

IN THE COUNTY COURT AT BRISTOL
BETWEEN:

Claim No. G01BS064

BRISTOL CITY COUNCIL

Claimant

-and-

(1) PERSONS UNKNOWN
(2) NINA SURIYA COWBURN-BANNISTER
(3) PATRICK FLINT
(4) HARRY PYRGOS
(5) LOUIS SLATER
(6) TIMOTHY SPEAR
(7) TONY GOSLING
(8) KIERAN DOSWELL

Defendants

INDEX OF DOCUMENTS

1. Pleadings

- a) Amended Claim form dated 9 October 2020
- b) N16A application for injunction and draft Order dated 7 July 2020
- c) N5 Claim form for the possession of property dated 7 July 2020
- d) N121 Particulars of the possession dated 7 July 2020
- e) Statement of S Eyers dated 2 July 2020 and 20 August 2020

2. Orders

- f) Amended Injunction
- g) Order dated 23 December 2020



Claim Form (CPR Part 8)

In the Bristol County Court

Claim no.

G0183064

Fee Account no.

PBA 0083472

Help with Fees -
Ref no. (if applicable)

H W F - - - - -

Claimant

Bristol City Council
Legal Services (City Hall)
PO Box 3399,
Bristol BS1 9NE



Defendant(s)

Persons Unknown occupying any caravan, campervan, motor vehicle mobile home, other structure, any of which may be with or without wheels, placed on any public highway in the area of St Werburghs of Bristol as shown outlined in red on EXHIBIT SE01 Map ~~2~~ 3

Does your claim include any issues under the Human Rights Act 1998?

☒ Yes☐ No

Details of claim (see also overleaf)

An injunction to prevent the Defendants from abusing the general right of the Public to pass and re-pass and/or exceeding the general right of the Public to pass and re-pass by placing their vehicles on the Highway without permission or license.

Defendant's
name and
address

Persons Unknown

£

Court fee	355
Legal representative's costs	
Issue date	7/7/2020

For further details of the courts www.gov.uk/find-court-tribunal.

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.

Details of claim *(continued)*

The Claimant is the Highway Authority for the purposes of the Highways Act 1980. By section 130 of that Act, the Claimant has a duty to assert and protect the right of the Public to use the Highways. The right of the Public to use the Highway is the right to pass and re-pass.

The Claimant's claim is that the Defendants by leaving their vehicles on a public highway have obstructed the right of the Public to pass and re-pass amounting to:

1. an abuse to use of the right to use the highway and/or
2. amounts to a trespass ab initia

The claimant seeks to prevent incursions into the St Werburghs area by the Defendants, who are using their vehicles as residences so obstructing the rights of the Public.

The Claimant further claims that the Defendants have engaged in anti-social behaviour, and are likely to do so in the future unless restrained by an injunction. In particular:

1. Defendants living in vehicles parked on the highways cause an obstruction that poses a risk to road users, pedestrians and local residents; and/or
2. Individuals in that category have engaged in other anti-social behaviour including causing excessive noise; defecating, urinating and/or disposing of rubbish in public places; fly-tipping; and intimidating local residents.

The Claimant therefore seeks a final injunction in the terms of the draft Order attached with its application of 7 July 2020, or such other terms as the Court considers appropriate, under s. 38(1) of the County Court Act 1984, s. 130 of the Highways Act 1980 and/or s. 1 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the 2014 Act"); to include a power of arrest under s. 4 of the 2014 Act and/or s. 27 of the Police and Justice Act 2006.

Statement of Truth

~~*(I believe)~~ (The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

Full name JACQUES B BOW

Name of claimant's legal representative's firm _____

signed [Signature] position or office held Solicitor
*(Claimant)(Litigation friend) (if signing on behalf of firm or company)
(Legal representative)

**delete as appropriate*

Bristol City Council
Legal Services (City Hall)
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.

