

General Form of Judgment or Order

In the County Court at
Reading

Claim Number K00RG167

Date 22 March 2023



BUCKINGHAMSHIRE COUNCIL	1st Claimant Ref IKEN 7286
GEOFFREY RACKSTRAW	1st Defendant Ref
LEE DAVIS	2nd Defendant Ref
CARRIE HEARNE	3rd Defendant Ref
SARAH-JAYNE SMITH	4th Defendant Ref
PERSONS UNKNOWN	5th Defendant Ref

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

Claimant

- and -

- (1) GEOFFREY RACKSTRAW**
- (2) LEE DAVIS**
- (3) CARRIE HEARN**
- (4) SARAH-JAYNE SMITH**
- (5) PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)**

The court office at the County Court at Reading, 160-163 Friar Street, Reading, Berkshire, RG1 1HE. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577 Fax: 0870 3240329. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Buckinghamshire Council
Legal And Democratic Services
Walton Street Offices
Walton Street
Aylesbury
HP20 1UA

WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED (8) PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED (9) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH(2) OF THE SCHEDULE APPENDED (10) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

Defendant(s)

MINUTE OF ORDER

PENAL NOTICE:

IF YOU DO NOT COMPLY WITH THIS ORDER, YOU MAY BE HELD IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED

Any other person who knows of this order and does anything which helps or permits the Defendants or any of them to breach the terms of this order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

IMPORTANT - NOTICE TO THE DEFENDANT(S):

- (1) This Order prohibits you from doing the acts set out in the Order. You should read it carefully.**
- (2) You are advised to consult a solicitor or legal representative as soon as possible. You have a right to ask the Court to vary or discharge this Order.**
- (3) If you disobey this Order, you may be found guilty of Contempt of Court and may be sent to prison or fined or your assets may be seized.**

A claim for possession and injunctive relief was issued on 24 January 2023 on behalf of Buckinghamshire Council.

Before Deputy District Judge Taskis KC sitting in the County Court at High Wycombe on this 7 day of March

UPON the Court reading the claim form and witness evidence on behalf of the Claimant

AND UPON the Court being satisfied that the Defendants have been served with the claim, witness evidence and notice of the hearing, per the witness statement of Mr John Power dated 2 March 2023 and the First and Second witness statement of Mr Safian Rasheed dated 3 and 6 March 2023 respectively.

AND UPON hearing Counsel for the Claimants and the First and Fourth Defendants in person.

AND UPON the Court accepting from the Claimants the undertaking set out in Schedule 2 to this Order.

AND UPON the Claimant undertaking to pay the Court fee for the application for an interim injunction within 7 days of the hearing on 7 March 2023 and the Court dispensing with the need to serve a copy of Form N244.

AND UPON the Court noting that service that took effect on 2 March 2022 upon 'Persons Unknown' was retrospectively validated by the order of Deputy District Judge Child dated 6 March 2023 and that the Fourth Defendant accepted that she had been served with the claim.

AND UPON the Court being informed that under *Barking and Dagenham v Persons Unknown* [2022] EWCA Civ 13, the Court has jurisdiction to make a final order in such terms that they would have an effect against newcomers, but that such case was heard on appeal at the Supreme Court 8 and 9 February 2023, with judgment to follow within nine months of the conclusion of the appeal hearing.

IT IS ORDERED THAT:

THE INJUNCTION:

(1) The Defendants (whether by themselves or by instructing, encouraging or permission of any other person) must not, without permission of the Claimants:

(a) Enter, access, or remain on any part of the Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of occupying, residing, remaining or otherwise sleeping at Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park.

(b) Access, enter or remain on any part of Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of possessing, supplying, producing or using controlled drugs or alcohol.

(c) Access, enter or remain on any part of Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of creating or causing harm, nuisance or obstructing the Claimant (or public) in the exercise or enjoyment of Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park.

