

Claim Form (CPR Part 8)

In the High Court of Justice Queen's Bench Division	
Claim no.	H017X00849
Fee Account no.	PBA0082146
Help with Fees - Ref no. (if applicable)	H W F - [] [] [] - [] [] []

DEFENDANT'S COPY

Claimant

The London Borough of Barking and Dagenham
Civic Centre, Second Floor
Wood Lane
Dagenham
RM10 7BN



Defendant(s)

Mr Tommy Stokes & 63 Others as per attached list
Persons Unknown being members of the traveller community who have unlawfully encamped within the borough of Barking and Dagenham

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

Details of claim (see also overleaf)

Assigned to Master THURNETT

- The Claimants seek an interim and final injunction pursuant to s.222 of the Local Government Act 1972 and/or s.187B of the Town and Country Planning Act 1990 and/or s.1 of the Anti Social Behavior-Crime and Policing Act 2014, with a power arrest attached to the appropriate provisions of the court order.
- The Claimant owns a number of public parks, car parks and open spaces within its Borough, and has suffered a number of unlawful encampments throughout the last 2 years as detailed in the evidence. In addition, a number of privately owned commercial and similar sites have also been the subject of unlawful encampments in breach of planning control. The details of these and the impacts suffered by local businesses are contained in the witness statements attached to this claim form. The encampments have also impacted on nearby schools whose children have been intimidated and threatened by the Travellers children, as detailed in the witness evidence.
- LBD is a small borough, and has experienced significant and prolonged issues associated with unlawful encampments, including fly-tipping, anti-social behaviour, violent behaviour and public order problems. The Claimant has experience environmental and health risks associated with the encampments.
- The encampments are having a detrimental impact on local business and enterprise, as well as on the enjoyment of public spaces. The impact on local businesses is detriment to the borough's future development and growth opportunities. Existing powers are being undermined and are ineffective, the law if being floated repeatedly and the Council has experienced significant expense both in legal costs and clear-up costs. Service of s.77 CJPOA 1994 orders only leads to the encampments moving from one site to the next and has not deterred the travellers from forming these encampments within the Borough.

Defendant's name and address

As attached

Court fee	£
Legal representative's costs	
Issue date	10 MAR 2017

Claim no.

Details of claim *(continued)*

5. For the reasons set out in the witness statements, it is necessary and expedient for the promotion and protection of the interests of the inhabitants of LBBB and to prevent further apprehended breaches of planning control and to prevent further acts of anti-social behaviour and to seek an injunction to prevent repeated establishment of unauthorised encampments.

6. It is necessary to bring these proceedings against persons unknown and to deter any unauthorised encampments on specified sites by such persons. It is not possible to identify all of the individuals who have formed part of these unauthorised encampments, many of whom are not prepared to identify themselves. The draft Order attached with this claim form recognises that a more limited order should be sought against Persons Unknown. Accordingly, the order sort confines the scope of the injunction against persons unknown to specified sites within the Borough.

Statement of Truth

*(I believe)-that the facts stated in these particulars of claim are true.

Full name Fiona Taylor

Name of claimant's legal representative's firm : London Borough of Barking and Dagenham

signed _____



position or office held

Director of Law and Governance
(Claimant's legal representative)

(if signing on behalf of firm or company)

**delete as appropriate*

London Borough of Barking and Dagenham
Civic Centre Second Floor
Wood Lane
Dagenham RM10 7BN

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.

List of Defendants

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
- (4) MR PATRICK JOSEPH MCDONAGH
- (5) MRS MARGRET STOKES
- (6) MS ANNIE LAWRENCE
- (7) MR TOM MURPHY
- (8) MS MARY CASSIDY
- (9) MR DARREN LEE
- (10) MS JOAN CONNER
- (11) MR ANDREW CASSIDY
- (12) MR ROY GOGGINS
- (13) MR JIM COLLINS
- (14) MR DAVY WARD
- (15) MR GILES O'SULLIVAN-WADE
- (16) MISS ELIZABETH CONNORS
- (17) MR J CASSIDY
- (18) MISS MARY DORAN
- (19) MR JOHN CONNORS
- (20) MISS MARY CONNORS
- (21) MR LAWRENCE CONNORS
- (22) MR WILLIAM CASSIDY

