis, in compliance with the CPR, with sworn evidence provided, and the parties knowing what the case of each other was.

16. In consequence of this, I directed:

- i) Service of the proceedings would take place by way of notices placed on and around the Downs in locations approved by the Court.
- ii) The content of the notices must be approved by the Court.
- iii) The Claimant must maintain a page on its website, linked to by a QR code on the notice, on which all statements of case, the evidence, the orders, and the previous judgment were published.
- iv) The statement of case and evidence of the Claimant must be served on St Mungo’s (the charity) and Bristol Housing Action Movement.
- v) Any potential defendant had until 20 March 2026 to apply to join the claim and file their evidence.

17. Concerns were expressed by those present at the costs risk of joining the proceedings if they were unsuccessful. I indicated that I would not make a costs capping order under CPR 3 as there was no application to do so and, as set out

in PD 3E, these are only made in exceptional circumstances. I did invite, and it accepted, the Claimant to consider its costs position in the event it was successful. As a result of this, the Claimant agreed that it would only seek its costs if a defence was found to be without merit (as opposed to just being unsuccessful). A statement to this effect was included in the public notice of the proceedings.

18. In the end result, no one applied to defend the proceedings. A group called “Bristol Van Dweller Alliance” filed submissions but no application and no sworn witness statement. The Claimant considered and addressed their document nevertheless in the hearing.
19. I set all this out because at, and following, the hearing on 16 April there have been suggestions that the Court did not permit certain groups to speak and address the Court – the implication being this was unfair or unexpected. I reject that position. The process has been fair and the Court went over and above the requirements of the CPR to allow those who wished to take part to do so. The Court can only tilt the scales so far before the process becomes unfair to the other side.
20. The procedural conclusion is that no defendant has appeared to contest the claim. That is not the end of the matter because, where the relief is discretionary, the Court must still be satisfied that it is appropriate to grant such relief. It is for the Claimant to prove this on its evidence.

THE POSSESSION CLAIM

21. The Claimant is entitled to use the trespasser possession procedure. Under CPR 55.1(b), 'a possession claim against trespassers' means a claim for the recovery of land which a claimant alleges is occupied only by a person or persons who entered or remained on the land without the consent of a person entitled to possession of that land. It does not include situations where there has been a tenancy which has been terminated, but that does not apply here as no one has informed the Court of any tenancy they hold or held.
22. Outside the highways in question, the Claimant is the owner of the land in question. It owns the land on Durdham Down and, in relation to Clifton Down, my earlier judgment sets out the provisions of the Act and the Claimant's entitlement to the land under the provisions of that Act and its agreement with the Society of Merchant Venturers. There is no defence putting forward a better entitlement. The Claimant's evidence shows that its land is being trespassed on and therefore it is entitled to a possession order.
23. Turning to the roads, which are highways in law, the Claimant is the highway authority for the roads in question here: s 1(2) Highways Act 1980. Under s 263 of the same Act, the roads vest in the Claimant and it has a duty under s 130 to act on behalf of the public, viz:

"(1) It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of it.

(2) Any council may assert and protect the rights of the public to the use and enjoyment of any highway in their area for which they are not the highway authority, including any roadside waste which forms part of it.

(3) Without prejudice to subsections (1) and (2) above, it is the duty of a council who are a highway authority to prevent, as far as possible, the stopping up or obstruction of ... the highways for which they are the highway authority[...]

(4) Without prejudice to the foregoing provisions of this section, it is the duty of a local highway authority to prevent any unlawful encroachment on any roadside waste comprised in a highway for which they are the highway authority.

24. This gives the Claimant ample statutory standing to bring the claim for possession.
25. The relevant tests were set out by Fancourt J in The Mayor and Burgesses of the London Borough of Hackney & Anor v Powlesland & Ors [2020] EWHC 2102 (Ch) at [24]. The second and third of the tests are not relevant here – there is no one other than the Claimant seeking possession and there is no suggestion the persons unknown are temporarily on the highway to such a degree they cannot be said to be in possession of it.
26. On the first test, having considered the decision of the Court of Appeal in Wiltshire County Council v Frazer (1984) 47 P & CR 69, His Lordship concluded that:

“If the occupation is not merely temporary but ousts the highway authority to any degree, even though the highway is still passable, the highway authority (in this case the Council) is entitled to claim possession from those who will not otherwise move.”

27. That is clearly the case here from the uncontested witness evidence. The persons unknown residing on the roads in question are dispossessing the Claimant of the highway and this is in no way a temporary situation. Their presence on the highway prevents other lawful users from using the same section to pass and repass over it as the law permits them to do.
28. I have considered, notwithstanding the lack of any defence, whether the possession order is a disproportionate interference with the Article 8 rights of the persons unknown who have lived on the land long enough to establish a private or family life there. These rights have to be balanced against the rights of others, in this case the Claimant’s property and public rights. In my judgment, the interference is proportionate. The trespass is sustained and long standing and repeated by multiple persons. Those wishing to reside in caravans or vans are able to do so elsewhere.
29. For these reasons, I grant the possession order. By law, possession orders in trespass cases must be granted with immediate effect but, as the Claimant has elected to seek a deferred date, I ordered that possession of the land and highways must be yielded up to the Claimant by 4pm on 7 May 2026.

GENERAL INJUNCTIVE RELIEF

30. At paragraphs 12 to 17 of my previous judgment, I set out the law in relation to applications for injunctions under common law or in equity (a general injunction) which I adopt again.
31. An important element of the applicable tests is the Claimant is entitled to an injunction to restrain a threatened or apprehended trespass on its land, but it must prove it is more likely than not there is an imminent danger of very substantial damage, or further damage.
32. I am not persuaded from the Claimant's evidence that this is the case here. Unlike the earlier stage of the proceedings, there have never been any orders against those living on the roads around the Downs. Their numbers fluctuate substantially – at the start of this process it was over 100 and now it is around 45 as of the date of the hearing.
33. There is an important distinction between the groups who have repeatedly entered onto grassed areas of land on the Downs and caused substantial damage (as set out in my previous judgment involving multiple sets of possession proceedings) and those who have been living on the roads and have never been asked to leave. This has always been the deliberate litigation choice of the Claimant.
34. Put simply, the evidence shows that we simply do not yet know that the Claimant's entitlement to possession is going to be infringed because this is the first time the Claimant has sought possession. I do not know, nor does the

Claimant beyond any speculation, what will happen once the possession order is served and begins to take effect.

35. In these circumstances, my judgment is that the Claimant is not entitled a general injunction. The balance of convenience does not fall in favour of the Claimant at this point. As was stated in Wolverhampton, there must be in a newcomer injunction a compelling justification for the injunction against persons unknown to protect the Claimant's civil rights. That is not the case here.
36. I accept the situation may be very different if, after 7 May 2026 and any subsequent enforcement of the possession order, there are repeated trespasses to the land and highways. If that occurs, the Claimant will be able to apply for a general injunction and it is likely I will not consider it proportionate to go through the same wide-ranging procedural stages as it took to reach this trial.
37. For these reasons, the application for a general injunction is dismissed.

ANTI SOCIAL BEHAVIOUR INJUNCTION

38. I set out the law in relation to anti-social behaviour injunctions at paragraph 18 of my previous judgment.
39. My assessment of the evidence leading to the grant of an anti social behaviour injunction over limited sections of Clifton Down and Durdham Down is explained in my judgment of 25 July 2025. I will not repeat it again.
40. I turn to the evidence since that time. The evidence of Ms Ennion and Mr James was not disputed at the hearing.

41. In Ms Ennion's Third Witness Statement, she explained the incursions onto the grassed areas of the Downs prohibited under the Main Order. She sets out how different groups who have occupied the land have moved off when served with the Main Order (which permits arrest after two hours of service if not complied with). On one occasion, an amount of household rubbish had to be cleared. On another, Ms Ennion explained that a group which previously left a very significant amount of rubbish on the Downs moved off in short order. In her view, the Main Order has increased public confidence in the management of the Downs because it has reduced the incursions onto the grassed land.

42. In Mr James's witness statements, he accepts that the groups that lived on the grassed land, and those who lived on the roads, were distinct and separate groups "*of substantially different backgrounds*".

43. Mr James has provided a map identifying areas where human excrement has had to be regularly cleared by the Claimant's staff, and public bins into which bagged human excrement has been placed. The map shows three large marked areas where human waste is often found. One runs alongside Circular Road, another along Parry's Lane as it is bounded by Saville Road and the A4018, and the other between Clay Pit Road and Westbury Park. All three of those roads are where the highest concentration of van dwellers are.

44. Mr James has provided photographic evidence of human and other waste being found in wooded areas on the Downs by Enforcement Officers. The photos clearly show accumulations of waste and makeshift toileting areas. The Enforcement Officer describes what they found as "*All areas marked were found to contain evidence of human waste, including excrement (historic and*

fresh), toilet tissue, and multiple empty plastic water bottles believed to be used for sanitary purposes". The footfall and worn paths in the area led the enforcement officers to the vans on Parry's Lane.

45. As a result of these discoveries, the Claimant uses Bristol Waste to clear the sites. They visit the sites twice a month. When waste is found (which Mr James accepted was not on every occasion), the clearance cost is around £1,300. This is paid for by the Claimant. Mr James considers the only viable option would be to provide ten portaloos with associated cleaning and waste disposal to mitigate against this issue. He explains in his evidence why it is inappropriate for the Claimant to take that step (as opposed to temporary events on the Downs which use them, or at the meanwhile sites).
46. Mr James explained that from April 2025 to the date of his statement, 254 complaints had been received. 159 were received before that. He does not explain who they come from and I bear in mind that it is likely some are duplications or repeats of the same complaint or from the same person.
47. Mr James sets out the range of harm the Claimant considers is occurring: litter and environmental damage (including fly-tipping and general waste), human waste and sanitation concerns, accumulations of rubbish, anti social behaviour (described as fights, drug activity and inappropriate behaviour) which includes children being found playing in the human excrement, inappropriate parking, water pollution, pests and odour, environmental harm, and the costs incurred with addressing waste.
48. Mr James explains in his witness statement the engagement actions the Claimant has taken with the van dwelling community. Welfare checks and assessments

have been carried out, as well as assessments of the Claimant's duties under the public sector equality duty. The assessment forms from visits conducted on 2 and 11 December 2025 are in evidence before me. Most occupants were not present when the officers visited and a substantial number of vehicles were locked up or appeared abandoned. Three individuals refused to speak to the officers or threw the papers back at them.

