

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

Claim No. QB-2020-002112

B E T W E E N :

(1) TEST VALLEY BOROUGH COUNCIL
(2) HAMPSHIRE COUNTY COUNCIL

Claimant

-and-

(1) ALBERT BOWERS
(2)-(89) OTHER NAMED DEFENDANTS
(90) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS
WITHIN THE BOROUGH OF TEST VALLEY

Defendants

THIRD WITNESS STATEMENT OF NICHOLAS WAITE

I, **Nicholas Waite**, of Hampshire County Council, The Castle, Winchester, Hampshire, SO23 8UJ will say as follows:

1. I have been in the employment of Hampshire County Council (the Second Claimant) since May 2014 as a Gypsy Liaison Officer. As part of my duties I am responsible for the investigation and co-ordination of the response to complaints of unauthorised occupation of land for which the Second Claimant is responsible.
2. I am authorised by the Second Claimant to make this statement in support of the Claimants' application for the continuation of the injunction granted by His Honour Judge Dight on 17th May 2024 (renewed by HHJ Sarah Richardson on 9th May 2025) which prohibits unauthorised encampments forming within a small portion of the Borough of Test Valley (known as 'the injunction area').

3. This statement is made from facts and matters which are within my knowledge save where indicated otherwise, and which I believe to be true. Where a matter is not within my knowledge, I identify the source of my information and believe the same to be true.
4. I produce exhibit NW3/1 to which I shall refer further below.

Hampshire County Council's position

5. Hampshire County Council is the highway authority within the county of Hampshire (the 'County') and is responsible for ensuring that highways and highway related land within the County are free of obstruction and are not being used for activities which might create a nuisance (with the exception of highways within the Southampton City Council and Portsmouth City Council areas).
6. In June 2020 I provided a witness statement confirming that Hampshire County Council as highway authority fully supported the Claim and Application that was being made by the Claimants at that time for an injunction preventing unauthorised encampments within the Test Valley area. Hampshire County Council as highway authority gave its consent to its land being included in the geographical area over which the injunction was sought.
7. I understand that the original interim application was granted against both named Defendants and Persons Unknown in 2020 and that the order was then made final on 17th May 2024 for a period of five years against the named Defendants and for a period of one year against Persons Unknown.
8. The First Claimant is taking the lead in the application to continue the injunctive relief. I can confirm that Hampshire County Council as highway authority remains fully supportive of the aims of the original application to obtain an injunction and would wish the injunction against Persons Unknown to be continued for a further year.

Hampshire County Council's data

9. I exhibit hereto marked NW3/1 a spreadsheet compiled from my records detailing the numbers of unauthorised encampments that have formed in Hampshire County Council's

administrative area since 2013-2026. Whilst I endeavour to record all unauthorised encampments, it is possible that some encampments have been formed which are not recorded in this data. The most likely reasons why an unauthorised encampment might not have been included within this data would be either because the encampment may not have been reported to Hampshire County Council, or the individuals concerned may have vacated the land before details of the encampment could be obtained. I believe that the spreadsheet largely reflects the number of unauthorised encampments that have formed in the County; however, if there is any discrepancy between my figures and those held by other agencies, these are the most likely reasons why.

10. The data shows that in Test Valley Borough area, there has been a notable and significant decrease in the number of encampments forming in the County since the grant of injunctive relief in 2020. Specifically, the number of unauthorised encampments recorded is as follows:

- a. 2013: 16 encampments
- b. 2014: 16 encampments
- c. 2015: 22 encampments
- d. 2016: 45 encampments
- e. 2017: 29 encampments
- f. 2018: 36 encampments
- g. 2019: 37 encampments
- h. 2020: 23 encampments
- i. 2021: 9 encampments
- j. 2022: 16 encampments
- k. 2023: 12 encampments
- l. 2024: 8 encampments
- m. 2025: 15 encampments

11. I believe that the reduction in the number of encampments is due to the effectiveness of the injunctive relief. The data at NW3/1 shows that other boroughs and districts in the County have not experienced the same downward trend. The notable exception is Basingstoke and Deane Borough Council. This is notable because Basingstoke and Deane Borough Council also sought and obtained injunctive relief to prohibit encampments in some urban areas,

with that relief first being granted in 2019. Hampshire County Council are also a Claimant in those proceedings in its capacity as the local highway authority.

12. My strong belief is that if the injunctive relief is not continued, there will be a return the pre-injunction levels of encampments. The data shows that there are clearly still a significant number of unauthorised encampments forming in the County, including in those areas surrounding Test Valley. If the injunctive relief is not continued, there will be some migration of those encampments into Test Valley and the injunction area specifically; as has been covered at length in the witness evidence in these proceedings, the injunction area appears to be particularly attractive to those forming unauthorised encampments and has historically been disproportionately targeted by encampments when compared to the rest of the Borough.

Provision for the Gypsy and Traveller community in the County

13. My understanding is that there is currently no statutory duty for Hampshire County Council to provide any form of permanent or transit site for the Gypsy and Traveller Community, It was on this basis that Hampshire County Council has been able to dispose of its stock of permanent residential sites by transferring them into the ownership of a company belonging to a member of the Travelling community.

14. We do have a statutory power to provide sites and have kept one permanent site known as Star Hill that has been operated by Hampshire County Council for over 25 years. I have been the Star Hill site manager since December 2016.

15. The site consists of 19 residential pitches occupied mostly by families and a few single residents. Each fenced pitch consists of a bath/shower, toilet and laundry sink. Due to the design of the site, there is no room available for transit provision.

16. Currently there is full occupancy at Star Hill with a waiting list of 9 names.

17. Housing and accommodation would very much be the prerogative of the Local Authorities and Districts within Hampshire, as they are the local housing authorities with specific duties in that regard. They would therefore be required to carry out their own Gypsy and Traveller

Accommodation Assessments and to deal with the issue of transit site provision based upon the requirements in their own area and their duties to prevent homelessness.

STATEMENT OF TRUTH

I believe the facts stated in this witness 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 an honest belief in its truth.

Signed: *N. White* Gypsy Liaison Officer for Hampshire County Council

Dated: *16th APRIL 2026*

