

IN THE HIGH COURT OF JUSTICE QUEENS BENCH DIVISION

BETWEEN:

LONDON BOROUGH OF BARKING AND DAGENHAM

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

(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 (17 Lisnackill Court)**
- (29) MR BEN WORBLES**
- (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 (13 Innishmore Garden)**

(45) MR MARTIN MCDONAGH (118 Hart Lane)

(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

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW.

I Barry Agnew, Prosecutions Manager employed by the London Borough of Barking and Dagenham ("LBBD") WILL SAY AS FOLLOWS:

1. One of my responsibilities in my employment is to investigate and enforce against unlawful encampments within the Borough under the provisions of section 77 of the Criminal Justice and Public Order Act 1994, and as such I have delegated authority from the Corporate Director of Customer, Commercial and Service Delivery (Clare Symonds) to do so. I was awarded a BSc in environmental health by Middlesex University in 2005 and have worked within environmental health / public health sphere since 1998. I was the Public Health, Noise & Nuisance

manager at LBBB between 2006 – 2010. I make this statement in support of the Claimant's claim for an injunction pursuant to section 222 Local Government Act 1972, section 187B Town and County Planning Act 1990 and section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014 against the above-named Defendants on the following grounds:

- (i) the Council considers it expedient for the promotion or protection of the interest of the inhabitants of their area; and/or
- (ii) that it considers it expedient to seek an injunction to prevent further apprehended breaches of planning control; and/or
- (iii) that the First to [64 (sixty four) named defendants] have threatened to or engaged in anti-social behaviour and it is just and convenient to make an order against the said Defendants.

The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. The Borough is located in the North East corner of the metropolis of London. It is bordered by the London Boroughs of Havering to the East and North, and Newham and Redbridge to the South and West. The Borough is the 11th smallest in size in Greater London, with a geographical area of 13.93 miles.² 32% (158 Hectares) of the available land (493 Hectares) is classed as green space. The Borough has a population of 203,600 persons. 0.1% of the Borough's population identifies as being either White Gypsy or Irish Traveller.

3. The Claimant has a current procedure for responses to unauthorised encampments which was agreed on 8 June 2015 the Community Safety Partnership Board adopted the 'unlawful encampment protocol'.

4. The London Borough of Barking and Dagenham uses the database Civica APP ("Flare") to record and administer requests for service / complaints received. It is to this database that unlawful encampment service requests are logged. The information contained on Flare has been placed on the system by a number of council employees and I have no reason to believe that any of it has been placed there incorrectly.

Background

5. Since the 10 January 2014 until 15 December 2016 the Council has recorded 81 instances of unlawful encampments on its complaints database.

Year	Public	Private
2014	17	5

2015	14	9
2016	15	23

6. Between 24 January 2014 and 14 November 2014 there were 22 recorded unlawful encampments. Between 04 February 2015 and 16 November 2015, 23 unlawful encampments were recorded and between 26 February 2016 and 15 December 2016 there were 38 recorded incidents. The recorded number of encampments in 2016 compared to 2015 equates to a 65% increase. The encampments tend to start becoming more frequent from March onwards. I am aware that so far this year encampments have occurred at Dartford in Kent and that there are currently travellers unlawfully camping in the Essex town of Basildon, which is approximately 20 miles from LBBD. The evidence over the last three years demonstrates that fresh encampments within the Borough are inevitable and that they tend to commence in early spring and continue until around Christmas, when they die down until the following year. These encampments cost businesses, the Council, police and the settled community significant sums in man power it to deal with the encampments and clean-up costs after the encampments have moved on, including repairing any damage they cause and disposing of the waste they leave behind. These encampments also cause: nuisance, harassment, alarm and distress. It is likely these encampments will continue to have these impacts on the community as a whole, unless prevented by an injunction.

7. The size of the encampments has increased. Whereas in previous years' encampments would tend to be anywhere from 5 to 15 caravans and associated vehicles, it has not been uncommon since the beginning of 2016 for encampments to consist of 20 or more caravans and associated vehicles. The encampments have been formed on both public and private sites, including heritage sites and business parks. Entry to many of the sites has been gained through forced entry including: the cutting of padlocks; ramming gates, ripping-up protective bollards, vehicles driving over grassland to access the site sometimes putting members of the public at risk, particularly when the encampment is on or near parks and children's play areas. Where the travellers have accessed private sites conduct has also included the travellers physically moving, or, rolling police and security officer vehicles whilst the vehicles are manned, threatening violence towards the police, officers employed by the Claimant, and private security officers and bailiffs and intimidating business owners and their employees. Once on these sites, the travellers have on a number of occasions locked themselves inside the site, only opening-up the site to permit other travellers to access the site, and they have used the sites for unlawfully fly-tipping commercial waste over a number of days, sometimes filling warehouses with commercial waste, which is then

left behind for the land owners, or, tenants to dispose of; costing these business tens of thousands of pounds. Unlawful encampments have a negative effect on Local Authority and Police Resources. When they appear without warning Local Authority resources have to be redirected to deal with the immediate needs of the travellers and begin removal proceedings in the Court. This is a cost to the local residents who have to foot the bill. It also detracts Local Authority officers from their normal daily duties.

8. At most of the sites travellers have also left significant amounts of human excrement, litter and domestic waste. This has caused a serious risk to health for members of the public and the environment. The public have access to the areas where human excrement has been left, together with toilet paper with human excrement on the toilet paper, socks with human excrement on the socks all left in significant quantities.

9. Other risks to human health and the environment have included the travellers dumping asbestos both at business sites and sites accessible to members of the public.

10. The unauthorised encampments have also caused harm by way of interruption to education facilities. On 17 June 2014 an unlawful encampment consisting of about 20 caravans and associated vehicles was established in the service road to the side of and playing fields at the rear of Thames View Junior School, Samuel Ferguson Place, Barking. I attended the site and confirm that the children associated with the encampment entered the playground when the school children were having recreation and fought with, bullied them and stole some of their toys, forcing the teachers to call the police to get the children removed from the playground. The teachers had to lock the gates to the school when the pupils were outside playing in the playground to prevent the children from the encampment repeating their intimidation of the pupils. I was also informed by the School Secretary that the school was also burgled during the time of the encampment causing damage to external windows and internal doors. When these persons were eventually moved on they relocated to St. Pauls Road Barking and onto a piece of green space adjacent to the St. Joseph's RC Primary School. Again I attended this site and again, the children associated with this encampment terrorised the school children, entering into the playground when the pupils were occupying it, fighting with them and taking their toys. This resulted in additional teachers and school staff having to lock the gates and patrol the grounds whilst the pupils were playing. This particular group of travellers having been again moved on relocated approximately 500 meters away on the grounds of Barking Abbey Green and adjacent to St. Margaret's CoE Primary School. I attended this site and the traveller children again entered the playground to disrupt the pupils playing there, bullying and intimidating any pupil that challenged them. The teachers and staff were forced to lock down the school and deploy into the playground when the pupils were playing

to protect them from the traveller children. I was informed by the Head-teacher that again during the period of the encampment the school was burgled and computing equipment stolen.

11. The unauthorised encampments have caused nuisance to residential premises in the Borough, complaints have been received in respect of intimidation of members of the public, loose dogs and vehicles driving over local parks. In the witness statement of Andrew Johnson (Parks Manager) at para 8 Mr. Johnson makes reference to an incident that occurred on 04 August 2016 at Mayesbrook Park where travellers that had established an encampment were racing ponies and traps and using quad-bikes at high speed on the grassed areas and having little regard for the safety and welfare of others using the park at the time. The Witness Statement of Police Constable Rachael Benson makes reference to the travellers dogs being permitted to run wild in Mayesbrook Park on 13 September 2016 chasing a dog owned by a member of the public who was exercising her dog in the park (paragraph 37 ((xxiv) of the witness statement of PC Rachael Benson). The officer also refers to travellers dogs behaving aggressively towards police (paragraph 37 ((xxxv) & 33 (iii) of the witness statement of PC Rachael Benson).

12. I have catalogued on a map where these unlawful encampments have taken place. Exhibit BPA/1. As stated above these encampments have been increasing, and the level of nuisance caused by these encampments has also increased.

13. The council uses the powers available to it under the provisions of sections 77 & 78 of the Criminal Justice and Public Order Act 1994 (CJPOA 94) to deal with unlawful encampments on its land. The response and method of dealing with unlawful encampments is set out in the Council's unlawful encampment tolerance policy and the council's unlawful encampment welfare questionnaire as my Exhibits, BPA/2, BPA/3 & BPA/4. The approach to be taken under this policy is as follows:

- Initial arrival at scene to establish nature and content of encampment.
- Engagement with the persons to ascertain their intentions re duration of stay.
- Issue and explain the council's tolerance policy in respect of unlawful encampments.
- Carryout welfare needs assessments.
- After 24 hours [providing the terms and conditions of the tolerance policy are not breached which would allow the council to commence proceedings earlier than 24 hours] serve a notice [direction to leave] under the provisions of s.77 CJPOA 94, requiring the persons unlawfully encamped on the land to vacate it within 24 hours from the service of the notice.

- At the same time as the s.77 notice is served update the welfare needs assessment.
- 24 hours after the service of the s.77 notice revisit the site to check on compliance.
- If the notice has not been complied with, make enquiries as to the intentions of the persons on site and update the welfare needs assessment. Inform persons that they are in contravention of the notice and if they do not immediately vacate the land the council will apply to the local magistrates' court for a summons in respect of an application for a s.78 CJPOA 94 [removal order] hearing.
- As soon as practicable thereafter and upon receipt from the court of the summons serve a copy of the summons [affording 24 hours' notice of the court hearing] on the occupiers of the land.
- No less than 24 hours after the direction hearing and dependant on the court issuing the order, attend the site with police and enforce the direction to leave order.

14. The level of encampments have, however, meant that the travellers simply move from one site to another within the Borough and accordingly, the powers available to the Council under section 77 and 78 of CJPOA is not capable of tackling a problem of this scale. The issue is plainly not an issue of need for residential accommodation, and seems to be driven by commercial gain, with the travellers breaking into business premises and fly-tipping on a commercial scale, leaving the business with tens of thousands of pounds in waste disposal costs and evictions costs. Examples where commercial scale fly tipping has occurred are identified in the witness statement of Nicholas Slater, Principle General Surveyor for LBBID. This witness describes how a large commercial warehouse at 12A Thames Road, Barking, that was in the process of being refurbished was unlawfully entered in November 2016 and over the period of one week's occupation, the warehouse was fly-tipped with 650 tonnes of trammelled wastes which was contaminated with asbestos and was estimated to cost in the region of £60,000 to clear and dispose of. There were additional costs to the council of £6,500 to repair the internal damage caused to the offices, that were broken into and trashed, £7,000 to dig a protective trench to prevent future entry to the site and to install a new security fence along the site's perimeter. The witness Mustafa Kiamil the managing director of JJ Food Service Holdings Limited states in his statement that his newly acquired warehousing units at Messina Way Dagenham were unlawfully occupied by travellers on the 22 November 2016. During the period of occupation the travellers fly-tipped the warehouses with waste that cost £130,000 to cleanse and remove. Mr. Kiamil had to pay a legal bill of £15,000 to have the travellers removed. In the statement, of Mr Ilker Dervish, he makes

reference to a member of the BiD whose premises which are located in Consul Avenue and which were fly tipped and which cost £80,000 to clear.

15. Unlawful encampments on this scale and of this nature pose a range of issues for the local authority and the wider community when they are established as is apparent from the evidence provided in support of this injunction. This can be broken into the following types of nuisance and harm.

Damage to Land and Property Within the Industrial Sites

16. The Borough of Barking and Dagenham was adversely affected by the decline in UK manufacturing from the 1980's through to 2010. The Council and partners are unlocking potential, playing a key role in supporting the Capital's growth and delivering for its community, Barking and Dagenham Council and its partners will deliver 35,000 new homes and 10,000 new jobs over the next twenty years. The Borough is turning its manufacturing strengths and rich industrial heritage into creating a low carbon future. The London Sustainable Industries Park (LSIP) at Dagenham Dock will be the UK's largest concentration of environmental industries and technologies with significant opportunities for investment. Millions of pounds of infrastructure investment in new roads and sustainable urban drainage has already been invested in the Borough. The Ice House Quarter of Barking has been rejuvenated and contains a wide range of creative industries from film makers, theatre companies, visual artists, furniture makers and fashion designers. At Beam Park the restructuring of Ford's Dagenham Plant has resulted in land to the north of the Channel Tunnel Rail Link being available for development. The GLA owned Beam Park site, which crosses the Borough boundary into Havering, provides huge potential for new housing, community facilities and commercial space. The former Dagenham plant of the multi-national pharmaceutical manufacturer, Sanofi is being transformed as part of an employment led masterplan for the site by LondonEast UK Ltd. The site consists of significant vacant brownfield land, dry and wet laboratory space, sterile and temperature-controlled buildings, air handling systems, micro labs and associated offices. All these facilities would be prohibitively expensive to build from scratch, underlining the hugely attractive offer the area provides. In November 2014 LondonEast UK Ltd took ownership of the remaining buildings and has established Londoneast-UK Business and Technical Park. The continued support of these investors in the Borough, which brings much needed jobs to the community and investment in the Borough is being placed at risk by the travellers conduct. The travellers have caused damage to the land and property purchased by these investors as well as causing damage to other businesses in the area. The travellers will typically force entry to business premises including:

- a. cutting locks, breaking/removing bollards & posts. I refer the Court to the following examples of this conduct contained in the witness evidence:
- i. Glenda Paddle, who has witnessed the travellers using chainsaws to gain access to the land, taking down concrete fencing and cutting down trees at the rear of the building (paragraphs 2-3);
 - ii. Trevor Massie employed as an Estates Manager at GLA Land and Property Limited, Housing and Land Directorate, City Hall, The Queens Walk, Southwark, London SE1 2AA, at paragraph 4 of his witness statement provides: *"As shown on the GLA's Register of traveller incursions since April 2015, which I produce (2 pages) as my Exhibit TM1, there have been 11 illegal incursions onto GLA land in the Borough of Barking and Dagenham. On each occasion, forced entry has been obtained and encampments set up. Illegal access onto GLA sites has been gained by various means including cutting chains and padlocks, removing locked gates and fence panels, digging through bunds installed to prevent access and removing concrete blocks installed across entrance gates. Obviously on each occasion the Police were called and they have supported where possible but it has been left to the land owner to secure evictions through the courts. On a number of occasions GLA Managing Agents and contractor security staff were threatened and intimidated by those within the encampments when attempting to prevent access or record events occurring on GLA land..."*
 - iii. Mustafa Kiamil, the Managing Director of JJ Food Service Holdings Limited confirms at paragraph 4 of his witness statement that: *"On Tuesday 22 November 2016, the Dagenham depot manager, Mr. Halil Canci, notified me that a group of travellers had illegally gained access to Unit 5 by breaking the padlock on the main entrance gate. They replaced it with a lock of their own and then broke a window on the level access shutter door before unlawfully entering the property..... With a business turning around over £100,000 of sales last week alone, I would estimate that we lost many thousands of pounds."*
 - iv. Andrew Johnson, the Service Manager for Parks for the London Borough of Barking and Dagenham who provides evidence at paragraphs 4-10 of his witness statement of forced entry and the destruction of padlocks to enter

park land within the Borough and the damage caused to land such as the land at ancient heritage sites, such as the Barking Abbey, by driving over the grass at these sites with their caravans in wet winter weather.

- v. Ilker Dervish, the Chairman of London Riverside (BID) Limited based at Estate House, Fairview Industrial Park, Marsh Way, Rainham, Essex, RM13 8UH at paragraphs 5 provides: *"The second issue is that over the last two years there has been an alarming increase in unauthorised traveller encampments on the land owned and controlled by members of the BID. The travellers that have carried out these unauthorised encampments have on many occasions entered the land by force or by causing criminal damage the entrance gates or perimeter fences to gain access. Occasionally, security guards have been threatened and assaulted in the process, on one incident at a site in Consul Avenue, Rainham, several travellers about set the security guard when he attempted to prevent their accessing the site....."*.
- b. Destroying on-site facilities. I refer the Court to the witness evidence of Nicholas Slater, employed by the London Borough of Barking and Dagenham as a Principal General Surveyor within the Property Services Department who at paragraphs 5 and 7 of his witness statement provides: *"5. On the afternoon of Wednesday 30 November 2016 I received a telephone call from Barry Agnew who informed me that officers from the council's Street Enforcement Service along with the police had attended the warehouse at 12 Thames Road, Barking in response to an incident where a large truck laden with rubbish had been seen on CCTV driving into the warehouse. Barry told me that they had seized the truck which was now empty of waste as they believed it to have been involved in large scale fly-tipping within the warehouse, as half the floor space of the warehouse was filled with soil and building wastes. He also informed me that the offices on the mezzanine floor had been broken into, there had been an attempt to rip out electrical wiring, water taps had been left running and that someone had defecated in one of the offices...and 7. Initial estimates to date to repair the offices are approximately £6,500."* Further, I can confirm that the VOSA site at Cooks Road, Dagenham was occupied on 10 Sept 2015 for 5 days and during this time the travellers trashed the interior of the onsite office, ripping out the electrical wiring. Smashing through all internal doors and turning on the taps and flooding the floors.

- c. Defecating within buildings (in places other than the toilets). I refer the Court to the witness statement of Nicholas Slater (paragraph 5), Nicky Martin (paragraph 4), Jeff Harling (paragraph [8], Roger Woodward [10 & 18] and Ian Williams [6].
- d. Fly-tipping hazardous waste in buildings, or, land owned by businesses. Examples of this conduct is included in the following witness evidence:
 - i. Trevor Massie employed as an Estates Manager at GLA Land and Property Limited, Housing and Land Directorate, City Hall, The Queens Walk, Southwark, London SE1 confirms at paragraph 9 of his witness statement that the GLA has spent in the region of £582,000 on the clearance of hazardous waste that was fly-tipped on their land, by the travellers, he has also exhibited photographic evidence demonstrating the extent of the waste fly-tipped at the site.
 - ii. Nicholas Slater is employed by the London Borough of Barking and Dagenham as a Principal General Surveyor within the Property Services Department confirms in his witness statement at paragraph 9 that the Council has been quoted between £86,000 and £104,000 on the cost of clearing asbestos contaminated wastes from their warehouse at 12A Thames Road. Again this is supported by photographic evidence Exhibit reference NS3. Further, Nick Card, Project Manager of Wrenbridge Ltd Unit 7 Consul Avenue, Rainham submitted a report to me detailing the cost to his business that was unlawfully occupied on two occasions in 2016 by unauthorised travellers' encampments. The report which I submit as my exhibit BPA/5 details the costs to be in the region of £119,000 for the clearance and removal of contaminated waste from the warehouse. The report contains supporting photographs.

Damage to Land including Heritage Sites

17. The travellers have encamped on and damaged land outside of the business parks. Particularly notable examples include:

- a. In 2014, at Birdbrook Close and Wellington Drive Dagenham, a group of in excess of 30 caravans and associated vehicles unlawfully occupied the grounds of a housing estate that was in the process of being redeveloped. The travellers gained access when they intimidated the on-site security guard forcing him to vacate the site and allow the caravans and vehicles access to the site. Once on the site the

travellers locked themselves inside. The travellers trashed the development company's on-site storage sheds and portaloos.

- b. In 2015 at Gurwara Way, Barking 20 plus caravans and associated vehicles smashed down a 20-metre section of the wooden boundary fencing to a triangular shaped piece of privately owned land at Gurwara Way, Glenny Road and Banford Road owned by Hanbury Health Care Ltd, driving over the public footpath and bringing traffic on Gurwara Way to a halt until all the caravans and vehicles had accessed the land. There was extensive fly-tipping on the land and on one occasion whilst I was carrying out a site inspection I had to dial 999 and request the fire brigade as the travellers had set fire to some rubbish which in turn spread to the nearby hedges and trees, engulfing them in flames and sending up great plumes of black smoke which drifted over the carriageway and was in danger of setting alight to the wooden fence
- c. Barking Abbey was designated as a Scheduled Ancient Monument in 1954 and is registered as Monument ID LO 107. Under current legislation the site of Barking Abbey is protected under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). Section 2(1) of the Act provides that it is a criminal offence for a person to execute or cause or permit to be executed works to a scheduled monument without the consent of the Secretary of State. A person convicted of an offence under this section is liable on summary conviction to a fine not exceeding the statutory maximum or an indictment to an unlimited fine. I have a letter on file from a Mr Iain Bright, Assistant Inspector of Ancient Monuments, that explains the historical value of the site to the nation as well as an extract from the register of Ancient National Monuments and map showing the extent of the site which I produce as my exhibit BPA/7. The abbey grounds have been subject to 3 separate unlawful occupations since 2015, the encampments have arrived on: 15 June 2015; 26 February 2016; and 27 June 2016. The travellers pitch their caravans on the North-East corner of the site near the junction with London Road and Abbey Road, adjacent to St. Margaret's CoE Primary School and the exterior wall of the old Benedictine Abbey, having gained access to the land by driving over the public footpath and driving across the grass. On most occasions the caravans and vehicles chew-up the grass defacing it and leaving deep tyre marks. The travellers use the wall to the abbey as a place to hang their laundry, discard their rubbish and to urinate and defecate up against the wall, including leaving socks on the wall covered in human excrement -- I produce a photograph of this as my exhibit BPA/8

- d. The following park land has been encamped upon by the travellers:
- i. Mayesbrook Park: on 16 July 2014, a group of 15 caravans and associated vehicles drove through an unlocked and open service gate which is used by park staff and set up an encampment on the grassed area immediately adjacent to the cricket pitch (Barking Cricket Club). This is during the cricket season and the club were unable to host matches for the duration of the encampment (6 days). The dogs associated with the travellers urinated and defecated on the cricket pitch.
 - ii. On 17 July 2015 a group in excess of 35 caravans and associated vehicles broke into the park by cutting off the padlocks to the security gate at the Waterside Close and Lodge Avenue site entrances, Barking. The encampment was set up on the grass in the North-East corner of the park some 20 metres from the cricket pitch and sporting house and gym. The cricket club were unable to host matches for the duration of the encampment – 8 days. The travellers were very aggressive towards LBBB staff when they had occasion to approach the camp. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of putrescing food, human excreta, discarded mattresses, clothes, pots, pans, gas cylinders, two burnt out Ford Transit vans and a large quantity of mixed building wastes. The cost of cleansing the land was £3,000.
 - iii. On 17 June 2016 a group of 7 caravans and associated vehicles cut off the security lock to the security gate located in Lodge Avenue, Dagenham and drove into the park pitching up adjacent to the cricket pitch. They again interrupted the activities of the cricket club for the duration of their stay- 3 days. The children and young adults associated with the camp drove quad-bikes at speed across the grassed areas with little or no regard for public safety, When the travellers were moved on by police who used their s.61 powers they left so much waste it cost the borough £1,500. Wastes included human excreta, numerous bags of food waste and numerous fly tips of mixed building wastes.
 - iv. 04 August 2016 a group of 10 caravans, associated vehicles, horses and horse boxes gained access to the park by cutting off the padlock to the security gate in Waterside Close, Dagenham. The encampment was set up

on the grass in the North East corner of the park some 50 metres from the cricket pitch and sporting house and gym. The persons associated with encampment had with them 10 ponies and traps which they raced and exercised throughout the park often when the park had high numbers of members of the public including children in attendance endangering members of the public using the park for recreational purposes. There were many incidents of quad-bikes being driven at high speed across the grass by the occupants of the encampment. The ponies, traps and quad bikes caused considerable damage to the ground and grass surface. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of food and human waste, clothes, gas cylinders, horse dung along with a quantity of mixed building wastes. The cost of cleaning up the mess left by the unlawful occupiers was £800.

- v. On Friday 24 July 2015 travellers encamped on Parsloes Park when the 'One Borough Community Event' was almost cancelled due to an unlawful occupation by a group in excess of 35 caravans and associated vehicles. At 01:00 hrs on Friday 24 July 2105 a group of travellers in excess of 35 caravans and associated vehicles unlawfully encamped in Parsloes Park, having gained access to the park by ripping out of the ground a large metal security post on one of the access roads. This group of travellers who had been in unlawful occupation at Mayesbrook Park, had been informed on Thursday 23 July 2015 that the council had secured an order under the provisions of section 78 CJPOA 94 and would be enforcing the order on the 24th July. A large community event had been planned for the Saturday and Sunday (25 & 26 July) and the travellers had established camp in the middle of the show ground area of the park and were refusing to leave. By their refusal to vacate the land the Council was facing the possibility of having to cancel the event, which had been months in the planning. Due to the risk to the event the Police agreed to use their section 61 powers and throughout the morning of the 24th July negotiated with the travellers to vacate the land. It was only when the police's Territorial Support Group arrived at the location and it became apparent to the travellers that the police intended to evict them that they agreed to leave, but not until 2pm.

Intimidation

18. This often takes the form of travellers arriving at a privately-owned location that is protected by security staff and security measures [barriers/gates], approaching the security staff and threatening violence against them if they do not open the gates/barriers and making them leave the location. Travellers will employ threatening tactics against council staff, police and agents employed by private landowners who attend the locations to serve legal paperwork, or, attempt to block their access to a site. Examples of the travellers conduct is provided in the following witness evidence:

- a. The witness evidence of Mr Kiamil, the Managing Director of JJ Food Service Holdings Limited, which confirms that on Tuesday 22 November 2016, his Dagenham depot manager, Mr. Halil Canci, notified him that a group of travellers had had illegally gained access to Unit 5 of his business at Messina Way, Dagenham, by breaking the padlock on the main entrance gate. Once on the site the travellers engaged in anti-social and threatening behaviour. Their children threw stones and shouted abuse at the company's customers and staff who were consequently in fear for their safety. Their occupation and behaviour also impacted financially on the business in that both customers and staff were reluctant to attend at Unit 4 of the Property (JJ Food Service Limited). The business turns over approximately £100,000 per week and estimates that it lost many thousands of pounds as a result of this encampment, which it had to apply to the courts to have removed.
- b. The witness evidence of Ian Williams employed by Londoneast-uk Ltd as the Accommodation Manager for Film Works. Mr Williams explains in his witness statement at paragraphs 2-5 that at about 3pm on Tuesday the 1st March 2016 he was notified by a colleague, Roger Woodward that a group of travellers consisting of eight caravans and associated vehicles had unlawfully entered onto car park D80 the entrance to which is via Dagenham Road, Rush Green – which is in the Borough and were setting-up an unlawful encampment. This car park provides secure parking for the M & B Social Club and Boxing Club. Mr Williams explains that he and other colleagues including security officers decided to secure and lock the gate to the car park entrance. They explained to the travellers that they would let them out as and when they wanted to leave, but that they were securing the site to prevent more travellers entering the car park. They explained to the travellers that the car park was private land and the travellers were trespassing. A group of

about 6 male travellers became threatening, surrounding Mr Williams and his colleagues jeering at them and intimidating them stating how they would get past if they really wanted. One of them kicked at the chain and lock that had been placed on the gates and said, *"do you really think that little thing will keep us in. If you know what's good for you open the gate and get out of our way."* Mr Williams confirms that this was a scary experience, and that he feared for his and his colleagues' safety, as there were only 3 of them and a group of very angry Travellers. Mr Williams goes on to state in paragraph 5 of his witness statement that: *"At the time, I had just moved down to the area and was living on site. Roger asked me if I would oversee the security detail that evening and night. I helped Roger ring round and get additional security contractors on site that evening. When we left the car park at 10pm the gypsies had more or less settled for the night in their caravans. I briefed the new security officers back at the security office that we would be patrolling the site every 30 minutes and in pairs. I retired to my accommodation hut which was located immediately behind the large security fence that separated car park D80 from the rest of the site. The situation was so unnerving that I was unable to sleep, I kept thinking that they could easily break through the security fence and the first building that they would come across if they were minded to break in to would be mine."* Similar evidence was provided by Mr Roger Woodward of Londoneast-uk Ltd the Site Engineer and Facilities Security Manager.

- e. The witness evidence of Gemma Edwards and Nicky Martin. This evidence confirms that when these officers have attended sites to carry out welfare checks for the travellers, as encouraged by government guidance, They have been subjected to abuse and intimidation with threats of harm and violence if they did not leave the site (See paragraphs 7,9,11,13,18,20,26 & 32 of the witness statement of Gemma Edwards, and paras 6,7,10,11,16,20 & 34 of Nicky Martin. An example of the threats and harassment endured by these officers and other employees of the Council is contained in paragraph 35 of Nicky Martin's witness statement, which provides: *"At 13:00 the Police informed us that it was their intention to serve the travellers at Valence Park with a Section 61 CJPOA 94. At 16:00 I set-up a meeting point at Hitherfield Road, Dagenham for the Council's Street Enforcement Team (including Jonathon Toy the Operational Director for enforcement services and Robert Curtis Service Manager for Enforcement Services) and Police. I also organised the Council's vehicle removal contractor to meet us there with two*

Hiabs near the entrance of the park on Becontree Avenue. Whilst waiting for the police to attend a White Toyota Hilux come around the corner and a male passenger hung his head out of the car and said "are you here to do with the field" in a strong Irish accent. Jonathon Toy said "sorry." The man said "are you the council because if you are I'm telling you now you fuck with our houses and we will fuck with yours" he said this aggressively and was spiting as he was talking they then drove off at speed. Two Police vehicles arrived shortly afterwards and PC Dan Hives approached us and spoke with Jonathon Toy. Whilst Jonathon was talking to the police I received a call from our contractor's head office who had advised me that the Hiabs had to pull off from the park as the travellers had threatened to drag the drivers out of the vehicles and beat them up if they didn't leave. We waited a further 10 minutes for police re-enforcements to attend the park before we entered it. As we entered Valence Park car park I saw that there were around 25+ males standing together shouting at the Police. I could not understand what they were saying as to many of them were shouting. The Chief Inspector and Robert Curtis went to talk to the 25+ males to tell them they needed to leave the land and the group's spokesman, Jim Coffey who was the owner of the of the Blue Rolls Royce said "you can't move us we haven't been given copies of the Notice that you use and we need notice and were not moving tonight you haven't got enough officers here and were not going without a fight" they all started shouting again. A male traveller came-up to me and said "what can you do I'll beat the shit out of you and throw you in the river" he then walked-off to the group who was slowly starting to spread around us and more males came over over. Jonathon Toy had to leave and I walked to the entrance of the park he advised me to call all street enforcement officers back to a safe distance as it was getting out of hand he left and I went back to the car park and asked all street enforcement officers to stand back while the Police decide on what action to take. After assessing the situation the Chief Inspector decided that the safest option would be to carry out the eviction the next day as he could not get any more officers on site we then left the site at 17:05 hrs."

- d. Paragraph 5 of the witness statement of ILker Devish of London Riverside (BID) Limited *"The second issue is that over the last two years there has been an alarming increase in unauthorised traveller encampments on the land owned and controlled by members of the BID. The travellers that have carried out these unauthorised encampments have on many occasions entered the land by force or by*

causing criminal damage the entrance gates or perimeter fences to gain access. Occasionally, security guards have been threatened and assaulted in the process, on one incident at a site in Consul Avenue, Rainham, several travellers about set the security guard when he attempted to prevent their accessing the site. A group of about 10 travellers in four different transit type vehicles drove up to security barrier and security office at the entrance to the industrial estate. The security guard refused to lift the security barrier to afford vehicular access to the site; so, the travellers got out of their vehicles and started to forcibly lift the barrier. When the guard came out of the building to challenge them about 6 of the travellers set about him, punching, beating, and kicking him. One of the travellers even bit the guard on the neck. His injuries were such that he was unable to continue with his shift and which a required a visit to his GP the following morning for treatment. On gaining access to the land the travellers have systematically fly tipped the land on a large industrial scale, in some cases asbestos and human waste has been found in the fly tip which has quadrupled the cost of clearance."