49. Finally, Mr James has explained the enforcement plan in the event the Claimant is granted the orders it seeks.

50. My decision on the claim for an anti-social behaviour injunction is as follows:

i) As Mr James set out in his own evidence, it is important to draw a distinction between those who occupy the grassed areas of the Downs, and those who occupy the roads surrounding it (the van dwellers). They are distinct and separate groups and it would be wrong to view the claim through the same prism in relation to them both.

ii) Anti-social behaviour is defined by s 2(1) of the 2014 Act as:

a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; or

b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises.

iii) Concerning the first group (those who occupy the grassed areas), I see no reason from the evidence before me at the hearing to part from my earlier judgment. The further witness evidence of Ms Ennion shows that

the injunction is still necessary and multiple groups have attempted to reside on the grassed areas in breach of the Main Order and the Byelaws governing the Downs. My findings of anti social behaviour are less than a year old and I find still apply to the groups who have committed incursions onto the grassed areas. It is still just and convenient to have an injunction and I will extend it to cover all the grassed areas of land within the application.

- iv) Concerning the second group (those living on the roads), the evidence is very clear that there are substantial accumulations of rubbish and human waste in and around the Downs. The correlation between where these have been found, and the greater concentrations of vans, means I draw the reasonable inference that those living in the vans are the primary cause of this – in particular the human waste.
- v) I have accepted in my analysis that there will be a level of detritus left by the general public and this is not caused by the van dwellers. However, I consider the accumulations are substantially contributed to by the van dwellers and there is no other logical explanation for the correlation between where waste is found and the greater concentration of vans.
- vi) The question is whether this constituted anti-social behaviour under the 2014 Act. As set out earlier, the term has a specific legal meaning.
- vii) I start with limb (b) as that test is lower in relation to housing-related conduct (see paragraph [105] of Swindon Borough Council v Abrook [2024] EWCA Civ 230). The Claimant relied on limb (b) due to the

effect of the van dwelling on the local residents who live on the roads where van dwellers are living.

- viii) I do not agree that the test applies. Whilst the bar is lower, there must still be causal link between the conduct complained of and any nuisance or annoyance of the local resident in relation to the occupation of their property. However, the conduct is not just the mere presence of a van on the road, or someone living within it. As I have found, it is the implication of the wider effect and impact on the Downs that their presence has. I have not heard any persuasive evidence that the presence of the vans leads to nuisance or annoyance in relation to the occupation of residential premises. I accept that some local residents do not like, and do not want, van dwellers living nearby, or consider the Downs are not the appropriate place to park and live. That is not the same as suffering a nuisance or annoyance in relation to occupation of a residential property. Therefore, I consider that limb (b) is not made out.
- ix) Turning to limb (a), whereby the conduct must have caused, or is likely to cause, harassment, alarm or distress to any person. ‘Harassment’ in the civil context was defined by the Supreme Court in Hayes v Willoughby [2013] UKSC 17 as: *“persistent and deliberate course of unreasonable and oppressive conduct, targeted at another person, which is calculated to and does cause that person alarm, fear or distress”*. That is not the case here. There is no evidence that the conduct of those living in the vans is targeted at another person or calculated to cause alarm, fear or distress.

x) That leaves me with whether the conduct causes alarm or distress to any person. It is important to stand back and consider the wider context. The Downs are held on statutory trust by the Claimant and the Society to remain as open and unenclosed land as a place for public resort and recreation for the citizens of Bristol. That is the purpose for which the Downs must be made freely available to the public.

xi) I consider that the above evidence, which is uncontested, shows it is more likely than not that there is alarm or distress to the public. The free presence of human waste and the accumulations of other rubbish is a public health hazard and poses risks to the public as they go about their lawful enjoyment of the Downs. I have considered carefully the photographic evidence and I consider it goes very far beyond what is acceptable in a public recreational space. The high level of complaints which the Claimant receives shows that a sufficiently wide section of the public is affected by this.

xii) For these reasons, I consider the Claimant has shown there is anti social behaviour and is, in principle, entitled to an injunction.

51. The second stage is whether it is just and convenient to grant an injunction. In summary, what is the proportionate response to the anti social behaviour?

52. No one has appeared to defend the claim, but that is not the end of the matter. As the Claimant seeks a 'newcomer' injunction, the Court must consider the potential defences available to the persons unknown.

53. I accept that, for van-dwellers who have lived on the Downs for a significant period of time, a proposed injunction would potentially interfere with their Article 8 rights to a private life and interference with their homes.
54. However, any rights under Article 8 are not absolute. Article 8(2) states that the right can be interfered with in a proportionate manner as is in accordance with the law and as necessary in a democratic society in the interests of, among other things, public safety, the protection of health or morals, or the protection of the rights and freedoms of others. Essentially, any order must be proportionate when balancing the legitimate needs of society with that of the individual.
55. The right to property is also a Convention right, protected by Article 1 of the First Protocol ('A1P1'). The Claimant has the benefit of this. In a democratic society, the protection of property rights is a legitimate aim, which may justify interference with the rights guaranteed by other qualified Articles. Trespass is an interference with A1P1 rights, which in turn requires justification and Article 8 and other qualified rights cannot normally justify a person in trespassing on land of which another has the right to possession, just because the defendant wishes to do so for the purposes of making it their home when they have no legal right to be there. Interference by trespass will rarely be a necessary and proportionate way of exercising an Article 8 right.
56. I do not consider a defence under Article 8 has no realistic prospect of success. Any injunction would be granted pursuant to law. The repeated trespass to Claimant's property, the damage caused and harm posed, and interference to the public's legal right of enjoyment of whole of the Downs are not justified under

any Article 8 rights. The proposed injunction has a wholly legitimate aim i.e. to protect the Claimant's (and the public's) civil rights to the Downs and access and enjoyment of them, to avoid damage and littering, to avoid health and safety dangers, and to protect those who use the Downs as members of the public, the Claimant's staff, and those who have legitimately acquired a right to hold commercial or charitable events on the Downs.

57. I do not consider there are less restrictive means available to achieve the aim of protecting the Claimants' civil rights and property than the terms of the final injunction. An injunction in the terms to be granted strikes a fair balance. As I explained in my earlier judgment, other potential remedies do not suffice.
58. I bear in mind that the persons unknown are only being prohibited from being in a defined and limited geographic area. This is in no way a 'county-wide' injunction. It concerns an area of land which is frequently trespassed upon.
59. For these reasons, I do not consider that there is any realistic prospect of success of a potential defence. The Court has considered the defences commonly available which the Claimant has, in compliance with its duty of full and frank disclosure, put before the Court. Any other defences, if available, have not been put before the Court by any potential defendant. If there are any, the right to apply to set aside or vary is a sufficient procedural safeguard.
60. The next question is whether, under the question of convenience, there is a compelling justification to make a newcomer injunction as opposed to an injunction against those already present.

61. Weighing up all the evidence, I am persuaded there is. There has now been, over a very significant period time, substantial littering and pollution from those living in vans which I have found constituted a public health hazard. It is also a breach of the Byelaws made under the Act which constitutes a criminal offence. I fail to see why it is appropriate that the Claimant must incur the repeated cost of the cleaning of the human waste and other rubbish off the Downs on a regular basis.
62. Finally, damages are not an adequate remedy – as before, there is no prospect that anyone is going to be identified to pay damages to the Claimant. No one has attended Court to offer any undertakings in lieu of an injunction.
63. Concerning the procedural requirements for a newcomer injunction concerning identification of the class, the terms, the geographic boundaries, duration, and service, I am satisfied these are all met.
64. I consider it is appropriate for the injunction to run for one year from today.
65. The injunction will contain a right to apply to set aside or vary the injunction on two clear days' notice.

I consider it is appropriate to review the injunction in September. At that hearing, the Court will decide whether to set another review date or allow it to run its course.

POWER OF ARREST

66. The Claimant requests that a power of arrest is added on the ground of a significant risk of harm to others. This test must be applied in a suitably robust

manner. Anti-social behaviour causes differing degrees of distress or anxiety and the barrier for a power of arrest must not too low. Powers of arrest should be used in cases where there is a significant risk of harm beyond mere distress.

67. 'Harm' is primarily used in ASBI proceedings to mean physical or psychological harm. However, there is no statutory limit to just these two categories. It is accepted it can mean harm in a wider context, such as nuisance and environmental harm.
68. It is not a risk of significant harm, but rather the significant risk of harm that matters. As I set out in my earlier judgment, there is a significant risk of harm in relation to those who occupy the grassed areas of the Downs. I considered a power of arrest was warranted before, albeit it has not been exercised to date, and nothing I have read or heard in this new application persuades me otherwise now. Therefore, the extended injunction as it applies to the grassed areas of land will contain a power of arrest.
69. However, I take a different view in relation to the roads and those living on them in vans. Whilst I have found there is anti-social behaviour and harm for the reasons set out earlier, I do not consider it is proportionate or just to add a power of arrest to the aspects of the injunction which require people only to not be present on, or leave when requested, the roads. The risk of harm posed is much lower, and whilst it is above the threshold to grant an injunction, it is not at a level where a power of arrest is warranted.
70. Therefore, I will not attach a power of arrest to the terms of the injunction which affect the roads and highways insofar as it concerns only trespassing or being present on the roads when required to leave.

71. However, breaching the other terms of the injunction in any area, such as defecating/urinating, placing waste, or causing nuisance, harassment, alarm or distress, is covered by the power of arrest across all areas of the land. Otherwise, there would be a wholly artificial distinction between the area of land a breach occurred on.

72. However, I wish to be clear on two matters:

- i) This decision does not affect the powers of a bailiff or High Court Enforcement Officer to use lawful force from enforcing a warrant or writ of possession. The order of possession is a court order and must be complied with.
- ii) The Claimant remains entitled under section 10 of the 2014 Act to apply to the County Court for a warrant to arrest any individual who is in breach of the anti-social behaviour injunction. Applications for a warrant can be made without notice and the expectation must be that if the Court is presented with evidence showing an individual is aware of the injunction and has broken it, they will be arrested and brought before the Court to be dealt with for contempt.

SUMMARY

73. In summary:

- i) The claim for a possession order is granted.
- ii) The claim for a general injunction is dismissed.

- iii) The application to extend the current Main Order as an anti-social behaviour injunction is granted.
- iv) The application to add a power of arrest to the extended injunction is granted but not for breaches of the injunction which concern only being present on the roads, or not leaving when required.

74. That is my judgment.

Notice of Hearing of Application

**In the County Court at
Bristol**

Claim Number M01BS389

Date 21 September 2026

BRISTOL CITY COUNCIL

**1st Claimant
Ref**

PERSONS UNKNOWN

**1st Defendant
Ref**

The hearing of the Claimant's application will take place **IN PERSON** at **10:00 AM on the 8 October 2026** at the County Court at Bristol, **Bristol Magistrates Court, Marlborough Street, Bristol, BS1 3NU**, with a time estimate of 45 minutes.