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

Full name _____

signed _____ position or office held _____

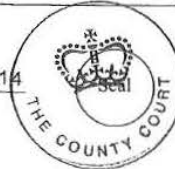
Application for Injunction (General Form)

Name of court County Court of Bristol	Claim No. G01BS064
Claimant's Name and Ref. Bristol City Council ref GM07.47	
Defendant's Name and Ref. Persons Unknown (St Werburghs)	
Fee Account no. PBA 0083472	

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 to serve this application
- (8) Enter the full name and address for service and delete as required

- ☐ By application in pending proceedings
- ☒ Under Statutory provision s222 LGA 1972, 130 HA 1980 or sASBCPA 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⁾
must⁽³⁾

The Defendant Persons Unknown occupying any caravan, campervan, motor vehicle mobile h
be forbidden (whether by himself or by instructing or encouraging or permitting any other person)⁽⁴⁾

See draft order-

And that⁽⁵⁾

The grounds of this application are set out in the written evidence
of⁽⁶⁾ Steven Evers Senior Enforcement Officer sworn (signed) on 2/7/2020

This written evidence is served with this application.

This application is to be served upon⁽⁷⁾

Unknown Persons and Others

This application is filed by⁽⁸⁾ Tim O'Gara
(the Solicitors for) the Claimant (~~Applicant/Petitioner~~)
whose address for service is

Community Litigation Team Legal Services, Bristol City Council, City Hall, College Green, Bristol
BS1 5TR

Signed

[Signature]

Dated

7/7/2020

* Name and address of the person application is directed to

To **Persons Unknown**

This section to be completed by the court

This application will be heard by the (District) Judge
at Bristol County Court, 2 Redcliff Street, Bristol, BS1 6GR
on Thursday the 16th day of July 2020 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 court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

N16A General form of application for injunction (05.14)

© Crown copyright 2014



Claim form for possession of property

In the County Court of Bristol

Claim no.

G01BS064

Fee Account no.

PBA0083472

You may be able to issue your claim online and it may save you time and money. Go to www.possessionclaim.gov.uk to find out more.

Claimant

(name(s) and address(es))

Bristol City Council
Legal Services (City Hall)
PO Box 3399,
Bristol BS1 9NE



Defendant(s)

(name(s) and address(es))

Persons Unknown

The claimant is claiming possession of:

The occupied highways in the St Werburghs area of Bristol of Minto Road, Seddon Road, Glenfrone Road, Ashley Parade and Watercross Road as described in the Statement of Steven Eysers, Senior Enforcement Officer, dated 2020.

which ~~(includes)~~ (does not include) residential property. Full particulars of the claim are attached.
(The claimant is also making a claim for money).

This claim will be heard on: Thursday 16th July 2020 at 10:00 am/pm

at Bristol County Court, 2 Redcliff Street, Bristol, BS1 6GR

At the hearing

- The court will consider whether or not you must leave the property and, if so, when.
- It will take into account information the claimant provides and any you provide.

What you should do

- Get help and advice immediately from a solicitor or an advice agency.
- Help yourself and the court by **filling in the defence form** and **coming to the hearing** to make sure the court knows all the facts.

Defendant's name and address for service

Bristol City Council
Legal Services (City Hall)
PO Box 3399,
Bristol BS1 9NE

Court fee

355

Legal representative's costs

Total amount

355

Issue date

07/07/2020

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>

N5 Claim form for possession of property (07.18)

© Crown copyright 2018

Claim No.

Grounds for possession

The claim for possession is made on the following ground(s):

- ☐ rent arrears (online issue available)
- ☐ other breach of tenancy
- ☐ forfeiture of the lease
- ☐ mortgage arrears (online issue available)
- ☐ other breach of the mortgage
- ☒ trespass
- ☐ other (please specify) _____

Anti-social behaviour

The claimant is alleging:

- ☒ actual or threatened anti-social behaviour
- ☐ actual or threatened use of the property for unlawful purposes

Is the claimant claiming demotion of tenancy?

☐ Yes ☒ No

Is the claimant claiming an order suspending the right to buy?

☐ Yes ☒ No

See full details in the attached particulars of claim

Does, or will, the claim include any issues under the Human Rights Act 1998?

