

INJUNCTION

Between

WOLVERHAMPTON CITY COUNCIL

Claimants

- AND -

PERSONS UNKNOWN

Defendants

To:	WHOM IT MAY CONCERN
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IN THE HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION BIRMINGHAM DISTRICT REGISTRY

Claim no:	E90BM139
Claimant	WOLVERHAMPTON CITY COUNCIL
Defendants	PERSONS UNKNOWN



PENAL NOTICE

IF YOU THE WITHIN NAMED PERSONS UNKNOWN DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED.

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

If you do not understand anything in this order, you should go to a Solicitor, Legal Advice Centre or a Citizens Advice Bureau.

Any party can apply to the Court for this order to be varied or discharged. But you must obey the order unless it is varied or discharged by the Court.

Before Mr Justice Stuart-Smith sitting at the High Court of Justice, Birmingham District Registry, Civil Justice Centre, The Priory Courts, 33 Bull Street, Birmingham, B4 6DS on 5th December 2019.

UPON hearing Counsel for the Claimant and upon there being no attendance by or on behalf of the Defendants.

AND UPON the Court reviewing the Injunction and Power of Arrest granted by the Honourable Mrs Justice Jefford DBE on 2nd October 2018 (“the Injunction and Power of Arrest”).

AND UPON considering the Claimant’s application to vary the Injunction and Power of Arrest to remove four sites from the scope of the Injunction and Power of Arrest and include three new sites.

AND UPON reading the witness statements of Shaun Walker dated 18th and 20th November 2019, the witness statement of Claire Lindsey Walters dated 20th November 2019 and the witness statements of Danielle Marie Taylor dated 20th November 2019, and considering the provisions of section 222 of the Local Government Act 1972, section 187B of the Town and Country Planning Act 1990, section 30 of the Highways Act 1980 and section 27 of the Police and Justice Act 2006.

AND FURTHER UPON the Court finding that it is just and convenient pursuant to section 37(1) Senior Courts Act 1981 to vary the Injunction and Power of Arrest in the terms set out herein.

IT IS ORDERED THAT:

1. IT IS FORBIDDEN for anyone whether by themselves or by instructing, encouraging or permitting any other person to:
 - a. Set up an Encampment within the boundaries of any of the fifty-nine (59) sites within the City of Wolverhampton Council Area which are listed and outlined and hatched in red on the fifty-nine (59) maps attached hereto marked “**Schedule One**” without the express written permission of the Landowner.

- b. Enter or occupy for Residential Purposes any of the fifty-nine (59) sites within the City of Wolverhampton Council Area which are listed and outlined and hatched in red on the fifty-nine (59) sites attached hereto marked “**Schedule One**” without the express written permission of the Landowner.
2. The Court being satisfied that there is a significant risk of harm to persons in the locality from the conduct restrained by this order, a power of arrest is attached to paragraph 1 above whereby any constable may, under the power given by section 27 of the Police and Justice Act 2006, arrest without warrant any person if he or she has reasonable cause for suspecting that the person is in breach of the provisions of paragraph 1 of this order.
3. The Injunction and Power of Arrest shall continue for two (2) years following the commencement of this order unless before then it is revoked or varied by further order of the Court.
4. Personal service of this Injunction and the Power of Arrest is dispensed with pursuant to CPR r. 81.8. The Claimant has permission to serve the Injunction and Power of Arrest on the Defendants by the alternative methods set out at sub-paragraph (a) to (f) below:
 - (a) Affixing a copy of the Injunction and Power of Arrest in a transparent waterproof envelope in a prominent position at each of the 59 sites covered by the Injunction.
 - (b) Publishing a copy of the Injunction and Power of Arrest on the Claimant’s website with a link to the same on the Claimant’s official social media pages (Twitter and Facebook) and likewise on the website and social media pages of West Midlands Police.
 - (c) Publishing details of the Injunction and Power of Arrest in the Wolverhampton edition of the Express & Star newspaper.
 - (d) Making a copy of the Injunction and Power of Arrest available at the front desks of the Claimants’ main offices.
 - (e) Uploading to the video sharing website “You Tube”, a video of someone presenting and

reciting the terms of the Injunction and the Power of Arrest and outlining the potential consequences of breaching the Injunction.

- (f) Erecting official signs (fixed and temporary) at the entrances to the 59 sites covered by the Injunction and Power of Arrest. For the avoidance of doubt, where official signs (fixed and temporary) are already in place at any of the sites covered by the Injunction and Power of Arrest, it will not be necessary for the Claimant to erect new official signs.
- 5. Service of this Injunction and Power of Arrest shall be deemed to have been effected on the Defendants at midnight on the date when the last step set out at paragraph 4 has been taken by the Claimant, at which time this Injunction and Power of Arrest shall come into force and the Injunction and Power of Arrest made on 2nd October 2018 shall stand discharged.
- 6. A review hearing will take place at 10.30am on Monday 20th July 2020, with a time estimate of 1 hour. The Claimant shall file a witness statement setting out the progress made with regard to the proposed transit site no later than 7 days before the review hearing.

INTERPRETATION OF THIS ORDER

- 7. In this order:
 - a. The City of Wolverhampton Council Area means the area outlined in black on the map annexed hereto marked “**Schedule Two**”.
 - b. “Residential Purposes” means using land as a home, whether temporary or otherwise.
 - c. “Encampment” means using land for Residential Purposes, whether temporary or otherwise, including the occupation of caravans, mobile homes, or other vehicles, the use of furniture or the storage of vehicles, caravans or other items.
 - d. “Landowner” means the freehold or leasehold owner of one of the fifty-nine (59) sites covered by the Injunction. For the avoidance of doubt, this does not include someone who has a tenancy agreement in relation to residential land owned by the Claimant.

8. For the avoidance of doubt:

8.1 The following sites within the City of Wolverhampton Council Area which were covered by paragraph 1 of the Injunction and Power of Arrest made on 2nd October 2018 are not covered by paragraph 1 of this Injunction and Power of Arrest:

- (a) Land off Wobaston Road;
- (b) Land to rear of 36 Inkerman Street;
- (c) Villiers Primary School;
- (d) Nettlefords Park.

8.2 The following sites within the City of Wolverhampton Council Area which were not covered by paragraph 1 of the Injunction and Power of Arrest made on 2nd October 2018 are now covered by paragraph 1 of this Injunction and Power of Arrest:

- (a) Aldersley Village;
- (b) Bantock Park;
- (c) Heath Town Park.

9. A Defendant who is an individual who is ordered not to do something must not do it himself or herself or in any other way. He or she must not do it through others acting on his behalf or on his or her instructions or with his or her encouragement.

10. A Defendant which is not an individual which is ordered not to do something must not do it itself or by its directors, officers, partners, employees or agents or in any other way.

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

Ordered By: Mr Justice Stuart-Smith

On: 5th December 2019

COMMUNICATIONS WITH THE COURT

All communications to the Court about this order should be sent to-

The High Court of Justice

Birmingham Civil Justice Centre

33 Bull Street

Birmingham

B4 6DS

Tel: 0121 681 4441

The offices are open between 10 a.m. and 4.30 p.m. Monday to Friday.

NAME AND ADDRESS OF CLAIMANT'S LEGAL REPRESENTATIVES

The Applicant's legal representatives are-

Legal Services

Wolverhampton City Council

Civic Centre

St Peters Square

Wolverhampton

WV1 1RG

Tel: 01902 554926

Email: adam.sheen@wolverhampton.gov.uk

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

CLAIM NO: E90BM139

B E T W E E N:

WOLVERHAMPTON CITY COUNCIL

Claimant

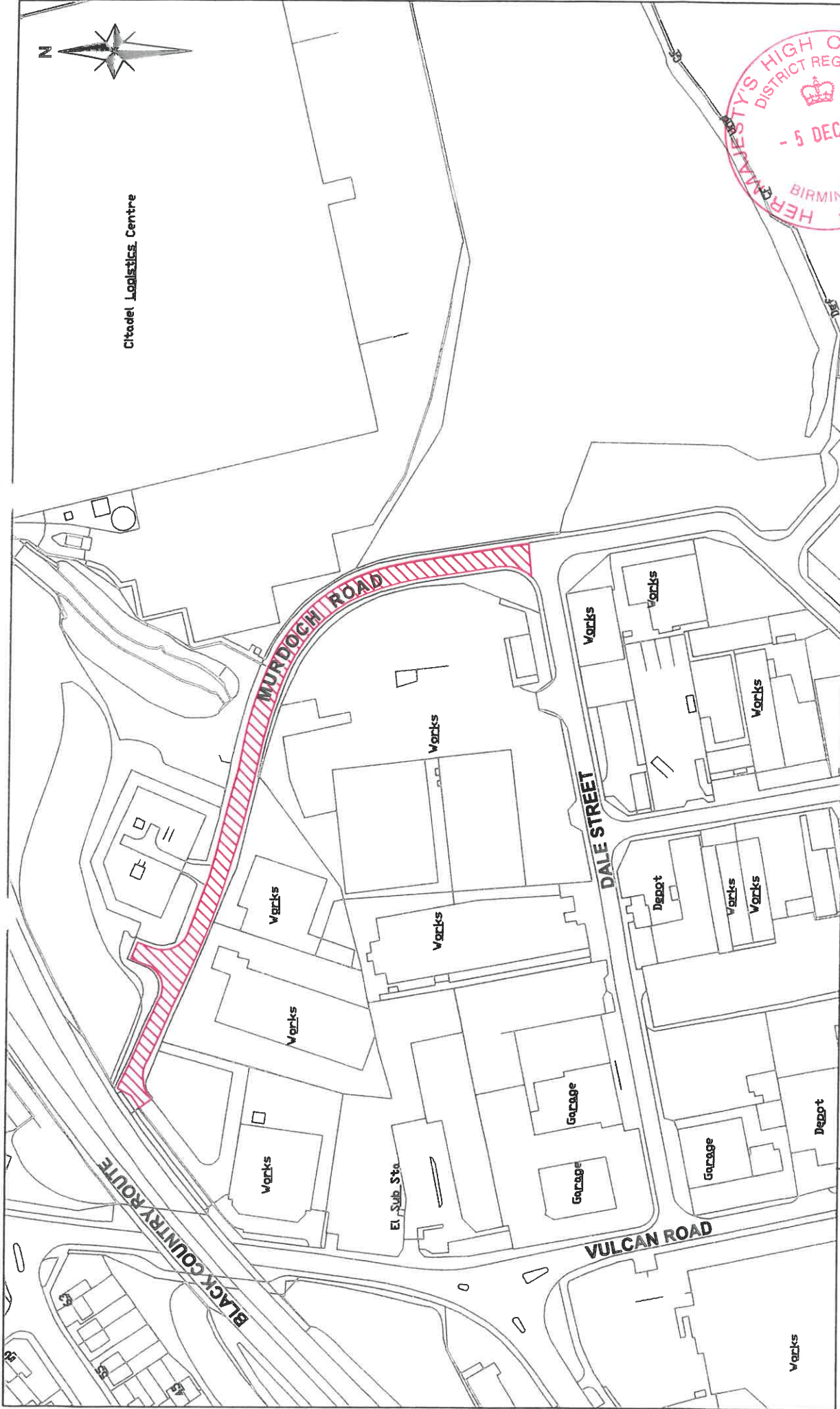
and

PERSONS UNKNOWN

Defendant



SCHEDULE ONE



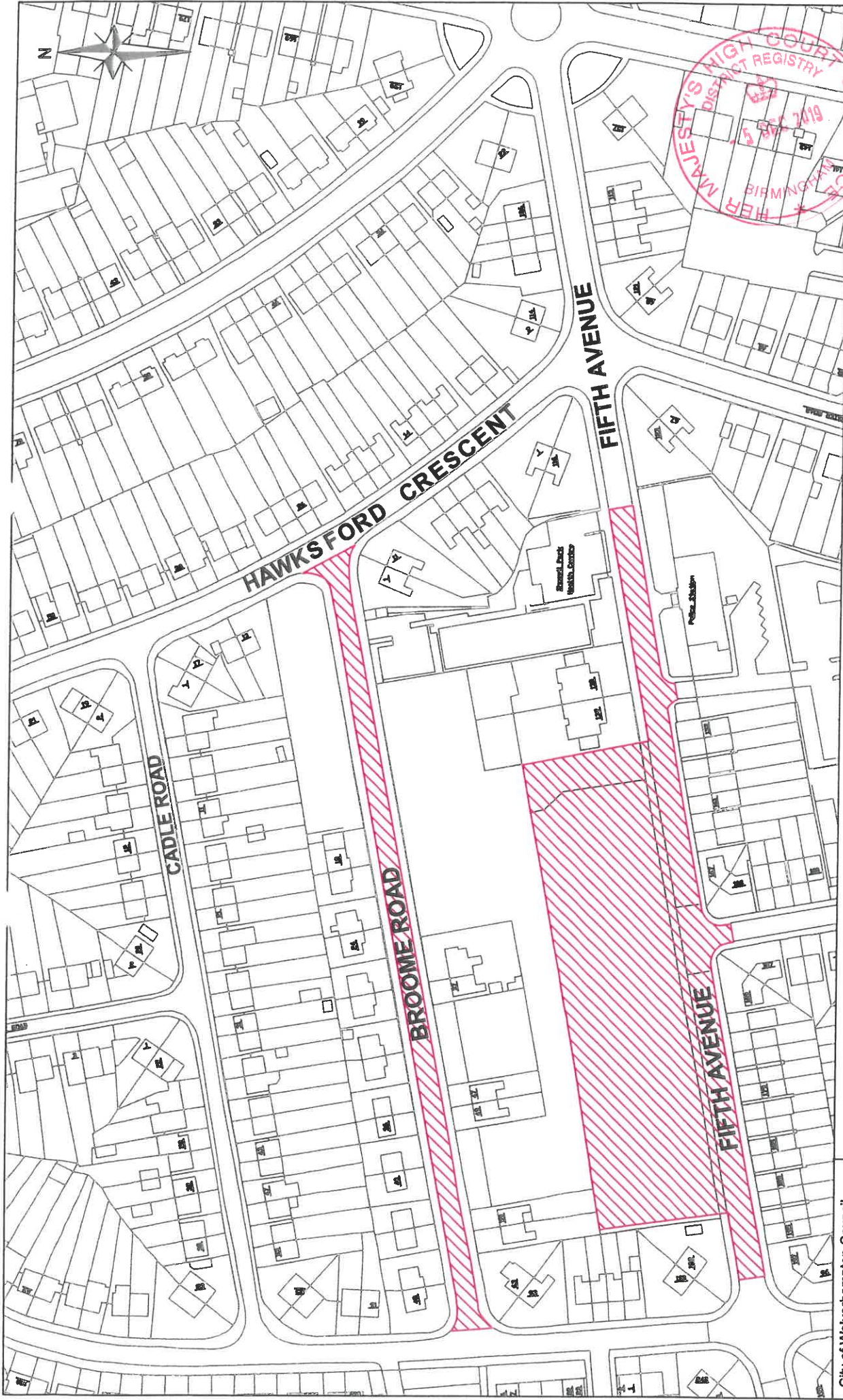
Citadel Logistics Centre



UE SITES AGAINST PERSONS UNKNOWN MURDOCH ROAD, BILSTON

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

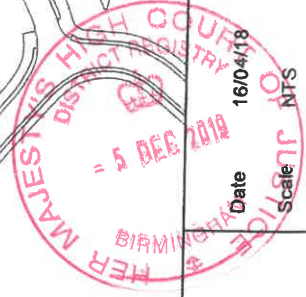
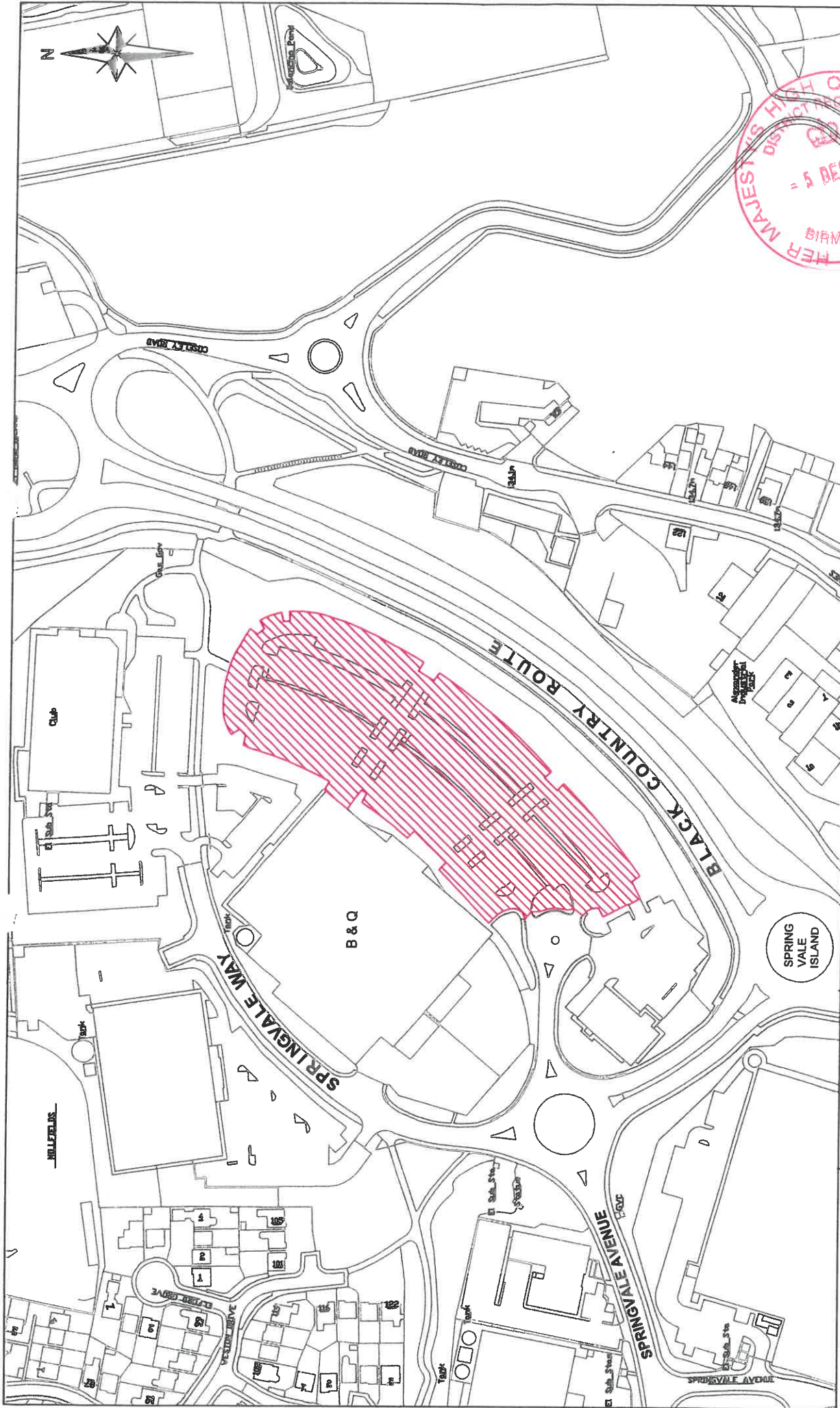
Date 26/03/18
Scale NTS
Drwg. No. T4/001



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN BROOME ROAD / FIFTH AVENUE, WOLVERHAMPTON