1. At least three clear working days before the hearing, the applicant shall file with the court and serve the other parties with any skeleton argument in respect of the Application. The respondent to the application may also file and serve a skeleton argument in reply, and, if so, this should reach the court at least 24 hours before the hearing. Failure to comply with this direction may result in the Judge being unable to read these documents in readiness for the hearing.

2. The documents referred to in paragraph 1 of this order should be filed by e-mail if possible addressed to e-filing.bristol.countycourt@justice.gov.uk. The Subject Line of any email should follow the format; "10am 21.05.13 Smith v Jones 1BS12345". Any email sent to the court or to a Judge must always be CCd to all other parties.

Court lists will be available on Courtel, the day before the hearing.

3. The parties should note that, at any hearing, the court will expect each of the parties to know the amount of legal costs incurred to date, and anticipated to be incurred to the end of the case.

4. Should the parties agree an order and seek to vacate the hearing, the proposed agreed order and request should be filed at least 5 clear days prior to the hearing. Note that all Application hearings will remain listed until a judge has specifically agreed that they can be vacated. Parties are reminded that a final hearing or trial date will only be vacated with the specific agreement of a judge, and then only in exceptional circumstances.

5. Important notice in relation to trial and application bundles

Although bundles are important for hearings, the court has no facility to store them routinely. At the conclusion of the hearing, parties are required to remove all bundles including witness bundles and those held for the Judge. Failure to remove these bundles will result in the court confidentially wasting them without notice being given to the parties.

- Court Lists are published from 4pm for the next day. To view please visit:
<https://www.court-tribunal-hearings.service.gov.uk/view-option>

- Witness Liaison Officer

The court has appointed witness liaison officers who can assist with pre-court visits and help support you if you are a vulnerable witness or require reasonable adjustments to support you in court or to play video/audio evidence. To contact the witness liaison officer, e-mail to: WLO-Bristol-County@justice.gov.uk.

The court office at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577 Fax: 01470 3240048. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by: H Randhawa
CJR027

Please note there is 25 mb and/or 50 page limit (single sided) and then anything above that will be charged photocopying charges (£11.00 for the first 10 pages and then 0.50p per page thereafter).

Please arrange for a hard copy to be sent or alternatively contact our fee taking section on 0147 3664840 in order to make the necessary payment.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.

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>

Name of court County Court at Bristol		Claim no. M01BS389	
Fee account no. (if applicable) 83472		Help with Fees – Ref. no. (if applicable) [H][W][F]-[][][][]-[][][][]	
Warrant no. (if applicable)			
Claimant's name (including ref.) Bristol City Council			
Defendant's name (including ref.) Persons Unknown Residing in caravans or other vehicles adapted for residential purposes			
Date			

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

Bristol City Council

2. Are you a ☒ Claimant ☐ Defendant ☐ Legal Representative
☐ Other (please specify) _____

If you are a legal representative whom do you represent? _____

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

An extension to the Injunction Order granted by District Judge Napier on 22nd September 2025 which is due to expire on 21st September 2026. Evidence in support of the Claimants request to extend this Order can be found in the accompanying statement of Sarah Blazier dated 16th September 2026.

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

21st September 2026 expiry of Injunction

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

no one

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

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.

The Claimant is seeking an Order to extend the Injunction Order granted by DJ Napier on 22nd September 2025 until further Order of the Court.

The Claimant is seeking this Order due to this Injunction nearing the expiration date of 21st September 2026. The Injunction Order has provided strong boundaries to prevent those who would be Defendants from occupying the Claimants land within the North of the City of Bristol and the Claimant submits that should the injunction lapse, those Defendants occupying the Claimants land will only be moved on by way of a Possession Order and an Eviction Writ or Warrant if thereafter required. The Claimant submits that the cost of this in comparison to enforcing the Injunction, as outlined within the statement of Sarah Blazier dated 16th September 2026 and filed with this Application, is a significant amount and is borne by the tax payers of Bristol.

As can be seen from the statement of Sarah Blazier dated 16th September 2026, the Claimant has established that in the past 6 months alone the Claimant has saved approximately £60,000 in Court fees, fees for bailiffs and fees for clearing fly-tipped waste from occupied land simply by serving the Injunction Order at the earliest possible opportunity and moving an encampment on as soon as possible.

The delay to this Application, I am told, was caused by a change of staff within the Claimant's Parks Services and as a result of this staffing change, it was unclear who would be in charge of seeking to extend the Injunction Order. I am told by my colleague Tom Marshall that as the Injunction Order neared its expiration date, an urgent cost review was carried out which led to the Claimants realisation that not only was the Injunction effective in reducing the length of time that encampments were present on its land, the cost of moving these encampments off the land was significantly reduced by the Injunction Order and it was agreed that seeking an extension was sought. It is regrettable that this review was not undertaken sooner.

If the matter cannot be listed before 21st September 2026, I would invite the Court to extend the Injunction on a temporary basis so that it does not lapse.

There are no service issues if an Interim extension is ordered, but I appreciate the Court may well want to give directions as to service of the Application and any Order made.

I draw the Court's attention to the accompanying statement of Sarah Blazier dated 16th September 2026 filed with this application.

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.

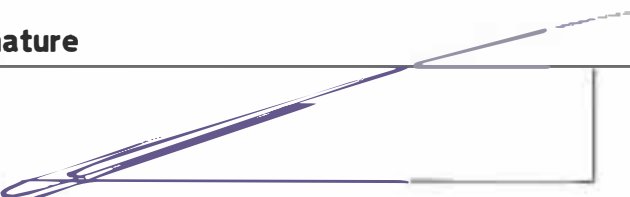
☒ No

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

16	09	2026
----	----	------

Full name

Robin Denford

Name of applicant's legal representative's firm

Bristol City Council

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

Advocate

Applicant's address to which documents should be sent.

Building and street

Legal Services

Second line of address

PO BOX 3300

Town or city

Bristol

County (optional)

Postcode

B	S	1		9	L	N
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If applicable

Phone number

Fax phone number

DX number

7827 Bristol 1

Your Ref.

24978936

Email

BETWEEN:-

BRISTOL CITY COUNCIL

Claimant

AND

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

If you the within-named Persons unknown residing in caravans or other vehicles adapted for residential purposes, do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets seized.

On the the Court considered an Application for an Injunction

BEFORE DJ Sitting at

AND UPON READING the witness statements of Sarah Blazier dated 16th September 2026

UPON HEARING the Solicitor of the Claimant

The Court Ordered that Persons unknown residing in caravans or other vehicles adapted for residential purposes:

- i. Must within two hours of being served a copy of this Injunction Order, not enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant. This area is defined within Map 1 shaded in Yellow and hatched in red, excluding the area shaded in red and green as defined within Map 2.
- ii. Must not dispose of any waste and/or fly-tip any rubbish on any private car park, green space, or public road owned or managed by Bristol City Council and located within the City of Bristol, without the consent of the Claimant.

This Order shall remain in force until (the
revoked by a further Order of the Court.

at 23.59 o'clock unless before then it is

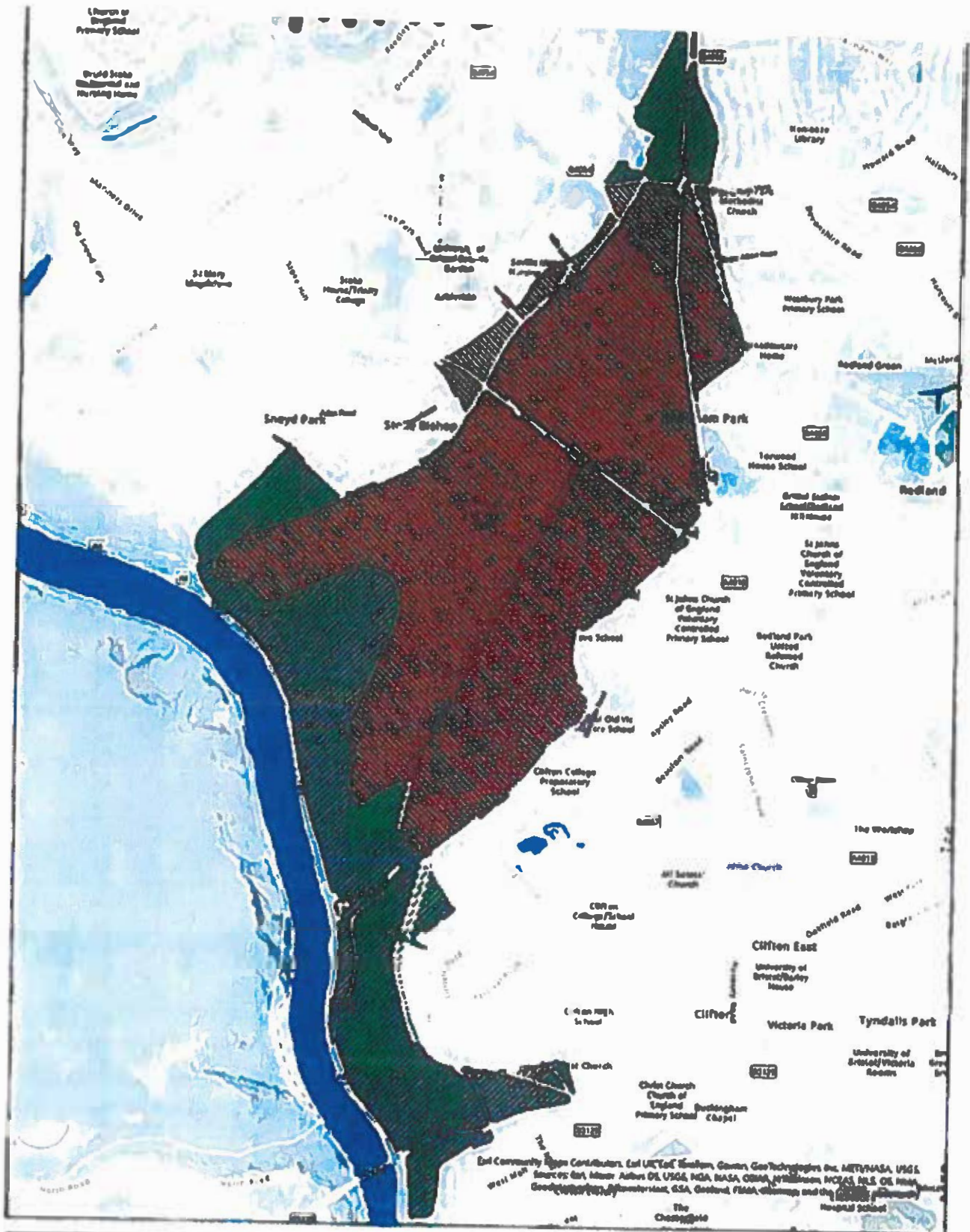
You are entitled to apply to the Court to re-consider the Order before that day.

