Application for Injunction (General Form)

Name of court	Claim No.
County Court at Bristol	H80BS959
Claimant's Name and Ref.	
Bristol City Council (12487400)	
Defendant's Name and Ref.	
Persons Unknown on Durdham Down, Clifton Down and Ladies Mile residing in tents, caravans or other vehicles adapted for residential purposes	
Fee Account no. PBA0083472	

AMENDED APPLICATION FOR INJUNCTION UNDER CPR RULE 17.1(1)

RE-AMENDED APPLICATION FOR INJUNCTION BY ORDER OF DISTRICT JUDGE NAPIER DATED 05.02.2026

THE COUNTY COURT

THE COUNTY COURT

THE COUNTY COURT Seal

Notes on completion

Tick which boxes apply and specify the legislation where appropriate

(1) Enter the full name of the person making the application

(2) Enter the full name of the person the injunction is to be directed to

(3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.

(4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').

(5) Set out here any further terms asked for including provision for costs

(6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application

(7) Enter the names and addresses of all persons upon whom it is intended

☐ By application in pending proceedings

☒ Under Statutory provision Highways Act 1980 and ASBCPA 2014

☒ This application is made under Part 8 of the Civil Procedure Rules

This application raises issues under the Human Rights Act 1998 ☒ Yes ☐ No

The Claimant (1) Bristol City Council
applies to the court for an injunction order in the following terms:

The Defendant (2) Persons Unknown on Durdham Down, Clifton Down and Ladies Mile residing in tents, caravans or other vehicles adapted for residential purposes structures

The Defendant be forbidden (whether by herself or by instructing or encouraging or permitting any other person) from(3)

i. Entering or residing on Durdham Down, Clifton Down and Ladies Mile with the intention of residing in tents, caravans or other vehicles adapted for residential purposes within the area shown in Map 1 being hatched red and green.

ii. Defecating and/or urinating in any place other than the public toilets on the land hatched red and green on Map 1.

iii. Depositing household or any other waste material on any part of the land hatched red and green on Map 1

Any person affected by this Order may apply to discharge or vary it by Application to the County Court at Bristol, 2 Redcliff Street, Bristol with a copy to legal.support@bristol.gov.uk at the same time as such Application is made. Such Application can be made by Application Notice or letter setting out details of the Application made and supported by a Statement of Truth on not less than 24 hours notice to the Claimant.

See below

The Defendant must (4)

And that (5)

The grounds of this application are set out in the written evidence of (6) Caroline Ennion dated 26.06.2025

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to serve this application

This written evidence is served with this application.

This application is to be served upon (7) The Defendant - Persons Unknown on Durdham Down, Clifton Down and Ladies Mile residing in tents, caravans or other vehicles adapted for residential purposes

(8) Enter the full name and address for service and delete as required

This application is filed by (8) Bristol City Council Legal Services

the Claimant whose address for service is Bristol City Council Legal Services, City Hall, College Green, PO Box 3399, Bristol, BS1 9NE

The respondent is entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid which may be available without any means test.

Signed L. Stephens Dated 26.06.2025

This section to be completed by the court

Name and address of the person application is directed to

To*

of

This application will be heard by the (District) Judge

at BRISTOL CIVIL JUSTICE CENTRE, REDCLIFF ST BRISTOL BS1 5TR

on ~~Tuesday~~ Wednesday **the** 23rd **day of** July **20** 25 **at** 10.00 **o'clock**

If you do not attend at the time shown the court may make an injunction order in your absence

If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

THE COUNTY COURT

A Power of Arrest is attached to the terms of this Injunction Order pursuant to section 4 of Anti-social Behaviour Crime & Policing Act 2014, whereby any constable may arrest the Defendant without warrant if they have reasonable cause for suspecting a breach of these clauses.

THE COUNTY COURT

Claim Form (CPR Part 8)

In the County Court at Bristol	
Claim no.	
Fee Account no.	PBA0083472
Help with Fees - Ref no. (if applicable)	H W F - -

AMENDED CLAIM FORM
UNDER CPR RULE 17.1(1)

THE COUNTY COURT

Claimant
Bristol City Council
City Hall
College Green
PO Box 3399
Bristol
BS1 9NE

RE-AMENDED CLAIM FORM
BY ORDER OF
DISTRICT JUDGE NAPIER
DATED 05.02.2026

THE COUNTY COURT

Defendant(s)
Persons Unknown on Durdham Down, Clifton Down and Ladies Mile residing in tents, structures caravans or other vehicles adapted for residential purposes

THE COUNTY COURT

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

Details of claim (see also overleaf)

and the Anti Social Behaviour Crime and Policing Act 2014

The Claimant is seeking an Injunction Order under the Highways Act 1980. This is to prevent any further trespass on the Claimant's land at Durdham Down and Ladies Mile, and Clifton Down owned by the Merchant Venturers Society.