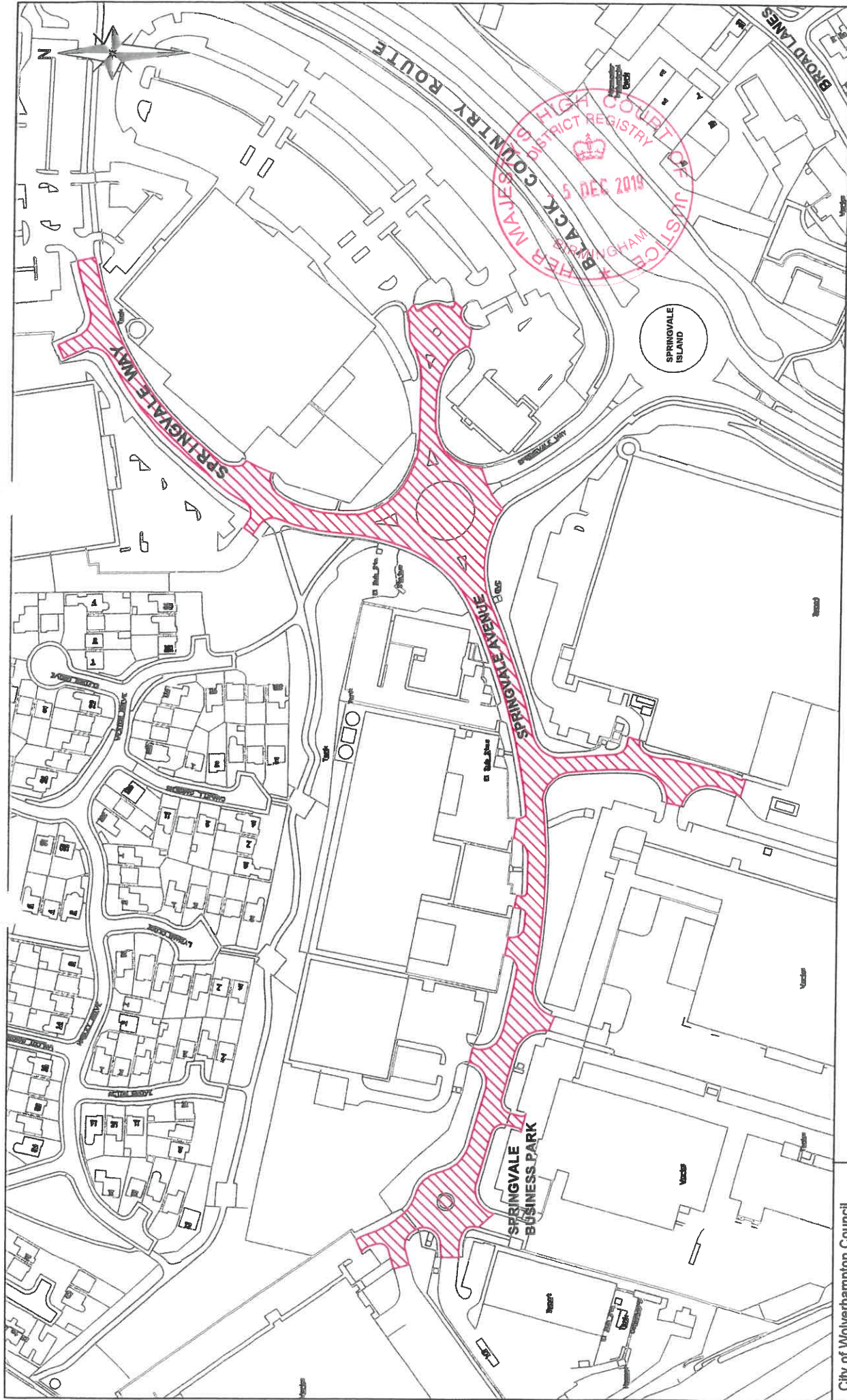
Date 26/03/18
Scale NTS
Drwg. No. T4/002



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN B & Q CAR PARK, BILSTON

Drwg. No. T4/003



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN SPRINGVALE BUSINESS PARK / SPRINGVALE AVENUE / SPRINGVALE WAY, BILSTON

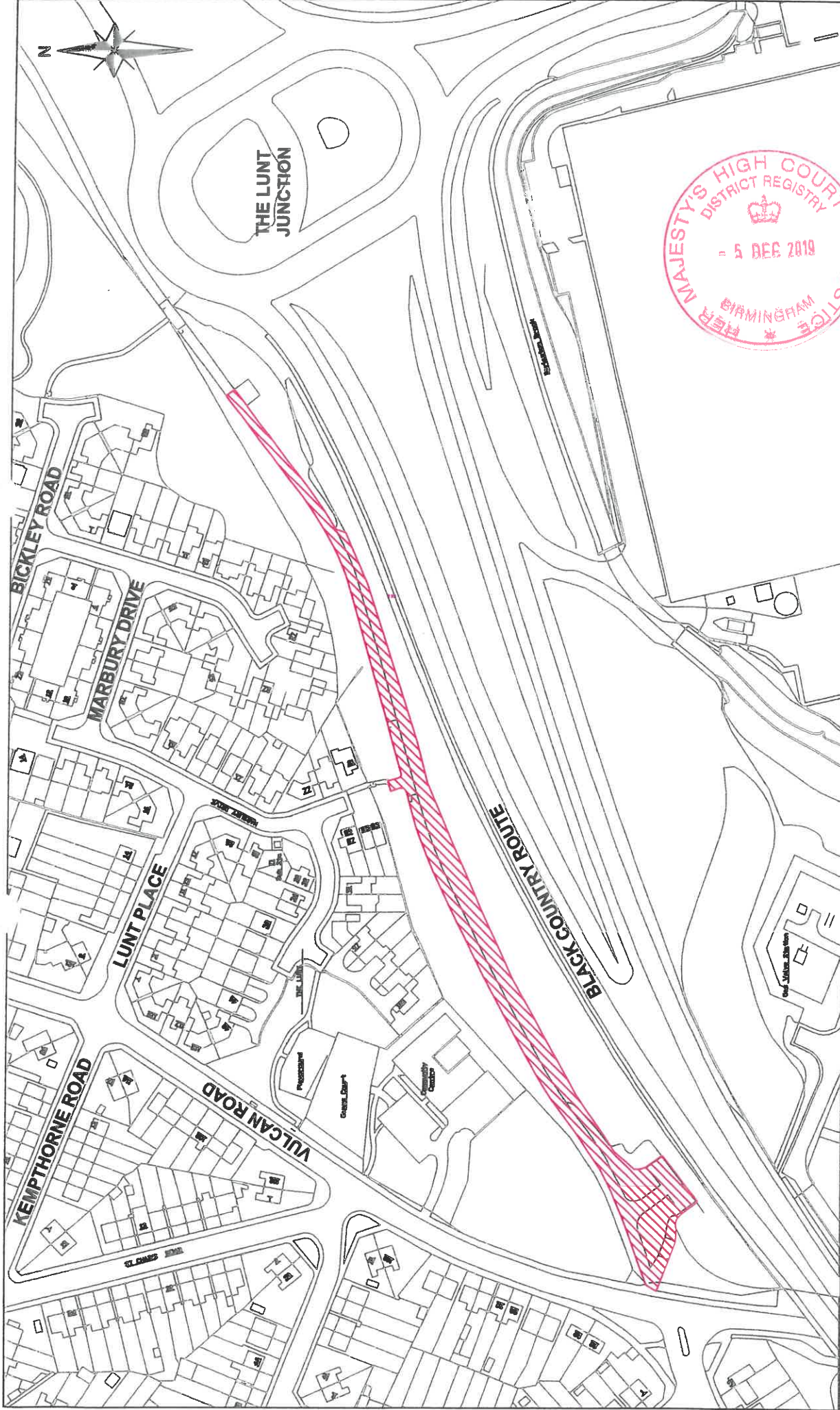
Date 26/03/18
Scale NTS
Drwg. No. T4/004



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN PENDEFORD BUSINESS PARK, WOLVERHAMPTON

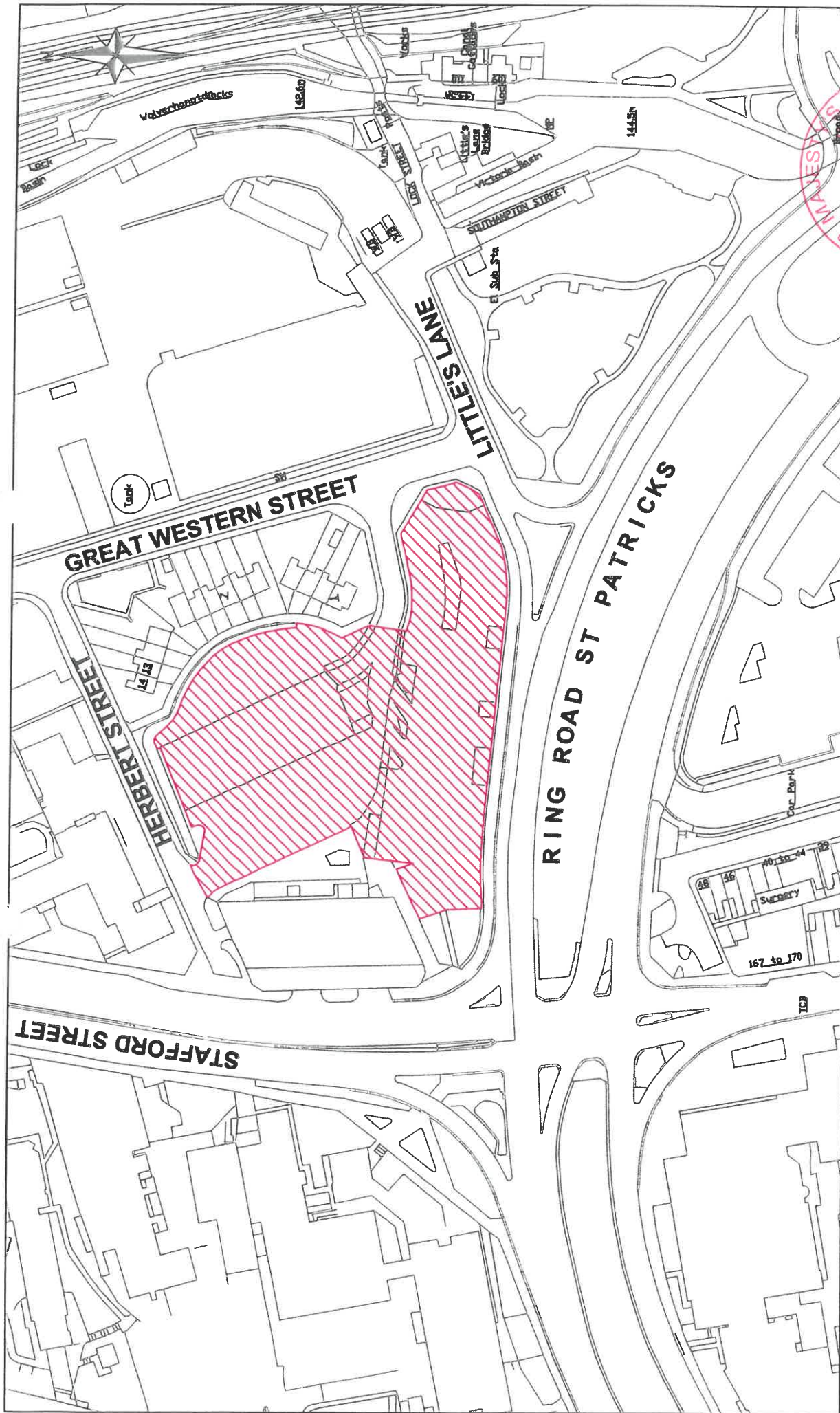
Date 26/03/18
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City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

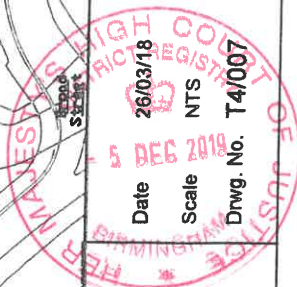
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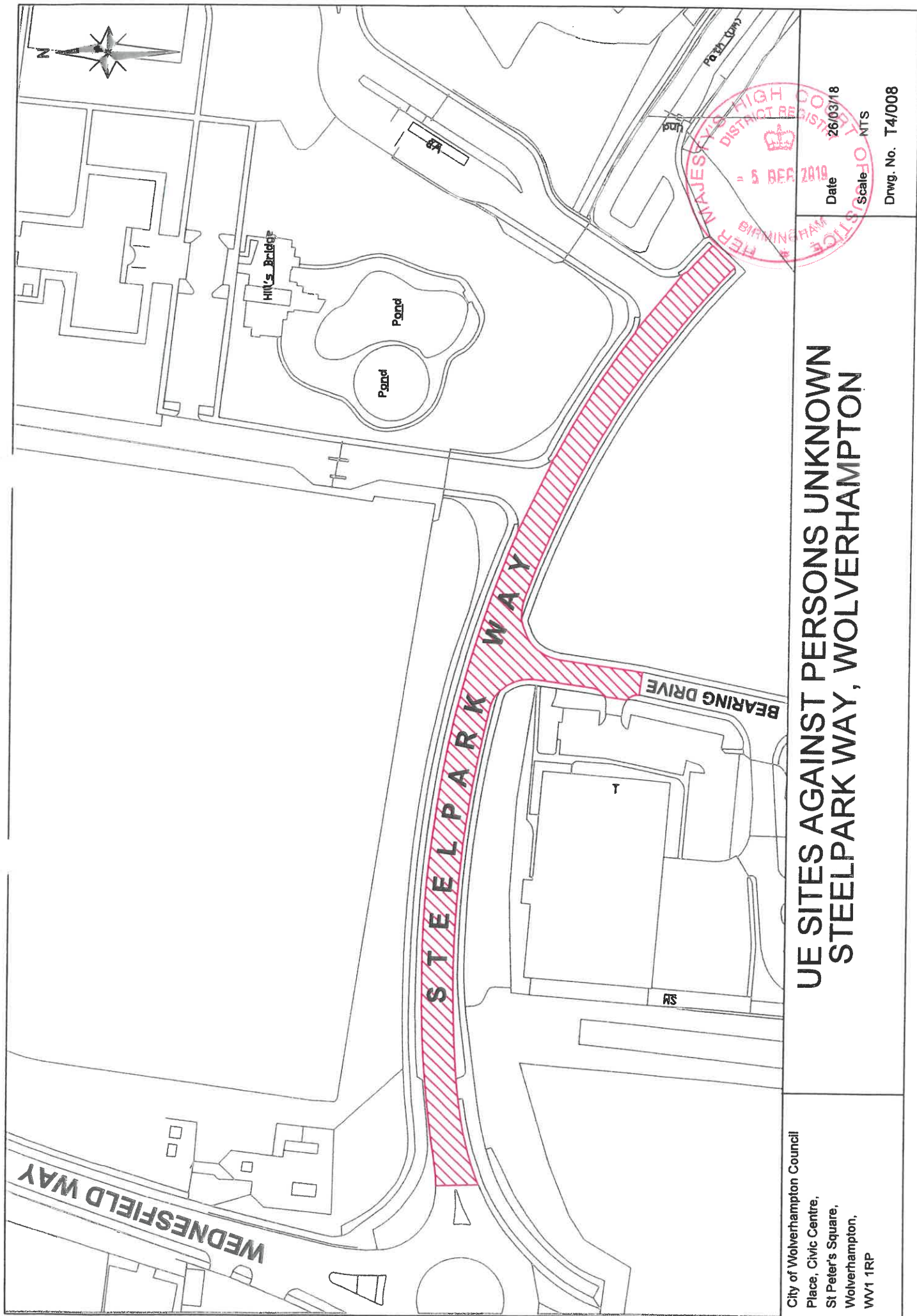
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Scale	NTS
Drwg. No.	T4/006



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN FAULKLAND STREET CAR PARK, WOLVERHAMPTON





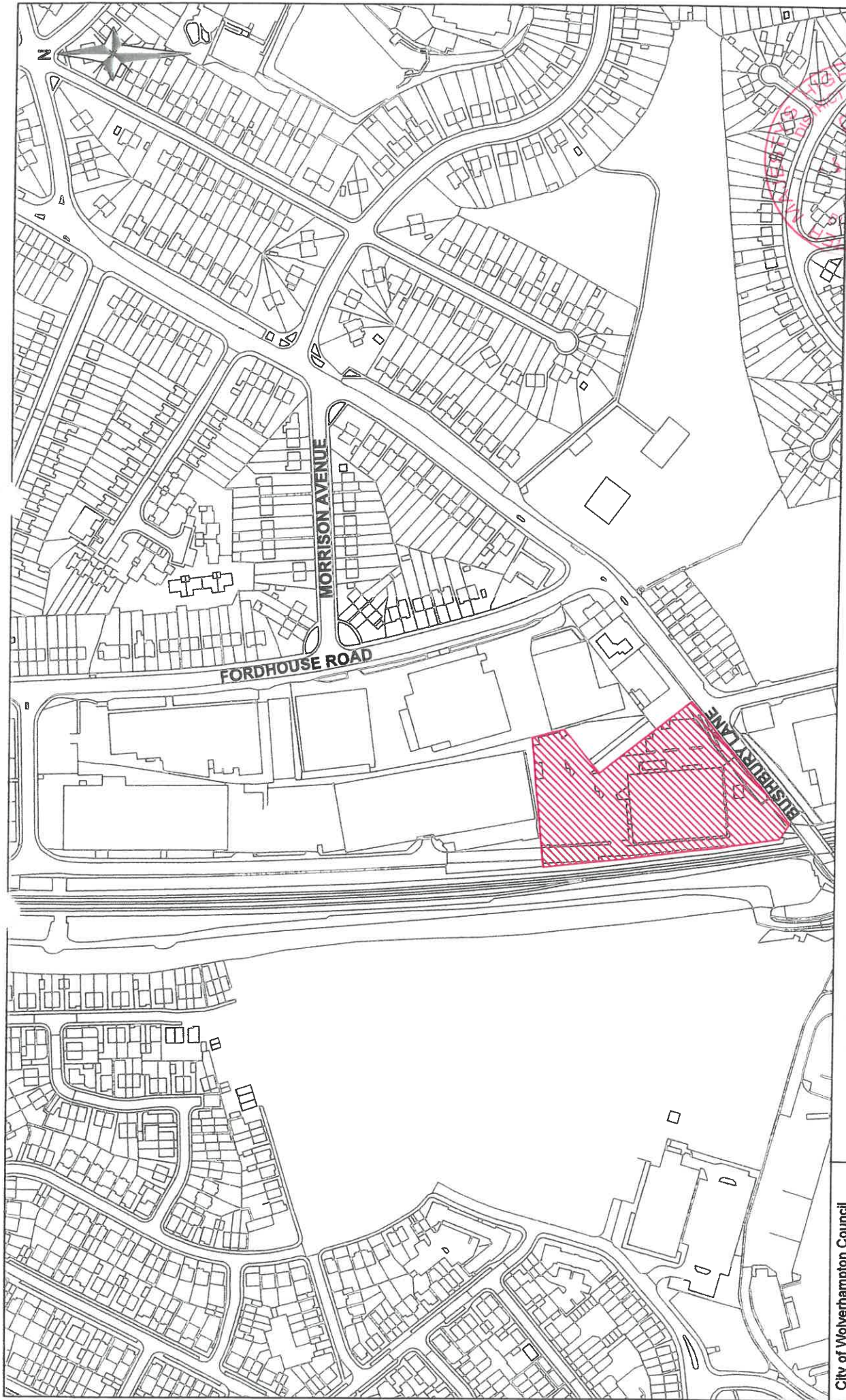
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN STEELPARK WAY, WOLVERHAMPTON