- (23) MISS ELIZABETH BERRY
- (24) MR JIM COFFEY
- (25) MR PATRICK DORAN
- (26) MR JOHN BRIEN
- (27) MR SAMUEL JASON RADLEY
- (28) MR MARTIN MCDONAGH
- (29) MR BEN WORBLER
- (30) MS WINNIFRED LOUISE MCDONAGH
- (31) MR BRIAN LAWRENCE
- (32) MR MARTIN STOKES
- (33) MR MICHAEL CORCORAN
- (34) MR PATRICK STOKES
- (35) MR WILLIAM LAWRENCE
- (36) MR SIMON LAWRENCE
- (37) MR PATRICK STOKES
- (38) MR KEVIN MAUGHAN
- (39) MR BRIAN STOKES
- (40) MR PATRICK STOKES
- (41) MR THOMAS STOKES
- (42) MR EDWARD MCDONAGH
- (43) MR AMBROSE LEE
- (44) MR MARTIN MCDONAGH
- (45) MR MARTIN MCDONAGH
- (46) MR JAMES JOHNSON
- (47) MR JAMES WARD

- (48) MR JAMES MCDONAGH
- (49) MR JOSEPH GEOFFREY DERRETT
- (50) MR MATHEW MCGRORY
- (51) MS MARY WARD
- (52) MS JOSEPHINE WARD
- (53) MS NICOLA WARD
- (54) MS DONNA MARIE WARD
- (55) MS ROSE CONNORS
- (56) MS ROSANNA WARD
- (57) MR EDWARD WARD
- (58) MS MARTINA WARD
- (59) MR CHRISTOPHER WARD
- (60) MR MARTIN WARD
- (61) MS VANESSA WARD
- (62) MS KATHLEEN WARD
- (63) MR JAMES WARD
- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Claim Number: _____

IN THE MATTER OF S.222 LOCAL GOVERNMENT ACT 1972
AND S187B TOWN AND COUNTRY PLANNING ACT 1990
AND S1 ANTI SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

Before _____

On _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-and-

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
- (4) MR PATRICK JOSEPH MCDONAGH
- (5) MRS MARGRET STOKES
- (6) MS ANNIE LAWRENCE
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- (61) MS VANESSA WARD
- (62) MS KATHLEEN WARD
- (63) MR JAMES WARD
- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

Defendants

PROPOSED DRAFT ORDER

IF YOU, ANY OF THE ABOVE NAMED FIRST TO SIXTY FOURTH DEFENDANTS OR PERSONS UNKNOWN DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

UPON HEARING COUNEL FOR THE CLAIMANT AND [_____] FOR THE DEFENDANTS [IN PERSON]

AND UPON READING THE PAPERS AND HEARING THE APPLICATION FOR AN INTERIM INJUNCTION PENDING THE FINAL INJUNCTION HEARING

IT IS ORDERED THAT:

Until further order the First to Sixty Fourth Defendants are forbidden from:

1. Setting up an encampment on any land within the London Borough of Barking and Dagenham unless authorised to do so by the owner of the land
2. Setting up an encampment on any land within the London Borough of Barking and Dagenham without written permission from the Local Planning Authority, or, planning permission granted by the planning inspector.
3. Entering and/or occupying any part of the Land for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia.
4. Bringing on to the Land or stationing on the Land any caravans/mobile homes other than when driving through the London Borough of Barking and Dagenham or in compliance with the parking orders regulating the use of car parks or with the express permission from the owner of the land.
5. Deposit or cause to be deposited, controlled waste in or on the Land unless an waste management license or environmental permit is in force and the deposit is in accordance with the license or permit.