(2) Any person who breaches paragraphs (1) of this Order knowing of the existence of the Order will automatically become a Defendant to these proceedings.

(3) Unless otherwise varied, discharged or renewed at some earlier time and date:

(a) Paragraph (1) of this Order shall be reconsidered by this Court on the first available date after 7 December 2023.

(b) Paragraph (1) of this Order shall continue in force until midnight on 5 January 2024 unless discharged or varied before that date.

(4) The Claimant's solicitors shall write to the Court not less than 14 days before 7 December 2023 to inform the Court if there has been any delay in the Supreme Court handing down judgment in the case of *Barking and Dagenham v Persons Unknown* [2022] EWCA Civ 13.

DURATION, VARIATION OR DISCHARGE OF THIS ORDER:

(5) Any person may apply to vary or discharge this Order upon giving 48 hours' notice in writing to the Claimants' solicitors at:

Address: Walton Street, Offices, Walton Street, Aylesbury, HP20 1UA

Email: legallitigation@buckinghamshire.gov.uk

INTERPRETATION OF THIS ORDER:

(6) Appended to this order is Schedule 1, which makes provision for the definitions of "Persons Unknown" and the land and buildings owned by the Claimants. For ease of reference, those definitions are enclosed hereinbelow:

(a) Swan Theatre Car Park means the land and buildings owned by the Claimant within Title Number BM384826, which includes the 12 floors of a multi-storey commercial car park, for identification purposes edged green on the attached registry plan. The Claimant is the registered freehold proprietor of the Swan Theatre Car Park and is not encumbered by the leases identified within the schedule of notices of leases.

(b) Town Hall Car Park means the land and buildings owned by the Claimant within title Number BM384826, which includes the ground floor under the first-floor land coloured pink on the attached registry plan. This is also edged green. The Claimant is the registered freehold proprietor of the Town Hall Car Park.

(c) Queen Victoria Car Park means the land and buildings owned by the Claimant within Title Number BM343738, which includes a multi-storey commercial car park comprising of 2 floors, which for identification purposes, includes the land edged green on the plan appended hereto. The Claimant is the registered freehold proprietor of the Queen Victoria Car Park and is not encumbered by the leases identified within the schedule of notices of leases.

(d) Easton Street Car Park means the land and buildings owned by the Claimant within Title Number BM413614, which includes a multi-storey car park comprising 12 floors, which for identification purposes includes the land edged green on the plan appended hereto.

NAME AND ADDRESSES OF CLAIMANTS' SOLICITORS:

Address: Walton Street Offices, Walton Street, Aylesbury, HP20 1UA

Email: legalitigation@buckinghamshire.gov.uk

THE EFFECT OF THIS ORDER:

A Defendant who is an individual who is ordered not to do something must not do it himself or herself or in any other way. The Defendant must not do it through others acting on the Defendant's behalf or on the Defendant's instructions or with the defendant's encouragement.

SERVICE OF THIS ORDER:

(7) In relation to the categories of the Defendants included and named as the Fifth to Tenth Defendant, service of this Claim and all documents in the proceedings shall be effected in the manner set out in paragraphs (9)(b) and (10) below which, pursuant to CPR 6.15 and 6.27, shall stand as good service in relation to any person who shall become a Defendant to this Claim in the manner described in paragraph (2) of this Order.

(8) Save as set out above, service of the Claim Form, Particulars of Claim, Response Pack, Application Notice and Witness Statements in support of the Claimant's application are dispensed with in respect of any person who shall become a Defendant to this Claim in the manner described in paragraph (2) of this Order.