☒ Yes ☐ No

Statement of Truth

~~I believe~~ (The claimant believes) that the facts stated in this claim form are true.

I am duly authorised by the claimant to sign this statement.

signed

 date 7/7/2010

~~(Claimant)~~ (Litigation friend (where the claimant is a child or a patient)) (Claimant's legal representative)

~~delete as appropriate~~

Full name Jacqueline Beere

Name of claimant's legal representative's firm Bristol City Council, Legal Services Department

position or office held solicitor

(if signing on behalf of firm or company)

Claimant's or claimant's legal representative's address to which documents or payments should be sent if different from overleaf.

Persons Unknown

Alternate Service required

Postcode

if applicable

Ref. no.	GM07.47
fax no.	N/A
DX no.	DX 7827 Bristol 1
e-mail	Jacqui.Beere@bristol.gov.uk
Tel. no.	Mob 07342066567

**Particulars of claim
for possession
(trespassers)**

In the
County Court of Bristol

Bristol City Council

Persons Unknown

Claim No.

G01BS064

Claimant

Defendant(s)



1. The claimant has a right to possession of:

The occupied public highways that are situated in the St Werburghs area of Bristol described in the statement of Steven Evers, Senior Enforcement Officer dated 26 May 2020. The Claimant is the Highways Authority for the St Werburghs area of Bristol under section 1 (2) the Highways Act 1980.

which is occupied by the defendant(s) who ~~entered or (has)~~(have) remained on the land without the claimant's consent or licence.

2. The defendant(s) ~~(has)~~(have) never been a tenant or sub-tenant of the land.
3. The land mentioned at paragraph 1 does (not) include residential property.
4. The claimant's interest in the land (or the basis of the claimant's right to claim possession) is
Give details:

The Claimant is the Highways Authority under sections 1 (2) Highways Act 1980 for the public highways in the St Werburghs area of Bristol as shown in EXHIBIT SE01 Map1. These roads are maintained at public expense.

The public highways in the St Werburghs area of Bristol are vested in the Claimant, as the Highway Authority, by virtue of section 263 Highways Act 1980. This section vests the highways maintained at public expense including those in the St Werburghs area of Bristol to the Claimant.

5. The circumstances in which the land has been occupied are
Give details:

There is a public right to reasonably use and to traverse public highways. This public right includes the right to pass and repass along their length.

The Unknown Persons, are residing on the public highways of Minto Road, Seddon Road, Glenfron Road, Ashley Parade and Watercress Road in caravans, camper vans, motor vehicles, mobile homes, and in some cases have done so for several years, months or days.

The public right does not include occupation of the highways. The Claimant has not provided any permission to the Persons Unknown to reside on any public highways in the St Werburghs area of Bristol. In the absence of any permission or licence, the occupation is a trespass and the Claimant seeks possession of those occupied highways.

6. The claimant does not know the name(s) of ~~(all)~~ the defendant(s).

7. The claimant asks the court to order that the defendant(s):

(a) give the claimant possession of the land;

(b) ~~pay the claimant's costs of making this claim.~~

Statement of Truth

~~*I believe~~ (The claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

signed J Beere date 7/7/2020

~~*(Claimant)~~ (Litigation friend ~~(where claimant is a child or a patient)~~) (Claimant's solicitor)

~~*delete as appropriate~~

Full name Jacqueline Beere

Name of claimant's solicitor's firm Bristol City Council, Legal Services Department

position or office held solicitor
(if signing on behalf of firm or company)

Claimant/Defendant
Bristol City Council
Steven Evers (Statement 1)
Exhibits: SE01-SE09

IN THE COUNTY COURT AT BRISTOL
BETWEEN:-

CLAIM NO: **G01BS064**

BRISTOL CITY COUNCIL



And

Persons Unknown occupying any caravan, campervan, motor vehicle mobile home, other structure, any of which may be with or without wheels, situated on a piece of disused private land known as the gas works site on Glenfrone Road, which belongs to Wales and West Utilities.

First Defendants

And

Persons Unknown occupying any caravan, campervan, motor vehicle mobile home, other structure, any of which may be with or without wheels, placed on any public highway in the area of St Werburghs of Bristol as shown outlined in red on EXHIBIT SE01 Map 2.