THE COUNTY COURT

Durdham Down, Clifton Down and Ladies Mile are trespassed upon and occupied by tents and vehicle dwellers at different times of the year, usually from April - October, every year. Vechicle dwellers occupy different areas of The Downs, which creates extensive costs for the Claimant in moving the Defendants on and tidying the area from rubbish and excrement. The trespass also has a significant impact on the land and the community, as they are prevented from using the land for its intended purpose.

The land has been trespassed upon on several occassions this year by different encampments, and is currently being occupied by new Defendants. An Injunction is sought to protect the Durdham Down, Clifton Down and Ladies Mile from newcomers, whose intention is to reside in tents, caravans or other vehicles adapted for residential purposes.

		£
Defendant's name and address	Persons Unknown on Durdham Down, Clifton Down, Ladies Mile residing in tents, caravans or other vehicles adapted for residential purposes Clifton, Bristol	
	Court fee	377
	Legal representative's costs	69.50
	Issue date	

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

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Claim no.

Details of claim (continued)

The Claimant submits that the Defendants have trespassed onto the land which has caused forms of anti social behaviour that have resulted in complaints from local residents. It is likely this trespass and behaviour will continue in the future, as it has done for many years, unless the Defendants are restrained by an Injunction preventing newcomers from residing on Durham Down, Clifton Down and Ladies Mile.

Further information can be found in the witness statement of Caroline Ennion filed with this claim.

The Claimant therefore seeks an Injunction in the following terms:

1. Persons Unknown residing in tents, caravans or other vehicles adapted for residential structures purposes be forbidden from:

i. Entering or residing on Durdham Down, Clifton Down and Ladies Mile with the intention of residing in tents, caravans or other vehicles adapted for residential purposes within the area shown in Map 1 being hatched red and green.

ii. Defecating and/or urinating in any place other than the public toilets on the land hatched red and green on Map 1.

iii. Depositing household or any other waste material on any part of the land hatched red and green on Map 1

Any person affected by this Order may apply to discharge or vary it by Application to the County Court at Bristol, 2 Redcliff Street, Bristol with a copy to legal support@bristol.gov.uk at the same time as such Application is made. Such Application can be made by Application Notice or letter setting out details of the Application made and supported by a Statement of Truth on not less than 24 hours notice to the Claimant.

2. A Power of Arrest is attached to the terms of this Injunction Order pursuant to section 4 of Anti-social Behaviour Crime & Policing Act 2014, whereby any Constable may arrest the Defendant without warrant if they have reasonable cause for suspecting a breach of these clauses.

Bristol City Council
City Hall
College Green
PO Box 3399
Bristol
BS1 9NE

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in these particulars of claim are true.

☑ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the claimant to sign this statement.

Signature

A Stephens

☐ Claimant

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

☑ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
26	06	2025

Full name

Althia Stephens

Name of claimant's legal representative's firm

Bristol City Council Legal Services

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

Solicitor

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

Re-amended Particulars of Claim

The Claimant is the registered proprietor of Durdham Downs, Clifton, Bristol. The Society of Merchant Venturers ('the society') is the registered proprietor of Clifton Downs. A number of Highways surround and cross the Downs. Those Highways are adopted highways for which the Claimant is responsible.

The Defendants are a large number of individuals who occupy caravans, vans, lorries, structures and other associated motorised vehicles or tents on the Downs, both with the grassed areas and the highways.

The Claimant's legal powers and responsibilities

The Claimant performs a number of statutory functions:

i. Highway authority – for the purposes of the Highways Act 1980
ii. Local authority - for the purposes of
    The Local Government Act 1972, specifically section 222
    The Crime and Disorder Act 1998, specifically section 17
    The Anti-Social Behaviour Crime and Policing Act 2014
iii. Manager of The Downs – pursuant to arrangements made under The Downs Act 1861

In addition, the Claimant as the owner of Durdham Downs is also empowered to deal with encroachments onto Clifton Downs pursuant to arrangements with the Society.