- e. Paragraph 20 (xxii) of the Witness Statement of Police Constable Benson states that on 19 May 2016 an enforcement agent requested police attendance at Choats Road/Halyard Street because the travellers had "...threatened to cut the informant's throat off and shoot him".
- f. Paragraph 32 of the Witness Statement of Police Constable Benson states that on 4 July 2016 "security for Dagenham Leisure called police stating 50 caravans had arrived at the location and more travellers were attempting to gain access. A large school sports event was supposed by taking place on the site that day. Schools were arriving and trying to park in the car park, but travellers were encamping in the car park. Security asked the travellers to leave, but they refused threatening to break the security officer's leg. This required police involvement at different times over a period of sixty-nine hours."
- g. Paragraph 35 (viii) of the Witness Statement of Police Constable Benson states that on "26 July 2016 bailiffs attempting to evict travellers from the site contacted police claiming that the travellers had threatened to cut them up and had threatened to lock one of them in a building. They also complained that one of the travellers issuing the threats asked a fellow traveller to get a knife from the van".
- h. Paragraph 35 (xii) of the Witness Statement of Police Constable Benson states that "on 26 July 2016 requesting police assistance explaining travellers were refusing to

leave the site and that criminal damage had been inflicted on the site and the perpetrator had been caught on CCTV and was present at the site. The bailiff also informed the police that the travellers had placed 5 vans either side of the gate to barricade themselves into the site with two men standing at the gate with baseball bats.”

- i. Paragraph 37 (xii) of the Witness Statement of Police Constable Benson states that “on the 12 September 2016 an informant called police and confirmed he was walking through the park and was threatened by travellers who said that he better not be filming or he would not make it through the park alive .”

Risk to Public Health and Safety

19. Human Excreta the collective name for human faeces and urine contains many disease-causing pathogens (viruses, bacteria, cysts protozoa and eggs of parasitic worms). Much of the human stool consists of 75%water and 25% organic solids. One negative impact of human waste is the risk of surface water contamination, which is caused by liquid and solid waste products that find their way into water bodies. Once out of the body, stools are subjected to environmental bacteria that may use the excrement as food and thrive. In its wet stage, faecal matter is only a problem to the immediate environment. However, when the stool dries it becomes lighter and more susceptible to becoming airborne, thus having the potential to travel greater distances and affect more of the population. Disease-causing organisms that can live in the human gut are spread from person to person when they are excreted in the faeces, and can be transmitted by direct contact with faeces, or objects in the environment that have been contaminated by faeces. This is the phenomenon of faecal- oral route infection well known in public health disease control. Typically transmission is by infectious organisms reaching the mouth from contaminated hands or from food or objects contaminated by contaminated hands.

20. Some of the Traveller caravans do not have toilet facilities on-board, and others are not prepared to use the toilets within their caravans and accordingly, they go to the toilet in the immediate vicinity of the encampment. This poses an environmental issue especially in warm weather as bacteria activity is increased when temperatures are higher and thus increases the generation of unpleasant and foul smells where such bacteria are active on faecal matter. Not only does it cause an unpleasant smell it poses health hazards for cleansing crews as they walk through the area cleaning-up after the encampment.

21. Contamination of surface waters food and drinking water supplies is a risk with uncontrolled presence of untreated human faeces on land.

22. Diseases that are recognised as being spread in this way include viral and bacterial gastro-enteritis; hepatitis; cholera; dysentery; shigellosis; typhoid, Giardiasis and intestinal worm infections. Many of these diseases are potentially fatal.
23. Contact with faeces can cause skin infections particularly when there are minor cuts or abrasions. Infections could in the worst cases lead to septicaemia and death. Eye infections through contact with mucous membranes (for example conjunctivitis) are widely recognised risk of faecal contamination. Direct contact with human faecal matter can be prejudicial to human health and the quantities that the travellers defecate on the land adjacent to their encampments would pose a significant risk to human health if persons were to come into contact with it.
24. The egress on and off unlawful encampments by travellers also poses dangers to other road users. Most sites that are subject to unlawful encampments are not designed to accommodate vehicular access by means of car/van and a drawn caravan. These vehicle combinations are unsuitable to enter unhindered / unrestricted to the said site and quite a bit of manoeuvring by the driver is required to egress on/off the site, often requiring several attempts, and using most of the available carriageway to do so. In many instances, it involves the illegal crossing of the grassed verge / footway to gain egress to/from the site. This behaviour has the potential to cause traffic hold-ups, inconvenience other drivers and a source of potential danger for pedestrians who have to give way to vehicles crossing the footway and or forcing them off the footway onto busy roads. On 18/5/15 at Gurwara Way, formerly known as the Northern Relief Road a group of 20 plus traveller caravans and associated vehicles knocked down the boundary fencing to an unoccupied piece of land to gain entry to the site where they established an unlawful encampment. The section of fencing they knocked down was immediately adjacent to the public footpath and along the busy Northern Relief Road one of the main arterial routes through Barking. When there was sufficient section of fencing removed the travellers proceeded to drive onto the wrong side of the road to get a sufficient turning circle, bringing traffic in both directions to a complete standstill and proceeded to drive over the footpath into the field. It took the travellers about 20 minutes to the travellers to get all their vehicles off the road into the field.
25. Caravans rely on propane / butane gas to provide a source of energy for cooking. Most caravans used by travellers carry a 50kg gas cylinders attached to the outside of the vehicle for this purpose. On many occasions when clearing-up sites vacated by unlawful traveller encampments cleansing crews recover empty and partially empty gas containers. The numbers such containers are concerning for councils. It is quite common for fires to be lit by the travellers whilst they are in occupation of the land and if care is not taken in respect of the storage and

discarding of gas containers around these fires there is the potential for serious injury to persons or damage to nearby property to be caused.

Community Tension

26. The establishment of unlawful encampments, especially on public land including parks and open spaces increases community tensions with increases in complaints to the council from the public about intimidation on the part of the travellers. Members of the public complain about not being able to use public facilities / amenities, being forced out of the park by the behaviour including travellers allowing their dogs to attack members of the public's dogs as they exercise them in the park, the travellers dogs chasing children away from communal play areas, irresponsible driving of vehicles across open land or on public footpaths.

27. Unlawful encampments whether on public or privately owned land can have a negative impact on the local amenity of the area. Local residents are very sensitive to traveller encampments. This is due to their large numbers in which they gather and camp. Local residents find this new trend very intrusive and intimidating. Often the local area is fly-tipped and tension develops between the local community and the travellers.

28. Local Councillors, Tenants Associations and local Members of Parliament are concerned about this issue and often are inundated with enquiries from local residents as to what action is being taken to remove any unlawful encampment that occurs in their local area. Exhibit [BFA/9].

29. I have received large numbers of phone calls from residents and have attended local residents meetings where an unlawful traveller site has appeared. I have personally listened to and witnessed the genuine concerns of large numbers of local residents with regard to their personal safety and property due to traveller encampments in their local area. Many residents have complained about aggressive behaviour they have witnessed or suffered from large numbers of travellers that have set up an unlawful encampment in their local area. I have listed their concerns regarding fly tipping and other types of anti social behaviour.

30. All of the sites I have visited have been defecated and urinated on by the travellers. This is due to the fact that during welfare visits the travellers have refused to engage with local Authority officers. Therefore welfare facilities such as toilets have not been provided. On all of the sites I have visited I have not seen evidence to suggest that the travellers on site have used the toilet facilities in their caravans. I have seen evidence that on a large scale the travellers have defecated and urinated on the site which they occupy.

31. Most of the publically controlled sites where travellers have camped have been entered by either a perimeter fence being removed or a gate padlock cut or angle grinded off. This has been

confirmed to me by either the parks and open spaces service manager, Man Power who is the Council's security contractor, or eye witnesses that live in the local area.

32. All of the commercial sites where travellers have unlawfully entered and set up an unlawful encampment have reported to me that their site was secure. That the perimeter was fenced in some shape or form and that the entrance to the land was secured. All have complained to me personally that the gate padlock has been cut or angle grinded off or a part of the perimeter fence has been broken to allow access.

Fly-Tipping

33. One of the most common issues associated with unlawful traveller encampments is that of discarded rubbish and waste. The majority of unlawful traveller encampments within this Borough result in prolific fly-tips being deposited on the site. The travellers that frequent the sites tend to be employed in the building / waste removal trade and tend to deposit their commercial wastes on the site that they occupy. The wastes consist of earth, bricks, mortar, plaster, plasterboard, asbestos, roof felt, wood, kitchen/bathroom units, flooring, roofing components, skirting board pallets, sinks, toilets, carpets vinyl flooring, sofas, beds, bedding, furniture, trees, shrubs, and other garden / grounds maintenance waste. Many of the fly-tips result are significant in size and clearly arise from commercial operations being run by the travellers. The preferred choice of vehicles used by the Travellers for this purpose is a Ford Transit sized panel / flatbed sized van and the Ford Iveco 7.5tonne caged/flatbed sized vehicle. On occasion the Travellers and their associated have allowed 32 tonne tipper trucks to deposit waste on the land near to their encampment. In respect of the incursion at 12A Thames Road Barking, Rob Andrews in his witness statement confirms that he seized a vehicle suspected of being involved in fly tipping on site. The landfill tax cost to dispose of 1 tonne of waste is £84.40. The maximum payload of a transit van is 2 tonnes. If the transit was at its maximum payload the cost of disposal would be £168.80 (landfill only). When you factor in the cost of hiring a driver and vehicle for the disposal of waste in addition to the landfill tax charges, it is understandable why waste producers would be willing to pay the asking price from travellers to dispose of their waste, especially as the travellers will not be charging for landfill tax.

34. When the business owner of the land finally removes the Travellers they are left with the cost of disposing with the waste that has been dumped on the land. There is now produced and shown to me marked exhibit [BPA/10] an email from Scott Dempsie Business Protection Manager of Ford of Britain. This confirms that Ford have been subject to several illegal encampments on their land at Dagenham and that the travellers have costs the company tens of thousands of

pounds to secure possession orders through the high court and clean-up the tones of contaminated fly-tipping post their departure along with the cost of enhancing their security measures.

Impact on Schools

35. I refer the court to paragraphs [4] above which explains the unacceptable impact the Defendants conduct has had on schools within the Borough. The witness statement of Tracey Ann Whittington, the Head Teacher at Beam County Primary School confirms that the school has endured damage to property and theft as a result of the travellers encamping on the school's land and that the school have had to spend money on security measures to ensure that the travellers do not encamp on the land in the future.

36. On 17 June 2014 an unlawful encampment consisting of about 20 caravans and associated vehicles was established in the service road to the side of and playing fields at the rear of Thames View Junior School, Samuel Ferguson Place, Barking. The children associated with the encampment entered the playground when the school children were having recreation and fought with, bullied them and stole some of their toys, forcing the teachers to call the police to get the children removed from the playground. The teachers had to lock the gates to the school when the pupils were outside playing in the playground to prevent the children from the encampment repeating their intimidation of the pupils. The school was also burgled during the time of the encampment causing damage to external windows and internal doors. When these persons were eventually moved on they relocated to St. Pauls Road Barking and onto a piece of green space adjacent to the St. Joseph's RC Primary School. Again, the children associated with this encampment terrorised the school children, entering into the playground when the pupils were occupying it, fighting with them and taking their toys. This resulted in additional teachers and school staff having to lock the gates and patrol the grounds whilst the pupils were playing. This particular group of travellers having been again moved on relocated approximately 500 meters away on the grounds of Barking Abbey Green and adjacent to St. Margaret's CoE Primary School. The traveller children again entered the playground to disrupt the pupils playing there, bullying and intimidating any pupil that challenged them. The teachers and staff were forced to lock down the school and deploy into the playground when the pupils were playing to protect them from the traveller children. Again during the period of the encampment the school was burgled and computing equipment stolen.

Conclusion

37. In the last year there has been 12 incidents where the police used their s.61 powers, 4 incidents where the council used their s.77 powers and 22 private actions to remove unlawful

encampments. Despite this the Travellers simply move to a different location within the Borough, sometime moving into neighbouring boroughs for short periods, before returning and continuing to cause significant nuisance and intimidation to those working and living within the Borough. It is apparent therefore that nothing short of an injunction in the terms sought in the draft order will prevent these encampments. London Barking and Dagenham is a small borough and the impact that this is having on the settled population makes it expedient to seek injunctive relief. The Travellers conduct is both in breach of planning control and causes serious nuisance to the settled community. It is also flouting the law and causing harassment, alarm and distress to certain members of the community particularly, those using public open spaces and working in security for businesses with the Borough, as explained above in this witness statement.

38. The Council have weighed the Travellers needs against this action in coming to this conclusion as confirmed in the witness statement of Adam Rulewski. Accordingly, the Council is respectfully of the opinion that as evidenced from the above it is expedient for the promotion and/or protection of the interest of the inhabitants of the Borough to seek an injunction and that there is clear evidence harassment, alarm and distress being caused to a number of those working and living within the Borough as referred to above.

I believe that the facts stated in this witness statement are true.

Signed:

BAGAW

Name:

RADY AGNEW

Date:

07.03.2017.

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/1

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/2

A27

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/3

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

A28

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/4

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/5

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/6

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/7

A32

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/8

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/9

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF BARRY AGNEW

EXHIBIT BPA/10

A35

Claim Number: _____
IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

and

PERSONS UNKNOWN
Defendants

WITNESS STATEMENT OF BARRY AGNEW

Fiona Taylor
London Borough of Barking and Dagenham
Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction
Tel: 0208 724 8379
Email: adam.rulewski@bdtlegal.org.uk

A36

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
- (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
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- (62) MS KATHLEEN WARD
- (63) MR JAMES WARD
- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ADAM THOMAS RULEWSKI

I ADAM THOMAS RULEWSKI, a barrister employed by London Borough of Barking and Dagenham, Civic Centre, Dagenham, RM10 7BN **WILL SAY AS FOLLOWS:**

1. I make this statement on behalf the Claimant, the London Borough of Barking and Dagenham (“the Council”), in support of its application for an injunction and an interim injunction to prevent persons unknown from unlawfully encamping on named

sites identified in the witness statement of Barry Agnew. The contents of this witness statement are true to the best of my knowledge and belief, save where I indicate to the contrary, in which case I have set out the source of my knowledge.

2. I am a Prosecutions and Litigation Barrister at The London Borough of Barking and Dagenham, and Thurrock Council. I was appointed to this post in July 2015, previously I worked in private practice from April 2014 to April 2015. Prior to this I worked as a Legal Officer at Thurrock Council. I was called to the bar in 2010. I currently hold an employed barrister's practicing certificate with authority to conduct litigation. The litigation of the Council is conducted via the Director of Law and Governance, Fiona Taylor, who is a qualified solicitor.

3. There is now produced and shown to me marked exhibits ATR1-ATR2.

4. The Council has since January 2014 had an influx of unauthorised encampments; these have been mainly Irish Travellers though the ethnicity of some of the Travellers is not known. This has resulted in 81 unauthorised encampments to date. Clean-up costs between 2014 and 2016 have totalled £957,073 and approximately £32,445 in officer time. In addition to this, a number of incursions require Police intervention and the exercise of their s.61 powers.

5. I can see from the spreadsheet provided by Barry Agnew that since January 2014 there have been 33 instances of s.77 powers being exercised. A reasonable estimate of legal costs would be 5 hours of legal time at £85.00 per hour for each eviction, totalling £425 cost. In addition to this there are Magistrates' Court fees of £205. The total average cost of a s.77 eviction in terms of legal time and disbursements is therefore £630.00. For 33 evictions, the total cost is therefore £20,790.00 all at a cost to the taxpayer. This is an estimate based on the methodology explained in this paragraph.

6. Clean up costs, according to the spreadsheet of Barry Agnew, total £557,525 in 2014-2016. This is a cost to the council and the taxpayer. It may assist to put this in a context whereby the Council has had to make budgetary savings of £100m since and

has to make further savings of £63 million to make. This is as a result of successive financial cuts and budgeting by central government, and has been achieved by staff cuts, services cuts, and restructuring of the Council's services.

7. Many of the proceedings brought against the travellers are brought pursuant to section 77/78 of the Criminal Justice and Public Order Act 1994. Once the papers for possession are issued these are served on the Travellers at the unauthorised encampment, the papers include the summons and witness statements, the officer serving the papers has to serve the papers 24 hours before the hearing date. It has become apparent that in the majority of cases the Travellers wait to be served with the hearing date, then just prior to the court hearing they move on to another site. The order is only valid for 3 months (as is the case where the Police use their power under section 61 of the 1994 Act) and then afterwards the same site can be used again by the Travellers. They understand this and accordingly, sites are encamped repeatedly as follows. The following occurrences are detailed in the spreadsheet at **Exhibit ATR1** which has been provided to me by Barry Agnew:

- a. Abbey Green which has suffered 3 incursions between June 2015 and June 2016
- b. Ballards Road – which has suffered 2 incursions from March 2014 and July 2014
- c. Birdbrook Close – which has suffered 2 incursions in November 2014
- d. Choats Manor Way – which has suffered 2 incursions between June and December 2016
- e. GLA Land, New Road – which has suffered 2 incursions between June and July 2016
- f. Hertford Road, Barking – which has suffered 2 incursions between in June and July 2016
- g. Leys Park, Dagenham – which has suffered 2 incursions in March and April 2014
- h. Mayesbrook Park – which suffered 4 incursions between July 2015 and August 2016

- i. Parsloes Park – which suffered 5 incursions between April 2014 and September 2016
- j. Premier Inn, New Road – which suffered 2 incursions in April and July 2016
- k. Valence Park – which suffered 2 incursions between October 2015 and September 2016

8. These steps have not discouraged the Travellers from forming unauthorised encampments in the Borough and the Travellers have simply move to another site within the Borough. These sites are detailed in the attached map and spreadsheet which accompanies the claim form and particulars of claim.

9. The Operational Director for Enforcement, as a Chief Officer, has the delegated authority under the Constitution of the Council to:

“after consulting with the Director of Law and Governance, authorise the institution, defence or appearance in criminal or civil proceedings in relation to any legislation which they are responsible for monitoring, enforcing, or otherwise implementing on behalf of the Council” [LBBD Constitution, January 2017, Part 3, Chapter 1, paragraph 5.1(h)]

10. The Director of Law and Governance has delegated authority under the Constitution of the Council to:

“institute, defend, settle or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority or in any case where he/she considers that such action is necessary to protect the Authority’s interests” [LBBD constitution, January 2017, Part 3, Chapter 1, paragraph 10.2(b)]

11. The Operational Director for Enforcement in making the decision to proceed with an application for an interim and final injunction order has been briefed on the

impact of the decision on the Travellers who have protected characteristics affording them protection from discrimination under the Equality Act 2010. This has included advice on the impact of the Human Rights legislation and applying the test of proportionality. Though there is no duty to prepare an Equality Impact Assessment one was prepared to assist the Operational Director of Enforcement to make the decision to instigate proceedings. In addition, the proceedings were authorised by the Director of Law and Governance, in consultation with the Operational Director of Enforcement. Please see **Exhibit ATR2**.

12. In making the decision the balancing of the rights of each group was of particular importance. In carrying out this assessment it was concluded that the actions of the Travellers were having a disproportionate affect on the settled community. The decision was taken therefore to proceed with an application for an injunction.

13. In making the decision the Council had regard to the fact that there is a core group of Travellers who repeatedly chose to form unauthorised encampments in the Borough and continue to occupy unauthorised sites. These are named within the map annexed to the Claim Form and Particulars of Claim and the Council seeks a Borough wide injunction against them. There are other Travellers who the Council cannot name, who historically set-up unauthorised encampments at various sites throughout the borough, also identified on the map. Accordingly, the Council seeks an order against person unknown against those Travellers who the Council cannot name, confined to the sites listed in the schedule attached to the draft order provided with the Council's application.

14. The Council has liaised with both the police over the action taken to date and this application for an interim injunction and injunction against the Travellers. It is apparent that nothing less than an injunction will bring a stop to these persistent unauthorised encampments in the Borough. The Council believes that interim injunction will be required pending consideration of a final order, which the Council accepts, with the number of Defendants involved, might not be fully considered for

some time. When considering the interim injunction the Council has concluded that the only way to prevent further unauthorised encampments is to make this application.

15. I am familiar with the case of *American Cyanamid Co v Ethicon Ltd* [1975] A.C. 396 and the key principles derived from the case that the Court must apply when considering this application. I make the following points in relations to that case:

- (i) There is plainly a serious issue to be tried and the Claimants have a good arguable case, and damages would not be an adequate remedy, as is apparent from the supporting evidence presented with this application.
- (ii) Accordingly, the balance of convenience lies with granting the injunction as otherwise the unauthorised encampments, health issues, impact on the businesses and the settled community and environmental impacts from fly tipping, will continue. It has been demonstrated over the last year that alternative measures have not resolved the issue, which could take some time to resolve.

Cross-Undertaking in Damages

16. The Claimants respectfully submit that in accordance with the decision in *Kirklees Metropolitan Borough Council v Wickes Building Supplies Ltd* [1992] 3 W.L.R. 179 the Court ought not to require the Claimants to provide a cross-undertaking in damages where the Claimants is a public authority carrying out its administrative duties by seeking an injunction.

17. Accordingly, I respectfully request that the Court grants the injunction in the terms provided, or, alternatively on terms it thinks fit, on an interim basis pending final order.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.



Signed: Adam Rulewski

Dated: 6/3/17

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

(7) MR TOM MURPHY

(8) MS MARY CASSIDY

(9) MR DARREN LEE

(10) MS JOAN CONNER

(11) MR ANDREW CASSIDY

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- (15) MR GILES O'SULLIVAN-WADE**
- (16) MISS ELIZABETH CONNORS**
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- (63) MR JAMES WARD
- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

Defendants

SECOND WITNESS STATEMENT OF ADAM RULEWSKI

1. I, ADAM THOMAS RULEWSKI, EMPLOYED BARRISTER AT THE LONDON BOROUGH OF BARKING AND DAGENHAM, CIVIC CENTRE, DAGENHAM, RM10 7BN WILL SAY AS FOLLOWS:

2. I make this witness statement in support of the Claimants application for various service Orders prior to service of the above named proceedings. The Claimant seeks an interim and mandatory injunction pursuant to section 222 Local Government Act 1972, section 187B Town and Country Planning Act 1990 and/or section 1 Anti-social Behaviour, Crime and Policing Act 2014, in the terms set out in the draft Order. The Order is sought against the 64 herein named Defendants and Persons Unknown, and concerns to date 81 unauthorised encampments formed by the Defendants in the Borough of London Barking and Dagenham between 2014 and 2016. The number of encampments in 2016 was 56% greater than in 2015. These encampments have included significant numbers of people at times, with 35 plus caravans and associated vehicles and animals including dogs and horses [see w/s of Barry Agnew and Rachel Benson]. The unauthorised encampments have been formed in public spaces, schools, children's play areas, the business parks and industrial estates within the Borough (including Thames Road, Abbey Retail Park, GLA Land, Lyons Business Park, Orion Park, Oyo Business Park,), Highways and car parks. The encampments have caused significant nuisance and community tension for the following reasons:
 - (i) Because the settled community and local businesses believe that the Travellers are being allowed to flout the law;
 - (ii) The encampments are causing serious nuisance and annoyance to the settled community, including forced entry at the Eastbrook School on 20/6/16, and a 20+ caravan encampment at Thames View Junior School on 17/6/16. Further school issues will be addressed by Tracey Ann Whittington in her witness statement.
 - (iii) The encampments leave behind untreated human excrement as the Travellers do not use the toilets within their own caravans. Human excrement has been found on historic ruins, public green spaces, car parks, business premises and anywhere else the Defendants have formed encampments within the Borough [w/s Nicky Martin, para 6; w/s Tracey Ann Whittington, para 8; w/s Gemma Edwards Para 8]. This has also been identified as a risk to human health in the witness statement of Barry Agnew who is qualified in Environmental Health, as detailed in his witness statement. Barry

Agnew has confirmed the prejudice to human health in his witness statement at paragraphs 20-24.

Due to the level of encampments and the time it might take to locate and serve this evidence on the Defendants I am seeking an Order on behalf of the Claimant that the injunction is listed before a Judge on a date after 22 March 2017 to ensure the Council has 3 clear days between service of the proceedings and the hearing date. I would also respectfully request that the hearing is allocated a 2 hour time estimate.

3. Male Gypsies and Travellers usually leave for work early in the morning and do not return until later in the evening. Accordingly, the Claimants also seek permission to serve the Defendants between 6.30am and 8pm during the week and between 7am and 4pm on a Saturday, with an Order that Claim forms and Applications served on a Saturday will be deemed served on the next working day and Claim Forms and Applications served after 4pm on a working day shall be deemed served on the next working day.
4. Travellers can be difficult to serve and there is no guarantee that they will open the door to their caravan, mobile home, or, brick and mortar property if they believe they will be served with court papers. In the event that the Claimants are unable to personally serve any of the 1st to 64th Defendants, the Claimants seek an order giving them permission pursuant to CPR Part 6.14, 6.15, 6.26 and 6.27 to serve any of these Defendants that cannot be personally served, by leaving a copy of the application notice, claim form, draft order and supporting evidence in a clear transparent envelope and affixing the same to a Caravan or Mobile home, front door, or, other vehicle of which it is reasonably believed is occupied by the Defendant, or, Defendants that the Claimant has been unable to personally serve. I would also respectfully request that any Claim form and application notice served by this method will be deemed served the next business day after service of the application and Claim Form . The Claimant would also seek and order giving permission to serve by letter box service at any known address if the Claimant is unable to effect personal service at that address.
5. There are 4 lever arch files of supporting evidence in this matter. Exhibits total over 1,700 pages. There are 64 named Travellers that each require a copy of the evidence to be served on them. This would be an enormous amount of paper work and expense which no doubt would be difficult for the Travellers to store in their caravans as many of them are living in small touring caravans with the their families. Accordingly, the Claimants proposes that it shall be permitted to serve the evidence in support of the Claim and application for an interim injunction (contained in 4 lever arch files) by USB memory stick and shall provide any Defendant that requests hard copies of the same within 2 workings days of receipt of such

request and shall have a copy of all evidence relied upon in these proceedings available for inspection at the Council offices at Barking Town Hall, Town Hall Square, 1 Clockhouse Avenue, Barking, IG11 7LU between the hours of 10am and 4pm Monday to Friday excluding public holidays.

6. The Claimants also seek an Order that the Claims and Application shall be deemed served on Persons Unknown by serving a copy of the Claim Form, Application Notice and Draft Order on all 140 sites identified in Schedule 2 of this Order by affixing them in a prominent place on the Land with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from Barking Town Hall, Town Hall Square, 1 Clockhouse Avenue, Barking, IG11 7LU and by contacting LBB Legal Services on 0208 724 8379.

STATEMENT OF TRUTH

I believe that the contents of this statement are true.



Signed : Adam Rulewski

Dated : 6/3/17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-V-

- (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
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(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 JOCEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MISS TRACEY ANN WHITTINGTON

1. I am Miss Tracey Ann Whittington, Head of School at Beam County Primary School, Oval Road North, Dagenham, Essex, RM10 9ED. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.
2. On Wednesday 6th July 2016 at approximately 13:30 Mrs. Taylor (Lower School Assistant Headteacher) noticed a young man in our Eco area by the Nursery fence. Miss Taylor told him

to leave. The young man asked if he could get a ball. Mrs. Taylor advised that he was on private property and that he would need to be escorted off.

3. Mrs. Taylor escorted him to the boundary of our school land by the Mill House Social Club Dagenham. She noticed there were approximately five caravans.
4. An older gentleman (in the Mill House car park) gestured towards the external water tap on Beam's land and asked if there was water. Mrs. Taylor advised that the water had been disconnected.
5. At exactly 15:18 Mrs. Smallldridge (Deputy Headteacher) and I walked over to the 'Wildlife Area'. Upon entering we saw a young man climbing over the fence attempting to get onto our land.
6. We shouted at him to get off our land. He covered his face with his T-shirt and then proceeded to climb back over into the Mill House car park, where there were approximately four/five caravans. Photograph shows a young man climbing back over which I produce as my **Exhibit TAW1**. Exhibit TAW1 will also show that our lawn mower had moved closer to the fence. After work, staff removed as many valuable items as possible. We did not investigate the other items deposited onto our land as seen in exhibit TAW1.
7. On Thursday 7th July 2016 damage was caused to the metal paling fence, which separates the boundary between the Mill House Social Club (where the Travellers were camped) and Beam County Primary School's land. The rivets had been cut and the fence pried open.
8. There was a very strong smell of urination by the same said fence. The caretakers report that an irrigation timer was taken. It would appear that the outdoor tap had been used, due to the movement of our hoses.
9. The police response was excellent and the Travellers were removed later that day. To prevent the entering of Travellers onto our land security bollards were erected, amounting to £2220.00 which I produce as my **Exhibit TAW2**.

I believe that the facts stated in this witness statement are true.

Signed: 

Name: MISST. WHITTINGTON

Date: 23.02.17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-V-

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
- (4) MR PATRICK JOSEPH MCDONAGH
- (5) MRS MARGRET STOKES
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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MISS TRACEY ANN WHITTINGTON

EXHIBIT LIST

Photograph of boy climbing over our fence TAW1

Invoice for our security bollards TAW2

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(1) MR TOMMY STOKES

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(60) MR MARTIN WARD

(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MISS TRACEY ANN WHITTINGTON

Fiona Taylor
London Borough of Barking and Dagenham
Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction
Tel: 0208 724 8379
Email: adam.rulewski@bdtlegal.org.uk

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-V-

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
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(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF SARAH BELCHAMBERS

1. My name is Sarah Belchambers currently the Events and Cultural Projects Manager for the Events Team at Barking and Dagenham Council. At the time of the incident with the travellers my role was 2015 Events Coordinator. My role both then and now includes coordinating the Council's large scale events programme in parks and open spaces in the summer including everything from the initial planning through to the booking of infrastructure, entertainment, personnel and equipment, to health and safety and event/site management on the day of the events. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. On Thursday 23 July 2015 the Events Team were alerted to travellers (caravans and vehicles) unlawfully entering Parsloes Park (Gale Street side) where the One Borough Community Day was due to be held on Saturday 25 July 2015. The community day is one of the largest events organised by the borough and includes a stage line up with community and professional acts, arena acts, family entertainment and stalls, caterers and a bar.
3. I was in the park with my colleague Cameron Murray at 22:00 hrs and noted that there were approximately 6 traveller caravans and towing vehicles entering the park Gale Street Side. I contacted the borough's Contact Centre requesting assistance from the Incident Response Team and was advised that they would attend as soon as possible.
4. Myself and Cameron drove around the park and when we reached the area by the gate/fence line I saw a large group of travellers who were located about 2 metres away from us who were pulling out of the ground a large wooden bollard and driving their caravans and vehicles through the gap and stopping at a metal gate. Again some travellers got out of their vehicles and approached the gate.
5. I saw one of the travellers using what looked like bolt cutters on the lock on the gate. The gate was then opened and the travellers drove their vehicles into the park. We remained at our location for about 15 minutes watching about 30 caravans drive in through the gap in the bollards onto the park, during this time I called 999 and requested police assistance.
6. Then over the next 5-10 minutes more travellers drove on site about 20-30 in total (approx.) An LBBD security operative who arrived on-site in a security vehicle and who attempted to block the travellers entry was driven at by some traveller vehicles, forcing the security guard to move his vehicle out of the way.
7. When our Security Manager arrived on site he and other members of the Events Team drove over to the travellers to speak to them, they were reluctant to move out of the park but they did agree not to pass beyond a temporary barrier we had earlier erected.
8. The travellers were evicted from the park the next day by the police and assisted by 50 council officers who were present from 08:00 hrs to 14:00 hrs at an additional cost of £9,000.00. When the travellers were eventually evicted they left behind a huge cleansing operation that was additional to the cost of cleansing set aside for the weekend event.

