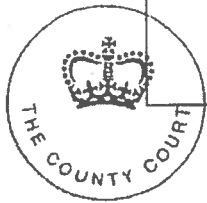


**Injunction to section 222 of the
Local Government Act 1972 and
section 187B of the Town and
Country Planning Act 1990**



To:	(1) Persons Unknown
Of:	Occupying Land (2) Persons Unknown Depositing Waste or Fly- Tipping on Land

IN THE NOTTINGHAM COUNTY COURT	
Claim No:	F71NG316
Claimant	Rushcliffe Borough Council
Defendants	(1) Persons Unknown Occupying Land (2) Persons Unknown Depositing Waste or Fly-Tipping on Land

PENAL NOTICE

IF YOU PERSONS UNKNOWN OCCUPYING THE LAND AND DEPOSITING WASTE OR FLY-TIPPING ON LAND (AS DEFINED IN THIS ORDER) DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS PERSONS UNKNOWN OCCUPYING THE LAND AND DEPOSITING WASTE OR FLY-TIPPING ON LAND TO BREACH THE TERMS OF THE ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

BEFORE His Honour Judge Godsmark QC sitting in the Nottingham County Court on 6th November 2020

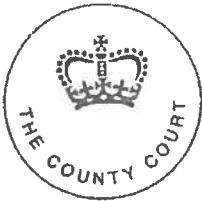
UPON hearing counsel for the claimant and no attendance by any other person

AND UPON reading the witness statements of Phil Scotney, Fabien Ribeiro, Craig Taylor and Derek Hayden

AND UPON the Claimant undertaking that in the event that any person occupied the land, they would still be entitled to full and proper consideration by the Borough of their welfare, health, housing and social care needs.

IT IS ORDERED THAT:

1. This Order applies to each of the five sites known respectively as:-
 - i. Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG;
 - ii. Gresham Park, Gresham Park Road, West Bridgford, Nottingham, NG2 7YF;
 - iii. West Park, Loughborough Road, West Bridgford, Nottingham, NG2 7JE;
 - iv. The Hook, Holme Road, West Bridgford, Nottingham, NG2 5AG;
 - v. Rushcliffe Country Park, Mere Way, Nottingham, NG11 6JS;



each of which is identified separately on the five plans attached hereto with, in each case, the land affected by this Order being enclosed in red. The five sites are collectively referred to hereafter as the "Land" and for the avoidance of doubt reference to "the Land" in the paragraphs which follow applies identically to each of the five sites named above and delineated on the attached plans.

2. Any person is forbidden from:
 - (a) Setting-up an encampment on any of the Land without written permission from the Local Planning Authority or planning permission granted by a planning inspector.
 - (b) Occupying any part of the Land for residential purposes (temporary or otherwise), including with caravans, mobile homes, vehicles, and residential paraphernalia without written permission from the Local Planning Authority or planning permission granted by a planning inspector;
 - (c) Bringing on to the Land any vehicle whether for the purposes of the disposal of waste and materials or otherwise, other than when driving through the Borough of Rushcliffe or in compliance with the Parking Orders regulating the use of car parks or with express permission from the owners of the Land;
 - (d) (For the protection of members of the public and any employee or agent of the Claimant who may visit the Land) Depositing or Fly-Tipping any waste or rubbish on the Land.
3. Service of this Order and Part 8 Claim shall be deemed served pursuant to CPR 6.27 by affixing a copy of this Order and Part 8 Claim (as opposed to an original) contained in a transparent waterproof envelope or laminated copy in a prominent position at each of the entrances to the Land identified on the attached Plan, together with a Notice that a copy of the Part 8 Claim Form and supporting evidence can be obtained from Rushcliffe Borough Council, Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG during normal opening hours and are available on the Council's website.

4. Any person who is presently a Person Unknown (or anyone notified of this Order) who wishes to identify him or herself and join as a named Defendant to the proceedings may apply to the Court on 72 hours written notice to the Court and the Claimant to vary or discharge this order (or, so much as it affects that person, or part of it) including upon the basis of their personal circumstances (including groups of hardship or health).
5. The Claimant shall file (and serve upon any named Defendants joined to this claim) any further evidence in support of this Claim by not later than three (3) days prior to the hearing of the Claim. Such evidence shall include:
 - (a) evidence of title and evidence of service in accordance with the terms of this Order;
 - (b) evidence of any unlawful incursions and fly-tipping following the making of the Order and the risks of such future potential incursions or fly-tipping;
 - (c) evidence as to any enforcement action taken in pursuance of this Order, including informal enforcement measures;
 - (d) evidence as to how the welfare considerations of Travellers who may be affected by the terms of this Order and any final order sought, including the interests of Travellers wishing to come into the Borough have been or will be dealt with.
6. Service of the above evidence is permitted upon the unnamed Defendants by placing a copy of the same on the Council's website.
7. This Order shall remain in force until 16:00 on 23 September 2022 or until further order. There be liberty to apply to extend this order with any such application to be made before 4 pm on 26th August 2022
8. No order as to costs.



In this Order

- (a) "The Land" means the land within the Borough of Rushcliffe identified on the attached Plans and named as:
 - i. Rushcliffe Arena, Rugby Road, West Bridgford, Nottingham, NG2 7YG;
 - ii. Gresham Park, Gresham Park Road, West Bridgford, Nottingham, NG2 7YF;
 - iii. West Park, Loughborough Road, West Bridgford, Nottingham, NG2 7JE;
 - iv. The Hook, Holme Road, West Bridgford, Nottingham, NG2 5AG;
 - v. Rushcliffe Country Park, Mere Way, Nottingham, NG11 6JS;
- (b) "Occupying" means remaining in for the purposes of treating as a place of residence or as a dwelling;

- (c) "Encampment" means a place of temporary shelter for the purposes of accommodation

GUIDANCE NOTES

Effect of this Order

- (a) A Person Unknown Occupying and/or Depositing Waste or Fly-Tipping on Land (or anyone notified of this Order) who is an individual who is ordered not to do something must not do it by him or herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions with his/her encouragement.
- (b) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.
- (c) It is Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his/her assets seized.
- (d) All communications with the Court about this Order should be sent to Nottingham County Court, 60 Canal Street, Nottingham, NG1 7EJ

HHJ Godsmark QC

6th November 2020