Until further order the Sixty Fifth Defendants are forbidden from:

6. Setting up an encampment on any land identified on the attached map and list of sites without written permission from the local planning authority, or, planning permission granted by a planning inspector
7. From entering and/or occupying any part of the land identified on the attached map and list of sites for residential purposes (temporary or otherwise) including the occupation of caravans/mobile homes, storage of vehicles, caravans and residential paraphernalia
8. From bringing onto the Land or stationing on the Land any caravans/mobile homes other than when driving through the London Borough of Barking and Dagenham or in compliance with the parking orders regulating the use of car parks or with express permission from the owners of the land.
9. Deposit or cause to be deposited, controlled waste in or on the Land unless an waste management license or environmental permit is in force and the deposit is in accordance with the license or permit.

The Land in this order means:

10. For the First to Sixty Fourth Defendants all land within the London Borough of Barking and Dagenham as appears within the marked black outline on the attached map at Schedule 1 of this Order.

11. For the Sixty Fifth Defendants (persons unknown) all the land marked on the map at Schedule 1 of this Order and identified by the key to the map and numbered 1 to 140, further details of which are on the list at Schedule 2 of this Order.
12. Service of this Order shall be by affixing a copy of this Order in a transparent envelope, or laminated copy, in a prominent position on the land.
13. The defendants may each of them (or anyone notified of this Order) apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this Order (or so much as if it affects that person)
14. The Defendant pay the Claimant's costs to be assessed at £ _____.

GUIDANCE NOTES

EFFECT OF THIS ORDER

15. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or his instructions or with his encouragement.
16. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

PARTIES OTHER THAN THE CLAIMANT AND DEFENDANTS

EFFECT OF THIS ORDER

17. It is a contempt of court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined, or have their assets seized.

INTERPRETATION OF THIS ORDER

18. In this Order, where there is more than one Defendant, unless otherwise stated, references to "the Defendants" means each or all of them.
19. A requirement to serve on "the Defendants" means on each of them, unless an Order of the Court specifies otherwise. The Order is, however, effective against any Defendant on whom it is served.
20. An Order requiring the Defendants to do or not to do anything applies to all Defendants.
21. "controlled waste" has the same meaning as within s.75(4) of the Environmental Protection Act 1990

COMMUNICATIONS WITH THE COURT

22. All communication to the Court about this order should be sent to Room [_____] Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010).

IN THE HIGH COURT OF JUSTICE

CLAIM NO:

QUEENS BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972, 187B TOWN AND
COUNTRY PLANNING ACT 1990, AND S1 ANTI-SOCIAL BEHAVIOUR, CRIME
AND POLICING ACT 2014

BETWEEN:

LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-and-

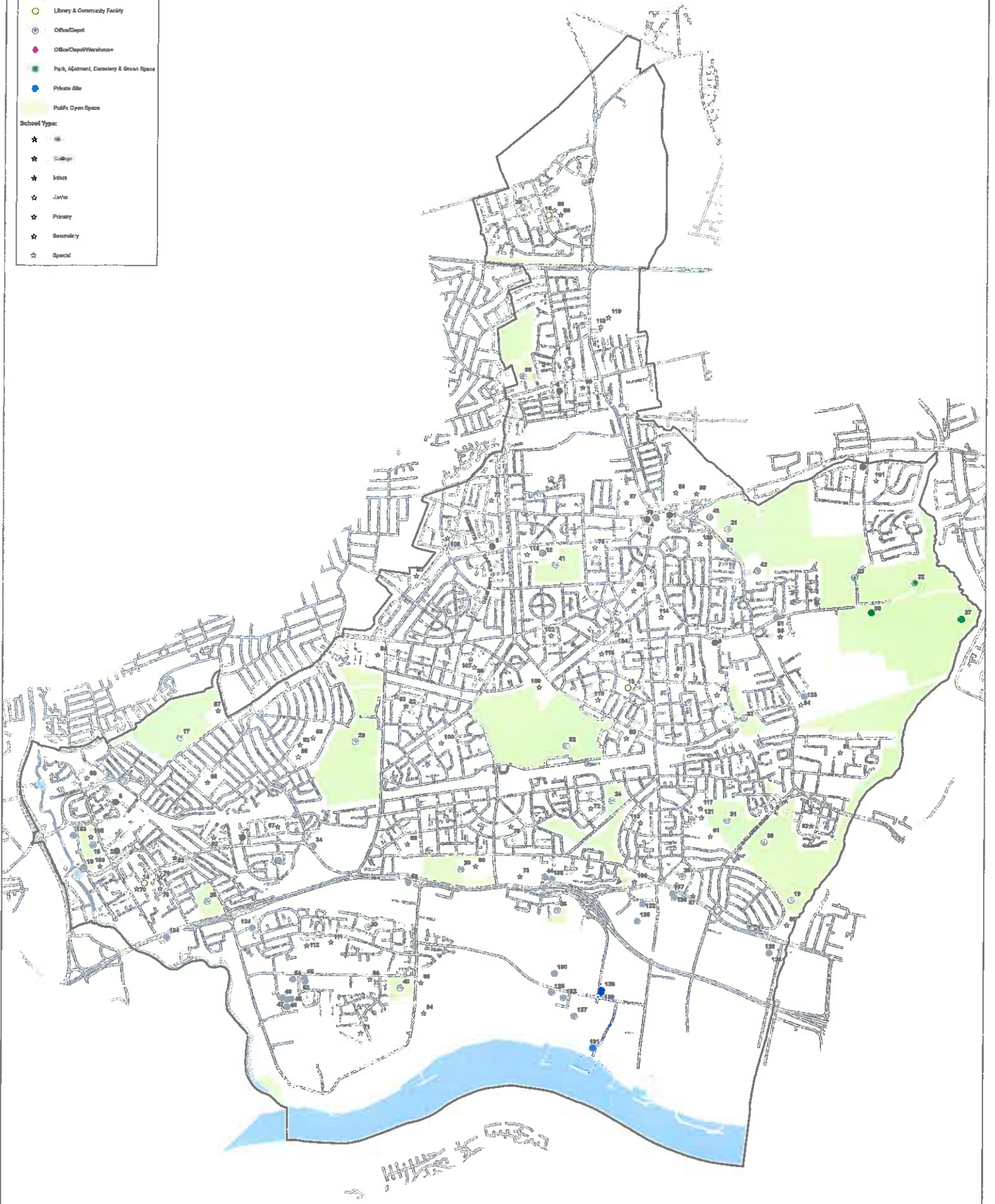
(1) MR TOMMY STOKES & 63 OTHER DEFENDANTS (IN THE
ATTACHED SCHEDULE 1)

(2) PERSONS UNKNOWN BEING MEMBERS OF THE TRAVELLER
COMMUNITY WHO HAVE UNLAWFULLY ENCAMPED WITHIN THE
BOROUGH OF BARKING AND DAGENHAM

Defendants

SCHEDULE 1

- Key**
- Car Park
 - Leisure Facility & Heritage
 - Library & Community Facility
 - Office/Depot
 - Office/Shop/Workshop
 - Park, Allotment, Cemetery & Green Space
 - Private Site
 - Public Open Space
- School Types:**
- ★
 - ★
 - ★ Infant
 - ★ Junior
 - ★ Primary
 - ★ Secondary
 - ★ Special