(9) In relation to each of the named Defendants, the Claimant shall:

(a) Personally serve them with a copy of this Order within 24 hours of receipt of the sealed Order; and,

(b) Post notice of the existence of this Order within 24 hours of receipt of the sealed Order:-

(i) At all main entrances to the buildings within the Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 5 above and 1 of Schedule 1);

(ii) At not less than 10 other prominent locations in or around the Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 5 above and 1 of Schedule 1); and,

(10) The Claimant shall maintain on a website:

<https://www.buckinghamshire.gov.uk/injunctions> ("the Service Website") downloadable copies of the following documents:

(i) This Order;

(ii) The Claim Form;

(iii) The Application Notice;

(iv) The Particulars of Claim;

(v) The witness statements submitted to the Court in support of the Claimant's application for this order; and

(vi) A brief record of the hearing at which this Order was made.

(11) The Claimant shall post notice of the existence of this Order and of this Claimant ("the Notice") within 24 hours of receipt of this Order. The Notice shall include a statement that copies of this Order, the Claim Form, the Particulars of Claim, and the witness statements in support of the Claim, may be viewed:

(i) At the Service Website: <https://www.buckinghamshire.gov.uk/injunctions>; and,

(ii) At the physical locations referred to in paragraphs (9)(a)(i) to (ii) of this order.

And that copies may also be obtained from the Claimant's solicitor, whose contact details shall be included.

(12) The Claimant shall, through their solicitors, provide a copy of all the documents listed in paragraph (10) of this order free of charge to any individual who requests one.

IT IS FURTHER ORDERED THAT:

(13) The Defendants give the Claimant vacant possession of the land and buildings, forthwith, defined as:

(a) Swan Theatre Car Park means the land and buildings owned by the Claimant within Title Number BM384826, which includes the 12 floors of a multi-storey commercial car park, for identification purposes edged green on the attached registry plan. The Claimant is the registered freehold proprietor of the Swan Theatre Car Park and is not encumbered by the leases identified within the schedule of notices of leases.

(b) Town Hall Car Park means the land and buildings owned by the Claimant within title Number BM384826, which includes the ground floor under the first-floor land coloured pink on the attached registry plan. This is also edged green. The Claimant is the registered freehold proprietor of the Town Hall Car Park.

(c) Queen Victoria Car Park means the land and buildings owned by the Claimant within Title Number BM343738, which includes a multi-storey commercial car park comprising of 2 floors, which for identification purposes, includes the land edged green on the plan appended hereto. The Claimant is the registered freehold proprietor of the Queen Victoria Car Park and is not encumbered by the leases identified within the schedule of notices of leases.

(d) Easton Street Car Park means the land and buildings owned by the Claimant within Title Number BM413614, which includes a multi-storey car park comprising 12 floors, which for identification purposes, includes the land edged green on the plan appended hereto

(14) The Claimant shall serve a copy of this order on the First to Fourth Defendants per paragraph (8) above.

(15) The Claimant shall serve a copy of this order on the Fifth to Tenth Defendants per paragraphs (6) to (10) above.

(16) No order as to costs.

Dated this 8 day of March 2023

Service of the order

The court has provided a sealed copy of this order to the serving party:

Address: Walton Street Offices, Walton Street, Aylesbury, HP20 1UA

Email: legalitigation@buckinghamshire.gov.uk

Ref:

SCHEDULE 1
[Witness Statements]

(1) The Claimant relied on the following witness statements:

(a) Witness Statement of Nick Adkins amended date of 27 February 2023

(b) Witness Statement of Daniel Sexton amended date 27 February 2023

- (c) Witness Statement of Julie Rushton amended date 27 February 2023
- (d) Witness Statement of Ruben Nunes amended dated of 27 February 2023
- (e) Witness Statement of John Power dated 2 March 2023
- (f) First Witness Statement Safian Rasheed dated 3 March 2023
- (g) Second Witness Statement of Sagian Rasheed dated 3 March 2023

SCHEDULE 2

Undertakings given to the Court by the Claimant

- (1) To pay any damages which the Defendant (or any other party served with or notified of this Order) shall sustain which the Court considers the Claimant should pay.
- (2) To serve on the Defendant the application notice and evidence in support of this Order as soon as practicable.



