**Claimant: The LB of Newham**

 **Louise Wilcox**

 **First**

 **Exhibits: LW/1 - LW/4**

 **Date: 30th May 2024**

**CASE NO:**

**IN THE HIGH COURT OF JUSTICE**

**KINGS BENCH DIVISION**

**BETWEEN:**

**THE LONDON BOROUGH OF NEWHAM**

 **Claimant**

**-and-**

**PERSONS UNKNOWN ON THE LAND AT BARRINGTON’S PLAYING FIELDS, BARRINGTON ROAD, LONDON E12 6JH**

 **Defendants**

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 **WITNESS STATEMENT OF LOUISE WILCOX**

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I Miss Louise Wilcox**:** Head of Parks and Green Assets, Environment and Sustainable Transport Department, London Borough of Newham WILL SAY AS FOLLOWS:

1. I make this witness statement in support of the Claimant’s claim for an interim injunction pursuant to section 222 of the Local Government Act 1972 and/or section 1 of the Anti –Social Behaviour Crime and Policing Act 2014, against the above named defendant. 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. I am Head of Parks and Green Assets employed by the London Borough of Newham. I am responsible for the management, operations and maintenance of the Council’s parks, open spaces and related features.
3. On Friday 24th May 2024 I received a telephone call at 15:55 hours from the Council’s control room to inform me that entry had been forced at the Barrington’s Playing Fields, Barrington Road, E12 6JH and the site was occupied by one caravan and alleged unauthorised tipping of rubbish was taking place. I was informed that this has been reported to police and I was given the reference CAD 5044 24/05/24.
4. Barrington Playing Fields is a currently disused site, it is not accessible to members of the public and the gates to the site are kept secured with padlocks at all times. The playing fields was leased on a long term arrangement, with an 99 year agreement commencing on 21st December 1994 between London Borough of Newham and Ramgarhia Sikh Sports Limited. The lease was forfeited in 2015 and has the site has remained closed since this time. Despite adverts notifying the community and businesses that this lease is available there hasn’t been much interest. In addition the Covid-19 pandemic also had an impact.
5. It is anticipated in the future the playing fields will be restored to use once it has been developed further.
6. I visited the location on Friday 24th May 2024 at approximately 17:50. I observed that a blue tarpaulin had been placed across the inside of the sites gates and the perimeter railings to obstruct view. There were a small number of gaps in the tarpaulin. I was able to see just within the gates a white caravan and parked next to this a silver Mitsubishi Shogun vehicle. On the gates two temporary signs had been fixed with cable ties stating that the site was being occupied. As I returned to my parked vehicle further along Barrington Road I observed a white van drive quite quickly past and then stopping outside the entrance gates, the gates quickly opened and the van entered the site with the gates then being closed.
7. After a short period of time this vehicle exited the site and drove past me – the vehicle was a Mercedes Sprinter DF05 LVP. As I looked in my rear view mirror I could see a Police car driving towards the site the vehicle DF05 LVP stopped briefly to enable the police car to pass. The Police car drove to the end of Barrington Road past the entrance to the site and then turned around and drove towards me. I flagged down the officers, introducing myself and discussing the unauthorised occupation of the site with them. The officers were unaware of this situation and I provided the CAD reference to them. A local resident stopped and spoke to one of the police officers and she stated she has seen at least 20 vehicles entering the site and dumping rubbish.
8. I refer to photographs of the waste that were sent to me by email following a visit to the location by Community Safety Officers on Saturday 25th May 2024 as **exhibit LW/1 and exhibit LW/2.**
9. I refer to the Land registry plan showing Barrington Playing Fields is owned by London Borough of Newham as **exhibit LW/3**. I refer to the plan of the site edged in red as **exhibit LW/4.**
10. I can confirm that no permission was given for the site to be occupied, or for the tipping of rubbish to take place. I am very concerned the longer the site is occupied, the more fly tipping will take place which will put the Council to significant expense both in legal and clear up costs.
11. It is necessary and expedient for the protection of the site and to prevent repeated encampments, fly tipping and environmental health risks such as rat infestation etc. to obtain an interim injunction order. It is necessary to bring these proceedings against persons unknown for this site as it is not possible to identify the individuals. In view of the aggravating features of this incident and the deliberate flouting of the law by the current occupants it is apparent the site is vulnerable to persons unknown unless an order is in place. Accordingly I respectfully request that the Court grants the injunction in the terms set out in the draft Order or alternatively in terms it thinks fit on an interim basis pending final Order.

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

Signed 

**Miss Louise Wilcox**

Dated: 30th May 2024