

APPLICATION FOR AN INJUNCTION

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

Claim No. QB-2021-BHM-000056

BETWEEN:

**BIRMINGHAM CITY COUNCIL**

Claimant

and

**(1) THOMAS CASH  
(2) PATRICK CONNORS  
(3) PATRICK CONNORS**

**(4) PERSONS UNKNOWN BEING THE DEFENDANTS IDENTIFIED BY DESCRIPTION AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 06 AUGUST 2021, PARTICIPATED IN ANY OF THE UNAUTHORISED TRAVELLER ENCAMPMENTS ESTABLISHED WITHIN THE CITY OF BIRMINGHAM AT DAISY FARM PARK, SWANSHURST PARK, BILLESLEY COMMON, CHINN BROOK RECREATION GROUND, THE DELL, FOX HOLLIES PARK, COFTON PARK, KINGS NORTON PLAYING FIELD, KINGS HEATH PARK, HIGHBURY PARK, KINGS NORTON PARK, SENNELEYS PARK, SELLY OAK PARK, WALKERS HEATH RECREATION GROUND, STECHFORD HALL PARK, STECHFORD RECREATIONAL GROUND AND / OR HORSELEA CROFT / COTTSMEADOW DRIVE.**

Defendants

## A. Pleadings

- |  |             |
|--|-------------|
| 1. Amended Claim Form                      | A 1 - A 6   |
| 2. n16A Final.docx                         | A 7 - A 8   |
| 3. Injunction dated 26/1/22                | A 9 - A 19  |
| 4. Power of arrest dated 26/1/22           | A 20 - A 22 |
| 5. Order of Her Honour Judge Kelly 19/1/22 | A 23 - A 27 |

## B. Particulars of Claim

- |                                 |            |
|---------------------------------|------------|
| 1. Amended Particulars of Claim | B 1 - B 41 |
|---------------------------------|------------|

## C. Claimant's Evidence

- |  |               |
|--|---------------|
| 1. Witness statement of Mark Croxford                                | C 1 - C 13    |
| 2. Exhibit MC1   | C 14          |
| 3. MAP   | C 15          |
| 4. Exhibit MC2   | C 16          |
| 5. Registration plates   | C 17          |
| 6. Registered Owner details  | C 18          |
| 7. Exhibit MC3   | C 19          |
| 8. Letter  | C 20          |
| 9. Exhibit MC4   | C 21          |
| 10. Email  | C 22 - C 23   |
| 11. Photographs  | C 24 - C 25   |
| 12. Exb Sheet MC5.docx   | C 26          |
| 13. PO Reynolds email  | C 27 - C 28   |
| 14. Exb Sheet MC6.docx   | C 29          |
| 15. Proportionality Assessment Form Public Sector Equality Duty.pdf  | C 30 - C 35   |
| 16. 1st Witness statement of PO Phillips.pdf                         | C 36 - C 48   |
| 17. 2nd Witness Statement of PO Phillips.pdf                         | C 49          |
| 18. Ex Ref SP01.   | C 50 - C 52   |
| 19. Ex Ref SP02.   | C 53 - C 54   |
| 20. Ex Ref SP03.   | C 55          |
| 21. Ex Ref SP04.   | C 56          |
| 22. Witness Statement of Resident (NB)                               | C 57 - C 62   |
| 23. Witness Statement [REDACTED]                                     | C 63 - C 65   |
| 24. Exhibits LB1(photographs)  | C 66 - C 77   |
| 25. Witness Statement of Resident (SL)                               | C 78          |
| 26. Witness Statement of Richard Fieldhouse                          | C 79 - C 84   |
| 27. EXHIBIT RF1-IMAGES   | C 85 - C 106  |
| 28. EXHIBIT RF2-IMAGES   | C 107 - C 135 |
| 29. Witness Statement of Richard Fieldhouse in respect of A1         | C 136 - C 146 |
| 30. Witness Statement of Richard Fieldhouse in respect of Witness E1 | C 147 - C 148 |
| 31. Witness Statement of Florence Bishp                              | C 149 - C 151 |

32.	Witness Statement of Sarah Cole Referring to Witness D2	C 152 - C 158
33.	Witness Statement of Sarah Cole in respect of Witness MOS	C 159 - C 162
34.	Witness Statement of Sarah Cole in respect of Hannah Reed	C 163 - C 165
35.	Witness Statement of Vanessa Cooper	C 166 - C 169
36.	Witness Statement of Kavitsan Vinnagamothy	C 170 - C 172
37.	Witness Statement of Kuvul Dosanjh	C 173 - C 175
38.	Witness Statement of Sarah Cole in respect of Resident JL	C 176 - C 181
39.	Exhibits SC1-photos	C 182 - C 188
40.	Witness Statement of Sarah Cole in respect of Resident TA	C 189 - C 195
41.	Witness Statement of Sarah Cole for Resident F1	C 196 - C 199
42.	Witness statement of DFRedacted.pdf	C 200 - C 202
43.	Witness Statement of Jon Farely	C 203 - C 204
44.	Witness Statement of Tommy Coyle	C 205 - C 206
45.	Cottsmeadow Drive - Images and VRM Confirmed.docx	C 207 - C 208
46.	Second WS MC Equality Witness Statement.pdf	C 209 - C 221
47.	Exhibit MC1	C 222
48.	Proportionality Assessment Form Public Sector Equality Duty.pdf	C 223 - C 228
49.	3rd Witness statement of Mark Croxford (2).pdf	C 229 - C 259
50.	3rd Witness statement of PO Phillips	C 260 - C 262

#### D. Documents

1.	Certificate of Service Thomas Cash	D 1
2.	Certificate of Service Patrick Connors Leicester.	D 2
3.	Certificate of Service Patrick Connors Leeds	D 3 - D 4

## A. Pleadings

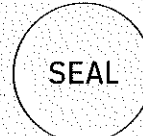


# Claim Form (CPR Part 8)

In the High Court Queen's Bench Division Birmingham District Registry	
Claim no.	QB-2021-BHM-000056
Fee Account no.	PBA0085443 26 Jan 2022
Help with Fees - Ref no. (if appli- cable)	HWF - BIRMINGHAM

QB-2021-BHM-000056

**Claimant**  
 Birmingham City Council  
 The Council House  
 Victoria Square  
 Birmingham B1 1BB



**Defendant(s)**  
 (1) Thomas Cash  
 (2) Patrick Connors  
 (3) Patrick Connors  
 (4) Persons Unknown being the Defendants identified by description at Schedule 1 hereof.

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

Details of claim (see also overleaf)

The Claimant claims an injunction pursuant to s222 Local Government Act 1972, s1 of the Localism Act 2011, s130 Highways Act 1980 and s187B Town and Country Planning Act 1990 to promote and protect the interests of the inhabitants of the Claimant's local authority area as delineated on the map annexed to the Particulars of Claim by restraining the Defendants by way of injunction from committing tortious and criminal acts and including acts amounting to public nuisance and to deliberate and flagrant breaches of the criminal law and which use of the criminal law is unable to prevent or control. To restrain breaches of planning control. To protect the rights of the public to the use and enjoyment of the highways within its district. The Claimant believes that the conduct complained of includes significant risk of harm to local residents, its officers and members of the public so that it is necessary for a power of arrest pursuant to s27 Police and Justice Act 2006 to be attached to the injunction.

Defendant's  
name and  
address

Persons Unknown

	£
Court fee	569.00
Legal representative's costs	To be assessed.
Issue date	

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).  
 When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

**Claim no.**

C90BM249

**Details of claim (continued)**

See Particulars of Claim attached.

Birmingham City Council  
Legal and Governance Department  
PO Box 15992  
B2 2 UQ

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

## Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe that the facts stated in these particulars of claim are true.
- The Claimant believes that the facts stated in these particulars of claim are true. I am authorised by the claimant to sign this statement.

### Signature

*H. MacPherson*

- Claimant
- Litigation friend (where claimant is a child or a Protected Party)
- Claimant's legal representative (as defined by CPR 2.3(1))

### Date

Day	Month	Year
24	01	2022

### Full name

Hilary MacPherson

### Name of claimant's legal representative's firm

Birmingham City Council Legal and Governance Department

### If signing on behalf of firm or company give position or office held

Solicitor

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

## SCHEDULE 1 – LIST OF DEFENDANTS

1. The person currently in possession of or a passenger in vehicle 07MO3760
2. The person currently in possession of or a passenger in vehicle 131-LS-566
3. The person currently in possession of or a passenger in vehicle AD06THN
4. The person currently in possession of or a passenger in vehicle AU10 TWP
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54. The person currently in possession of or a passenger in vehicle PJ07NEU
55. The person currently in possession of or a passenger in vehicle PK58XBZ
56. The person currently in possession of or a passenger in vehicle PK58YBZ
57. The person currently in possession of or a passenger in vehicle PN19YHR
58. The person currently in possession of or a passenger in vehicle PX09XMV
59. The person currently in possession of or a passenger in vehicle SG16THN
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63. The person currently in possession of or a passenger in vehicle SK71RGO
64. The person currently in possession of or a passenger in vehicle SK61RGO
65. The person currently in possession of or a passenger in vehicle SN67ZSD

66. The person currently in possession of or a passenger in vehicle VE19WVW
67. The person currently in possession of or a passenger in vehicle VN06JHL
68. The person currently in possession of or a passenger in vehicle WG09JUC
69. The person currently in possession of or a passenger in vehicle WJ55CPF
70. The person currently in possession of or a passenger in vehicle YY54MFO
  
71. Persons unknown who have, since 06 August 2021, used the vehicles identified at paragraph 1-70 of this Schedule for the purpose of entering one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.
  
72. Persons unknown who have, since 06 August 2021, entered the land at one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.

# Application for Injunction (General Form)

<a href="#">Click here to reset form</a>		<a href="#">Click here to print form</a>	
Name of court County Court at Birmingham		Claim No.	
Claimant's Name and Ref. BIRMINGHAM CITY COUNCIL (Ref.: NAD/ )			
Defendant's Name and Ref. Thomas Cash, Patrick Connors x2 PERSONS UNKNOWN-BEING THE DEFENDANTS IDENTIFIED BY DESCRIPTION AT SCHEDULE 1 HEREOF			

**Notes on completion**

Tick which boxes apply and specify the legislation where appropriate

- (1) Enter the full name of the person making the application
- (2) Enter the full name of the person the injunction is to be directed to
- (3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.
- (4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').
- (5) Set out here any further terms asked for including provision for costs
- (6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application
- (7) Enter the names and addresses of all persons upon whom it is intended to serve this application
- (8) Enter the full name and address for service and delete as required

- By application in pending proceedings
- Under Statutory provision s222 Local Government Act 1972
- This application is made under Part 8 of the Civil Procedure Rules



This application raises issues under the Human Rights Act 1998  Yes  No

**The Claimant**<sup>(1)</sup> BIRMINGHAM CITY COUNCIL  
**applies to the court for an injunction order in the following terms:**  
**The Defendant**<sup>(2)</sup> Persons Unknown  
**must**<sup>(3)</sup>

**The Defendant**  
**be forbidden (whether by himself or by instructing or encouraging or permitting any other person)**<sup>(4)</sup>  
 Please see attached draft order.

And that<sup>(5)</sup>  
 Please see attached draft order.

**The grounds of this application are set out in the written evidence**

of<sup>(6)</sup> Mark Croxford, PO Phillips sworn (signed) on

This written evidence is served with this application.

**This application is to be served upon**<sup>(7)</sup>  
 see attached details

**This application is filed by**<sup>(8)</sup> Birmingham City Council Legal & Democratic Services  
 (the Solicitors for) the Claimant (Applicant/Petitioner)  
 whose address for service is  
 PO Box 15992, Birmingham B2 2UQ  
*H. Macpherson*

Signed: *H. Macpherson*

Dated 2 December 21

\* Name and address of To\* of

*This section to be completed by the court*

the person application is directed to **This application will be heard by the (District) Judge at on the day of 20 at o'clock**

**If you do not attend at the time shown the court may make an injunction order in your absence**  
*If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau*

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

**N16A** General form of application for injunction (04.07)

HMCS



Claim No: QB-2021-BHM-000056

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

QB-2021-BHM-000056

**In the Matter of an Application for an Injunction under s.1, Localism Act 2011, s.222, Local Government Act 1972, and s.187B, Town and Country Planning Act 1990.**

**B E T W E E N**

**BIRMINGHAM CITY COUNCIL**

**Claimant**

**-and-**

- (1) THOMAS CASH**
- (2) PATRICK CONNORS**
- (3) PATRICK CONNORS**

**(4) PERSONS UNKNOWN BEING THE DEFENDANTS IDENTIFIED BY DESCRIPTION AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 06 AUGUST 2021, PARTICIPATED IN ANY OF THE UNAUTHORISED TRAVELLER ENCAMPMENTS ESTABLISHED WITHIN THE CITY OF BIRMINGHAM AT DAISY FARM PARK, SWANSHURST PARK, BILLESLEY COMMON, CHINN BROOK RECREATION GROUND, THE DELL, FOX HOLLIES PARK, COFTON PARK, KINGS NORTON PLAYING FIELD, KINGS HEATH PARK, HIGHBURY PARK, KINGS NORTON PARK, SENNELEYS PARK, SELLY OAK PARK, WALKERS HEATH RECREATION GROUND, STECHFORD HALL PARK, STECHFORD RECREATIONAL GROUND AND / OR HORSELEA CROFT / COTTSMEADOW DRIVE.**

**Defendants**

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**INJUNCTION ORDER**

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**PENAL NOTICE**

**IF YOU, THE WITHIN-NAMED DEFENDANT DO NOT OBEY THIS ORDER YOU WILL BE GUILTY OF CONTEMPT OF COURT AND YOU MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.**

On 19 January 2022, before Her Honour Judge Kelly sitting as a Judge of the High Court at the High Court of Justice, Birmingham District Registry, Priory Courts, 33 Bull Street, Birmingham, B4 6DS, the Court considered an application for an injunction.

**UPON** hearing counsel Jonathan Manning and Charlotte Crocombe for the Claimant, with the Defendants not appearing.

**AND UPON** considering an application for an injunction brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant interim injunctive relief pursuant to s.37(1) Senior Courts Act 1981.

**AND FURTHER UPON** the Court finding in the circumstances that it is just and convenient, and proportionate, to grant interim injunctive relief in the terms set out herein.

**IT IS ORDERED THAT:**

1. The Defendants are forbidden to enter or remain on any part of the land within the City of Birmingham as hatched in red on the plan attached to this Order at Schedule 2, for the purpose of establishing, joining or being part of an unauthorised encampment as defined at Schedule 3 to this Order.
2. Any Defendant who is part of any unauthorised encampment referred to at paragraph 1 above is also forbidden, whether by himself or by instructing, encouraging, allowing or permitting any other person, to perform any the following acts within the City of Birmingham:
  - (i) Threatening, abusing or distressing any other person (including by permitting animals for which they are responsible to do so).

- (ii) Urinating or defecating other than in a lavatory provided for the purpose.
- (iii) Allowing any animal for which they are responsible to defecate without properly disposing of the faeces.
- (iv) Fly-tipping.
- (v) Leaving household rubbish, rubbish, appliances, inflammable materials, and / or gas bottles at any encampment.
- (vi) Carrying knives and/or shotguns.
- (vii) Playing music at excessive volume at any encampment.
- (viii) Driving any vehicle at excessive speed or in a dangerous manner.
- (ix) Damaging any property belonging to the claimant or to any other person (including, but not limited to trees and plants).

