

IN THE HIGH COURT OF JUSTICE

Claim No. QB-2022-001371

QUEEN'S BENCH DIVISION

Before : David Lock QC Sitting as a Deputy High Court Judge

Dated: 09 June 2022

B E T W E E N:-

ROYAL BOROUGH GREENWICH



-and-

(1) PERSONS UNKNOWN FORMING AN UNAUTHORISED ENCAMPMENT AND / OCCUPYING FOR RESIDENTIAL PURPOSES (including temporary accommodation) WITH OR WITHOUT VEHICLES AT ANY OF THE 27 SITES WITHIN THE ROYAL BOROUGH OF GREENWICH LISTED ON THE SCHEDULE ATTACHED TO THIS ORDER MARKED "1"

(2) PERSONS UNKNOWN DEPOSITING WASTE ON ANY OF THE 27 SITES WITHIN THE ROYAL BOROUGH OF GREENWICH LISTED ON THE SCHEDULE ATTACHED TO THIS ORDER MARKED "1"

(3) LONDON GYPSIES AND TRAVELLERS

Defendants

MINUTE OF ORDER

UPON HEARING Counsel, Mr. Steven Woolf for the Claimant and Counsel Mr. Paul Powlesland for the proposed Third Defendant, there being no representation nor attendance

by the First or Second Defendants (no such persons having been served with these proceedings).

AND UPON READING the Claimant's Application Notice dated 25 April 2022 for permission for alternative service of the Application Notice and attaching the Application Notice, together with this Order in draft and the Claim Form and Particulars of Claim and a Summary of the nature of the Claim in a transparent envelope in a prominent position on a post or on a gate at the entrances to all the 27 sites listed on the Schedule attached.

AND UPON the Court noting that the unincorporated association, London Gypsies and Travellers, was prepared to become a Third Defendant to these proceedings so as to provide the court with evidence and submissions on behalf of the wider Gypsy and Traveller communities but it not being suggested by the Claimant that London Gypsies and Travellers had committed any wrong or that any relief would be sought against them.

AND UPON it being recorded that London Gypsies and Travellers ability to engage in the action would be entirely dependent upon the extent of its resources

AND UPON IT BEING RECORDED that the Claimant and Third Defendant undertake not to seek any costs of the action from one another.

AND UPON THE COURT providing Directions for the trial of the Part 8 Claim

IT IS ORDERED THAT:

1. The London Gypsies and Travellers shall be joined as the Third Defendant to the action.
2. The Claimant have permission to serve the Claim Form and Particulars of Claim on the First and Second Defendants pursuant to CPR 6.15(1). The alternative method and alternative place for service is by the alternative methods set out at sub-paragraphs (a) - (d) below
 - (a) affixing a copy of this Order, the Claim Form and Particulars of Claim and a Summary of the nature of the Claim in transparent envelope in a prominent

position on a post or on a gate at the entrance to the 27 sites that the Claimant seeks to have protected by an Injunction;

- (b) publishing a copy of this Order on the Claimant's website together with a link to download an electronic copy of this Order and the Claim Form and Particulars of Claim and a Summary of the nature of the Claim together with a link to the same on the Claimant's official social media pages (Twitter and Facebook);
 - (c) publishing details of this Order and the Claim Form and Particulars of Claim and a Summary of the nature of the Claim in the Eltham & Greenwich Times;
 - (d) making a copy of this Order, the Claim Form and Particulars of Claim and a Summary of the nature of the Claim available at the front desks of the Claimant's offices;
3. The Claimant have permission to serve the Claim Form and Particulars of Claim on the Third Defendants Solicitors; namely the Community Law Partnership, with service by email being permissible.
4. The Claimant have permission to serve this Order for Alternative Service on the First and Second Defendants and any Notice of Hearing pursuant to CPR 6.27. The alternative method and alternative place for service is by the alternative methods set out at subparagraphs (a) - (d) below
- (a) affixing a copy of this Order and any Notice of Hearing in a transparent envelope in a prominent position on a post or on a gate at the entrance to the 27 sites that the Claimant seeks to have protected by an Injunction;
 - (b) publishing a copy of this Order and any Notice of Hearing on the Claimant's website with a link to the same on the Claimant's official social media pages (Twitter and Facebook);
 - (c) publishing details of this Order and any Notice of Hearing in the Eltham & Greenwich Times;
 - (d) making a copy of this Order and any Notice of Hearing available at the front desks of the Claimant's offices;

In addition to the matters set out above, the Claimant shall affix a notice to each of the relevant sites explaining the proceedings that the Claimant is taking in plain English and providing a website address and contact telephone number which anyone can call who wishes to obtain further information about these proceedings.

5. That the following Directions to the Trial of the Part 8 Claim do apply :

5.1 That the Claimant shall serve and file its evidence in support of the Claim by 4.00pm on 07 July 2022. That evidence shall include:

5.1.1 detailed information of each of the sites that the Claimant seeks to obtain protective injunctive relief, detailing the nature of the sites and including a site plan for each location;

5.1.2 evidence separately in relation to each site as to why the Claimant claims that there is a risk to that site;

5.1.3 evidence as to what steps the Claimant has taken to provide facilities to the Gypsy and Travelling Community so as to meet their needs; and

5.1.4 evidence as to what engagement there has been with the Gypsy and Travelling Community.

5.2 The Third Defendant (if it wishes to take part in these proceedings) and any other person who wishes to take part in these proceedings must serve their Acknowledgement of Service and any evidence in response to the Claimant's evidence by 4.00pm on 04 August 2022.

5.3 The Claimant is to serve any evidence in response to the Defendants evidence by 4.00pm on 01 September 2022.

5.4 Any evidence from either party or any application for a witness to give oral evidence shall be filed by 4.00pm on 15 September 2022

- 5.5 The Claim be listed for hearing on the first open date after 20 October 2022 with a time estimate of 1 day. The Trial to be listed, if possible, before a full High Court Judge
- 5.6 Not more than 14 nor less than 7 days before the Trial, the Claimant must file at Court and serve on the other parties an indexed and paginated bundle of documents for Trial which complies with the requirements of CPR Practice Direction 32, para.27.
- 5.7 The parties are to exchange skeleton arguments and send copies to the Court by email at least 3 days before the trial together with a joint bundle of authorities.
6. There be no order as to costs

COMMUNICATIONS WITH THE COURT AND THE CLAIMANT'S SOLICITORS

All communications with the Court about this Order should be sent to Room E03 Royal Courts of Justice, Strand, London, WC2A 2LL **020 3936 8957**

All communications with the Claimant's Solicitors to be

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