If you do not understand anything in this Order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

Address all communications to the Chief Clerk AND QUOTE THE ABOVE CASE No.

The Court Office at Bristol Civil Justice Centre, Redcliff Street, Bristol, is open from 10am to 4pm, Monday to Friday.

MAP 2



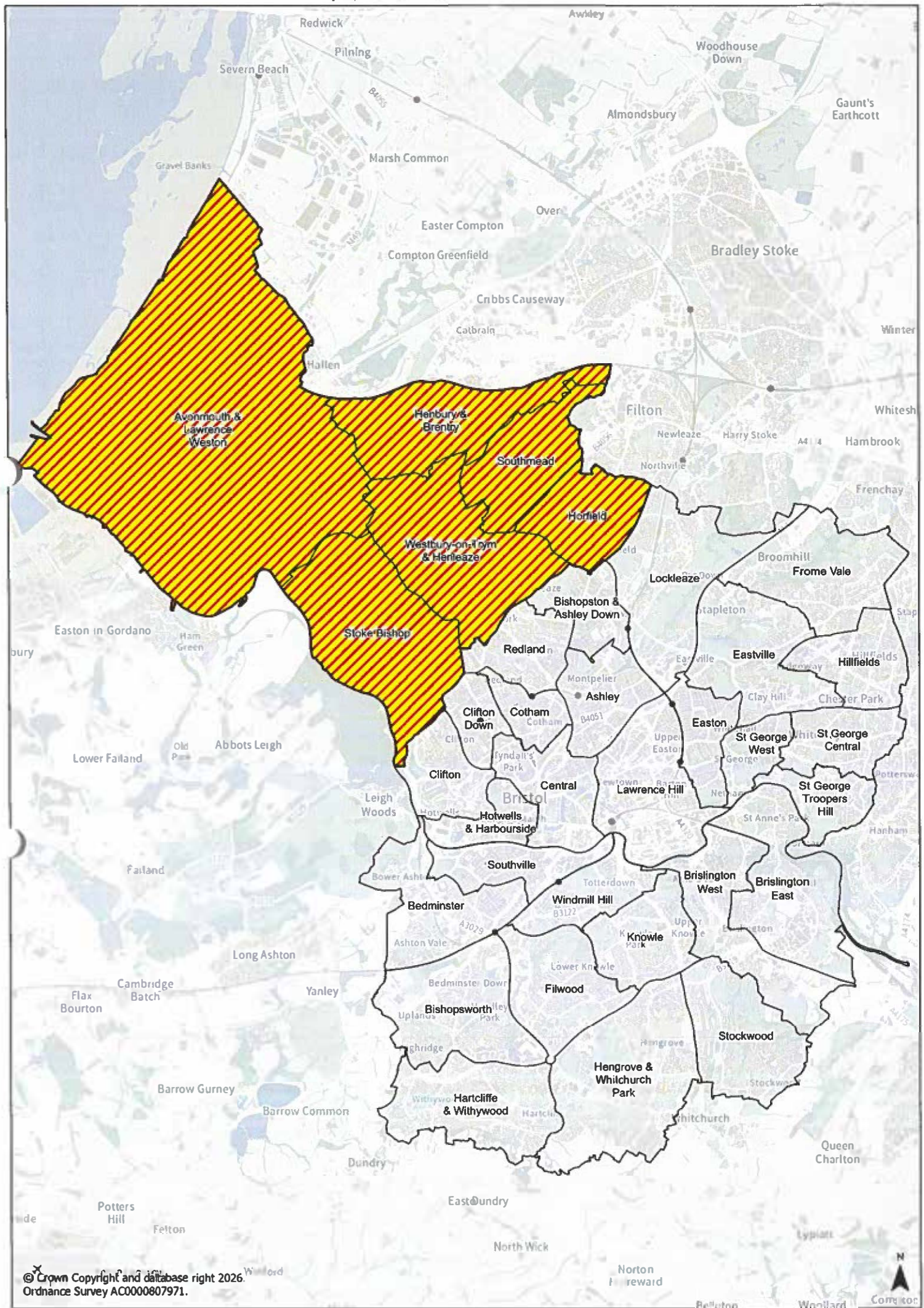
Bristol City Council
Clifton and Purdham Green - Information

The map is prepared to show the Clifton and Purdham Green area. It is not a scale map and should not be used for navigation. The map is prepared to show the Clifton and Purdham Green area. It is not a scale map and should not be used for navigation.

© Crown Copyright and
Geomatics Ltd 2005
Ordnance Survey
AC00000000

Scale 1:5,000 @ A4
Date 2007/2005

CLIFTON & PURDHAM GREEN
Information & Planning Service
and Management Team
Clifton Park
Clifton Church
Clifton College
Clifton Suspension Bridge
Clifton Suspension Bridge
Clifton Suspension Bridge



Claimant: Bristol City Council
Witness: S Blazier
Exhibits: SB1 – SB2
Date: 16th September 2026
CLAIM NUMBER:M01BS389

IN THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

STATEMENT OF SARAH BLAZIER

I, **Sarah Blazier** of, Bristol City Council, 100 Temple Street, Bristol, BS1 6AG will say as follows:

1. I am employed by the Claimant as the Area Manager for the Parks department of the Claimant covering the North of the City. I am responsible for Parks and Green Spaces owed by the Claimant which includes all the parks and green spaces within the highlighted area on Map 1 and I am authorised to make this statement.
2. In making this statement, I have had access to the Claimant's computer records as well as liaising with various colleagues including the Gypsy Roma and Traveler Team, and representatives from Avon and Somerset Police.
3. This Injunction, which prevented the Defendants from entering or remaining on land owned and managed by the Claimant for the purposes of residence in the

North area of the City of Bristol, and further restricts individuals from disposing of waste or fly tipping any rubbish on and green space, private car park or public road owned or managed by the Claimant within the City of Bristol; is due to expire on 21st September 2026. I make this statement in support of the Claimants Application to extend this Injunction Order. **I have exhibited a copy of this Injunction Order as SB1.**

4. The initial Injunction was sought following a number of encampments appearing in the North area of the City of Bristol in the Summer and Autumn of 2025. These encampments resulted in the Claimant seeking possession of the land being occupied and often this possession action was followed by the Claimant seeking an eviction warrant and thereafter employing the services of a Bailiff to facilitate any eviction. Further to this, the Claimant would find that the land would need to be decontaminated as fly tipping as well as hazardous materials such as gas canisters and human waste were often left on the land and on the roadside.
5. This possession action and follow on work to restore the land to usable levels was costing the public purse tens of thousands of pounds and as such the Injunction of 22nd September 2025 (the "Injunction Order") was sought to reduce the number of encampments and to reduce the cost to the general public.
6. In the life of this Injunction Order, the Claimant has moved on encampments swiftly and saved thousands of pounds as often the service of the Injunction has resulted in encampments moving on within a short period of time. In comparison, possession claims now take weeks to resolve whilst the Claimant waits for a Hearing for possession of the land and then awaits an eviction warrant being granted. One such example is an Application for possession of Brandon Hill which the Claimant lodged with the Court on 27th May 2026 and the Claimant is still waiting for a Hearing for possession on.
7. I am informed that in 2026 alone the Injunction Order has been served at eight different encampments, with the result being that occupants on the land have moved on often within 24 hours of their being served. On some occasions, the

Claimant has agreed to a reasonable time frame which is longer than 24 hours, with those present on the land and this has often been when those occupying the land have sought assistance or support with long term accommodation.

8. These eight encampments and the dates they were occupied are: Hallen Marsh (Washingpool Lane) on 21 April 2026, Trymside Open Space on 23 April 2026, Hallen Marsh (Severn Road entrance) on 27 April 2026, Lawrence Weston Football Ground on 16 June 2026, Blaise Castle Estate on 24 July 2026, Horfield Common (Dorian Road) on 8 August 2026, Doncaster Road Park on 8 August 2026 and Sea Mills Recreation Ground on 15 August 2026. Interestingly, the Injunction Order was sought following the occupation of Sea Mills Recreation Ground in 2025.
9. In all of these cases, the Claimant's service of the Injunction Order has been enough to deter those occupying the land from remaining or returning and the Claimant has not had to seek action to enforce the Injunction Order by way of Committal proceedings, or any other form of action.
10. The Injunction Order, having allowed the Claimant to rapidly move those encamped off the land, has also resulted in a reduction in the amount of fly tipping on the Claimants land by such encampments. In scrutinizing the costs incurred by the Claimant I have found that on average, following an encampment on the Claimants land, it would cost between £3,000 and £4,000 to clear a site depending on the amount of waste left behind. This figure can of course vary depending on the type of waste left, with specialist cleaning and clearing resulting in a higher financial cost to the Claimant. The amount of time to clear a site of waste also varies but on average it takes at least 1-2 days meaning locations such as parks and green spaces are not available to members of the public whilst this work is completed. For the eight sites I have referred to, clearing and cleaning the sites of fly tipped waste would have cost on average £28,000.
- 11e Further to the cost of clearing waste, the Injunction Order has also saved the Claimant from seeking legal action to regain possession of those eight occupied sites. An Application for Possession costs the Claimant, and as a result the

public purse, £400 per claim. This does not include the cost of officers' time writing statements, preparing, issuing and Advocating these Applications. This means that the Injunction Order has saved the public purse £3,200 just on Application fees alone for these eight occupied sites alone.

12. There is also the fee of employing Bailiffs to enforce any Possession Orders and eviction warrants which the Claimant would have had to obtained if we had sought possession of those eight occupied sites. This cost can vary depending on the number of individuals occupying a site but the base cost of an enforcement agency for such work is around £2,000 to £5,000 and the cost of a Request for Warrant of Possession of Land Application through the Court is £148 per appointment. This means that the cost of serving and enforcing a Possession Order for those eight occupied sites would have been approximately £29,184 if the Claimant had had to seek a Possession Order and then enforcement by way of an eviction warrant thereafter.
13. An estimation of the costs of seeking a Possession Order and then enforcement by way of an eviction warrant and then clearing and cleaning an occupied site, rather than relying on the Injunction Order for these eight occupied sites in 2026 alone would roughly be £60,384 based on the average cost. This does not take into account the other hidden costs to Possession Claims and enforcement of eviction warrants such as the cost of the Claimants Legal Services, the employment of Counsel if required, and the cost of Police Officer time should the additional support of Avon and Somerset Police be required. The Injunction Order covering the North of the City has prevented these costs being incurred by the public purse and the Injunction Order has also reduced the time scale of resolving the issue of occupied land.
14. One of the eight sites which I refer to was Blaise Castle Estate on which a large convoy of vehicles used for residential purposes arrived on the land on 25th July 2026 during a family event. These occupiers were spoken to by members of the Claimants Gypsy and Roman Traveller team and were informed of the Injunction Order and asked to vacate the land. The Group agreed to do so saying that they would leave before the end of the weekend. The group had fully left the land on by Monday 27th July 2026.