9. Because of the risk to the event we had to employ additional security staff and security resources to protect the park at a cost of £2,930.00.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: *S Belchambers*

Name: SARAH BELCHAMBERS

Date: 24/02/17

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(1) MR TOMMY STOKES

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(65) PERSONS UNKNOWN
Defendants

WITNESS STATEMENT OF SARAH BELCHAMBERS

Fiona Taylor
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Director of Law and Governance, Solicitor for the Claimant

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IN THE HIGH COURT OF JUSTICE

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BETWEEN

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(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ROY LIVINGS

1. My name is Roy Livings and I am employed as a facilities/securities officer for Londoneast-uk Ltd which is located on Rainham Road South, Dagenham, Essex. One of my responsibilities is to ensure the security and safety of staff, visitors, buildings and property for the entire an eighteen (18) acre site which includes approximately 400,000 square feet of real estate. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. On Tuesday 1st March 2016 at 14.45 hrs I was stationed in the main security office monitoring CCTV cameras when I received a radio message from a colleague advising me that travellers and their caravans were entering into the D80 car park from the Dagenham Road access gate. Car Park D80 is located in the [north/east part of the site and is accessed via Dagenham Road] I attach a copy of the site map of Londoneast as my **Exhibit RL1**. I immediately made Roger Woodward, the Site Engineer and Facilities Security Manager and Jeff Harling, the Site services Manager, aware of the incursion and directed them to the exact location to investigate the security breach. I counted eight caravans and associated vehicles had parked up in the south-east corner of the car park approximately 40 yards away from the M & B Social Clubhouse and adjacent to a large security fence separating the car park from the rest of the LondonEast site. I then radioed instructions to a colleague to drive round to Dagenham Road and to close and lock the entrance gates to the car park in order to prevent additional access by caravans.
3. When the car park was secured I notified Mr. Lewis the Managing Director of Londoneast-uk, the Police and all stakeholders within the London Riverside business community. I telephoned Police Sergeant Matt Parrish and explained that security staff had locked the gates to prevent further caravans from entering but that our staff would need assistance as those travellers already inside were beginning to surround the security staff at the main gate. Matt agreed to send a unit ASAP to the car park.
4. Located within car park D80 is a sports and social club for local people 'M&B Social Club'. Club members have permission to use the car park as their access route on site to the club and a place to park their vehicles. Due to the occupation by the group of unlawful occupants I telephoned the club manager, Ms. Carly Davis. We agreed that in the interest of health and safety and the problems that would be encountered accessing the car park due the gates being locked, that all activity at the club should be suspended until the travellers had been evicted.
5. Just after 3pm I saw the police units arrive at the main gate of D80 car park. I saw them get out of their car and approach the travellers. I saw on CCTV that the police were not allowing any of the traveller caravans that had parked up in the access road to the car park and the main road Dagenham Road into the car park and a standoff ensued. Just after 5pm those caravans and vehicles that could not gain access to the car park drove off.

6. During the evening 1st March 2016, extra security staff were brought in to man the main security reception for a 24-hour period. Security staff were briefed to be vigilant and if they felt it necessary to call the Police. Staff were further instructed that the gates to the car park were to remain shut and locked and that from now on no one was to enter or leave the car park.

7. At 10.43 on the morning of 2nd March 2016 whilst monitoring the CCTV I saw the travellers hitching the caravans to their vehicles and preparing to leave. I notified Jeff Harling and Roger Woodward that the travellers were preparing to leave, the travellers then huddled together cut the chain and I watched the travellers drive out.

8. As soon as all the caravans and vehicles had left the site the gates were re-secured and a clean-up process begun. I mark and attach (3 pages) as my Exhibit RL2 a security report that I made during the occupation of the travellers at car park D80 during the period 1st march 2016 to the 2nd March 2016.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: R. B. Livinge

Name: ROY LIVINGE

Date: 4TH MARCH 2017.

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

- (1) MR TOMMY STOKES
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(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ROY LIVINGS

EXHIBIT LIST

Site map of Londoneast **RL1**
Security report **RL2**

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

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THE LONDON BOROUGH OF BARKING AND DAGENHAM
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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ROY LIVINGS

Fiona Taylor
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Civic Centre Annex
Wood Lane
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RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

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IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

BETWEEN

Claim Number: _____

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

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- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
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- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ROBERT WILLIAM ANDREWS

1. My name is Robert William Andrews I am currently employed as a Street Enforcement Officer for the London Borough of Barking and Dagenham's Street Enforcement Service, Pondfield House, 100 Wantz Road, Dagenham, Essex, RM10 8PP. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in

this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. On Monday 28 November 2016 at 10.00hrs I was alerted to a case of an unlawful encampment on council land at the rear of 12 Thames Road, Barking, Essex, IG11 0HZ.
3. At 12.30hrs I arrived in full Council uniform at 12 Thames Road, Barking Essex, IG11 0HZ I was accompanied by Barry Agnew the Regulatory Services Prosecution Manager and Nicky Martin a Street Enforcement Officer both employees of the London Borough of Barking and Dagenham, the weather that day was dry and sunny, but cold. I went to the rear of 12 Thames Road which is located in Crossness Road where I observed that the wooden perimeter fencing to the land had been tampered with and a couple of sections had been removed. Where the wooden panels should have been, they had been replaced with two temporary metal hoardings joined in the middle by a black cable lock. I looked through the metal hoardings and observed two caravans, both white in colour parked in the car park about 25 meters away from the hoarding. I also noted that there were several vehicles parked up beside the caravans, a Blue Vauxhall Astra Car, a Black Vauxhall Insignia Car and Ford Transit Flatbed Truck, I observed the cab was white and the flatbed was Black.
4. At this point I observed a male aged in his mid 30's with dark hair and a beard who came out of one of the caravans and got into the driving seat of the Ford Transit Flatbed Vehicle, registration mark NM07 DKN and reversed at high speed towards us, he turned the vehicle round by the gates where we were stood, he shouted out of the window and I heard him say "what's going on" Barry explained that the land belonged to the London Borough of Barking and Dagenham and that Enforcement Officers would be serving a S.77 Notice under the provisions of the Criminal Justice and Public Order Act 1994 requiring them to vacate the land.
5. I then heard Barry ask the man what their intentions were regarding remaining on the land. The man said we are only staying for a week or two, I can't leave yet, my wife has just gone up to Scotland. Barry said 'You will not be permitted to remain for 2 weeks'. At this point the male said 'if you pay us we will leave today'. Barry said 'how much are you looking for?' The male said '£2,500'. Barry said 'no way – it won't cost us that much to get a court order'. As Barry was talking Nicky attached the notice to the wooden fencing as we could not enter onto the land as the temporary gates were locked. Nicky took photos of the notice in situ on the fence, Nicky then

removed the notice off the fence and handed it to Barry, who explained the implications of the notice in detail and handed it to the driver of the transit, who screwed it up and threw it onto the back of the transit. The man said that they would not be leaving the site voluntarily and that they would give a good hiding to anyone that entered onto the land to try and evict them.

6. We were then joined by another male who had come out of one of the caravans again in his 30's, this person wore a blue top, jeans and a blue baseball cap displaying the word "sthill" in orange lettering, this man came to see what we wanted and Barry explained to this man what he had explained to the first man. Barry then asked them if they had any welfare needs and both men replied 'No we are fine, we can look after ourselves'.

7. Whilst Barry was talking to the travellers I noted that there were three shutters on the warehouse of 12 Thames Road and that one of them was partially open, one was half open and the third one was closed. After speaking with the travellers, we left the area.

8. At 13.30hrs myself and Nicky Martin attended Barking Town Hall to speak to the CCTV control room manager regarding the security of our Creek Road Depot which adjoins 12 Thames Road. Whilst viewing cameras and discussing the CCTV options, I noticed that one of the cameras at Creek Depot has rotated its angle of view and was now pointing into the car park at 12 Thames Road. I could see a white 7.5tonne truck driving in the car park. The truck contained a large amount of waste and it drove through one of the open shutters into the warehouse. A CCTV member of staff alerted the police control room that an incident of fly-tipping was occurring and the police despatched a unit to the scene.

9. At 13.40 myself and Nicky Martin arrived at 12 Thames Road, Barking, where we met with Police Officers in the car park. I went into the main building and observed large accumulations of trommelled waste and large accumulations of general waste deposited on at least half the floor space of the warehouse. I observed a white Ford Iveco 7.5tonne vehicle index number BL03 RXS parked up with no occupants and which was facing away from the shutters and quite close to a large accumulation of building wastes. This was the vehicle that I saw on the CCTV footage earlier carrying waste and which was now empty. I took photographs of the vehicle and the waste near it and throughout the warehouse. I subsequently saved copies of these

photographs to the council's enforcement database. I have retrieved an unaltered copy of the photo as my **Exhibit RWA1**.

10. I asked the Police Officers where the driver of the vehicle was and one officer responded "we let him go we had no grounds to hold him". At this point, Barry Agnew arrived and instructed me to recover the 7.5t truck back to one of the council's depots as he was seizing it as evidence in respect of being involved in an offence of unlawfully depositing controlled waste.

11. On Thursday, the 01st December at 15.00 accompanied by Barry Agnew I attended 12 Thames Road, Barking, Essex, to check to see if the travellers were still in occupation or if they had left the site. Upon arrival, it was evident that they had left earlier.

12. Having established that the travellers had left this site myself and Barry attended Kingsbridge Road in Barking as I had observed the travellers at this location earlier that day, and was making routine enquiries as to their whereabouts. I pulled into an abandoned scrap metal yard to turn around when I observed that the scrap metal operation had gone and large amounts of fly tipped trolled waste were there in situ on the site.

13. At 15.15hrs myself and Barry attended 1-7 Riverside Cottages, St Alfreds Way, Barking, IG11 0AY where I observed that one of the concrete blocks that had been placed by the council to prevent vehicle access to part of the road had been removed. I observed there were vehicles with the caravans, a Blue Vauxhall Astra Car, a Black Vauxhall Insignia Car and Ford Transit Flatbed Truck, I observed the cab was white and the flatbed was black. These were the same vehicles that had been at 12 Thames Road. We approached the caravans and spoke to the same two males we had spoken with at Thames Road. We informed them that the land was owned by the London Borough of Barking and Dagenham and that we would be serving them with another S.77 of the Criminal Justice and Public Order Act 1994 to vacate the land.

14. On Monday 05th December 05th 2106 at 16.30 Myself and Nicky Martin visited 1-7 Riverside Cottages St Alfreds Way, Barking, Essex, IG11 0AY and served the occupants of the land with a S.77 Notice. We attached a copy to the site entrance and then handed a copy to the two male occupants and again explained the procedure to them.

15. On Tuesday 06th December at 16.30 I attended 1-7 Riverside Cottages, St Alfreds Way, Barking, IG11 0AY and I observed that the travellers were still in situ.
16. On Wednesday 14th December at 16.55 I was leaving work and Creek Depot located off Crossness Road, Barking and was in my private vehicle, I was sat in a line of traffic heading up to join the eastbound A13, the traffic was heavy and I had been sat in traffic for some time, when I observed some commercial vehicles pulling off of the A13 and stopped on River Road in the bus lane.
17. I observed the vehicles as being, a white Vauxhall Van towing a caravan, a red Ford Transit van, a white Ford Transit Flatbed Truck towing a caravan, and another Ford Transit Flatbed Truck towing a caravan, both these vehicles were very similar in description, white bodies with black high sided flat beds with orange light beacon bars on the roof.
18. At 18.05 I was still stuck in the same traffic and I decided to pull off the road to make a call to the Service Manager Robert Curtis to report what I had witnessed, Robert advised me that as I was a solo officer and to call the 101 Metropolitan Police Service to report the event which I did.
19. At 18.10 I re-joined the line of traffic and observed that another five vehicles had joined the other vehicles totalling ten vehicles in the bus lane at River Road, they all then moved off up River Road towards MSK recycling.
20. At 18.13 I decided to turn my vehicle around to go up River Road in order to join Renwick Road and find an alternative route away from the traffic jam and on doing so, I observed that all ten traveller vehicles were stopped and had blocked up the whole of River Road and I observed occupants attempting the force entry of the businesses, I stopped in Crossness Road and made an emergency call to the police and informed them of the event and was informed that units were on the way, I then left the location on police operators advice.

21. On Thursday 15th December 2016 at I arrived in to the office and was informed by the Prosecutions Manager Barry Agnew that an illegal occupation of Travellers had arrived at the Kierbeck Wharf on River Road, Barking.
22. At 11.00hrs I arrived and met Police Officers at Kierbeck Wharf, it was established that the land was private land and the London Borough of Barking and Dagenham were not required to commence enforcement action on this occasion and I left.
23. At 12.30hrs I was called by Barry Agnew to attend Longreach Road, Barking which is located directly opposite Kierbeck Wharf, I was advised I would be liaising with a Inspector Rob McElroy who was at the location.
24. At 12.40hrs I arrived at the location and met Inspector McElroy as requested, I observed that the police had stopped a traveller vehicle index BX52 VZV a white Ford Transit Flatbed with a black high sided rear, I was informed that Police had stopped this vehicle as they believe that the vehicle was about to commit an offence of fly tipping as the vehicle was loaded with waste.
25. At 14.09 hrs I recovered the vehicle under full Police Escort to Redcorns secure compound at chequers Lane in Dagenham, I took a series of photographs of the vehicle at Redcorns compound and I have retrieved unaltered copies of these photos which were saved to our system and I mark and attach two photos as my Exhibit RWA2.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: RANDOLPHS

Date: 24/2/2017

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-v-

- (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

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- (22) MR WILLIAM CASSIDY
- (23) MISS ELIZABETH BERRY
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- (26) MR JOHN BRIEN
- (27) MR SAMUEL JASON RADLEY
- (28) MR MARTIN MCDONAGH (17 Lisnakill Court)
- (29) MR BEN WORBLES
- (30) MS WINNIFRED LOUISE MCDONAGH
- (31) MR BRIAN LAWRENCE
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- (44) MR MARTIN MCDONAGH (13 Innishmore Garden)
- (45) MR MARTIN MCDONAGH (118 Hart Lane)
- (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

Defendants

WITNESS STATEMENT OF ROBERT WILLIAM ANDREWS

EXHIBIT RWA1
EXHIBIT RWA2

Claim Number: _____
IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

-V-

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- (62) MS KATHLEEN WARD
- (63) MR JAMES WARD
- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ROBERT WILLIAM ANDREWS

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IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

(1) MR TOMMY STOKES

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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF NICKY MARTIN

1. My name is Nicky Martin and I am employed as a Street Enforcement Officer for the London Borough of Barking and Dagenham. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. One of my responsibilities as a Street Enforcement Officer is to respond to and investigate incidents of unlawful encampments within the borough. In this role I am responsible for carrying out welfare checks, initial site assessment forms and to issue and explain the council's tolerance policy on unlawful encampments.

3. The council uses the powers available to it under the provisions of sections 77 & 78 of the Criminal Justice and Public Order Act 1994 (CJPOA 94) to deal with unlawful encampments on its land. The response and method of dealing with unlawful encampments is detailed as follows.

- Initial arrival at scene to establish nature and content of encampment
- Engagement with the persons to ascertain their intentions re duration of stay.
- Issue and explain the council's tolerance policy in respect of unlawful encampments.
- Carryout welfare needs assessments.
- After 24 hours [providing the terms and conditions of the tolerance policy are not breached which would allow the council to commence proceedings earlier than 24 hours] serve a notice [direction to leave] under the provisions of s.77 CJPOA 94, requiring the persons unlawfully encamped on the land to vacate it within 24 hours from the service of the notice.
- At the same time as the s.77 notice is served update the welfare needs assessment.
- 24 hours after the service of the s.77 notice revisit the site to check on compliance.
- If the notice has not been complied with, make enquiries as to the intentions of the persons on site and update the welfare needs assessment. Inform persons that they are in contravention of the notice and if they do not immediately vacate the land the council

will apply to the local magistrates court for a summons in respect of an application for a s.78 CJPOA 94 [removal order] hearing.

- As soon as practicable thereafter and upon receipt from the court of the summons serve a copy of the summons [affording 24 hours' advance notice of the court hearing] on the occupiers of the land.
- No less than 24 hours after the direction hearing and dependant on the court issuing the order, attend the site with police and enforce the direction to leave order.

4. On 26th February 2016 at 09:30 hours accompanied by my colleague, Gemma Edwards, I attended Barking Abbey Green, a national monument heritage site, which is maintained under agreement by Barking and Dagenham council for Historic England to a report of an unlawful encampment on the land immediately adjacent to the old abbey ruins and burial site. When I attended I counted 12 caravans and associated vehicles parked on the green. I noted that there were quite a lot of tyre marks in the grass and due to the wet nature of the land the tyres had gouged deep depressions in the grass and could be followed from where the vehicles entered the green up to where they had parked up. The encampment was spread out over an area of approximately 40 yards. The caravans and vehicles were located immediately in front of the old abbey church wall and just in front of the boundary fence to the nearby St. Margaret's Church of England primary school. I recognised the families in the caravans and vehicles as being the Goggins' as I had occasion to deal with them under similar circumstances at different locations across the borough the previous year. The Goggins' tend to specialise in door to door sales, selling cooking utensils and knives. They do not keep their sites very clean preferring to dispose of all their waste at the boundary of the site. Whilst engaging with these persons I noted that there was an accumulation of household waste [contents of about 5 or 6 black bin bags], numerous cardboard boxes [the type of boxes used for the storage of cooking utensils sold by these persons], old and discarded items of clothing dumped up against the perimeter wall of the abbey and located about 3 meters away from a caravan associated with the site. Upon walking over to inspect the contents of the fly tip I was hit with the unmistakable smell of human faeces in the air and upon closer inspection saw an accumulation of human faeces on the discarded items of clothing. I tried engaging them as to their intentions and to carryout welfare checks but the persons refused to engage, telling me they would move on when they were ready and that

they didn't require our help as they had no welfare issues. I pointed out to them that they were on the site of an ancient monument and burial site and they replied that they didn't care, they would move when they were ready and weren't too bothered about the burial ground so long as the persons buried were protestant. Police attended whilst I was carrying out my enquiries and they were notified that if they did not leave the land immediately they would be issued with a s.61 CJPOA 94 direction to leave notice. The persons refused to leave and the s.61 direction notice was served at 11:30 hours, giving the persons 2 hours in which to vacate the land. The persons finally vacated the land at 16:30 hours.

5. On 21st April 2016 at 09:15 myself and my colleague Gemma Edwards attended a report of an unlawful encampment on land adjacent to Hindmans Way, Barking. On arrival Gemma drove past and I took a series of photographs which I submit copies of the photographs as my **Exhibit NM1**(6 Photos) we parked up on the public highway immediately outside the entrance to the site to ascertain what was occurring. I noted there were 8 caravans and associated vehicles parked up within the grounds of Teal Voltaic. I saw that the lock to the entrance gate to the site had been cut and was lying discarded in the road. Affixed to the large metal entrance gate was an A4 sized piece of paper with the words 'THIS IS A NON-RESIDENTIAL BUILDING Section 144, LASPO does NOT apply. This is NOT a "residential building" within the meaning of section 144, Legal Aid, Sentencing and Punishment of Offenders Act 2012 because it was NOT designed or adapted, before the time of our entry, for use as a place to live.' We then attempted to enter onto the site to engage with the persons in the caravans but a few of the males associated with the caravans approached us in an aggressive manner. They told us that they were on private land and that it was none of the council's business so we should leave. They closed the gate shut on us securing it with a large chain and padlock they took from one of their vans. We walked along the perimeter fencing to where a caravan was located a little distance away from the others. We called out to the female occupant enquiring what her intentions were and how many families were in the group. She replied 'I don't know how long we are staying you would need to talk to the men about that, but we are only 2 families, the Wards and the Stokes on site there won't be any others joining us.' I asked the woman for her name but she refused to give it. A few of the men we had spoken with earlier at the gate started walking towards us shouting at us to go

away. We were concerned for our safety due to the aggressive nature of these men so withdrew completely.

6. On 22nd April 2016 at 09:00 myself and colleague Gemma Edwards attended a report of an unlawful encampment at land adjacent to Merrielands Crescent, Dagenham known as Orion Park. Upon our arrival I noted that there were 10 caravans and associated vehicles parked up on the derelict piece of land. The vehicles and caravans were congregated in a corner of the land behind wire fencing that faced directly across onto the large ASDA store. The vehicles consisted of private motor cars, pickup trucks, various sized flatbed vans. Many of the pickups and flatbeds had writing on them advertising the type of work they engaged in, namely, waste removal, groundworks and drives and patio installations. Entrance to the site was via 2 large metal wire gates approximately 50 metres away from where the caravans and vehicles had parked up in Merrielands Crescent. As we drove onto the site I noted that the padlock and chain that had been securing the gates had been cut off and was left hanging on the nearby fencing. We approached a white coloured Custom Ford Transit Registration no. FY15 WWB which had attached a white coloured Ranger Caravan. I spoke with the male driver of the Transit who gave his name as Tommy Stokes. We asked how long they were planning on staying he said “we are here to get retribution for my nephew’s murder in Plaistow last year. The bastards are due to go on trial soon and there is more of us coming. So we will be here for as long as it takes”. We told him that we needed to do welfare checks on him his family and the other occupants of the site. Mr Stokes replied “you are wasting your time, no one will speak with you and besides we don’t have any welfare issues, we are all fine, you can take my word for it.” We drove over to the corner of the plot and tried to engage with the occupants of the caravans, but no one would answer us when we knocked on the caravans, so we decided to leave.

7. On 23rd April 2016 at 08:25 myself and Gemma returned to Orion Park and saw that the number of caravans had increased to 18 along with associated vehicles I took a series of photographs which I submit copies of the photographs as my **Exhibit NM2(8 Photos)**. As we were preparing to drive onto the site through the main gates I noticed that same type notice that had been affixed to the gate at the Hindmans Way site affixed to the gate of this site. ‘THIS IS A NON-RESIDENTIAL BUILDING Section 144, LASPO does NOT apply This is NOT a

“residential building” within the meaning of section 144, Legal Aid, Sentencing and Punishment of Offenders Act 2012 because it was NOT designed or adapted, before the time of our entry, for use as a place to live.’ The same male who was aggressive towards us at the Hindmans Way site approached our vehicle and spoke to us again in an aggressive manner telling us to get off the site. We did not want confrontation or to escalate matters so we turned the vehicle around and drove off. When we left the site we drove along Merriellands Crescent towards the corner of the site where the first group of caravans and vehicles had congregated yesterday. I noted that the caravans and vehicles that had been at Hindmans Way, Barking were now on this site. We left this matter to the land owner to evict the unlawful occupiers.

8. On 26th April 2016 at 09:10 myself and Gemma attended a report of an unlawful encampment at the car park of the Premier Inn New Road, Dagenham. On arrival we saw a Silver Ford Custom Transit van driving out of the car park towards us and it was being driven by a man I know as Martin Stokes. We proceeded into the car park where we saw 9 caravans and associated vehicles parked up on the left side of the car park as we drove in to the car park The vast majority of the vehicles were flatbed and tipper type vans and they were advertising waste removals on the sides of the vehicles I did not take any photographs as all associates of the caravans was watching us and we did not want any conflict.

Later that day police executed a Section 61 CJPOA 94 with the support of the council.

9. On 6th May 2016 at 09:10 myself and Gemma attended a report of an unlawful encampment on private land adjacent to Choats Manor Way, Barking, the land known to belong to Thames Gateway. On arrival I saw 6 caravans and associated vehicles tightly packed into the small parcel of land. The caravans were parked alongside a small river on this piece of land which was on a very busy industrial site. Affixed to the wire gate of the boundary fencing was an A4 sized sheet of paper with the words ‘THIS IS A NON-RESIDENTIAL BUILDING Section 144, LASPO does NOT apply This is NOT a “residential building” within the meaning of section 144, Legal Aid, Sentencing and Punishment of Offenders Act 2012 because it was NOT designed or adapted, before the time of our entry, for use as a place to live.’ The gates were locked with a chain and padlock preventing us from entering onto the site. We tried to engage with the persons on the land but they just told us to ‘Fuck Off we don’t want your help.’ I

recognised one of the males as being a person at the encampment at Hindmans Way and the Premier Inn site, so due to their potential for aggression we withdrew.

10. On 8th June 2016 at 12:20 myself and Gemma attended to a report of an unlawful encampment on land adjacent to Choats Manor Way situated alongside the A13 opposite Eddie Stobarts warehouse. The parcel of land which is approximately 200 m² is boundaried on all sides by a 2 meter tall palisade fence and the land is accessed via a metal gate. On arrival I saw 3 caravans and associated vehicles tightly packed into the small parcel of land. I noted that the lock and chain which was usually welded to the gate had been cut and was hanging freely from it. We entered the land with the purpose of carrying out welfare checks on the occupants, but as we approached the first caravan a male came out and told us to Fuck Off and if we knew what was good for us that we would leave the land so go and get your notices. As these persons failed to engage with us we returned to the office to prepare the s.77 CJPOA 94 direction to leave notice. At 14:00 later that day we returned with the service manager Robert Curtis to serve the s.77 Notice. Upon our arrival I noted that 6 more caravans and associated vehicles had entered onto the land and that another 3 caravans and associated vehicles were queuing on the road to get in I took a series of photographs which I submit copies of the photographs as my **Exhibit NM3** (11 Photos) All three of us started handing out copies of the s.77 notice to those persons in the vehicles waiting to enter the land I affixed a Section 77 CJPOA 94 to the fence near the entrance to the land and took a photographs which I submit copies of the photographs as my **Exhibit NM4** (2 Photos). I heard Rob Curtis ask one of the males 'are you the Ward family?' and the male replied, 'why are you asking'. I heard Rob Curtis say 'If you are the Ward family I would remind you that the council has a borough wide injunction against many of the members of the family and that you may be in breach of the injunction if you camp at this location.' The male replied" you can fuck off; I suggest that you get off the land before you get hurt". Rob Curtis said 'calm down ok we are not here for trouble we are leaving'. Rob then signalled to us to leave the land. As we were walking away the male that told us to Fuck Off said to myself and Gemma Edwards '[pointing at Rob Curtis] '.don't ever bring him back because he will know what trouble is, He then said to Gemma you and him [pointing at me] can serve the summons.

11. On 13th June 2016 at 08:15 myself and Gemma Edwards attended the Choats Manor Way site and served a summons the court date was the 14th June 2016 at 10:00, the summons was affixed to the fence next to the front gate I took a photograph of this which I submit copies of the photographs as my **Exhibit NM5** (2 Photos).
12. On the 14th June 2016 following a hearing at Barkingside Magistrates' Courts, magistrates issued a direction to leave order Section.78 CJPOA 94 against the unlawful encampment at Choats Manor Way, Dagenham. Myself and Gemma Edwards served the Section 78 CJPOA 94 and handed this to the occupants of the caravans.
13. On 15th June 2016 at 09:00 I drove past the Choats Manor Way site and could see that the unlawful occupants had left on their own accord.
14. On 17th June 2016 at 8:15 myself and Gemma attended Mayesbrook Park, Dagenham to investigate a report of an unlawful encampment within the park. Upon arrival at the park we established that there was an unlawful encampment consisting of 5 caravans and associated vehicles located at the back of the park parallel to the Mayesbrook River near the park entrance at Waterside Close, Barking. We then knocked on one of the caravan doors a male occupant answered and we introduced ourselves to the male and explained the purpose of our visit and distributed copies of the council's tolerance policy. We attempted to carryout welfare checks but the persons would only provide us with their family – Docherty. They informed us that everyone in the group was fine and were not in need of assistance at this stage. I asked one of the males how long the group intended staying on site and he replied 'as long as possible, how long can you let us stay? Could you let us stay for a couple of weeks?' I replied, 'I'm sorry you can't stay for that long.' He replied, 'ah it was worth a try, if you don't ask you don't get.' I said 'what line of work are you in?' He replied 'we do driveways and patios and you needn't worry about us fly tipping we don't fly tip.' I said 'as long as you adhere to the conditions of the tolerance policy that I gave you, the council won't commence enforcement action against you for at least 24 hours.' We then left the park and returned to the office at this point we was notified that the Police was preparing a Section 61 CJPOA 94 to evict the unlawful occupiers.

15. On 18th June I went past Mayesbrook Park and could see that the unlawful occupiers had left the park.

16. On 20st June 2016 at 09:15 myself and Gemma attended Eastbrook Comprehensive School, Dagenham Road, Dagenham to investigate a report that an unlawful encampment had been established on the land. Upon arrival at the main gate we were met by a group of construction workers who were carrying out a major build and refurb of the school. The foreman of the site informed us that a group of caravans had forced their way onto land at the rear of the school which was being prepared for redevelopment, by cutting the lock to the metal gates and driving onto the land where they proceeded to lock themselves in with their own chain and lock. The field to which they had occupied is located approximately 100 metres to the east of the main entrance. We approached the gates to this field and entered. Our progress to where the caravans had congregated was blocked by a white coloured Vauxhall Vivaro van. We got out of our car and approached the driver of the white van. We introduced ourselves and I asked him his name. He replied 'Fuck Off what's it to you.' I replied 'there's no need to be like that I'm not here to give you grief I am just making some enquiries about your intentions about staying on the land.' He said: 'it's none of your business'. I said: 'look all I'm after is a family name and how many vehicles are on the site, surely you wouldn't mind giving me that information'. He said 'ok there are 2 families on the site the Wards and the Stokes is that good enough. We are just staying here for a few days until we find another location.' I thanked him for his co-operation and said 'would you mind then if I took a few photos of the site and the numbers of vehicles on it?' He said 'fill your boots', just don't take a photograph of me.' I walked a little way into the field taking several photos of the vehicles and counted 23 caravans and associated vehicles and a fly tip that was located near the perimeter fence which I submit copies of the photographs as my **Exhibit NM6** (37 Photos). Whilst I was taking photographs one of the males came out of one of the caravans and ran up towards me shouting, "why are you taking photos" I said "I'm taking photographs for the council's database and I asked the man in the white Vauxhall over there" I pointed over to the male I spoke to previously. The newly arrived male said "he doesn't know what he is talking about". The man suddenly changed demeanour becoming very angry and aggressive. He placed his face within 2 or 3 inches of mine and said "you can stop taking photos now if I see you taking one more I will beat you senseless and smash your fucking phone. Get

off the site while you still can". I said "ok I will leave the site "I walked over to Gemma and said "we need to leave now" we then left the site.

17. Later that morning Police notified the council that they were issuing a Section 61 CJPOA 94 and that the eviction would take place at 14:00. At 13:45 on the same day I attended Dagenham Police Station with the Street Enforcement Team for a briefing in regards to the eviction of the unlawful occupants at Eastbrook School. We left the Police Station and arrived at the unlawful encampment at 14:00. The Police walked on site to let the unlawful occupants know that they were being evicted. I had to leave at this point with Gemma Edwards to attend Barkingside magistrates Court to obtain a Section 78 CJPOA 94 for the unlawful occupants that was on Mayesbrook Park.

18. On 21st June 2016 at 08:25 myself and Gemma attended Parsloes Park, Dagenham to investigate a report of an unlawful encampment. When we arrived we located an encampment near the lake that is at the centre of the park the caravans were located on the grass just off the walkway that circled the lake. We noted that there were 5 caravans and associated vehicles on site and as we got closer to where the vehicles were parked up I could see that it was the same group of persons who had set up an unlawful encampment at Mayesbrook Park back on 17 June 2016. We parked up our vehicle and approached the caravans. As we were walking past one of the caravans the male who we spoke to on 17 June 2016 at Mayesbrook Park put his head out of the caravan window he said "how are you this morning" I said "good thanks what time did you get here" he said "late last night" I said "how long are you planning to stay here" he said "a couple of days" I said "do you want us to carry out a welfare check?", He said 'no just like the last time we are fine', I said 'ok do you mind if we take some photographs" he said "no knock yourself out" we then took a series of photographs of the vehicles and caravans in situ and left the site. Later that day at the Police notified the council they were going to issue a Section 61 CJPOA 94.