3. "Unauthorised Encampment" has the meaning set out at Schedule 3 to this Order.
4. A Power of Arrest, pursuant to s.27 Police and Justice Act 2006 shall apply to paragraphs 1 and 2 of this Order above.
5. Any person served with a copy of this Order may apply to the Court to vary or discharge it, on 48 hours written notice to the Claimant.
6. The Claimant shall be permitted to serve the Claim Form, this Order and the said Power of Arrest by the alternative methods specified at Schedule 4 to this Order.
7. This order and the attached power of arrest shall remain in force until 23:59 on 10 March 2022 or until further order.
8. The time for serving the Claimant's Claim Form and supporting documents shall be extended, pursuant to CPR Rule 7.6 until 23:59 on 10 March 2022 or until further order.

9. There shall be a further hearing in this application on 10 March 2022 at 10:30, at Birmingham District Registry, Priory Law Courts, 33 Bull Street, Birmingham, B4 6DS. The time estimate is 1 day. The parties are to attend in person. If you do not attend the Court may make an order in your absence.

**If you do not fully understand this Order you should go to a solicitor, Legal Advice Centre or Citizens' Advice Bureau.**



## SCHEDULE 1 – LIST OF DEFENDANTS

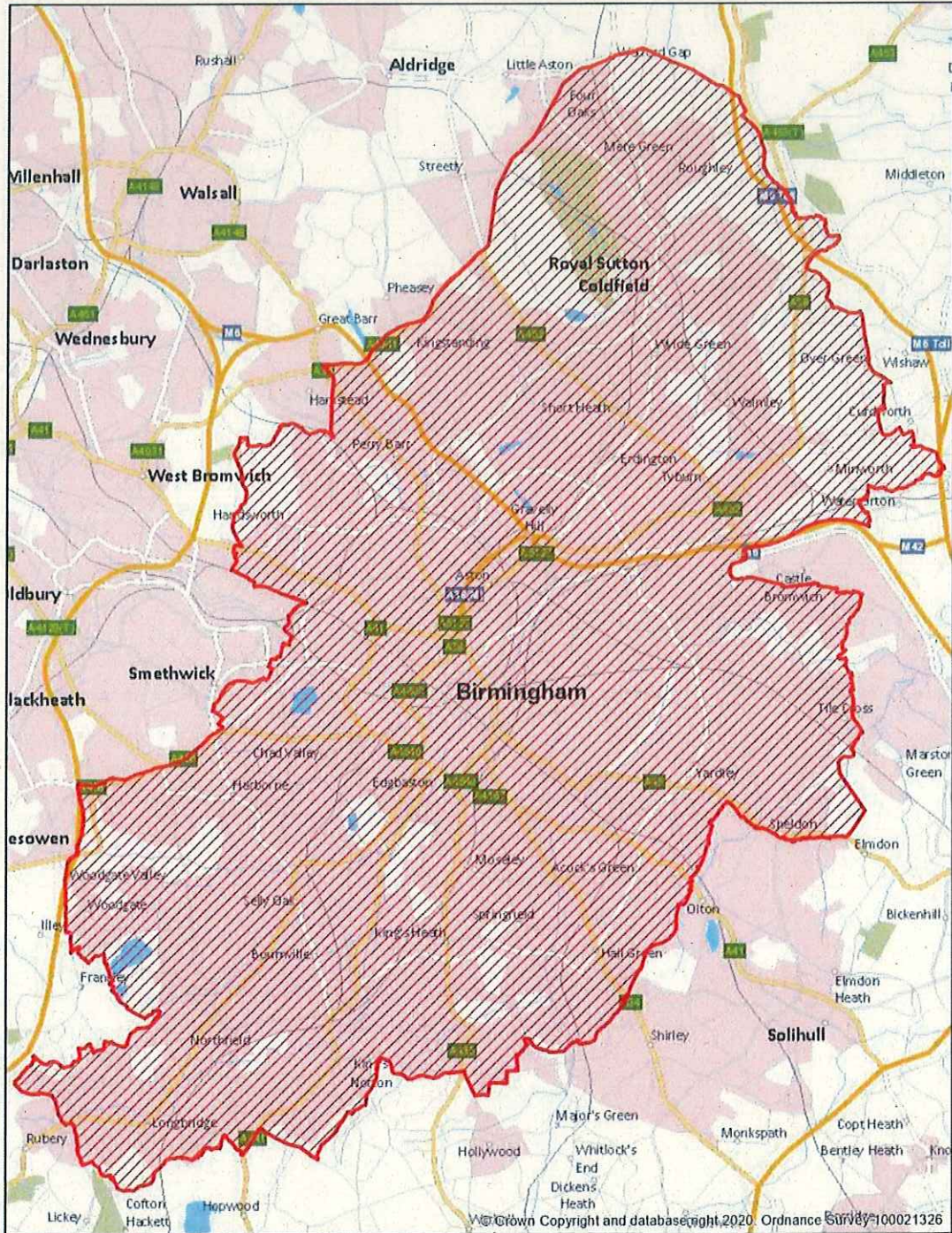
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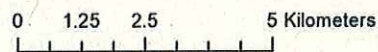
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5. The person currently in possession of or a passenger in vehicle YY54MFO
  
6. Persons unknown who have, since 06 August 2021, used the vehicles identified at paragraph 1-70 of this Schedule for the purpose of entering one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.
  
7. Persons unknown who have, since 06 August 2021, entered the land at one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.

**SCHEDULE 2**

**Birmingham Administrative Boundary**



The thick red line indicates the Birmingham administrative boundary.



### **SCHEDULE 3 – MEANING OF UNAUTHORISED ENCAMPMENT**

1. “Unauthorised Encampment” means one or more household, using or occupying land without permission, whether temporarily or otherwise, for residential purposes, including by occupying or stationing on the land any caravan, mobile home, other vehicle or structure, or any item or thing ancillary to such use or occupation including (but not limited to) electricity generators, motor-cycles, quadbikes and/or livestock.

45  
GRAY'S INN SQUARE

#### SCHEDULE 4

1. Service of the Claim Form and this Order shall be effected by:-

(i) Serving those Defendants on the land on which they are currently encamped by leaving copies for them at their caravans or on their vehicles so far as it is possible to do so;

(ii) Affixing a copy of the Claim Form and a of this order, together with details of the date of hearing of the Claimant's claim (including any return date) to any land within the city of Birmingham currently occupied by one of more Defendants;

(iii) Placing signs informing people of the Claim and this the Order and the area in which it has effect in prominent locations in the Claimant's local government area and particularly at:

- a. Daisy Farm Park,
- b. Swanshurst Park,
- c. Billesley Common,
- d. Chinn Brook Recreation Ground,
- e. The Dell,
- f. Fox Hollies Park,
- g. Cofton Park,
- h. Kings Norton Playing Field,
- i. Kings Heath Park,
- j. Highbury Park,
- k. Kings Norton Park,
- l. Senneleys Park,
- m. Selly Oak Park,
- n. Walkers Heath Recreation Ground,
- o. Stechford Hall Park,

- p. Stechford Recreational Ground, and
- q. Horselea Croft / Cottsmeadow Drive

- (iv) Posting a copy of the Claim Form and this Order and Power of Arrest on the Claimant's website and publicising it using the Claimant's Facebook page and twitter account and posting on other relevant social media sites including YouTube, local police Facebook and twitter accounts, [www.gypsy-traveller.org](http://www.gypsy-traveller.org), and [www.travellermovement.org.uk](http://www.travellermovement.org.uk) with the permission of the account owners.
- (v) Any other like manner as Claimant may decide to use in order to bring the Order to the attention of persons likely to be affected by it.

2. If the Claimant intends to take enforcement proceedings against any person in respect of this Order, the Claimant shall, no later than the time of issuing such proceedings, serve on that person,

- (i) a copy of the Claim Form and all supporting documents relied on to obtain this Order, unless it has already previously done so; and
- (ii) a copy of this Order.

The Claimant shall not, however, be required to divulge to the person served the names or addresses of the lay witnesses whose statements are served in accordance with this paragraph.

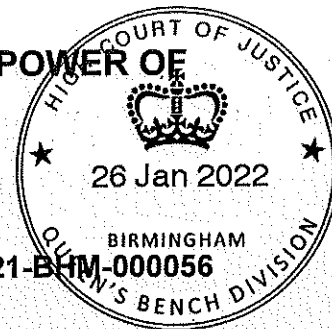
3. The Court will consider whether to join the person served to the proceedings as a named Defendant and whether to make any further Order.

**SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION - POWER OF ARREST**

**Under section 27, Police and Justice Act, 2006.**

**IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY**

Claim no: **QB-2021-BHM-000056**



**QB-2021-BHM-000056**

Birmingham City Council	Claimant
(1) Thomas Cash, (2) Patrick Connors, (3) Patrick Connors, (4) Persons Unknown described at schedule 1 to the injunction order.	Defendant

*(Here set out those provisions of the order to which this power of arrest is attached and no others)*

The court orders that a power of arrest under section 27, Police and Justice Act 2006, applies to the following paragraphs of an order made on 19 January 2022

*(Where marked \* delete as appropriate)*

1. The Defendants are forbidden to enter or remain on any part of the land within the City of Birmingham as hatched in red on the plan attached to this Order at Schedule 2, for the purpose of establishing, joining or being part of an unauthorised encampment as defined at Schedule 3 to the Order.
2. Any Defendant who is part of any unauthorised encampment referred to at paragraph 1 above is also forbidden, whether by himself or by instructing, encouraging, allowing or permitting any other person, to perform any the following acts within the City of Birmingham:
  - (i) Threatening, abusing or distressing any other person (including by permitting animals for which they are responsible to do so).
  - (ii) Urinating or defecating other than in a lavatory provided for the purpose.
  - (iii) Allowing any animal for which they are responsible to defecate without properly disposing of the faeces.
  - (iv) Fly-tipping.
  - (v) Leaving household rubbish, rubbish, appliances, inflammable materials, and / or gas bottles at any encampment
  - (vi) Carrying knives and/or shotguns.
  - (vii) Playing music at excessive volume at any encampment.
  - (viii) Driving any vehicle at excessive speed or in a dangerous manner.
  - (ix) Damaging any property belonging to the claimant or to any other person (including, but not limited to trees and plants).



2. The term "Unauthorised Encampment" has the meaning set out at Schedule 3 to this Order:

"Unauthorised Encampment" means one or more household, using or occupying land without permission, whether temporarily or otherwise, for residential purposes, including by occupying or stationing on the land any caravan, mobile home, other vehicle or structure, or any item or thing ancillary to such use or occupation including but not limited to electricity generators, motor-cycles, quad bikes or livestock without the permission of the Claimant.

**Power of Arrest**

of The court thinks that (a) the injunction prohibits conduct which consists of or includes the use or the threatened use of violence and / or (b) there is a significant risk of harm to a person.

A power of arrest is attached to the order whereby any constable may (under the power given by section 27 Police and Justice Act 2006) arrest without warrant a person if he or she has reasonable cause to suspect that the person is in breach of the provision.

**This Power of Arrest**

Shall continue until 23:59 on 10 March 2022 or until further order.

**Note to the Arresting Officer**

Where a person is arrested under the power given by section 27, Police and Justice Act 2006, the section requires that:

- A constable who arrests a person for breach of the injunction must inform the person who applied for the injunction.
- A person arrested for breach of the injunction must, within the period of 24 hours beginning with the time of the arrest, be brought before—
  - (a) a judge of the High Court or a judge of the county court, if the injunction was granted by the High Court;
  - (b) a judge of the county court, if—
    - (i) the injunction was granted by the county court, or
    - (ii) the injunction was granted by a youth court but the respondent is aged 18 or over;
  - (c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.
- In calculating when the period of 24 hours ends, Christmas Day, Good Friday and any Sunday are to be disregarded.
- The judge before whom a person is brought under subsection (3)(a) or (b) may remand the person if the matter is not disposed of straight away.
- The justice of the peace before whom a person is brought under subsection (3)(c) must remand the person to appear before the youth court that granted the injunction.

Ordered by: Her Honour Judge Kelly

Ordered on: 19 January 2022





Claim No: QB-2021-BHM-000056

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

QB-2021-BHM-000056

**In the Matter of an Application for an Injunction under s.1, Localism Act 2011, s.222,**  
**Local Government Act 1972, and s.187B, Town and Country Planning Act 1990.**

**B E T W E E N**

**BIRMINGHAM CITY COUNCIL**

**Claimant**

**-and-**

- (1) THOMAS CASH**
- (2) PATRICK CONNORS**
- (3) PATRICK CONNORS**

**(4) PERSONS UNKNOWN BEING THE DEFENDANTS IDENTIFIED BY DESCRIPTION AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 06 AUGUST 2021, PARTICIPATED IN ANY OF THE UNAUTHORISED TRAVELLER ENCAMPMENTS ESTABLISHED WITHIN THE CITY OF BIRMINGHAM AT DAISY FARM PARK, SWANSHURST PARK, BILLESLEY COMMON, CHINN BROOK RECREATION GROUND, THE DELL, FOX HOLLIES PARK, COFTON PARK, KINGS NORTON PLAYING FIELD, KINGS HEATH PARK, HIGHBURY PARK, KINGS NORTON PARK, SENNELEYS PARK, SELLY OAK PARK, WALKERS HEATH RECREATION GROUND, STECHFORD HALL PARK, STECHFORD RECREATIONAL GROUND AND / OR HORSELEA CROFT / COTTSMEADOW DRIVE.**

**Defendants**

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**ORDER**

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On 19 January 2022, before Her Honour Judge Kelly sitting as a Judge of the High Court at the High Court of Justice, Birmingham District Registry, Priory Courts, 33 Bull Street,

Birmingham, B4 6DS, the Court considered an application for an injunction.

**UPON** hearing counsel Jonathan Manning and Charlotte Crocombe for the Claimant, with the Defendants not appearing.

**AND UPON** considering an application for an injunction brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant injunctive relief pursuant to s.37(1) Senior Courts Act 1981.

**AND FURTHER UPON** the Court deeming that Defendants 1, 2, 3 and Defendants 34, 37, 44, 46, and 61 of the Fourth Defendants had been served with the proceedings.

**AND FURTHER UPON** the Court finding in the circumstances that it is just and convenient, and proportionate, to grant interim injunctive relief in the terms set out herein

**AND FURTHER UPON** the Claimant undertaking to inform members of the Gypsy Romani and Traveller ("GRT") community within the City of Birmingham by way of covering letter when effecting service of this Order and the Orders referred to at paragraph 1 hereof and by such other means as the Claimant shall consider appropriate for that purpose that the Orders referred to at paragraph 1 hereof bind only the Defendants as named or described and do not affect other members of the GRT community.

**IT IS ORDERED THAT:**

1. The Claimant's application for an interim injunction and power of arrest is granted in the form annexed hereto.
2. The Claimant has permission to amend the Claim Form and the Particulars of Claim in the form approved by the Court in accordance with the amended documents annexed hereto.
3. The Claimant has permission to file and serve further evidence in support of this claim by 16:00 on 09 February 2022. Service is to be effected by the alternative service methods

specified at Schedule 1 to this Order.

4. The Defendants may file and serve evidence upon which they wish to rely on in response to the allegations contained within the Particulars of Claim by 16:00 on 23 February 2022.
5. The Claimant is to file and serve an updated bundle in hard copy by 16:00 on 03 March 2022.
6. Skeleton arguments are to be filed by 16:00 on 07 March 2022.
7. There shall be a further hearing in this application on 10 March 2022 at 10:30 at Birmingham District Registry, Priory Law Courts, 33 Bull Street, Birmingham, B4 6DS. The time estimate is 1 day. The parties are to attend in person.
8. Costs in the case.