15. In comparison to this quickly resolved occupation of the Claimants land, Eastville Park in the East of the City of Bristol was occupied by persons in vehicles used for residential purposes on 21st October 2025. Attempts were made to engage with this group, but they were ignored. The Claimant lodged an Application for Possession of the land on 11th February 2026 with a Notice of Hearing for Possession of Property received from the County Court on 16th March 2026 with a Hearing date of 20th March 2026.
16. A Possession Order was granted however the Claimant did not receive a copy of this Order from the Court until 20th April 2026. The Order was served on those present on the site on 22nd April 2026 and as those in occupation did not leave, and a Request for Warrant of Possession of Land Application was lodged with the Bailiff. The Appointment with the Bailiff was provided to the Claimant on 28th July 2026 with the date of eviction set for 24th August 2026.
17. In total from the time that the Claimant has lodged the initial Application for possession and the eviction of those occupying the land, 195 days had passed. Furthermore, the Claimant had spent a considerable amount of money on both the Possession and eviction process and, should any vehicle adapted for residential purposes appear at Eastville Park, and occupy the land, the Claimant would need to start the possession process again, and the cost of this process would be to the public purse. In comparison, the Injunction Order resulted in individuals occupying Blaise Castle Estate moving on after two days.
18. I have considered the efficacy of alternative remedies to Possession Order in support of that point I attached as exhibit **SB2** a copy of the Judgement of District Judge Napier wherein he agreed with the Claimants submissions in relation to the problems which arise when other forms of enforcement were considered and in that analysis were discounted.
19. For the reasons set out above, I respectfully ask the Court to extend the Injunction Order of District Judge Napier dated 22nd September 2025 for a further 12 months in the following terms:

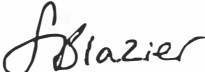
Persons unknown residing in caravans or other vehicles adapted for the purposes of residence:

- i. Must within two hours of being served a copy of this Injunction Order, not enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant. This area is defined within Map 1 shaded in Yellow and hatched in red, excluding the area shaded in red and green as defined within Map 2.
 - ii. Must not dispose of any waste and/or fly-tip any rubbish on any private car park, green space, or public road owned or managed by Bristol City Council and located within the City of Bristol, without the consent of the Claimant.
20. The Court will note the addition of Map 2 as an area not covered by the Injunction Order. Map 2 designates the area covered by "the Downs" and which is subject to another claim being brought by the Claimant. As such, this area would not make up part of the Injunction Order being sought in this Application.
21. In seeking this extension, I have considered the rights, under Article 8 (right to Privacy), 10 (freedom of expression) and 11 (freedom of association) of the European Convention on Human Rights of any potential Defendant who may be served with the Injunction Order. I have concluded that any interference with the Defendant's Human Rights can be justified in the interest of public safety and the protection of the rights and freedoms of others, accordingly these restrictions to the Defendant's Human Rights, are proportionate and necessary.
22. In making this Application, I have spoken with the Claimants Gypsy Roma and Traveler Team who have confirmed that the Injunction Order has not affected their engagement with the traveller community. All welfare checks and attempts to engage with persons on the Claimants land are still made and will continue to be made and enforcement of the Injunction Order will only be sought if individuals occupying the Claimants land refuse to leave.

23. Indeed, the Claimant is happy to work with those individuals occupying our land to locate pitches on Meanwhile sites and to provide advice and guidance on accessing services for such needs as health care and education should this be required. The Claimant has also been flexible in its approach to enforcing the Injunction Order, on many occasions in the eight examples I have mentioned, agreement to vacate the site has been reached over taking enforcement action even when this means that those occupying a site remain beyond the two-hour time limit set out in condition ii of the Injunction Order.
24. The Claimant can assure the Court therefore that before service of the Injunction, the Claimant will make all reasonable attempts to engage with any individual present on its land asking them to vacate. Should all reasonable attempts to obtain compliance by any Defendants fail, the Claimant will serve the Injunction Order and require those to leave within the given time frame. The Claimant will only seek to enforce the Injunction Order if those present continue to refuse to leave. When serving the Injunction Order, the Claimant will continue to be flexible with the time frame for those served to move on. The Claimant will continue to take the approach that once served, Officers will stay on site until those present have moved on and any further refusal to leave will result in the Claimant seeking committal proceedings.

Statement of Truth

I believe the facts stated 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 

Dated 16th September 2026

Claimant: Bristol City Council
Witness: S Blazier
Date: 16th September 2026
CLAIM NUMBER: M01BS389

THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

EXHIBIT SB1

**THIS IS EXHIBIT SB1 REFERRED TO IN THE
STATEMENT OF SARAH BLAZIER AND DATED 16th SEPTEMBER 2026**

I verify that this is the exhibit SB1 referred to in my witness statement dated 16.09.2026.

Signed Sarah Blazier

Date: 16th September 2026

Injunction Order

Between Persons Unknown, Defendant
and Bristol City Council, Claimant

Bristol City Council Legal Services
City Hall
College Green
Bristol
BS1 5TR

In the County Court at
Bristol

Claim Number M01BS389

Claimant
(including ref.) Bristol City Council

Defendant
(including ref.) Persons Unknown



If you the within-named Persons Unknown residing in caravans or other vehicles adapted for residential purposes do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets seized.

BEFORE District Judge Napier sitting at County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR

UPON HEARING the Solicitor of the Claimant.

AND UPON reading the witness statements of Caroline Ennions dated 5 September 2025 and Tom Marshall dated 19 September 2025 and 22 September 2025

AND UPON the Court considering it just and convenient to grant an Injunction Order.

AND UPON the Court having regard to S.1 and S.2 of the Anti-Social Behaviour Crime and Policing Act 2014

On 22 September 2025 the court considered an application for an injunction

The Court ordered that Persons Unknown residing in caravans or other vehicles adapted for residential purposes must not:

- i. Enter or remain on any area within Maps 1 shaded in yellow and bound by the red line, for the purposes of residence.
- ii. Within two hours of being served a copy of this Injunction Order, enter or remain on any private car park or green space owned or managed by Bristol City Council and located in the North of the City of Bristol, for the purposes of residence, without the consent of the Claimant as defined within Map 2 shaded in yellow and bound by the red line excluding the area shaded in red and green as defined within Map 3.
- iii. Dispose of any waste and/or fly-tip any rubbish on any private car park, green space or public road owned or managed by Bristol City Council and located in the City of Bristol, without the consent of the Claimant.

The court office at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel 0300 123 5577 Fax 0870 3240048. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by Miss J Bates
CJR105

Your attention is drawn to your right to apply to the Court to set aside or vary this Injunction. Any application must be made to the County Court at Bristol at the Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR or by email to e-filing.bristol.countycourt@justice.gov.uk.

Your application must be made on HMCTS Form N244 or by way of a letter provided it is signed with a statement of truth and a copy must be sent to legal.support@bristol.gov.uk at the same time it is filed with the Court. A hearing will then be arranged with no less than two clear days' notice to all parties, or shorter if the parties agree or the Court orders otherwise.

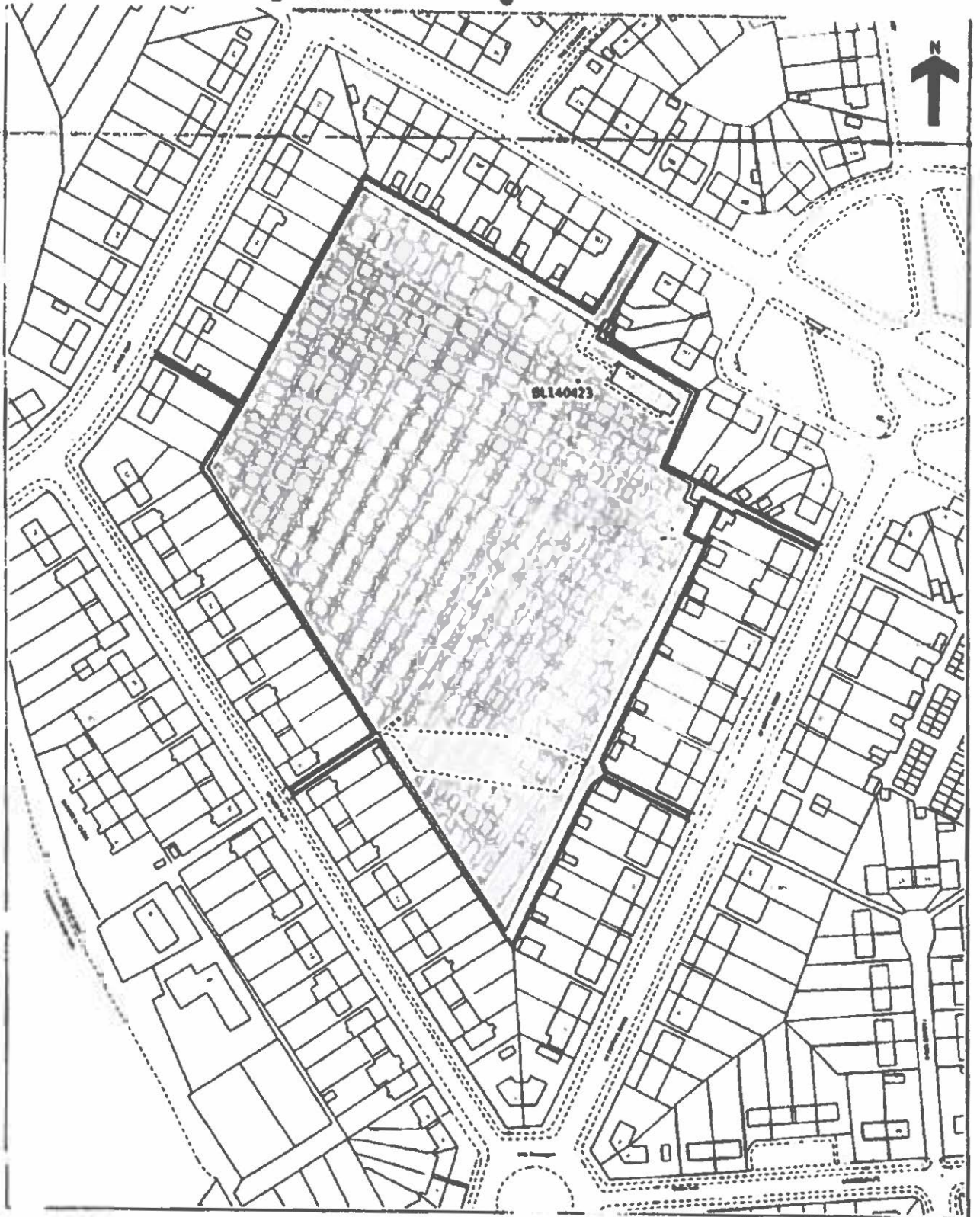
This order shall remain in force until 21 September 2026 at 11:59 PM unless before then it is revoked by further order of the court