19. On 23rd June 2016 at 09:20 I visited Parsloes Park and confirmed that the unlawful occupiers had left the site overnight.

20. On 27th June 2016 at 14:00 the council was notified that there was an unlawful encampment on land where the White Horse pub was this is located on the junction of London Road and North Street Barking on arrival with Gemma Edwards I could see that the land was boarded up with an 8-foot fence, as we approached the land on North Street I could see that the gate was open I parked on the opposite side of the road so that we could see directly through the gate at this point I could see 6 caravans and associated vehicles Gemma Edwards started taking photographs. A boy come off the site over to the vehicle we were sitting in across the road and said “fuck off taking pictures of my family or I will get my dad out here” he then started punching and kicking council vehicle that we were sitting in we left the site for our own safety.

21. On 30th June 2016 a request for assistance had been passed to myself and Gemma Edwards from Glenda Paddle who worked for Thompsons Solicitors, 50-52 New Road, Dagenham. Gemma and I visited Glenda Paddle at 50-52 New Road at 10:00 as we entered the building we went up to the 3rd Floor where Thompsons Solicitors was located in the building we met Glenda she said “what is the council going to do about the travellers on the land next door” I said “can we see the land where the unlawful occupants are from the building first to ascertain what land they are on”. She then took us to the window behind from where her desk was this was a clear view of the land where the unlawful occupants were in situ, I could see that the unlawful occupants was gaining entry and exiting the land through a gate located on the Premier Inn carpark, I counted 24 caravans and associated vehicles the vehicles ranged from flatbed trucks, various sized vans and cars this seemed to be the same occupants from Orion Park 22nd April 2016 the waste that had accumulated on the old Ford site within a few hours was vast. I took a series of photographs which I submit copies of the photographs as my **Exhibit NM7 (15 Photos)**. As I was looking out the window I witnessed two females from the group of unlawful occupants defecating in the bushes below me. I explained to Glenda that the land was private and is down to the land owner to evict the unlawful occupants at this point she seemed extremely distressed and said “they are going to cause havoc we have CCTV footage of the travellers breaking down the fence to get on the old FORD site” she then took us downstairs and showed the footage of the unlawful occupants hitting the fence with objects the CCTV footage did have boarding blocking the view but it was clear enough to see that they was hitting the fence to gain entry to the land, she burnt a copy of the CCTV footage for us to retain, I walked to the where the unlawful

occupants gained entry to the old Fords site land the gate was secured with their own lock and chain and fixed to the gate was an A4 piece of paper with the words 'THIS IS A NON-RESIDENTIAL BUILDING Section 144, LASPO does NOT apply This is NOT a "residential building" within the meaning of section 144, Legal Aid, Sentencing and Punishment of Offenders Act 2012 because it was NOT designed or adapted, before the time of our entry, for use as a place to live.' I took a photograph of this which I submit a copy of the photograph as my **Exhibit NM8 (1 Photo)**.

22. On 4th July 2016 Gemma Edwards had received a telephone call from Glenda Paddle that there were now travellers on the Premier Inn car park 2 New Road, Dagenham. On arrival at 10:00 hrs I could see that there were 9 caravans and associated vehicles parked up next to the entrance where the travellers were gaining entry to the GLA land. Whilst observing the scene I noted numerous traveller vehicles entering and exiting the GLA land. I noted that many of the vehicles I had observed in Orion Park were now at this site. took a number of photographs of the travellers leaving the old Ford site which I submit copies of the photographs as my **Exhibit NM9**. I spoke to the manager of Premier Inn who had advised me that he has spoken to Whitbread's the owner of Premier Inn and they are sending Bailiffs to carry out an eviction I then met up with Gemma and left site.

23. On 5th July 2016 at 09:40 I received a report that there was an unlawful encampment in the carpark of Dagenham Goals, Cook Road. On arrival I noted that one side of the entrance double gate was shut and a member of staff who was patrolling the gate let us into the carpark. I saw 8 caravans and associated vehicles-situated at the rear end of the carpark tightly packed. I could see that this was the same group of travellers that had been removed from Premier Inn. Gemma spoke to the manager Darren Readon who stated that a traveller who called himself Davey had asked for £1600 for them to leave immediately. Darren said that he has been on the phone to his boss and that they will be getting the travellers removed by High Court Sheriffs as they have a wedding function on the weekend.

24. On 6th July 2016 at 10:00 I revisited Dagenham Goals and spoke with Darren to see if there had been any progress on evicting the travellers. Darren he said they have been smashing

things in the carpark last night so that no one can park near them” from what I could see it was old wall mounted air conditioning units that had been smashed over the car park they had covered around half of the car park by smashing them up, he then said “this morning they was trying to gain entry to the building but we keep it locked when I asked what they wanted they said to have a shower so we refused to open the door they banged the door a couple of times and left” I asked if he has heard anything about them being removed he advised me that they will be gone today I then left the site.

25. On the 7th July 2016 I received a report from Beam School, Oval Road North, Dagenham stating there were travellers in the Mill House Club car park that is situated behind the rear fence of the school. Gemma and I attended the Mill House car park on New Road, Dagenham at 08:00 and could see that this was the same group of travellers that had been evicted from Dagenham Goals car park the day before. The caravans were situated against Beam Primary Schools fence. Gemma spoke to one of the travellers who said that they had been in an altercation with one of the club owners who is from traveller origin last night so we are getting ready to leave. I took a series of photographs which I submit copies of the photographs as my Exhibit NM9 (6 Photos), and then left the site.

26. On the same day at 12:58 Gemma Edwards spoke to Glenda Paddle from Thompsons Solicitors who had said that the travellers had returned to the Premier Inn car park. We went to the Premier Inn car park and confirmed that the travellers were back in the car park they was were situated near the entrance of the GLA land where the other travellers were still in situ. Gemma called the Police who said that a Section 61 CJPOA 94 was going to be issued at 16:00 but they would not have the resources to carry out the eviction today and it would go ahead tomorrow.

27. On 8th July 2016 the street enforcement team attended the Premier Inn car park to assist the Police carry out a Section 61 CJPOA 94. The travellers argued with the Police for half hour before they agreed to leave. Three of the caravans left the site and after a few minutes of them leaving someone had notified the Police that the three caravans and associated vehicles had gone around the back of 50-52 New Road where Glenda Paddle is located. Myself, colleagues and the

Police walked around to where the unlawful occupants had gained entry, it was an alley that led into a carpark the car park had a 10 foot palisade fence surrounding the perimeters and a gate to match that was open on our arrival. The three caravans and associated vehicles had tightly fitted in to a space that is about 150 m2 they were turning the caravans around by hand as the area was so small. Police issued another section 61 CJPOA 94 which was required to be complied with immediately. The travellers argued with the Police over the immediate requirement to move on but eventually left the site. Gemma and I went to talk to Glenda Paddle who had stated that the gate to where the travellers at entered had a lock on it that had been cut for them to gain entry.

28. On 9th July 2016 Gemma and I attended the GLA land adjacent to New Road, Dagenham at 08:00 where the travellers were situated. As we entered the Premier Inn car park there we noted that High Court Bailiffs and police were already there. I heard the Lead High Court Enforcement Officer talking to Tommy Stokes but was unable to hear what they were saying. After he had spoken with Stokes the lead enforcement officer spoke with Mr Harrison Ball the manager of the Premier Inn and advised him that Stokes had agreed to leave the site voluntarily tomorrow morning if they let them stay until then in order that they could find another site. If they didn't agree to their request, they would cause trouble and refuse to leave. Mr. Ball agreed to this and we left the site.

29. On the 11th July 2016 Gemma and I re-visited the GLA land and confirmed that the travellers had left the site I saw the large accumulations of waste that they had left behind and the smell was putrid I took photographs of this which I submit copies of the photographs as my **Exhibit NM10 (6 Photos)**.

30. On 25th July Gemma and I received a report that there was an unlawful encampment on Orion Park, Dagenham we attended the site at 10:00. On arrival I counted 24 caravans and associated vehicles evenly spread out on the land, at the entrance there was a white Ford custom Registration no. FY15 WWB this vehicle belongs to Tommy Stokes. Gemma took a photograph of this.

31. On 12th September 2016 Gemma and I were asked to inspect Parsloes Park, Dagenham for a suspected unlawful encampment. On our arrival the Police were already on site and we

spoke to PC Dan Hives who said on 10th September 2016 he had witnessed a group of the kids pulling bollards out of the ground so that the travellers could gain access to the park. The kids removed about 20 bollards but they were too young to take any action against. The police attempted to put the bollards back into the ground, but the kids kept pulling them back out. Police advised that they would serve a Section 61 CJPOA 94 later that day.

32. On the same day at 15:45 Gemma and I attended Dagenham Police Station where we met Sergeant Brian Fry and his colleague Sergeant Fry said that we would be going to Parsloes Park to issue the Section 61 CJPOA 94 but this will not be enforced until tomorrow. We arrived at Parsloes Park at 16:10 and started to issue the Section 61 to travellers. There was even a Blue Rolls Royce convertible parked beside one of the caravans. I took a series of photographs which I submit copies of the photographs as my **Exhibit NM11 (15 Photos)**. We then left the site.

33. On the 13th October 2016 I received a report that the travellers in Parsloes Park had left and gained entry to Valence Park, Dagenham. Gemma and I attended Valence Park at 11:15 as we drove into the carpark I noted a police car parked up by the only vehicle entrance to the park. I counted 23 caravans and associated vehicles and the same Blue Rolls Royce convertible that was on Parsloes Park the day before. The caravans were spread out taking up half of the playing field. Gemma and I spoke to the two Police Officers who said that they had tried to stop the travellers from gaining access to the field by blocking the entrance with the Police car but that some of the travellers had surrounded the vehicle shaking it violently along with banging on the windows, shouting threats and abuse at the two officers. The officers were forced to move their vehicle out of the way for their own safety.

34. At 13:00 the Police informed us that it was their intention to serve the travellers at Valence Park with a Section 61 CJPOA 94. At 16:00 I set up a meeting point at Hitherfield Road, Dagenham for the council's street enforcement team (including Jonathon Toy the Operational Director for enforcement services and Robert Curtis Service Manager for Enforcement Services) and Police. I also organised the council's vehicle removal contractor to meet us there with two Hiabs near the entrance of the park on Becontree Avenue. Whilst waiting for the police to attend a White Toyota Hilux come around the corner and a male

passenger hung his head out of the car and said “are you here to do with the field” in a strong Irish accent. Jonathon Toy said “sorry” The man said “are you the council because if you are I’m telling you now you fuck with our houses and we will fuck with yours” he said this aggressively and was spiting as he was talking they then drove off at speed. Two Police vehicles arrived shortly afterwards and PC Dan Hives approached us and spoke with Jonathon Toy. Whilst Jonathon was talking to the police I received a call from our contractor’s head office who had advised me that the Hiabs had to pull off from the park as the travellers had threatened to drag the drivers out of the vehicles and beat them up if they didn’t leave. We waited a further 10 minutes for police re-enforcements to attend the park before we entered it. As we entered Valence Park car park I saw that there was around 25+ males standing together shouting at the Police. I could not understand what they were saying as to many of them were shouting. The Chief Inspector and Robert Curtis went to talk to the 25+ males to tell them they needed to leave the land and the group’s spokesman, Jim Coffey who was the owner of the of the Blue Rolls Royce said “you can’t move us we haven’t been given copies of the Notice that you use and we need notice and were not moving tonight you haven’t got enough officers here and were not going without a fight” they all started shouting again. A male traveller came up to me and said “what can you do I’ll beat the shit out of you and throw you in the river” he then walked off to the group who was slowly starting to spread around us and more males came over over. Jonathon Toy had to leave and I walked to the entrance of the park he advised me to call all street enforcement officers back to a safe distance as it was getting out of hand he left and I went back to the carpark and asked all street enforcement officers to stand back while the Police decide on what action to take. After assessing the situation the Chief Inspector decided that the safest option would be to carry out the eviction the next day as he could not get any more officers on site we then left the site at 17:05 hrs.

35. On 14th September 2016 Police executed the eviction at 10:00 I was not present due to attending court for a separate unlawful encampment on Mayesbrook Park.

36. On the 28th November 2016 at 12:30 I attended 12 Thames Road, Barking with Robert Andrews (Tactical Enforcement Officer) after reports of a unlawful encampment on council land Barry Agnew (Prosecutions Team Manager) was on site at the time of arrival, we all

walked to the rear of the building located in Crosness Road. I observed that there was wooden fence panels that had been removed and replaced with two heras panels that had a black wire lock joining them in the middle when I looked through the heras panels I could see the broken wooden fence panels on the ~~floor~~ ground and two white caravans situated at the far end of the land approximately 30 metres from the where I was standing. At the heras fencing there were three vehicles parked around the two caravans a Black Vauxhall Insignia, a Blue Vauxhall Astra and a White Ford Flatbed Transit, the warehouse shutter was half way up near the caravans the other two was closed and there looked like there was a wire running from the warehouse to the caravans.

37. A white male walked out of the caravan that was on the right and got into the white Ford Transit he then drove the vehicle over to us in a ferocious manner the male was in his 30's with a large beard and dark scruffy hair as he pulled up to where we was standing he said "what's going on" Barry said " that the land belonged to the London Borough of Barking and Dagenham and that all unlawful occupants on the land will be served with a S.77 CJPOA 94 to leave the land. Barry then asked the man what their intentions was with regards to staying on the land, the male said we will be here for one maybe two weeks as my wife has just left to go Scotland. Barry said you will not be authorised to stay here for that length of time the male then said if you pay us today we will leave the land Barry asked how much the male said "give us £2,500" Barry said no it doesn't cost that much for a court order, I then attached a court order to the wooden fencing and I took a photograph of the notice once attached, the male who Barry was talking to asked what I had attached to the fence I removed the notice and handed it to Barry who explained what the notice was he then passed it to the male he screwed the notice up and threw it in the rear of the flatbed transit, I then went back to the vehicle. I submit copies of the photographs as my Exhibit NM12

38. On Wednesday 30 November 2016 13:30 myself and Robert Andrews were in the CCTV control room in Barking Town Hall looking at the overt CCTV for Creek Road Depot which adjoins 12 Thames Road the cameras are regularly used to look over all the land on which the council owns, we noticed that a 7.5 tonne caged truck was pulling into the rear car park of the 12 Thames Road, the vehicle was full of waste as it drove into the warehouse through the

shutter that was nearest to the caravans. CCTV control have a direct link to the Police and alerted them that there is a possible fly tip in progress they dispatched a Police unit immediately to the location. On the same day at 13:40 myself and Robert Andrews arrived at 12 Thames Road, Barking Police was already on scene we entered the site and went into the warehouse where I observed a considerable amount of trommelled waste covering around half of the warehouses floor space which is around 17,000² Ft, there was a white Ford Iveco 7.5 tonne caged vehicle next to the entrance of the warehouse, the vehicle had no waste in the rear of it with no one inside of the cab this looked to be the same vehicle that was seen on CCTV at 13:30.

Robert asked the Police officers who the driver of the vehicle was the Police officer said "they did not know who the driver was so there was no grounds to detain them" Barry Agnew had arrived at this point and asked Robert to seize the vehicle as it has been involved in an unlawful fly tip.

39. On 5th December 2016 at 16:30 myself and Robert Andrews visited 1-7 Riverside Cottages, St Alfreds Way, Barking to serve the travellers who had set up an unlawful encampment there with a S.77 CJPOA 94. A copy of the notice was affixed to a wooden fence at the entrance of the road and I took a photograph I submit copies of the photographs as my Exhibit NM13. We then walked towards two caravans and I could see that this was the same two caravans that had been in unlawful occupation at 12 Thames Road, Barking. The two males standing by the caravans were the same travellers that I had seen at 12 Thames Road. Robert approached them and handed a copy of the S.77 Notice to both of them and explained what the notice required them to do.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: Nicky Martin

Date: 24/02/17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-V-

(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 (17 Lisnackill Court)
- (29) MR BEN WORBLES

(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 (13 Innishmore Garden)

(45) MR MARTIN MCDONAGH (118 Hart Lane)

(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

WITNESS STATEMENT OF NICKY MARTIN

EXHIBIT NM1

EXHIBIT NM2

EXHIBIT NM3

EXHIBIT NM4

EXHIBIT NM5

EXHIBIT NM6

EXHIBIT NM7

EXHIBIT NM8

EXHIBIT NM9

EXHIBIT NM10

EXHIBIT NM11

EXHIBIT NM12

EXHIBIT NM13

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-v-

(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

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- (64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF NICKY MARTIN

Fiona Taylor
London Borough of Barking and Dagenham
Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction

Tel: 0208 724 8379

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF NICK SLATER

1. My name is Nick Slater and I am currently employed by the London Borough of Barking and Dagenham as a Principal General Surveyor within the Property Services Department. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. The London Borough of Barking and Dagenham purchased the lease on a commercial property located at 12 Thames Road, Barking, IG11 0HZ on the 08 September 2016. I attach a copy of the Land Registry transfer deed as my **Exhibit NS1**.

3. The premises consists of a 3 bay warehouse, office accommodation a yard and parking bays. The site covers an area of 39,894 ft². The Council has instructed a firm of letting agents and Chartered Surveyors (Strettons) to commence marketing the property for lease. They estimated the asking rent per annum to be £280,000. I attach a copy of their draft marketing brochure (2 pages) as my Exhibit NS2.
4. On Monday 28 November 2016 I was contacted by a colleague, Barry Agnew [Prosecutions Manager] who informed me that the council's property at 12 Thames Road, Barking had been broken into and that an unlawful traveller encampment had been set up in the car park. At this time the building was undergoing a full refurbishment and was not occupied by a tenant. I attended outside 12 Thames Road at approximately 11am to see for myself what was occurring and took a series of photographs from the boundary of the site in Crossness Road. I submit copies of these photographs (3 pages) as my Exhibit NS3.
5. On the afternoon of Wednesday 30 November 2016 I received a telephone call from Barry Agnew who informed me that officers from the council's Street Enforcement Service along with the police had attended the warehouse at 12 Thames Road, Barking in response to an incident where a large truck laden with rubbish had been seen on CCTV driving into the warehouse. Barry told me that they had seized the truck which was now empty of waste as they believed it to have been involved in large scale fly-tipping within the warehouse, as half the floor space of the warehouse was filled with soil and building wastes. He also informed me that the offices on the mezzanine floor had been broken into, there had been an attempt to rip out electrical wiring, water taps had been left running and that someone had defecated in one of the offices.
6. As legal proceedings, had been commenced by the council to have the travellers evicted on Friday 02 December 2016 and in anticipation that the application would be successful I arranged for a contractor [Squibb] to attend the location on the Friday afternoon to deposit several tonnes of hardcore along the perimeter of the site to prevent further access by travellers. The contractor was employed to erect a crushed material bund measuring 120mm along the inside of the perimeter fence, employ security staff and make good the damaged perimeter fencing to reduce the risk of re-entry overnight until they could erect a new demolition hoarding along the entire perimeter. The cost for these works was quoted at £6,870 + VAT = £8244.
7. To date we have not been able to let the property as we are awaiting an asbestos survey of the fly-tipped waste within the warehouse and the outcome of this survey will determine how much it will cost to have the waste removed and the interior cleansed. Initial indications estimated

the cost of clearance for non-asbestos contaminated waste at £25,000. If the waste contains asbestos the estimated cost of removal would increase to £37,500. I submit copies of photographs I took of the interior of the warehouse on Friday 02 December 2016 as my Exhibit NS4

8. We advertised the premises with our agent Strettons on 16 November 2016 and had several enquiries prior to the unlawful occupation. Therefore, we calculate the cost in lost rental to the authority to date [ongoing] since the occupation is £32,308.

9. Exhibit NS5 is the delegated approval for the clean up costs. Since the initial estimates referred to in paragraph 7, there has been an increase in the fees quoted to the Local Authority. At present they total between £86,200 and £104,300. This is subject to change and may increase depending upon what is discovered when the tip is "opened up" (for example, asbestos, other contaminated waste etc....).

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: NICK SCATTER

Date: 28TH FEBRUARY 2017

IN THE HIGH COURT OF JUSTICE

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QUEENS BENCH DIVISION

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WITNESS STATEMENT OF NICK SLATER

EXHIBIT NS1

EXHIBIT NS2

EXHIBIT NS3

EXHIBIT NS4

EXHIBIT NS5

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Director of Law and Governance, Solicitor for the Claimant

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MUSTAFA KIAMIL

1. My name is Mustafa KIAMIL and I am the Managing Director of JJ Food Service Holdings Limited; a substantial food wholesale business, distributing food and packaging to large commercial and retail and catering clients throughout the UK. The companies head office is at 7 Solar Way, Enfield, Middlesex. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in this witness statement come from my

own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. JJ Food Service Holdings Limited owns the freehold on two business units at Messina Way, Dagenham, Units 4 and 5, under Land Registry title TGL435834. The Property comprises of a commercial industrial warehouse and yard of approximately 44,300 square feet. Of this area, Unit 4 and 5 occupy approximately 26,300 and 18,000 square feet respectively. No part of the property is, or is intended to be, used for residential purposes. Both Units 4 and 5 have separate front means of access and a shared internal rear gate. The warehouse front access area is controlled by two electronic shutter doors with the yard secured by a locked gate.

3. The business has invested approximately £7,500,000 in the buildings. The company's intention was firstly to open a branch to serve restaurants and food outlets in the area employing local labour with the surplus footage available for lease. We completed the works on unit 5 on 06 July 2016 and since then, we have been marketing Unit 5 of the Property with agents, Messrs Glenny with the intention of letting to a commercial lessee. Prior to the incursion by travellers on 22 November 2016, we in negotiations with a third party to let the property upon which Heads of Terms have been agreed.

4. On Tuesday 22 November 2016, the Dagenham depot manager, Mr. Halil Canci, notified me that a group of travellers had had illegally gained access to Unit 5 by breaking the padlock on the main entrance gate. They replaced it with a lock of their own and then broke a window on the level access shutter door before unlawfully entering the property. Several long caravans and vans thereafter entered Unit 5. The local police were contacted and who turned out only to inform us that as the occupation was on private land we would need to take proceedings in the civil courts to get them off the land. They have engaged in anti-social and threatening behaviour. Their children threw stones and shouted abuse at our customers and staff who were consequently in fear for their safety. Their occupation and behaviour also impacted financially on our business in that both customers and staff were reluctant to attend at Unit 4 of the Property (JJ Food Service Limited). With a business turning around over £100,000 of sales last week alone, I would estimate that we lost many thousands of pounds.

5. I had to retain the services of a solicitor's firm who applied to the Romford County Court for a possession of property order who succeeded in regaining possession of our property on 01 December 2016 at a cost to my business of some £11,000.
6. Whilst the travellers were on our site, they used it for the purpose of fly-tipping waste on a commercial scale. We were then left with the clean-up costs, which included the cost of paying for the disposal of the commercial waste. The cost of cleaning-up the site, including the removal of the commercial waste, and repairing the damage caused to the building was in the region of £130,000, for which there is no redress to public funds to assist us as the victims of such criminal behaviour.
7. I submit as my Exhibit MK1 (20 pages) a timeline of events and series of photographs taken during the illegal occupation of my premises that shows the numbers of travellers in occupation, some of the damage they caused and the behaviour of some of their children.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: JANE TARA KIRKIE

Date: 1 MARCH 2017

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MUSTAFA KIAMIL

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF MUSTAFA KIAMIL

Fiona Taylor
London Borough of Barking and Dagenham
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Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction

Tel: 0208 724 8379

Email: adam.rulewski@bdlegal.org.uk

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF TREVOR MASSIE

1. My name is Trevor Massie currently employed as Estates Manager at GLA Land and Property Limited, Housing and Land Directorate, City Hall, The Queens Walk, Southwark, London SE1 2AA. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in this witness statement come from my own

knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. I am responsible for and manage land owned by GLA Land and Property Limited, the Mayor of London's property company which has substantial land holdings in the London Borough of Barking and Dagenham. The main land holdings include but are not limited to;

- Beam Park, Thames Avenue RM9 6DE
- London Sustainable Industry Park, including Plots 7, 7b, 8 and 9 Choats Road, RM9 6LF
- London Sustainable Industry Park, Plot 10, Choats Road, RM9 6LF
- London Sustainable Industry Park Access road and access road next to Closed Loop 16 Choats Road, RM9 6LF
- Plot Z, Choats Manor Way
- Beam Reach 6, Courier Road, RM138EU
- Polar Ford Site, New Road, RM10 9NH

3. All the above-mentioned sites are designated either for much needed housing for Londoners or for commercial purposes which will bring employment opportunities to Barking and Dagenham and supplier opportunities to local contactors. In addition, transport infra structure will be included in a number of larger developments thus improving transport links for local people. A number of sites are already in development agreements with developers who in turn are in the process of producing detailed planning applications or carrying out initial surveys to determine future infra structure and foundation works.

4. As shown on the GLA's Register of traveller incursions since April 2015, which I produce (2 pages) as my **Exhibit TM1**, there have been 11 illegal incursions onto GLA land in the Borough of Barking and Dagenham. On each occasion, forced entry has been obtained and encampments set up. Illegal access onto GLA sites has been gained by various means including cutting chains and padlocks, removing locked gates and fence panels, digging through bunds installed to prevent access and removing concrete blocks installed across entrance gates. Obviously on each occasion the Police were called and they have supported where possible but it has been left to the land owner to secure evictions through the courts. On a number of occasions GLA Managing Agents and contractor security staff were threatened and intimidated by those

within the encampments when attempting to prevent access or record events occurring on GLA land I produce incident logs and emails (6 pages) as my **Exhibit TM2**. When the Police arrive, the offending travellers disappear therefore cannot be identified consequently the Police are powerless to act. If an injunction had been in place the Police would have had the power to immediately remove the unlawful occupiers or arrest them if they failed to leave.

5. As soon as travellers gain illegal access, various types of vehicles attend site depositing a variety of waste material including tyres, construction materials and waste, domestic household furniture including white goods, asbestos containing material and food waste. In doing so, the owner of the waste or the driver of the vehicle dumping the material is avoiding the payment of transport costs to disposal facilities, landfill tax and disposal costs. As GLA sites are large in some cases over 3 hectares it has been difficult to regain access to site whilst the travellers are on site to gather evidence to record these occurrences. It is only when the travellers have left site that the full extent of the fly tipping of waste can be seen. I have provided the London Borough of Barking and Dagenham with both photographic and video evidence of the fly tipping and damage our land has been subjected to over the last few years by members of the travelling fraternity. I produce a montage of these photographs (115 pages) as my **Exhibit TM3**.

6. The cost to the GLA (London tax payers) to evict travellers and clean up the dumped waste is substantial. The actual cost to remove fly tipped material left by travellers on Beam Park was £165,000 and for Beam Reach was £97,000. Fly tipped material is still on other sites and the estimated cost of removal and disposal is a further £200,000. The GLA has also expended over £100,000 in additional physical security measures to minimise further illegal incursions. A further £20,000 of costs have been incurred for legal fees and bailiff costs

7. GLA land is now being defended by the installation of bunds, trenches, concrete blocks, palisade fencing and concrete bollards with a number of sites still with substantial amounts of waste material remaining on them which will be removed once the procurement process has been completed later this year. Having heavily defended sites in some cases containing waste material has a major impact on the GLA and could possibly result in:

- Reduced land values resulting from the perception of the area being less attractive to potential businesses or house builders. Anyone interested in developing on these sites would not offer a premium price for the land.

- Additional clean up cost to the developer if the land is contaminated resulting from fly tipping of hazardous material thus reducing the profit return to the GLA resulting in less reinvestment in much needed housing.

8. In addition, the result of the illegal access and dumping of waste material has a detrimental effect on local residents and businesses making it more difficult for organisations such as Londoneast-uk to attract new businesses to the area.

9. In summary, a total of £582,000 is estimated to be the cost of dealing with the 11 incursions and it could be more if the cost of the waste removal on sites not yet cleared is above the estimated cost. This level of expenditure cannot be sustained and action is required to immediately remove the travellers when they make an illegal incursion onto GLA land. As stated previously, if travellers are removed immediately there is no opportunity to fly tip material onto GLA land. If an injunction is in place the Police will have the power to immediately advise the unlawful occupiers to leave without the land owner having to secure an eviction through the court. If the travellers still refuse to leave the police will have the power to arrest and remove the unlawful occupants.

10. Urgent action is required to deal with these situations which will only become worse if offenders realise that the Borough and Police are powerless in implementing evictions without a court order therefore I fully support this application for an injunction.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: FRANK MASSIE

Date: 23/2/2017

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

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Defendants

WITNESS STATEMENT OF TREVOR MASSIE

Register of traveller incursions (2 pages) **EXHIBIT TM1**
Incident logs and emails (6 pages) **EXHIBIT TM2**
Montage of photographs (115 pages) **EXHIBIT TM3**

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ILKER DERVISH

1. My name is Ilker Dervish. I am the Chairman of London Riverside (BID) Limited based at Estate House, Fairview Industrial Park, Marsh Way, Rainham, Essex, RM13 8UH. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.
2. I am the Chair of the London Riverside BID, the BID is a business improvement district not-for-profit company. At present my organisation represents industry situated along the south

eastern corridor which begins at the boundary of Havering and Barking and Dagenham and finishes at the Essex border, in this 4.5 square kilometre area, businesses and organisations such as Ford, the GLA and Tilda Rice own and control large areas of industrial and brown field land.

3. A BID is a business led and business funded group that gather under The Business Improvement Districts (England) Regulations 2004 to gain funding, encourage regeneration amongst businesses in the locality and improve the area. The BID's aim is to protect current businesses that are located in the designated area and to promote and attract inward investment in the area from other businesses. The organisation has a clean, green and secure agenda which is supported by the Mayor of London and the local authorities that are within its boundaries.
4. In the past two years the members of the BID have been plagued by two problems which I believe are related, the first is organised gangs and/or travellers that are systematically identifying sites within the BID area and carrying out large scale fly tipping causing a detrimental effect on the local amenity of the area costing many thousands in clear up and disposal costs and forcing land owners to increase their expenditure on extra security, CCTV and perimeter fencing.
5. The second issue is that over the last two years there has been an alarming increase in unauthorised traveller encampments on the land owned and controlled by members of the BID. The travellers that have carried out these unauthorised encampments have on many occasions entered the land by force or by causing criminal damage the entrance gates or perimeter fences to gain access. Occasionally, security guards have been threatened and assaulted in the process, on one incident at a site in Consul Avenue, Rainham, several travellers about set the security guard when he attempted to prevent their accessing the site. A group of about 10 travellers in four different transit type vehicles drove up to security barrier and security office at the entrance to the industrial estate. The security guard refused to lift the security barrier to afford vehicular access to the site; so, the travellers got out of their vehicles and started to forcibly lift the barrier. When the guard came out of the building to challenge them about 6 of the travellers set about him, punching, beating, and kicking him. One of the travellers even bit the guard on the neck. His injuries were such that he was unable to continue with his shift and which a required a visit to his GP the following morning for treatment. On gaining access to the land the travellers have systematically fly tipped the land on a large industrial scale, in some cases

asbestos and human waste has been found in the fly tip which has quadrupled the cost of clearance.

6. On every occasion when the travellers have been evicted from site there has been clear evidence that the unlawful occupants have defecated and urinated on site, on some sites this resulting from long term encampment which includes anywhere between sixty to one hundred people. This has obviously had a detrimental effect on the local amenity of the area and has health & safety implications to visitors of the land, to wildlife (the major RSPB site is adjacent to the BID area) and local users of neighbouring areas.
7. I can confirm that recently the incident I have just described happened at Consul Avenue, which is an area of land owned and controlled by one of our members, travellers committed criminal damage to gain entry to the site, up to twenty plus caravans and associated vehicles stayed on the site for several days before they were forcibly evicted. The site was heavily fly tipped costing approximately £80,000.00 to clear.
8. As a result of these incidents and there increasing frequency stake holders within the group have had to increase their security budget per year by 50%, land owners have had to try and secure entrances and perimeter fences to their land to try and prevent unlawful encampments, this is nearly impossible as their perimeter boundaries stretch for miles the members have had to pay for clear up of the land that has been systematically fly tipped by these large organised traveller groups. The BID itself has had to step-up the use of mobile patrols to monitor traveller movements, at a considerable cost to the business community.
9. The impact of this type of criminal and anti-social behaviour includes increased costs for security with associated management costs, clear ups for businesses, diversion of Government, Police and Local Authority resources and a growing reluctance to invest in business (whether new or existing) in the area with corresponding loss of employment opportunities for the local community.