Highways Act 1980

As the Highway Authority the Claimant is statutorily responsible for the roads crossing and surrounding the Downs namely: Parrys Lane, Saville Road, Clay Pit Road, Westbury Park, Rockleaze, Downleaze, Roman Road, Stoke Road, Wills Lane and Circular Road.

By section 130 of the Highways Act 1980 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.

By section 130(2) and (5) there is a power to seek injunctive relief

By section 143 of the Highways Act 1980 the Claimant has power to remove any structure from a highway.

By section 148 of the Highways Act 1980 it is an offence to deposit anything on the highway which interrupts the user of the highway.

Anti-Social Behaviour Crime and Policing Act 2014

By section 1 of the Anti-Social Behaviour Crime and Policing Act 2014 the Claimant may seek an Injunction if two conditions are met:

i. the court is satisfied on the balance of probabilities that the respondent has engaged or threatens to engage in Anti-social behaviour.

ii. The court considers it just and convenient to grant the injunction for the purposes of preventing the respondent in engaging in anti-social behaviour.

By section 2(1) Anti-Social Behaviour is defined as:

a. conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
b. conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises,

The Clifton and Durdham Down (Bristol) Act 1861

By section XI of the Downs Act 1861 the Claimant may:

i) make byelaws for the purpose of carrying the Downs Act into execution
ii) prevent all obstructions and nuisances and from time to time remove any encroachments on the Downs.

Clifton and Durdham Downs - Byelaws

The Downs Byelaws provide:

i) Paragraph 15 (c) – that no person shall on The Downs intentionally obstruct any other person in the proper use of the Downs, or behave so as to give reasonable grounds for annoyance to other persons on the Downs.

Particulars of nuisance and trespass

The Defendants have for a considerable length of time encamped on the roads for the purposes of residence. The Defendants have never had any authorisation from the Claimant to so reside.

In addition, the use of the roads as a place of residence is accompanied by the deposit of considerable detritus on the roads including household items, general refuse and generators. Furthermore, the Defendants (or some of them) have used other parts of the Downs for the purposes of depositing rubbish and human waste, including both faecal matter and toilet paper which presents a significant public health risk.

The nuisance caused by the Defendants can be summarised as follows. There has been a significant increase in littering and fly-tipping, including the accumulation of general and household waste. This attracts vermin, generates unpleasant odours and create hygiene concerns for the community. Human faeces have been discovered in the bushes on the Downs, creating a clear and unacceptable public health risk which the Claimant has categorised as ‘High Impact’. This improper disposal of human excrement in public spaces further creates environmental hazards and risks.

In addition, there has been an increase in anti-social behaviour in the vicinity raising concern for local residents in the form of fights, drug activity and inappropriate behaviour in public spaces. The presence of the Defendants’ vehicles has also

resulted in parking issues along the pavements and kerbsides. The high concentration of vehicles on the roads adversely affects the visibility for drivers, and restricts safe access for pedestrians, cyclists and other vehicles seeking to access and use the Downs. Accordingly, the safety of those wanting to use the Downs is compromised by vehicles obstructing and interfering with their safe passage.

Furthermore, the presence of the vehicles and the associated conduct constitutes a nuisance and anti-social behaviour as defined above, in that persons using the Downs have been inconvenienced and threatened by persons encamped on the roads and on the Downs themselves. Such conduct amounts to a breach of the 2014 Act, specifically section 2(1)(a) in respect of users of the Downs and section 2(1)(b) in respect of local residents.

On 2 and 11 December 2025 the Claimant's officers attended all the vehicles encamped on the roads and served notices informing the occupiers that they were trespassing and inviting them to vacate. Between the dates of 2 and 11 December 2025 the Claimant's officers attended and carried out welfare assessments, to better inform the Claimant's officers of any vulnerabilities among the person occupying the vehicles and to enable those persons if necessary to be sign posted to alternative provision which he Claimant might be able to provide and/or provide alternative support under its various statutory functions.

More than 50 vehicles remain encamped on the roads. Possession proceedings have been initiated to recover possession of the roads on the basis of this being a trespass onto the highway. The Defendants may well return to the land once any possession order made by the Court is enforced, and given the history of the trespass onto these roads over the last several years there may well be further trespasses by the Defendants and Newcomers – causing loss and damage to the Claimant and lawful users of the Downs and the roads. So, unless restrained by the Court the Defendants and/or newcomers will continue to repeat the acts upon which complaint has been made.