**Amended Claim form
for possession of
property**

In the HIGH WYCOMBE COUNTY
COURT

Claim no.

Fee Account
no.

PBA0089653

You may be able to issue your claim online and it may save you time and money. Go to www.possessionclaim.gov.uk to find out more.

Claimant

(name(s) and address(es))

BUCKINGHAMSHIRE COUNCIL
The Gatehouse,
Gatehouse Lodge, Aylesbury HP19 8FF.



Defendant(s)

(name(s) and address(es))

GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE HEARNE, SARAH-JAYNE SMITH and PERSONS UNKNOWN The claimant is claiming possession of:

- 1) Swan Theatre Car Park, means the land and buildings owned by the Claimant within Title Number BM384826 which includes the 12 floors of a multi storey commercial car park, for identification purposes edged green on the attached land registry plan. The Claimant is the freehold owner of the property.
- 2) Town Hall car park. means the land and buildings owned by the Claimant within Title Number BM384826 The car park, for identification purposes, is on the ground floor, under the first-floor land coloured pink on the attached land registry plan. This area is also edged green. The Claimant is the freehold owner of the property.
- 3) Queen Victoria Car Park, means the land and buildings owned by the Claimant within Title Number BM343738, a multi storey commercial car park- comprising 2 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property.
- 4) Easton Street Car Park, means the land and buildings owned by the Claimant within Title Number BM413614, a multi storey car park comprising 12 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property.

which (includes) (does not include) residential property. Full particulars of the claim are attached. (The claimant is also making a claim for money).

This claim will be heard on: _____ 20 _____ at _____ am/pm
at _____

At the hearing

- The court will consider whether or not you must leave the property and, if so, when.
- It will take into account information the claimant provides and any you provide.

What you should do

- Get help and advice immediately from a solicitor or an advice agency.
- Help yourself and the court by **filling in the defence form** and **coming to the hearing** to make sure the court knows all the facts.

Defendant's name and address for service GEOFFREY RACKSTRAW, LEE DAVIS,
CARRIE HEARNE, SARAH-JAYNE SMITH and PERSONS UNKNOWN

Court fee	£355
Legal representative's costs	
Total amount	£355

Issue date _____

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>

Claim No.

Grounds for possession

The claim for possession is made on the following ground(s):

-
- rent arrears (online issue available)
- other breach of tenancy
- forfeiture of the lease
- mortgage arrears (online issue available)
- other breach of the mortgage
- trespass
- other (please specify) _____

Anti-social behaviour

The claimant is alleging:

-
- actual or threatened anti-social behaviour
actual or threatened use of the property
for unlawful purposes

Is the claimant claiming demotion of tenancy?

Yes No

Is the claimant claiming an order suspending the right to buy?

Yes No

See full details in the attached particulars of claim

Yes No

Does, or will, the claim include any issues under the Human Rights Act Yes No

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 this claim form are true.

The Claimant believes that the facts stated in this claim form are true **I am authorised** by the claimant to sign this statement.

Signature

Stephen Cox

Claimant

Litigation friend (where claimant is a child or a patient)

Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

24

01

2023

Full name

Stephen Cox

Name of claimant's legal representative's firm

Buckinghamshire Council Legal Services

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

Assistant Team Leader

Claimant's or claimant's legal representative's address to which documents or payments should be sent if different from those shown on the first page.

Building and street

Walton Street Offices

Second line of address

Walton Street

Town or city

Aylesbury

County(optiona)

Buckinghamshire

Postcode

H P 2 0 1 U A

If applicable

Phone number

07812788338

Fax phone number

DX number

97401 Aylesbury 2

Your Ref.