I believe that the facts stated in this witness statement are true.

Signed: 

Name: IKHER DERVISM

Date: 28/02/2017

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

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Defendants

WITNESS STATEMENT OF ILKER DERVISH

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(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF IAN WILLIAMS

1. My name is Ian Williams I am employed by Londoneast-uk Ltd which is part of the SOG Group as the Accommodation Manager for Film Works. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. At about 3pm on Tuesday the 1st March 2016 I was notified by a colleague, Roger Woodward that a group of travellers consisting of eight caravans and associated vehicles had unlawfully entered onto car park D80 Rainham Road South, Dagenham East, RM10 7FN and were setting-up an unlawful encampment. D80 is located in the north/east corner of the site and

one of its functions is to provide secure car parking for the M & B Social Club and Boxing Club which is located within the confines of the car park.

3. I made my way over across the site to car park D80 where I met up with Roger Woodward and some other uniformed security officers. On our arrival, we secured and locked the gate to the car park entrance. The travellers then surrounded us asking us what we were doing. Roger explained that the car park was private land and that the owner had instructed us to lock the gate and await the arrival of the police. One of the travellers who was inside the car park said that he knew the law and we were not allowed to lock them in. Roger replied that we were only locking the gate to prevent entry by the other caravans and vehicles that were parked-up and queuing in the service road and out on Dagenham Road. That he would open the gate to let him and any of the others that were already inside out should they want to leave the site, but that he would only do so when the police arrived. The traveller replied, oh really. A group of about 6 male travellers surrounded us on the car park side of the gate jeering at us, intimidating us about how they would get past us if they really wanted. One of them kicked at the chain and lock we had used to secure the gate and said, do you really think that little thing will keep us in. If you know what's good for you open the gate and get out of our way. This was a scary experience, I was fearing for our safety as there was only 3 of us and a group of very angry gypsies. Then out of nowhere a police car pulled-up at the gate and the gypsies moved back from us.

4. The police officers approached the gate and I heard Roger tell them that he had locked the gates as the travellers were trespassing on private land. The police officer then spoke to the travellers inside the car park and said, you heard him, you are trespassing so you need to leave. One of the gypsies who was quite vocal said that they didn't have anywhere else to go to and that they would leave when they found another site. The police and gypsies then began arguing about access on and off the site. The police told them that they could leave on foot and asked Roger to open the pedestrian foot gate, but that they would not be opening the vehicle gate unless they were deciding to leave. Then there was a standoff between us, the police, the gypsies inside the car park and those parked in the service road, as those in the service road were arguing to be let inside. After a while a police van and lots of police officers arrived in the service road. I was summoned to the security lodge for a meeting with the Managing Director, on site security and the police. I went escorted with a police officer to give the leading spokesperson for the travellers our emergency contact details which they refused to take. At 10pm I had to report to the North gate where I was briefed by that the police and informed that they were unable to assist any further. This is when I returned to the accommodation to reside for the evening.

5. At the time, I had just moved down to the area and was living on site. John Lewis asked me if I would oversee the security detail and be the liaison between all parties that evening. When

we left the car park at 10pm the gypsies had more or less settled for the night in their caravans. I reassured the new security officers back at the security office that we would be assisted if necessary and to call the police if they felt they were needed. I retired to my accommodation hut which was located immediately behind the large security fence that separated car park D80 from the rest of the site. The situation was so un-nerving that I was unable to sleep, I kept thinking that they could easily break through the security fence and the first building that they would come across if they were minded to break in to would be mine. Being responsible for my son and the son of John Lewis I felt an overwhelming sense of responsibility to keep them safe.

6. At 07:30 am on the morning of 2nd March 2016 myself and Jeff Harling went down to man the D80 car park entrance in order that we could re-direct traffic that would ordinarily use this car park to other site car parks. Whilst we were re-directing traffic one gypsy van approached the gate and tried unsuccessfully to open it. They called to us to open the gate and I told them that I didn't have the key, but that the boss would be along soon and they could speak with him about opening it. One of the gypsies a big bruiser shouted at me to go and find the person with the key as they wanted to leave now. As he was quite threatening myself and other officers moved further up the road out of site as if we had gone off to locate the key. Roger joined us at about 9:45am in the security lodge where we were still monitoring the activity on CCTV. The travellers grouped together to cut the chain off the gate and at 10:45 am the travellers drove out of the car park when we immediately secured the gate.

7. After the travellers left the site I helped with the clean-up of the car park. The travellers had left behind several gas canisters, lots of food waste and packaging, lots of soiled children's nappies, used car tyres, used clothes and there was significant evidence of human defecation up against the security fence.

I believe that the facts stated in this witness statement are true.

Signed: IAN WILLIAMS

Name: IAN WILLIAMS

Date: 7TH MARCH 2017

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

and

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
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(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF IAN WILLIAMS

Fiona Taylor
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Civic Centre Annex
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Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/14256
Tel: 0208 724 8379
Email: adam.rulewski@bdtlegal.org.uk

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

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(62) MS KATHLEEN WARD

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(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DAVID HODSON

1. My name is David Hodson I am the Operations Supervisor for Thames Power Services responsible for all site activities at Barking Power Station, Chequers Lane, RM9 6PF. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. I submit a timeline for traveller incursion onto Barking Power Limited's Land April 2015, details taken from site security Logs. I produce 3 pages as my Exhibit DH1. CCTV footage displaying vehicles committing acts of fly-tipping along with their registration numbers, I produce this as my Exhibit DH2. These incursions have cost Thames Power Services additional security costs of £3,986.88, the cleanup to remove 75 tonnes of fly tipping £11560.00 and Solicitors fees approximately £15,000.00.

I believe that the facts stated in this witness statement are true.

Signed: 

Name: DAVID HODSON

Date: 6-03-2017

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

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BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

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Defendants

WITNESS STATEMENT OF DAVID HODSON

EXHIBIT LIST

Site Security Logs (3 Pages) **DH1**
CCTV Footage **DH2**

Timeline for Traveller incursion onto Barking Power Limited's land April 2015.

Dayshift 01/04/2015

The incident happened at approx. 13:40 on 01/04/2015 of which 5 caravans and 8 vehicles initially gained entry by way of force onto the site to set up camp. Throughout the day on the same date there were 3 incidents of fly tipping of which were not captured on CCTV but the registrations were and are as follows,

FJ53 TLF
DN04 WKW
OHZ 7237

Throughout the day there were more caravans arrive and by the evening there were 14 in total.

Nightshift 01/04/2015

Between 18:16 and 20:49 there were 9 incidents of fly tipping of which were captured on CCTV with the following details,

18:16 - BN04 WKW - Yellow transit tipper - Fly tipping
18:22 - OHZ 7237 - Blue transit - Fly tipping
19:04 - NH55 FHC - White transit tipper - Fly tipping
19:07 - MJ52 GVW - White transit tipper - Fly tipping
19:11 - NK53 VRZ - White transit tipper (Front number plate missing - The same as 02/04/2015 @ 12:22 - Fly tipping
19:13 - AJ02 JCV - Blue transit - Fly tipping
19:35 - DX03 FKH - Green/blue LDV tipper - Fly tipping
20:15 - NCZ 5649 - White transit - Fly tipping

All occupants seem to remain in their caravans from approx. 21:30 on 01/04/2015

14 caravans still remained on site.

Dayshift 02/04/2015

There still remained 14 caravans on site and vehicles coming and going all day including fly tipping as follows of which was all captured on CCTV.

11:41 - NCZ 9649 - White transit
12:22 - NK53 VRZ - White transit tipper (Front number plate missing the same as 01/04/2015 @ 19:11)
13:09 - DX03 FKH - Green/Blue LDV tipper with Plates covered but same vehicle as with Police on CCTV the same day at 16:59

14:41 - DX03 FKH Green/Blue LDV tipper - captured on CCTV removing tape on plates to reveal registration.
15:00 - NCZ 9649 - White transit
15:52 - BN04 WKW - Yellow transit tipper
16:17 - NK53 VRZ - White transit tipper
16:38 - ILZ 9064 - White transit
16:38 - NH55 FHC - White transit tipper
16:59 - DX03 FKH - Green/Blue LDV tipper (Caught on camera taking tape off plates to reveal registration and pulled over by Police.

Nightshift 02/04/2015

Throughout the shift a number of vehicles on and off the site and 2 cases of fly tipping at the below times, At 21:20 1 new caravan arrives at the site but 7 caravans leave site which left a total of 8 caravans still remaining on site.

21:15 - White transit tipper with covered number plate.
22:18 - White transit tipper with covered number plate but captured on CCTV revealing registration at 22:23. (CP55 HKF)

Nightshift 03/04/2015

Movement of vehicle again with 2 cases of fly tipping registrations not visible on vehicles

20:30 - White transit
20:42 - White transit tipper

Dayshift 05/04/2015

Nothing to report regarding fly tipping. General vehicle movement on and off site and 1 caravan moved from one side of the concreted area to the other.

Dayshift 06/04/2015

Nothing to report regarding fly tipping, number of caravans remained the same just general vehicle movement on and off site.

Nightshift 06/04/2015

Nothing to report regarding fly tipping, number of caravans remained the same, occupants seemed to consume alcohol.

Since the travellers gained entry to the Texaco site there has been a total of 15 caravans enter the site, many different vehicle (as below) and 26 cases of fly tipping of which 23 have been captured on CCTV. They have also been using a quad bike on site since arriving.

CU03 FFE
FXZ 6409 - White van
10CE 9109 - White ford transit
FJ53 CLF - Tipper
WA15 WPO - Silver ford transit
NH55 FHC - White ford fly tipper
MJ52 GVV - Fly tipping white transit tipper
AJ 02 JCV - Blue ford transit
SJZ 2162
NCZ 5649
DN04 WKW

YK14 OYW
MW60 AAY - The White Passat
SD11 YJM - White Renault traffic

The main ones that are occupying the site at the moment are

MJ52 GVW Transit tipper
LL60 PZX Silver Renault traffic van
ILZ 9064 white high top transit
SD11 YJM White Renault traffic
WA15 WPO Silver transit
LT57 ZDA Toyota van

As of 09:00 on 07/04/2015 there still remains 8 caravans on the site with no fly tipping since 20:42 on 03/04/2015

09/04/2015

Travellers are off site, the last one left last night at approx. 21:00, there are dog handlers on site and its being secured now.

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
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BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
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Defendants

WITNESS STATEMENT OF DAVID HODSON

Fiona Taylor
London Borough of Barking and Dagenham
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IN THE HIGH COURT OF JUSTICE

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QUEENS BENCH DIVISION

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(60) MR MARTIN WARD

(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DEBBIE MOORE

1. I Debbie Moore London Riverside BID co-ordinator, London Riverside (BID) Ltd, Estate House, Fairview Industrial Estate, Rainham, Essex, RM13 8UH make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.
2. In the past two years the members of the BID have been plagued by two problems which I believe are related, the first is organised gangs and/or travellers that are systematically

identifying sites within the BID area and carrying out large scale fly tipping causing a detrimental effect on the local amenity of the area costing many thousands in clear up and disposal costs and forcing land owners to increase their expenditure on extra security, CCTV and perimeter fencing.

3. The second issue is that over the last two years there has been an alarming increase in unauthorised traveller encampments on the land owned and controlled by members of the BID. The travellers that have carried out these unlawful encampments have on many occasions entered the land by force or by criminally damaging the entrance gates or perimeter fences to gain access.
4. Occasionally, security guards have been threatened and assaulted in the process, on one incident the security guard was set about by several travellers causing him physical harm leading to treatment from his GP. On gaining access to the land the travellers have systematically fly tipped the land on a large industrial scale, in some cases asbestos and human waste has been found in the fly tip which has quadrupled the cost of clearance.
5. As a result of these incidents and their increasing frequency stake holders within the group have had to increase their security budget per year by 50%, land owners have had to try and secure entrances and perimeter fences to their land to try and prevent unlawful encampments, this is nearly impossible as their perimeter boundaries stretch for miles the members have had to pay for clear up of the land that has been systematically fly tipped by these large organised traveller groups. The BID itself has had to step the use of mobile patrols to monitor traveller movements, at a considerable cost to the business community.
6. In my role I co-ordinate the alert procedure for local businesses that maybe affected by unlawful encampments. The process relies on individuals and businesses notifying me of encampment activity anywhere within the boroughs of Havering, Barking and Dagenham incorporating Newham, Redbridge, Thurrock and Brentwood etc when applicable. Upon receipt of a sighting I email the members on a distribution (size of distribution list 100 members) warning that unlawful encampments have been established at specific locations.
7. The BID distribution list has been in operation for around 2 years mainly notifying parties in the LB Havering, although the list has grown to around 100 recipients over the past six month. From May 2016 to September 2016, I have sent approximately 140 emails to members

of the distribution list and have sent copies of all emails sent/received to Jenny Beales at the London Borough of Barking and Dagenham and which I produce (484 pages) as my Exhibit DMI.

I believe that the facts stated in this witness statement are true.

Signed: DM

Name: Deborah Ann Moore

Date: 22/2/17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

=V-

- (1) MR TOMMY STOKES
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- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DEBBIE MOORE

EXHIBIT LIST

Sent and received emails (484 pages) DM1

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DEBBIE MOORE

Fiona Taylor
London Borough of Barking and Dagenham
Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction
Tel: 0208 724 8379
Email: adam.rulewski@bdtlegal.org.uk

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

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- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DANIEL POPE

1. My name is Daniel Pope, currently employed as The Acting Head of Regeneration and Planning at The London Borough of Barking and Dagenham. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. I attach to this statement Exhibit DP1 – DP2..

3. In August 2015 the government issued a document setting out their new planning policy for Traveller sites. A key component of this policy is the requirement for each Local Planning Authority to set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople which address the likely permanent and transit site accommodation needs of travellers in their area. This document, entitled Planning Policy for Traveller Sites is exhibited at **Exhibit DP1.**

4. The London Borough of Barking and Dagenham is currently working on this process, an important stage of which is to undertake a Gypsy and Traveller Accommodation Assessment. Opinion Research Services (ORS) have been commissioned to produce a robust and objective assessment which will establish what level of genuine need for Traveller accommodation exists within Barking and Dagenham for the period up to 2031. The assessment will form part of the evidence base for the new Local Plan. This Assessment is due to be complete February 2017 and the findings will be addressed in the draft Local Plan due to be published in Autumn 2017. I exhibit a copy of the current Local Plan at **Exhibit DP 2.**

5. The sites that Travellers have occupied over last eighteen months are inappropriate as traveller sites. These are categorised below.

Public Open Space protected by the Local Plan where Traveller pitches would be inappropriate development

6. The following sites fall into this heading:

- a. Valence Park
- b. Parsloes Park (also Metropolitan Open Land)
- c. Abbey Green (also Scheduled Ancient Monument)
- d. Leys Park (also Site of Importance for Nature Conservation and Green Belt)
- e. Eastbrook End Country Park (also Green Belt and Site of Importance for Nature Conservation)
- f. Mayesbrook Park (also Metropolitan Open Land)

Designated industrial areas protected by the Local Plan where Traveller pitches would be inappropriate development due to incompatibility with neighbouring uses and distance to social infrastructure such as schools and open spaces

7. The following sites fall into this category:
 - a. Lyons Business Park
 - b. Land adjacent to Hindmans Way
 - c. Land adjacent to Choats Manor Way
 - d. Selinas Lane

Car parks.

8. These are clearly inappropriate as they are car parks used by customers and the Council has no plans to allocate them for other uses. The following sites fall into this category:
 - a. Goals Car Park – Cook Road
 - b. Vue Cinema car park
 - c. Tesco car park
 - d. Premier Inn – New Road
 - e. The Millhouse Club – New Road

Regeneration areas.

9. These are areas within the London Riverside Opportunity Planning Area which is identified in the London Plan as a regeneration area with potential for delivering substantial numbers of new homes and jobs. The following sites are sites within the London Riverside Opportunity Area with potential for new homes and jobs:
 - a. GLA – New Road. This site is owned by the GLA and forms part of a wider regeneration area including the Ford Stamping Plant to the south. The Council has recently held a pre-application meeting with the land owner for the Ford Stamping Plant and this includes a proposal to locate a new Secondary School, which has Education Funding Authority approval, on the GLA site.
 - b. White Horse Pub. This site is part of the Barking Housing Zone where the Council has received £32m to accelerate housing delivery.

Schools.

10. Eastbrook. This school is currently doubling in size with new buildings being constructed and therefore there is no surplus land available.

11. For the above reasons, it is my view that these sites are inappropriate from a planning perspective for use as Gypsy/Traveller accommodation sites. I have been told that these sites have been targeted in the past by unauthorised encampments and it is likely, based on the history of encampments in the borough, that they will be targeted again.

12. It is for this reason that I say it is appropriate for an injunction under *s.187B of the Town and County Planning Act 1990* to be imposed to restrain an apprehended future breach of planning control at these sites by the named defendants, and other persons unknown.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed:  _____

Name: Daniel Pope

Date: 6 February 2017

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

- (1) MR TOMMY STOKES
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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DANIEL POPE

EXHIBIT DP1
EXHIBIT DP2

Claim Number: _____
IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF DANIEL POPE

Fiona Taylor
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Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/Traveller's Injunction

Tel: 0208 724 8379

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IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

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(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF CARLY DAVIS

1. My name is Carly Davis I am the Manager of the M&B Social Club based at Dagenham Road, Romford, Essex, RM7 0QX. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.
2. Our car park is owned by our neighbours Londoneast-uk Ltd, our problems with travellers first began on Tuesday 1st March 2016 at around 2.15pm. A customer entered our building and

stated that caravans were pulling into the car park. Around 7 caravans with vehicles entered site before we had the chance to close the gates. The gates were closed locking out the rest of the caravans. This caused a backup of traffic along Dagenham Road and they blocked the entrance gates with waiting caravans. The travellers that had made it into our car park then began walking around site and having a look around.

3. We decided the safest thing to do was lock the front doors to the clubhouse and keep them closed all evening. On this evening we were supposed to be holding a children's boxing class and a slimming club. These clubs were called and were cancelled with only around one hour notice. Both organisers of the clubs would have lost income from attendees. The slimming club had to look for an alternate venue, of which we had to reimburse their hire fee. We were closed for 2 days on this occasion.
4. During these two days, not only did we lose around £800 in bar takings, we also were forced to cancel our pensioners club and bridge club. For our pensioners club especially, Wednesdays are often the only day any socialising takes place all week for some of our pensioners. There was some damage to our changing room lock and the travellers called multiple ambulances whilst in the car park in attempt to get more caravans in.
5. After this incident, Londoneast-uk decided to keep the gates closed on a number of occasions, which forced people to assume we were closed or had no vehicle access. The slimming club and boxing club were cancelled on a number of occasions due to the gates being kept closed. It seemed to be every time we smoothed things over with customers of the club, the gates were closed again due to a threat in the area.
6. After many meetings with Londoneast-uk, they let users of the club drive through their site to gain access to our car park. This caused great confusion as the entrance was quite some distance to the usual way in. Often people never bothered to attend the club as they assumed we were closed. We also had to pay a 50/50 cost of security with Londoneast-uk to man these gates which I produce as my **Exhibit CD1**.
7. On Friday 3rd June, travellers broke into the Londoneast-uk entrance. This broke down our only negotiated entrance at times of high alert and John Lewis made the decision to close the car park completely over the weekend. There was to be no access what so ever. We were due to have one of our busiest weekends all year with the Tigers children's football tournament taking

place all weekend and a wedding on the Saturday. At around 11pm on Friday, I was forced to call the organisers of the tournament and tell them that it would not be taking place. They had to somehow let the 1000 people attending the next morning know that it was cancelled. They were forced to stand on the gates of the car park from 8am and turn people away from then. I also had to arrive to site the next morning and had the awful job of letting the wedding know that they had no vehicle access for their wedding party.

8. During the afternoon and after much negotiating, we were able to have the gates open and manned for one hour only for the wedding party to arrive. As you can imagine this had now caused much stress and embarrassment to both the wedding party and M & B.
9. Tigers were also allowed to negotiate that if the gates were manned, they would be allowed one day of the tournament to take place. Although one day of the tournament took place, we lost £500 of pitch hire fees and around £3000 of bar monies lost.
10. Since then, we have had concrete blocks placed at the entrance of the car park. These blocks are placed at 7ft wide photo of which I produce as my **Exhibit CD2**. This means that any vehicles wider than this are not able to pass as it is impossible to move the blocks without a fork lift truck. If we know the lorries/vans are coming we can try to arrange for them to go through London East, however we do not always know. We have had a number of delivery drivers complain that they have damaged their vans trying to get through the posts.
11. Our beer delivery has to call us when they are 20 minutes away so that we can arrange for London East to move the posts with a fork lift truck. The blocks are then placed back and are not moved for another week.
12. Due to the installation of bollards the club has experienced difficulty in getting its waste collected, which resulted in a build-up of decaying waste (not great for customers having weddings, funerals and parties here) we had customers claiming to have sighted rats.
13. If the fire brigade are called they cannot come through our entrance as they cannot fit through the concrete blocks. They have to go through Londoneast-uk entrance which adds 10 minutes to an emergency.

14. As you can see we are still living with the effects of travellers visiting our site, and the fear that they have caused to the land owners. It may not seem like a lot of money to large businesses, but to us a £6,000.00 plus loss is the difference to us being able to pay wages and not.

I believe that the facts stated in this witness statement are true.

Signed: CDAVIS

Name: CDAVIS

Date: 24/2/17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-v-

- (1) MR TOMMY STOKES
- (2) MR JOHN WARD
- (3) MS MARY CONNOR
- (4) MR PATRICK JOSEPH MCDONAGH
- (5) MRS MARGRET STOKES
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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF CARLY DAVIS

EXHIBIT LIST

Photograph of width restriction CD1

Additional security cost invoices (5 pages) CD2

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF CARLY DAVIS

Fiona Taylor
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Civic Centre Annex
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RM10 7BN

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REF: ATR/Traveller's Injunction
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IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF ANDREW JOHNSON

1. My name is Andrew Johnson, I am the Service Manager for Parks for the London Borough of Barking and Dagenham. My responsibilities are to ensure that the parks and open spaces within the borough are managed and maintained for the benefit of the local community and visitors, and available for use by the general public and clubs and association that use our facilities. The Council is responsible for the care and maintenance of over 25 parks and additional miscellaneous open spaces across the borough. I make this statement in support of the Claimant's claim for an injunction. The facts in this witness statement come from

my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. Over the last 2 years the borough's parks and open spaces have been subjected to many incidents of unlawful encampments. These encampments have posed many problems for the parks service as the persons responsible for or associated with the encampments have caused a lot of criminal damage to gates, fences, bollards and grassed areas effecting entry to the parks / open spaces. Some of the preferred methods of entry have been to cut off security locks and gates and on occasion cut the gate off its hinges, the ripping out of wooden / metal width restriction bollards to afford vehicular access to the sites. The vehicles and caravans then drive over the grass to their preferred halting site, often causing a lot of damage to the grass.
3. Many of the locations within the park/open spaces where the encampments set up are close to sporting or recreational facilities such as football pitches, running tracks, cricket pitches. The proximity of the encampments to these facilities can have a detrimental effect on their use. Venue users often do not want to park close to or participate in games so close to large encampments.
4. Since March 2014 council parks / open spaces have had 22 recorded incidents of unlawful encampments. Since February 2016 there have been 7 similar incidents.

On 26 February 2016, the ancient museum and heritage site – Barking Abbey, Barking Abbey Green, Abbey Road, Barking was the subject of an unlawful encampment of 12 caravans and associated vehicles. The encampment was set up on the land immediately to the rear of St. Margaret's Primary School. The London Borough of Barking and Dagenham maintain the open space outside the perimeter of the abbey under agreement with Historic England. Due to the nature of and historical importance of the site, there is no boundary fencing or gating permitted on the land. Not having boundary fencing affords vehicular access to any vehicle prepared to drive up onto and across the nearby footpath. On this occasion the vehicles associated with the encampment caused damage to grass by leaving left deep tyre impressions in the grass which was exacerbated due to the amount of water in the ground at this time of year. The cost of cleaning up the mess left by the unlawful occupiers was £375.

5. On 17 June 2016, Mayesbrook Park, Lodge Avenue, Dagenham was the subject of an unlawful encampment of 7 caravans and associated vehicles. The travellers gained access by cutting off the padlocks to the security gate at the Waterside Close and Lodge Avenue site entrances, Barking. The cost of the damage to the locks and replacing same was £200. The encampment was set up on the grass in the North East corner of the park some 50 metres from the cricket pitch and sporting house and gym. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of putrescin food and human excreta, discarded mattresses, clothes, pots, pans, gas cylinders along with a large quantity of mixed building wastes. The cost of cleansing the land was £3,000.
6. On 22 June 2106, Parsloes Park, Ivyhouse Road, Dagenham was the subject of an unlawful encampment by 7 caravans and associated vehicles. This was the same group that had set up an unlawful encampment in Mayesbrook Park on 17 June 2016. The travellers gained access to the park by cutting off the padlock to the security gate in Gale Street. The cost of the damage to the lock and replacing same was £100. The encampment was set up in the North West side of the park close to local residential properties and the Squats local nature reserve. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of putrescin food and human waste, clothes, pots, pans, gas cylinders along with a large quantity of mixed building wastes. There was evidence that the travellers had been using the nearby hedgerow as an open toilet and the area smelt strongly of human faeces. The cost of cleansing the land was £3,000.
7. On 27 June 2016 the ancient museum and heritage site – Barking Abbey, Barking Abbey Green, Abbey Road, Barking was again the subject of an unlawful encampment of 4 caravans and associated vehicles. The encampment was set up on the land immediately to the rear of St. Margaret's Primary School. The travellers used a section of the exterior wall of the abbey ruins as an open toilet and a place to dump their unwanted putrescible wastes. This group of travellers engaged in door to door sales of pots/pans and kitchen knives. They discarded large quantities of cardboard boxes and packaging over a considerable area of green. The cost of cleaning up the mess left by the unlawful occupiers was £125.
8. On the 04 August 2016 Mayesbrook Park, Lodge Avenue, Barking was again the subject of an unlawful encampment by 10 caravans, associated vehicles, horses and horse boxes.

Travellers gained access by cutting off the padlock to the security gate in Waterside Close, Dagenham. The cost of the damage to the lock and replacing same was £100. The encampment was set up on the grass in the North East corner of the park some 50 metres from the cricket pitch and sporting house and gym. The persons associated with encampment had with them 10 ponies and traps which they raced and exercised throughout the park often when the park had high numbers of members of the public including children in attendance endangering members of the public using the park for recreational purposes. There were many incidents of quad-bikes being driven at high speed across the grass by the occupants of the encampment reported again endangering members of the public. The ponies, traps and quad bikes caused considerable damage to the ground and grass surface. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of food and human waste, clothes, gas cylinders, horse dung along with a quantity of mixed building wastes. The cost of cleaning up the mess left by the unlawful occupiers was £800.

9. On 10 September 2016 Parsloes Park, Parsloes Avenue, Dagenham was the subject of an unlawful encampment by in excess of 25 caravans and associated vehicles. Persons gained access to the park by cutting off the padlock to the security gate in Gale Street. The cost of the damage to the lock and replacing same was £100. 3 Bollards used as vehicle control measures were also removed from the anchorage points in the road and the cost of replacing them was £200. In total £300 pounds was incurred in repair bills. When the travellers were evicted from the land, they left behind an array of waste that included numerous bags of food and human waste, clothes, mattresses / bedding, gas cylinders, along with a quantity of mixed building wastes. There was evidence that the travellers had been using the nearby hedgerow as an open toilet and the area smelt strongly of human faeces. The cost of cleaning up the mess left by the travellers was £400.
10. On 13 September 2016 Valence Park, Becontree Avenue, Dagenham was the subject of an unlawful encampment by in excess of 25 caravans and associated vehicles. These were the same group of travellers that had encamped on Parsloes Park on 10 September 2016 and who had been evicted by the police. The travellers gained entry via the main gates which were not locked/closed and when the park was open to the public and set up an encampment on the green immediately behind Valence House [a historical 13th century property which now acts a local museum and the gardens are regularly used by children at the nearby school for nature events along with the large soft play area for young children].

When the travellers were evicted from the land, they left behind an array of waste that included bags of food and human waste, gas cylinders, along with a quantity of mixed building wastes. The cost of cleaning up the mess left by the unlawful occupiers was £215.

Conclusion

11. The impact of encampments within the parks has a negative effect on park use. For example, when there is an encampment in Mayesbrook Park, where the travellers tend to congregate adjacent to the cricket pitch and sports stadium, they prevent the use of the cricket pitch for the duration of their stay. Mayesbrook Park is the home of Barking Cricket Club, which has three teams that play in the local leagues. The travellers by their movements on to and off the park; parking position of their caravans dissuade players and spectators from attending to play or spectate. As cricket is predominantly a summer sport, unlawful encampments during the summer period have a serious impact on the club's ability to fulfil its fixtures not to mention the loss in pavilion revenues when matches must be postponed. It is not only Mayesbrook Park that is affected, all the other main parks suffer a drop-in visitor numbers when unlawful encampments are established, as visitors are reluctant to visit those parks due to the anti-social behaviour of the travellers, which include, traveller children taking over the soft play areas excluding other children. Driving vehicles across grassed areas and footpaths to access their encampments, riding horses or racing ponies and traps through the park.
12. It is not practicable to secure the borough's parks against unlawful encampments due to their size and the manner for which the parks are designed and intended for use by the public. In many cases of unlawful encampments, the travellers have entered the park through gates designed and intended for use by the law-abiding public intending to avail of the parks facilities. When travellers have not had direct access to parks via roads/gates, they have cut the locks of gates, pulled out bollards from the road or grassed areas and driven onto the land.
13. I believe that nothing short of an injunction on all the council's parks and open spaces against unlawful encampments will protect the council against unlawful encampment on its land, as travellers intending to establish an unlawful encampment do not show any respect towards a landowner's right to enjoy his/her land, or have any consideration as to the damage they cause or state they leave the land in.

I believe that the facts stated in this witness statement are true.

Signed: A.P. Johnson

Name: A.P. Johnson

Date: 28-02-17

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JOHN LEWIS

1. My name is John Lewis I am the Managing Director and owner of Londoneast-uk Ltd which is part of the SOG Group of companies and has earned an enviable reputation as a high-quality facilities management service provider for business and science parks, as well as providing a host of specialist consultancy services for a wide range of companies on a global scale. I make this statement in support of the Claimant's claim for an injunction against the above named Defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. I am responsible for and manage an eighteen (18) acre site which includes approximately 400,000 square feet of real estate. The Londoneast-uk site is a substantial part of the overall 50 acre foot print which has been identified by the Mayor of London and Barking and Dagenham Council as a primary location for regeneration. The new Business and Technical Park that I am responsible for is designed to provide research and development facilities, scientific and pharmaceutical manufacturing space, laboratories, and warehouse facilities with office, conference and restaurant facilities.
3. Londoneast-uk caters for small, medium and large organisations/enterprises. Within the overall foot print of the estate my campus is adjacent to a large technical college, a national chain of pub/restaurants and a soon to be built hotel, major retail complex and a 20 acre logistics/office centre which will commence development early 2017. The overall estate will, within the next 5 years employ up to 3000 people. This is a major regeneration programme and will attract much needed inward investment.
4. At present there are 10 residential businesses occupying space/trading from this site with a constant stream of national and international TV/Advertising/movie makers working on site. The goal for the site is that with the right circumstances, advertisement and security the site will have at least 100 going concerns based at this location in the next 3 years from a variety of business sectors.
5. It is envisaged that this site will mainly attract scientific type business due to the extensive and cutting edge laboratory equipment and facilities this site can provide to scientific type businesses. It is envisaged that many of the businesses wishing to locate at Londoneast-uk will retain and develop sensitive intellectual property which requires 24/7 security due to the fragile and confidential nature of these industries where the need for confidentiality is paramount.
6. As a regeneration site my primary objective is to promote the site and the local area to small, medium and multi-national businesses. If I am unable to attract businesses with the potential to invest in the site the local area and in turn offering more jobs to the community, the project will fail and affect my company financially. But more importantly the reputation of my company which my business is based on.