PARTICULARS OF INCONVENIENCE, LOSSES AND EXPENSE

The Claimant has incurred considerable expense in removing waste material from the roads and the Downs themselves. This includes refuse collection, sanitation and repair of damaged features. In addition, organisations who have used the Downs for public functions have suffered considerable inconvenience and loss in relation to interference from persons trespassing on the roads and the Downs. As a result of interference with those activities necessitating extra security measures.

The trespass and nuisance caused by the Defendants has severely impacted lawful users of the roads and the Downs themselves.

The cost to the Claimant since the start of these proceedings and exceeds £80,000.

RELIEF SOUGHT

The Claimant claims an Injunction restraining the Defendants from:

i. **Entering or being present, within the area shown in the Map attached to this injunction, being:**
   a. **Clifton Down, Durdham Down and Ladies Mile (edged and hatched red and green)**
   b. **Parrys Lane, Saville Road, Downleaze, Rockleaze, Circular Road, Roman Road, Clay Pit Road, Stoke Road, Wills Lane and Westbury Park (coloured blue)**
   with the intention of residing in any tent, structure, caravan, van, or vehicle.

ii. **Defecating and/or urinating, other than in the public toilets, within the area shown in the Map attached to this injunction edged and hatched red, green and blue.**

iii. **Placing household or any other waste material within the area shown in the Map attached to this injunction edged and hatched red, green and blue. For the avoidance of doubt, this prohibits the use of the public bins.**

iv. **Causing any nuisance, harassment, alarm or distress to any person lawfully on Durdham Down, Clifton Down, Ladies Mile, Parrys Lane, Saville Road, Downleaze, Rockleaze, Circular Road, Roman Road, Clay Pit Road, Stoke Road, Wills Lane and Westbury Park by way of any or all of**
   (1) dangerous driving of any vehicle,
   (2) verbal or physical abuse or threats
   (3) unreasonable levels of noise
   (4) allowing any animal to be out of control and/or
   (5) disposing of waste except in a manner expressly permitted in writing by Bristol City Council.

IN THE COUNTY COURT AT BRISTOL **CLAIM No. M00BS959**

BETWEEN:-

BRISTOL CITY COUNCIL

Claimant

AND

**PERSONS UNKNOWN ON LAND
KNOWN AS DURDHAM DOWN, CLIFTON DOWN
AND LADIES MILE RESIDING
IN TENTS, CARAVANS, STRUCTURES, OR OTHER VEHICLES
ADAPTED FOR RESIDENTIAL PURPOSES**

Defendant

DRAFT ORDER

BEFORE District Judge Napier sitting at the County Court at Bristol

The Court ordered that To all Persons Unknown on Clifton Down, Durdham Down, Ladies Mile, Parrys Lane, Saville Road, Downleaze, Rockleaze, Circular Road, Roman Road, Clay Pit Road, Stoke Road, Wills Lane and Westbury Park who are residing, or intend to reside, in tents, caravans, structures, or other vehicles adapted for residential purposes.

You are forbidden (whether by yourselves or by instructing or encouraging or permitting any other person) from:

i. Entering or being present, within the area shown in the Map attached to this injunction, being:
   a. Clifton Down, Durdham Down and Ladies Mile (edged and hatched red and green)
   b. Parrys Lane, Saville Road, Downleaze, Rockleaze, Circular Road, Roman Road, Clay Pit Road, Stoke Road, Wills Lane and Westbury Park (coloured blue)

   with the intention of residing in any tent, structure, caravan, van, or vehicle.

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iii. Placing household or any other waste material within the area shown in the Map attached to this injunction edged and hatched red, green and blue. For the avoidance of doubt, this prohibits the use of the public bins.

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(1) dangerous driving of any vehicle,
(2) verbal or physical abuse or threats
(3) unreasonable levels of noise
(4) allowing any animal to be out of control and/or
(5) disposing of waste except in a manner expressly permitted in writing by Bristol City Council.

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 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 ([[further] order of the Court) at 11:59 PM unless before then it is revoked by further order of the court

The court is satisfied that the conduct which is prohibited by this injunction, consists of or includes the use or threatened use of violence and there is a significant risk of harm to a person towards whom the conduct prohibited by this injunction is directed.