Date 26/03/18

Scale NTS

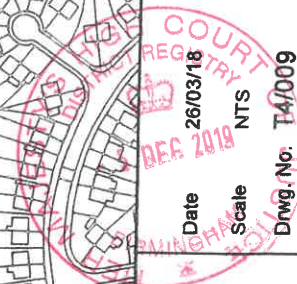
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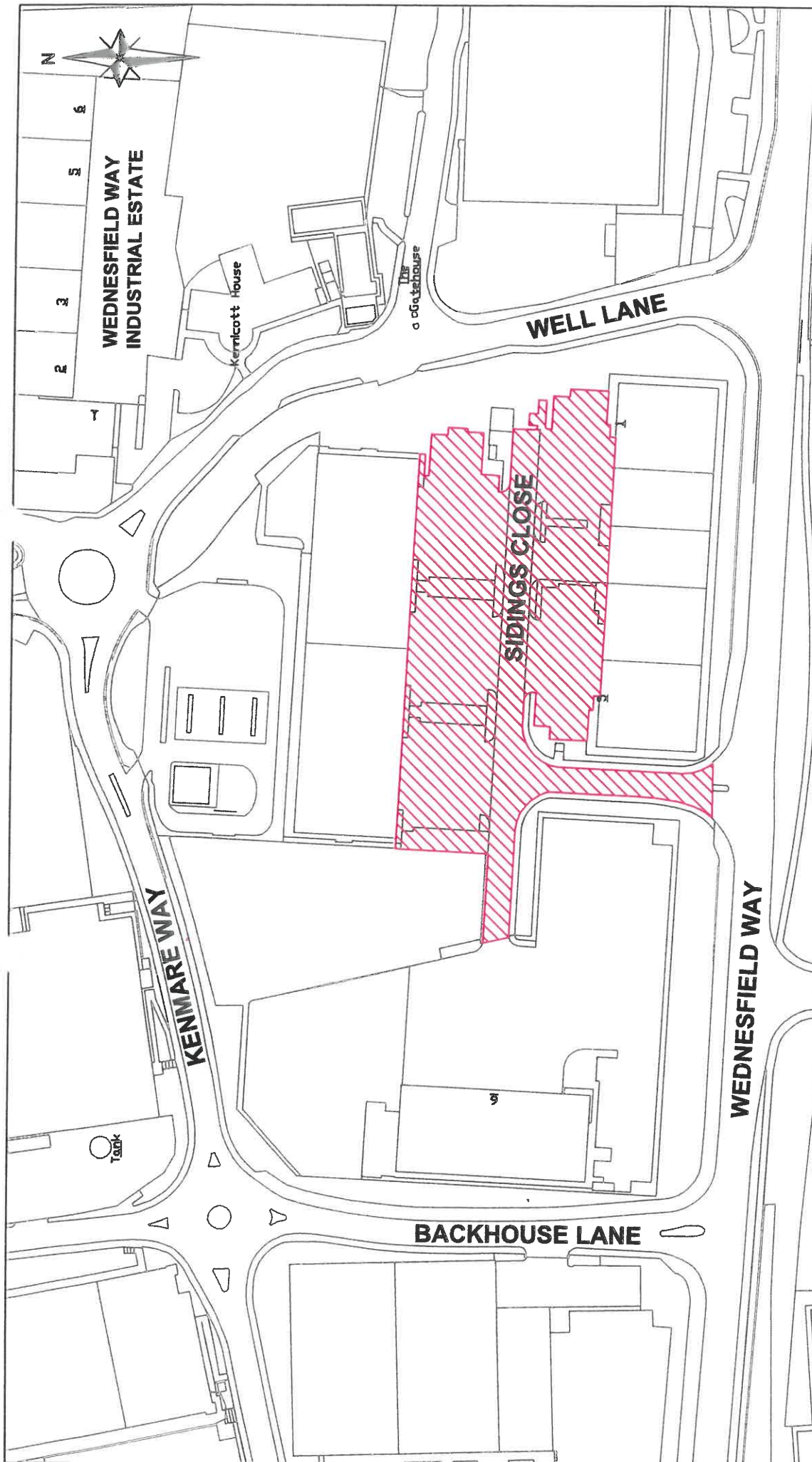


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN GALA BINGO, BUSHBURY

Date 26/03/18
Scale NTS
Drwg. No. T4/009

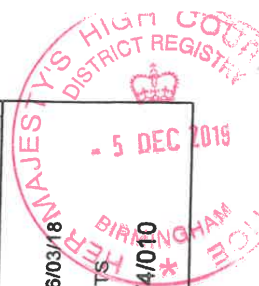


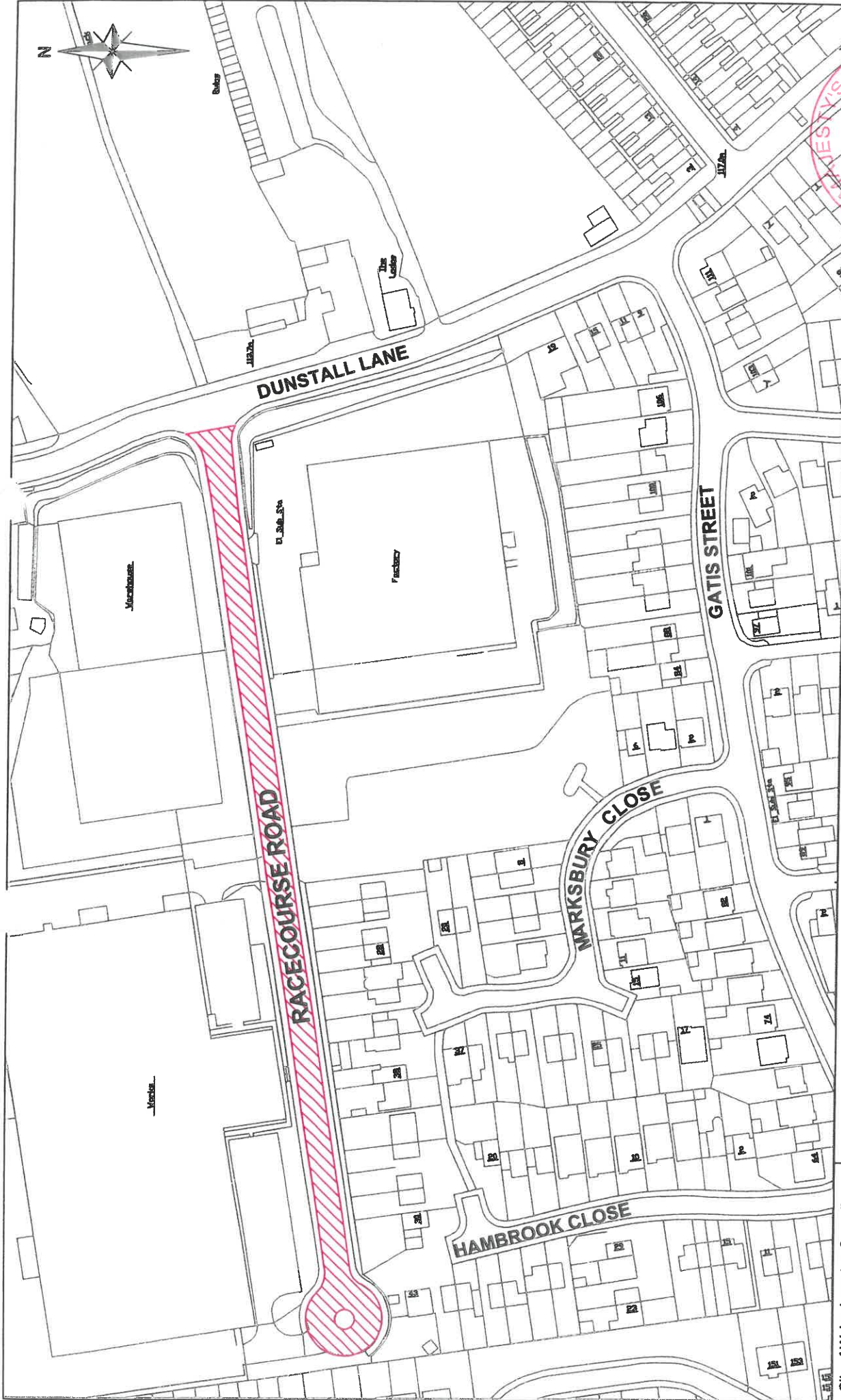


City of Wolverhampton Council
 Place, Civic Centre,
 St Peter's Square,
 Wolverhampton,
 WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN **SIDINGS CLOSE**

Date 26/03/18
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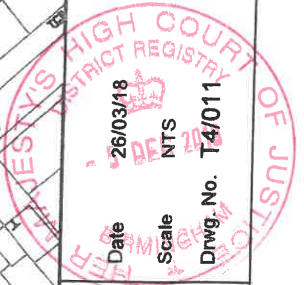


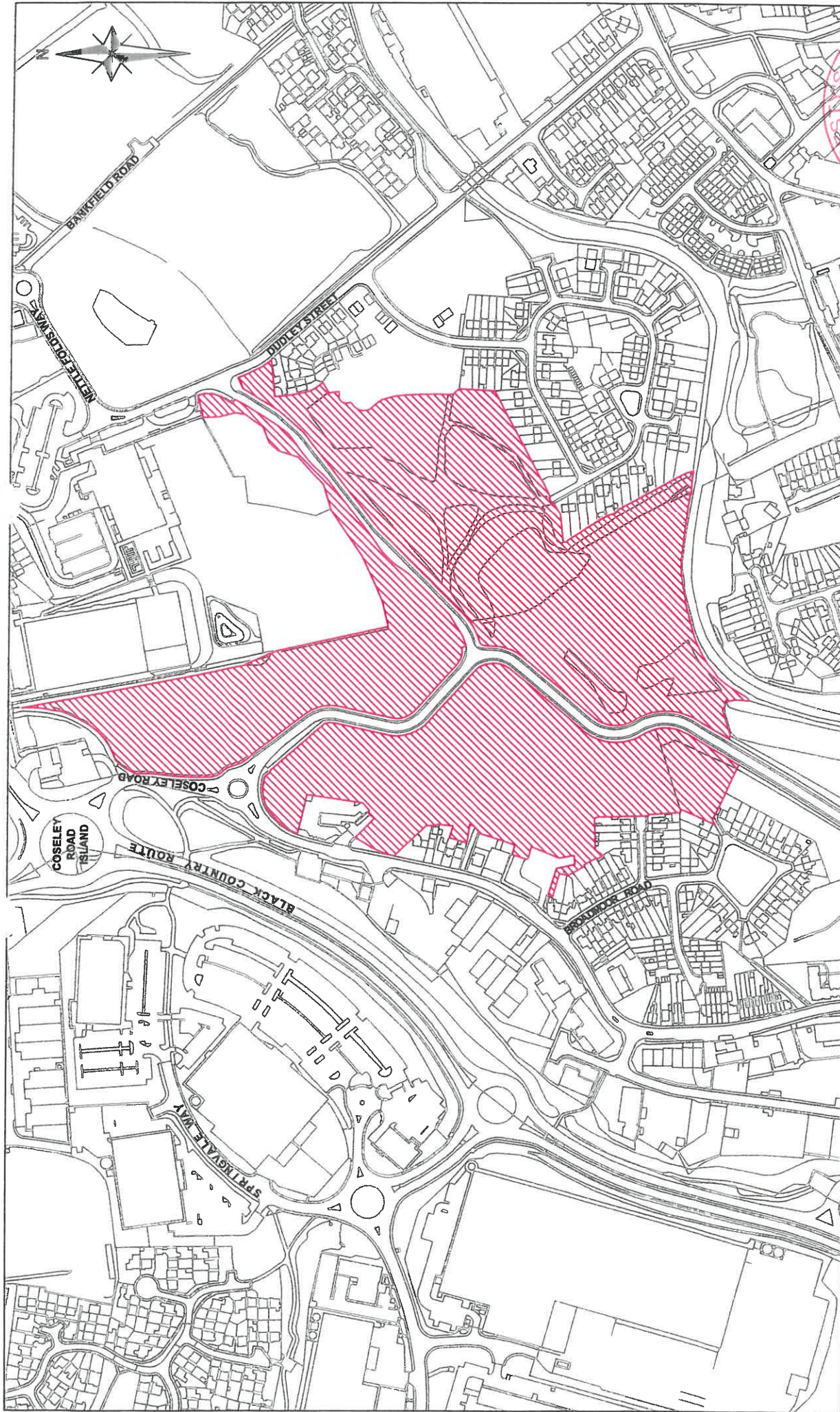


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
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WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN RACECOURSE ROAD

Date 26/03/18
Scale NTS
Drwg. No. T4/011

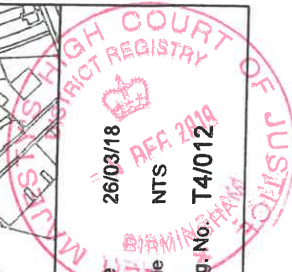


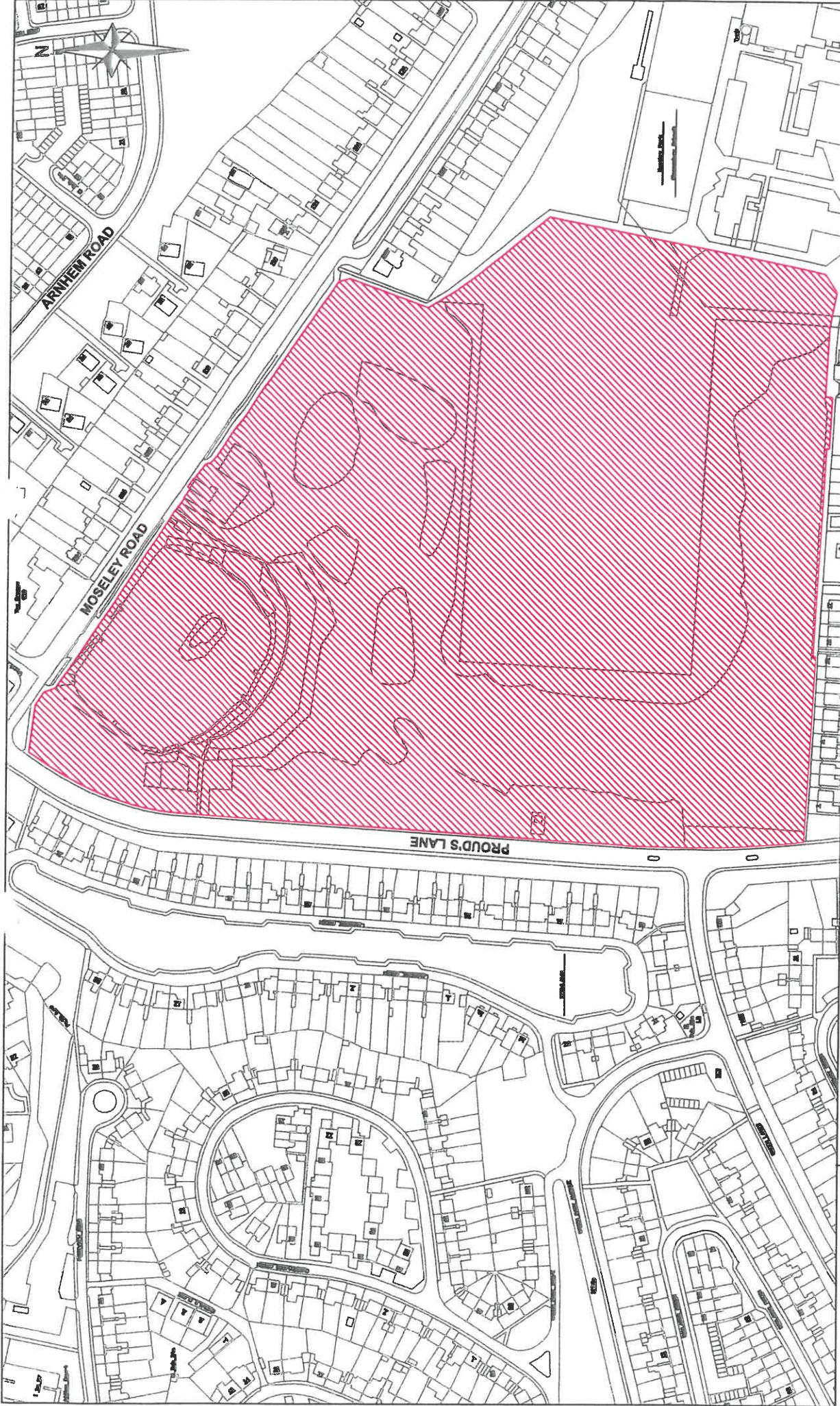


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST UNKNOWN PERSONS B.U.V. BILSTON URBAN VILLAGE

Date 26/03/18
Scale NTS
Drwg. No. T4/012

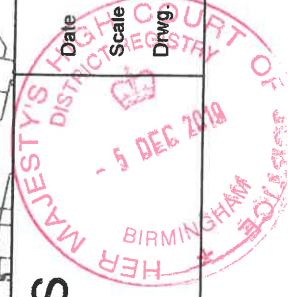


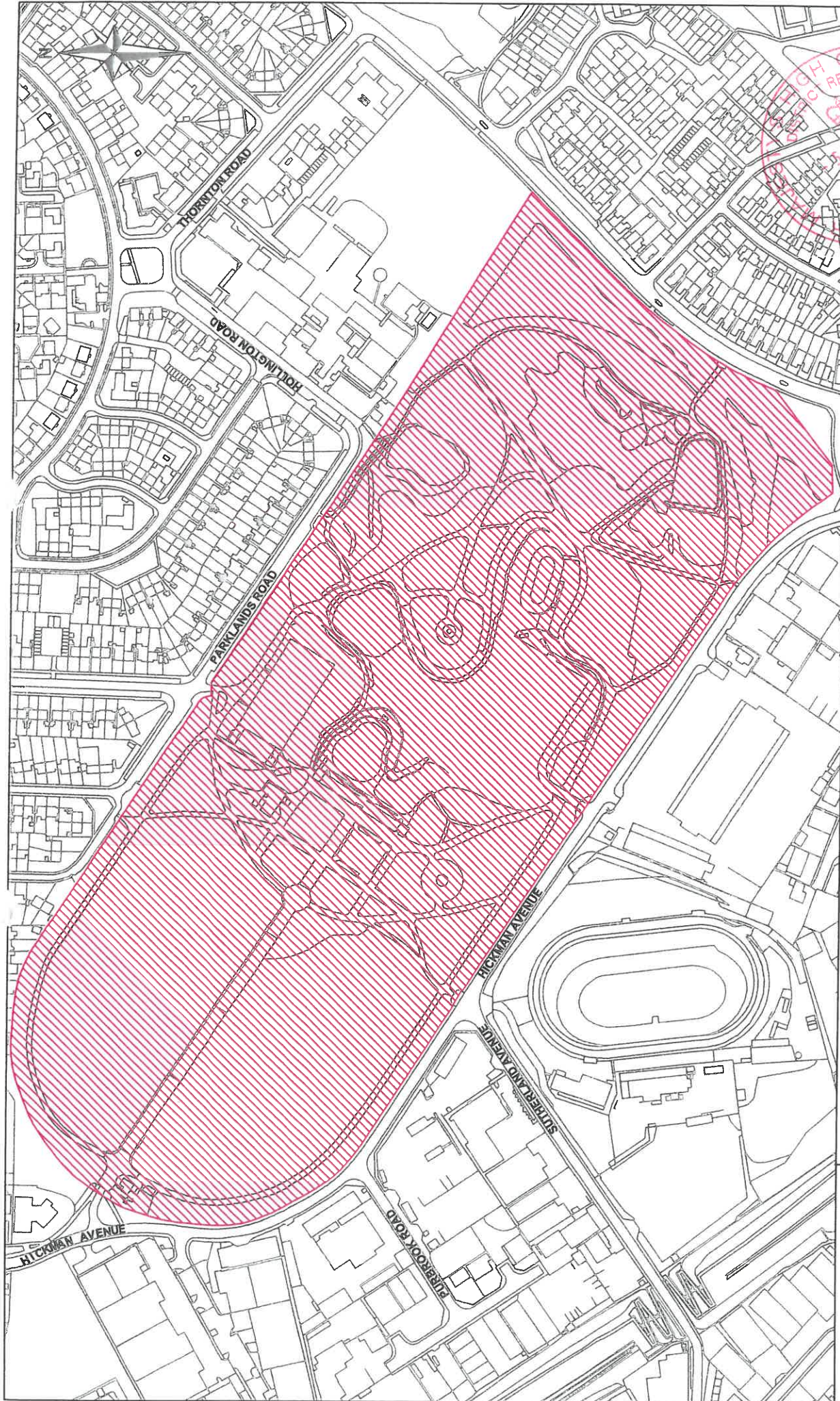


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
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UE SITES AGAINST UNKNOWN PERSONS THE GRAPES POOL