## SCHEDULE 1

1. Service of the Claim Form and this Order shall be effected by:-
  - (i) Serving those Defendants on the land on which they are currently encamped by leaving copies for them at their caravans or on their vehicles so far as it is possible to do so;
  - (ii) Affixing a copy of the Claim Form and a of this order, together with details of the date of hearing of the Claimant's claim (including any return date) to any land within the city of Birmingham currently occupied by one of more Defendants;
  - (iii) Placing signs informing people of the Claim and this the Order and the area in which it has effect in prominent locations in the Claimant's local government area and particularly at:
    - a. Daisy Farm Park,
    - b. Swanshurst Park,
    - c. Billesley Common,
    - d. Chinn Brook Recreation Ground,
    - e. The Dell,
    - f. Fox Hollies Park,
    - g. Cofton Park,
    - h. Kings Norton Playing Field,
    - i. Kings Heath Park,
    - j. Highbury Park,
    - k. Kings Norton Park,
    - l. Senneleys Park,
    - m. Selly Oak Park,
    - n. Walkers Heath Recreation Ground,
    - o. Stechford Hall Park,
    - p. Stechford Recreational Ground, and
    - q. Horselea Croft / Cottsmeadow Drive

- (iv) Posting a copy of the Claim Form and this Order and Power of Arrest on the Claimant's website and publicising it using the Claimant's Facebook page and twitter account and posting on other relevant social media sites including YouTube, local police Facebook and twitter accounts, [www.gypsy-traveller.org](http://www.gypsy-traveller.org), and [www.travellermovement.org.uk](http://www.travellermovement.org.uk) with the permission of the account owners.
- (v) Any other like manner as Claimant may decide to use in order to bring the Order to the attention of persons likely to be affected by it.

2. If the Claimant intends to take enforcement proceedings against any person in respect of this Order, the Claimant shall, no later than the time of issuing such proceedings, serve on that person,

- (i) a copy of the Claim Form and all supporting documents relied on to obtain this Order, unless it has already previously done so; and
- (ii) a copy of this Order.

The Claimant shall not, however, be required to divulge to the person served the names or addresses of the lay witnesses whose statements are served in accordance with this paragraph.

3. The Court will consider whether to join the person served to the proceedings as a named Defendant and whether to make any further Order.

## B. Particulars of Claim





Claim No: QB-2021-BHM-000056

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

QB-2021-BHM-000056

**In the Matter of an Application for an Injunction under s.1, Localism Act 2011, s.222, Local Government Act 1972, s.130, Highways Act 1980 and s.187B, Town and Country Planning Act 1990.**

**B E T W E E N**

**BIRMINGHAM CITY COUNCIL**

**Claimant**

-and-

- (1) THOMAS CASH**
- (2) PATRICK CONNORS**
- (3) PATRICK CONNORS**

**(4) PERSONS UNKNOWN BEING THE DEFENDANTS IDENTIFIED BY DESCRIPTION AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 06 AUGUST 2021, PARTICIPATED IN ANY OF THE UNAUTHORISED TRAVELLER ENCAMPMENTS ESTABLISHED WITHIN THE CITY OF BIRMINGHAM AT DAISY FARM PARK, SWANSHURST PARK, BILLESLEY COMMON, CHINN BROOK RECREATION GROUND, THE DELL, FOX HOLLIES PARK, COFTON PARK, KINGS NORTON PLAYING FIELD, KINGS HEATH PARK, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground AND / OR HORSELEA CROFT / COTTSMEADOW DRIVE.**

**Defendants**

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**AMENDED PARTICULARS OF CLAIM**

Amended with Permission of the Court by Order made on 19 January 2022

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**The Claimant**

1. The Claimant is a local authority within the meaning of section 8(1), Localism Act 2011; section 270(1), Local Government Act 1972; section 44(1) Local Government (Miscellaneous Provisions) Act 1976 and s.1, Town and Country Planning Act 1990.
2. Section 1, Localism Act 2011 confers power on a local authority to do anything that individuals, with full capacity, generally may do, in any way whatever and unlimited by the existence of any other power of the authority which to any extent overlaps the general power.
3. Section 222, Local Government Act 1972 confers power upon a local authority to prosecute, defend or appear in legal proceedings, and to institute civil proceedings in its own name, where the authority considers it expedient to do so for the promotion or protection of the interests of the inhabitants of its area. The Claimant considers that the injunctive relief sought in these proceedings is expedient for such purposes.
4. Section 111, Local Government Act 1972 confers power upon a local authority to do anything which is calculated to facilitate, or is conducive to or incidental to, the discharge of any of its functions.
5. By section 130, Highways Act 1980, the Claimant is under a duty to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority. The Claimant considers that the injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within its district.

6. By section 187B, Town and Country Planning Act 1990, the Claimant may, if it considers it necessary or expedient for any actual or apprehended breach of planning control to be restrained by injunction, apply to the court for an injunction, whether or not it has exercised or is proposing to exercise any of its other enforcement powers under Part 7, 1990 Act.
7. By s.6(1),(8), Crime and Disorder Act 1998, the Claimant must formulate and implement, *inter alia*, a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment), which strategy the Claimant must keep under review for the purposes of monitoring its effectiveness and making any necessary or expedient changes.
8. By section 17, Crime and Disorder Act 1998, the Claimant is under a statutory duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area.

### **The Defendants**

8A. The First, Second and Third Defendants are travellers believed to be Irish or of Irish ancestry who have participated in one or more of the unauthorised encampments and conduct referred to at paragraphs 32 & 33 below.

9. In so far as the Claimant has been able to ascertain, the Fourth Defendant is a group of travellers, believed to be Irish or of Irish ancestry, currently in possession of the vehicles whose registration marks are as follows.
  - i. 07MO3760
  - ii. 131-LS-566
  - iii. AD06THN
  - iv. AU10 TWP
  - v. AX53FEF
  - vi. BIG6307
  - vii. BIGS307

- viii. BJ56EPK
- ix. BJ69ZDE
- x. BJ69ZDF
- xi. BL56EEA
- xii. BLT8EPK
- xiii. BT54AHE
- xiv. BU11YVJ
- xv. CF60PBV
- xvi. CF60FBV
- xvii. DG07NWJ
- xviii. DG07NWA
- xix. DK54ZKO
- xx. DK66VED
- xxi. DK66VXD
- xxii. DU11YVJ
- xxiii. DV13GUE
- xxiv. DV13 GUR
- xxv. DV18ZDG
- xxvi. DV18DZG
- xxvii. DV60VTT
- xxviii. DX54ZKO
- xxix. EX15AYK
- xxx. FL08AXS
- xxxi. FL11PLO
- xxxii. FL64JYK
- xxxiii. FL54YJK
- xxxiv. FV08XFE
- xxxv. GF11ONL
- xxxvi. GF11DNL
- xxxvii. GK130JA
- xxxviii. KCK8903
- xxxix. KCK890F
- xl. KJZ9398
- xli. KM05KXY

- xlii. KP57TGU
- xliii. KT16KXY
- xliv. LB07AKU
- xlv. LB07AKO
- xlvi. LB60NBU
- xlvii. LF03FOT
- xlviii. LI05RYC
- xlix. LM16HTD
- l. LN15HTV
- li. LR18EOU
- lii. MK13OZS
- liii. NX08CWA
- liv. PJ07NEU
- lv. PK58XBZ
- lvi. PK58YBZ
- lvii. PN19YHR
- lviii. PX09XMV
- lix. SG16THN
- lx. SJ18LLD
- lxi. SK21VJG
- lxii. SN21VJG
- lxiii. SK71RGO
- lxiv. SK61RGO
- lxv. SN67ZSD
- lxvi. VE19VWV
- lxvii. VN06JHL
- lxviii. WG09JUC
- lxix. WJ55CPF
- lxx. YY54MFO

10. To date, the following individuals have been identified as the registered keepers of certain of the said vehicles.

- i. Mary Ryan of 11 Gomm Place High Wycombe HP13 7SL, the registered keeper of vehicle AD06THN (pleaded at para.9(iii) above).
- ii. Kateen Smith of 9 Askham Ave, Northants, NN8 3FX, the registered keeper of vehicle AU10 TWP (para.9(iv) above) and KT16KXY (para.9(xliii) above)
- iii. Charles Colbeck of The Bungalow Cromwell Place West Yorkshire WF59 9LP, the registered keeper of vehicle BIG6307 (para.9(vi) above) and BIGS307 (para.9(vii) above).
- iv. Ali Raza of 4 Liddel Close Luton LU31 1TW, the registered keeper of vehicle BJ56EPK (para.9(viii) above).
- v. Layla White of 82 Pensby Close Birmingham B13 9QJ3, the registered keeper of vehicle BL56EEA. (para.9(xi) above)
- vi. Michael Smith of 1A Denny Road, London, N9 7QR the registered keeper of vehicle BU11YVJ (para.9(xiv) above) and DU11YVJ (para.9(xxii) above).
- vii. Paul Jones of 23 Mary Street Caravan Site Bradford BD4 8TF, the registered keeper of vehicle CF60FBV ( para 9(xv) above).
- viii. Debbie Connors of 17 Tara Park York Road North Yorkshire YO17 6TB, the registered keeper of vehicle DG07NWJ (para.9(xvii) above).
- ix. Stephen Pichilingi of 22 Manor Estate South Yorkshire DN5 0RQ, the registered keeper of vehicle DV13GUE (para.9 (xxiii) above).

- x. Jodie Bradshaw of 194A Long Elms Middlesex HA3 6LH and Kyle Norris of 7 Swanston Grove Northumberland NE24 3UY the registered keeper of vehicle DV18ZDG (para.9(xxv) above).
- xi. Janey Jones of address unknown [according to DVLA], the registered keeper of vehicle DV60VTT (para.9(xxvii) above).
- xii. Ian Wilson of 35 Pryton Avenue Cambridgeshire PE15 8ER, the registered keeper of vehicle FL08AXS (para.9 (xxx) above).
- xiii. Helen Collin of address unknown, the registered keeper of vehicle GK130JA (para.9(xxxvii) above).
- xiv. Mark Nixon of 29 Stuart Gardens Newcastle Upon Tyne NE15 9LT the registered keeper of vehicle KJZ9398 (para.9(xl) above).
- xv. Julie Needham of 2 Ouse Terrace, Conisborough, Doncaster, DN12 3DN, the registered keeper of vehicle KM05KXY (para.9(xli) above).
- xvi. John O'Brien of 26 Crawley Road, Alvaston, Derby, BE24 9FZ, the registered keeper of vehicle KP57TGU (para.9(xlii) above) and PX09XMV (para.9(lviii) above).
- xvii. Andrew Matusewich of 84 Sycamore Drive, HG27 PU, the registered keeper of LB07AKU (para.9(xliv) above).
- xviii. Philomena Casey of 89 Red Car Road Stockton On Tees TS17 8LW the registered keeper of LR18E0U (para.9(li) above).
- xix. Michael Meredith of 2 Clarke Way Cheltenham GL50 4AX, the registered keeper of PK58XBZ (para.9(lv) above and PK58YBZ (para.9(lvi) above).

xx. Alan Hall of 1461 Church Lane Poulton-Le – Fylde Lancashire FY6 9BZ , the registered keeper of PN19 YHR (para 9( lvii) above).

xxi. John O'Brien of 26 Crawley Road Derby DE24 9FZ the registered keeper of PX09XMV (para (lviii) above).

xxii. Thomas Cash ( DOB 9/7/1986) of Oakland Caravan Site,17 Oak Lane Kingswinford DY6 7JS, the registered keeper of SJ18LLD (para.9(lx) above),and of SK71RGO (para.9(lxiii) above) and of 9 Cotterills Avenue Birmingham B8 3RU the registered keeper of SN67ZSD (para.9(lxv) above).

xxiii. Patrick Connors of 57 Spring Avenue, Leeds, LS27 7BS, the registered keeper of vehicle SK21VJG (para.9(lxii) above).

xxiv. Patrick Connors of 21B Costalot Stables, Barlestone Road Leicester, LE67 1DD the registered keeper of vehicle BJ69ZDF. para9 (x) above)

xxv. Kenny Rogers of 20 Gipsy Lane, Willenhall, WV13 2HA, the registered keeper of vehicle WJ55CPF (para.9(lxix) above).

xxvi. Andrew Ford of 30 Brenfield Drive Leicester LE10 0UW, 3the registered keeper of vehicle YY54MFO (para.9(lxx) above).

11. The Claimant has been unable to verify whether those registered keepers are the persons currently using the said vehicles and are therefore the intended Defendants to these proceedings. In some cases, it seems extremely doubtful that the vehicle in question is currently being used by the registered keeper.

a. Moreover, the vehicle whose VRM is LN15HTV has been reported as a stolen vehicle.

12. In total, the Defendants have set up 26 unauthorised encampments between 08 August 2021 and 20 November 2021 mostly on public parks and



recreation grounds owned by the Claimant but also on housing land in Ward End (Horselea Croft and Cottsmeadow Drive).

## **PARTICULARS OF UNAUTHORISED ENCAMPMENTS**

### **The Parks and other Land**

13. Within the Claimant's local government area, it owns and operates as public parks and recreation grounds, 17 specific sites (the "Parks"), situate at and known as:

- i. Daisy Farm Park
- ii. Swanshurst Park
- iii. Billesley Common
- iv. Chinn Brook Recreation Ground
- v. The Dell
- vi. Fox Hollies Park
- vii. Cofton Park
- viii. Kings Norton Playing Field
- ix. Kings Heath Park
- x. Highbury Park
- xi. Kings Norton Park
- xii. Senneleys Park
- xiii. Selly Oak Park
- xiv. Walkers Heath Recreation Ground
- xv. Stechford Hall Park
- xvi. Stechford Recreational Ground.
- xvii. Horselea Croft /Cottsmeadow Drive.

14. Daisy Farm Park is bordered on 3 sides by residential properties. Its facilities include a large open space, a brook, a children's play area, and a basketball court. Residents have formed a 'Friends of Daisy Farm Park' to help maintain the park. Activities include litter picking, and a wide programme of planting including a wildflower meadow, attempts a willow coppice, tree and shrub planting.

15. Much of Swanhurst Park is natural heathland, making the park an important nature conservation habitat for the city. There are two large pools within the park, that are both very good sites for waterfowl, and where visitors can fish. There is also a playground.
16. Billesley Common is a recreational area of public open space in South Birmingham, England. It is situated along the Yardley Wood Road, between the suburbs of Moseley and Yardley Wood. Billesley Common borders Swanhurst Secondary School and Sixth Form for girls. Moseley Rugby Football Club lease part of the common for their pitches and clubhouse. Facilities include a playground, indoor and outdoor tennis courts, a gym and other facilities. It also borders a Council depot used by the Parks Service known as Partons Road Depot.
17. The Chinn Brook Recreation Ground is part of the Shire Country Park, which is a local nature reserve south of Birmingham city centre. The park follows the River Cole Valley for four miles and crosses one of the few remaining fords in the city. It contains wetlands, grasslands, woodland and heath, which all support a wealth of animal and plant life.
18. The Dell is an area of grassland incorporating a play area and football posts and is used for local recreation located off Bicknell Croft adjoining the larger Chinn Brook. Bicknell Croft is a residential street in the Druids Heath and Monyhull ward.
19. Fox Hollies Park has 40 acres of park land and is bordered on all sides by residential properties. Westley Brook winds through the park and there is also a lake visitors can fish. Facilities include a 2-kilometre walking route, and Fox Hollies Leisure Centre which consists of a gym, pool, sports hall, and tennis, squash and badminton courts.
20. Cofton Park consists of 135 acres of rolling fields and trees. It is situated on the slopes adjoining the Lickey Hills Country Park. The Park is mainly

made up of by open grassland and has football pitches for use by the local community. The centre of the park features a small woodland area.