IKEN 7286

Email

legallitigation@buckinghamshire.gov.uk

High Wycombe County Court	Claim no. K00RG167										
Fee account no. (if applicable)	Help with Fees - Ref. no. (if applicable)										
	<table border="1"> <tr> <td>H</td> <td>W</td> <td>F</td> <td>-</td> <td></td> <td></td> <td></td> <td>-</td> <td></td> <td></td> </tr> </table>	H	W	F	-				-		
H	W	F	-				-				
Warrant no. (if applicable)											
Claimant's name (including ref.) Buckinghamshire Council											
Defendant's name (including ref.) <p>(1) GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE HEARNE, SARAH-JAYNE SMITH and PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p> <p>(2) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p> <p>(3) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p> <p>(4) PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p> <p>(5) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p> <p>(6) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED</p>											

Amended Application notice

For help in completing this form please read the notes for guidance form N244 Notes.

Date	

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>

1. What is your name or, if you are a legal representative, the name of your firm?

Buckinghamshire Council

2. Are you a Claimant Defendant Legal Representative
 Other (please specify)

If you are a legal representative whom do you represent?

3. What order are you asking the court to make and why?

1) Leave to serve 'persons unknown' in an alternative method/ place in accordance with CPR 6.15

4. Have you attached a draft of the order you are applying for? Yes No
5. How do you want to have this application dealt with? at a hearing without a hearing
 at a remote hearing
6. How long do you think the hearing will last? Is this time estimate agreed by all parties? Hours Minutes
 Yes No

7. Give details of any fixed trial date or period

7th March 2023

8. What level of Judge does your hearing need?

9. Who should be served with this application?

Ex-parte

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

the attached witness statement

the statement of case

the evidence set out in the box below

If necessary, please continue on a separate sheet.

The Claimant has named four individual Defendants. In addition, there is a high incidence of anti-social behaviour caused or occasioned by unidentified trespassers in the three areas identified as the 'properties' in the Particulars of Claim.

This application relates to the Claimant's claim for injunctive relief against 'persons unknown'.

a) The Claimant seeks an order in accordance with CPR Rule 6.15 that service upon the 'persons unknown' can be effected through an alternative method. The Claimant seeks to effect service by attaching; a covering letter, the notice of hearing, N5, Particulars of Claim, Skeleton argument and statements to entrances, walls, pillars and doors in the car parks, per the schedule appended hereto.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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 section 10 (and any continuation sheets) are true.

The applicant believes that the facts stated in section 10 (and any continuation sheets) are true. I am authorised by the applicant to sign this statement.

Signature

Stephen Cox

Applicant

Litigation friend (where applicant is a child or a Protected Party)

Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

28

Month

02

Year

2023

Full name

Stephen Cox

Name of applicant's legal representative's firm

Buckinghamshire Council Legal Services

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

Assistant Team Leader

Applicant's address to which documents should be sent.

Building and street

Walton Street Offices

Second line of address

Walton Street

Town or city

Aylesbury

County (optional)

Buckinghamshire

Postcode

H P 2 0 1 U A

If applicable

Phone number

07812 788338

Fax phone number

DX number

97401 Aylesbury 2

Your Ref.

IKEN 7286

Email

legallitigation@buckinghamshire.gov.uk

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

Claimant

and

**(1) GEOFFREY RACKSTRAW, LEE
DAVIS, CARRIE HEARNE,
SARAH-JAYNE SMITH and**

Defendants

**(2) PERSONS UNKNOWN
OCCUPYING OR
REMAINING AT SWAN
THEATRE CAR PARK (AS
DEFINED IN PARAGRAPH
(1)(a) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH (2) OF THE
SCHEDULE APPENDED**

**(3) PERSONS UNKNOWN
ENTERING OR
REMAINING AT SWAN
THEATRE CAR PARK AS
DEFINED IN PARAGRAPH
(1)(a) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH (2) OF THE
SCHEDULE APPENDED**

**(4) PERSONS UNKNOWN
OCCUPYING OR
REMAINING AT QUEEN
VICTORIA CAR PARK AS
DEFINED IN PARAGRAPH
(1)(b) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH (2) OF THE
SCHEDULE APPENDED**