Date 26/03/18
Scale NTS
Drwg. No. T4/013

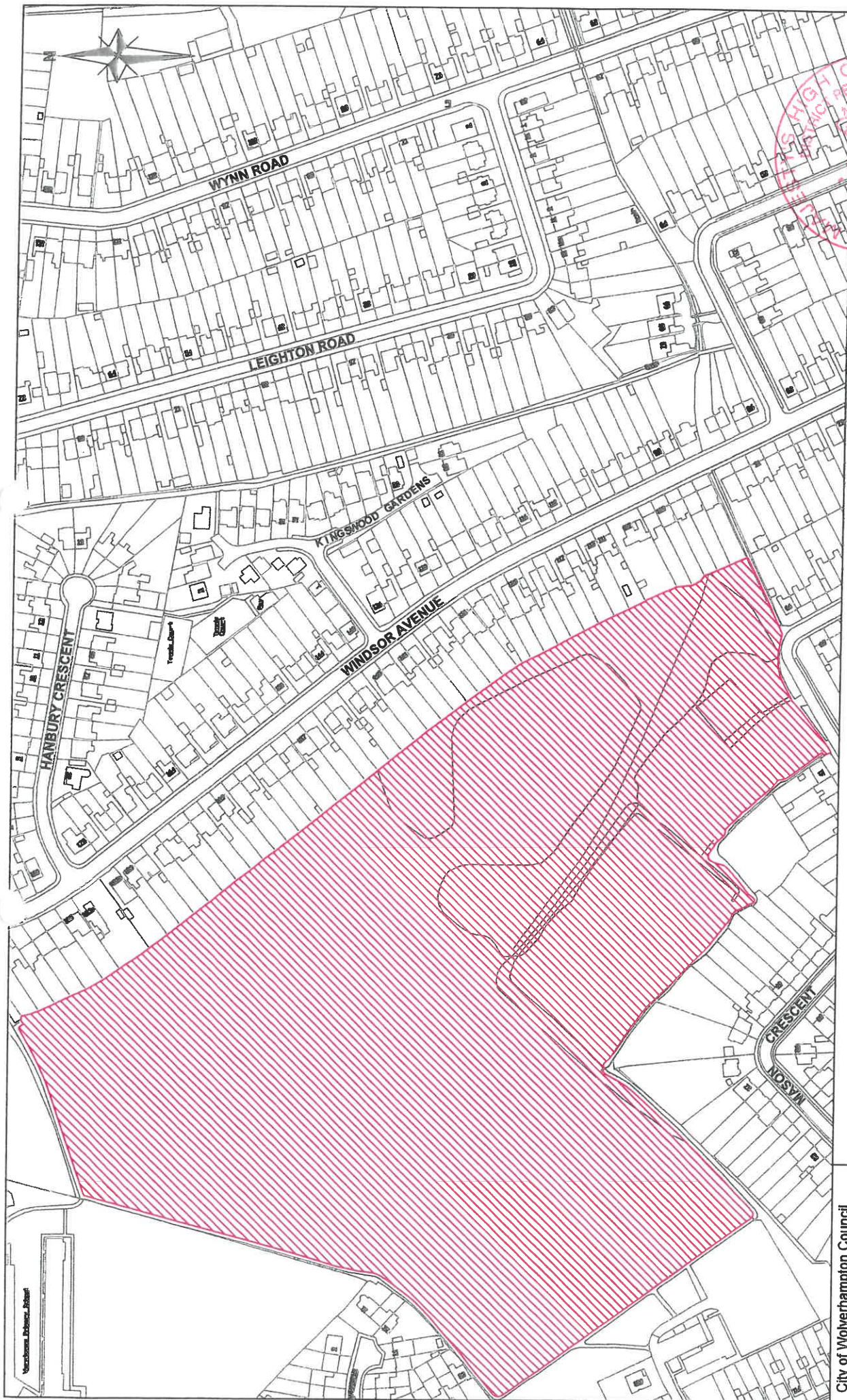




City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

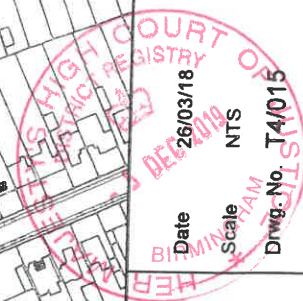
UE SITES AGAINST UNKNOWN PERSONS EAST PARK

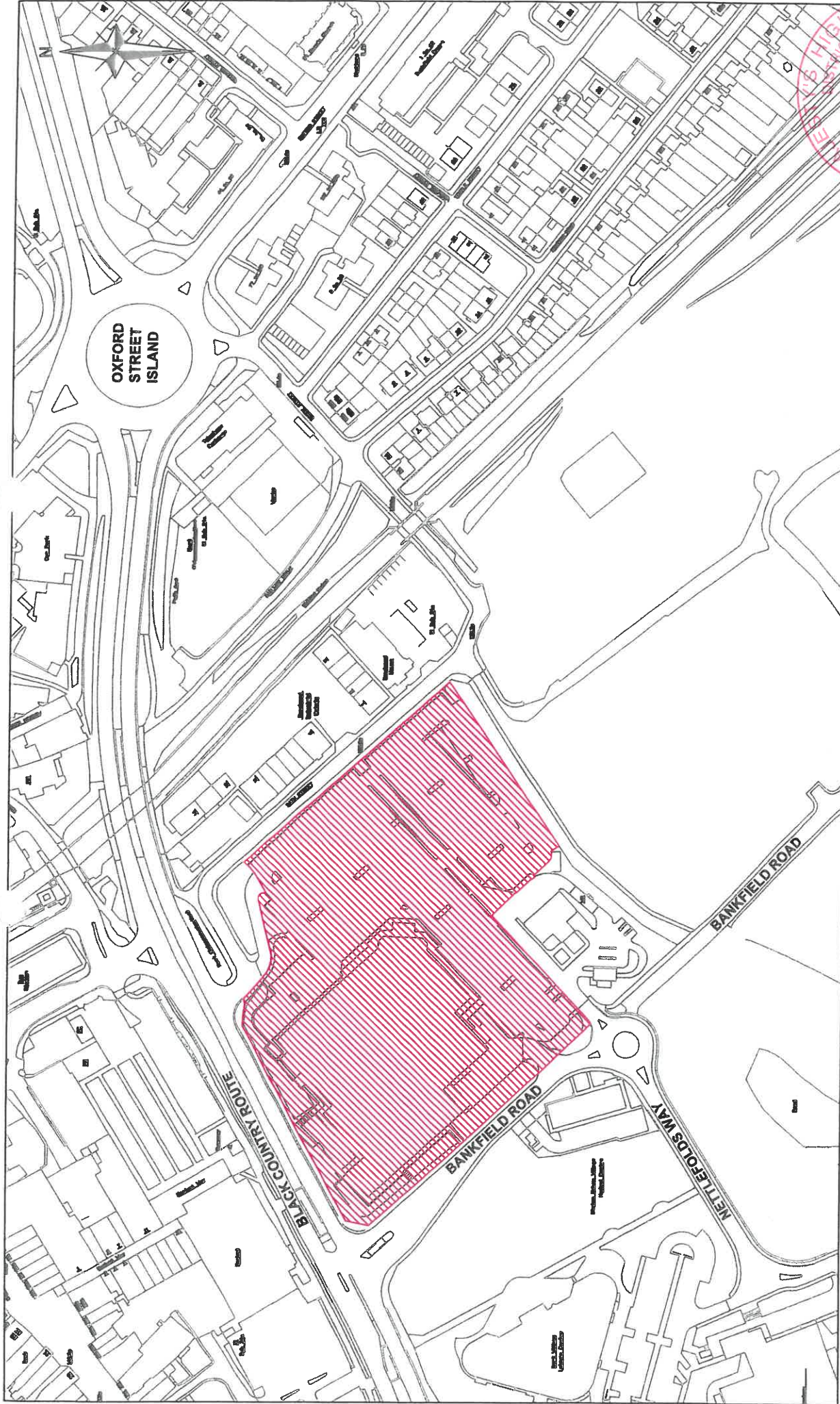
HEALTHY BIRMINGHAM
CITY OF BIRMINGHAM
CITY COURT OF RECORD
REGISTRY
Date 26/03/18
Scale NTS
Drwg. No. T4/014



UE SITES AGAINST PERSONS UNKNOWN WINDSOR AVENUE PLAYING FIELDS

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

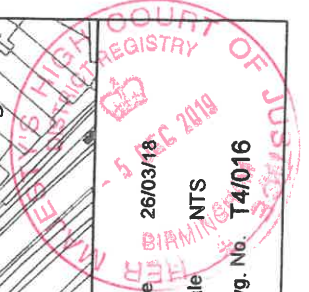


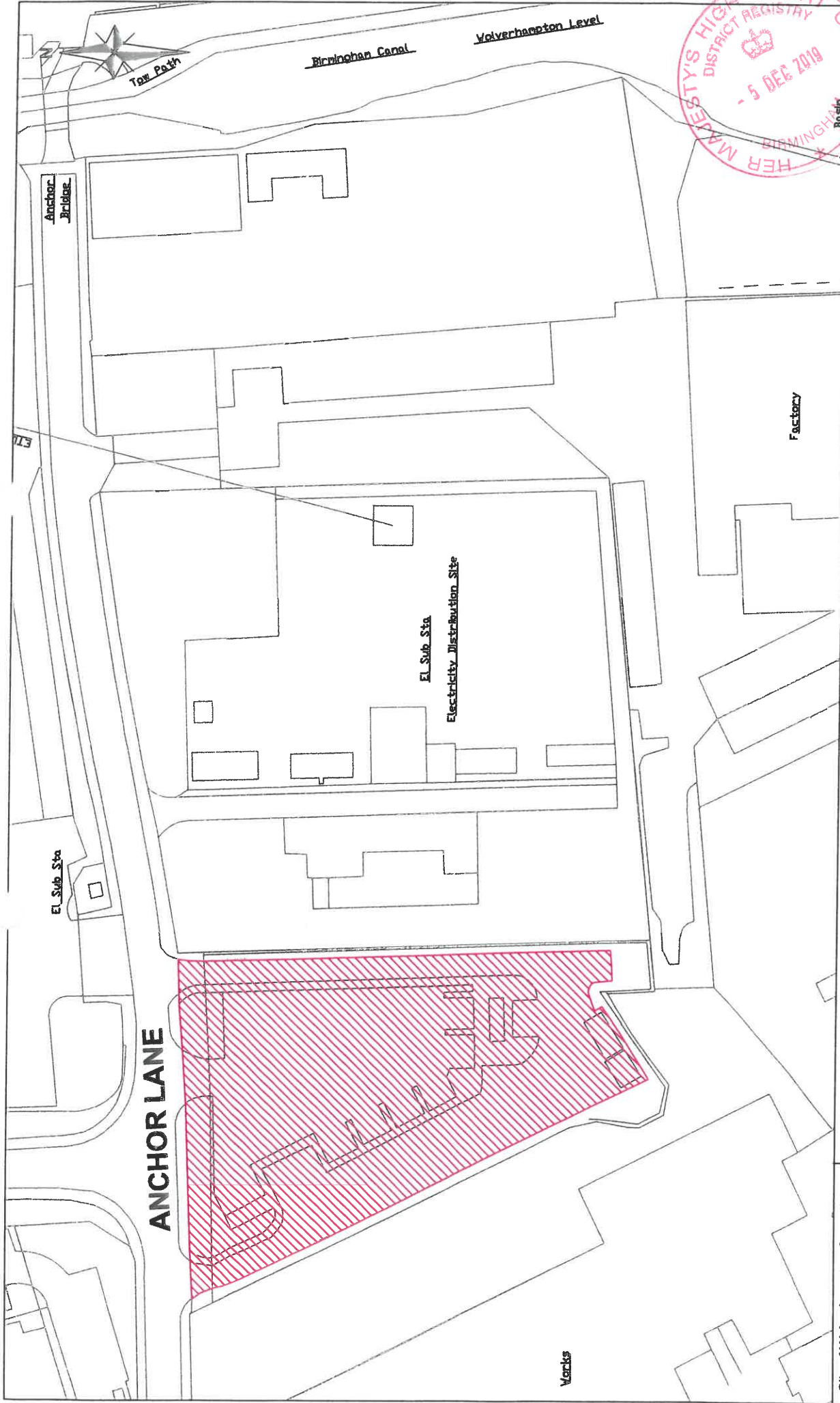


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN MORRISONS CAR PARK

Date 26/03/18
Scale NTS
Drwg. No. T4/016





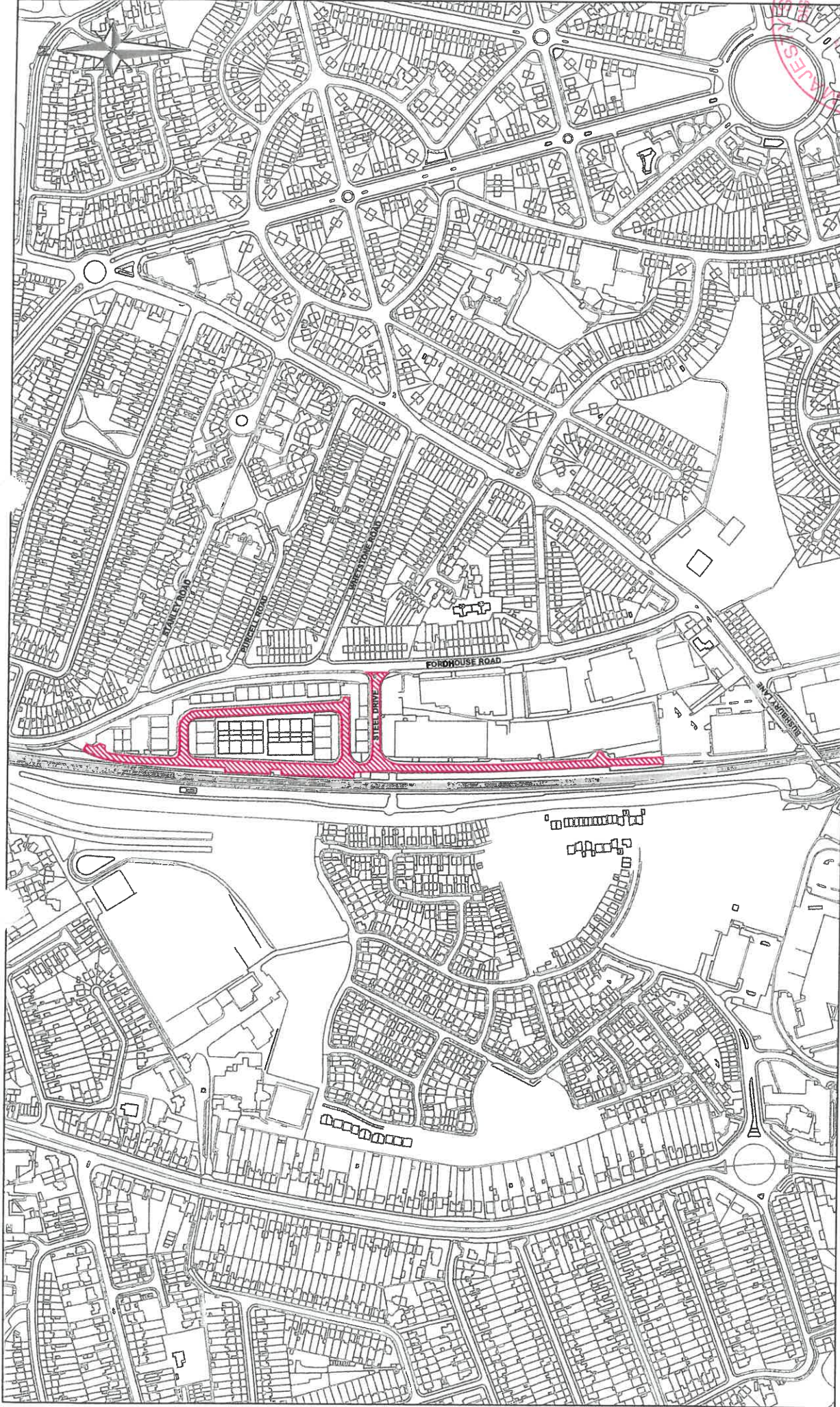
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN ANCHOR LANE

Date 26/03/18

Scale NTS

Drwg. No. T4/017



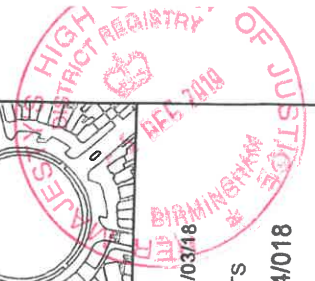
City of Wolverhampton Council
Place, Civic Centre,
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WV1 1RP

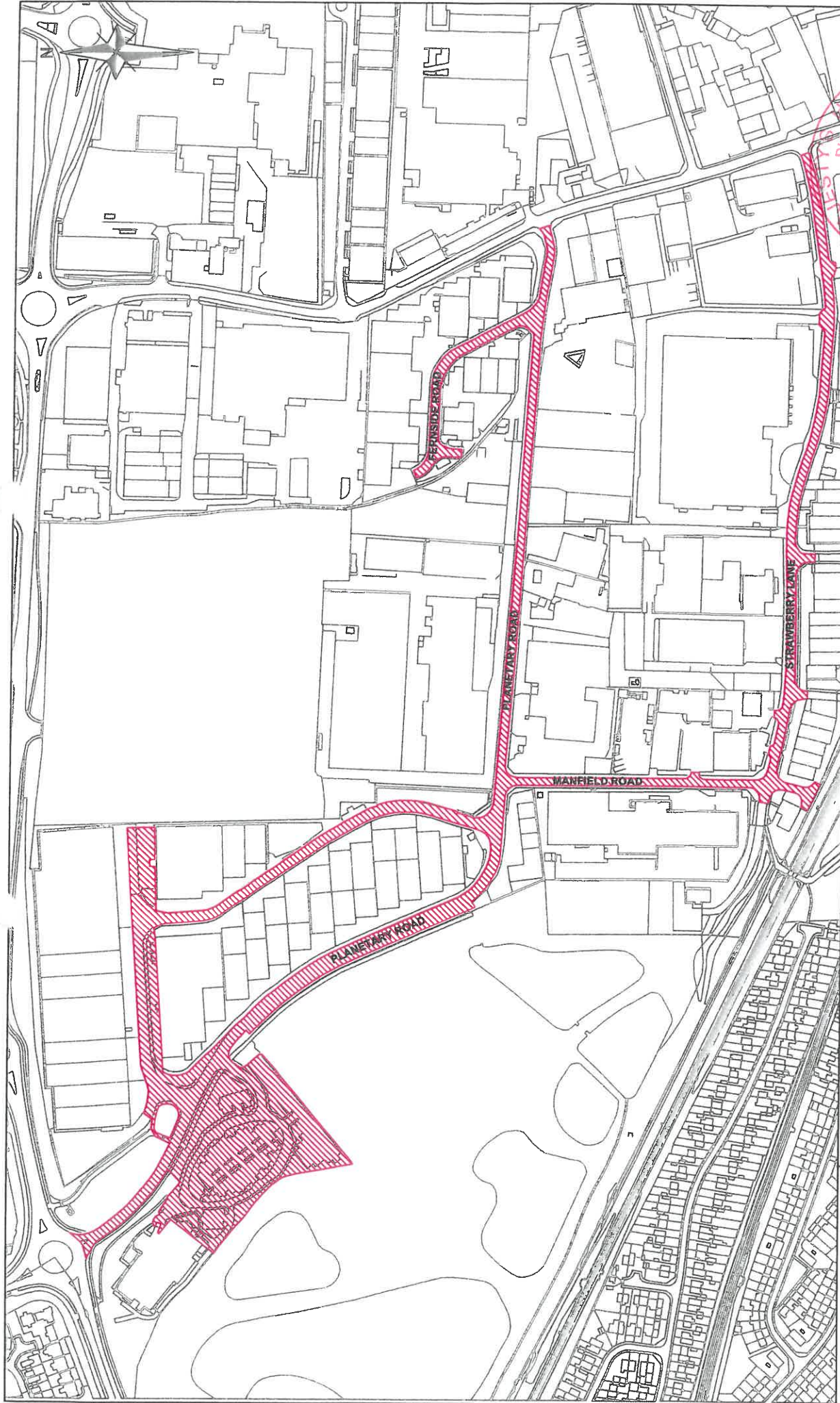
UE SITES AGAINST PERSONS UNKNOWN STEEL DRIVE