You are entitled to apply to the court to reconsider the order before the day.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

If you do not understand anything in this Order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

MAP 1



This official copy is incomplete without the preceding notes page

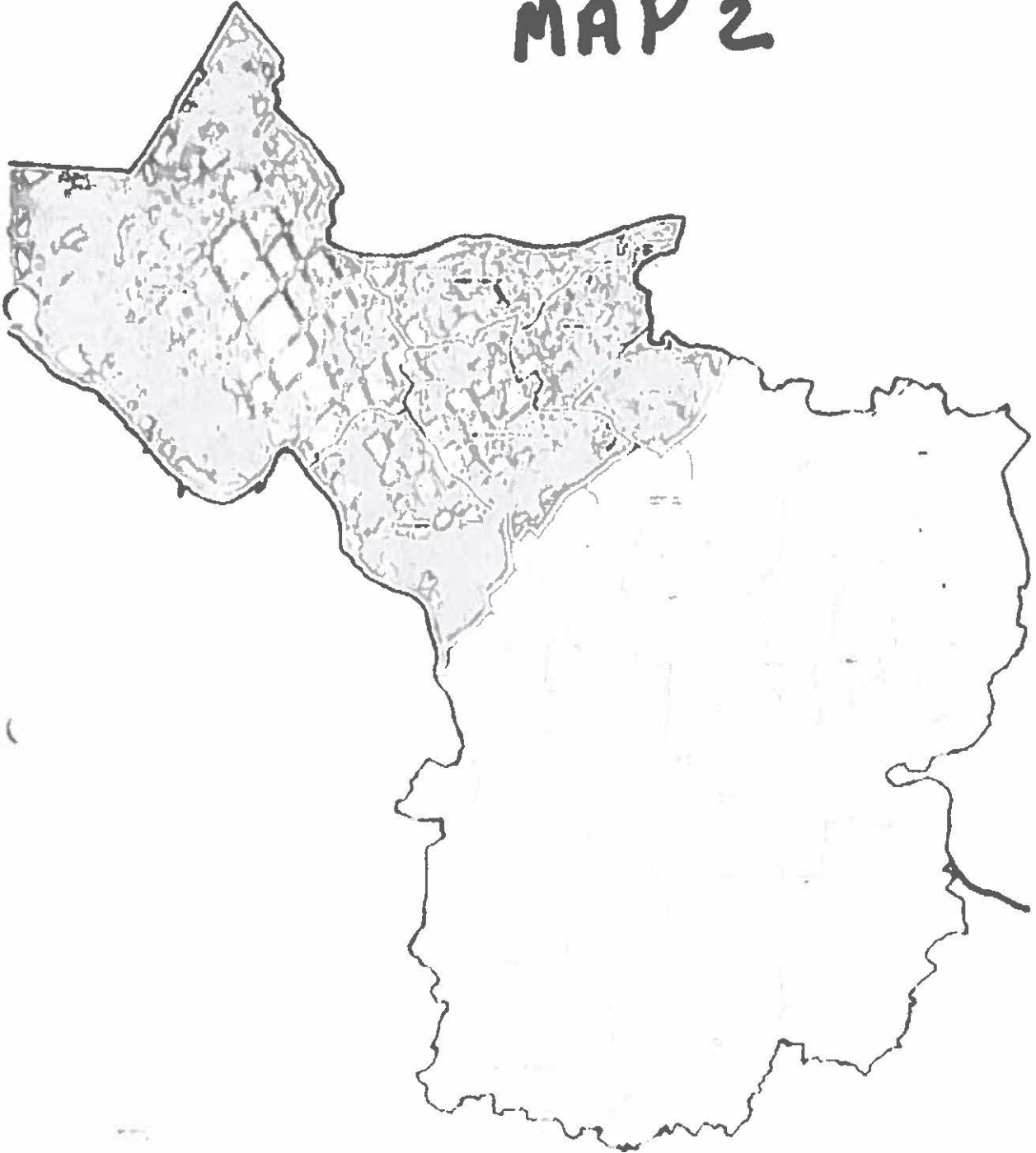
THE LOCAL GOVERNMENT BOUNDARY COMMISSION FOR IRELAND
(L.G.B.C.) REPORT OF 1981
Final recommendations for ward boundaries in the city of Belfast May 20 1981

For a copy of the report please apply to the Commission, Belfast City Hall, Belfast, or to the Commission's Office, 100, Queen's Road, Belfast.

Boundary alterations are subject to the approval of the Commission and may be subject to the approval of the Commission.



MAP 2



Map of Clifton, Bristol, showing the Clifton Suspension Bridge and surrounding areas. The map includes numerous labels for streets, schools, churches, and landmarks. A large, dark, hatched area covers the central part of the map, likely representing the Clifton Down area. The River Avon is visible on the left side. The map is oriented with North at the top.

Key locations and landmarks labeled on the map include:

- Streets:** Clifton Road, Clifton Down Road, Clifton Park Road, Clifton Village Road, Clifton East Road, Clifton West Road, Clifton North Road, Clifton South Road, Clifton Central Road, Clifton East Road, Clifton West Road, Clifton North Road, Clifton South Road.
- Schools:** Clifton College, Clifton High School, Clifton Church of England Primary School, Clifton Church of England Voluntary Controlled Primary School, Clifton Church of England Voluntary Controlled Primary School, Clifton Church of England Voluntary Controlled Primary School, Clifton Church of England Voluntary Controlled Primary School.
- Churches:** Clifton Church, Clifton Church of England, Clifton Church of England, Clifton Church of England, Clifton Church of England.
- Landmarks:** Clifton Suspension Bridge, Clifton Down, Clifton Park, Clifton Village, Clifton East, Clifton West, Clifton North, Clifton South.

GROWTH & DEVELOPMENT

Claimant: Bristol City Council
Witness: S Blazier
Date: 16th September 2026
CLAIM NUMBER: M01BS389

THE COUNTY COURT AT BRISTOL

BETWEEN

BRISTOL CITY COUNCIL

Claimant

and

**PERSONS UNKNOWN RESIDING IN
CARAVANS OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendants

EXHIBIT SB2

**THIS IS EXHIBIT SB2 REFERRED TO IN THE
STATEMENT OF SARAH BLAZIER AND DATED 16th SEPTEMBER 2026**

I verify that this is the exhibit SB2 referred to in my witness statement dated 16.09.2026.

Signed Sarah Blazier

Date: 16th September 2026

IN THE COUNTY COURT AT BRISTOL



2 Redcliff Street
Bristol
BS1 6GR

Date of hearing: 16 April 2026

Before:

DISTRICT JUDGE NAPIER

Between:

BRISTOL CITY COUNCIL

Claimant

- and -

PERSONS UNKNOWN

Defendants

Mr Denford appeared on behalf of the Claimant
There was no appearance by the Defendants

JUDGMENT

Handed down in open court at 2pm on Tuesday 5 May 2026

DISTRICT JUDGE NAPIER:

1. This is my reserved judgment following the hearing on 16 April 2026. At that hearing, I granted the possession order sought by the Claimant and indicated my

reasons would follow. These are those reasons, along with my decision on the application to extend the terms and area of the current injunction.

2. I start with some general observations given the heightened public interest in these proceedings.
3. The question of the use of the Downs is a multi-faceted one and one which gives rise to emotions on all sides of the debate. There are those who believe, fervently, that vehicle dwelling should not be permitted and that the Claimant has ignored the growing numbers of van dwellers over the years.
4. On the other side, there are the people who find themselves living on the Downs. They are ordinary people trying to live in their homes in often difficult circumstances. I am very aware they do not fit into any one single demographic. They come from all walks of life and include those who live in vehicles out of necessity, but also out of choice. I am conscious some of them have very difficult personal, medical, and social circumstances.
5. The function of the Court is not to decide social policy questions about housing, the cost of living, or the 'politics' of the use of the Downs. Those are political matters for the Claimant as the local authority and its elected councillors. Those councillors, and the Downs Committee, are responsible for the policy decisions governing the Downs and van dwelling in the City.
6. The role of the judiciary is to decide claims brought to us impartially, independently and without fear or favour to anyone. The Claimant has decided to bring a legal claim for a possession order and for a further injunction. That is a decision for it to take. Having done so, it is my role to consider the evidence

properly put before the Court, apply the law, and reach a decision on whether the Claimant is entitled to the orders it seeks.

BACKGROUND

7. The background to the claim, along with my analysis of the law, factual findings, and conclusions as to why the current injunction should be granted, are set out in my judgment of 25 July 2025 published at the National Archives, BAILII and on the Claimant's website. The relevant citation is Bristol City Council v Persons Unknown [2025] EWCC 53.
8. I will not repeat what is in my earlier judgment and this judgment must be read alongside it.
9. I will refer to the injunction order which came out of the hearing in July, and which is still in force, as "the Main Order".

JULY 2025 TO DATE

10. Following the Main Order, and consistent with case law for newcomer injunctions, a review hearing for the Main Order was conducted on 18 November 2025. At that hearing, a member of the public¹ ("X") indicated he wished to challenge the Main Order. The hearing was adjourned to 5 December 2025 to allow X to file their evidence and consider whether or not they wished to be joined as a defendant to the proceedings.

¹ At the hearing on 5 December 2025, I decided that it was inappropriate to name X due to the sensitive and private medical information which they had filed with the court and that this outweighed the strong public interest of knowing the identity of those seeking to be involved in the proceedings

11. On 5 December 2025, for the reasons stated on the order from that occasion, X's request was refused. However, the Claimant indicated that it would be applying to extend the Main Order. A further hearing was listed for 5 February 2026 for the giving of directions once the applications had been issued.
12. The Claimant issued their application to extend the Main Order on 4 February 2026 ("the Extension Application"). They issued a claim for a possession order of various areas of land and roads on 18 February 2026 which was issued under claim number N00BS177 ("the Possession Claim").
13. On 5 February 2026, I held the directions hearing and made a number of orders concerning case management. It is important to record at that hearing I permitted a number of different groups to address the Court even though they were not parties to the claim. I permitted this because it was in keeping with the review nature of the hearing, the number of people who would potentially be affected by the Extension Application and the Possession Claim, and the overriding objective.
14. In particular, I heard from the Claimant, the group called "Protect the Downs" and the group called "Bristol Housing Action Movement" (who support those living on the Downs). They were all permitted to address the Court on the best and most inclusive way forward for the proceedings. Those speaking on behalf of those living on the Downs were particularly concerned that more needed to be done to inform people of the proceedings and make them aware of the Claimant's case. I agreed with that position and (as will follow) required the Claimant to take steps over and above those which would normally be expected of claimants in the service and preparation of the proceedings.