21. Kings Norton Playing Field is a sports facility consisting of grass pitches. It forms part of the River Rea wildlife corridor and is bordered by residential and industrial areas.
22. Kings Heath Park covers around 35 acres. It was the first urban park in Birmingham to achieve Green Flag status. The area around the main house and conservatory features seasonal bedding schemes, herbaceous borders, alpine outcrops, heather beds, trees, shrubs and a refurbished pool area. Facilities include a tearoom, bowling green, plant nursery and two playgrounds.
23. Highbury Park covers 42 acres and is bordered on three sides by residential properties. Facilities include a duck pond, an arboretum a cricket, allotments and woodland.
24. Kings Norton Park is an urban park in Kings Norton. It contains a medium-sized skateboarding park, a 2-kilometre walking route, and a play area. It has been awarded Green Flag status which is an internationally recognised award for well managed parks and green spaces
25. Senneleys Park is a public park located in Bartley Green, Birmingham, containing large open spaces, hedgerows, and a tree-lined stream. Attractions include football pitches, a skate park, an outdoor playground, a BMX track, an outdoor gym, and picnic tables.
26. Selly Oak Park is approximately 33 acres and is bordered on 3 sides by residential properties. Its facilities include a large open space, children's play areas, an outdoor gym, basketball, and football facilities. It has a newly created wildflower meadow and is part of the wildflower corridor. It is the

main recreational space for several thousand residents and has been awarded green flag status.

27. Walkers Heath Park is an area of open green space with tennis courts and bike pathways, children's play area, and areas for basketball, and a designated dog walking area.
28. Horselea Croft/ Cottesmeadow Drive is an area of open land in the Ward End area of Birmingham sited between Council housing and the River Cole. It provides an open green space for children to play football on and for dog walkers. The residential properties including rear gardens are very close to the open space which was used for the unauthorised encampment.
29. Stechford Hall Park is an area of open green space with residential properties around it. Its facilities include a small lake, a children's play area and large open green space used by residents and general public.
30. Stechford Recreational Ground is an area of open land in a residential area. There is a small play area for children. Fronting the recreation ground on Station Road, Stechford is an area of hard standing formerly the site of the Cascade Leisure Centre. The unauthorised encampment was established on this hard standing and the group have also accessed Stechford Recreation Ground due to its very close proximity and ultimately caused damage to that land.
31. Due to their location and open layout, the Parks are difficult to protect from, and so are particularly vulnerable to, the setting up of unauthorised encampments by Gipsy, Romani and Traveller ("GRT") communities. They have frequently been used by such communities as the sites for such encampments for some years.

#### **The Alleged Conduct**

32. The Defendants have used the Parks for unauthorised encampments since August 2021. The Claimant was notified of the first encampment on 06

August 2021 on a park known as Daisy Farm Park, Maypole. Thereafter, the Defendants have established as at 20 November 2021 **the following** unauthorised encampments.

**32A In addition to the First, Second and Third Defendants' participation, the participation of the members of the group of the Fourth Defendant is as follows:**

#### **PARTICULARS OF ENCAMPMENTS**

- a. On 06 August 2021, the Defendants in possession of vehicles registered GF11ONL, DV60VTT, WG09JUC, WJ55CPF, LB07AKU, AU10TWP, EX15AYK, KT16KXY, KM05KXY, SK21VJG and 07MO3760 established an unauthorised encampment of 8 caravans at Daisy Farm Park, Maypole. The Claimant issued an eviction notice to the group, who left the site on 12 August 2021.
- b. On 12 August 2021, the Defendants established an unauthorised encampment of 8 caravans at Swanhurst Park, Billesley. The group left the site on 15 August 2021.
- c. On 15 August 2021, the Defendants in possession of vehicles registered DV18ZDG, LB07AKU, KP57TGU, 131-LS-566, SK21VJG and GF11ONL established an unauthorised encampment of 6 caravans at Moseley Rugby Club, Billesley Common, Yardley Wood Road, Billesley. The Claimant issued an eviction notice to the group, who left the site on 19 August 2021.
- d. On 19 August 2021, the Defendants in possession of vehicles registered LB07AKU, 131-LS-566, KP57TGU, 07MO3760, KT16KXY, SK21VJG, EX15AYK and DU11YVJ established an unauthorised encampment of 6 caravans at the Chinn Brook Recreation Ground, Billesley. The group left the site on 22 August 2021.

- e. On 22 August 2021, the Defendants in possession of vehicles registered I3I-LS-566, KP57TGU, LB07AKU, GF11ONL, SK21VJG, DU11YVJ, 07-MO-3760, AU10TWP established an unauthorised encampment of 6 caravans at The Dell, Manningford Road, Druids Heath. The group left on 27 August 2021.
- f. On 24 August 2021, the Defendants established an unauthorised encampment of 9 caravans at Fox Hollies Park, Acocks Green. The group left on 27 August 2021.
- g. On 27 August 2021, the Defendants established an unauthorised encampment of 6 caravans at Cofton Parrk, Lowhill Lane, Longbridge. The group left on 30 August 2021.
- h. On 30 August 2021, the Defendants established an unauthorised encampment of 6 caravans at Kings Norton Playing Fields, Kings Norton. The group left on 3 September 2021.
- i. On 03 September 2021, the Defendants in possession of vehicles registered SK21VJG, GF11ONL, VN06JHL, DU11YVJ and LB07AKU established an unauthorised encampment of 7 caravans at Billesley Common, Kings Heath. The group left on 5 September 2021.
- j. On 05 September 2021, the Defendants established an unauthorised encampment of 11 caravans at Kings Heath Park, Vicarage Road, Kings Heath. The group left on 7 September 2021.
- k. On 07 September 2021, the Defendants established an unauthorised encampment of 11 caravans at Highbury Park, Shutlock Lane, Moseley. The group left on 12 September 2021.

- l. On 13 September 2021, the Defendants in possession of vehicles registered vehicles GK13OJA, SK21VJG, GF11ONL, BJ56EPK, DV18ZDG, FL64JYK, DU11YVJ and KP57TGU established an unauthorised encampment of 11 caravans at Kings Norton Park/Eckershall Road/Catesby Park, Wychall Lane, Kings Norton. The group left the site on 17 September 2021.
- m. On 19 September 2021, the Defendants in possession of vehicles registered vehicles AD06THN, BIGS307, DG07NWJ, SK21VJG, GF11ONL, DV18ZDG, FL64JYK, AU10TWP, VN06JHL, PN19YHR, 131LS566, LB07AKU, 07MO3760 established an unauthorised encampment of 16 caravans at Senneley's Park, Mill Lane, Bartley Green/Selly Oak area including Battery Retail Park/including Chapel Lane/Selly Oak Park/Harborne Lane/Gibbons Road. The group left the site on 23 September 2021.
- n. On 23 September 2021, the Defendants in possession of vehicles registered BIG S307, GK13 OJA, KCK 8903, PN19 YHR, DG07 NWJ, FL54 JYK, Silver X1 caravan 131-LS-566 Silver Nissan & x1 trailer. AD06 THN & X1 Trailer LB07 AKO, YY54 MFO, DV13 GUR, DK66 VXD, CF60 PBV, DV18 ZOG, BLT8 EPK, BU11 YVJ, AV10 TWP/AU10 TWP, SK21 VJG established an unauthorised encampment of 16 caravans at Selly Oak Park, Gibbins Road, Selly Oak. The group left the site on 27 September 2021.
- o. On 28 September 2021, the Defendants in possession of vehicles registered DG07 NWJ, CF60 FBV, AD06 THN, FL64 JYK, DU11 YVJ, BIGS307, BIG6307, GK13 OJA, 07-MO-3760, 131-LS-566, BJ69 ZDE, PK58 YBZ, LB07 AKU established an unauthorised encampment of 16 caravans at The Dell, Manningford Road, Druids Heath. The group left the site on 01 October 2021.
- p. On 01 October 2021, the Defendants in possession of vehicles registered GF11ONL(Ford Transit), BT54AHE, PN19YHR, 07-

M0-3760, SK21VJG, BIG 6307, GK13OJA, DG07NWA, AD06THN, DV18ZDG, DV13GUE, FL11PLO, CF60FBV, NX08CWA, BU11YVJ, FL64JYK, PK58YBZ, LB07AKU, VE19WWW established an unauthorised encampment of 16 caravans at Fox Hollies Park, Gospel Lane, Acocks Green. The group left the site on 04 October 2021.

- q. On 04 October 2021, the Defendants in charge DX54ZKO, KCK890F, FL08AXS, SK21VJG, DV18ZDG, DU11YVJ, FL64JYK, VN06JHL, PK58YBZ, LB07AKU, AD06THN, NX08CWA of established an unauthorised encampment of 20 caravans at Daisy Farm Park, Maypole. The group left the site on 08 October 2021.
- r. On 08 October 2021, the Defendants established an unauthorised encampment of 17 caravans at Walkers Heath Recreation Ground, Walkers Heath. The group left the site on 13 October 2021.
- s. On 13 October 2021, the Defendants established an unauthorised encampment of 17 caravans at Swanhurst Park, Billesley. The group left the site on 17 October 2021.
- t. On 17 October 2021, the Defendants in possession of vehicles registered 07MO3760, BJ56EPK, BJ69ZDF, CF60 FBV, DV18DZG, DK66VED, DU11YVJ, FL64JYK, GF11DNL, KJZ 9398, LB60NBU, LR18EOU, SJ18LLD, SN67ZSD, SK71RGO, PX09XMV, YY54MFO, BIG6307 established an unauthorised encampment of 17 caravans at Moseley Rugby Club, Yardley Wood Road, Billesley Common, Billesley. The group left the site on 22 October 2021.
- u. On 22 October 2021, the Defendants in possession of vehicles registered CF60FBV, FL64JYK, LR18EOU, DK66VXD, DV18ZDG, LM16HTD, AD06THN, GK13OJA, LN15HTV,



YY54MFO and SN67ZSD established an unauthorised encampment of 20 caravans at Senneleys Park, Druids Heath. The group left the site on 26 October 2021.

- v. On or about 27 October 2021, the Defendants established an unauthorised encampment of 17 caravans on Stechford Hall Park, Coleshill Road, Stechford. The group left the site on 31 October 2021.
- w. On or about 8 November 2021, the Defendants in possession of vehicles registration no MK13 OZS, NX08CWA, PJ07NEV, SK61RGO, SK71RGO, SN21VJG, SN67ZSD established an unauthorised encampment of around 7 caravans on Cottsmeadow Drive / Horselea Croft. The group left the site on 15 November 2021.
- x. On or about 17 November 2021 the Defendants in possession of vehicle registration no LF03FOT, LI05RYC, SG16TNB, AD06THN, DU11YVJ, AX53FEF, BJ69ZDF, BU11YVJ, BX11GHG, DG07NWJ, DV18DZG, FL64JYK, FV08XFE, KP57TGU, LB07AKU, LF03FOT, LI05RYC established an unauthorised encampment of around 11 caravans on derelict land formally the Cascades leisure centre, Station Road, Stechford, adjoining the Stechford Recreational Ground.

33. The creation and subsistence of these encampments is characterised by anti-social and dangerous behaviour with some measure of criminality in the Parks and surrounding areas including on nearby highways.

#### **PARTICULARS OF ANTI-SOCIAL BEHAVIOUR**

- a. Between 06 August 2021 and 09 August 2021, members of the unauthorised encampment at Daisy Farm Park, Maypole Lane:

- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public from using Daisy Farm Park and the facilities it contains and from performing their duties there.
  - ii. Caused damage to Daisy Farm Park, the property of the Claimant, including by breaking down fences and by lighting fires.
  - iii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes in Daisy Farm Park and surrounding areas at high speeds and in a dangerous manner.
- b. Between 16 August 2021 and 20 August 2021, members of the unauthorised encampment at Billesley Common, Yardley Wood Road:
  - i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Billesley Common and the facilities it contains and from performing their duties there.
  - ii. Allowed their dogs to run loose, and alarm members of the public, thereby preventing or impeding them from using the space or from walking their own dogs there.
- c. Between 20 August 2021 and 21 August 2021, members of the unauthorised encampment at Chinn Brook Recreation Ground:
  - i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and

- preventing residents, officers of the Claimant and other members of the public, from using Chinn Brook Recreation Ground and the facilities it contains and from performing their duties there.
- ii. Threatened, abused and behaved in an aggressive manner towards local residents, officers of the Claimant, and members of the public, including by throwing stones directly at other persons.
- d. On 22 August 2021, members of the unauthorised encampment at the Dell, Mannington Road, Druids Heath:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using the Dell and the facilities it contains and from performing their duties there.
  - ii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes on the Dell and surrounding areas at high speeds and in a dangerous manner.
- e. Between 03 September 2021 and 05 September 2021, the members of the unauthorised encampment on Billesley Common, Kings Heath:
- i. Caused damage to buildings on Partons Road, the property of the Claimant, including by stealing lead.
  - ii. Threatened, racially abused and behaved in an aggressive manner towards local residents, and the staff at Ye Olde Red Lion, Vicarage Road.

- iii. Damaged the property of local business Ye Olde Red Lion, Vicarage Road.
- f. Between 05 September 2021 and 07 September 2021, the members of the unauthorised encampment at Kings Heath Park, Kings Heath:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Kings Heath Park and the facilities it contains and from performing their duties there.
  - ii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes Kings Heath Park and surrounding areas at high speeds and in a dangerous manner.
- g. Between 07 September 2021 and 12 September 2021, the members of the unauthorised encampment at Highbury Park, Shutlock Lane, Moseley:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Highbury Park and the facilities it contains and from performing their duties there.
  - ii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes Highbury Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
- h. Between 13 September 2021 and 17 September 2021, the members of the unauthorised encampment at Kings Norton Park, Eckersall Road, Kings Norton:

- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Kings Norton Park and the facilities it contains and from performing their duties there.
- ii. Blocked the car park with vehicles, preventing residents, officers of the Claimant and other members of the public from using Kings Norton and the facilities it contains and from performing their duties there.
- iii. Threatened and intimidated officers of the Claimant who sought to challenge their behaviour, including by attacking officers at Catesby Park with weapons.
- iv. Caused damage to Kings Norton Park and nearby Catesby Park, the property of the Claimant, including by cutting down fences.
- v. Drove, and allowed young children to drive, cars, motorbikes and quad bikes in Kings Norton Park, Catesby Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
- vi. Threatened, abused and behaved in an aggressive manner towards members of the public amounting to two offences contrary to section 4 of the Public Order Act 1986.
- vii. Defecated, and allowed their children to defecate in the park.
- viii. Allowed their dogs to run loose, bark at and bite local residents and other members of the public, thereby

preventing or impeding them from using the park or from walking their own dogs there.

- ix. Allowed their children to break into the Sainsbury's on Chapel Lane.
  - x. Burgled GKN Aerospace Transparency Systems Ltd. A business located at 1-2 Eckersall Road, Birmingham, B38 8SS.
  - xi. Broke into, and thereby caused damage to, the Claimant's nature reserve in Wychall Lane.
- i. Between 17 September 2021 and 23 September 2021, members of the unauthorised encampment at Battery Retail Park, Selly Oak:
- i. Caused damage to the Claimant's property by forcing entry to Battery Retail Park.
  - ii. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Battery Retail Park and the facilities it contains and from performing their duties there.
  - iii. Caused damage to the property of local residents and the Claimant's officer, including by throwing stones and bricks at vehicles.
  - iv. Committed theft from local businesses including TK Maxx, Chapel Lane and market shops and stalls.