Date 26/03/18

Scale NTS

Drwg. No. T4/018

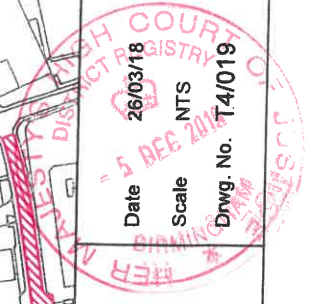


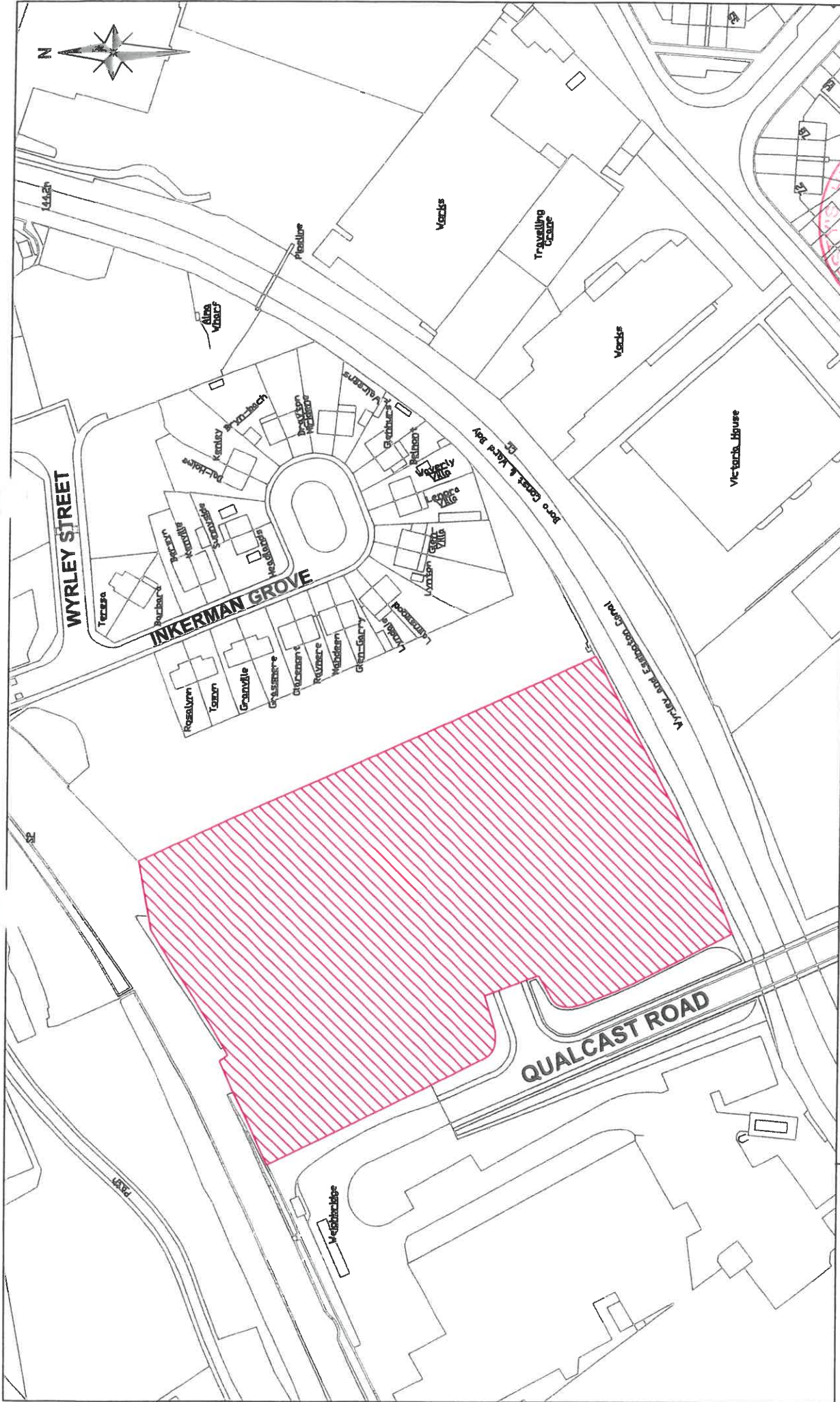


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN PLANETARY ROAD INDUSTRIAL ESTATE MANFIELD ROAD / STRAWBERRY LANE / FERNSIDE ROAD

Date 26/03/18
Scale NTS
Drwg. No. T4/019

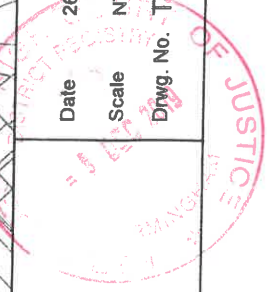


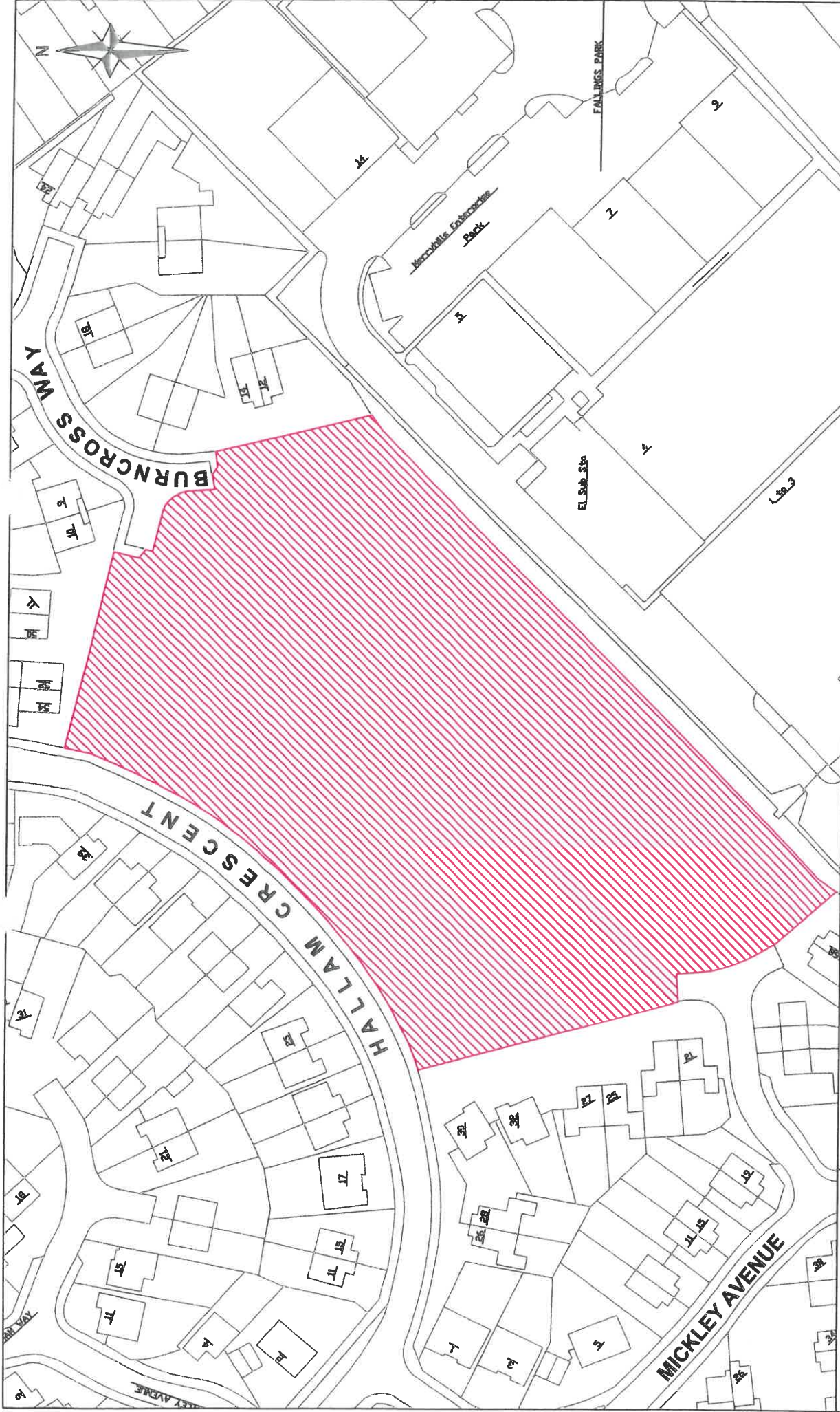


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN QUALCAST ROAD

Date 26/03/18
Scale NTS
Drwg. No. T4/020

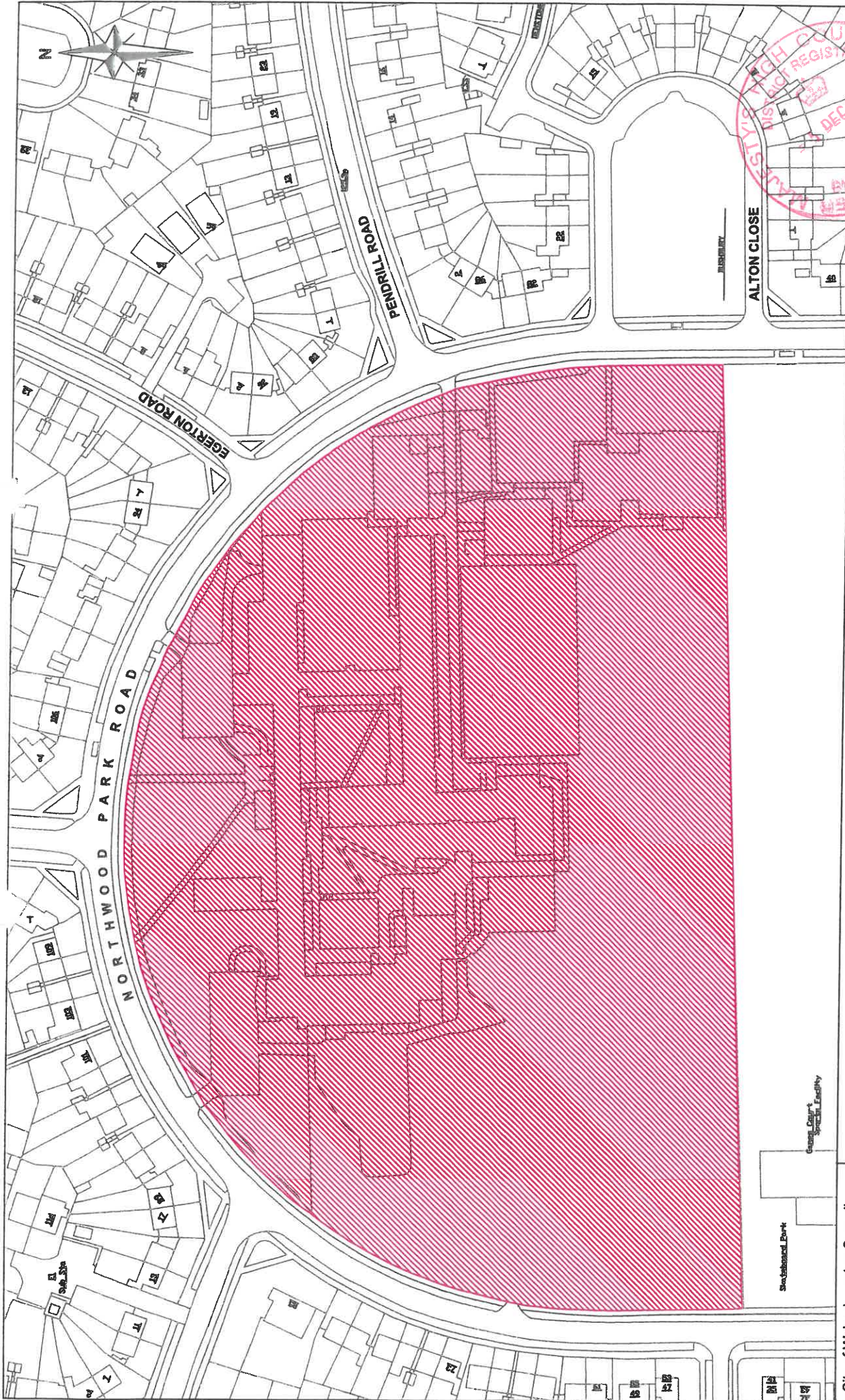




City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN HALLAM CRESCENT

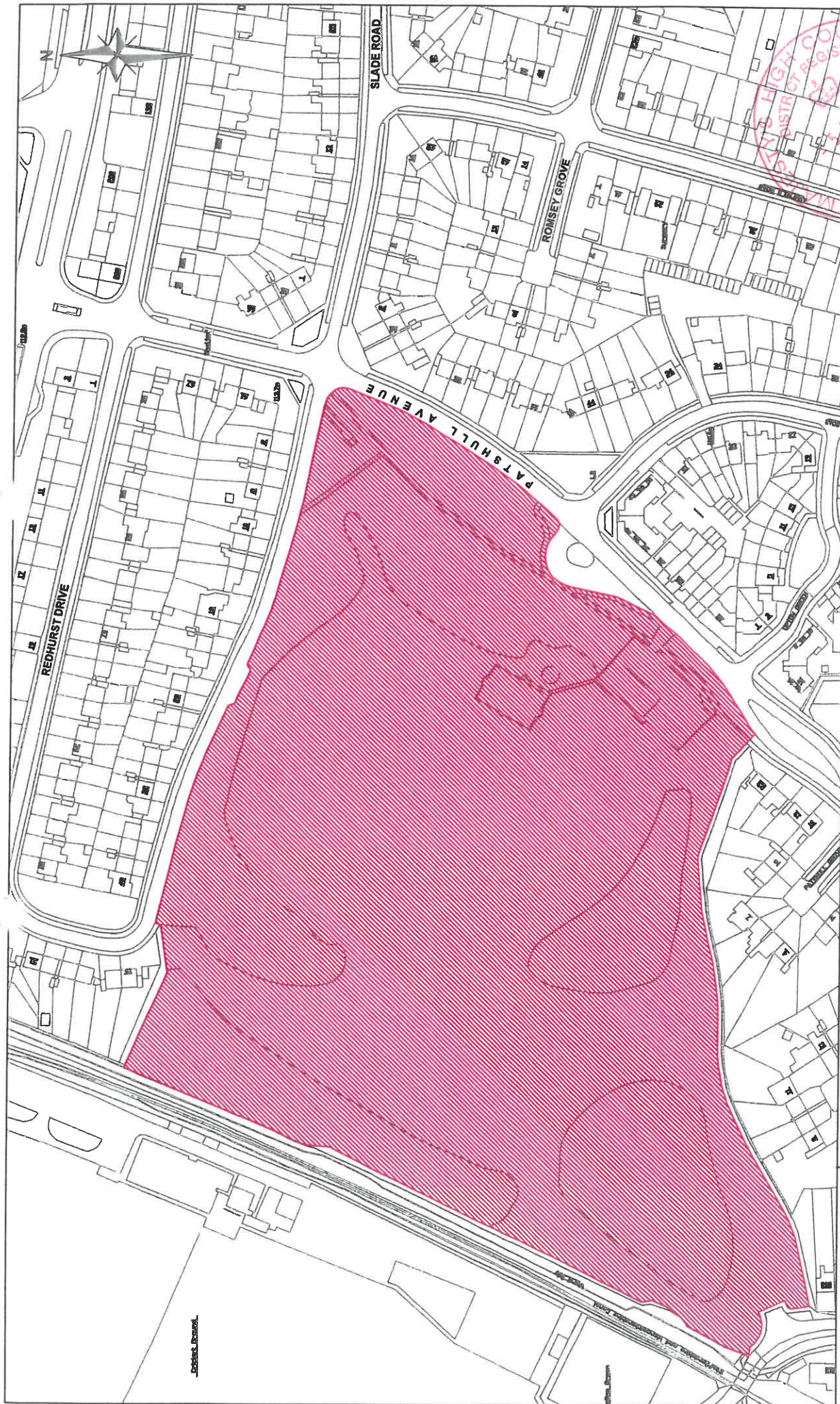
Date 26/03/18
Scale NTS
Drwg. No. T4/021



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN NORTHWOOD PARK ROAD SCHOOL SITE

Date 26/03/18
Scale NTS
Drwg. No. T4/022



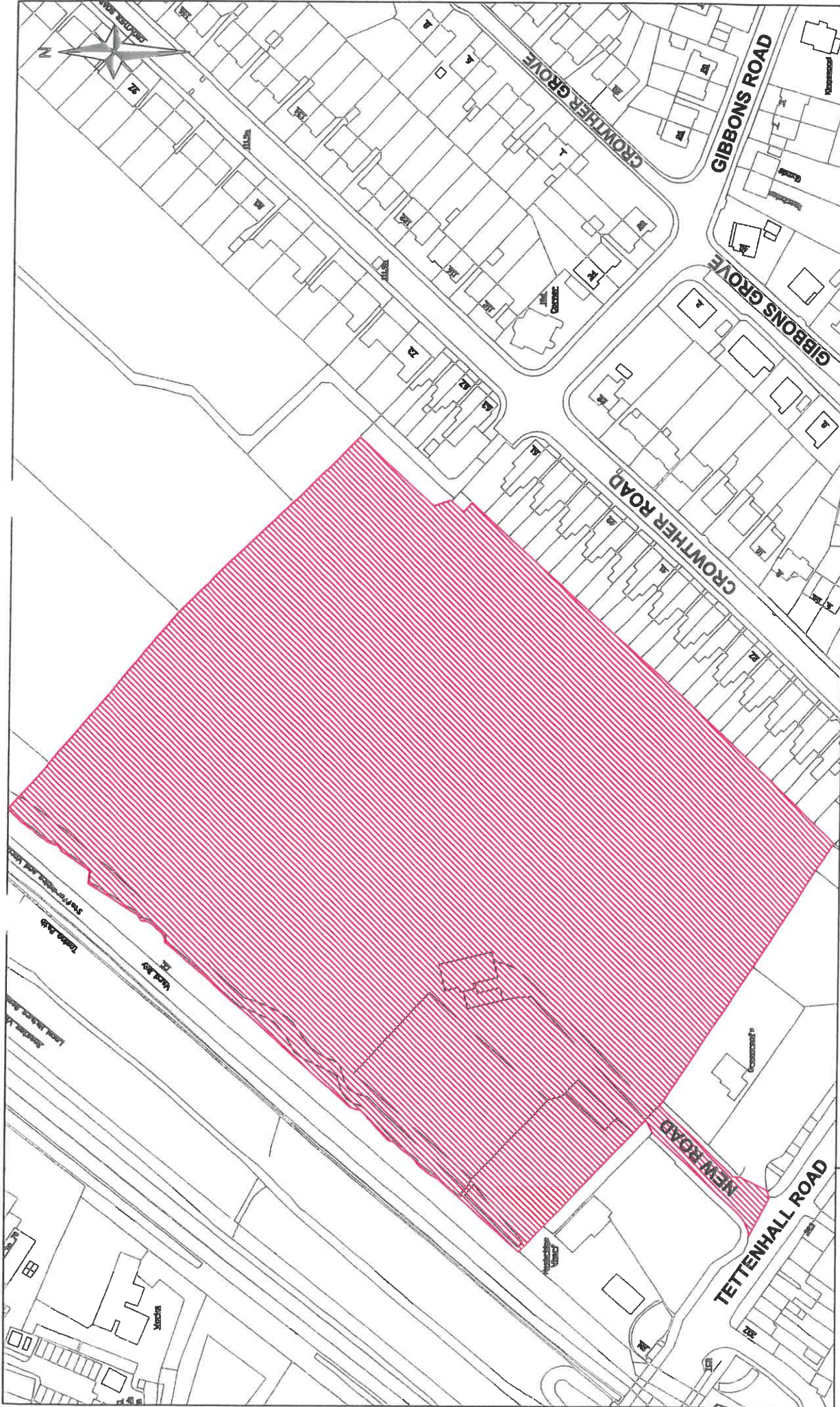
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN PATSHULL PARK OPEN SPACE