7. To-date the numbers of people who attend the site on a daily basis have ranged between 450 to 1000 people. The people that visit the location range from Technical college students, employees, film crews, contractors, visitors to the leisure facilities and members of the public. Up to two thousand vehicles are recorded entering and leaving the site on a monthly basis and it is my responsibility and other business providers in the area to provide a safe and friendly environment to all visitors/residents. The security we have in place is professional and adequate to offer businesses the security they need, however, like every security team protecting businesses across Barking and Dagenham it is inadequate to meet the challenges from those who have a disregard for law and order and are prepared to break into/force entry onto property they are not legally entitled to enter and occupy.
8. On Tuesday 1st March 2016 at 14:45 hours eight caravans and associated vehicles unlawfully entered Londoneast-uk Ltd site, without consent and set-up an unlawful encampment in Londoneast-uk main car park that my site provides to users of the site. This particular car park is my responsibility and is also the entrance to a social club, boxing club and the Technical College and is heavily used/occupied. I produced a map as my **Exhibit JL1**.
9. In response to this I instructed a number of my employees to immediately close the car park and secure the car park entrance. This is a set procedure we have in place for emergencies and is known as Code red which I produce as my **Exhibit JL2**. The Police were called and attended but were unable to take action as the unauthorised encampment was on my site which is private land and they informed me and my staff they were powerless to do anything.
10. Due to this unauthorised encampment the M & B social club was closed. The Legends boxing club was closed and the parents of the students that attend the nearby technical college and use the car park to drop off and collect their children had to be diverted to an alternative car park drop off zone all of which needed to be resourced/ marshalled at additional expense.
11. This caused a major disruption to the normal smooth operation of the site. Employees could not carry out their normal duties and were allocated to additional 24/7 site security duties of patrolling the site and manning the entrance to this car park to contain unauthorised occupants.
12. This was to ensure that property was safe and secured, visitors to the site felt safe and protected and no harm or detrimental effect would attach to the reputation of the site and my organisation.

13. Due to this my company had to arrange and pay for an external security contractor to provide extra security for the site and the businesses within it, after the travellers left the site there were additional clean up costs which was a financial loss to my company to the sum of £46,670.59 breakdown of which I produce as my **Exhibit JL3**. My company had to pay for the clean-up. I also believe that the social club located on site lost financially as they were unable to trade for a substantial period of time. The boxing club was affected as it was forced to close and club members were unable to train when they wanted to. It is my general opinion that this had a detrimental impact on the local amenity of the area.
14. During this period the Police supported and attended the site. I consider that this is a poor use of them as a resource. If an injunction had been in place the Police would have the power to immediately advise the unauthorised occupiers to leave. Failing this the police would have had the power to arrest and remove the unlawful occupants, or, take them to court.
15. On Friday 3rd June 2016 at 20:01 hours five caravans and associated vehicles forcibly entered the site. When security staff that manned the main entrance of the site attempted to obstruct their forceful unauthorised entry to the site they were threatened and intimidated by the travellers. -Evidence of this unauthorised entry was captured on CCTV I produce USB 1 (time 20:01) of the incursion as my **Exhibit JL4**. The intimidation and violence directed towards my staff is addressed in the witness statements of Roger Woodward, Ian Williams, Jeff Harling and Roy Livings.
16. Immediately after these travellers had forced their way onto the site and set up their encampment security staff quickly attended the site and re secured and manned the entrance gate barring other caravans and vehicles from entering the site.
17. The police were called and attended site, due to this more security staff had to be called in to attend site. During their occupation the travellers made several attempts to assist other travellers and their caravans to enter the site but thankfully the Police and security staff prevented this, I produce this CCTV footage on USB 1 (time 20:09) as my **Exhibit JL5**.
18. Again this occupation disrupted the normal function of the site and in addition to this a major cross Borough youth football tournament involving over 1000 people which is an on-

going major annual event and had been planned carefully over a 12 month period had to be cancelled on the grounds of Health and Safety. As per every year Londoneast-uk had agreed to permit the tournament organisers to use the LE main car park but because I had to implement our Code Red Policy due to the incursions by the travellers, the car park had to be closed forcing the tournament to be abandoned. This caused untold distress to so many people. I didn't take this decision lightly but I had no choice. My business suffered financial loss due to the clean-up costs and extra security required. Most importantly on this occasion there was a threat of violence and intimidation to my employees every time we are informed that travellers are lingering in close proximity to Londoneast-uk my staff become very concerned which in itself is intimidating as there is always the fear of, the potential of violence and they fear (as do we all) that they could actually be seriously hurt it further attempts were made by travellers to force entry onto our site which should not happen.

19. What concerns me the most is that these frequent traveller incursions have a detrimental effect on the local amenity of the area. My employees, security staff and users of the site have had their everyday routine disrupted and in some cases have been threatened and intimidated. Naturally, this has a detrimental effect on my business. Londoneast-uk Ltd is part of the SOG Group who are experts in the regeneration and operation of Business and Technical Parks and have committed to the area of East London, the site and this overall regeneration programme has been heavily financed with investment and resource. Since taking over the site less than two years ago the site has already become recognised by the international scientific and academic communities and is already attracting major interest and inward investment. The International filming communities have already committed to the site with a host of movies and television programmes these have featured in prime time TV dramas including Channel Four's Humans, ITV's Code of a Killer and BBC drama New Blood. It was also a key location for the Avengers: Age of Ultron movie. More than 250 crew, actors and extras took part in the filming of the Dr Strange production amid tight security, Londoneast-uk Ltd have played a major part in securing this interest and commitment to the area and Central and Local Government recognise the potential of what is now being offered to so many business sectors at this new business and technical park, and that this will make the Londoneast-uk Business and Technical Park a major employment centre in the coming years. It is imperative, therefore that this is not jeopardised by these unauthorised encampments.
20. In times of so much economic uncertainty such a genuine and much needed business programme should not be allowed to simply fail when millions of pounds of investment has

been committed by genuine business people/entrepreneurs, and skilled job opportunities are being put under major threat of being lost due to such criminal behaviour by the travellers who have demonstrated they consider themselves to be above the law. Police appear to be powerless to remove them from private land without lengthy and costly court orders and in my case Londoneast-uk Ltd will simply fail to attract the targeted blue chip organisations with associated investment if they consider it likely they will fall victim to such incursions.

21. Urgent action is required and consequently I support this application for an injunction.

I believe that the facts stated in this witness statement are true.

Signed: 

Name: JOHN LEWIS

Date: 6th March 2017

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-v-

- (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
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- (12) MR ROY GOGGINS
- (13) MR JIM COLLINS
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- (15) MR GILES O'SULLIVAN-WADE
- (16) MISS ELIZABETH CONNORS
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(64) MR JOEY WARD
(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JOHN LEWIS

EXHIBIT LIST

- Map of London East site marking encampments **JL1**
Code Red document (3 pages) **JL2**
Extra security and clear up costs **JL3**
USB 1 CCTV footage 3rd June 2016 at 20:01 **JL4**
USB 1 CCTV footage 3rd June 2016 at 20:09 **JL5**

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
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(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JOHN LEWIS

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IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

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(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF GLENDA SUSAN PADDLE

1. I, Glenda Susan Paddle Thompsons/Unite Liaison Manager, 50/52 New Road, Dagenham, Essex, RM9 6YS. I have been employed for ten years at the Dagenham office. I make this statement in support of the Claimant's claim for an injunction against the above named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. At approximately 5.00 pm on the 29th June 2016 a group of travellers gained access to a small piece of land at the rear of the building of Unite House 46/48 New Road Dagenham Essex RM9 7YS. I witnessed chainsaws being used to gain access to the land. They were also used to break locks and gain access to an additional piece of land at the rear of the building. I also witnessed one of the groups of travellers cutting down trees at the rear of the building enabling more room for additional caravans to enter the site.
3. At 18.40 hours footage was taken by CCTV from the building showing the group of travellers breaking onto a much larger piece of land to the left of the access road which I believe is owned by the GLA. The CCTV shows persons unknown taking down the concrete fence between the land at the rear of the Unite building and the piece of land owned by the GLA.
4. At approximately 10.30 am on the 30th June 2016 another group of travellers arrived and gained access to the land at the rear of the Unite building via the car park at Premier Inn. There were approximately 25 caravans in total on both pieces of land.
5. On the 4th July 2016 more travellers arrived and parked in the Premier Inn car park. Bailiffs arrived to evict these additional travellers at 1600 hours.
6. On the 7th July 2016 at approximately 1300 hours another group of travellers returned and occupied the Premier Inn car park.
7. At 1600 hours on the 7th July 2016 Police Officers were due to execute an S.61 but there were insufficient Police Officers available to attend.
8. On the 8th July 2016 at approximately 16.00 hours the Police arrived and used S.61 to evict the travellers from the Premier Inn car park.
9. On eviction a group of approximately 4 caravans left the Premier Inn car park and broke a padlock and chain on the gate to the car park at the rear of the Union building and gained entry and parked up their vehicles. Police Officers were in attendance and after approximately 30 minutes the travellers left the site.
10. During this incident a number of my members of staff had their cars parked in the car park and had to leave the office to remove their cars from the car park. A number of staff were

extremely upset at firstly having to remove their cars whilst the travellers and their vehicles were on site trying to block them in and secondly having to drive round cars which were literally blocking them inside the car park. During this incident two vehicles were damaged by the careless and selfless driving of the travellers. It was a very frightening situation for my staff to be placed in.

11. On the 9th July 2016 at 10:26am the Bailiffs arrived to evict the travellers but unfortunately the eviction did not go ahead. My understanding is that the foreman Bailiff spoke to the head of the travellers who agreed they would be gone by the 10th July 2016. On my return to the office on the 11th July 2016 the travellers had left the site.
12. During this period of 12 days whilst the travellers were occupying the land they caused major disruptions to the running of the office. The movement of traffic all day with the pickup trucks coming and going was extremely noisy. There were at least 15 vehicles every day all day returning to the site and fly-tipping. I recorded this on a mobile device which I Exhibit GSP1. Members of staff had to endure the shouting of verbal abuse from the travellers of all ages. Various hand signs were made to me, horns were permanently being used. Members of staff and I felt very threatened by their presence during this 12 day period. I was personally told to "Fuck off and piss off". I felt very threatened by their presence. Myself and members of staff witnessed them defecating in the open areas on a regular basis. I witnessed them causing criminal damage as I have already mentioned in my statement. There were a number of dogs on the site and were constantly barking and yapping. A member of a service provider was chased by one of the dogs who had managed to get through and chased him across the Union's car park. A member of staff in the Union office was also chased by one of the dogs as she tried to get into her car.
13. The impact on the office and me personally was a real cause for concern. Members of staff were continually distracted from their work by the noise and the constant noise caused by the fly-tipping. I was continually distracted as I had to communicate with the Enforcement Officers, Police, and Environmental services on a daily basis, sometimes on an hourly basis. Claims have had to be made against Insurers for the cost of the damage to vehicles as already mentioned in this statement.
14. The fly-tipping caused concern for many months following the eviction of the travellers. The area was eventually cleared at the beginning of January 2017. I understand the cost run into

hundreds of thousands and this money was not readily available. During the recent hot weather we have had to close our windows as the smell from the site was making staff nauseas. There were signs of vermin at the site.

15. During the whole of the period the travellers were occupying the land I witnessed numerous vehicles fly-tipping on a very regular basis. I have provided details of various number plates to the Enforcement Officers at the London Borough of Barking and Dagenham and photographs of various vehicles.

I believe that the facts stated in this witness statement are true.

Signed: GSPadole

Name: GLENDA SUSAN PADOLE

Date: 1 March 2017

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-v-

- (1) MR TOMMY STOKES
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- (64) MR JOEY WARD
- (65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF GLENDA SUSAN PADDEL

(USB) EXHIBIT GSP1

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

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THE LONDON BOROUGH OF BARKING AND DAGENHAM
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(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 (13 Innishmore Garden)
(45) MR MARTIN MCDONAGH (118 Hart Lane)
(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

Defendants

WITNESS STATEMENT OF GLENDA SUSAN PADDLE

Fiona Taylor
London Borough of Barking and Dagenham
Civic Centre Annex
Wood Lane
Dagenham
RM10 7BN

Director of Law and Governance, Solicitor for the Claimant

REF: ATR/14256

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IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

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

(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 (17 Lisnakill Court)
- (29) MR BEN WORBLES
- (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
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- (61) MS VANESSA WARD
- (62) MS KATHLEEN WARD
- (63) MR JAMES WARD
- (64) MR JOEY WARD

**WITNESS STATEMENT OF POLICE CONSTABLE RACHAEL BENSON
186KG**

I POLICE CONSTABLE RACHAEL BENSON 186KG, a police constable employed by the Metropolitan police working from the Barking and Dagenham Control Base, Unit 24 Muirhead Quay, Barking IG11 7BJ **WILL SAY AS FOLLOWS:**

1. I am currently employed as a police constable on the Emergency Police Response Team ("ERPT"). I have been employed by the Metropolitan Police for approximately fourteen years. I make this statement in support of the Claimant's claim for an injunction and interim injunction against the above named Defendants. The facts in this witness statement are within my own knowledge unless stated otherwise. Where facts are stated in this witnesses, which are not within my own knowledge, they are true to the best of my knowledge and belief.
2. There have been a number of incidents concerning unauthorised encampments within the Borough of Barking and Dagenham that have required police involvement. I have been asked to review a list of incidents provided to the Metropolitan Police by the London Borough of Barking and Dagenham concerning unauthorised encampments across the Borough. The incidents I was asked to review were all incidents which required police involvement.
3. Each of the incidents reviewed has a dedicated Computer Aided Dispatch (CAD) number. The incidents span a period of 11 months. The incidents I have listed in this witness statement all concern unauthorised encampments. The list is not necessarily a definitive list of all unauthorised encampments within the

Borough during this period, but are the encampments that the Council have requested that the Metropolitan Police review.

4. All the incidents listed in this witness statement relate to incidents involving members of the travelling community and the resources that have to be deployed to deal with these incidents. In general terms the types of incidents concerning the travellers that are detailed in this witness statement include:
 - (i) general anti-social behaviour issues, being loud, aggressive, threats of violence and intimidating towards members of the community wishing to use areas such as public parks.
 - (ii) Criminal damage due to locks and fences being broken to gain access to land.
 - (iii) Dangerous driving which is obviously a serious risk to public safety.
 - (iv) Horses running free in the parks.
 - (v) fly-tipping particularly on commercial premises within the Borough.
 - (vi) Damage to park land and land surrounding a scheduled monument, namely Barking Abbey.
5. I have not been able to calculate the length of time spent dealing with these incidents, however, it is plain from the CADs that the time spent dealing with these unauthorised encampments is significant and at times has placed a strain on police resources.

How CAD Works

6. All calls that are received at the emergency call centres generate an individual reference number. This information is placed onto the computer aided despatch system referred to as CAD. On the CAD is the type of call and other information considered useful for the officers attending the incident. The outcome of the call

is then recorded on the CAD. If other calls are received regarding the same location, generally they are linked to the original CAD and closed. Leaving the first CAD as the working CAD where all the information will be placed. The CAD will, however, record the number of calls received concerning an incident.

7. General response policing has a very limited number of officers that are dedicated to answering the emergency calls. The minimum number of officers available varies between shifts. The early morning shift has a minimum of 18 officers, the late shift has a minimum of 22 officers and the night shift has a minimum of 20 officers. Generally cars attending an incident are crewed with two officers each, and deployed as a unit.
8. The number of units that will attend an incident depends on the nature of the incident. If, however, units are already dealing with other calls that depletes our available resources. For large disorder incidents we have to request assistance from the Off Borough Specialist Units Territorial Support Group. This is a body of officers held in mobile reserve to deal with incidents across London. These officers are called upon mainly for the drunken disorder issues where we do not have the available resources to be able to cope with the incident. They are also sometimes used to assist with the issuing of section 61 Criminal Justice and Public Order Act 1994 ("CJPOA") direction, when they are issued to unauthorised travellers encampments.
9. I attach the following CADs and produce these as my **exhibits RCB/1 - RCB/131**. These show:
 - (i) Nuisance caused by unauthorised encampments;
 - (ii) Nuisance caused by occupants of the unauthorised encampments at other locations within the borough of London Barking and Dagenham.
10. There is now produced and shown to me marked **exhibits RCB/132 to 143** Information Reports recorded concerning unauthorised encampments within the Borough.

Unauthorised Encampments and Nuisance Caused by Unauthorised Encampments

26/02/2016-Unauthorised Encampment at the Abbey Ruins, Abbey Road, Barking (Exhibit RCB/2)

11. The CAD reports confirm that the police received complaints on the 26 February 2016 that the travellers had moved ten vehicles onto the Abbey Ruins and had set-up camp. This site is also known as Barking Abbey. I understand that this has been designated as a Scheduled Ancient Monument since 1954. Police first attended at the site at 09.02 hours on the 26 February 2016, and a decision was made to serve a section 61 CJPOA. A Street enforcement officer from the Council attended and issued the section 61 CJPOA at approximately 12.50hours giving the travellers 2 hours to leave, the police then attended and provided the travellers with a further 24 hours to leave. This incident required three regular checks per shift by officers including early, late and night shift by a double crewed police units until the travellers had left the vicinity, and the attendance at the scene of a duty officer and section sergeant.

19 April 2016- Unauthorised Encampments at Hindmans Way (Exhibit RCB3)

12. Ten Caravans and twenty-five people moved onto a site at Hindmans way. The travellers informed the police they would only be staying a few days. Regular checks were completed by a double-crewed unit with officer conducting six site visits over a period of 39 hours.

22 April 2016-Unauthorised Encampment Chequers Lane, Dagenham (Exhibit RCB/4)

13. Members of the public contacted the police and complained an unauthorised encampment had arrived and stated that caravans were blocking the highway at Chequers Lane.

Twenty five to thirty caravans were recorded on site behind the pets at home building off Chequers Lane. Police assistance and regular checks were required over a period of sixty-nine hours. Three double-crewed units attended three times per shift early/late/nights, whilst the travellers remained on the site.

14. Other calls received due to this incident made it clear that members of the public and business owners were anxious about the presence of the travellers and their behaviour. The CAD evidences the following complaint: That an Informant, who identified themselves as someone who worked for one of the businesses in the area informed police that 'gypsies' have moved in where the informant worked and the informant complained that whilst they accepted the travellers were not being disruptive, they believed it was only a matter of time before they became disruptive and the informant was concerned for any future disruption. The informant confirmed that the security gates to their place of work had been broken for a couple of weeks, and that accordingly, the informant was concerned the travellers would gain access (**exhibit RCB/5**).

21-22 April-Unauthorised Encampment George Hospital, Hornchurch (Exhibits RCB/6 & RCB/7)

15. A call was received by a member of the Sherriff's Office making police aware they would be attending the location the following day to remove travellers from the site and that there were 20-22 caravans on the site which was a disused hospital site. The caller stated that police had visited the site previously as threats were made to shoot him. He explained that he would be attending the premises at 07:00 hours when he and 19 colleagues would be attending. Three police dog vans were assigned to this incident.

16. Whilst the travellers were on the site on 21 April 2016, a witness contacted Police to report that the traveller at the location were stripping back the old hospital building(s) for copper and steel and had caused significant damage to a lot of the building

22-25 April Unauthorised Encampment Unit 21 Thames Gateway Park, Heindman Road, Dagenham (Exhibit RCB/8 &9)

17. Police were contacted by a witness stating that he had just seen a group of travellers break into a vacant unit on The Thames Gateway Park, a business park in Dagenham. The witness reported that the travellers broke the sliding door and then moved in about 30 caravans. The travellers were reported by police to be dumping waste in the commercial premises they had broken into. Security guards were present but they were instructed by employers only to monitor the situation and take no action.

23-25 April Unauthorised Encampment Choats Road Dagenham (Exhibit RCB/10,11 &12)

18. The location forms part of the Thames Gateway Business Park. Police were contacted by an anonymous informant that Travellers had moved into the factory site next door to the informant's business, and had broken into the sub station and shut off all the power at the witnesses business, which had prevented them continuing with their work at the informant's business. The informant confirmed that this was the second time this had happened. Reports were provided that 5-10 caravans remained on the site throughout this incident.

28 April 2016 Highbridge Road, Tesco Car Park Exhibit RCB 13

19. A number of the Tesco's security staff contacted the police and confirmed that there were 10 caravans in the car park and the travellers' children were running through the car wash and around the car park unsafely. Police attended the site.
20. Other calls linked to this incident include:
- (i) a report exhibited at that two caravans were blocking access from Tesco's car park (**exhibit RCB/14**);
 - (ii) On the 6 May 2016 Security from a construction site at Choats Road contacted Police concerning the travellers in the area concerned about the impact this might have on their business/site (**exhibit RCB/15**);
 - (iii) On the 10 May 2016 Sheriff's requested police assistance at 44 Freshwater road to assist with an eviction order concerning the travellers. The travellers had moved to the site known as Country wide electrical distributions. This was dealt with as civil trespass. Police units, a duty officer and section sergeant all attended this incident over a period of 22 hours (**exhibit RCB/16**);
 - (iv) On the 10 May 2016 the CAD records show that further travellers arrived on the Country Wide site later the same day and a section 61 notice was served (**exhibit RCB/17**). A solicitor for the landowner called police to inform them the notice had been served (**exhibit RCB/18**).
 - (v) On the 12 May 2016 bailiffs contacted the police whilst at the site and confirmed police attendance was required to prevent a breach of the peace (**exhibit RCB/19**).
 - (vi) On the 12 May the Sheriffs office called to confirm that police had not yet arrived (**exhibit RCB/20**).
 - (vii) On the 12 May 2016 an enforcement officers from the Sheriffs Office again called the police explaining they required police assistance as they were trying to move travellers on following the issue of a section 61 direction, and there were 8

male travellers being very aggressive and refusing to leave. The Sheriffs department were advised that due to the number of officers required to prevent a breach of the peace, it was anticipated that over the next two days the borough would have insufficient resources to support any civil action. The officers were instructed to contact the Metropolitan Police Service ("MPS") with at least 48 hours notice so that MPS could resource and meet operational needs, especially in the light of intelligence concerning the travellers conduct. The travellers had moved 12 caravans onto the site and the travellers blocked the site entrance with vehicles after a notice to leave the land was served. It was agreed that the Sheriffs office would agree a time for the eviction with the police (**exhibit RCB/20A**).

(viii) On the 12 May 2016 informant confirmed that 10 caravans had arrived on Choats Road (**exhibit RCB/21**).

(ix) On the 13 May 2016 bailiffs contacted police to confirm police officers had not yet arrived on site and that they had been on site all night and required an ETA so that the section 61 notice could be enforced (**exhibit RCB/22**).

(x) On the 13 May 2016 a caller informed police that they were waiting for police and enforcement officers to arrive (**exhibit RCB/23**).

(xi) On the 13 May 2016 a caller contacted police confirming his business was in a neighbouring yard to where travellers were forming their encampment. The caller wanted to know if the police would be coming that evening, or, whether he needed to remain on site to prevent them moving onto his yard and damaging his property(**exhibit RCB/24**).

(xii) On the 13 May 2016 an informant called stating it was the eighth time they had called police and the police had still not attended and that the informant had stayed at their premises overnight to protect their business and did not want to have to do it again (**exhibit RCB/25**).

(xiii) 14 May 2016 informant calling again, asking when police would attend and requesting a call back (**exhibit RCB/26**).

(xx) 30 May 2016 15 travellers arrived at the location. The travellers had broken the lock to gain entry (exhibit RCB/27).

(xxi) 20 May 2016 the travellers had moved onto Choats Road/Halyard Street Dagenham. An informant confirmed that the travellers have rammed the gate with a tipper truck, "*and rammed at the staff on site*". "*there is 8 caravans, and there is so much scrap metal here there is a great concern of theft to occur here, i am on scene with bailiffs now, along with security, but they just rammed the gate, no one seems to be injured ... Bailiffs believe they have authority to forcefully remove the travellers from the site without a court order, travellers refusing to move without a court order.*" The police attended to prevent a breach of the peace and travellers agreed to move to a private road owned by the business (exhibit RCB/28).

(xxii) 19 May 2016 Choats Road/Halyard Street. An enforcement agent requested police attendance. "*They have threatened to cut the informants throat off and shoot him*". Two officers attended incident (exhibit RCB/29).

(xxiii) 19 May 2016 an informant contacted police and confirmed travellers on Choats Road/Halyard Street have threatened to assault the caller. Approximately thirty people and eight caravans on land. Resulted as no offences and civil matter (exhibit RCB/30) .

13 May 2016 Reeve Road/Choats Road (Exhibit RCB/31)

21. Informant called and confirmed there were six caravans at the location, which is a private road accessing residential accommodation for local staff. Travellers were refusing to move and reported to be the Stokes family. The owners of the site claimed to have lots of valuable items on the site, including large vans and accordingly, requested police assistance to evict travellers.
22. Other calls received linked to this incident included:
 - (i) 13 May 2016 informant called to say five to six caravans had arrived on their site and ten vehicles (exhibit RCB/32).

(ii) 13 May 2016 informant called to complain that he had called nine times and that police had not enforced the section 61 notice (**exhibit RCB/33**).

(iii) 13 May 2016 "*Informant is acting on behalf of the owner. he would like notice of when the police intend to issue the section 61. He will need to be on site when this happens as will the environment agency.*" (**exhibit RCB/34**).

(iv) 18 May 2016 Individuals believed to be travellers had broken into recycling site and had been caught on CCTV. Assumed to be travellers as they had three to four caravans, which they brought onto the site with associated vehicles (**exhibit RCB/36**).

(v) 19 May 2016 Informant called from Bilfinger Europa, Choats Road, Dagenham and complained the travellers had cut the fence, turned-up with four caravans and were fly-tipping at the location. The CAD notes this is an on-going issue for 6+ months (**exhibit RCB/37**).

8 June 2016 Pooles Lane/Choats Manor Way (exhibit RCB/38)

23. Travellers moved onto land owned by the Council. Entry point of the travellers was caught on Eddie Stobart site's CCTV. Encampment included six caravans, four associated vehicle and ten plus people with small dogs. Vehicle registration numbers recorded. Police attendance at the site was required on a number of occasions over a nine hours period. Three double crewed police units.

17 June 2016 Mayesbrook Park, Dagenham 17 June 2016 (exhibit RCB/39)

24. Five caravans and ten cars arrived at this location. Police attended location.
25. Other calls received due to this incident included a further complaint to police on 17 June 2016 by an informant who informed police that two caravans arrived at the location and were parked on the grass and that what was believed to be an associated vehicle was being driven around the park (**exhibit RCB/41**).

20 June 2016 Building Site at the Rear of Eastbrook School Dagenham Road (Exhibit RCB/42)

26. Six caravans arrived on the site. To access the site, the travellers had to break a lock by sawing the lock off a gate to gain access to the park behind the school. Police involvement was required on a frequent basis throughout a period of one hundred and one hours. The total number of units in attendance was 4 x double crewed units and the duty officer. Other calls received that were linked to this incident included:

- (i) A caller contacted police on 20 June 2016 and confirmed that he had been threatened by two children from the encampment that they would bomb his house. The informant explained that they saw where he lived and that he was a little worried as his wife was disabled and suffered from high blood pressure, OPCD and "other stuff". The CAD records that a persons affected by this incident is a vulnerable person . The caller explained that the travellers had removed a lock and located themselves in an area opposite the callers address. (**exhibit RCB/43**).
- (ii) Informant called on 20 June 2016 to say that twelve caravans had arrived at the location and that he managed the site (**exhibit RCB/44**).
- (iii) Informant called on 20 June and reported that twenty caravans arrived at the location and that it looked like they were trying to get onto the site at Eastbrook School (**exhibit RCB/ 45**).
- (iv) Informant called police on 20 June and confirmed that a linked group to these travellers had cut through the gate with an angle grinder and removed signs on the gate, and pulled 6 caravans onto the site (**exhibit RCB/46**).
- (v) 20 June 2016 a Security officer for Eastbrook School contacted police and asked for advice on removing travellers and advice was given that this was a matter for the landowner (**exhibit/RCB/47**).

23 June 2016 Gale Street, Dagenham (exhibit RCB/49)

27. Informant contacted police and confirmed that there were 12 Caravans and 12 associated vehicles in Parsoles Park near the Gale Street entrance. Police attended to enforce removal following service of a section 61 CJPOA notice. During this incident there were nine visits by police from double crewed units.

27 June 2016 London Road/North Street Barking (exhibit RCB/50)

28. On the 27 June 2016 an informant contacted the police to inform them that a group of travellers had broken into a closed down a pub called The White Horse. The informant explained that three to four caravans were stationed in the car park and that another six caravans had been moved onto the site. The site is also the location of the East Ham Water Pumping Station and accordingly, as this is classed as national infrastructure the Counter-Terrorism Section of the Metropolitan Police were also notified.

29. Other calls received due to this incident from witnesses/informants provided as follows:

- (i) 27 June 2016 an informant called police and confirmed that there were a large group of travellers at two location in the area. Approximately six caravans and eleven cars/vans on the White Horse Pub site, and four caravans and five cars on the Barking Abbey Green Site. This exhibit also confirms that the sites were near East Ham Water Pumping Stations, and that suspicious activity around the site was being reported. This exhibit also reports that a male was caught on CCTV with a lock knife and that a child from the encampment was throwing a brick at a puppy (**exhibit RCB/51**).
- (ii) On 27 June 2016 a report was received that fifteen to twenty caravans had arrived at the White Horse Pub Site and that they had cut the bolt to the site so that they could enter the site (**exhibit RCB/52**).

- (iii) On 27 June 2016 a caller informed Police that travellers had broken chains to gain access to the White Horse Pub site and that small children were running around and it was not safe (**exhibit RCB/53**).
- (iv) On 27 June 2016 A witness informed Police that a puppy was being beaten and looked underweight. A thirteen year old boy was reported to be placing wire around the animal's neck and lifting it and beating it. The boy was caught on CCTV as were other travellers who jumped the fence from the White Horse Pub Site to steal cabling from BT building (**exhibit RCB/55**).
- (v) On 27 June 2016 an informant contacted Police and explained that a group of the travellers' children were playing on a building site at the White Horse Pub Site. The children were playing near a big hole in the ground which the informant considered dangerous. The informant also explained it looked like they had a baby fox in a cage (**exhibit RCB/56**).
- (vi) On 27 June 2016 an informant called Police to confirm that youths from the unauthorised encampment at the White Horse Pub Site had broken into a derelict pub (**exhibit RCB/57**).
- (vii) On 27 June 2016 Travellers were caught by the Claimant's CCTV going from a building site at the White Horse Pub Site into the neighbouring BT Site next door and stealing cable (**exhibit RCB/58**).
- (viii) On the 27 June 2016 CCTV operators conformed that they had recorded the travellers placing wire around a puppy's neck and lifting it and beating it (**exhibit RCB/59**).