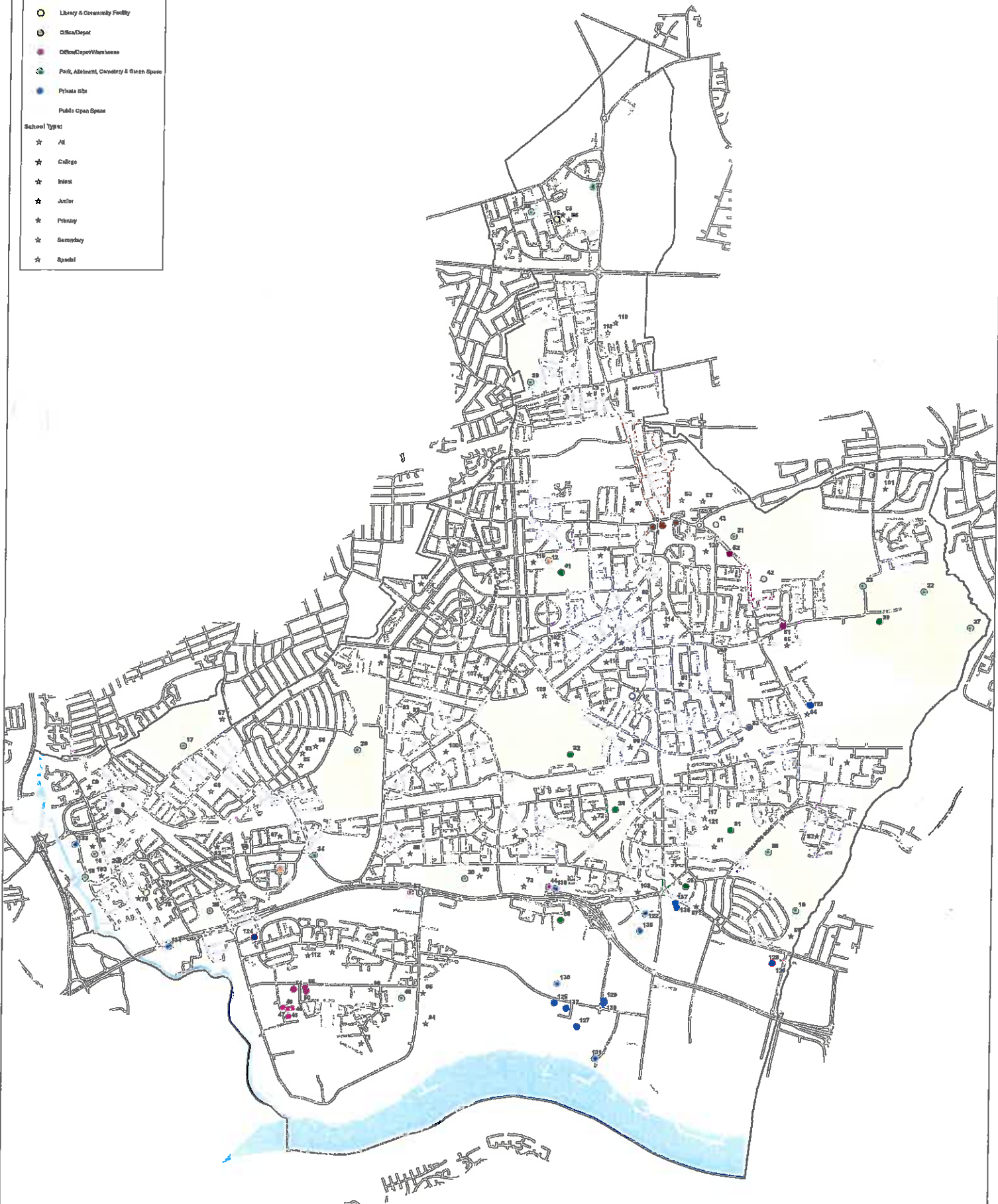


Title: LBBD Protected Sites
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Key

- Car Park
- ✦ Leisure Facility & Heritage
- Library & Community Facility
- ⊖ Office/Dept
- ⊖ Office/Dept/Workshop
- ⊖ Park, Allotment, Cemetery & Green Space
- Private Site
- Public Open Space

- School Types:**
- ★ All
 - ★ College
 - ★ Infant
 - ★ Junior
 - ★ Primary
 - ★ Secondary
 - ★ Special



Title: LBBD Protected Sites
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IN THE HIGH COURT OF JUSTICE

CLAIM NO:

QUEENS BENCH DIVISION

IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972, 187B TOWN AND
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AND POLICING ACT 2014

BETWEEN:

LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-and-

(1) MR TOMMY STOKES & 63 OTHER DEFENDANTS (IN THE
ATTACHED SCHEDULE 1)

(2) PERSONS UNKNOWN BEING MEMBERS OF THE TRAVELLER
COMMUNITY WHO HAVE UNLAWFULLY ENCAMPED WITHIN THE
BOROUGH OF BARKING AND DAGENHAM