Date 26/03/18

Scale NTS

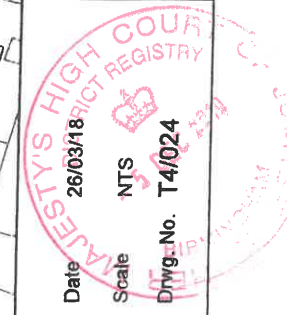
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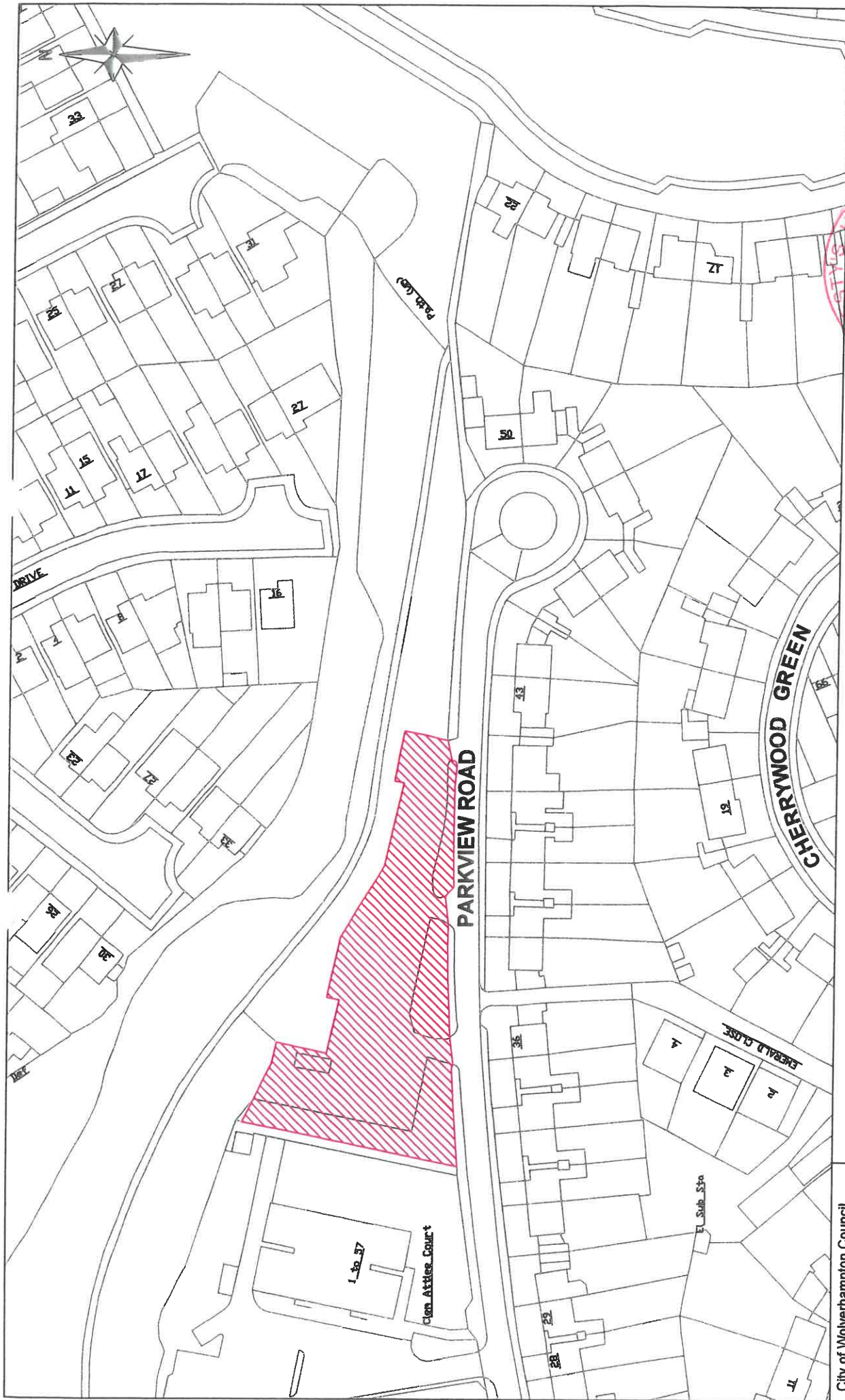


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN NEW ROAD, TETTENHALL

Date 26/03/18
Scale NTS
Dwg. No. T4/024

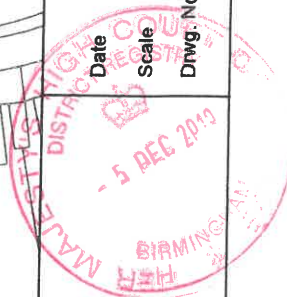


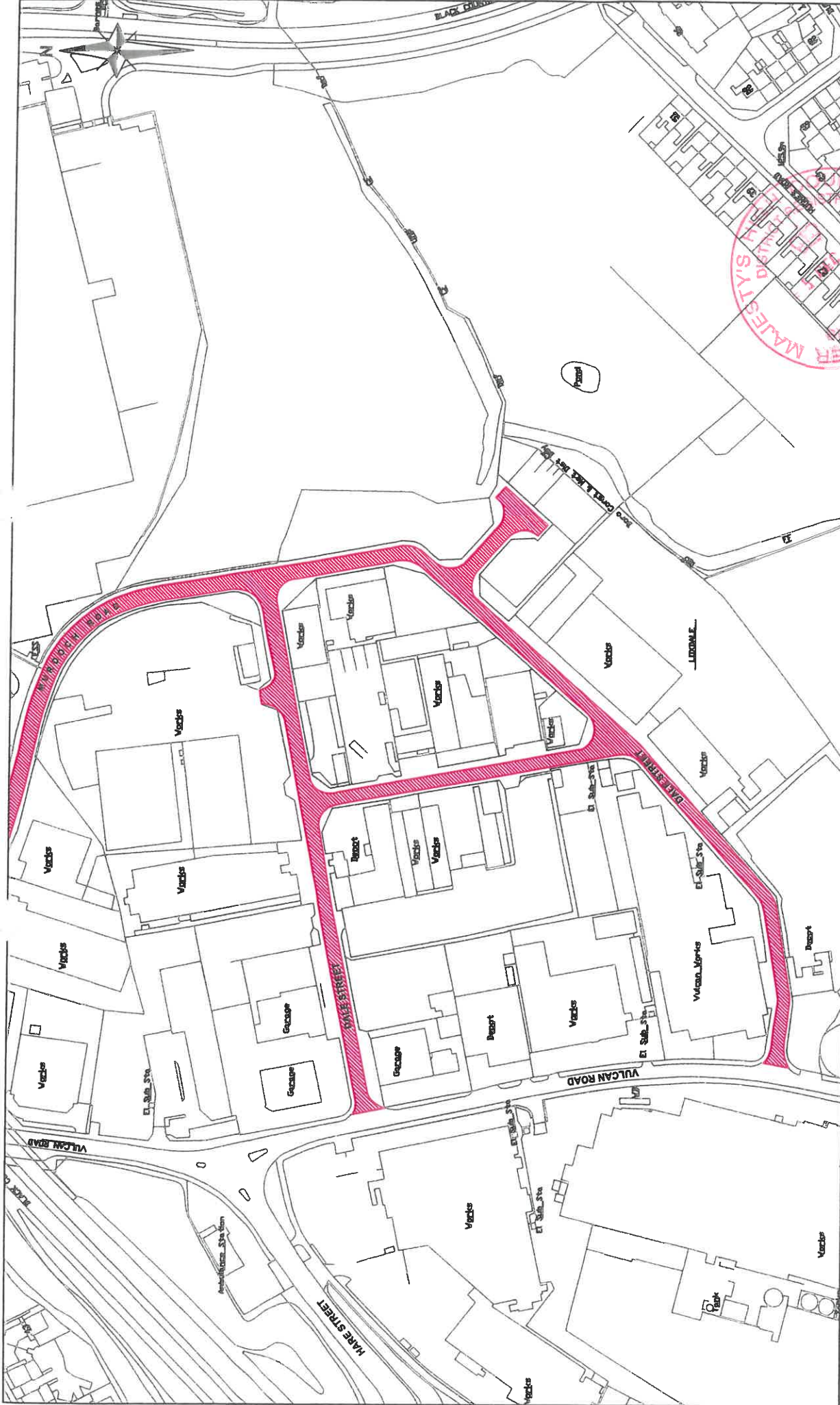


UE SITES AGAINST PERSONS UNKNOWN PARKVIEW ROAD GARAGE SITE

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

Date 27/03/18
Scale NTS
Drwg. No. T4/025

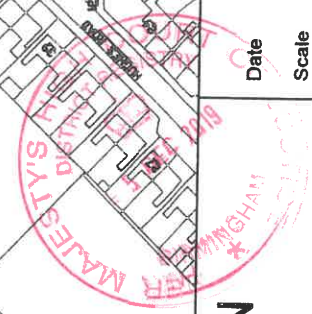


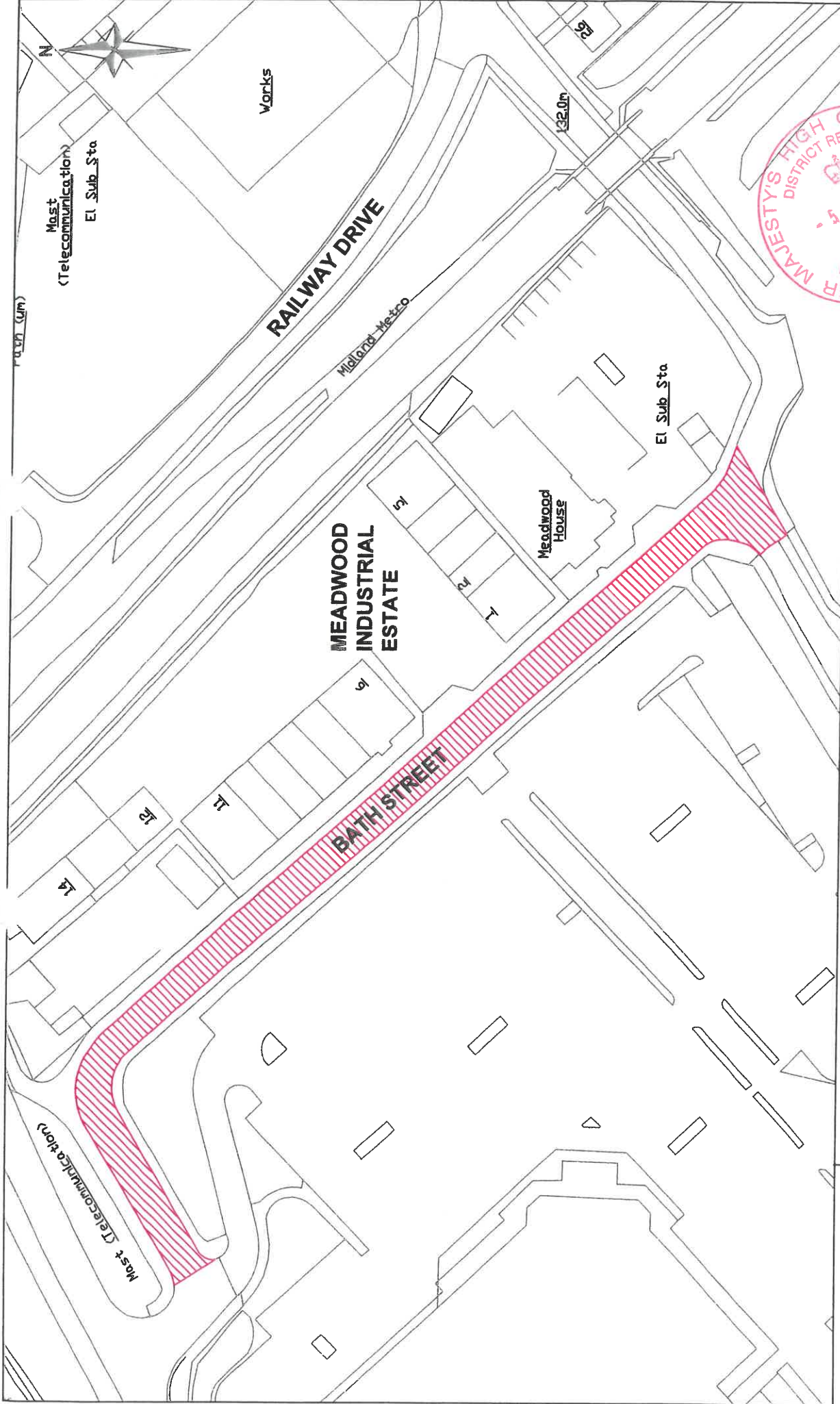


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN DALE STREET INDUSTRIAL AREA

Date 27/03/18
Scale NTS
Drwg. No. T4/026

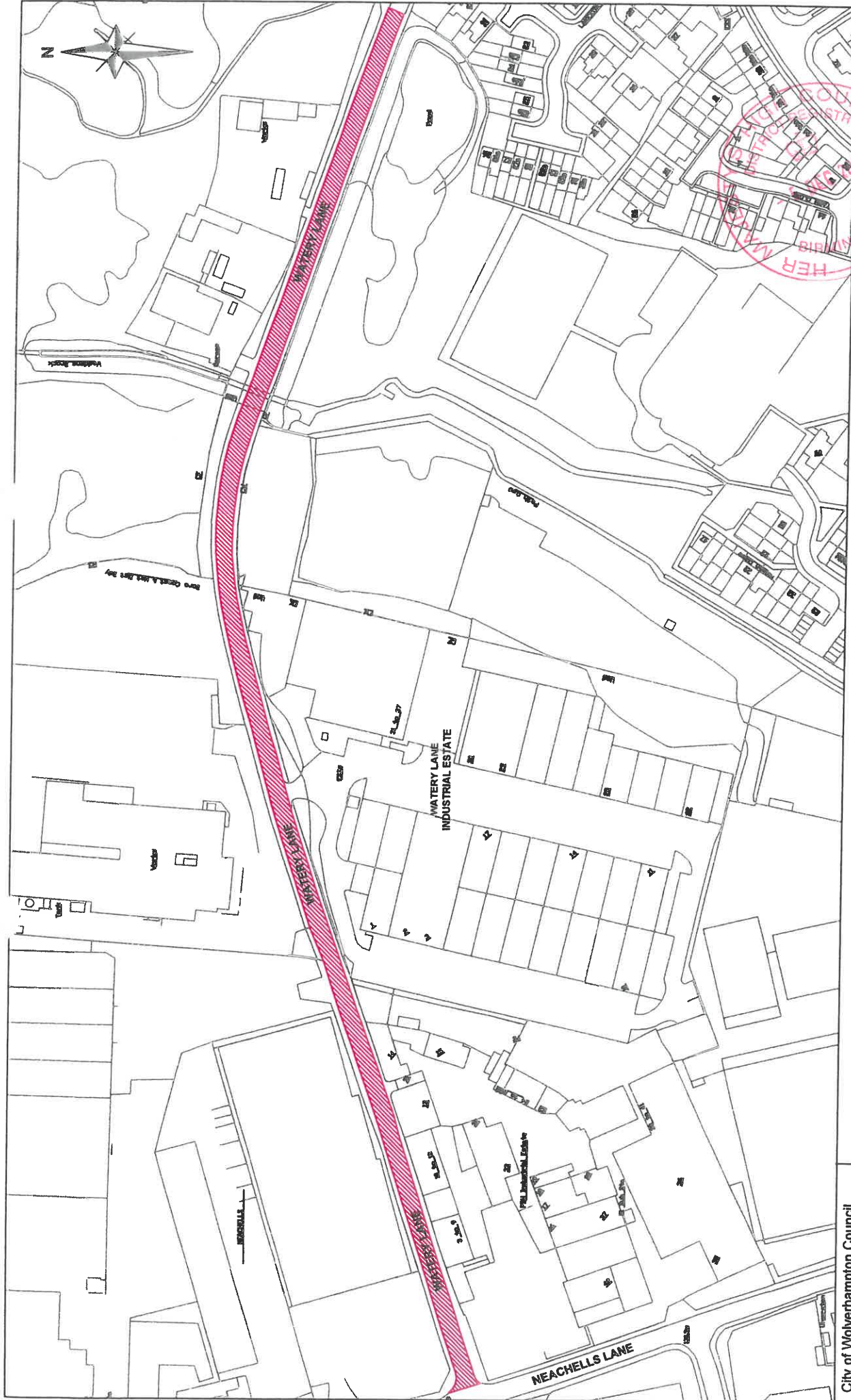




City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN BATH STREET, BILSTON

HER MAJESTY'S HIGH COURT
DISTRICT REGISTRY
BIRMINGHAM
Date 27/10/18
Scale NTS
Drwg. No. T4/027



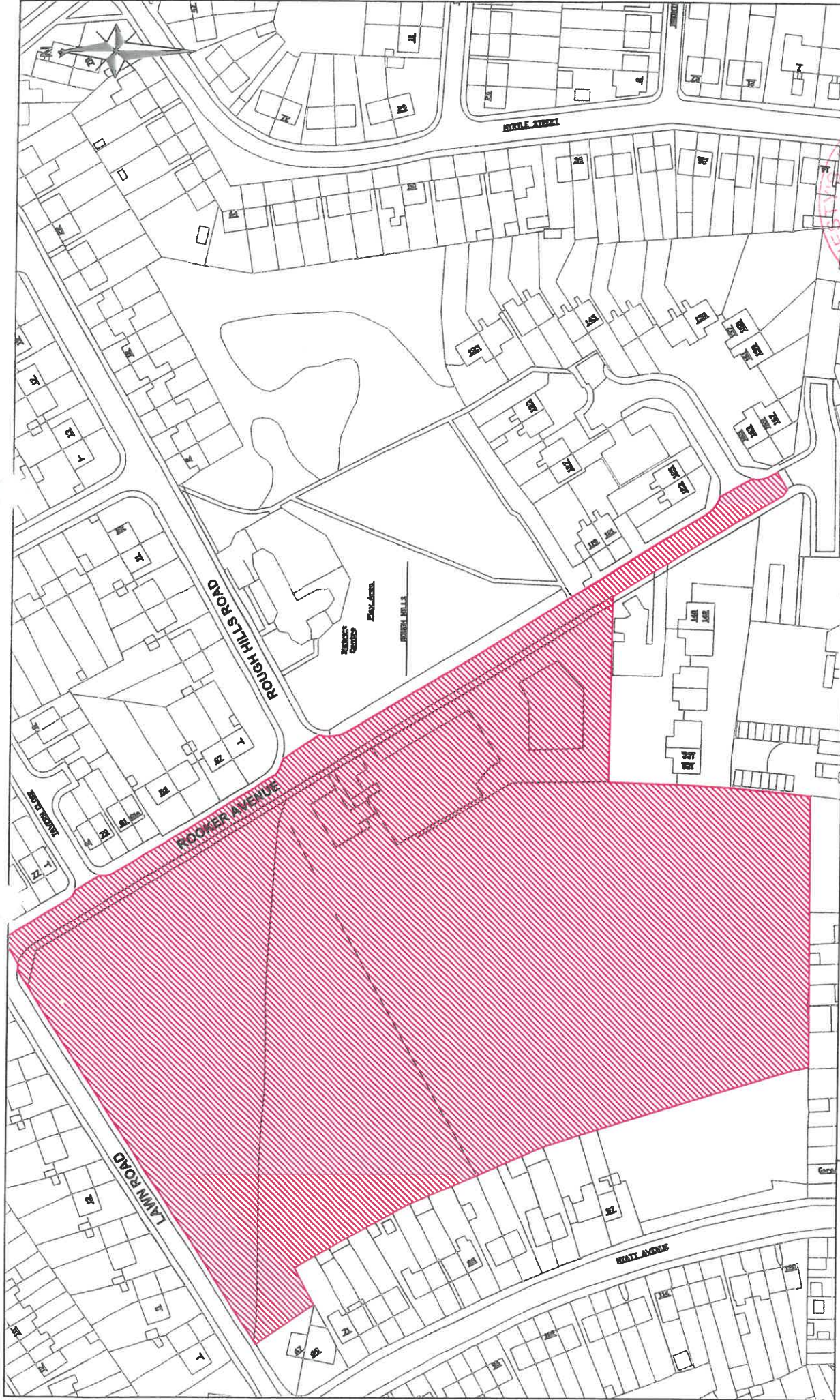
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN WATERBURY LANE