15. Equally, I made clear to everyone present (of which there were a good number of people) that the Civil Procedure Rules (“CPR”) applied and there must be fairness to the Claimant as well as to any potential defendants. Whilst I was prepared to have an open and inclusive ‘discussion’ at that hearing to allow those affected to engage with the proceedings, it was explained in no uncertain terms that the trial of the Extension Application and Possession Claim must be conducted on a formal basis, in compliance with the CPR, with sworn evidence provided, and the parties knowing what the case of each other was.
16. In consequence of this, I directed:
- i) Service of the proceedings would take place by way of notices placed on and around the Downs in locations approved by the Court.
 - ii) The content of the notices must be approved by the Court.
 - iii) The Claimant must maintain a page on its website, linked to by a QR code on the notice, on which all statements of case, the evidence, the orders, and the previous judgment were published.
 - iv) The statement of case and evidence of the Claimant must be served on St Mungo’s (the charity) and Bristol Housing Action Movement.
 - v) Any potential defendant had until 20 March 2026 to apply to join the claim and file their evidence.
17. Concerns were expressed by those present at the costs risk of joining the proceedings if they were unsuccessful. I indicated that I would not make a costs capping order under CPR 3 as there was no application to do so and, as set out

in PD 3E, these are only made in exceptional circumstances. I did invite, and it accepted, the Claimant to consider its costs position in the event it was successful. As a result of this, the Claimant agreed that it would only seek its costs if a defence was found to be without merit (as opposed to just being unsuccessful). A statement to this effect was included in the public notice of the proceedings.

18. In the end result, no one applied to defend the proceedings. A group called “Bristol Van Dweller Alliance” filed submissions but no application and no sworn witness statement. The Claimant considered and addressed their document nevertheless in the hearing.
19. I set all this out because at, and following, the hearing on 16 April there have been suggestions that the Court did not permit certain groups to speak and address the Court – the implication being this was unfair or unexpected. I reject that position. The process has been fair and the Court went over and above the requirements of the CPR to allow those who wished to take part to do so. The Court can only tilt the scales so far before the process becomes unfair to the other side.
20. The procedural conclusion is that no defendant has appeared to contest the claim. That is not the end of the matter because, where the relief is discretionary, the Court must still be satisfied that it is appropriate to grant such relief. It is for the Claimant to prove this on its evidence.

THE POSSESSION CLAIM

21. The Claimant is entitled to use the trespasser possession procedure. Under CPR 55.1(b), 'a possession claim against trespassers' means a claim for the recovery of land which a claimant alleges is occupied only by a person or persons who entered or remained on the land without the consent of a person entitled to possession of that land. It does not include situations where there has been a tenancy which has been terminated, but that does not apply here as no one has informed the Court of any tenancy they hold or held.
22. Outside the highways in question, the Claimant is the owner of the land in question. It owns the land on Durdham Down and, in relation to Clifton Down, my earlier judgment sets out the provisions of the Act and the Claimant's entitlement to the land under the provisions of that Act and its agreement with the Society of Merchant Venturers. There is no defence putting forward a better entitlement. The Claimant's evidence shows that its land is being trespassed on and therefore it is entitled to a possession order.
23. Turning to the roads, which are highways in law, the Claimant is the highway authority for the roads in question here: s 1(2) Highways Act 1980. Under s 263 of the same Act, the roads vest in the Claimant and it has a duty under s 130 to act on behalf of the public, viz:

"(1) It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of it.

(2) Any council may assert and protect the rights of the public to the use and enjoyment of any highway in their area for which they are not the highway authority, including any roadside waste which forms part of it.

(3) Without prejudice to subsections (1) and (2) above, it is the duty of a council who are a highway authority to prevent, as far as possible, the stopping up or obstruction of ... the highways for which they are the highway authority [...]

(4) Without prejudice to the foregoing provisions of this section, it is the duty of a local highway authority to prevent any unlawful encroachment on any roadside waste comprised in a highway for which they are the highway authority.

24. This gives the Claimant ample statutory standing to bring the claim for possession.
25. The relevant tests were set out by Fancourt J in The Mayor and Burgesses of the London Borough of Hackney & Anor v Powlesland & Ors [2020] EWHC 2102 (Ch) at [24]. The second and third of the tests are not relevant here – there is no one other than the Claimant seeking possession and there is no suggestion the persons unknown are temporarily on the highway to such a degree they cannot be said to be in possession of it.
26. On the first test, having considered the decision of the Court of Appeal in Wiltshire County Council v Frazer (1984) 47 P & CR 69, His Lordship concluded that:

“If the occupation is not merely temporary but ousts the highway authority to any degree, even though the highway is still passable, the highway authority (in this case the Council) is entitled to claim possession from those who will not otherwise move.”

27. That is clearly the case here from the uncontested witness evidence. The persons unknown residing on the roads in question are dispossessing the Claimant of the highway and this is in no way a temporary situation. Their presence on the highway prevents other lawful users from using the same section to pass and repass over it as the law permits them to do.
28. I have considered, notwithstanding the lack of any defence, whether the possession order is a disproportionate interference with the Article 8 rights of the persons unknown who have lived on the land long enough to establish a private or family life there. These rights have to be balanced against the rights of others, in this case the Claimant’s property and public rights. In my judgment, the interference is proportionate. The trespass is sustained and long standing and repeated by multiple persons. Those wishing to reside in caravans or vans are able to do so elsewhere.
29. For these reasons, I grant the possession order. By law, possession orders in trespass cases must be granted with immediate effect but, as the Claimant has elected to seek a deferred date, I ordered that possession of the land and highways must be yielded up to the Claimant by 4pm on 7 May 2026.

GENERAL INJUNCTIVE RELIEF

30. At paragraphs 12 to 17 of my previous judgment, I set out the law in relation to applications for injunctions under common law or in equity (a general injunction) which I adopt again.
31. An important element of the applicable tests is the Claimant is entitled to an injunction to restrain a threatened or apprehended trespass on its land, but it must prove it is more likely than not there is an imminent danger of very substantial damage, or further damage.
32. I am not persuaded from the Claimant's evidence that this is the case here. Unlike the earlier stage of the proceedings, there have never been any orders against those living on the roads around the Downs. Their numbers fluctuate substantially – at the start of this process it was over 100 and now it is around 45 as of the date of the hearing.
33. There is an important distinction between the groups who have repeatedly entered onto grassed areas of land on the Downs and caused substantial damage (as set out in my previous judgment involving multiple sets of possession proceedings) and those who have been living on the roads and have never been asked to leave. This has always been the deliberate litigation choice of the Claimant.
34. Put simply, the evidence shows that we simply do not yet know that the Claimant's entitlement to possession is going to be infringed because this is the first time the Claimant has sought possession. I do not know, nor does the

Claimant beyond any speculation, what will happen once the possession order is served and begins to take effect.

35. In these circumstances, my judgment is that the Claimant is not entitled a general injunction. The balance of convenience does not fall in favour of the Claimant at this point. As was stated in Wolverhampton, there must be in a newcomer injunction a compelling justification for the injunction against persons unknown to protect the Claimant's civil rights. That is not the case here.
36. I accept the situation may be very different if, after 7 May 2026 and any subsequent enforcement of the possession order, there are repeated trespasses to the land and highways. If that occurs, the Claimant will be able to apply for a general injunction and it is likely I will not consider it proportionate to go through the same wide-ranging procedural stages as it took to reach this trial.
37. For these reasons, the application for a general injunction is dismissed.

ANTI SOCIAL BEHAVIOUR INJUNCTION

38. I set out the law in relation to anti-social behaviour injunctions at paragraph 18 of my previous judgment.
39. My assessment of the evidence leading to the grant of an anti social behaviour injunction over limited sections of Clifton Down and Durdham Down is explained in my judgment of 25 July 2025. I will not repeat it again.
40. I turn to the evidence since that time. The evidence of Ms Ennion and Mr James was not disputed at the hearing.

41. In Ms Ennion's Third Witness Statement, she explained the incursions onto the grassed areas of the Downs prohibited under the Main Order. She sets out how different groups who have occupied the land have moved off when served with the Main Order (which permits arrest after two hours of service if not complied with). On one occasion, an amount of household rubbish had to be cleared. On another, Ms Ennion explained that a group which previously left a very significant amount of rubbish on the Downs moved off in short order. In her view, the Main Order has increased public confidence in the management of the Downs because it has reduced the incursions onto the grassed land.
42. In Mr James's witness statements, he accepts that the groups that lived on the grassed land, and those who lived on the roads, were distinct and separate groups "*of substantially different backgrounds*".
43. Mr James has provided a map identifying areas where human excrement has had to be regularly cleared by the Claimant's staff, and public bins into which bagged human excrement has been placed. The map shows three large marked areas where human waste is often found. One runs alongside Circular Road, another along Parry's Lane as it is bounded by Saville Road and the A4018, and the other between Clay Pit Road and Westbury Park. All three of those roads are where the highest concentration of van dwellers are.
44. Mr James has provided photographic evidence of human and other waste being found in wooded areas on the Downs by Enforcement Officers. The photos clearly show accumulations of waste and makeshift toileting areas. The Enforcement Officer describes what they found as "*All areas marked were found to contain evidence of human waste, including excrement (historic and*

fresh), toilet tissue, and multiple empty plastic water bottles believed to be used for sanitary purposes". The footfall and worn paths in the area led the enforcement officers to the vans on Parry's Lane.

45. As a result of these discoveries, the Claimant uses Bristol Waste to clear the sites. They visit the sites twice a month. When waste is found (which Mr James accepted was not on every occasion), the clearance cost is around £1,300. This is paid for by the Claimant. Mr James considers the only viable option would be to provide ten portaloos with associated cleaning and waste disposal to mitigate against this issue. He explains in his evidence why it is inappropriate for the Claimant to take that step (as opposed to temporary events on the Downs which use them, or at the meanwhile sites).
46. Mr James explained that from April 2025 to the date of his statement, 254 complaints had been received. 159 were received before that. He does not explain who they come from and I bear in mind that it is likely some are duplications or repeats of the same complaint or from the same person.
47. Mr James sets out the range of harm the Claimant considers is occurring: litter and environmental damage (including fly-tipping and general waste), human waste and sanitation concerns, accumulations of rubbish, anti social behaviour (described as fights, drug activity and inappropriate behaviour) which includes children being found playing in the human excrement, inappropriate parking, water pollution, pests and odour, environmental harm, and the costs incurred with addressing waste.
48. Mr James explains in his witness statement the engagement actions the Claimant has taken with the van dwelling community. Welfare checks and assessments

have been carried out, as well as assessments of the Claimant's duties under the public sector equality duty. The assessment forms from visits conducted on 2 and 11 December 2025 are in evidence before me. Most occupants were not present when the officers visited and a substantial number of vehicles were locked up or appeared abandoned. Three individuals refused to speak to the officers or threw the papers back at them.