Defendants

SCHEDULE 2

ID	OFFICE NAM	Category	ID	OFFICE NAM	Category
1	Althorne Way Car Park	Car Park	71	George Carey C of E Primary School	Primary
2	Axe Street Car Park	Car Park	72	Godwin Primary School	Primary
3	Becontree Avenue Car Park	Car Park	74	Grafton Primary School	Primary
4	Becontree Heath Car Parking Area (shopping area)	Car Park	73	Gonsbrook Free School	All
5	Dagenham Road Car Park	Car Park	76	Greatfields Primary School	Primary
6	John Burns Drive Car Park	Car Park	77	Greatfields Secondary School	Secondary
7	Eric Road Car Park	Car Park	78	Henry Green Primary School	Primary
8	Union Road Car Park	Car Park	79	Humara Hall Primary School	Primary
9	Wentz Road Car Park	Car Park	80	James Cambell Primary School	Primary
10	Becontree Heath Leisure Centre	Leisure Facility & Heritage	81	Jo Richardson Community School	Primary
11	Leisure Facility & Heritage	Leisure Facility & Heritage	82	John Perry Primary School	Primary
12	Valence House Museum	Leisure Facility & Heritage	83	The Lays Primary School	Primary
13	Faulstich Community Complex	Library & Community Facility	84	Manor Infant School (Site 1) at Sandringham Road	Infant
14	Gaecolme Community Hall	Library & Community Facility	85	Manor Infant School (Site 2) at Longbridge Rd	Infant
15	Maris Gate Community Complex (Hall & Library)	Library & Community Facility	86	Manor Junior School	Junior
16	Bending Abbey Ruins & Open Space	Park, Allocation, Cemetery & Green Space	87	Maris Gate Infant School	Infant
17	Bending Park	Park, Allocation, Cemetery & Green Space	88	March Green Primary School	Primary
18	Bending Town Quay Open Space	Park, Allocation, Cemetery & Green Space	89	Montesdale Primary School	Primary
19	Beam Valley Country Park	Park, Allocation, Cemetery & Green Space	90	Norbury Primary School	Primary
20	Castle Green Open Space	Park, Allocation, Cemetery & Green Space	91	Pangloss Primary School	Primary
21	Canfield Park	Park, Allocation, Cemetery & Green Space	92	Richard Albion Primary School	Primary
22	Eastbrook Country Park	Park, Allocation, Cemetery & Green Space	93	Ripple Primary School (Site 1) at Suffolk Rd	Primary
23	Eastbrook End Cemetery - Chapel	Park, Allocation, Cemetery & Green Space	94	Ripple Primary School (Site 2) at Ripple Rd	Primary
24	Gonsbrook Park	Park, Allocation, Cemetery & Green Space	95	Riverside Bridge School	Secondary
25	Greatfields Park	Park, Allocation, Cemetery & Green Space	96	Riverside School (Permanent Site)	Secondary
26	King George's Field (Marsh Green)	Park, Allocation, Cemetery & Green Space	97	Riverside School (Temporary Site)	Secondary
27	Kingdon Hill Recreational Ground	Park, Allocation, Cemetery & Green Space	98	Robert Clark Secondary School (Lower)	Secondary
28	Maris Gate Open Space (Tombony Green)	Park, Allocation, Cemetery & Green Space	99	Robert Clark Secondary School (Upper)	Secondary
29	Maysbrook Park	Park, Allocation, Cemetery & Green Space	100	Redding Primary School (Site 1) at Hewett Rd	Primary
30	Newlands Park	Park, Allocation, Cemetery & Green Space	101	Redding Primary School (Site 2) at Camington Rd	Primary
31	Old Dagenham Park	Park, Allocation, Cemetery & Green Space	102	Rush Green Primary School	Primary
32	Parsloes Park	Park, Allocation, Cemetery & Green Space	103	Southwood Primary School	Primary
33	Pondfield Park	Park, Allocation, Cemetery & Green Space	104	St Joseph's Catholic (Banking)	Primary