YOU MUST COMPLY WITH THIS ORDER PENDING ANY HEARING

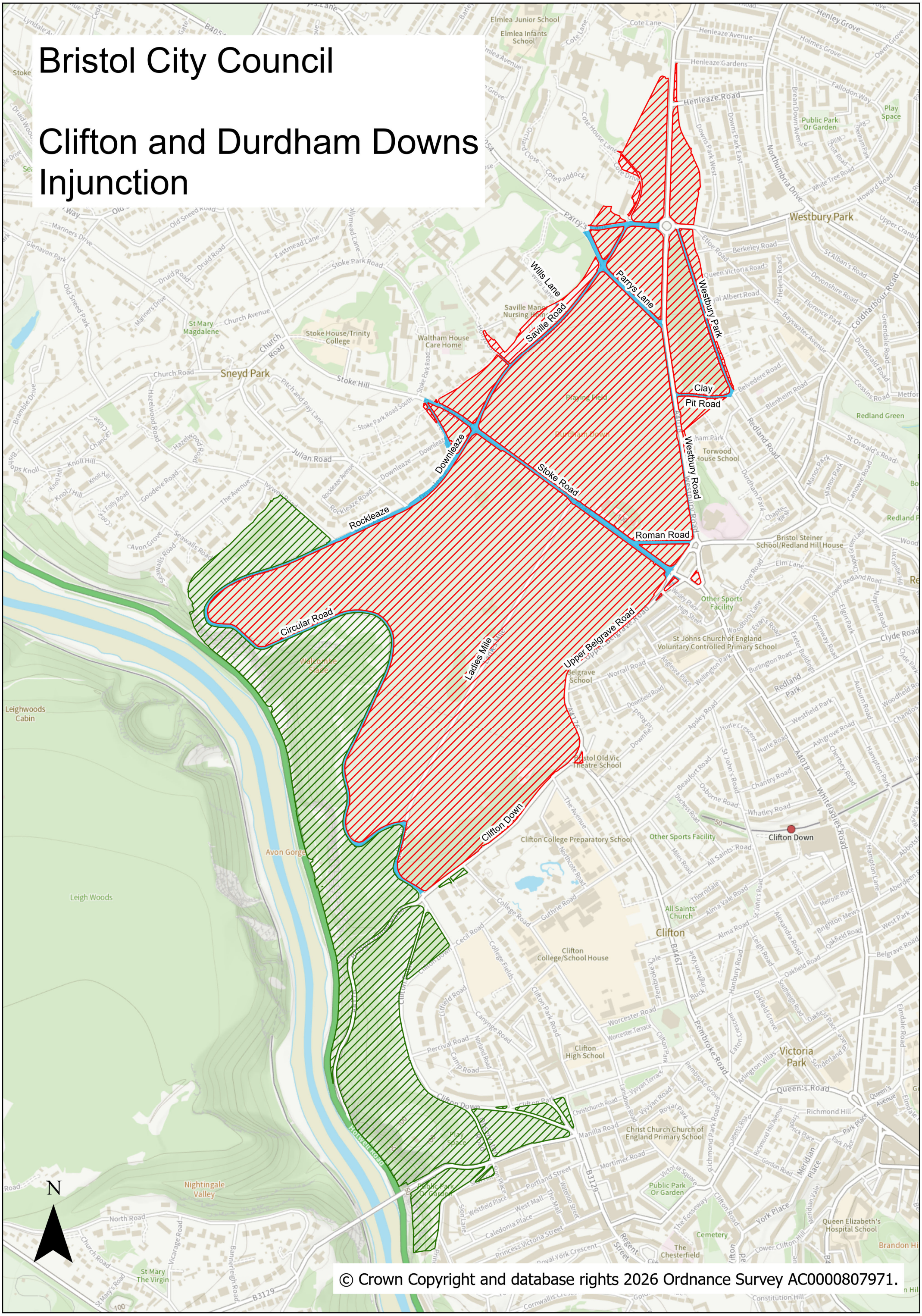
A power of arrest is attached to (all the terms) of this injunction whereby any constable may under the power given in section 9 of the Anti-social Behaviour Crime & Policing Act 2014, arrest without warrant the defendant if the constable has reasonable cause for suspecting the defendant is in breach of any of those terms of this injunction.

