

Claimant: The LB of Havering

Jane Eastaff

First

Exhibits: JE/1-JE/4

Date: 29th May 2024

CASE NO: QB-2019-002737

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

BETWEEN:

THE LONDON BOROUGH OF HAVERING

Claimant

-and-

**MR WILLIAM STOKES & OTHER NAMED DEFENDANTS LISTED IN ATTACHED
SCHEDULE AND PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS
WITHIN THE LONDON BOROUGH OF HAVERING**

Defendants

WITNESS STATEMENT OF JANE EASTSTAFF

I Jane Eastaff, Enforcement Manager for Planning and Public Protection in the employment of the London Borough of Havering based at The Hermitage Billet Lane Hornchurch Essex RM11 1XL WILL SAY AS FOLLOWS:

1. I make this witness statement in support of the Claimant's claim for an injunction pursuant to section 222 of the Local Government Act 1972, section 187b of the Town and Country Planning Act 1990 and section 1 of the Anti –Social Behaviour Crime and

Policing Act 2014, against the above named defendants. This statement has also been prepared further to the Court Order of the Honorable Mr Justice Eyre dated 10th May 2024. The facts in this witness statement come from my own knowledge or, where they are not from my own knowledge, they are true to the best of my knowledge and belief.

2. During 2023 and 2024 the borough has dealt with the following incidents and incursions:

A. Dear Rest Public House: a number of incidents took place between 25th December 2022 and 3rd February 2024 which were dealt with by the Metropolitan Police. These are set out in the Witness Statement of PC Diana Pomaah dated 27th May 2024.

B. Central Park: On the 25th August 2023 an incursion took place within the borough which was dealt with by Stephen Edwards PC172KP, Havering Parks Police Officer working within the Council's Enforcement Team.

The details are as follows; on Friday 25th August 2023 we began receiving reports from members of the public that 12 caravans had made their way into Central Park, Harold Hill RM3 9FE. Stephen Edwards PC172KP attended the site with a colleague and explained to those on the site that a High Court Borough injunction was in existence covering Central Park and that if they failed to move it would be enforced. Thorough welfare checks etc. would be undertaken on site and a record kept. This is in accordance with London Borough of Havering's negotiated stopping procedure. Due to significant Police resources being used at the Notting Hill Carnival that weekend, the Sergeant on duty confirmed that he did not have the relevant Police resources to make any arrests on the day (if it was appropriate to do so). The Sergeant agreed to serve a copy of the existing injunction order on the travellers, and he warned them that they could stay until next Tuesday 29th August 2023 morning provided there were no incidents, otherwise, the order will be enforced against them.

Police officers agreed to monitor the site over the long weekend and evidence would be collated to try and identify any individuals named on the interim injunction order. If any separate criminal offences occurred on or off site the Police indicated they will arrest individuals if it was necessary to do so. Our Enforcement Team took body camera footage of the park as of that day and the vehicles present. The parks Police also agreed to monitor the situation over the weekend, and to visit and speak with the group of travellers at the location. The relevant CCTV team was alerted that travellers were present and those responsible for locking the gate were instructed

not to lock them due to the encampment. At 21:13 hours the Travellers exited Central Park and relocated to the green opposite The Deer's Rest Public House, off Wincanton Road. I refer to photographs of the site at Central Park as **Exhibit JE/1**.

- C. **Wincanton**: On the 28th August 2023 an incursion occurred which was dealt with by Stephen Edwards PC172KP, Havering Parks Police within the Enforcement Team. He attended the site with a colleague and explained to those present that a High Court Borough injunction was also in existence covering Wincanton Road and that if they failed to move, it would be enforced. Two families were spoken to and two individuals provided their names as Simon McDonagh and Tom Delaney. (These names do not appear on the list of named defendants on the existing injunction order). The injunction was explained to them. The main spoke person was Simon who was issued with a copy on the interim injunction order.

The following vehicles were on site at time of the visit:

1. *Grey Ford Focus 211-WH-325*
2. *White Peugeot 11- D – 35066*
3. *White Renault van 191 – D- 20309*
4. *Toyota 04LH4797*
5. *Small truck with shredder (Tree Surgeon) 11G 3717*
6. *Toyota white van JOG 20921*
7. *Blue Toyota 10 G 1845*
8. *Van 00 WH 4096*
9. *White Transit van YR18RZK*
10. *Blue Toyota 141 – G -1287*
11. *Silver Skoda car 172 – D – 14780*
12. *Toyota car 151-W-3310*
13. *Renault white van 201 – WH-394*

14. Toyota 4x4 151-OY-556

Stephen Edwards PC172KP also conducted two checks on the ULEZ car checker. As they were Irish plates they were not found therefore he concluded it was unlikely he would find the rest of the vehicles listed above. At time of his visit on Monday 15:45 hours there was one fly tip of discarded branches and mulch. At least three bollards were removed and discarded on green Wincanton junction with Tees Drive. The matter was reported to the police. CAD report 5415978/23 was generated for the 29th August 2024, the details of which are set out in the Witness Statement of PC Pomaah dated 27th May 2024.