34	Rippledale Cemetery - Chapel	Park, Allocation, Cemetery & Green Space	105	St Joseph's Catholic (Dagenham)	Primary
35	Strattons	Park, Allocation, Cemetery & Green Space	106	St Margaret's C of E Primary School	Primary
36	St. Chad's Park	Park, Allocation, Cemetery & Green Space	107	St Peter's Catholic Primary School	Primary
37	The Chase Nature Reserve (Eastbrook)	Park, Allocation, Cemetery & Green Space	108	St. Teresa's Catholic Primary School	Primary
38	The Lays Park / Open Space	Park, Allocation, Cemetery & Green Space	109	St. Vincent's Catholic	Primary
39	The Millennium Centre	Park, Allocation, Cemetery & Green Space	110	Sidney Russell Through School	All
40	The Staples Nature Reserve	Park, Allocation, Cemetery & Green Space	111	Sidney Russell School (Primary Section)	Primary
41	Valence Park	Park, Allocation, Cemetery & Green Space	112	Thames View Infant School	Infant
42	Central Depot (Adjacent to Central Park Ave)	Office/Depot	113	Thames View Junior Academy School	Junior
43	Civic Centre	Office/Depot	114	Thomas Arnold Primary School	Primary
44	Vehicle Weighbridge Cook Road	Office/Depot/Warehouse	115	Trinity School	Primary
45	11	Office/Depot/Warehouse	116	Valence Primary School (Site 1) at Botham Rd	Primary
46	12	Office/Depot/Warehouse	117	Valence Primary School (Site 2) at St Georges Rd	Primary
47	13	Office/Depot/Warehouse	118	Valere Infant School	Infant
48	14	Office/Depot/Warehouse	119	Warren Junior School	Junior
49	3a Crossness Road	Office/Depot/Warehouse	120	Warren Secondary School	Secondary
50	3b Crossness Road	Office/Depot/Warehouse	121	William Bellamy Primary School	Primary
51	788 Dagenham Road	Office/Depot/Warehouse	122	William Ford C of E Junior School	Primary
52	Rainham Road North (Dagenham Business Centre)	Office/Depot/Warehouse	123	Orion Business Park, Merlelands Crescent	Private Site
53	721 Rippledale Road	Office/Depot/Warehouse	124	London East UK, Yewrose Avenue	Private Site
54	12 Thames Road	Office/Depot/Warehouse	125	GLA Land & LSIP Access Rd & Closed Loop	Private Site
55	14 - 16 Thames Road	Office/Depot/Warehouse	126	GLA Land & LSIP Plot 10, Cheats Rd	Private Site
56	All Saints Catholic & Technical College	Secondary	127	GLA Land & LSIP Plot 78	Private Site
57	Barking Abbey Comprehensive School (Lower)	Secondary	128	GLA & Beam Park, 1 Thames Ave	Private Site
58	Barking Abbey Comprehensive School (Upper)	Secondary	129	GLA & Beam Park, 1 Thames Ave	Private Site
59	Beam County Primary School	Primary	130	GLA & Beam Park, 1 Thames Ave	Private Site
60	Becontree Primary School	Primary	131	GLA Land Former Acom Ship Yard LSIP	Private Site
61	Dagenham Park Church of England School	Primary	132	Abbey Retail Park - Abbey Rd	Private Site
62	Dorothy Barley Infant School	Infant	133	Riverside Cottages - Alfreds Way Barking	Private Site
63	Dorothy Barley Junior School	Junior	134	Units 4 & 5 Messine Way, Dagenham	Private Site
64	East London UTC Ltd	College	135	GLA Land for 50-52 New Rd Dagenham	Private Site
65	Eastbrook Comprehensive School	Secondary	136	Prattier Inn, 2 New Rd Dagenham	Private Site
66	Eastbury Through School	All	137	Dagenham Leisure Park, Cook Rd, Dagenham	Private Site
67	Eastbury Primary School	Primary	138	Thames Gateway, land adj Cheats Manor Way	Private Site
68	Five Elms Primary School	Primary	139	GLA Land LSIP Plot 8 Cheats Road	Private Site
69	Fuze Infant School	Infant	140	GLA Land Plot Z Cheats Manor Way	Private Site
70	Gaecolme Primary School	Primary			