Second Defendants

WITNESS STATEMENT OF
STEVEN EYERS

I, Steven Evers, Neighbourhood Enforcement Officer for Bristol City Council, of 100 Temple Street, Bristol will say as follows:

1. I am employed by Bristol City Council as a Neighbourhood Enforcement Officer and have been so since December 2019. I have responsibility for highways enforcement within the City of Bristol and am duly authorised to make this statement. My role includes communicating with both local residents and Street Van Dwellers when unauthorised encampments are reported to the Council.

2. The Claimant is a local authority for the purposes of the Local Government Act 1972 and the Anti-Social Behaviour and Crime and Policing Act 2014 and is the local highway authority for the purposes of the Highways Act 1980. I attach as **Exhibit SE01 Map1, supplied by the Highways Department, confirming that the roads in St Werburghs are adopted highways and maintainable at public expense by Bristol City Council under the Highways Act 1980. Also attached is Map 2 marked in red indicating the area to be covered by the injunction.**

Background

3. From records available to me in my duties, I am able to state there has been an ongoing issue with Street Vehicle Dwellers within the St Werburghs area of Bristol since 2015. There have been various caravans, campervans and other vehicles adapted for dwelling coming and going to the area on a regular basis since this time. Complaints from the local community have been made to Councillors, to the Police, to Bristol City Council officers as well as the Council's online portals.
4. In 2017 a petition asking for the vans to be moved from St Werburghs attracted 289 signatories. I attach as **Exhibit SE02 a copy of the redacted Petition**. It has been redacted to protect the identities of the signatories.
5. Following an increase in complaints received about the Street Van Dwellers in St Werburghs in April 2019, it was decided that action would be taken under S.77 Criminal Justice & Public Order Act 1994 on three streets in St Werburghs; Minto Road, Seddon Road & Glenfrome Road. The caravans and vehicles were served with directions to leave.
6. Bristol City Council submitted applications to Magistrates Court for orders under S.78 Criminal Justice & public Order Act 1994. I attach as **Exhibit SE03 the signed order of Bristol Magistrates Court dated 14 August 2019**. The application on Glenfrome Road was withdrawn. Following service of papers for a hearing at Bristol Magistrates Court the caravans at both locations either left the

area or were abandoned. The latter were removed by Bristol City Council, which also arranged for the areas to be cleansed.

7. However, new complaints began to be received from September 2019 and have continued to date. These complaints included blocking the roads and footpath, risks to health or pollution caused by human waste & the fly-tipping and latterly interference with business activities. I attach, as **Exhibit SE04 a sample of the reports received with names redacted to safeguard their identities**. They were received as a result of the occupation of the public highways. I have visited the area many times and can confirm that these accounts are accurate so far as I can tell.
8. The encampment on Mina Road moved voluntarily prior to enforcement action being taken in May 2020. The Enforcement Team had gathered a considerable amount of evidence from the local community prior to the Street Van Dwellers voluntary relocation. We had gathered nearly 20 statements. I attach as **Exhibit SE05 a sample of the statements taken from the Residents of St Werburghs** which I refer to in my statement. This evidence demonstrates the kind of behaviour that occurs with encampments on public highways and which is repeated on relocation of the Street Van Dwellers unless prevented.
9. The local community did not systematically log or photograph all incidents of anti-social and nuisance behaviour, though, for part of 2019, one resident kept a record of incidents of which they were aware see **Exhibit SE06 a redacted record of incidents prepared by Resident 1**. Photographic evidence was also recorded by several residents to provide an example of the conditions and unreasonable behaviour the residents endured over several years. These **photographs are attached as Exhibit SE07**. For ease of reference the individual images are referred to by a unique reference in my statement.