D. Bretons Recreation Ground: On the 12th February 2024 an incursion occurred which was dealt with by Stephen Edwards PC172KP, Havering Parks Police officer in the Enforcement Team.

On Monday 12th February 2024 Stephen Edwards PC172KP began to receive calls from concerned members of the public reporting that 40 caravans had made their way onto Breton's Recreation Ground. Prior to the visit he liaised with Sergeant Reece, Borough Traveller liaison Officer, and it was agreed the best course of action was to attend the site and make them aware of the existence of the High Court Injunction. He attended the site with a colleague and explained to those currently on the site that a High Court Borough injunction was in existence covering Bretons and if they failed to move it would be enforced. A copy of the High Court Borough Injunction was served on Jack Moorehouse, who immediately made himself known to us upon entering the site and who stated he would inform those persons currently off site. The Team attended to all the caravans on site and where there were other occupants the High Court Borough Injunction was explained to them and they were shown a copy of the High Court injunction. The officers also supplied several copies of the order to the occupants for reference.

Due to the numbers of caravans, the number of small children on site, and the fact it was getting dark, including the availability of Police resources to move such number and the limited availability of Council resources, it was decided that a joint operation in the morning would be the best course of action and would enable the site to be monitored. If necessary evidence would be gathered to consider whether a section 61 should be issued or not. The matter was reported to the Metropolitan Police. A report was generated which is CAD reference 3264 12/02/2024, the details of which are within the Witness Statement of PC Pomaah dated 27th May 2024. I refer to photographs of the site at Bretons Recreation Ground as **Exhibit JE/2**.

3. I am aware that London Borough of Barking and Dagenham which is an adjoining borough to the London Borough of Havering, recently had an incursion on 24th April 2024. During a routine patrol at 14/16 Thames Road at 22:00, an officer proceeded to patrol 32 Thames Road. Upon returning at 22:21, they observed travellers unlawfully entering the 14/16 Thames Road site after breaking the lock. Among them were one caravan, two vans, and several cars. Despite my attempts to intervene, they threatened the officer to leave the site and not obstruct their entry, warning of physical harm. The officer promptly contacted their patrolling Dog Handler, for backup, followed by notifying the police (CAD reference no IS 7971) and CCTV Control room Barking. Subsequently, a truck arrived, dumping garbage on the site before departing, followed by another van. They then changed the door locks and covered the gates with sheets to obscure visibility into the premises. They were served with the injunction and they left shortly afterwards.

I have been provided with London Borough of Dagenham's incident report form which I **Exhibit as JE/3** and photographs of the site which I **Exhibit as JE/4**.

4. It is apparent that without a final borough wide injunction Order, the borough is highly vulnerable to incursions of the above nature from neighbouring boroughs and beyond. The London Borough of Newham (which is two boroughs away) has recently experienced travellers encamping unlawfully within their borough. I have been informed of the following incidents;

Around the 11th April 2024, the London Borough of Newham's enforcement team were made aware of a small unlawful encampment which has recently been established in the Stansfeld Road Carpark, London E6 which was for public use only. There were 6 vehicles being monitored by CCTV/Delta1. Community Safety Enforcement Officers were at the scene and liaising with the individuals involved regarding their intentions. Welfare checks identified a number of children but no substantial welfare concerns. A notice of direction to leave was issued. The Police were also alerted in case they failed to move. On 12th April there was 12 caravans and 7 vehicles on the site. On 16th April a further visit was undertaken with LB Newham officers and the Metropolitan Police. No welfare issues were identified. As the travellers had no intention of moving on instructions were sent to legal services to begin the necessary legal process. On the 22nd April 2024 the travellers decided to move from the site of their own accord. A few rubbish bags were left on site.

On the 22nd April 2024, at approximately 17:44 hours, caravans and vehicles were seen in Little Ilford Park, and it is thought that this was the same group that had been occupying the Will Thorne Car Park. The travellers were seen on camera 2165 at 17:44 hours, however they have parked out of camera view now. The Metropolitan Police attended at 18:35 hours, and a report was generated with reference CAD 5609. PC44 advised that there were nine caravans inside the park, and the travellers told the Police that they would be staying for 2/3 days. The point of entry was the Reynolds Avenue gate which remained unlocked.

On the 23rd April 2024 the Community Safety Enforcement visited the site and carried out assessments. Following this the Metropolitan Police served a section 61 Notice and the travellers left the site.

5. In view of the aggravating features of the incidents which have taken place within London Borough of Havering as set out above, the London Borough of Havering requires a power of arrest attached to the final injunction Order so that the Police can swiftly move on travellers without significant impact to residents and the community. Without this there is often a delay in moving on travellers where they often remain present at the site for more than a day without good reason.

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



Signed.....

Jane Eastaff

Dated: 29th May 2024