FURTHER REVIEW

The Claimant may by 4.30pm on (date 12 months from the grant of this order) make an application to the Court (accompanied by any evidence in support) and seek the listing of a review hearing at which the continuation or extension of the Injunction will be considered.

Bristol City Council

Clifton and Durdham Downs Injunction


Wills Lane
Parrys Lane
Saville Road
Westbury Park
Clay Pit Road
Downleaze
Stoke Road
Westbury Road
Rockleaze
Roman Road
Circular Road
Ladies Mile
Upper Belgrave Road
Clifton Down
Clifton Down
Clifton
Westbury Park
Sneyd Park
Leighwoods Cabin
Leigh Woods
Avon Gorge
Nightingale Valley
Walcombe Slade
Play Space
Public Park Or Garden
Other Sports Facility
Clifton College Preparatory School
Clifton College/School House
Clifton High School
Bristol Old Vic Theatre School
Belgrave School
St Johns Church of England Voluntary Controlled Primary School
Christ Church Church of England Primary School
Bristol Steiner School/Redland Hill House
Torwood House School
Queen Elizabeth's Hospital School
Stoke House/Trinity College
Waltham House Care Home
Saville Manor Nursing Home
St Mary Magdalene
Elmlea Junior School
Elmlea Infants School
Henleaze Road
Henleaze Avenue
Henleaze Gardens
Cote Lane
Cote House Lane
Cote Paddock
Northumbria Drive
Fallodon Way
Public Park Or Garden
Play Space
Berkeley Road
Queen Victoria Road
Devonshire Road
Coldharbour Road
Redland Green
Redland Road
Redland Park
Belvedere Road
Blenheim Road
Whiteladies Road
Stoke Park Road
Stoke Hill
Church Road
Julian Road
Pitch and Pay Lane
Hazelwood Road
Goodeve Road
Knoll Hill
Druid Road
Mariners Drive
Old Sneed Road
Eastmead Lane
Seawalls Road
Avon Grove
Rockleaze Avenue
Rockleaze Road
Cecil Road
College Road
College Fields
Guthrie Road
Alma Road
Alma Vale Road
Pembroke Road
Clifton Park Road
Canynge Road
Percival Road
Litfield Road
Worcester Road
Worcester Terrace
Victoria Park
Queen's Road
Richmond Hill
Mortimer Road
Manilla Road
Christchurch Road
Vyvyan Road
Vyvyan Terrace
Lansdown Road
Royal Park
Richmond Park Road
Portland Street
West Mall
The Mall
Caledonia Place
Princess Victoria Street
Royal York Crescent
Regent Street
York Place
Meridian Place
Clifton Road
The Fosseway
Cemetery
The Chesterfield
Public Park Or Garden
Victoria Square
Park Place
Gordon Road
Constitution Hill
Lower Clifton Hill
Brandon Hill
Whatley Road
Osborne Road
Chantry Road
Ashgrove Road
Hurle Road
Hurle Crescent
Apsley Road
Westfield Park
Auburn Road
Hampton Park
Hampton Lane
Cheltenham Road
Beaufort Road
St John's Road
Duchess Road
All Saints' Road
Miles Road
Northcote Road
Thorndale
Melrose Place
Alexandra Road
Leigh Road
Oakfield Road
Oakfield Place
Oakfield Grove
Southleigh Road
Hanbury Road
Eaton Crescent
Arlington Villas
Sunderland Place
Pembroke Grove
Pembroke Vale
Buckingham Vale
Brighton Mews
West Park
Belgrave Road
Elmdale Road
Queen's Avenue
Richmond Hill Avenue
Park Place
Meridian Vale
Lower Redland Road
Elgin Park
Napier Road
Clyde Road
Greenway Road
Exeter Buildings
Burlington Road
Anglesea Place
Wellington Park
Worrall Road
Downfield Road
Downfield Place
Hollywood Road
Whiteladies Road
Redland Green
Bishop Road
Bishop Manor
Manor Park
Durdham Park
Chapter Mews
Canowle Road
Lucombe Hill
Grove Road
Elm Lane
Woodbury Lane
Evans Road
Wesley Place
High Street
Other Sports Facility
Clifton Down
Clifton Down
Clifton Down
Clifton Down
Clifton Down
Clifton Down
Clifton Down
Play Space
Public Park Or Garden
Holwell Road
Rockleaze
Circular Road
Ladies Mile
Upper Belgrave Road
Clifton Down
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