Obstruction the Road and footpaths

10. The majority of vans are too high and/or wide to be parked on such narrow residential streets. The vehicles on Mina Road were parked at a pinch point before the entrance to a tunnel see **Exhibit SE07 photo RS1, RS2**. The vans caused a visual obstruction, especially for pedestrians see **Exhibit SE07 Video**,

PH16, RS3. On 9th May, several residents and passers-by witnessed a near-miss accident, when a jogger crossed the road between the caravans and was nearly hit by an oncoming cyclist travelling at speed see **Exhibit SE05, the statement of Resident 5, and generally Resident 3 and Gillian Bird.**

11. On 19/05/2020 at 16:00 Hours during one of my visits to Mina Road, I saw a van occupant working on the pavement completely blocking any safe access passed the vans. I also saw a mother with a small child and elderly lady, unable to pass on the footpath, divert into the road in order to navigate safely around the vans see **Exhibit SE07 photo SE2 (E-J)**. The vehicles also contributed to an incident where the road was completely blocked see **Exhibit SE07 photo RS9, RS10**. There is a potential increased risk to the people and properties, to the north of the tunnel, of damage should large emergency vehicles be unable to gain access to them.
12. The vehicles blocked the Concorde Way cycle path and narrowed the carriageway see **Exhibit SE07 Video RS7, RS8**. This route is a major cycling artery into the city and is seeing very heavy use during the current crisis and is included in the proposed new street path/cycleway widening program for Bristol. The cycle path is also a key route to several schools and is heavily used by children.

Human Waste

13. As far as I am aware, all the vans lack any sanitation or sewage facilities. Residents have observed human excrement and soiled toilet tissue on footpaths, beside garages and on allotments see **Exhibit SE07 photo PH1, PH2 and Exhibit SE05 the statements of Resident 1, 3 5 and Exhibit SE06**. The St Werburghs City Farm had to put up a sign advising that the adjacent community garden should not be used as a toilet, see **Exhibit SE07 photo PH3 and Exhibit SE05, the statement of Resident 1 and Exhibit SE06**.
14. Water was observed being discharged from one of the caravans see **Exhibit SE07 Video PH5**. In March, a resident reported a strong smell of urine coming from near one of the vans; on another occasion she saw a man, who appeared to have come out of a caravan, the door of which was open, and empty a bucket of liquid onto the path see **Exhibit SE05, the statement of Resident 9**. One

Other anti-social behaviour

18. The Manager of the City Farm identifies some of the anti-social and nuisance behaviour which her customers have encountered. This included anxiety caused by unrestrained dogs in a public place and obstruction to the entrance of the community garden and adjoining footpath **see Exhibit SE07 the statement of Sarah Flint.**
19. Mr Andy Greening who is the local business manager at PHC parts outlines the antisocial and nuisance behaviour that Street Van Dwellers have caused to his business and customers. He states that the anti-social and nuisance behaviour has interfered with his business **see Exhibit SE07 statement of Andy Greening and Exhibit SE07 photo AG1-5.**
20. In my opinion taken from the information received through complaints received, there has been and continues to be, an adverse impact on the enjoyment of the amenities in the locality and the daily living activities of the residents, local businesses and their customers, in St Werburghs, as a result of the occupation of the highways by the Street Vehicle Dwellers.
21. Following consultation with local Residents, Vehicle for Change (representatives for the van dwellers) and the Street Van Dwellers, the vans were voluntarily moved from Mina Road. The Street Van Dwellers were aware that the Council was gathering evidence for an action.
22. A further issue caused by the Street Van Dwellers is that they tend to move to nearby streets after being moved on by the Council **see Exhibit SE05 statement of Resident 13.** This means that the anti-social behaviour tends to continue in the same area. The Street Van Dwellers moved from Mina Road to the surrounding streets. A complaint has already been received, in relation to Street Van Dwellers who moved to Minto Road, with the same sanitation issues being raised **see Exhibit SE04, Complaint dated 8 June 2020 at 16.06 .** There are also vans parked directly outside of St Werburghs City Farm in Watercress Road which is the northern side of the tunnel. I recognised that some of the vehicles from Mina

Road had moved to Glenfrome Road which is within 150 Metres from St Werburghs Park Nursery school and Children's Centre see .On Friday 29th May

2020 a further 15 caravans set up a vehicle dwellers encampment on private land along Glenfrome Road, having moved from the Fishponds area. There are now 25 vehicles. When the van dwellers moved from Minto, Seddon and Glenfrome Road in August 2019 it was only a matter of weeks before new occupants took their place see **Exhibit SE05 the statements of Resident 15 and PC Montague**. The Residents are concerned that the large vehicle encampment which is on the site of the old gasworks will head to Mina Road and the surrounding streets once they are evicted from their current site, see **Exhibit SE07, the statement of Resident 15**.