29 June 2016 2 New Road Dagenham Premier Inn/ Old Ford Site (exhibit RCB/63)

- 30. Security staff called on 29 June 2016 confirming that travellers had moved onto their site and had broken the padlock to gain entry. Five families with caravans were reported to be on site. Police attended the site to speak with staff at the

Premier Inn Hotel. Staff at the hotel complained that the same issue has occurred a few months earlier. The police confirmed that there were seven caravans on site and recorded four registration numbers.

31. The following linked incidents were reported to the police:

(i) On 29 June 2016 a member of a local solicitors firm called and reported that travellers had just pulled-up into the Premier Inn Car park and that they used machinery to cut through the lock (**exhibit RCB/64**).

(ii) On 30 June 2016 a security officer called police and confirmed that Travellers had broken down the wall and entered the Old Ford Site and fifteen caravans were moved onto the site (**exhibit RCB/65**).

Cook Road, Dagenham Leisure (Exhibit RCB/66)

32. On 4 July 2016 security for Dagenham Leisure called police stating 50 caravans had arrived at the location and more travellers were attempting to gain access. A large school sports event was supposed by taking place on the site that day. Schools were arriving and trying to park in the car park, but travellers were encamping in the car park. Security asked the travellers to leave, but they refused threatening to break the security officer's leg. This required police involvement at different times over a period of sixty-nine hours.

33. Other calls linked to this incident included:

(i) calls to the police on 4 July 2016 that travellers locked the gate to the site and refused to permit owners and their security officer access to the site (**exhibit RCB/67-68**).

(ii) On 4 July 2016 owners of the site/security called police stating that the travellers were behaving aggressively and attempting to intimidate those lawfully

occupying the site, throwing stones across the site. They were concerned that customer vehicles might get damaged (**exhibit RCB/69**).

(iii) On 7 July 2016 a police officer on duty reported that there were travellers on the Old Ford site at New Road, Dagenham. It appeared to be the same travellers that had moved from Beam Valley School. Staff at the site had witnessed the Travellers committing criminal damage to a wall and their dogs running wild and being aggressive; including the dogs chasing two members of staff, snarling and barking at them. The travellers were reported to be illegally fly-tipping on the land with numerous vehicles backwards and forwards fly-tipping at the site. The note recorded on the CAD states that the staff member on duty stated *“Can you please let me know what if anything we can do as this situation is just going from bad to worse.....It seems to me that all that is happening is we are moving them from one site to another and then they return again.....”*. Police involvement was required to deal with this incident at intervals over a 6 hour period (**exhibit RCB/70**).

(iv) On the 7 July 2016 more travellers were evicted from the Premier Inn Car Park at New Road, Dagenham, initially they attempted to move to a solicitors car park in the area, but eventually joined the other travellers on the Old Ford Site (**exhibit RCB/71**). Police attended to prevent a breach of the peace whilst the travellers were leaving the vicinity. The incident note on CAD confirms that travellers were evicted pursuant to section 61 CJPOA and confirms that as the travellers left the site they joined the other travellers on the Old Ford Site. Other travellers evicted from the Premier Inn Site took down the fence to wasteland near the Premier Inn and moved onto the wasteland (**exhibit RCB/72**).

26 July 2016 Lyon Business Park Travellers (Exhibit RCB/73)

34. An informant called and confirmed that travellers entered the site and that five caravans encamped within a warehouse within the business park. Police were required to attend at intervals over a twenty-nine hour period, including the attendance of double crewed units.

35. Other calls received linked to this incident include:

- (i) On the 25 July 2016 police were informed by email that there were 20 travellers caravans on site at Chequers Lane, Dagenham (exhibit RCB/74).
- (ii) On the 25 July 2016 a report that twenty travellers had arrived at Chequers Lane, Dagenham (exhibit RCB/75).
- (iii) On the 26 July 2016 an informant called police confirming eight to nine travellers caravans were attempting to access the business park (exhibit RCB/76).
- (iv) On 25 July 2016 a caller informed police that travellers were moving into a warehouse on the business park. The incident report also records that caravans were moving into the ASDA car park. A section 61 CJPOA had been issued (exhibit RCB/77).
- (v) 26 July 2016 a caller informed police that there were Twenty plus caravans at Barking Power Station, Chequers Lane (exhibit RCB/78).
- (vi) On 26 July 2016 an informant called police and confirmed that travellers moved onto the "Lyons estate" observing that the travellers must have moved on to the site overnight (exhibit RCB/79).
- (vii) On the 26 July 2016 the CAD records that a solicitor representing a business owner contacted the police requesting to speak with the duty officer, and stating that threatening and insulting behaviour had been directed at employees of his client and a barrier was broken by the travellers causing damage to property. The solicitor requested the police use their powers under section 61 CJPOA 1994 (exhibit RCB/80).
- (viii) On the 26 July 2016 bailiffs attempting to evict travellers from the site contacted police claiming that the travellers had threatened to cut them up and had threatened to lock one of them in a building. They also

complained that one of the travellers issuing the threats asked a fellow traveller to get a knife from the van (exhibit RCB/81).

- (ix) On the 26 July 2016 a member of the public that lives near the business park called the police and stated that they were concerned about the travellers and that they could see the encampment from their home (exhibit RCB/82).
- (x) On the 26 July 2016 a member of the public called the police and reported that travellers had moved onto the business park and were trying to access a warehouse (exhibit RCB/83).
- (xi) On the 26 July 2016 a witness contacted police confirming that six caravans had moved into an empty warehouse on the estate (exhibit RCB/84).
- (xii) Bailiffs contacted the police on 26 July 2016 requesting police assistance explaining travellers were refusing to leave the site and that criminal damage had been inflicted on the site and the perpetrator had been caught on CCTV and was present at the site. The bailiff also informed the police that the travellers had placed 5 vans either side of the gate to barricade themselves into the site with two men standing at the gate with baseball bats (exhibit RCB/85).
- (xiii) On the 27 July 2016 bailiffs contacted police and made a further request for assistance whilst evicting travellers (exhibit RCB/86).
- (xiv) On the 27 July 2016 a witness contacted police and confirmed that travellers were trying to break into Fords premises by trying to lift the shutter (exhibit RCB/87).

4 August 2016 Waterside Close, Barking (Exhibit RCB/88)

36. A member of the public called and confirmed that a chain for the gates to the park had been broken and that travellers had moved five caravans and seven cars on to

the park, and left seven horses running around the close. Other calls received that were linked to this incident included:

- (i) On the 3 August an informant called the police and informed them that travellers were inside the park, with more than ten caravans and horses (exhibit RCB/89).
- (ii) On the 4 August 2016 an informant reported that "*travellers have gained access to the park overnight and they are driving at 60mph, there are kids on quad bikes as well..*" (exhibit RCB/90).

13 September 2016 Mayesbrook Park, Dagenham: Entrance to Football Club (Exhibit RCB/91)

37. On the 13 September 2016 an officer from the Parks Police confirmed that travellers were reported to have removed fence posts, and were having a go at footballers, police attended to see if travellers had gained access to the site. Other calls received linked to this incident include:

- (i) 10 September 2016 an informant contacted police and reported that "lots" of travellers were at the location (exhibit RCB/92).
- (ii) On the 10 September 2016 an informant reported ten travellers vans at the location and another two coming in (exhibit RCB/93).
- (iii) On the 10 September 2016 an informant reported caravans in the park, and that the travellers were racing back and forth across the park in their cars (exhibit RCB/94).
- (iv) On the 10 September 2016 an informant reported ten to twelve caravans at location. The informant was concerned about members of the public visiting the park being intimidated by the travellers (exhibit RCB/95).

- (v) On the 10 September 2016 an informant notified police that there were a large group of traveller at the location with approximately 15 caravans and over 100 people present (exhibit RCB/98).
- (vi) On the 10 September 2016 an informant notified police that there were ten caravans parked at the location and more moving onto the land near the children's play area (exhibit RCB/99) .
- (vii) On the 10 September 2016 an informant reported to police that up to forty caravans were at the location and that there was a football match at the school concerned as travellers have taken over the car park at the location and nearly knocked children over in their vehicles (exhibit RCB/100).
- (viii) On the 10 September 2016 an informant reported approximately fifty caravans at the location driving onto the grass area knocking the posts down. The informant explained that there are kids playing football on the grass and one may get hurt (exhibit RCB/101).
- (ix) On the 10 September 2016 an informant reported twenty caravans at the location (exhibit RCB/102).
- (x) On the 12 September 2016 an informant called police and confirmed that travellers were stopping people walking through the park (exhibit RCB/103).
- (xi) On the 12 September 2016 an informant called police and confirmed that there were a "*load of caravans at the location*" with two children riding around on motorbikes and they nearly hit the informant's dog and a lady pushing a pram. The informant told them to watch it and the travellers threatened the informant that they said they would get their family on to them (exhibit RCB/104).

- (xii) On the 12 September 2016 an informant called police and confirmed he was walking through the park and was threatened by travellers who said that he better not be filming or he would not make it through the park alive (exhibit RCB/105).
- (xiii) On the 13 September 2016 an informant called police and confirmed she was in the park with her dog 10 minutes prior to making the call and she was intimidated by 4 male travellers' driving at 40mph inside the park in a silver Peugeot. Informant grabbed her dogs before the males drove past and she called the driver an idiot. The driver reversed and asked her whether she was talking to him. The informant said that you're not meant to drive the car in here. The driver said I don't care I'm a piky. The informant confirmed there were 10 caravans in the park (exhibit RCB/106).
- (xiv) On the 13 September 2016 the informant confirmed fifty caravans had just gone past the informant and that he was concerned they might be about to enter either Morrisons Car Park or Central Car Park (exhibit RCB/107).
- (xv) On the 13 September 2016 the informant contacted the police and confirmed that traveller had nearly run over her and her dog (exhibit RCB/108).
- (xvi) On the 13 September 2016 the informant contacted police and confirmed that she has seen a vehicle driving dangerously with no number plate attached to vehicle (exhibit RCB/109).
- (xvii) On the 13 September 2016 the informant contacted the police and confirmed that seventy to one hundred caravans had arrived at the park (exhibit RCB/110).

- (xviii) On the 13 September 2016 the clubs football coach informed police that the club's changing rooms were broken into by travellers (exhibit RCB/111).
- (xix) On the 13 September 2016 an informant confirmed about one hundred caravans had arrived at the location, swearing and arguing with locals. The informant stated that one boy on a motorbike was terrorising the small children (exhibit RCB/112).
- (xx) On the 13 September 2016 an informant contacted police and confirmed that there were ten caravans and travellers at the location. The CAD records that Police aware of travellers and they have been issued a section 61 CJPOA (exhibit RCB/113).
- (xxi) On the 13 September 2016 an informant contacted police and confirmed travellers are on the football pitches in the park and that there were gas bottles against his fence and that he was worried that they will blow-up. The informant stated the travellers were on quad bikes in the park and leaving rubbish everywhere approximately 30 caravans (exhibit RCB/114).
- (xxii) On the 13 September 2016 an informant contacted police and confirmed 20 + travellers had turned-up at the location with bikes, and the informant was concerned (exhibit RCB/115).
- (xxiii) On the 13 September 2016 an informant contacted police and confirmed a group of five travellers arriving at the location (exhibit RCB/116).
- (xxiv) On the 13 September 2016 an informant contacted police and confirmed that fifteen to twenty caravans were arriving and there were dogs running wild that had been chasing her dog and other residents' dogs (exhibit RCB/117).

- (xxv) On the 13 September 2016 an informant contacted police and confirmed there were more caravans arriving and vehicles driving over the park (exhibit RCB/118).
- (xxvi) On the 13 September 2016 an informant contacted police and confirmed there were travellers in the park (exhibit RCB/119).
- (xxvii) On the 13 September 2016 an informant contacted police and confirmed there were travellers coming into the park with mopeds (exhibit RCB/120).
- (xxviii) On the 13 September 2016 an informant contacted police and confirmed travellers riding around the park on motorbikes (exhibit RCB/121).
- (xxix) On the 13 September 2016 an informant contacted police and confirmed that there were lots of travellers were arriving in the park and making lots of noise disturbing the informant's baby (exhibit RCB/122).
- (xxx) On the 13 September 2016 an informant contacted police and confirmed caravans arriving at location. Section 61 CJPOA issued (exhibit RCB/123).
- (xxxi) On the 13 September 2016 an informant contacted police and confirmed there were vehicles driving reckless in the park (exhibit RCB/125).
- (xxxii) On the 13 September 2016 an informant contacted police and confirmed caravans appearing in the park (exhibit RCB/126).
- (xxxiii) On the 13 September 2016 (exhibit RCB/127) informant contacted police and confirmed there are two vans in the park.
- (xxxiv) On the 13 September 2016 the police officer on duty confirmed that travellers were on Valence Park and that there were big queue of travellers trying to get into the park who were quite hostile and surrounding the police and police were withdrawing. The police were also approached by a

bailiff who informed police that travellers were shouting and screaming at him. Approximately 23-30 caravans were on the site and travellers made it clear to police that they intended to remain on Barking and Dagenham land (exhibit RCB/130).

(xxxv) On the 10 September 2016 informant contacted police and confirmed that travellers were driving in convoy through red lights. Driving dangerous. Staff confirmed Travellers were at the Old Ford site and that appeared the travellers had moved from Beam valley school and repositioned themselves at the Old Ford Site which is now LDA land. Staff reported that they had seen them criminally damage a wall and they're dogs are running wild a being aggressive (exhibit RCB/131).

Information Reports

38. A number of information reports have been generated in relation to the incidents referred to above. The information reports provide further details over and above what is contained in the CAD report and are generated. Information Reports are generated by police officers who attend an incident. The information is recorded in an Information Report to assist other officers who might be tasked with taking further action in relation to the incident at a later date, or, have to engage with someone involved or affected by the incident at a later date.

13 June 2016 Information Report KGRT00349222 (exhibit RCB/132)

39. The information Report provides further details of an incident at Reede Road that occurred on 13 June 2016. The Information Report records the following:

"...At approx 2046 hours whilst dealing with an RTC on the HEATHWAY junction with REEDE ROAD i noticed several caravans going down the alleyway to PEAK GYM between 5 and 7 REEDE ROAD.

I used the station van to block the entrance to prevent further [caravans] entering who were waiting however approx 10 to 15 caravans had entered the site and chained the gates closed.

I inspected the gate and could not see any damage caused.

The group of travellers stated that they didn't know who owned the land but intended to stay there.

A PSU was on duty and was left at the venue blocking further attending."

27 June 2016 Information Report KGRT00349673 (exhibit RCB/133)

40. The Information Report provides further details of an incident at the Old White Horse Pub Site that occurred on 27 June 2016 and is referred to above at paragraph 29. The Information Report records the following:

"On MONDAY 27/06/2016 reports of travellers were received.

As of 1430HRS a group who are apparently numbering approximately 35 in total, had set up an encampment on the site of the old WHITE HORSE PUBLIC HOUSE which is now a piece of land surrounded by blue hoardings at the junction of NORTH STREET and LONDON ROAD BARKING

No evidence of any criminal offences could be seen

There were 6 residential caravans parked on the land, with four motor vehicles:

07WX8200 - silver TOYOTA saloon

05KY10251 - silver FORD TRANSIT van

11C9085 - red TOYOTA saloon

05C22432 - blue FORD TRANSIT van with "CARPENTRY SERVICES" written on the side in a white typeface

There were 4 dogs (all little puppies and not interested in people at all) and 2 chickens on site

In the middle of the site is the old pub cellar, which has been fenced off.

The land was otherwise clear and free of rubbish.

I have updated the LONDON BOROUGH OF BARKING AND DAGENHAM.

The owners are taking legal advice prior to beginning proceedings to having the group moved.

.....

NPT & ERPT to pay casual attention to the site."

20 July 2016 Information Report KGRT00350549 (exhibit RCB/135)

41. The Information Report provides further details of an incident at the City Limits, Colliers Row Road, Romford. The Information Report provides the following:

"1200hrs on 20/07/2016 a large group of members of the travelling community arrived at CITY LIMITS, COLLIER ROW ROAD, ROMFORD, RM52BH and gained access to the adjacent field by removing a barrier, cutting branches from the trees and damaging a lock on the main gate allowing access from Collier Row Road.

Owners challenged the group who arrived in ten vehicles and seven caravans. The group were aggressive and refused to leave. See also KGRT00350538.

Owners have since issued them with an eviction notice and are in the process of seeking an eviction.

Since the group have been on the land owners have found that a lot of rubble, masonry and materials, including hazardous materials such as asbestos, has been dumped on the land.

Photos have been taken of the rubbish dumped on the land."

42. A series of photographs were taken of the site and accompany this report at exhibit RCB/136 to RCB/137.
43. Further, the Information Report also records vehicle registration numbers of those vehicles that were present on the site and the names of the registered keepers. The vehicles recorded as having no current keeper have had the details redacted, but those with registered keepers are recorded in Schedule 1 attached to this witness statement.

26 July 2016 Information Report KGRT00350722 (exhibit RCB/133)

44. This Information Report provides further details of the incident(s) at Lyon Business Park, River Road Barking on the 26 July 2013 referred to in paragraphs 34 to 35 above. It is apparent from the letter attached to the Report that the land owner of Block 0 Lyon Business Park, River Road Barking, instructed their solicitors to take action to evict travellers from their land on the 26 July 2016. The Information Report confirms that police were called by bailiffs to provide assistance. The Information Report confirms:

"...Police were aware the night previously that travellers had gained access and were inside the building. Today the travellers had moved to the car park of the same unit.

None of the travellers would engage with police and were aggressive towards the bailiffs as they were putting up notices.

There were 7 caravans visible in the car park, and unknown if any were still in side due to them barricading the doors shut to the unit and would not allow police to enter to confirm if any damage had been caused.

They had secured the car park by using a heavy duty chain and padlock on the metal gates

The travellers have attempted to email a video from inside the unit to PC 582KG but this has been blocked by web marshal. 582KG has sent a request for this to be released."

26 July 2016 Information report KGRT00350761 (exhibit RCB/138)

45. This Information Report provides further details of the incident(s) at the old Dagenham Motors site on the Lyons Industrial Estate. The Report provides the following:

"On Wednesday 27/07/2016 at about 1630 hours officers attended a call to bailiffs wanting assistance in evicting some Travellers from the old DAGENHAM MOTORS site in LYONS INDUSTRIAL ESTATE just off of RIVER ROAD. When Officers arrived on scene they spoke to the bailiff in charge who was

.....VANGUARD ASSOCIATES LTD

T07500056576

Originally they wanted the MALE arrested that they had seen via CCTV to have broken the lock on the main gate to gain access to the parking lot of the warehouse; however, it was explained that we did not have the resources available to complete this as the eviction notice was last minute. As the eviction notice was not court backed it would not have been possible to evict the travellers but the bailiffs were more concerned about them gaining access to the main building and dumping potentially industrial waste inside the building.

The Bailiffs brought down a locksmith to gain access to the warehouse via the front doors through the offices; however, due to the length of time that it took to get through the doors the travellers were already inside the building and started

to damage the inside and were gaining access to different rooms via the cavity in the ceiling. Eventually it was decided by the bailiffs to break the front glass door to gain access to try and prevent any more damage to the inside; however, once entry was gained you could only walk into the first office and then upstairs as they had blocked the other doors.

When you went upstairs and went to the door on the left hand wall and looked through the glass there was another door to the right and they had tied the two doors together using rope and on the other side of that door was numerous males. These males were banging on the door and visible showing what we believed to be broom handles shouting "come through the door, we dare you" and "see what happens when you come through that door".

Due to the unknown on the other side of that door, that being, if there were children in there or not and how many males there were and also the lack of resources it was decided by KG1 and the bailiffs to withdraw from the situation and they would have to obtain a court warrant and plan an eviction with enough resources attending. We left the scene and the bailiffs secured the property via the shutter."

11 August 2016 Information Report KGRT00351264 exhibit RCB/139

46. This Information Report provides details of an incident at Crossness Road which provides as follows:

On THURSDAY 11TH AUGUST 2016 from 1800hours till 2200hours travellers had entered into the car park area of VAP CHURCH CROSSNESS ROAD unlawfully. No one was able to identify who had broke the lock securing the car park area

Police were called to Crossness Road, Barking following several calls of large groups arguing near VPA Church, Thames Road.

A group of travellers, numbering twelve caravans, had gained access to the rear car park of the church, which had been gated with a locked and secure padlock.

They had broken the padlock and entered the car park, which had two porta cabins in it which are used as the tuck shops for the church.

The landowner, Vish Babbar was contacted and advised that permission had not been granted for the travellers to move onto the land.

Inspector O'Donohue and PS Tanner 22KG attended and travellers were issued with a Section 61 Criminal Justice and Public Order Act notice to move from the area.

After their departure VIW2 found that two port cabins had been broken into, with damage to the doors where the flimsy locks were fitted and they allege that £1000 in cash from the shop float and a number of other items (listed in property page) were stolen totalling around £3000.

Mediated by PC 124KG MCQUARRIE and KG1 INSP O'DONOHUE where the travellers agreed to leave after being served with a section 61 notice

When inside that had apparently taken items of food drink and tables cables and broke a lock to a port a cabin. SOCO CSE 424 consulted and then agreed there were no forensics' as church members had contaminated potential forensics"

47. Further, the Information Report also records vehicle registration numbers of those vehicles that were present on the site and the names of the registered keepers. The vehicles recorded as having no current keeper have had the details redacted, but those with registered keepers are recorded in Schedule 1 attached to this witness statement.

10 September 2016 Information report KGRT00352142 (exhibit RCB/141)

48. The Information Report provides further details of an incident at the City Limits, Colliers Row Road, Romford. The Information Report provides the following:

"After an eviction from LILIPUT ROAD ROMFORD by London Borough of Havering and Romford officers assisted by Havering Parks Police several travellers with their vehicles and caravans made their way onto PARSLOES PARK DAGENHAM numerous local units attended in an attempt to stop the travellers from getting onto the park but due to the large numbers of travellers and the large footprint of the park travellers were able to make their way onto the park and were very hostile when challenged The Inspector for Havering Parks Police had followed the travellers from HAVERING and advised MPS officers that this group had been particularly aggressive and troublesome on this and previous occasions on Havering Borough, their presence was described as a mini crime wave with an increase in residential burglary in the immediate area as well as fly tipping in large quantities a PCSO had also reported that some of the travellers had been in possession of knives that had been waved around in a threatening manner Havering officers that dealt with monitoring the eviction this morning recorded the following VRM as the vehicles left the location in LILLIPUT ROAD ROMFORD Havering Parks Police also stated that they believed the leader of the group that seemed to stir the rest of the group was driving VRM YC14UKV a Black Land rover Range rover Sport registered to Mr Jim COLLINS Flat 8, PEMBURY HOUSE, 3 BREWERY ROAD, BROMLEY, KENT, BR28NF Insurance held to GT performance sport LTD in SIDCUP".

49. Further, the Information Report also records vehicle registration numbers of those vehicles that were present on the site and the names of the registered keepers. The vehicles recorded as having no current keeper have had the details redacted, but those with registered keepers are recorded in Schedule 1 attached to this witness statement.

4 November 2016 Information Report KGRT00354012 (exhibit RCB/142)

50. This Information Report provides details of an incident at the Soccer Centre, Cooks Road, Dagenham which provides as follows:

"On Friday 4th November 2016 officers were on mobile patrol, part of an local Aid serial 762A. Call came over the radio as a Traveller function going on at the SOCCER CENTRE, COOKS ROAD, DAGENHAM and Its kicking off.

Informant stated that there is approximately 50 of them at the venue and they are fighting, also stated that they are being aggressive towards staff and smashing up glasses and refusing to leave the venue after being informed to leave.

Officers arrived on scene at approximately 23:23 hours and appeared calm and compliant inside the venue, however due to the large number of males and females from the travelling community being inside the venue, and with only one serial available, awaited further units to arrive prior to going into the venue. As further units arrived from KF and JC serials, all officers went into the venue and could see that the function was all calm and compliant, with approximately 40 males and about 30 females. Officers had also noticed that that there were plastic crunched up beer glasses and empty glass bottles all over the floor and furniture moved around the venue, however there was no visible damage to the venue and the staff had not made any allegations to officers, nor was there any offences apparent or alleged.

A little while later males were asked to leave the venue by officers and slowly males started to leave along with females. As all males and females had left the staff at the venue had closed the gates and shutters, stopping from them coming back into the venue.

Mr Ben STOKES of 31 QUEENWOOD ROAD, STANFORD LE-HOPE SS17 OFF is apparently the assistant manager at the venue and he was present at the time when officers arrived on scene. When asked about the licensee being present at the venue Mr STOKES stated that he was not present and that the licensee was a Mr Adam BUTTERWORTH."

51. This Information Report provides details of an incident at Herbert Gardens, Dagenham which provides as follows:

Police were called to HERBERT GARDENS following reports of three males, believed to be from the travelling community were trying to do building work on an address of an elderly FEMALE, who was unsure whether they wanted work completed.

Three males, aged in their forties approached two elderly neighbours and advised them they needed work doing to their roofs. One of the elderly females allowed one of the males into her house and he went into the property allegedly to check for damp. The FEMALE was with the MALE the whole time and he did not take anything, just had a look at the walls.

At the other address the MALE went into the garden and two males put up a ladder to get onto the roof. When discussing the work with the females the males stated that the work needed to be done, but would not give a price before attempting to start work.

A neighbour saw what was happening and called police. The males made off in a silver transit type panel van prior to police arrival. No VRM was acquired.

It is suspected that the males were seeking to do work on the houses without permission and then charge for the work they claimed they did. No work was completed on this occasion.

The males are described as follows:

MALE 1 - IC1, short dark hair, clean shaven, large build, a/a 40-45 wearing a blue top and light brown boots.

MALE 2 - IC1, slim build, pockmarked face, short fair/light brown hair wearing jeans and boots a/a 40-45.

MALE 3 - No further description other than IC1 a/a 40-45.

Informant stated they all had Irish accents and were believed to be from the travelling community and are trying to scam elderly people out of money for bogus work."

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: *PC Benson*

Name: PC BENSON 18646

Date: 06/03/2017

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

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
- (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 (17 Lisnakil Court)
- (29) MR BEN WORBLES
- (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 (13 Innishmore Garden)
- (45) MR MARTIN MCDONAGH (118 Hart Lane)
- (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

Defendants

WITNESS STATEMENT OF ROGER WOODWARD

1. My name is Roger Woodward I am employed by Londoneast-uk Ltd which is part of the SOG Group as a Site Engineer and Facilities Security Manager. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. I am responsible for the security of an eighteen acre site which is approximately 4000,000 square feet of developmental retail estate. The site is a substantial part of the overall fifty-acre foot print which has been identified by the Mayor of London, and Barking and Dagenham Council, as a primary location for regeneration. The site that I am responsible for is designed to provide

research and development facilities, scientific and pharmaceutical development laboratories, manufacturing and warehouse facilities, office, and conference facilities for both small and large organisations. Within the overall foot print of the site the campus is adjacent to a large technical college for twelve to nineteen year olds, leisure facilities and soon to be built hotel.

3. At present, there are six residential businesses trading from this site. Currently over 400 people attend the site daily. The people that visit the location range from Technical college students, employees, film crews, contractors, visitors to the leisure facilities and member of the public. Over two thousand vehicles are recorded entering and leaving the site on a monthly basis. It is my responsibility to provide a safe and friendly environment to these visitors.

4. At about 14:45pm on Tuesday the 1st March 2016 I was notified by a security colleague, Roy Livings that he had received a telephone call from Carly Davis the M & B social club to advise him that there were travellers consisting of eight caravans and associated vehicles unlawfully entering onto car park D80 Dagenham Road, Dagenham East, RM7 0QX and were setting-up an unlawful encampment. D80 is located in the north/east corner of the site and one of its functions is to provide secure car parking for M & B Social Club patrons, Boxing Club, Dagenham & Redbridge football club, students staff and parents which is located within the confines of the car park.

5. Jeff Harling and I made our way across the site over to car park D80. On our arrival, we secured and locked the gate to the car park entrance. The travellers then approached us asking us what we were doing. I explained that the car park was private land and that the owner had instructed me to lock the gate and await the arrival of the police. One of the travellers who was inside the car park said that he knew the law and we were not allowed to lock them in.

6. During the evening 1st March 2016 the manager of the M & B Social Club decided not to open the club for the duration of traveller occupation on health and safety grounds. Due to the sensitive nature of businesses occupying the site, and the fact that there are numerous unsecured buildings within London East's campus, I had to arrange at short notice an extra security guard to ensure that these building were secured and protected due to this unwanted and unlawful encampment. The Police remained at the car until 10pm when they then advised that they could not remain on site as their tour of duty had concluded and that they would not be relieved by the night turn shift. As the travellers appeared to have settled down for the night Security staff was briefed to be vigilant and carry out extra patrols in a vehicle, if they found any evidence of a break in to call the Police. Staff was further instructed that the gates to the car park were to remain shut and locked and that from now on no one was to enter or leave the car park unless we were accompanied by the police.

7. At 07:30 am on the morning of 2nd March 2016 instruction was sent to Jeff Harling and Ian Williams to man the D80 car park entrance to redirect traffic that would ordinarily use this car park to use other parking areas within the site. I was informed by CCTV control that between 08.00 and 09.00 hrs some of the travellers whose vehicles were locked in the D80 car park made several attempts to leave the site, but were unable to leave the site due to the locked gates. One traveller approach the security at the main road at the junction of Dagenham Road asking when the gates would be opened. I had given these staff specific instructions that we would only open the gates when the police were in attendance and police were not due on site until 10am.
8. At 10:43 am one of the travellers came down to look at the gate then returned with a group of travellers who huddled together, cut the chain drove out of the car park.
9. After the travellers had left the site I arranged for an extensive clear-up of the car park. The travellers had left behind two gas canisters, food waste and packaging, soiled children's nappies and used clothes.
10. On Friday the 3rd June 2016 at 19:30 hours I was alerted by the security office at the main entrance to the site at Yewtree Avenue that five caravans and associated vehicles had forcibly entered the site. The duty security officer Tahir Iqbal telephoned me to advise that a group of travellers in vans and caravans had pushed him out of the way, lifted the security barrier, throwing aside herras fencing and a fence base block then drove onto site. The officer had to withdraw into the security office. I produce Tahir Iqbal's completed security report form as my **Exhibit RW1**. I instructed the officer to telephone the Police and as they are based at the top of the road some 200 meters away, they arrived within minutes and parked across the gate.
11. Immediately after these travellers had forced their way onto the site I made my way down to the security office I pull the herras fencing back into the road where I secured it with a chain and lock police then arrived at this time, thus preventing further entry to the site to the 7 caravans and associated vehicles that then arrived and parked on the public side of the security barrier / fencing on the side of the road and on top of the mini roundabout trying to enter onto the site. The occupants of the vehicles were confronting the police. This was all recorded-on CCTV which was exhibited by my employer John Lewis. The Police spoke with the travellers attempting to gain entry informing them that they were attempting to enter onto private land and that they would not be permitted to do so as the owners of the land had objected to their occupation and wanted them to leave.
12. I had initiated a security code red (the business' response to an attack or unlawful occupation of the site). This power was delegated to me by the site owner Mr John Lewis following the traveller incursion earlier in the year in March 2016. A code red allows me to lock

down and secure the site by any means at my disposal, which invariably involves hiring in security personnel at short notice.

13. The police were negotiating with the travellers on the public side of the security barrier when the travellers that had unlawfully occupied the site approached us and the police they began rocking the herras fencing. The police warned them about their behaviour informing them that they would not interfere with those already inside the site unless they caused a public order situation, where it would become necessary for police to take decisive action against those trying to facilitate the unlawful entry and occupation of the site. It was an un-nerving experience I felt that at any moment the situation could escalate and I was fearful for both my safety and that of my staff. The travellers were arguing with the police that it was against their human rights to be locked in on the site, that they were entitled to free access and egress to the site. The police told them that the barriers and fences were locked to prevent further unlawful occupation of the site and that if they wanted to leave the site they would open the barriers but if they left with a vehicle the vehicle would not be permitted to return.