- j. Between 23 September 2021 and 27 September 2021, members of the unauthorised encampment at Selly Oak Park, Gibbins Road:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Selly Oak Park and the facilities it contains and from performing their duties there.
  - ii. Caused damage to the property of local residents and attempted to steal two vehicles.
  - iii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes Selly Oak Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
  - iv. Threatened, assaulted, abused and behaved in an aggressive manner towards local residents, officers of the Claimant, and members of the public.
  - v. Dumped garden waste into the gardens of local residents.
  - vi. Caused damage to Selly Oak Park, the property of the Claimant, including by lighting fires.
  - vii. Allowed their dogs to run loose, chase, bark at and bite local residents and other members of the public, including children, thereby preventing or impeding them from using Selly Oak Park or from walking their own dogs there.
  - viii. Caused nuisance by blocking Bristol Road with caravans, thereby disrupting traffic.

k. Between 28 September 2021 and 01 October 2021, members of the unauthorised encampment on The Dell, Manningford Road, Druids Heath:

- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using The Dell and the facilities it contains and from performing their duties there.
- ii. Committed theft from local businesses and allowed their children to do the same.
- iii. Allowed their children to damage the property of local residents by throwing and shooting stones with a catapult and throwing eggs at windows, attempt to break into the property of local residents, and intimidate local residents by threatening to “put their windows through”. In one case broke a window using a catapult.
- iv. Drove, and allowed young children to drive, cars, motorbikes and quad bikes on The Dell and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
- v. Caused criminal damage to a moped that had been reported missing.

l. Between 01 October 2021 and 04 October 2021, members of the unauthorised encampment at Fox Hollies Park, Gospel Lane, Solihull:

- i. Caused damage to the Claimant’s property by smashing the gates of Fox Hollies Park.



- ii. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Fox Hollies Park and the facilities it contains and from performing their duties there.
  - iii. Drove, and allowed young children to drive, cars, motorbikes and quad bikes in Fox Hollies Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
  - iv. Caused noise nuisance by playing loud music.
- m. Between 04 October 2021 and 08 October 2021, members of the unauthorised encampment at Daisy Farm Park:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Daisy Farm Park and the facilities it contains and from performing their duties there.
  - ii. Defecated, and permitted their children to defecate in the Daisy Farm Park and left their faeces and used toilet paper on the ground and in the bushes of the park.
  - iii. Drove, and allowed young children to drive and race, cars, motorbikes and quad bikes in Daisy Farm Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
  - iv. Caused damage to the Claimant's property by removing posts from the Daisy Farm Park and driving into a fence.

- v. Threatened and intimidated local businesses by causing disruption and taking knives into shops.
  - vi. Committed theft of a trailer from a local resident.
  - vii. Allowed their children to physically abuse local residents and visitors to Daisy Farm Park, preventing residents and members of the public from using the park.
  - viii. Abandoned a burnt-out vehicle in the park, requiring the Claimant's officers to remove the vehicle from Daisy Farm Park.
  - ix. Racially threatened and abused members of the public with intent to cause them fear of violence.
- n. Between 13 October 2021 and 17 October 2021, members of the unauthorised encampment at Swanhurst Park, Billesley:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Swanhurst Park and the facilities it contains and from performing their duties there.
  - ii. Drove, and allowed young children to drive and race, cars, motorbikes and quad bikes in Swanhurst Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.
  - iii. Permitted their children to cause disorder towards members of the public with metal poles.

- iv. Allowed their dogs to run loose, and alarm members of the public, thereby preventing or impeding them from using Swanhurst Park or from walking their own dogs there.
- o. Between 17 October 2021 and 22 October 2021, members of the unauthorised encampment at Billesley Common, Billesley:
  - i. Parked vehicles in the open space, adjacent the rugby field at Moseley Rugby Club, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Billesley Common and the facilities it contains and from performing their duties there.
  - ii. Allowed their dogs to run loose, and alarm members of the public, thereby preventing or impeding them from using Billesley Common or from walking their own dogs there. Two Alsatian type dogs are caught on CCTV on school land.
  - iii. Broke into the Claimant's Property known as Billesley Depot, Yardley Wood Road, stealing 87 pieces of gardening equipment / power tools, timber, red diesel, and causing damage to the Claimant's land by driving over the grass, removing a steel post, breaking the alarm sensors, breaking entry using an angle grinder, smashing the windows of a Mitsubishi ranger and other vehicles and mobile plant and attempting to break into the shutters. A full list of the stolen power tools is provided. It is estimated that the sum total damage and loss is in the region of £50,000 to £75,000.
  - iv. Caused damage to the Claimant's fence which separates Billesley Common and Swanshurst School grounds by sheering off a bolt and removing fence panels.

- v. Allowed their dogs to run loose in the school grounds, alarming students and staff, thereby preventing or impeding them from using the space, and disrupting the school day.
- vi. Attended Swanhurst Secondary School and Sixth Form for girls and:
  - 1. Racially abused students.
  - 2. Threw glass at students.
  - 3. Pointed a loaded gun at students.
  - 4. Harassed a teacher by asking "do you want to suck my dick?" and grabbing his crotch.
  - 5. Drove dangerously and at speed behind students leaving the school.
  - 6. Threatened students with a shotgun and slingshots.
  - 7. Threatened to punch the caretaker in the head.
- vii. At the nearby Billesley Tennis and Indoor Fitness Centre ("the Centre") members of the group:
  - 1. Defecated, urinated and deposited toilet paper all over the floor of the patron toilets,
  - 2. Defecated in the bushes outside the centre.
  - 3. Defecated on the top deck of a school bus parked behind the centre.
  - 4. Verbally abused staff, including by shouting to one member "fuck off you fat fucking slag, I'm a traveller I can do what I want", and by throwing a bottle.
- viii. Drove, and allowed young children to drive and race, cars, motorbikes and quad bikes on Billesley Common and surrounding areas at high speeds and in a dangerous manner, including towards members of the public.

- ix. Defecated, and permitted their children to defecate on Billesley Common, and left their faeces and used toilet paper on the ground and in the bushes of the park.
  - x. Racially harassed members of the public, preventing them from using the using Billesley Common and the facilities it contains.
  - xi. Made threats towards staff at the Busy Beans Café, Yardley Wood.
  - xii. Abandoned a caravan upon which was found a stolen catalytic converter and tools for removing said abatement equipment from cars following an inspection of the caravan by West Midlands Police.
- p. Between 22 October 2021 and 26 October 2021, members of the unauthorised encampment at Senneleys Park, Druids Heath:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Senneleys Park and the facilities it contains and from performing their duties there.
  - ii. Drove, and allowed young children to drive and race, cars, motorbikes and quad bikes in Senneleys Park and surrounding areas at high speeds and in a dangerous manner, including towards members of the public, and causing damage to grass and land owned by the Claimant.
  - iii. Assaulted and intimidated local residents by making threats to kill, and threats to throw stones at windows.

- iv. Permitted their children to throw stones at windows and break into the properties and gardens belonging to local residents.
  - v. Behaved in a threatening and dangerous manner by shooting air rifles in Senneleys Park and at a rear fence of a house backing onto the park, throwing bottles at parked cars causing damage to the property of local residents, attending local residents' properties in masks and threatening them with knives.
  - vi. Allowed their dogs to run loose into road, thereby causing hazards and disruption to traffic.
  - vii. Racially abused local residents.
  - viii. Caused noise nuisance by shouting, screaming, and permitting dogs to bark.
- q. Between 27 October 2021 and 31 October 2021, members of the unauthorised encampment at Stechford Hall Park:
- i. Parked vehicles in the open space, disrupting the lawful and reasonable activities of members of the public, and preventing residents, officers of the Claimant and other members of the public, from using Stechford Hall Park and the facilities it contains and from performing their duties there.
  - ii. Caused damage to the Stechford Hall Park, the property of the Claimant, including by breaking down fences and by lighting fires.

- iii. Caused damage to the property of a local resident by graffitiing a wall.
  - iv. Caused noise nuisance by playing loud music.
- r. On 12 November 2021 members of the unauthorised encampment at Horselea Croft / Cottesmeadow Drive
- i. Threatened the Claimants officers who were carrying out their duties. **The First Defendant** Thomas Cash raised his voice and stated “start with my caravan first and the first one of yous to put a hand on it I’ll knock you spark out.”
- s. On or subsequent to the 19 November 2021 members of the unauthorised encampment at the Cascades site fronting Stechford Recreation Ground
- i. Broke into a nearby house and subsequently stole a red Ford Fiesta. The Ford Fiesta was smashed up by males aged 13-16 who came from the unauthorised encampment, it was then driven on parkland behind the site damaging grass, the children’s play areas, and the perimeter fences of members of the public's gardens.
  - ii. Vehicles on site linked to offences committed in the local area since the unauthorised encampment was established. Increase in demand to West Midlands Police services.
  - iii. West Midlands Police officers attended the unauthorised encampment and met with threats and violence. Large stones, lumps of concrete and other items were thrown at the officers causing them to have to request more officers and tactically withdraw from the location for their own safety.

**Effect of the Alleged Conduct**

34. Residents and members of the public have been subjected to significant harm, loss and damage in consequence of the conduct complained of.

**PARTICULARS OF HARM, LOSS AND DAMAGE**

- a. Residents, officers of the Claimant and members of the public have suffered nuisance from the activities complained of above at paras.33 and:
  - i. Feel unable to go out in the Parks, use the public spaces or the facilities, or perform their duties in the Parks;
  - ii. Feel threatened in their own homes and local areas. Guns have been shown to children and adults, and knives have been taken into shops.
  - iii. Suffer harassment, alarm and distress, particularly when they are the victims of threats, abuse (including racist abuse) or aggression, or are bitten or frightened by dogs that are allowed to roam in the Parks unrestrained, or when rocks are thrown at them and / or their properties, or when attempts are made to break into their homes, or when cars, motorbikes and quadbikes are driven at them, or when they witness the behaviour of travellers performing bodily functions in public.
  - iv. Suffer sleep deprivation due to noise nuisance and worry about the security of their property and possessions including vehicles.
- b. The staff, students, and parents of students at Swanhurst School particularly have suffered nuisance, and fear for their own safety. Parents have also felt fear for the safety of their children.



- c. Residents have suffered damage to their property, in particular: windows, fences and sheds which have been damaged and from which items have been stolen.
- d. Residents have suffered injury by way of dog bites.
- e. Residents have been caused financial loss when their property has been damaged and/or stolen.
- f. Local businesses have been caused financial loss when their property has been damaged and/or stolen.
- g. The Claimant has also been caused nuisance. It has been obliged to clear up, repair and replant the Parks as well as remove and cleanse them and surrounding areas of human and animal excrement and urine, together with soiled toilet paper and nappies.
- h. The Claimant has been caused financial loss in the cost of evicting the members of unauthorised encampments and cleaning up the Parks, including charges for disposing of fly-tipped waste. Between August and November 2021, such costs were incurred on 26 separate occasions requiring expenditure exceeding £36,140. The clear-up costs are additional and have been calculated at just over £11,000 and requiring two crews of two men each time. In addition are the costs of officer time.
- i. The Claimant has found the conduct of these groups to be unmanageable and West Midlands Police have also found great difficulty in dealing with these groups. In the last two months the Claimant has found that other groups within the city have become more aggressive and less cooperative since this has occurred. The lead officers believe that members of the groups talk to each other and this is having an adverse impact across the city as a whole.

- j. The Claimant has also been caused financial loss due to the robbery of 87 pieces of gardening equipment to the value of £26,229.00. The damage arising from the forced entry, theft and general damage to the vehicles, plant and equipment, is estimated to be a further £50,000.
- k. The conduct described above, perpetrated by the members of such encampments, constitutes the commission of criminal offences which are deliberate and flagrant and/or which will not be effectively restrained by the use of criminal law sanctions.
- l. The said conduct is also tortious and, in particular, constitutes a trespass and a public nuisance.
- m. The said conduct also constitutes a breach of planning control within the meaning of s.171A, Town and Country Planning Act, 1990.

#### **Alternative Remedies Sought**

35. The Claimant, and the West Midlands Police, have attempted to prevent or curtail the activities described above and/or their effects on residents, officers of the Claimant and other members of the public in Birmingham. The following principal steps have been taken, but have not been effective to prevent or even curtail the conduct complained of.

#### **PARTICULARS OF ALTERNATIVE REMEDIES SOUGHT**

- (i) The Claimant uses its common law powers and rights as the landowner to require the Defendant members of unauthorised encampments to leave land and employed bailiffs to enforce recovery.

- (ii) The Claimant has considered using its powers under section 77, 78 of the Criminal Justice and Public Order Act 1994.
- (iii) The Claimant has requested the assistance of West Midlands Police to direct travellers to move off unauthorised encampments pursuant to ss61-62A of the Criminal Justice and Public Order Act 1994.

### Relief

36. The travellers who have established unauthorised encampments in the Parks live transient lifestyles and the names of the individuals concerned are generally not known to the Claimant and are difficult to discover. We are aware from dealing with members of the travelling community that aliases are often used. The population of the encampments is plainly mobile and can be transient.
37. Individual travellers may move away and return from time to time, but it is difficult to prove this for the purposes of the powers referred to at para.35 above without being able to establish the identity of the travellers concerned.
38. Frequently, new travellers establish new encampments in the Parks in place of previous encampments. The powers referred to at para.35 above do not protect the Parks from such new encampments as the directions that may be given under those powers operate in relation to individual travellers and not to GRT or other communities generally.
39. In the circumstances, the Parks have become something of a magnet for such encampments.
40. For the reasons given above, **but for the First, Second and Third Defendants** it has not been possible to identify the travellers in sufficient numbers or with sufficient particularity to take proceedings against named individuals at this stage. That notwithstanding, members of the Police and the Council's

officers have endeavoured to take note of the vehicle registrations present within the encampments at any given time, and the same vehicles have been present at numerous of the encampments listed above. The Claimant is able to identify the Defendants by reference to the vehicles that they are using and it is averred that that is sufficient for the purposes of this claim. The mobile and transient nature of GRT communities renders it difficult for the Claimant or the police to identify individual travellers by name at this stage in any significant numbers.

41. Should the relief claimed be granted, the Claimant proposes to publicise the existence and terms of the injunction, and serve copies of the proceedings and orders on **First, Second and Third Defendants and** the individual travellers that can be identified via their vehicle registrations, as well as any individual travellers present on encampments, so that if they wish to take part in these proceedings, they can be added as named defendants.

42. The Claimant considers it appropriate and expedient for the promotion and protection of the interests of the inhabitants of their area that the defendants be restrained, by way of injunction, from committing tortious and criminal acts and, in particular (though without prejudice to the generality of the foregoing), acts amounting to a public nuisance and to deliberate and flagrant breaches of the criminal law (and which use of the criminal law is unable to prevent). Specifically, but without prejudice to the generality of the foregoing, the Claimant considers that it is in the interests of the inhabitants of the City of Birmingham:

- a. That the Claimant endeavours to establish and maintain a law-abiding community;
- b. That public spaces and local public facilities should remain available to members of the public in the Birmingham area;
- c. That local residents, officers of the Claimant and members of the public are protected from the serious and specific threats to their

safety, health, property and peaceful existence presented by the unauthorised encampments.

43. Further, the Claimant considers it necessary and/or expedient for the said apprehended breaches of planning control to be restrained by injunction.