23. At the start of April 2020 all vehicle dwellers currently residing on the Highways in Bristol were visited by Public Health Officials and full welfare checks carried out in relation to COVID restrictions. All occupants were offered support and access to free temporary sites in Bristol, which provided fresh running water, toilet and shower facilities. All those currently residing on the streets have refused the support offered by Bristol City Council and elected to remain with their vehicles on the Highway. These services remain available to the vehicle dwellers, albeit that the number of pitches on the temporary sites is now very limited.
24. The occupation of the public highways in St Werburghs has created anti-social and nuisance behaviour causing distress, frustration and very occasional violent flare ups between the Residents and the Street Van Dwellers see **Exhibit SE05 the statements of Resident 3 and Gillian Bird**. Some residents have conclude that they had no other alternative but to leave the area if nothing is done to alleviate the behaviour see **Exhibit SE07 the statement of Resident 1 & 9**.
25. I am left with the impression, from statements given to me, that the Residents, who appear very tolerant people, have been pushed to their tipping point. It is not conducive to good relations to allow the Residents and Street Van Dwellers to continue living in close proximity.

26. I have been told that a second attempted eviction of the Street Van Dwellers on the old gasworks on Glenfrome Road is imminent. I anticipate that once evicted these Street Van Dwellers will seek and occupy the highways around St Werburghs. In view of this, we are seeking an urgent anticipatory injunction to prevent the Street Van Dwellers on the site of the old gasworks on Glenfrome Road from taking up occupation in the nearby streets.
27. We have considered the article 8 and 11 rights of the Street Vehicle Dwellers and the local community. We acknowledge that the Street Van Dwellers have chosen an alternative lifestyle for individual reasons, some economic, to avoid homelessness, to embrace a travelling lifestyle, ill health or social issues. The Council has previously offered the Street Van Dwellers alternative accommodation on temporary camp sites or through homeless services but these have been rejected. These services remain available.
28. On the other hand the anti-social and nuisance behaviour is having a pronounced, continuing and detrimental effect on the local community and some businesses. The Residents report the presence of and associated problems with the unauthorised encampments of Street Van Dwellers for several years. They are entitled to quiet enjoyment of, and a safe home life in their community. The reports of human waste, is a potential risk to the health of the community and it is magnified with Covid 19. There is regular encroachment of the Residents article 8 rights with obstructions to pathways and highways, defaecation and urination in public and communal areas, graffiti, fly-tipping and low level crime. One Resident talks of being under siege (**SE05 Resident 1**).
29. Article 11 provides the right to associate with others. Where groups are encamped together it provides an opportunity to associate with others who may have similar views.
30. The two groups have competing interests but in our opinion the effect on the local community's rights outweighs the interference with the rights of the Street Van Dwellers. There will be limited interference with the rights of the Street Van Dwellers, in comparison to the severe impact that their presence is having on the article 8 rights of the local community, should the Court grant the orders sought.