49. Finally, Mr James has explained the enforcement plan in the event the Claimant is granted the orders it seeks.

50. My decision on the claim for an anti-social behaviour injunction is as follows:

i) As Mr James set out in his own evidence, it is important to draw a distinction between those who occupy the grassed areas of the Downs, and those who occupy the roads surrounding it (the van dwellers). They are distinct and separate groups and it would be wrong to view the claim through the same prism in relation to them both.

ii) Anti-social behaviour is defined by s 2(1) of the 2014 Act as:

a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; or

b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises.

iii) Concerning the first group (those who occupy the grassed areas), I see no reason from the evidence before me at the hearing to part from my earlier judgment. The further witness evidence of Ms Ennion shows that

the injunction is still necessary and multiple groups have attempted to reside on the grassed areas in breach of the Main Order and the Byelaws governing the Downs. My findings of anti social behaviour are less than a year old and I find still apply to the groups who have committed incursions onto the grassed areas. It is still just and convenient to have an injunction and I will extend it to cover all the grassed areas of land within the application.

- iv) Concerning the second group (those living on the roads), the evidence is very clear that there are substantial accumulations of rubbish and human waste in and around the Downs. The correlation between where these have been found, and the greater concentrations of vans, means I draw the reasonable inference that those living in the vans are the primary cause of this – in particular the human waste.
- v) I have accepted in my analysis that there will be a level of detritus left by the general public and this is not caused by the van dwellers. However, I consider the accumulations are substantially contributed to by the van dwellers and there is no other logical explanation for the correlation between where waste is found and the greater concentration of vans.
- vi) The question is whether this constituted anti-social behaviour under the 2014 Act. As set out earlier, the term has a specific legal meaning.
- vii) I start with limb (b) as that test is lower in relation to housing-related conduct (see paragraph [105] of Swindon Borough Council v Abbrook [2024] EWCA Civ 230). The Claimant relied on limb (b) due to the

effect of the van dwelling on the local residents who live on the roads where van dwellers are living.

- viii) I do not agree that the test applies. Whilst the bar is lower, there must still be causal link between the conduct complained of and any nuisance or annoyance of the local resident in relation to the occupation of their property. However, the conduct is not just the mere presence of a van on the road, or someone living within it. As I have found, it is the implication of the wider effect and impact on the Downs that their presence has. I have not heard any persuasive evidence that the presence of the vans leads to nuisance or annoyance in relation to the occupation of residential premises. I accept that some local residents do not like, and do not want, van dwellers living nearby, or consider the Downs are not the appropriate place to park and live. That is not the same as suffering a nuisance or annoyance in relation to occupation of a residential property. Therefore, I consider that limb (b) is not made out.
- ix) Turning to limb (a), whereby the conduct must have caused, or is likely to cause, harassment, alarm or distress to any person. ‘Harassment’ in the civil context was defined by the Supreme Court in Hayes v Willoughby [2013] UKSC 17 as: *“persistent and deliberate course of unreasonable and oppressive conduct, targeted at another person, which is calculated to and does cause that person alarm, fear or distress”*. That is not the case here. There is no evidence that the conduct of those living in the vans is targeted at another person or calculated to cause alarm, fear or distress.

x) That leaves me with whether the conduct causes alarm or distress to any person. It is important to stand back and consider the wider context. The Downs are held on statutory trust by the Claimant and the Society to remain as open and unenclosed land as a place for public resort and recreation for the citizens of Bristol. That is the purpose for which the Downs must be made freely available to the public.

xi) I consider that the above evidence, which is uncontested, shows it is more likely than not that there is alarm or distress to the public. The free presence of human waste and the accumulations of other rubbish is a public health hazard and poses risks to the public as they go about their lawful enjoyment of the Downs. I have considered carefully the photographic evidence and I consider it goes very far beyond what is acceptable in a public recreational space. The high level of complaints which the Claimant receives shows that a sufficiently wide section of the public is affected by this.

xii) For these reasons, I consider the Claimant has shown there is anti social behaviour and is, in principle, entitled to an injunction.

51. The second stage is whether it is just and convenient to grant an injunction. In summary, what is the proportionate response to the anti social behaviour?

52. No one has appeared to defend the claim, but that is not the end of the matter. As the Claimant seeks a 'newcomer' injunction, the Court must consider the potential defences available to the persons unknown.

53. I accept that, for van-dwellers who have lived on the Downs for a significant period of time, a proposed injunction would potentially interfere with their Article 8 rights to a private life and interference with their homes.
54. However, any rights under Article 8 are not absolute. Article 8(2) states that the right can be interfered with in a proportionate manner as is in accordance with the law and as necessary in a democratic society in the interests of, among other things, public safety, the protection of health or morals, or the protection of the rights and freedoms of others. Essentially, any order must be proportionate when balancing the legitimate needs of society with that of the individual.
55. The right to property is also a Convention right, protected by Article 1 of the First Protocol ('A1P1'). The Claimant has the benefit of this. In a democratic society, the protection of property rights is a legitimate aim, which may justify interference with the rights guaranteed by other qualified Articles. Trespass is an interference with A1P1 rights, which in turn requires justification and Article 8 and other qualified rights cannot normally justify a person in trespassing on land of which another has the right to possession, just because the defendant wishes to do so for the purposes of making it their home when they have no legal right to be there. Interference by trespass will rarely be a necessary and proportionate way of exercising an Article 8 right.
56. I do not consider a defence under Article 8 has no realistic prospect of success. Any injunction would be granted pursuant to law. The repeated trespass to Claimant's property, the damage caused and harm posed, and interference to the public's legal right of enjoyment of whole of the Downs are not justified under

any Article 8 rights. The proposed injunction has a wholly legitimate aim i.e. to protect the Claimant's (and the public's) civil rights to the Downs and access and enjoyment of them, to avoid damage and littering, to avoid health and safety dangers, and to protect those who use the Downs as members of the public, the Claimant's staff, and those who have legitimately acquired a right to hold commercial or charitable events on the Downs.

57. I do not consider there are less restrictive means available to achieve the aim of protecting the Claimants' civil rights and property than the terms of the final injunction. An injunction in the terms to be granted strikes a fair balance. As I explained in my earlier judgment, other potential remedies do not suffice.
58. I bear in mind that the persons unknown are only being prohibited from being in a defined and limited geographic area. This is in no way a 'county-wide' injunction. It concerns an area of land which is frequently trespassed upon.
59. For these reasons, I do not consider that there is any realistic prospect of success of a potential defence. The Court has considered the defences commonly available which the Claimant has, in compliance with its duty of full and frank disclosure, put before the Court. Any other defences, if available, have not been put before the Court by any potential defendant. If there are any, the right to apply to set aside or vary is a sufficient procedural safeguard.
60. The next question is whether, under the question of convenience, there is a compelling justification to make a newcomer injunction as opposed to an injunction against those already present.

61. Weighing up all the evidence, I am persuaded there is. There has now been, over a very significant period time, substantial littering and pollution from those living in vans which I have found constituted a public health hazard. It is also a breach of the Byelaws made under the Act which constitutes a criminal offence. I fail to see why it is appropriate that the Claimant must incur the repeated cost of the cleaning of the human waste and other rubbish off the Downs on a regular basis.

62. Finally, damages are not an adequate remedy – as before, there is no prospect that anyone is going to be identified to pay damages to the Claimant. No one has attended Court to offer any undertakings in lieu of an injunction.

63. Concerning the procedural requirements for a newcomer injunction concerning identification of the class, the terms, the geographic boundaries, duration, and service, I am satisfied these are all met.

64. I consider it is appropriate for the injunction to run for one year from today.

65. The injunction will contain a right to apply to set aside or vary the injunction on two clear days' notice.

I consider it is appropriate to review the injunction in September. At that hearing, the Court will decide whether to set another review date or allow it to run its course.

POWER OF ARREST

66. The Claimant requests that a power of arrest is added on the ground of a significant risk of harm to others. This test must be applied in a suitably robust

manner. Anti-social behaviour causes differing degrees of distress or anxiety and the barrier for a power of arrest must not too low. Powers of arrest should be used in cases where there is a significant risk of harm beyond mere distress.

67. 'Harm' is primarily used in ASBI proceedings to mean physical or psychological harm. However, there is no statutory limit to just these two categories. It is accepted it can mean harm in a wider context, such as nuisance and environmental harm.

68. It is not a risk of significant harm, but rather the significant risk of harm that matters. As I set out in my earlier judgment, there is a significant risk of harm in relation to those who occupy the grassed areas of the Downs. I considered a power of arrest was warranted before, albeit it has not been exercised to date, and nothing I have read or heard in this new application persuades me otherwise now. Therefore, the extended injunction as it applies to the grassed areas of land will contain a power of arrest.

69. However, I take a different view in relation to the roads and those living on them in vans. Whilst I have found there is anti-social behaviour and harm for the reasons set out earlier, I do not consider it is proportionate or just to add a power of arrest to the aspects of the injunction which require people only to not be present on, or leave when requested, the roads. The risk of harm posed is much lower, and whilst it is above the threshold to grant an injunction, it is not at a level where a power of arrest is warranted.

70. Therefore, I will not attach a power of arrest to the terms of the injunction which affect the roads and highways insofar as it concerns only trespassing or being present on the roads when required to leave.

71. However, breaching the other terms of the injunction in any area, such as defecating/urinating, placing waste, or causing nuisance, harassment, alarm or distress, is covered by the power of arrest across all areas of the land. Otherwise, there would be a wholly artificial distinction between the area of land a breach occurred on.
72. However, I wish to be clear on two matters:
- i) This decision does not affect the powers of a bailiff or High Court Enforcement Officer to use lawful force from enforcing a warrant or writ of possession. The order of possession is a court order and must be complied with.
 - ii) The Claimant remains entitled under section 10 of the 2014 Act to apply to the County Court for a warrant to arrest any individual who is in breach of the anti-social behaviour injunction. Applications for a warrant can be made without notice and the expectation must be that if the Court is presented with evidence showing an individual is aware of the injunction and has broken it, they will be arrested and brought before the Court to be dealt with for contempt.

SUMMARY

73. In summary:
- i) The claim for a possession order is granted.
 - ii) The claim for a general injunction is dismissed.

- iii) The application to extend the current Main Order as an anti-social behaviour injunction is granted.
- iv) The application to add a power of arrest to the extended injunction is granted but not for breaches of the injunction which concern only being present on the roads, or not leaving when required.

74. That is my judgment.