44. Further, or alternatively, the Claimant considers that the injunctive relief sought in these proceedings is necessary to protect the rights of the public to the use and enjoyment of highways within its district, for the reasons set out above.

45. Further, by these proceedings, the Claimant seeks to comply with its statutory responsibilities, as pleaded above at paras 5, 7 and 8.

46. The Defendants' said conduct will continue unless and until effectively restrained by the law, and nothing short of an injunction will be effective to restrain them. In particular, and without prejudice to the generality of the foregoing, it is the Claimant's case that:

- a. The criminal law is not an effective remedy in the circumstances of this case;
- b. There is no other effective means of restraining the public nuisance constituted by the conduct complained of;
- c. The Claimant's other enforcement powers are insufficient to prevent the conduct complained of; and,
- d. The Claimant is entitled to the relief sought in the furtherance of its own statutory responsibilities.

47. Further, for the reasons set out above, the Claimant believes that the conduct complained of includes a significant risk of harm to local residents, its officers and members of the public, so that it is necessary for a power of

arrest pursuant to s.27, Police and Justice Act 2006 to attach to paragraph 1 of the draft injunction attached to these Particulars of Claim.

48. Further, the Claimant considers that it is necessary, proportionate, justified and appropriate to grant the relief sought, in accordance with the relevant human rights and equality legislation.

**AND THE CLAIMANT CLAIMS:**


1. Injunctive relief and powers of arrest in the terms of the attached draft.
2. Interim injunctive relief and powers of arrest.
3. Further or other relief
4. Costs.

**JONATHAN MANNING  
CHARLOTTE CROCOMBE**

Dated: 21 January 2022

**STATEMENT OF TRUTH**

I believe(s) that the facts stated in this **Amended** Particulars of Claim are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: 

Position: Head of Environmental Health for Birmingham City Council

Date: Saturday 22 January 2022

## SCHEDULE 1 – LIST OF DEFENDANTS

1. The person currently in possession of or a passenger in vehicle 07MO3760
2. The person currently in possession of or a passenger in vehicle 131-LS-566
3. The person currently in possession of or a passenger in vehicle AD06THN
4. The person currently in possession of or a passenger in vehicle AU10 TWP
5. The person currently in possession of or a passenger in vehicle AX53FEF
6. The person currently in possession of or a passenger in vehicle BIG6307
7. The person currently in possession of or a passenger in vehicle BIGS307
8. The person currently in possession of or a passenger in vehicle BJ56EPK
9. The person currently in possession of or a passenger in vehicle BJ69ZDE
10. The person currently in possession of or a passenger in vehicle BJ69ZDF
11. The person currently in possession of or a passenger in vehicle BL56EEA
12. The person currently in possession of or a passenger in vehicle BLT8EPK
13. The person currently in possession of or a passenger in vehicle BT54AHE
14. The person currently in possession of or a passenger in vehicle BU11YVJ
15. The person currently in possession of or a passenger in vehicle CF60PBV
16. The person currently in possession of or a passenger in vehicle CF60FBV
17. The person currently in possession of or a passenger in vehicle DG07NWJ
18. The person currently in possession of or a passenger in vehicle DG07NWA
19. The person currently in possession of or a passenger in vehicle DK54ZKO
20. The person currently in possession of or a passenger in vehicle DK66VED
21. The person currently in possession of or a passenger in vehicle DK66VXD
22. The person currently in possession of or a passenger in vehicle DU11YVJ
23. The person currently in possession of or a passenger in vehicle DV13GUE
24. The person currently in possession of or a passenger in vehicle DV13 GUR
25. The person currently in possession of or a passenger in vehicle DV18ZDG
26. The person currently in possession of or a passenger in vehicle DV18DZG
27. The person currently in possession of or a passenger in vehicle DV60VTT
28. The person currently in possession of or a passenger in vehicle DX54ZKO
29. The person currently in possession of or a passenger in vehicle EX15AYK
30. The person currently in possession of or a passenger in vehicle FL08AXS
31. The person currently in possession of or a passenger in vehicle FL11PLO

32. The person currently in possession of or a passenger in vehicle FL64JYK
33. The person currently in possession of or a passenger in vehicle FL54YJK
34. The person currently in possession of or a passenger in vehicle FV08XFE
35. The person currently in possession of or a passenger in vehicle GF11ONL
36. The person currently in possession of or a passenger in vehicle GF11DNL
37. The person currently in possession of or a passenger in vehicle GK130JA
38. The person currently in possession of or a passenger in vehicle KCK8903
39. The person currently in possession of or a passenger in vehicle KCK890F
40. The person currently in possession of or a passenger in vehicle KJZ9398
41. The person currently in possession of or a passenger in vehicle KM05KXY
42. The person currently in possession of or a passenger in vehicle KP57TGU
43. The person currently in possession of or a passenger in vehicle KT16KXY
44. The person currently in possession of or a passenger in vehicle LB07AKU
45. The person currently in possession of or a passenger in vehicle LB07AKO
46. The person currently in possession of or a passenger in vehicle LB60NBU
47. The person currently in possession of or a passenger in vehicle LF03FOT
48. The person currently in possession of or a passenger in vehicle LI05RYC
49. The person currently in possession of or a passenger in vehicle LM16HTD
50. The person currently in possession of or a passenger in vehicle LN15HTV
51. The person currently in possession of or a passenger in vehicle LR18EOU
52. The person currently in possession of or a passenger in vehicle MK13OZS
53. The person currently in possession of or a passenger in vehicle NX08CWA
54. The person currently in possession of or a passenger in vehicle PJ07NEU
55. The person currently in possession of or a passenger in vehicle PK58XBZ
56. The person currently in possession of or a passenger in vehicle PK58YBZ
57. The person currently in possession of or a passenger in vehicle PN19YHR
58. The person currently in possession of or a passenger in vehicle PX09XMV
59. The person currently in possession of or a passenger in vehicle SG16THN
60. The person currently in possession of or a passenger in vehicle SJ18LLD
61. The person currently in possession of or a passenger in vehicle SK21VJG
62. The person currently in possession of or a passenger in vehicle SN21VJG
63. The person currently in possession of or a passenger in vehicle SK71RGO
64. The person currently in possession of or a passenger in vehicle SK61RGO
65. The person currently in possession of or a passenger in vehicle SN67ZSD



66. The person currently in possession of or a passenger in vehicle VE19VWV
67. The person currently in possession of or a passenger in vehicle VN06JHL
68. The person currently in possession of or a passenger in vehicle WG09JUC
69. The person currently in possession of or a passenger in vehicle WJ55CPF
70. The person currently in possession of or a passenger in vehicle YY54MFO
  
71. Persons unknown who have, since 06 August 2021, used the vehicles identified at paragraph 1-70 of this Schedule for the purpose of entering one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.
  
72. Persons unknown who have, since 06 August 2021, entered the land at one or more of Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreation Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Field, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreation Ground, Stechford Hall Park, Stechford Recreational Ground, or Horselea Croft / Cottsmeadow Drive within the City of Birmingham to establish, join and / or be a part of any unauthorised encampment there.

## C. Claimant's Evidence

(1) Birmingham City Council

(2) Claimant

(3) Statement of Mark Croxford

(4)

(5) Exhibits

(6) 1st December 2021

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

Claim No.

BETWEEN:

BIRMINGHAM CITY COUNCIL

Claimant

and

**THOMAS CASH (D1)**  
**PATRICK CONNORS (D2)**  
**PATRICK CONNORS (D3)**

**PERSONS UNKNOWN BEING THE DEFENDANTS IDENTIFIED BY  
DESCRIPTION AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 6 AUGUST 2021,  
PARTICIPATED IN THE UNAUTHORISED TRAVELLER ENCAMPMENTS  
ESTABLISHED AT THE 17 LOCATIONS WITHIN THE CITY OF BIRMINGHAM.**

Defendants

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WITNESS STATEMENT OF

MARK CROXFORD

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I, Mark Croxford, of Birmingham City Council, will say as follows:

1. I am the Head of Environmental Health for Birmingham City Council. I have worked for the department for approximately 35 years. I presently have responsibility for delivering all Environmental Health functions. Part of the duties my team perform is the recovery of land from unauthorised encampments.
2. The information contained in this statement comes from my own knowledge and is true, or, where it has come from some other person, I have identified that person and the information is true to the best of my knowledge or belief.
3. I make this statement in support of Birmingham City Council's application to injunct individuals and their vehicles from establishing, joining or being part of an encampment in the city of Birmingham following extensive antisocial behaviour associated with their unauthorised encampments across the south side of Birmingham. These unauthorised encampments have been on-going since August 2021 on council owned public open space and have caused harassment, alarm and distress to nearby residents and businesses.
4. The first encampment was on 6th of August 2021 on a park known as Daisy Farm Park in Billesley. Police Officer Phillips records that the Police first became aware of the group on the 6<sup>th</sup> August 2021 when travellers drove through a gate to access the area causing criminal damage. On the 7<sup>th</sup> August 2021 the police recorded the registration numbers of the vehicles on site on that date. The Council first recorded this group on the 8<sup>th</sup> August 2021 and noted that the leader of the group gave his family name as Smith. Each of their unauthorised encampments has been recorded under this name. In total this group has been on 21 unauthorised encampments between 8/8/21 and 16/11/21. See table below.

Arrival Date & Time	Departure Date & Time	Arrival Month	No Caravan & Camper Vans	Hours	Days	Name of Park / Public open space (if named)	Site Descriptor / Location for non-Parks Land	Ward	Main Families
08/08/2021 16:00	12/08/2021 12:00	Aug	8	92.0	4	DAISY FARM PARK		Maypole	Smith
12/08/2021 13:00	15/08/2021 11:00	Aug	8	70.0	3	SWANSHURST PARK		Billesley	Smith
15/08/2021 14:00	19/08/2021 21:00	Aug	6	103.0	5	BILLESLEY COMMON		Billesley	Smith
19/08/2021 22:00	22/08/2021 19:30	Aug	6	69.5	3	CHINN BROOK RECREATION GROUND		Billesley	Smith
22/08/2021 20:00	27/08/2021 12:00	Aug	6	112.0	5	THE DELL	Manningford Road	Billesley	Smith
24/08/2021 09:00	27/08/2021 12:00	Aug	9	75.0	4	FOX HOLLIES PARK		Acocks Green	Smith
27/08/2021 15:00	30/08/2021 22:00	Aug	6	79.0	4	COFTON PARK	Lowhill Lane	Longbridge	Smith
27/08/2021 15:00	01/09/2021 16:00	Aug	3	121.0	6		PSTS	Nechells	Smith (2)
30/08/2021 23:00	03/09/2021 14:00	Aug	6	87.0	4	KINGS NORTON PLAYING FIELDS		Kings Norton	Smith
03/09/2021 15:00	05/09/2021 14:00	Sep	7	47.0	2	BILLESLEY COMMON		Kings Heath	Smith
05/09/2021 15:00	07/09/2021 20:00	Sep	11	53.0	3	KINGS HEATH PARK		Kings Heath	Smith
07/09/2021 20:00	12/09/2021 12:00	Sep	11	112.0	5	HIGHBURY PARK	Shutlock Lane	Moseley	Smith
13/09/2021 16:00	17/09/2021 09:00	Sep	11	69.0	4	KINGS NORTON PARK	Wychall Lane	Kings Norton	Smith
19/09/2021 18:00	23/09/2021 13:00	Sep	16	91.0	4	SENNELEYS PARK	Mill Lane	Bartley Green	Smith
23/09/2021 16:00	27/09/2021 14:00	Sep	16	94.0	4	SELY OAK PARK	Gibbins Road	Selly Oak	Smith
28/09/2021 17:00	01/10/2021 21:00	Sep	16	76.0	4	THE DELL	Manningford Road	Druids Heath	Smith
01/10/2021 21:30	04/10/2021 00:00	Oct	16	50.5	3	FOX HOLLIES PARK	Gospel Lane	Acocks Green	Smith
04/10/2021 23:00	08/10/2021 20:00	Oct	20	93.0	4	DAISY FARM PARK		Maypole	Smith
08/10/2021 20:00	13/10/2021 17:00	Oct	17	117.0	5	WALKERS HEATH RECREATION GROUND			Smith
13/10/2021 17:00	17/10/2021 16:30	Oct	17	95.5	4	SWANSHURST PARK		Billesley	Smith
17/10/2021 16:30	22/10/2021 13:00	Oct	17	116.5	5	BILLESLEY COMMON			Smith
22/10/2021 14:00	26/10/2021 11:00	Oct	20	93.0	4	SENNELEYS PARK		Druids Heath	Smith
27/10/2021 12:45	31/10/2021 16:00	Oct	18	99.2	5	STECHFORD HALL PARK		Bromford & Hodge Hill	Smith
05/11/2021 14:00	05/11/2021 17:00	Nov	5	3.0	1	THE DELL	Manningford Road	Druids Heath	Smith
14/11/2021 10:00	16/11/2021 14:30	Nov	12	52.5	3		Osler Drive	Edgbaston	Smith
17/11/2021 15:00	24/11/2021 12:00	Nov	11	165.0	7		Stechford Leisure Centre	Stechford	Smith / Connors

5. I attach marked **MCI** a map on which I have marked the sites of the various encampments. The larger stars represent large encampments.
  
6. Birmingham City Council have tried to identify the travellers who are part of this group by name. However, when approached by my officers, the travellers have generally not given their names. A common traveller surname is often given but the individual travellers will not give their personal details. I am aware from my officers that a group name 'Smith' has been given for travellers as part of this group but I have no other details, except where one or two individuals have been known to officers in my team from previous contacts, such as Mr Cash and the Defendants named Patrick Connors.