31. The cessation of, and further residence of the Highway by occupation of caravans and other vehicles would be a proportionate action in order to prevent further crime and disorder and to protect the health and the rights of the local community.
32. Not all the streets in St Werburghs are occupied. There are unauthorised encampments on Minto Road, Seddon Road, Glenfrome Road, Ashley Parade and Watercross Road. The Council seek possession of the occupied streets and an injunction to end the current and future occupancy of caravans and other vehicles on the Highways of St Werburghs see the area marked red on EXHIBIT SE01 Map 2. We attach a draft order setting out the proposed terms of this injunction for the Courts attention.
33. Additional an anticipatory injunction is sought against those persons unknown forming an unauthorised encampment on the old gasworks on Glenfrome Road. This is private land and we have been advised that the owners will seek to evict the Street Van Dwellers possible on the 9 July 2020. In view of the imminent eviction we seek to prevent these Street Van Dwellers from taking up residence on the other Highways of St Werburghs. We attach a further draft order setting out suggested terms for this injunction.
34. We also request that a power of arrest is attached to both injunctions. On 9th May local residents were accosted by an aggressive individual who said he was visiting friends in one of the vans **see photo Exhibit PH14, PH15, video PH16**. The man claimed Covid-19 was a hoax. There have been threats to some residents **see Exhibit SE05 the statements of Resident 9**. **Further I would also draw to the Court's attention the recent violent standoff between the First Defendants and bailiffs in June 2020 on the site of the old gasworks.** I would also submit that there is a potential risk of harm by the unrestrained activities by the Defendants in not disposing of their human or other waste in any sanitary or acceptable way which even before Covid was a potential health issue and is now even more so. See statement of Resident 3 to which I refer above.

Service

35. Service of both applications will be affected by placing a copy of the sealed applications in clear plastic wallets and affixing this wallet in a prominent position in each street which is occupied. We shall also affix a document to each van in the area directing them to the copy applications. This will also be repeated for the Court Orders. All future Street Van Dwellers who come into the area will be provided with a copy of the Order following their occupation of the Highway.

Statement of Truth

I believe that 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 2/7/2020

Steven Evers
Senior Enforcement Officer

A handwritten signature in black ink, appearing to be 'SE', with a stylized, cursive flourish at the end.

20/08/2020

Signature Steven Evers



20/08/2020

Signature Steven Evers

Injunction Order

Between Persons Unknown, Defendant
and Bristol City Council, Claimant

Bristol City Council
Community Litigation Team
Legal Services
City Hall
College Green
Bristol
BS1 5TR

In the County Court at Bristol

Claim Number G01BS064

Claimant
(including ref.) Bristol City Council
GM07.47

Defendant
(including ref.) Persons Unknown



If you the within-named Persons Unknown, including those, occupying any caravan, camper van, motor vehicle mobile home, other structure, any of which may be with or without wheels placed on any public highway in the St Werburghs area of Bristol as shown outlined in red on EXHIBIT SE01 Map 2 do not comply with this Order, you may be held to be in contempt of court and imprisoned or fined, or your assets seized

Before His Honour Judge Ralton sitting at Bristol County Court, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR

On 16 July 2020 the court considered an application for an injunction without notice

Upon hearing the Solicitor for the Claimant

And upon hearing Nina Suriya Cowburn-Bannister, [REDACTED] on behalf of Persons Unknown

And upon reading the Claimant's evidence

And upon the Court deciding it is just to grant an Interim Injunction

The Court ordered that Persons Unknown, including members of the general public, occupying any caravan, camper van, motor vehicle mobile home, other structure, any of which may be with or without wheels placed on any public highway in the St Werburghs area of Bristol as shown outlined in red on EXHIBIT SE01 Map 2 'the Area' **are forbidden (whether by themselves or by instructing or encouraging any other person) from:-**

- (1) Defaecating and/or urinating in any outside public, private and/ or communal space in the 'the Area';**
- (2) Disposing of any human waste, in any public place of 'the Area';**
- (3) Leaving any household waste, drug paraphernalia and or any other waste in any outside public, private and/or communal space in 'the Area';**

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: 0117 3664800 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.

(4) Obstructing any highway and/or footpaths in 'the Area';

such as to cause a public nuisance, road safety and/or public health risk.

(5) Anyone affected by this Order can make an application to the Court to seek variation, amendment/discharge on not giving less than 5 days clear notice to the Claimant and other parties.

This order shall remain in force until 15 ~~January 2021~~ at 11:59 PM unless before then it is revoked by further order of the court.

31 December 2021

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 significant risk of harm to a person towards whom the conduct prohibited by this Injunction is directed.