Date 27/03/18

Scale NTS

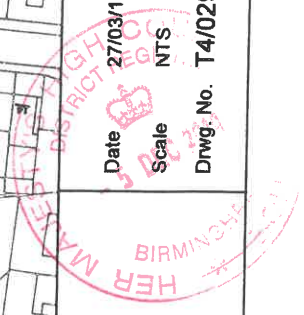
Dwg. No. T4/028



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN ROOKER AVENUE

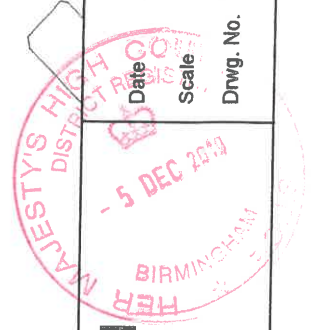
Date 27/03/18
Scale NTS
Drwg. No. T4/029



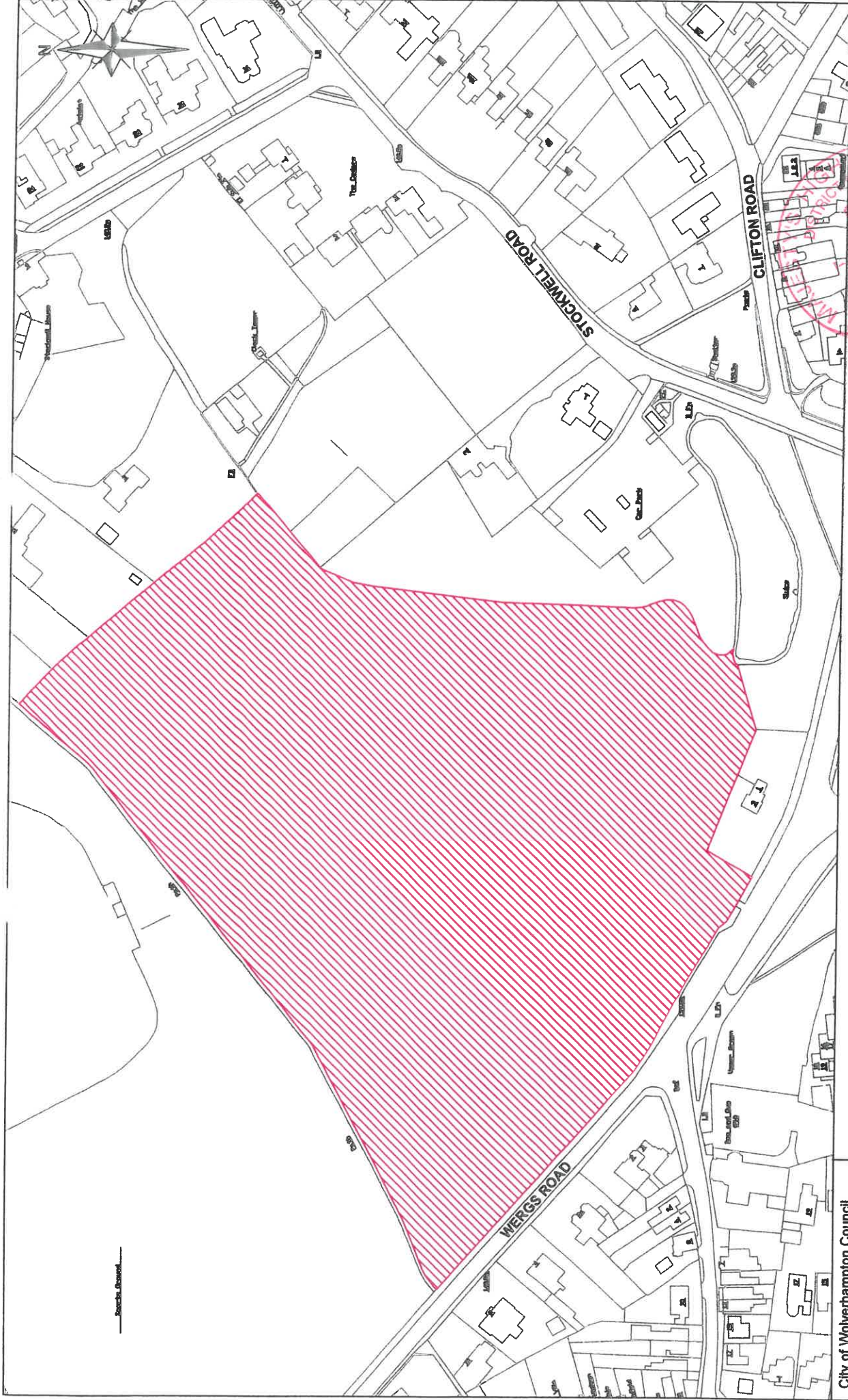


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN BLAYDON ROAD



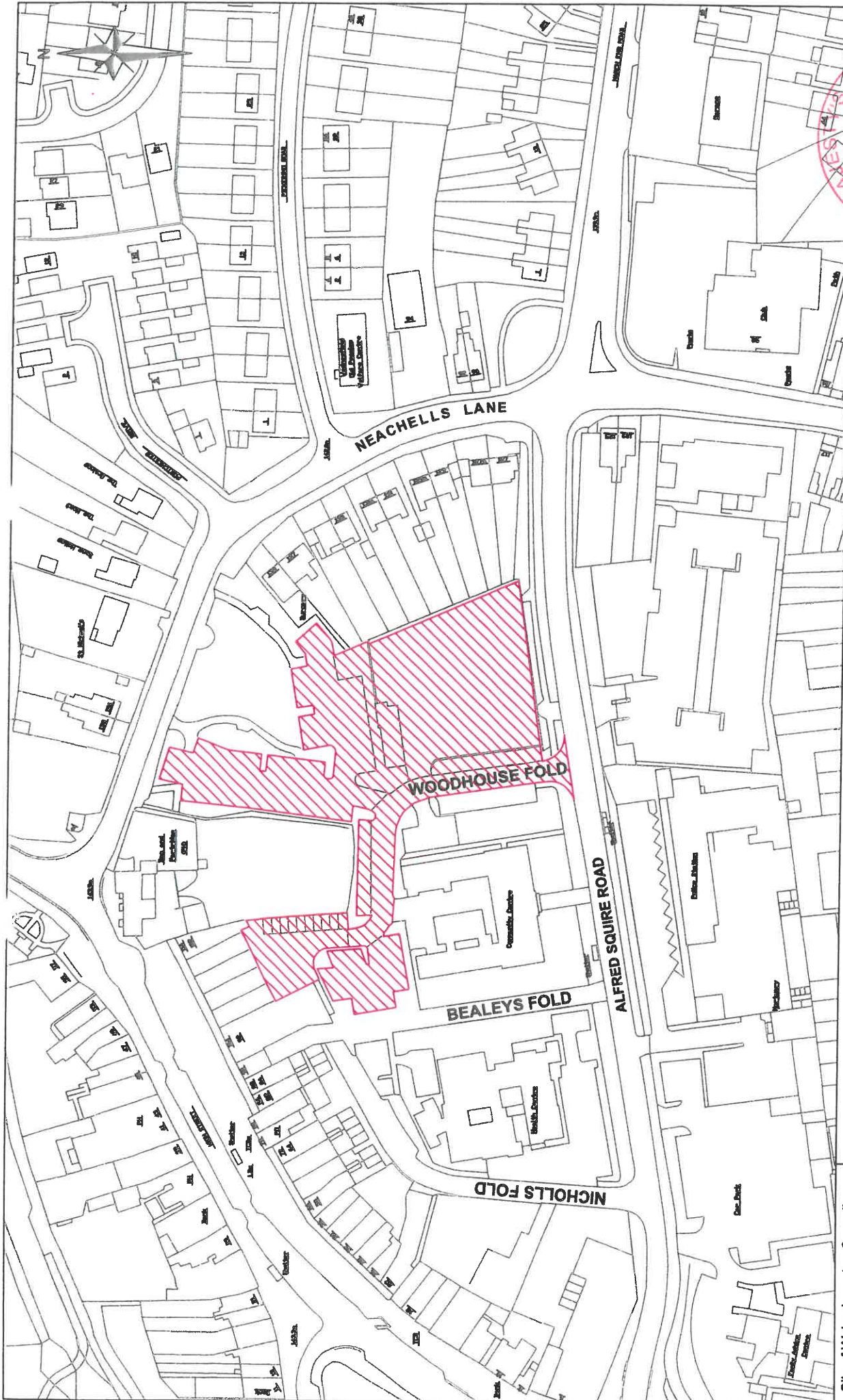
Date 27/03/18
Scale NTS
Drwg. No. T4/030



**UE SITES AGAINST PERSONS UNKNOWN
TETTENHALL POOL / UPPER GREEN**

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

Date 27/03/18
Scale NTS
Drwg. No. T4/031



WOLVERHAMPTON HIGH COURT
DISTRICT REGISTRY
Date 27/03/18
Scale NTS
Drwg. No. T4/032

UE SITES AGAINST PERSONS UNKNOWN WOODHOUSE FOLD CAR PARK

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

CLAIM NO: E90BM139

B E T W E E N:

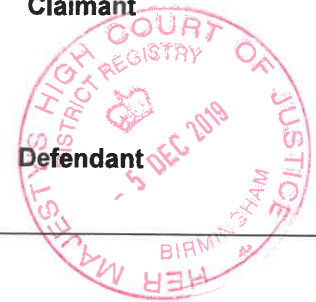
WOLVERHAMPTON CITY COUNCIL

Claimant

and

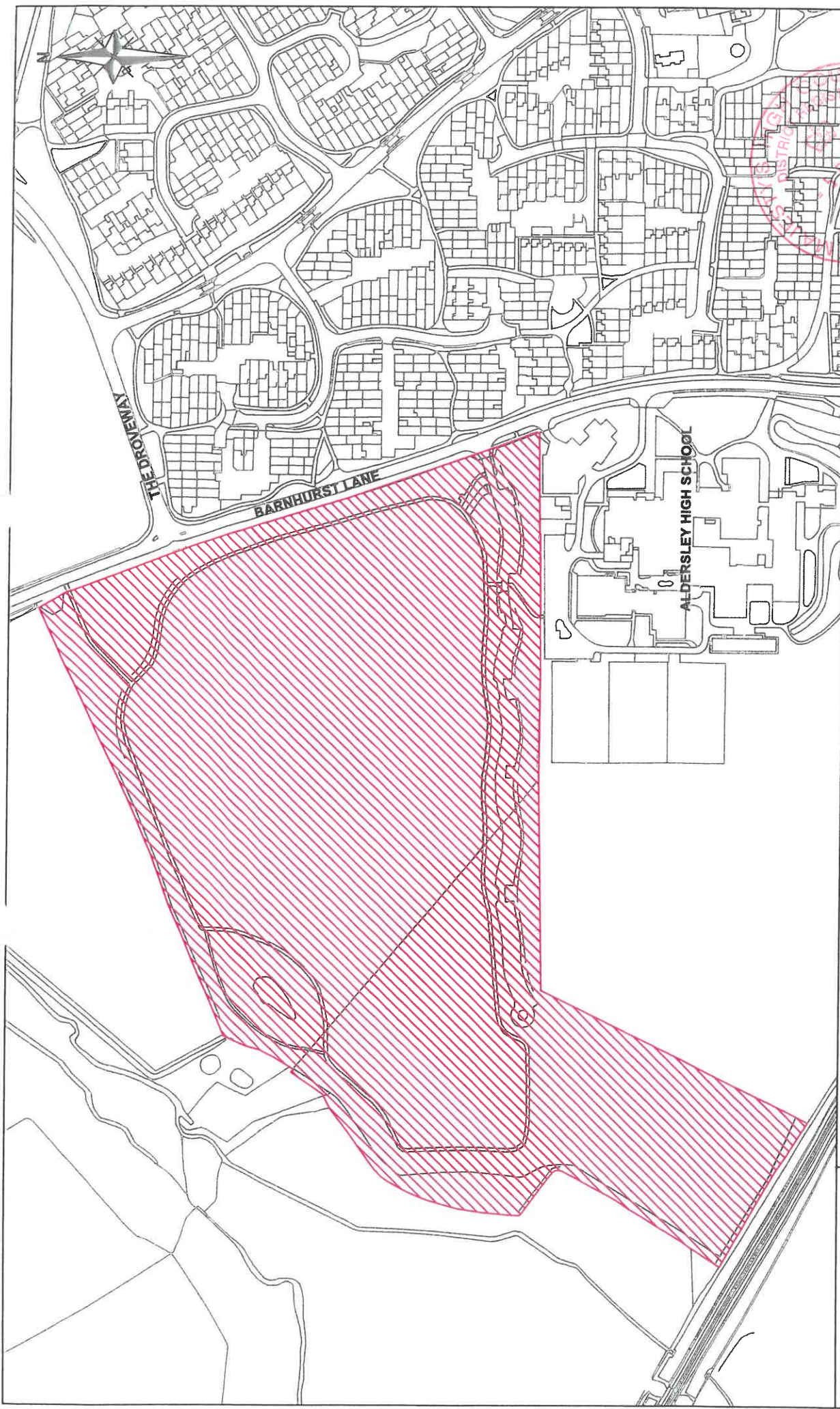
PERSONS UNKNOWN

Defendant



DRAWING NO. T4/35 REMOVED

Site 35 referred to in the injunction made by the honourable Court 02 October 2018 has been removed pursuant to Order of the honourable Court dated 05 December 2019.

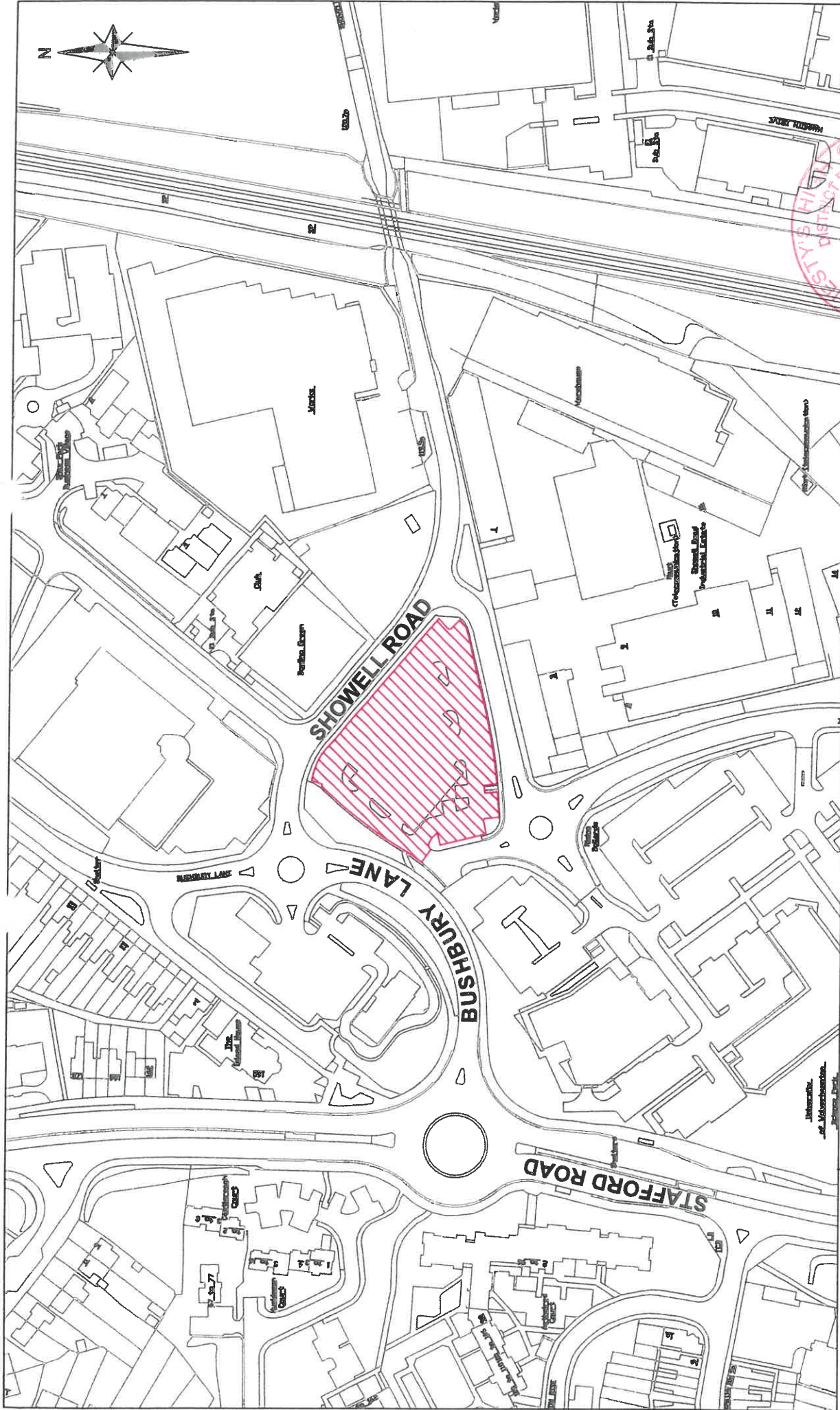


City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN BARNHURST LANE PITCHES