7. I therefore asked the police if they were able to identify the travellers who form part of this group by name. West Midlands Police have assisted by undertaking searches on the registered keepers of vehicles on the various sites. However, they too meet the same obstructive behaviour that we do in gaining names and identities, often getting no more than a forename.
8. In order to try to identify the Defendants I asked that my officers, agents and police officers provide registration numbers of vehicles currently in the possession of travellers on the unauthorised encampments. From those registration numbers I have been able to identify the registered keepers of certain of the said vehicles. However, in my opinion it is clear that some of the registered keepers are very unlikely to be those on site. Using a combination of Police registered keeper details and Google Maps, I and other officers have looked to see if the registered address appears to relate to the travelling lifestyle. On some there were obvious caravan pitches on a permanent caravan site. Others related to residential property with no land where a caravan could be stored. Although this could be a residential home of a member of the travelling community it seemed unlikely to us. I have not been able to clearly establish the names of the persons currently using the vehicles which have been identified as present on the unauthorised encampments.
9. I refer to the witness statement of Police Officer Phillips filed in support of these proceedings. She records the vehicle registration numbers that were noted on the Daisy Farm Park Site on the 7<sup>th</sup> August 2021, access having been obtained by the travellers driving into the gate causing criminal damage.
10. On 16 August 2021 travellers from the Daisy Farm Group relocated to Billesley Common adjacent to Moseley Rugby Club. PO Phillips provides details of the registration numbers recorded by Police Officers. She continues with such details for each of the encampments. Thereafter my officers have identified vehicles present on site by looking at photographs and recordings taken by bailiffs or recorded by the police. I exhibit marked **MC2** the details of the registration numbers set out in a chart showing where the various vehicles have been recorded as part of an unauthorised encampment.
11. To date the following registered keepers of recorded vehicles have been identified:

- i. Mary Ryan of 11 Gomm Place High Wycombe HP13 7SL, the registered keeper of vehicle AD06THN
- ii. Kateen Smith of 9 Askham Ave, Northants, NN8 3FX, the registered keeper of vehicle AU10 TWP and KT16KXY
- iii. Charles Colbeck of The Bungalow Cromwell Place West Yorkshire WF59 9LP, the registered keeper of vehicle BIG6307 and BIGS307
- iv. Ali Raza of 4 Liddel Close Luton LU31 1TW, the registered keeper of vehicle BJ56EPK
- v. Layla White of 82 Pensby Close Birmingham B13 9QJ3, the registered keeper of vehicle BL56EEA.
- vi. Michael Smith of 1A Denny Road, London, N9 7QR the registered keeper of vehicle BU11YVJ and DU11YVJ
- vii. Paul Jones of 23 Mary Street Caravan Site Bradford BD4 8TF, the registered keeper of vehicle CF60FBV
- viii. Debbie Connors of 17 Tara Park York Road North Yorkshire YO17 6TB, the registered keeper of vehicle DG07NWJ
- ix. Stephen Pichilingi of 22 Manor Estate South Yorkshire DN5 0RQ, the registered keeper of vehicle DV13GUE
- x. Jodie Bradshaw of 194A Long Elms Middlesex HA3 6LH and Kyle Norris of 7 Swanston Grove Northumberland NE24 3UY the registered keeper of vehicle DV18ZDG
- xi. Janey Jones of address unknown [according to DVLA], the registered keeper of vehicle DV60VTT

- xii. Ian Wilson of 35 Pryton Avenue Cambridgeshire PE15 8ER, the registered keeper of vehicle FL08AXS
- xiii. Helen Collin of address unknown, the registered keeper of vehicle GK130JA
- xiv. Mark Nixon of 29 Stuart Gardens Newcastle Upon Tyne NE15 9LT the registered keeper of vehicle KJZ9398
- xv. Julie Needham of 2 Ouse Terrace, Conisborough, Doncaster, DN12 3DN, the registered keeper of vehicle KM05KXY
- xvi. John O'Brien of 26 Crawley Road, Alvaston, Derby, BE24 9FZ, the registered keeper of vehicle KP57TGU and PX09XMV.
- xvii. Andrew Matusewich of 84 Sycamore Drive, HG27 PU, the registered keeper of LB07AKU
- xviii. Philomena Casey of 89 Red Car Road Stockton On Tees TS17 8LW the registered keeper of LR18EOU
- xix. Michael Meredith of 2 Clarke Way Cheltenham GL50 4AX, the registered keeper of PK58XBZ and PK58YBZ
- xx. Alan Hall of 1461 Church Lane Poulton-Le – Fylde Lancashire FY6 9BZ, the registered keeper of PN19 YHR
- xxi. John O'Brien of 26 Crawley Road Derby DE24 9FZ the registered keeper of PX09XMV
- xxii. Thomas Cash (DOB 9/7/1986) of Oakland Caravan Site, 17 Oak Lane Kingswinford DY6 7JS, the registered keeper of SJ18LLD and of SK71RGO and of 9 Cotterills Avenue Birmingham B8 3RU the registered keeper of SN67ZSD



xxiii. Patrick Connors of 57 Spring Avenue, Leeds, LS27 7BS, the registered keeper of vehicle SK21VJG

xxiv. Patrick Connors of 21B Costalot Stables, Barlestone Road Leicester, LE67 1DD the registered keeper of vehicle BJ69ZDF.

xxv. Kenny Rogers of 20 Gipsy Lane, Willenhall, WV13 2HA, the registered keeper of vehicle WJ55CPF

xxvi. Andrew Ford of 30 Brenfield Drive Leicester LE10 0UW, the registered keeper of vehicle YY54MFO

12. On the 30<sup>th</sup> November 2021 I asked for letters to be sent by first class post to each of the above asking if they were the registered keeper of the relevant vehicle and advising of the Council's intention to bring legal proceedings and asking that they contact the council urgently. I exhibit marked MC-3 a sample copy of the letter.

13. The Council has developed transit sites for the use of the Gypsy Romany Traveller community. The two sites are in Proctor Street, Nechells (15 pitches) and Aston Brook Street, Nechells (4 Pitches). For much of August to 21st October 21 Proctor Street Transit Site has been occupied by another group and legal action has been taken to recover this site. At present repairs need to be made to bring this back into use. These include repairs to the on-site power supply as it has been accessed to abstract the electricity; repairs to the toilet block including door locks and reinstatement of internal walls to reform the cubicles; cleaning of the toilet block which has been smeared with faeces and broken leading to flooding either from cisterns or sinks (yet to be determined); and investigation into the foul drain which has blocked and is believed to be broken necessitating it being re-laid in part.

14. On the 15<sup>th</sup> November 2021, some members of the group with which this application is concerned joined with a group of travellers using cars with Irish number plates and forced entry onto the Proctor Street Transit site by damaging and moving concrete rings which had been placed across the entrance to this site to prevent unauthorised access.

15. As a result, the Council in conjunction with the Police, have been unable to direct the unauthorised encampments to a transit site and has been forced to recover each of the sites using common law powers. This does nothing to protect the sites from further incursions and it can be seen that this group has been moving around park land and open green spaces in Birmingham.
16. The group started quite small with between 6 to 8 caravans but in September other members of the GRT community joined the originals and numbers swelled to 16 to 20 although they do fluctuate.
17. On the 4<sup>th</sup> October, I exchanged emails with a resident near to the Dell off Manningford Road B14, who had suffered from ASB caused by those on the unauthorised encampment on the Dell. She told me that stones were thrown at her window by children from the unauthorised encampment and her windows were subsequently broken using a catapult. I then asked if others had also been affected by the same unauthorised encampment. The resident confirmed that this had occurred and said that she would get a number of residents' details if we required more information.
18. I made enquiries with WM Police and my own officers as to the levels of antisocial behaviour this group was causing around the city. During this collation of information,
19. On 17<sup>th</sup> October 2021, the members of this group had set up an unauthorised encampment on Billesley Common adjacent to Moseley Rugby Club in Birmingham. On the 18<sup>th</sup> October 2021, I was advised by Bill Pegg one of my enforcement officers that on the night of the 17<sup>th</sup>/18<sup>th</sup> October 2021 there had been a burglary at a council depot used by the Parks Service at Billesley Common. This depot borders Billesley Common and the encampment was to the rear of the depot. 70 pieces of equipment and red diesel were stolen. In total I was advised the loss to the Council probably came to around £50k. I spoke to Steve Hinton, a manager in Parks Service, on the 18<sup>th</sup> October, and was advised that in addition to the above theft numerous vehicles were also damaged. He told me that he was frustrated as he believed that the unauthorised encampment was responsible. I asked him why this was the case and he stated that the front gates were intact, and it would be impossible to steal from the site with the gates secured. In his opinion the theft had to be through the rear area, and

this was so close to the encampment that they must either have perpetrated the theft or else allowed those doing so to access through their encampment.

20. I am also aware that there is CCTV footage of equipment being passed through the back fence of the depot into the site where the encampment was located. This supports Mr Hinton's belief and mine that members of the group on the encampment were involved. I refer to the witness statement of Richard Fieldhouse filed in support of these proceedings which provides further details about this theft and exhibits the CCTV.
21. I asked officers to step up efforts to obtain statements from residents, businesses and anyone else affected by the unauthorised encampments. I have read the statement from the safeguarding lead from the school adjacent to the unauthorised encampment on Billesley Common between 17- 22 October 21. Having read about the abuse and fear that the school-girls have suffered, the pointing of guns at girls, the abuse to a female staff member and driving of vehicles at students when they leave school I am satisfied something needs to be done to protect residents, businesses and schools from this group.
22. I am also aware from our officers taking statements in support of this action that this group, whilst on Senneleys Park in Birmingham +22/10/2021 to 26/10/21, have also been firing air rifles at the fence of a resident and riding mini motor bikes in the public area causing damage to the park and alarm to residents. I refer to the witness statement of Sarah Cole filed in support of these proceedings in which anonymous Resident "TA" provides details of how she felt threatened by 2 young travellers who came to her house and had a large knife, and how she witnessed the same travellers racially abuse a local resident. I also refer to the witness statement of resident "JL". On the 24<sup>th</sup> October 2021 the group left Senneleys Park.
23. On the 31 October 2021, I received an email and photographs from Councillor Mahmood who advised that the group had now left Stechford Hall Park, leaving a considerable mess and damage behind them. I exhibit photographs as **MC4**
24. Part of the group moved to Stetchford Recreational Ground. I am advised by West Midlands Police that there has been a spate of burglaries in the area likely to be associated with the group and one burglary where a Ford Fiesta vehicle was stolen on

19/11/21. This vehicle was seen at the encampment and reports were made to the police of young boys from the encampment aged between 13-16 years driving the car around the park, smashing it into the children's play area, into residents' fences around the perimeter of the park, and damaging street furniture. I am advised that police officers attended the encampment in order to investigate and recover the vehicle. They were met by an extremely hostile unacceptable response from the travellers with large stones and lumps of concrete being thrown at officers resulting in the police having to leave the site for their own safety and call for re-enforcements and withdraw for their own safety. PC Reynolds is also aware that other vehicles on the site are linked to other offences in the local area since the group arrived and set up on site. The members of this encampment are having an adverse effect on the public and police response due to an increase in criminal offenses since the group arrived. I exhibit marked MC5 an email from PC Reynolds.

25. To date the group in various combinations have occupied Daisy Farm Park, Swanshurst Park, Billesley Common, Chinn Brook Recreations Ground, The Dell, Fox Hollies Park, Cofton Park, Kings Norton Playing Fields, Kings Heath Park, Highbury Park, Kings Norton Park, Senneleys Park, Selly Oak Park, Walkers Heath Recreational Ground, Stetchford Hall Park, Stetchford Recreational Ground.
26. The serious anti-social and criminal behaviour of members of the traveller group on these sites have meant that local residents and visitors have been deprived of their enjoyment of these areas. The sites offer facilities to local residents such as green open spaces, children's play areas, designated dog walking pathways, bike pathways, football pitches, tennis courts, nature reserves, tea rooms etc. Some residents have felt unable to go out into the parks and use the spaces. Residents, particularly those in properties near the parks have been threatened in their own home or in local shops and cafes.
27. The Council has found the conduct of these groups unmanageable and West Midlands Police have also found great difficulty in dealing with this group. On 23<sup>rd</sup> November 2021 West Midlands Police served a S61 Notice on the group directing them to leave by 12 noon on the 24<sup>th</sup> of November. On that day, the Smiths group left but the Connors' group remained, and 6 caravans were seized by the Police.

28. In the last two months the Council have found that travellers in the City have become more aggressive and less cooperative leading officers to believe that members of the groups talk to each other and this is having an adverse impact across the City as a whole.
29. The cost in Bailiffs to effect all of the evictions of this family has come to £36,140. The clear-up costs are additional and have been calculated at just over £11,000. The cost for repairs has not been calculated as it is on-going. We have not accounted for WM Police and my Enforcement Officer time and costs but I am concerned at the disproportionate level of time being invested both in evicting the group and reassuring the public. In the current financial climate, the council cannot sustain this waste of public monies.
30. The behaviour of the group has caused a complete breakdown in the relations between the settled community and the traveller group. The serious anti-social behaviour towards residents, damage to property and criminality linked to the group confirms my belief that injunctive relief is necessary to promote and protect the interests of the inhabitants of Birmingham.
31. I believe that nothing short of an injunction will resolve the problems faced by the community in Birmingham, in that we have had many groups come to the city and cause problems but not on this scale. In summary this group has been responsible for threats to members of the public; knives and guns being shown to adults, children and shop keepers; sexual comments to teachers; stones being thrown at residents properties and catapults being used to break windows; air rifles being fired at residents fencing and towards their house; Children have been seen to be used to access a depot prior to stealing and damaging over £50,000 of equipment; Vehicles have been stolen and wrecked on parks when driven by children through fences and park furniture; Increased robberies have been associated with this group in Stechford. I am asking for an Order preventing the identified members of this group from establishing or taking part in any unauthorised encampment in the city of Birmingham. The police have attempted, on numerous occasions, to use their other powers to require the group to leave the various public spaces that they have been encamped on, but all that this has achieved has been to cause them to move to another public space and cause further damage and anti-social behaviour there.

32. I appreciate the obligation of local authorities to facilitate the travellers' way of life, and I am fully aware of their rights under the Human Rights Act 1998 and the Equality Act 2010, as well as the Children Act 2004. I exhibit at MC-6. a detailed proportionality and equality assessment that I have conducted as part of the decision-making process in this case. I would simply point out that

- a. the authority does have two transit sites within the city, although as I have said one of those is currently out of action, in part due to the activities of members of this group;
- b. the reason for this court action is not the unlawful nature of the encampments per se but because of the extreme violent, criminal and other anti-social behaviour perpetrated by the members of the group on numerous sites across the south side of the city for a period now in excess of almost 5 months.
- c. As has been shown throughout that period, simply moving the group on from a site, or a group of sites does not work as they simply set up a new encampment on public land somewhere else in the city. I believe that this shows clearly that there is no workable option other than to see to prevent unauthorised encampments anywhere in the City.
- d. The Claimant cannot tolerate the behaviour of this group on the open spaces in question for the reasons given above. Nor are there any facilities for the travellers on these spaces which are inherently unsuitable for encampments.
- e. The police and the Claimant have both tried to use other, less severe measures since August but to no avail.

33. We have, as I have said above, attempted to identify the defendants by name but for the most part, we have only been able to identify them by photograph or description. We intend to attempt to serve each defendant with the Claim Form and application, together with the evidence but will also attach copies of the Claim Form and application together with details of the hearing date and time to stakes on the land that they are currently occupying, and will use our best efforts to bring this application to their attention.

34. I respectfully request the Court to grant the relief sought.

STATEMENT OF TRUTH

I believe that the facts stated in this statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without honest belief in its truth.

Signed  .