14. The police then informed those on the public side of the security barrier that they were obstructing the public highway, and if they did not move off immediately they would be arrested. This obviously resonated with the travellers as they began to get back into the vehicles in doing so they drove up on the footpaths and grassed areas, before driving off.

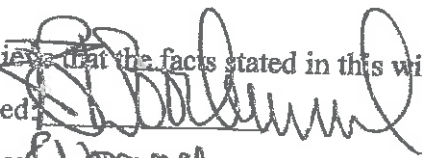
15. The police informed us that they were unable to remain on site after 10pm when the shift changes and that it were unlikely that the night shift would be able to supply officers to man the front gates. Whilst watching the CCTV I witnessed one of the male travellers defecating in a fire exit doorway. I had already invoked the code red, I had an additional seven security personnel booked to work addition hours until Monday 6th June 2016 when the situation could be reviewed they attended site from 21:20 to secure the site and prevent further unlawful incursions. I had briefed them to carry out addition patrols every 30 minutes in a vehicle and to switch on lights in the building so it would appear occupied, the police eventually left site at midnight. Roy Living left at approximately midnight and I left site at around 12:30pm when it became apparent that the travellers that had managed to gain access to the site had settled down for the night.

16. When I arrived home that evening as I was due to go on holiday the following day I sent a email detailing the evening events to make sure I have captured everything whilst it was fresh in my mind and sent this to John Lewis and Ian Williams at 02:47 which I produce (2 pages) as my **Exhibit RW2**.

17. Whilst on holiday I remained in constant contact with Jeff Harling he informed me that the travellers had broken into the substation I then instructed our security staff to contact our electrical contractors to go and inspect the substation to make sure this was safe.

18. I would like to make a statement that the time on the CCTV tape on the 3rd June 2016 is incorrect as our equipment was not synchronised at the time of the incursion but I can verify that the times given on all witness statements and reports are true and correct.

Statement of Truth

I believe that the facts stated in this witness statement are true.
Signed: 
Name: E. WOODWARD
Date: 07-FEB-2017

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number:

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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(49) MR JOSEPH GEOFFREY DERRETT

(50) MR MATHEW MCGRORY

(51) MS MARY WARD

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(54) MS DONNA MARIE WARD

(55) MS ROSE CONNORS

(56) MS ROSANNA WARD

(57) MR EDWARD WARD

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(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

Defendants

WITNESS STATEMENT OF ROGER WOODWARD

EXHIBIT LIST

Tahir Iqbal's security report RW1
Email sent to John Lewis and Ian Williams (2 pages) RW2

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN
Defendants

WITNESS STATEMENT OF ROGER WOODWARD

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Director of Law and Governance, Solicitor for the Claimant

REF: ATR/14256
Tel: 0208 724 8379
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IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: ~~1111~~

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

and

- (1) MR TOMMY STOKES
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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JEFF HARLING

1. My name is Jeff Harling and I am employed by Londoneast-uk Ltd which is part of the SOG Group as a Site Services Manager. I make this statement in support of the Claimant's claim for an injunction against the above-named defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. On Tuesday 1st March 2016 at 14:45 hours I was alerted by Roy Livings the security office advising me that travellers and their caravans were entering into the D80 car park from the

Dagenham Road access gate. Car Park D80 is located in the [north/east part of the site and is accessed via Dagenham Road.

3. Roger Woodward and I made our way across the site over to car park D80. On our arrival, we secured and locked the gate to the car park entrance. The travellers then approached us asking us what we were doing. Roger Woodward explained that the car park was private land and that the owner had instructed me to lock the gate and await the arrival of the police. One of the travellers who was inside the car park said that he knew the law and we were not allowed to lock them in.

1. During the evening 1st March 2016 the manager of the M & B Social Club decided not to open the club for the duration of traveller occupation on health and safety grounds. Due to the sensitive nature of businesses occupying the site, and the fact that there are numerous unsecured buildings within London East's campus, Roger Woodward had to arrange at short notice an extra security guard to ensure that these building were secured and protected due to this unwanted and unlawful encampment. The Police remained at the car until 10pm when they then advised that they could not remain on site as their tour of duty had concluded and that they would not be relieved by the night turn shift. As the travellers appeared to have settled down for the night Security staff was briefed to be vigilant and carry out extra patrols in a vehicle, if they found any evidence of a break in to call the Police. Staff was further instructed that the gates to the car park were to remain shut and locked and that from now on no one was to enter or leave the car park unless we were accompanied by the police.

2. At 07:30 am on the morning of 2nd March 2016 instruction was sent to Myself and Ian Williams to man the D80 car park entrance to redirect traffic that would ordinarily use this car park to use other parking areas within the site. I was informed by CCTV control that between 08.00 and 09.00 hrs some of the travellers whose vehicles were locked in the D80 car park made several attempts to leave the site, but were unable to leave the site due to the locked gates. Several of the travellers whose vehicles were locked in approached the security personnel at the gates and requested them to open the gate. I had been given specific instructions from Roger Woodward to only open the gates when the police were in attendance and police were not due on site until 10am.

3. I was not present on the second incursion on 3rd June 2016 but I assisted Roger Woodward in copying CCTV footage he witnessed at 22:30 hrs When one of the traveller walked over to a

nearby doorway, pull down his trousers and defecate in the doorway. He then wiped his bum with a rag and discarded it on the ground nearby. I re-wound the CCTV and made a copy of the incident on my mobile telephone. I subsequently sent a copy of the recording to Barry Agnew at the council which I produce a USB stick as my Exhibit JH1.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: JEFF HARLOW

Date: 7/3/17

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

Claim Number: _____

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
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(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JEFF HARLING

EXHIBIT LIST

USB Stick copy of CCTV defecation JH1

Claim Number: _____

IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM
Claimant

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(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF JEFF HARLING

Fiona Taylor
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Director of Law and Governance, Solicitor for the Claimant

REF: ATR/14256
Tel: 0208 724 8379
Email: adam.rulewski@bdlegal.org.uk

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

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(61) MS VANESSA WARD

(62) MS KATHLEEN WARD

(63) MR JAMES WARD

(64) MR JOEY WARD

(65) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF [Gemma Edwards]

1. My name is Gemma Edwards and I am currently employed as a Street Enforcement Officer/Traveller liaison officer at The London Borough of Barking and Dagenham Council. I have been in my current role since September 2004 and over the years have come to know a lot of the travelling families who frequent our borough. I make this statement in support of the Claimant's claim for an injunction against the above named Defendants. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief

2. In this year alone I have seen a dramatic increase in the numbers of members of the travelling community setting- up unlawful encampments within the borough on both private and public land, also the number of families travelling and congregating as a single group has risen from 5 or 6 caravans to 30 plus caravans along with associated vehicles. The verbal abuse, antisocial behaviour and criminal damage by the travellers involved, and rubbish left by them has become progressively more worrying and intimidating. Since February 2015 we have had 63 separate illegal encampments. Between February 2016 and October 2016 there were 32 requests for service for illegal encampments on both private and public land.

3. The council uses the powers available to it under the provisions of sections 77 & 78 of the Criminal Justice and Public Order Act 1994 (CJPOA 94) to deal with unlawful encampments on its land. The response and method of dealing with unlawful encampments is detailed as follows.
 - Initial arrival at scene to establish nature and content of encampment
 - Engagement with the persons to ascertain their intentions re duration of stay.
 - Issue and explain the council's tolerance policy in respect of unlawful encampments.
 - Carryout welfare needs assessments.
 - After 24 hours [providing the terms and conditions of the tolerance policy are not breached which would allow the council to commence proceedings earlier than 24 hours] serve a notice [direction to leave] under the provisions of s.77 CJPOA 94, requiring the persons unlawfully encamped on the land to vacate it within 24 hours from the service of the notice.
 - At the same time as the s.77 notice is served update the welfare needs assessment.
 - 24 hours after the service of the s.77 notice revisit the site to check on compliance.
 - If the notice has not been complied with, make enquiries as to the intentions of the persons on site and update the welfare needs assessment. Inform persons that they are in contravention of the notice and if they do not immediately vacate the land the council will apply to the local magistrates court for a summons in respect of an application for a s.78 CJPOA 94 [removal order] hearing.
 - As soon as practicable thereafter and upon receipt from the court of the summons serve a copy of the summons [affording 24 hours' advance notice of the court hearing] on the occupiers of the land.

- No less than 24 hours after the direction hearing and dependant on the court issuing the order, attend the site with police and enforce the direction to leave order.
4. Recently the travellers have gained access to land by: removing bollards; cutting locks; ramming iron gates; cutting down trees; threatening residents,; threatening police officers and council staff. This has included physically rocking and moving vehicles used by officers to create a road block to park gates in an attempt to prevent the travellers moving onto the land.
 5. Historically, in 2014, the borough recored 40 unlawful encampments for the year. The most prolific travelling family in the borough is the Ward family and the Stokes family. The Ward family return every year with the intention of working for 6 months and try to stay in the Borough for as long as possible. The main type of work carried out by the Ward's is rubbish removal and property maintenance. The Borough successfully obtained an injunction against a number of members of the Ward family in 2013 preventing them from "causing or permitting the stationing of any caravan for residential use on any of the car parks and open spaces, or occupying any caravan stationed on any of the said car parks or open spaces as follows:
 6.
 - ☞ Central Park
 - Parsloes Park
 - ☞ Valence Park
 - Mayesbrook Park
 - Old Dagenham Park
 - Barking Park
 - ☞ Greatfields Park
 - St Chads Park
 - Castle Green
 - ☞ Goresbrook Park
 - Pondfield Park
 - The Leys
 - Newlands Park
 - Scrattons Park
 - ☞ Tantony Park
 - Easbrookend Country Park
 - Beam Valley Country Park
 - Beacontree Heath Leisure Centre
 - Goresbrook Leisure Centre
 - Barking Town Hall Frontage
 - Becontree Avenue Car Park
 - Stour Road Car Park
 - Wantz Road Car Park
 - Roycraft House and Market Trader Car Park
 - John Burns Drive Car Park

- Dagenham Road Car Park
- Faircross Parade Car Park
- Axe Street Car Park
- Eastbrookend Cemetery Car Park
- Rippleside Cemetery Car Park
- Marks Gate Cemetery Car Park
- Abbey Fields
- Creek Road Depot

7. On the 26th of February 2016 at 09:30 hrs myself and my colleague, Nicky Martin [NM] attended a report of an unlawful encampment at Barking Abbey, Abbey Road, Barking. The location in question is registered as a heritage site and overseen by Historic England. Upon arrival I noted a group of 12 caravans and associated vehicles set up on the Green. The vehicles were located approximately 50 metres away from the school and had caused damage to the green by driving the vehicles across the grass, churning it up in the process. I recognised the family as the Goggin's family as I had dealt with them on a couple of occasions last year. This family sell knives and kitchen utensils door to door. Whilst on site I noted the smell of human faeces was overpowering and saw socks that appeared to be filled with faeces hanging on the wall to the Abbey ruin. There were discarded items of clothing and general rubbish around the perimeter of the camp. We attempted to engage the occupants and carry out welfare checks, but they informed us that there were no welfare concerns. We left them a copy of the council's tolerance policy. Police attended while we were carrying out our enquiries and they were told that if they didn't move from the land immediately a section 61 Criminal Justice and Public Order Act 1994 notice would be issued. The travellers refused to leave so the police served them with a section 61 notice at 11:30 hrs, giving them 2 hours to vacate the land. They were eventually off the land at 16:30 hrs. I took a series of photographs whilst on site which I **Exhibit as GE/01**
8. On the 21st of April 2016 myself and my colleague Nicky Martin were called to a report of Caravans unlawfully occupying private land at the OYO business park which is adjacent to Hindmans Way, Barking. We got out of our vehicle to speak to the occupants and when we approached the gate we observed a notice that had been placed on it with the wording as follows; Section 144, LASPO does NOT apply This is NOT a "residential building" within the meaning of section 144, Legal Aid, Sentencing and Punishment of Offenders Act 2012 because it was NOT designed or adapted, before the time of our entry, for use as a place to live (ss (3)(b)). Nicky Martin asked one of the females who was outside of her caravan if they were just one family and she said 'No, we are the Wards and Stokes. We asked if it was ok if we went around the site carry out welfare checks and read the tolerance policy

the men became aggressive and said 'No you fucking can't, get off the site' and shut us out of the gate. They used their own padlock and chain to lock themselves in so we left. We drove away to a safe distance and took pictures of the lay out of the site. As the land was privately owned there was nothing further we could do. The travellers were eventually evicted by the land owners by means of a high court writ.

9. On the 22nd April 2016 09:00 hrs, myself and Nicky Martin attended Orion Park, Merriellands Crescent, Dagenham to investigate a report of an unlawful encampment. Upon arrival we witnessed 10 caravans and associated vehicles i.e flat bed vans, private vehicles and transit type vans were behind a wire fence opposite Homebase's warehouse and entry to the site was via 2 large gates. The lock had been cut and the chain was wrapped around the gate to make it appear locked. We spoke to a man from the first caravan/van we came across. The caravan was a white 'ranger' and was attached to a custom white ford transit van with vehicle index mark [VIM] FY15 WWB. He introduced himself as Tommy Stokes. Nicky Martin and I asked how long they were thinking of staying and what the reason was for them being here and he said 'As long as it takes, we're here for retribution for my relative Edward Stokes that was stabbed in Plaistow in March the trial is being heard in a few weeks, there's more of us on the way.' We asked if it was just the Stokes family that would be joining them and he said 'No the Ward's are coming too' we asked if we could carry our welfare checks and Mr Stokes replied "you are wasting your time, no one will speak with you and besides we don't have any welfare issues, we are all fine, you can take my word for it. We noted that there was a build-up of general waste and rubbish towards the rear of the site then left. When I returned to the office I conducted a land registry search that showed that a sister company of AXA insurance owned the plot of land. I called them and they said that it would be best to speak to the managing agents who were dealing with them, a company called CAPITA. I spoke with Nigel Best who said that they were aware of the unlawful occupation and that they were in the process of evicting them via bailiffs and that to date they had spent approximately £7,000 trying to evict them.
10. On the 23rd April 2016 08:25 hrs myself and Nicky Martin revisited Orion Park and noted that a similar (LASPO) notice as had been seen at Hindmans Way, Barking, had been affixed to the main entrance gate and that the 8 caravans I witnessed at Hindmans Way on 21 April 2016 had now joined the Stokes taking the numbers of caravans up to 18 and associated vehicles. We also saw one of the men that was aggressive to us at the Hindmans Way site walking over towards our vehicle on 21 April 2016 so we decided to leave the site. As we

were driving off site I noted that the accumulations of rubbish had quadrupled in size since yesterday. The landowner arranged for the travellers to be evicted some 21 days later.

11. On the 26th of April 2016 09:10 hrs myself and Nicky Martin attended the car park of the Premier Inn at 2 New Road, Dagenham to investigate a report of an unlawful encampment. Upon arrival we noted 9 caravans and a few tipper transits parked-up. As we drove into the car park a male was driving out in a silver custom transit VIM number YK14 OVM who I can identify as Martin Stokes, he has a distinctive tattoo on the side of his neck and I have met him on previous occasions. We took photographs of the vehicles in situ with the vast majority of the vehicles being flatbed and tipper type vans and they were advertising waste removals on the sides of the vehicles. Police attended this site at 11:00 hrs and served the travellers with a section 61 notice giving them 2 hours to vacate the land. The travellers had vacated the site by 15:00 hrs.

12. On the Monday 6th of May 2016 09:00 hrs myself and Nicky Martin attended Choats Manor Way to investigate a report of an unlawful encampment on land along the Thames Gateway Park which is close to the big roundabout at the junction with Choats Road. Upon arrival we noted 6 caravans plus associated vehicles that had their number plates removed. Again we noted that the same type of LASPO notices affixed to the surrounding fencing. The occupants had padlocked themselves in with a large chain. We noted that there was large deposits of fly-tipped wastes [household clearances] on the land and immediately behind the boundary wire fencing . I submit photos of the fly-tipping as my **Exhibit GE/02**. When we tried to talk to one of the males we were told to 'Fuck Off we don't need your help!'. So with their aggressive nature to us previously in mind we left the site.

13. On the 19th of May 2016 11:00 hrs Myself, Nicky Martin and Robert Curtis – Service Manager attended the site of the Vue Cinema, Cook Road, Dagenham to investigate a report of an unlawful encampment on the land. When we arrived on site I noted 6 caravans, some were not displaying any VIMs. There were also associated vehicles with them spread out throughout the car park. We knocked on the doors of the caravans but did not receive a reply, they all appeared un-attended. There were a couple of tipper trucks/associated vehicles parked next to the caravans which I took pictures of and we left the site. I submit copies of the photos as my **Exhibit GE/03**. The travellers left the site voluntarily after two days leaving behind several black bags of domestic waste.

14. On the 8th of June 2016 12:20 hrs myself and NM attended Choats Manor Way to the same piece of land an unlawful encampment had been established back on 06 May 2016. I noted that the lock had been cut on the gate which was now open but it was still welded to the fence. There were 3 caravans and associated vehicles on the land. We asked if we could carry out welfare checks with the occupants but they refused to open the doors and told us to 'fuck off and serve our notices', so we left the site. We returned to the site in the afternoon at 14:00 hrs with the Service Manager, Robert Curtis to serve the occupants with a s.77 Criminal Justice and Public order Act 1994 direction to leave notice. I noted that there were 6 caravans on site with 2 more waiting in the road trying to gain access. I noted that a LASPO notice was affixed to the fence. We started to hand out the s.77 notices to the occupants of the caravans and I heard Robert Curtis speaking to one of the male travellers who I know by the name of Davey; he said "are any of you part of the Ward family?" and Davey said "why are you asking?" Rob Curtis replied "if you are the Ward family I would remind you that the council has a boroughwide injunction against many of the members of that family and that you may be in breach of the injunction if you camp at this location'. Davey said "you can fuck off, I suggest you get off this land before you get hurt". Rob Curtius then said " calm down ok, we are not here for trouble we are leaving. Davey then said "is that right?" and then turned to me and said "get him off this fucking site Gemma and don't ever bring him back because he will know what trouble is'.
15. On the 13 June 2016 at 08:15 hrs myself and Nicky Martin served a summons on the travellers at Choats Manor Way to appear before Barkingside Magistrates Court on 14 June 2016 for a direction hearing, by affixing a copy of the summons to the gates to the site.
16. On 14 June 2016 following a hearing at Barkingside Magistrates' Courts, magistrates issued a direction to leave order [s.78 CJPOA 94] against the unlawful encampment at Choats Manor Way, Dagenham.
17. On 15 June 2016 at time I attended Choats Manor Way to check on the status of the encampment and noted that the land had already been vacated.
18. On 17th June 2016 at 08:15 hrs myself and Nicky Martin attended Mayesbrook Park, Dagenham to investigate a report of an unlawful encampment within the park. Upon

arrival at the park we established that there was an unlawful encampment consisting of 5 caravans and associated vehicles located at the back of the park (Barking end) near the cricket pitch. We introduced ourselves to the persons on site, explained the purpose of our visit and distributed copies of the council's tolerance policy. We attempted to carry out welfare checks but the persons would only provide us with their family name- Docherty. They informed us that everyone in the group was fine and were not in need of assistance at this stage. Nicky Martin asked one of the males how long the group intended staying on site and he replied 'as long as possible, how long can you let us stay? Could you let us stay for a couple of weeks?' Nicky Martin replied, 'I'm sorry you can't stay for that long.' He replied, 'ah it was worth a try, if you don't ask you don't get.' Nicky Martin said 'what line of work are you in?' He replied 'we do driveways and patios and you needn't worry about us fly-tipping we don't fly tip.' I said 'as long as you adhere to the conditions of the tolerance policy that I gave you, the council won't commence enforcement action against you for at least 24 hours.' I took a series of photos whilst on site and produce copies of same as my **Exhibit GE/04**. When I revisited the park on Monday 20 June 2016 at 10am I noted that the occupants had vacated the land.

19. On the 20th of June 2016 09:15 hrs myself and Nicky Martin attended Eastbrook Comprehensive School, Dagenham Road, Dagenham to investigate a report of an unlawful encampment on the grounds of the school. When we arrived we spoke with the foreman of a group of builders who were carrying out refurbishment works to the school. He informed us that a lot of caravans had gained entry to a rear sports field by cutting off the lock and chain to a security gate protecting the field. We made our way from the main school entrance up to the gate to the sports field and noted that the gates were closed with an unlocked padlock and chain. Attached to the gate just above the padlock was an LASPO notice. We removed the padlock and chain and entered the field. We counted 23 caravans and associated vehicles parked-up in the field about 50 meters away. We walked up to the first traveller that we saw who was sitting in a white Vauxhall 4x4 vehicle registration number UNZ 6279. Nicky Martin then asked how long they were thinking of staying and the traveller said 'a couple of days'. We introduced ourselves and I asked him his name. He replied 'Fuck Off what's it to you.' I replied 'there's no need to be like that I'm not here to give you grief I am just making some enquiries about your intentions about staying on the land.' He said: 'it's none of your business'. I said: 'look all I'm after is a family name and how many vehicles are on the site, surely you wouldn't mind giving me that information'. He said 'ok there are 2 families on the site the Wards and the Stokes is that good enough. I then explained the traveller policy and as they were on school ground that

we would have to take some pictures for health and safety reasons and he said that would be ok. We then asked if they were willing to carry out welfare checks with us to which he said that he didn't think anyone would complete. We then started to walk around the site taking pictures and notes of all the vehicles, after a few minutes a male occupant came running over to shouting "what are you taking photos for?" Nicky Martin said "I'm taking photographs for the council's database and for health and safety reasons as you're on school property, we asked the man in the white Vauxhall over there" and Nicky Martin pointed over at the white Vauxhall. he said "he doesn't know what he's talking about" he then became very aggressive and pointed in Nicky Martin's face and said "you can stop taking photos now if I see you taking one more I will beat you senseless and smash your fucking phone. Get off the site while you still can". We said 'ok' and NM said that we needed to leave the site at once. At 12:20 hrs myself and numerous enforcement colleagues re-attended the site accompanied by the police. The police issued the occupants with a notice to leave the land under the provisions of section 61 Criminal Justice and Public Order Act 1994. I was not present when the section 61 was complied with as I had to leave site to deal with another matter.

20. On the 21st of June 2016 at 08:25 hrs myself and Nicky Martin attended Parsloes Park, Ivyhose Road, Dagenham to investigate a report of an unlawful encampment. When we arrived we located an encampment near the duck pond. We noted that there were 5 caravans and associated vehicles on site and as we got closer to where the vehicles were parked-up we could see that it was the same group of persons who had set-up an unlawful encampment at Mayesbrook Park back on 17 June 2016. We parked-up our vehicle and approached the caravans. As we were walking past one of the caravans the male who we spoke to on 17 June 2016 at Mayesbrook Park put his head out of the caravan window he said "how are you this morning" Nicky Martin said "good thanks what time did you get here" he said late last night" Nicky Martin said "how long are you planning to stay here" he said "a couple of days" Nicky Martin said "do you want us to carry out a welfare check?", He said 'no just like the last time we are fine', I said 'ok do you mind if we take some photographs" he said "no knock yourself out" I then took a series of photographs of the vehicles and caravans in situ and left the site I produce copies of the photos as my **Exhibit GE/05**. Police advised us that they would serve a section 61 notice and when I checked the site again on 23 June 2016 @ 09:20 hrs the travellers had vacated the land.

21. On the 27th June 2016 at 14:00 hrs myself and Nicky Martin attended the derelict car park of the White Horse pub in North street Barking. I noted 6 caravans and associated vehicles in the rear car park. As we were at the roadside taking pictures of the vehicles in situ a boy came off of the site and started telling us. to 'fuck off taking pictures of my family' and then started punching and kicking our van so we left the site. The landowner arranged the eviction of these travellers after 5 days.

22. On the 30th of June 2016 10:00 hrs myself and Nicky Martin attended the offices of Glenda Paddle of Thompsons solicitors on the A13 New Road to inspect CCTV footage she had recorded the day before [29 June 2016] of persons in caravans trying to gain access to the Private land behind her buiding. The footage showed a group of men using a machine to cut off the locks on the gate that secured the site, removing hoarding and ripping out small trees to allow them to drive their vehicles and caravans onto the land. We observed 24 caravans and associated vehicles on the land. These caravans and vehicles were very similar to those observed on the site at Orion Park, Merrielands Crescent, Dagenham earlier in the day. There was evidence of substantial fly-tipping taking place on the site. I took photographs of caravans, vehicles and fly-tipping in situ. Ms. Paddle provided us with a copy of the CCTV footage which I retained and placed into safe storage. Upon my return to the office I carried out a Land Registry search on the piece of land which showed that the land was owned by the Greater London Authority [GLA] The landowner carried out a private eviction after 11 days occupation.

23. On the 4th July 2016 09:00 hrs myself and Nicky Martin attended the car park to the Premier Inn, 2 New Road Dagenham to investigate an unlawful encampment. Upon arrival it was apparent that the unlawful occupants of the GLA land behind the offices housing Thompson solicitors had overspilled into the car park of the Premier Inn. I took photographs of the scene and went to speak to Glenda Paddle again. She advised me that Harrison Ball from the GLA's managing agents 'GVA' had been to assess the traveller situation and was awaiting advice from his peers as to what action they were going to take. Myself and Nicky Martin then went to speak to the manager of Premier Inn and he informed us that the car park is owned by Whitbred Plc and that they were sending down their own bailiffs to remove the travellers from the car park. At 16:08 Whitbred's bailiffs evicted the travellers from the car park. I produce copies of the photos as my **Exhibit GE/06**.

24. On the 5th of July 2016 09:40 hrs myself and Nicky Martin attended 'Goals' soccer club in Cook Road, Dagenham. Upon arrival I saw that there were 8 caravans and vans parked up in the car park. We took photographs of the lay out. The same travellers that were in the car park of the Premier Inn (we confirmed this by matching registration numbers from both sites) that threatened the gatekeeper to the car park and gained access to the rear of the car park. I spoke to the manager Darren who confirmed that that one of the travellers 'Davey' had said to him 'give us £1,600 and we'll go right now'. We asked Darren what action he would be taking and he told us that they would be sending high court sheriffs to effect an eviction.
25. On the 7th July 2016 I was notified by Darren the manager of Goals that the previous day the travellers had been moved from 'Goals' and that they drove a short distance down the road and onto land owned by the Millhouse Social Club. Myself and Nicky Martin attended the Millhouse social club at 10:00 hrs. We parked-up in the car park and noted 6 caravans and associated vehicles. We spoke to one of the travellers who said there had been trouble with one of the clubs owners (who is of traveller descent) the night before so they were getting ready to go now. We took photographs of them in situ and left. At 12:58 hours I received a phonecall from Glenda Paddle of Thompson Solicitors who informed me that the travellers had moved back onto Brewers Fayre/Premier Inn 2 new road Dagenham. Myself and Nicky Martin arrived at the Premier Inn at 13:00 hrs where I observed Tommy Stokes in the drivers seat of a Transit van VIM FY15 WWB which was drawing a caravan parked in the entrance to the GLA land. I contacted the police about this return encampment to the Premier Inn and they said they were going to issue a s.61 CJPOA 94 notice at 16:00 later that day. I later discovered that the police were unable to serve their s.61 notice that day and it was rescheduled for the following day.
26. On the 8th of July 2016 at 16:00hrs we assisted the police when they served a section 61 notice on the travellers at the Premier Inn. When the police issued the s.61 notice the travellers started to exit the car park but then drove straight onto the back of Glenda Paddles building and cut the lock and bent the gate to get in the car park the police then issued another s.61 with immediate effect and they drove out and were followed by a patrol car until they reached the borders of the London Borough of Havering.
27. On Saturday 9th of July 2016 at 08:00 hrs myself and Nicky Martin attended the GLA land adjacent to New Road Dagenham for the eviction of the travellers. Upon arrival we noted

that Harrison Ball, the police and 14 high court enforcement officers were already in attendance. The lead enforcement officer had been talking to Tommy Stokes and when he returned he said that 'if we try and make them go today they said they will fight us all the way and we're going to need more people than we've got but if we leave them for today they will go by 12:00hrs tomorrow' Tommy Stokes was nodding in agreement and said 'leave us today or you'll make it hard on yourselves, tomorrow we'll be gone and no one gets hurt'. The lead officer then spoke to Harrison and it was agreed in the interest of officer safety they would let them leave peacefully tomorrow. I took photos of the vehicles on site and produce copies of them as my **Exhibit GE/07**.

28. On the 25th of July 2016 myself and Nicky Martin attended Orion Park Merriellands Crescent to reports of another illegal encampment [This land had been the subject of an unlawful encampment back in April of 2016]. The lock had been cut off of the gate and fly- tipped rubbish was accumulating. I noted that there were 24 caravans with associated cars and vans. I noted that at the front of the encampment was Tommy Stokes' white Transit van FY15 WWB which I took a photograph of in situ. I contacted the land agent, Nigel Best, by telephone to inform him that the land had again been unlawfully occupied. I took a series of photos of the site which I produce as my **Exhibit GE/08**.
29. On the 12th of September 2016 at 09:30 hrs myself and Nicky Martin responded to a report that there was an unlawful traveller encampment at Parsloes Park, Dagenham. Upon our arrival we noted that the police were already on site and I counted in excess of 25 caravans and associated vehicles. I spoke to PC Dan Hives who advised us that he was present on Saturday when the travellers effected entry onto the land. He stated that that a couple of young children were seen pulling the wooden fence posts out of the ground to allow the vehicles and caravans to drive into the park.
30. At 15:45 hrs on 12 September 2016 both myself and Nicky Martin were present at Parsloes Park when police served the travellers with a section 61 notice, giving them until 16:00 on 13 Septemebr to vacate the land.
31. At 09:15 hrs on 13 September 2016 myself and NM attended Valence Park Dagenham following a report that the travellers that had been unlawfully encamped at Parsloes Park had simply vacted one park and drove onto another. Upon arrival we learned that a council officer and two police officers that had attempted to prevent the travellers entering the park were threatened with violence and the police car had been rocked by a group of travellers

so much that the police had to retreat from the immediate vicinity. We confirmed that the travellers were the same ones that had been in occupation at Parsloes Park the day previous.

32. At 16:00 hrs myself, Nicky Martin, colleagues from the Street Enforcement Service attended Valence Park to assist the police with the service and enforcement of a section 61 notice. As we were preparing to serve the notice a couple of male travellers approached us and told us that they had no intentions of leaving the park. Police then spoke with the travellers who had congregated in a large group and I heard the travellers say that “we are not moving tonight, we will go in the morning, but if you want to move us tonight you will need to get more officers than you have, because we are not going without a fight”. Police served the travellers with the section 61 agreeing that they had to vacate the land by 10am the following day. We left site at 19:00 hrs.

Statement of Truth

I believe that the facts stated in this witness statement are true.

Signed: 

Name: Gemma Edwards

Date: 8.3.17

IN THE HIGH COURT OF JUSTICE

Claim Number: _____

QUEENS BENCH DIVISION

BETWEEN

THE LONDON BOROUGH OF BARKING AND DAGENHAM

Claimant

-V-

- (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 (17 Lisnakil Court)
- (29) MR BEN WORBLES
- (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 (13 Innishmore Garden)
- (45) MR MARTIN MCDONAGH (118 Hart Lane)
- (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

Defendants

WITNESS STATEMENT OF GEMMA EDWARDS

EXHIBIT GE/01
EXHIBIT GE/02
EXHIBIT GE/03
EXHIBIT GE/04
EXHIBIT GE/05
EXHIBIT GE/06
EXHIBIT GE/07
EXHIBIT GE/08

BETWEEN

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Claimant

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- (13) MR JIM COLLINS
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- (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
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- (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 (13 Innishmore Garden)
- (45) MR MARTIN MCDONAGH (118 Hart Lane)
- (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

Defendants

WITNESS STATEMENT OF GEMMA EDWARDS

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