Notice of further hearing

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Bristol, Bristol Civil Justice Centre, Number 2, Redcliff Street, Bristol, BS1 6GR on **12 August 2020 at 10:30 AM**, time estimate 2 hours, which shall be an attended hearing

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

You are entitled to apply to the court to reconsider the order before the 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 County Court, is open from 10am to 4pm, Monday to Friday You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

General Form of Judgment or Order

In the County Court at
Bristol

Claim Number G01BS064

Date 23 December 2020



BRISTOL CITY COUNCIL	1st Claimant Ref
PERSONS UNKNOWN	1st Defendant Ref
NINA SURIYA COWBURN-BANNISTER	2nd Defendant Ref
PATRICK FLINT	3rd Defendant Ref
HARRY PYRGOS	4th Defendant Ref
LOUIS SLATER	5th Defendant Ref
TIMOTHY SPEAR	6th Defendant Ref
TONY GOSLING	7th Defendant Ref KC/4537/1
KIERAN DOSWELL	8th Defendant Ref KC/4537/1
ANNE GRAINGER	9th Defendant Ref

Before His Honour Judge Cotter QC sitting at the County Court at Bristol, Bristol Civil Justice Centre, 2 Redcliff Street, Bristol, BS1 6GR.

UPON the Claimant's Application Notice dated 18 December 2020,

AND UPON the terms of this Order having been agreed by the Claimant and the Third, Fourth, Seventh and Eighth Defendants (collectively, "the Represented Defendants"),

AND UPON having read the Claimant's Case Summary dated 9 October 2020.

AND FURTHER UPON the Court acting of its own motion and HHJ Ralton being unavailable until the end of the current trial date

IT IS ORDERED THAT

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: 0117 3664800 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.**

1. The trial listed for 5-7 January 2021 is adjourned.
 2. The Interim Injunction dated 16 July 2020 (“the Interim Injunction”) is amended and extended to 31 December 2021 at 11:59 PM, unless before then it is extended or revoked by further order of the Court.
 - 2.1 The terms of the previous injunction dated 16 July 2020 are to continue, paragraph 4 shall be amended and an additional paragraph shall be inserted.as paragraph 5.
 - 2.2 Paragraph 4 shall be amended as follows:

“4. Obstructing any highway or footpath in the Area Such as to cause a public nuisance, road safety and/or public health risk. “
 - 2.3 Paragraph 5 shall be inserted as follows:

“5. Anyone affected by this Order can make an application to the Court to seek variation amendment/discharge on not giving less than 5 clear days’ notice to the Claimant and other parties.”
 3. Any party may apply to the Court for the Interim Injunction to be extended or revoked.
 4. Liberty to First, Second, Fifth and Sixth Defendants to apply to set aside this order, any such application to be made as soon as practicable after receipt of the order
 5. By 4pm on 8 January 2021, the parties shall provide the Court with any dates to avoid for them, their witnesses and/or legal representatives in the period 1 September 2021 to 17 December 2021 (inclusive).
 6. The trial of this claim will take place over 3 days on the first available dates between 1 September 2021 and 17 December 2021. The Court shall seek to accommodate the parties’ dates to avoid when listing the trial.
 7. By 4pm on 13 August 2021, the parties shall simultaneously exchange any further witness evidence for the trial.
 8. The Claimant shall serve the trial bundle, agreed if possible (“the Trial Bundle”), on the Represented Defendants by 4pm on 20 August 2021.
 9. The Claimant shall file the Trial Bundle (i) in hard copy and (ii) by email to the Court and HHJ Ralton 7 clear days before the trial.
 10. The Claimant and Represented Defendants shall exchange Skeleton Arguments 7 clear days before the trial.
 11. The Claimant and Represented Defendants shall file their Skeleton Arguments and a bundle of authorities, agreed if possible, (i) in hard copy and (ii) by email to the Court and HHJ Ralton, 3 clear days before the trial.
 12. The Claimant shall serve this Order and the Interim Injunction on the Defendants by taking the steps set out in paragraph 10 of the Order dated 24 November 2020.
 13. Costs in the case.
- Dated 23 December 2020