Birmingham City Council Dated this 3rd day of December

2021

(1) Birmingham City Council  
(2) Claimant  
(3) Mark Croxford  
(4)1st  
(4)Exhibit: MC1”  
(6)DATE: 30/11/21

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

AT BIRMINGHAM

Claim Number: \_\_\_\_\_

**B E T W E E N:**

**BIRMINGHAM CITY COUNCIL**

Claimant

- and -

**MR THOMAS CASH  
&**

**PERSONS UNKNOWN BEING THE  
DEFENDANTS IDENTIFIED BY DESCRIPTION  
AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 6  
AUGUST 2021, PARTICIPATED IN THE  
UNAUTHORISED TRAVELLER ENCAMPMENTS  
ESTABLISHED AT THE 17 LOCATIONS WITHIN  
THE CITY OF BIRMINGHAM SPECIFIED AT  
PARAGRAPH 13 HEREOF**

Defendants

---

**EXHIBIT“MC1”**

---

This is the Exhibit marked “MC1” referred to in the Witness Statement of Mark Croxford





★ SELLY OAK PARK

★ KINGS NORTON PARK

KINGS NORTON PLAYING FIELDS

★ WALKERS HEATH RECREATION GROUND

★ THE DELL

★ DAISY FARM PARK

★ BILLESLEY COMMON

★ CHINN BROOK RECREATION GROUND

★ KINGS HEATH PARK

★ HIGHBURY PARK

★ SWANSHURST PARK

(1) Birmingham City Council  
(2) Claimant  
(3) Mark Croxford  
(4)1st  
(4)Exhibit: MC2"  
(6)DATE: 30/11/21

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

AT BIRMINGHAM

Claim Number: \_\_\_\_\_

**BETWEEN:**

**BIRMINGHAM CITY COUNCIL**

Claimant

- and -

**MR THOMAS CASH  
&**

**PERSONS UNKNOWN BEING THE  
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ESTABLISHED AT THE 17 LOCATIONS WITHIN  
THE CITY OF BIRMINGHAM SPECIFIED AT  
PARAGRAPH 13 HEREOF**

Defendants

---

**EXHIBIT "MC2"**

---

This is the Exhibit marked "MC2" referred to in the Witness Statement of Mark Croxford

VRM	Keeper	
07M03760	NK	
07M03760	NK	
131-LS-566	NK	
AD06THN	Mary Ryan/11 Gomm place, High Wycombe HP13 7SL	
AU10TWP	Kateen Smith/ 9 Askham Avenue, North Hanks NN8 3FK	
BIG6307	Charles Colbeck/The Bungalow, Cromwell Place, West Yorkshire, WF59 9LP	
BIG5307	Charles Colbeck	
BJS6EPK	Ali Raza/ 4 Liddel Close, Luton LU31 1TW	
BJ69ZDE	Patrick Connors	
BJ69ZDF	Patrick Connors/21B Costalot-Stables, Barlestone Road, Leicester LE61 1DD	
BL56EEA	Laila White/82 Pensby Close, Birmingham B13 9QJ	
BT54AHE	NK	
BU11YVJ	Michael Smith/ 1A Denny Rd, London N9 7QR	
CF60FBV	Paul Jones/23 Mary St Caravan Site, Bradford, BD4 8TF	
DG07NWJ	Debbie Connors/17 Tara Park, York Road, North Yorkshire YO17 6TB	
DK54ZKO	NK	
DK66VED	NK	
DUI11YVJ	Michael Smith	
DV13GUE	Stephen Pichilingi/22 Manor Estate, South Yorkshire, DN5 0RQ	
DV18DZG	Jodie Bradshaw / Kyle Norris/194A Long Elmis, Middlesex HA3 6LH	Kyle Norris/7 Swanston Grove, Northumberland NE24 3LJ
DV48ZDG	Jodie Bradshaw / Kyle Norris	
DV60VTT	Janey Jones	
DK66VXD	NK	
EX15AYK	NK	
FL08AXS	Ian Wilson/photo of male driver, male passenger,relative sister	35 Pnyton Avenue, Cambridgeshire PE15 8ER
FL11PLO	NK	
FL64JYK	NK	
GF11DNL	NK	
GF11ONL	NK	
GK130JA	Helen Collin/photo of male driver	
KCK8903	NK/photo of male driver	
KZB9398	Mark Nixon/ 29 Stuart Gardens, Newcastle Upon Tyne, NE15 9LT	
KM050KY	Julie Needham/2 Ouse Terrace, Conisborough, Doncaster DN12 3DN	
KP57TGU	John O'Brien/26 Crawley Road, Alvaston, Derby DE24 9FZ	
KT16KXY	Kateen Smith	
KT16KXY	NK	
LB07AKU	Andrew Matuszewich/84 Sycamore Drive HG27PU	
LB07AKU	Andrew Matuszewich	
LB60NBU	NK	
LM16HTD	NK	
LN15HTV	STOLEN VEHICLE	
LR18EOU	Philomena Casey/89 Redcar Road, Stockton on Tees, TS17 8LW	
MK13OZS	NK	
NX08CWA	NK	
PI07NEU	NK	
PK58YBZ	Michael Meredith	
PK58YBZ	Michael Meredith	
PA19YHR	Alan Hall/1461 Church Lane, Poulton-Le-Fylde, Lancashire FY6 9BZ	
PX09XNV	John O'Brien	
SJ18LUD	Thomas Cash/photo of him/dob 9/7/86	Oakland Caravan Site 17 Oak Lane, Kingswinford DY6 7JS/9 Cotterills Avenue, Birmingham B8 3RU
SK21VJG	Patrick Connors/57 Spring Avenue, Leeds LS27 2BS-21B Costalot-Stables, Barlestone Road, Leicester LE61 1DD	
SK61RGO	Thomas Cash/photo of him/dob 9/7/86	
SK71RGO	Patrick Connors	
SN21VJG	Thomas Cash/photo of him/dob 9/7/86	
SN67ZSD	NK	
VE19WVW	NK	
VNO6JHL	NK	
WG09JUC	NK	
WJ55CPF	Kenny Rogers/ 20 Gypsy Lane, Willenhall WV13 2HA	
Y54MFO	Andrew Ford/30 Brenfield Drive, Leicester LE10 0UW	
09-C-43407	White Transit Van towing crvn/3 males using vehicle	

Site	Daisy Farm RG (07/08/21)	Moseley Rugby Club (16/08/21)	Chim Brook RG (20/08/21)	Manningford RG (22/08/21)	Partons Road (04/09/21)	Kings Heath Park (05/09/21)	Kings Norton Park (11/09/21)	Selly Oak Park (17/09/21)	Selly Oak RG (23/09/21)	Manningford RG (28/09/21)	Gospel Lane (01/10/21)	Daisy Farm RG (05/10/21)	Swanhurst Farm (13/10/21)	Moseley Rugby Club (17/10/21)	Senley Park (22/10/21)	Cottismeadow Drive (12/11/21)
DK66VED																Maybe
GF11DNL/ONL	Yes	Yes		Yes	Yes		Yes	Yes	Yes		Yes			Yes	Maybe	Maybe
SK71RGO															Maybe	
CF60PBV/CF60FBV								Yes	Yes	Yes	Yes			Yes	Yes	Yes
DK66VXD								Yes	Yes						Yes	Yes
FL11PLO											Yes				Yes	Yes
GF11ONL	Yes	Yes		Yes	Yes		Yes	Yes	Yes	Yes	Yes			Yes	Yes	Yes
GK13QJA															Yes	Yes
MK13QZS															Yes	Yes
PJ07NEU															Yes	Yes
SK61RGO															Yes	Yes
SN21VIG															Yes	Yes
SN67ZSD															Yes	Yes
OTM03760	Yes		Yes	Yes				Yes	Yes	Yes	Yes					
131-LS-566		Yes	Yes	Yes				Yes	Yes	Yes	Yes					
AD067HN								Yes	Yes	Yes	Yes				Yes	
AU10TWP	Yes			Yes				Yes	Yes	Yes	Yes				Yes	
BIG6507								Yes	Yes	Yes	Yes				Yes	
BIG5307							Yes	Yes	Yes	Yes	Yes				Yes	
BJ58EPK												Yes			Yes	
BJ69ZDE										Yes	Yes				Yes	
BJ69ZDF										Yes	Yes				Yes	
BL56EEA										Yes	Yes				Yes	
BT5AAHE											Yes				Yes	
BU11YUJ			Yes	Yes	Yes		Yes		Yes	Yes	Yes					
DG07NWJ/DG07NWA								Yes	Yes	Yes	Yes					
DX54ZKO								Yes	Yes	Yes	Yes					
DU11YUJ			Yes	Yes	Yes		Yes		Yes	Yes	Yes				Yes	
DV13GUE/DV13GUR									Yes		Yes					
DV18DZG		Yes					Yes	Yes	Yes	Yes	Yes				Yes	
DV18ZDG		Yes					Yes	Yes	Yes	Yes	Yes				Yes	
DV60VTT	Yes										Yes				Yes	
EX15AYK	Yes		Yes													
FLO8AXS									Yes							
FL64YK/FL54YJK							Yes	Yes	Yes	Yes	Yes				Yes	
KK8503/KK680F								Yes	Yes	Yes	Yes				Yes	
KZ9398									Yes						Yes	
KM05KXY	Yes															
KP57TGU		Yes	Yes	Yes			Yes	Yes	Yes							
KT16KXY	Yes		Yes	Yes												
KT16KXY			Yes	Yes												
LB07AKU	Yes	Yes			Yes			Yes	Yes	Yes	Yes					
LB07AKU/LB07AKO	Yes			Yes				Yes	Yes	Yes	Yes				Yes	
LB60NBU																
LM16FTD																
LN15HTV																
LR18E0U											Yes				Yes	
MX08CWA											Yes				Yes	
PK58S8Z									Yes	Yes	Yes				Yes	
PK58YBZ									Yes	Yes	Yes				Yes	
PN19YHR								Yes	Yes	Yes	Yes					
PX09XMY									Yes		Yes					
SI18LLD											Yes				Yes	
SK21VIG	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	Yes	Yes				Yes	
VE19VWW					Yes			Yes	Yes		Yes				Yes	
VN06JHI								Yes	Yes		Yes				Yes	
WG09JUC	Yes															
WJ55CFF	Yes															
YJ54MFO									Yes						Yes	
BLT8EPK									Yes						Yes	
09-C-43407															yes	

(1) Birmingham City Council  
(2) Claimant  
(3) Mark Croxford  
(4)1st  
(4)Exhibit: MC3"  
(6)DATE: 30/11/21

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

AT BIRMINGHAM

Claim Number: \_\_\_\_\_

**BETWEEN:**

**BIRMINGHAM CITY COUNCIL**

Claimant

- and -

**MR THOMAS  
CASH(1)**

**&**

**PERSONS UNKNOWN BEING THE  
DEFENDANTS IDENTIFIED BY DESCRIPTION  
AT SCHEDULE 1 HEREOF WHO HAVE, SINCE 6  
AUGUST 2021, PARTICIPATED IN THE  
UNAUTHORISED TRAVELLER ENCAMPMENTS  
ESTABLISHED AT THE 17 LOCATIONS WITHIN  
THE CITY OF BIRMINGHAM SPECIFIED AT  
PARAGRAPH 13 HEREOF**

Defendants

---

**EXHIBIT "MC3"**

---

This is the Exhibit marked "MC3" referred to in the Witness Statement of Mark Croxford

**Suzanne Dodd**  
**City Solicitor and Monitoring Officer**

**Legal & Governance Department**  
PO Box 15992  
Birmingham B2 2UQ  
Document Exchange: MDX 326401  
Birmingham 87

**Our Ref:** LS/CSY/HM/200338  
**Your Ref:**  
**Date:** 1<sup>ST</sup> December , 2021

Telephone No: 0121 303 2808  
Facsimile No: 0121 303 4447  
Contact: Hilary MacPherson

Dear Sir

We act for Birmingham City Council in relation to legal action the Council intends to bring against those involved in unauthorised encampments in Birmingham. The drivers/passengers in Vehicle registration no XXXXXXXX has been identified as part of this group.

You are the registered keeper of this vehicle.

If you no longer own this vehicle please confirm to us as a matter of urgency by emailing [hilary.macpherson@birmingham.gov.uk](mailto:hilary.macpherson@birmingham.gov.uk) or by ringing the above number.

Please confirm on what date and to whom you sold the vehicle.

We would be grateful if you could in any event contact us urgently.

Yours faithfully

*Legal and Governance Department*

**Legal & Governance Department**

(1) Birmingham City Council  
(2) Claimant  
(3) Mark Croxford  
(4)1st  
(4)Exhibit: MC4"  
(6)DATE: 30/11/21

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

AT BIRMINGHAM

Claim Number: \_\_\_\_\_

**B E T W E E N:**

**BIRMINGHAM CITY COUNCIL**

Claimant

- and -

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**&**

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Defendants

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**EXHIBIT "MC4"**

---

This is the Exhibit marked "MC4" referred to in the Witness Statement of Mark Croxford

Tel: 0121 303 6350  
Mob: 07766925003



Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, businesses and visitors.

Website: <http://www.birmingham.gov.uk/eh>  
Facebook: <http://www.facebook.com/bccenvironmentalhealth>  
Twitter: <http://www.twitter.com/ehbham>

**From:** Councillor Majid Mahmood <[Majid.Mahmood@birmingham.gov.uk](mailto:Majid.Mahmood@birmingham.gov.uk)>  
**Sent:** 28 October 2021 07:41  
**To:** Mark Croxford <[Mark.Croxford@birmingham.gov.uk](mailto:Mark.Croxford@birmingham.gov.uk)>; Mark Wolstencroft <[Mark.Wolstencroft@birmingham.gov.uk](mailto:Mark.Wolstencroft@birmingham.gov.uk)>  
**Subject:** Fwd: Travellers on Stechford Hall park

Hi

Can you let me know the current situation around the encampment.

I have had a number of residents complain.

Kind regards

Clr Majid Mahmood  
Labour  
Bromford and Hodge Hill ward

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---

**From:** Councillor Majid Mahmood <[Majid.Mahmood@birmingham.gov.uk](mailto:Majid.Mahmood@birmingham.gov.uk)>  
**Sent:** Wednesday, 27 October 2021, 12:45  
**To:** Bill Pegg; BCCouncillorsEnquiry; Allan Caines; [hodgehill@west-midlands.pnn.police.uk](mailto:hodgehill@west-midlands.pnn.police.uk); Councillor Diane Donaldson; Mike Hinton  
**Subject:** Travellers on Stechford Hall park

Hi

I have had reports of travellers getting onto the Stechford Hall Park from Coleshill Road.

I understand there is more than 30 vehicles and damage caused to the gates.

Can we serve notice urgently and redirect them to the sites offered in Nechella.

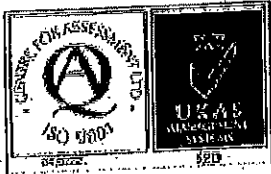
Many thanks

Kind regards

Clr Majid Mahmood



also accredited with Investors in People, ISO 9001:2008 Quality Management Standards.



**Lexcel**  
Legal Practice Quality Mark  
Law Society Accredited

**From:** Councillor Majid Mahmood <Majid.Mahmood@birmingham.gov.uk>

**Sent:** 28 October 2021 10:23

**To:** Mark Croxford <Mark.Croxford@birmingham.gov.uk>; henneyc@parliament.uk

**Cc:** Mark Wolstencroft <Mark.Wolstencroft@birmingham.gov.uk>; Councillor Phil Davis <Phil.Davis@birmingham.gov.uk>; Hilary Macpherson <Hilary.Macpherson@birmingham.gov.uk>; Sarah Phillips <sarah.phillips@west-midlands.pnn.police.uk>; Malgorzata Grzybowska <m.grzybowska@west-midlands.pnn.police.uk>; Allan Caines <a.caines@west-midlands.pnn.police.uk>; Councillor Diane Donaldson <Diane.Donaldson@birmingham.gov.uk>; Liam BYRNE (liam.byrne.mp@parliament.uk) <liam.byrne.mp@parliament.uk>

**Subject:** Re: Travellers on Stechford Hall park

Mark

1

[REDACTED] I'm worried that the travellers have been onsite in South Birmingham for months only to move to Hodge Hill.

The entrance to the Stechford Hall Park has been damaged and I have had complaints from residents of loud music, fires and rubbish thrown around the park.

I'm not sure why we didn't follow them to prevent access to another City Council site and/or liaise with the police in those areas where we have had encampments.

Do you know if we have issued notice to the group at Stechford Hall park?

I look forward to hearing from you urgently.

Kind regards

Clr Majid Mahmood  
Labour  
Bromford and Hodge Hill ward

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(1) Birmingham City Council  
(2) Claimant  
(3) Mark Croxford  
(4)1st  
(4)Exhibit: MC5"  
(6)DATE: 30/11/21

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY

AT BIRMINGHAM

Claim Number: \_\_\_\_\_

**B E T W E E N:**

**BIRMINGHAM CITY COUNCIL**

Claimant

- and -

**MR THOMAS  
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**&**

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PARAGRAPH 13 HEREOF**

Defendants

---

**EXHIBIT "MC5"**

---

This is the Exhibit marked "MC5" referred to in the Witness Statement of Mark Croxford