Date 27/03/18
Scale NTS
Drwg. No. T4/036

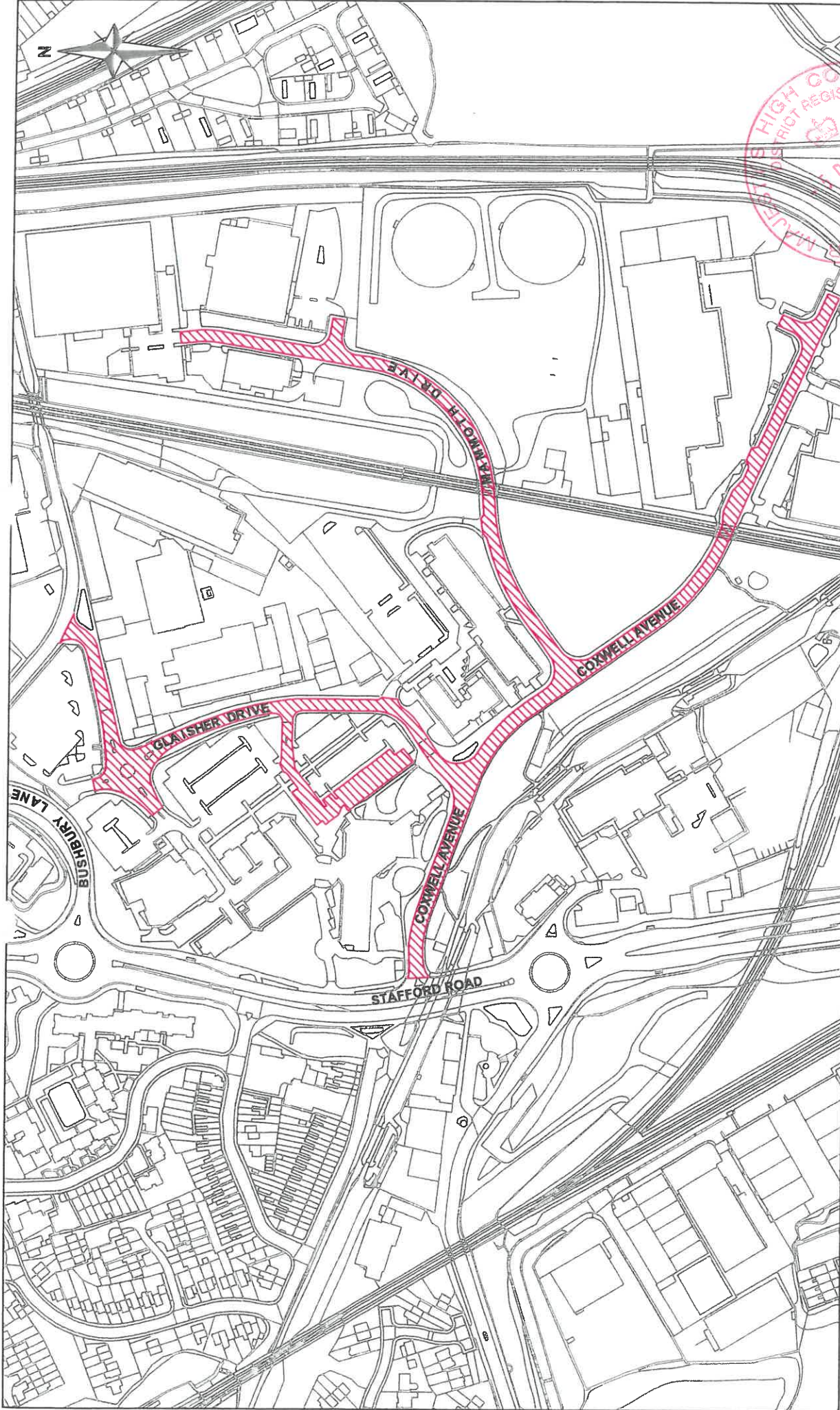




UE SITES AGAINST PERSONS UNKNOWN THE SCIENCE PARK CAR PARK

Date 28/03/18
Scale NTS
Drwg. No. T4/037

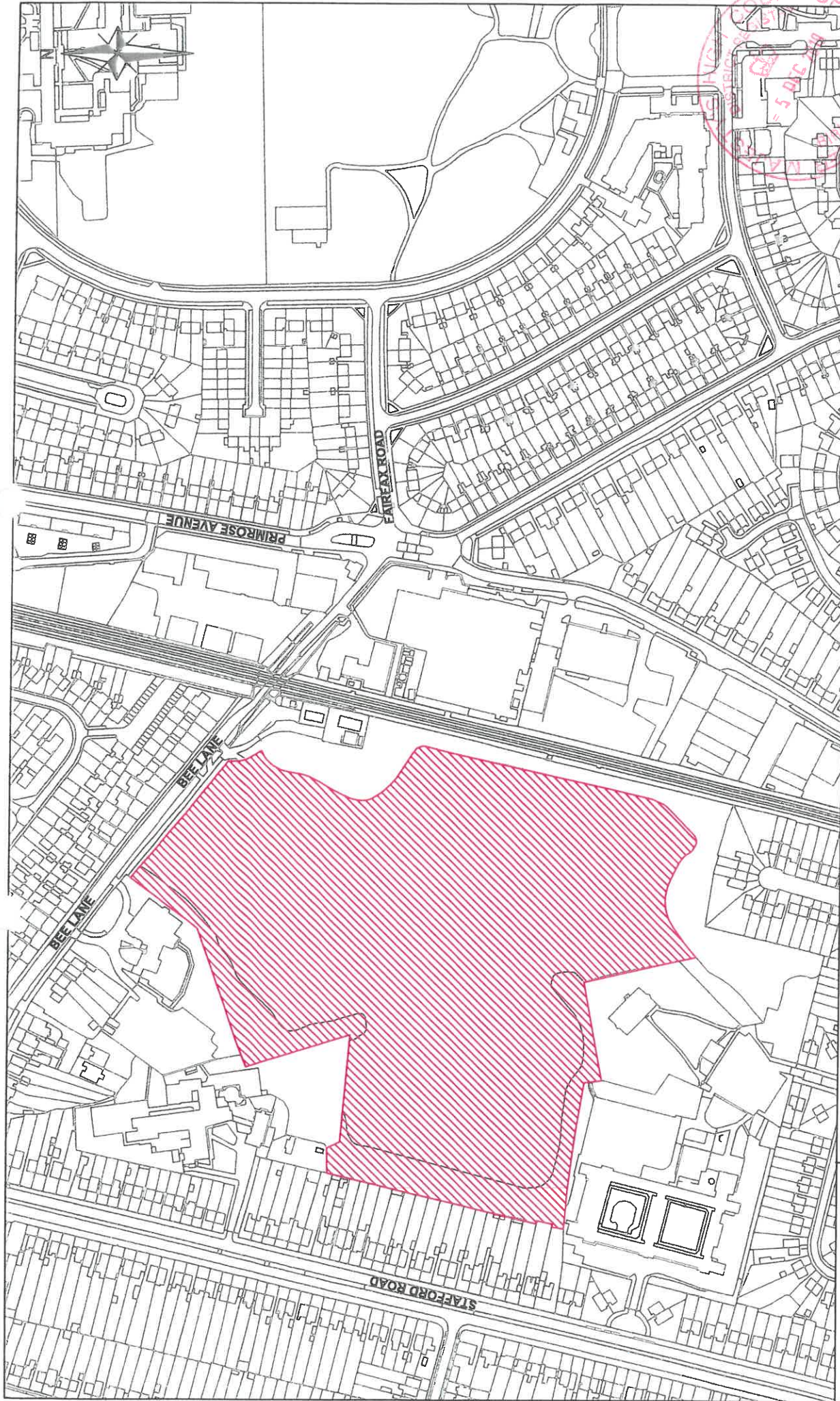
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN GLASHER DRIVE / COXWELL AVENUE / MAMMOTH DRIVE

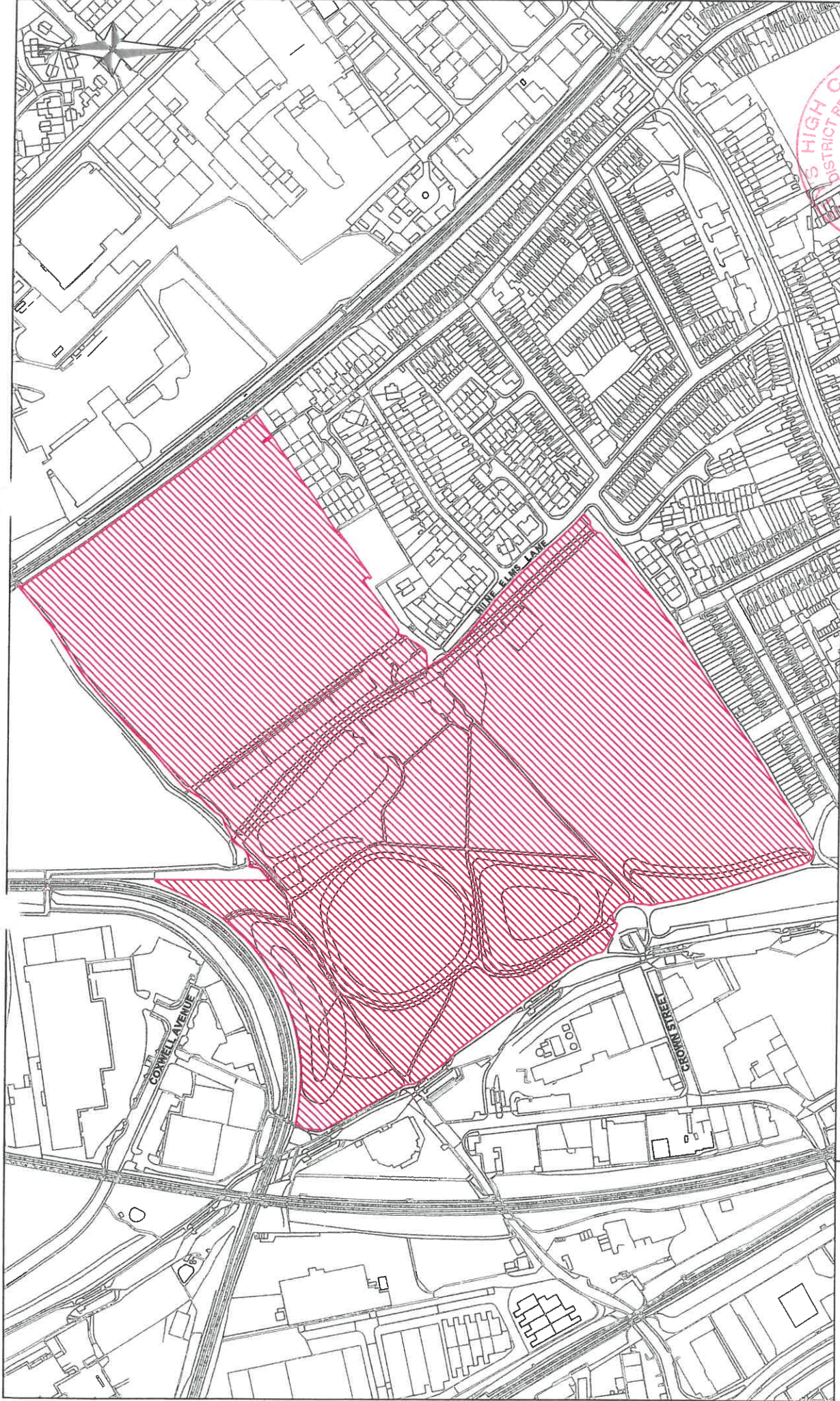
Date 28/03/18
Scale NTS
Drwg. No. T4/038



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN BEE LANE

Date 28/03/18
Scale NTS
Drwg. No. T4/039



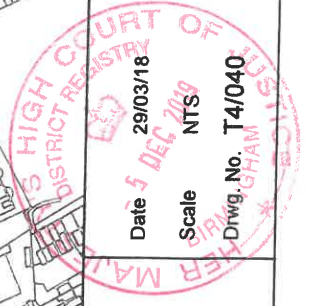
City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

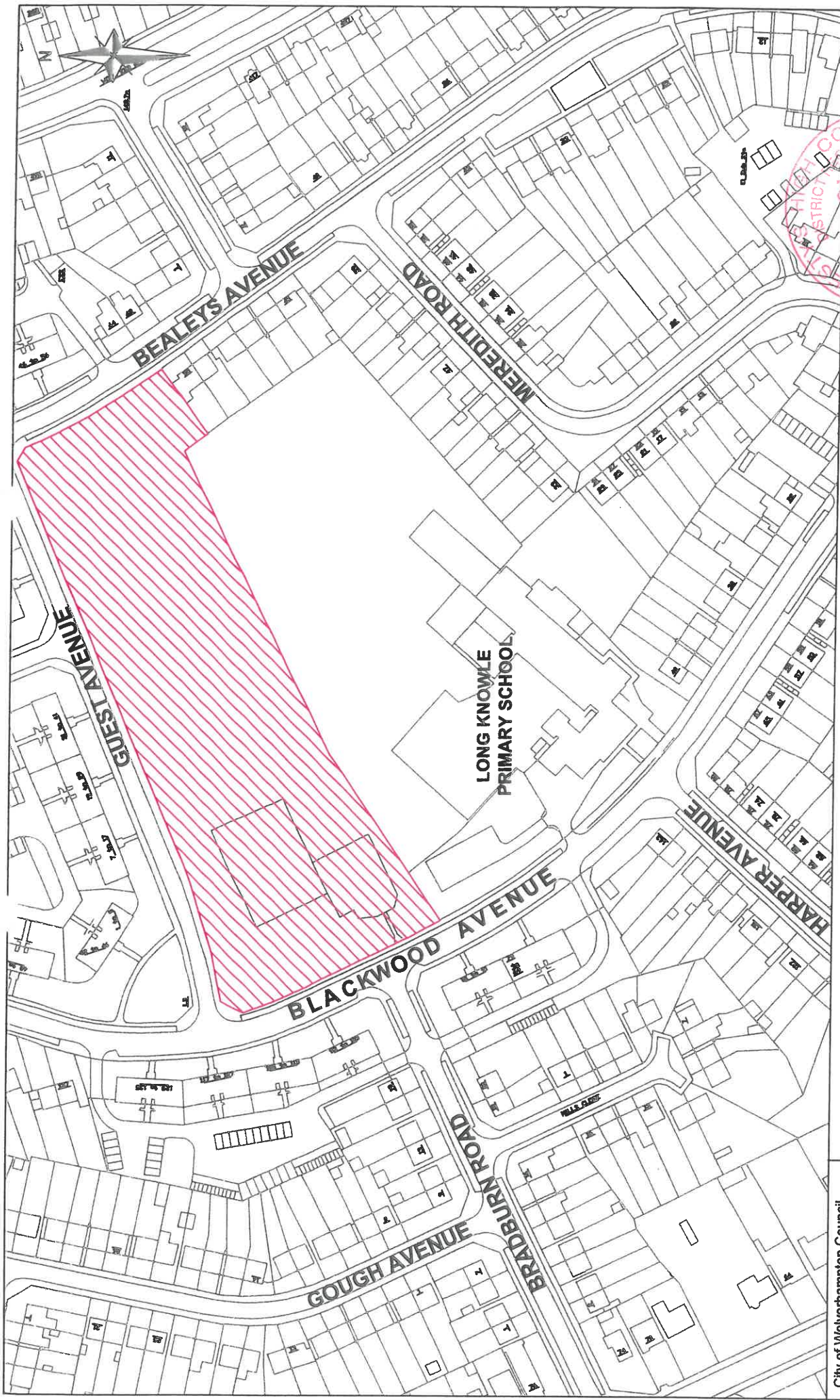
UE SITES AGAINST PERSONS UNKNOWN FOWLERS PARK

Date 29/03/18

Scale NTS

Drwg. No. T4/040

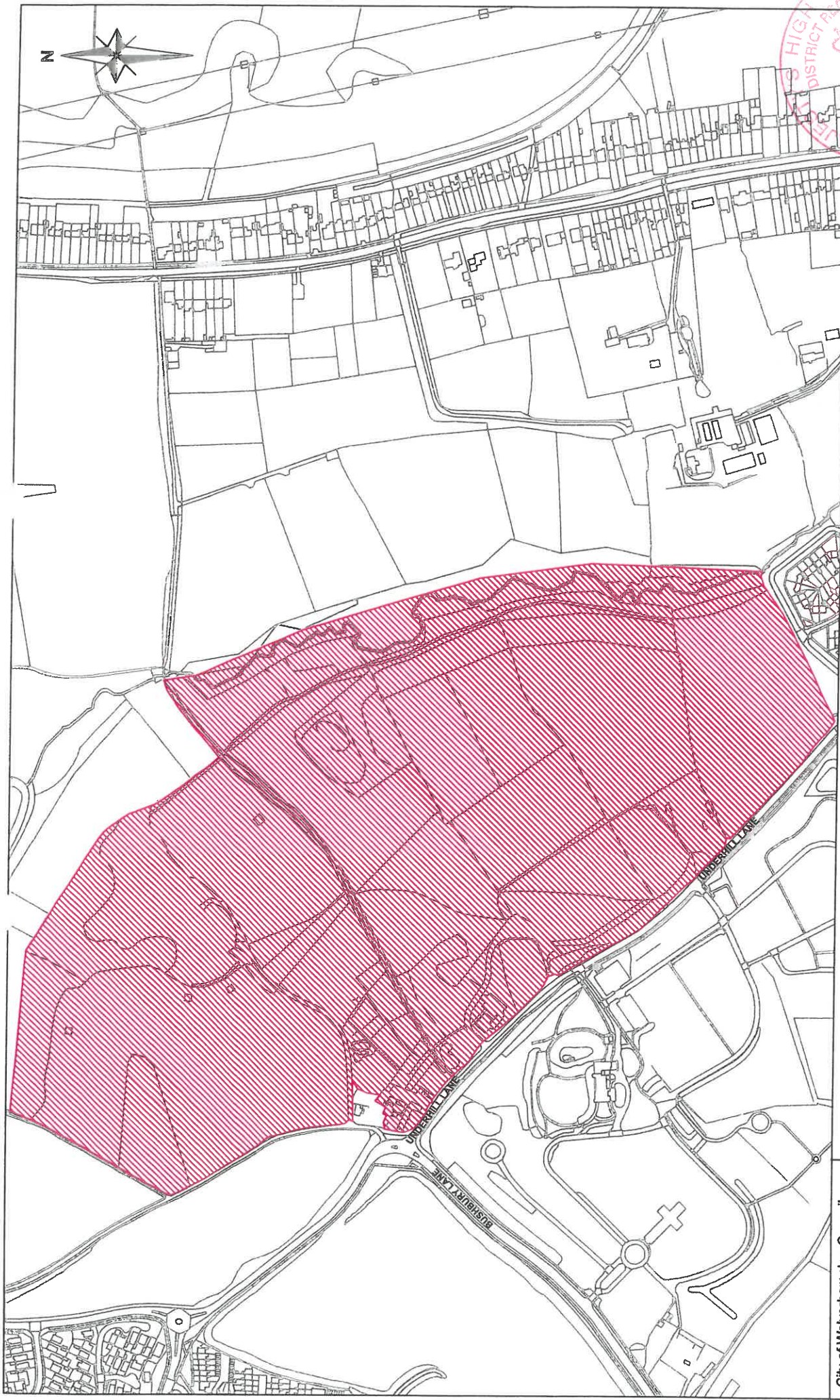




**UE SITES AGAINST PERSONS UNKNOWN
LONG KNOWLE OPEN AREA**

City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

HER MAJESTY'S HIGH COURT
DISTRICT COURT
WOLVERHAMPTON
Date 29/03/18
Scale NTS
Drwg. No. T4/041



City of Wolverhampton Council
Place, Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1RP

UE SITES AGAINST PERSONS UNKNOWN NORTHCOTE FARM

Date 29/03/18
Scale NTS
Drwg. No. T4/042