(5) PERSONS UNKNOWN

**ENTERING OR
REMAINING AT QUEEN
VICTORIA CAR PARK AS
DEFINED IN PARAGRAPH
(1)(b) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH (2) OF THE
SCHEDULE APPENDED**

**(6) PERSONS UNKNOWN
OCCUPYING OR
REMAINING AT EASTON
STREET CAR PARK (AS
DEFINED IN PARAGRAPH
(1)(c) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH(2) OF THE
SCHEDULE APPENDED**

**(7) PERSONS UNKNOWN
ENTERING OR
REMAINING AT EASTON
STREET CAR PARK AS
DEFINED IN PARAGRAPH
(1)(c) OF THE SCHEDULE
APPENDED) WITHOUT
THE CLAIMANT'S
PERMISSION TO ENGAGE
IN CONDUCT AS
DESCRIBED IN
PARAGRAPH (2) OF THE
SCHEDULE APPENDED**

AMENDED PARTICULARS OF CLAIM

1. The Claimant is the freehold owner of ~~three~~ multi storey car parks in High Wycombe (collectively, 'the Properties'). These comprise:

a) Swan Theatre Car Park, means the land and buildings owned by the Claimant within Title Number BM384826 which includes the 12 floors of a multi storey commercial car park, for identification purposes edged green on the attached land registry plan. The Claimant is the freehold owner of the property and is not encumbered by the leases identified within the schedule of notice of leases.

b) Town Hall car park. means the land and buildings owned by the Claimant within Title Number BM384826 The car park, for identification purposes, is on the ground floor, under the first-floor land coloured pink on the attached land registry plan. This area is also edged green. The Claimant is the freehold owner of the property.

c) Queen Victoria Car Park, means the land and buildings owned by the Claimant within Title Number BM343738, a multi storey commercial car park- comprising 2 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property and is not encumbered by the leases identified within the schedule of notice of leases.

d) Easton Street Car Park, means the land and buildings owned by the Claimant within Title Number BM413614, a multi storey car park comprising 12 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property.

2. The Properties are multi storey car parks open to paying members of the public.

3. The Properties do not include residential property.

4. The basis of the Claimant's right to seek possession is:

- a) Failure of the Defendants to comply with warning notice issued to them
 - b) Increase of anti-social behaviour including graffiti, possession of knives and drug misuse posing risk to public safety and of Claimant contractors and staff
 - c) Risk of public nuisance and/or risk of serious harm to persons due to discarded drug paraphernalia
 - d) Incurring costs for Claimant to clean and removing graffiti
5. The Defendants are trespassers residing at the properties.
 6. Since the 7th September 2022 the Defendants have entered on to the Properties without the licence or consent of the Claimant. The Defendants are blocking access to public stairways and lifts for public users of car parks by setting up sleeping areas in lift lobby and stairwells and the car parks are visited for Class A drug misuse and damage of property, including graffiti.
 7. As a result of the matters referred to above, the Claimant has suffered loss and damage
 8. The Defendants threaten and intend to repeat the trespass referred to above unless restrained by the court.

Particulars of loss and damage

Blocking access to public stairways and lifts for public users of car parks by setting up sleeping areas in lift lobby and stairwells and the car parks are visited for Class A drug misuse and damage of property, including graffiti.

AND THE Claimant claims:

1. A declaration that the Defendants are not entitled to enter or remain on the Properties
2. An order for possession of the Properties.
3. An injunction restraining the Defendants, or anyone authorised by the Defendants from entering or remaining on the Properties
4. Damages for trespass.
5. An order for interest on the damages pursuant to section 69 of the County Courts Act 1984.
6. Costs.

Signed: *Stephen Cox*
Stephen Cox

Statement of truth

I believe that the facts stated in these 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. I am duly authorised by the Claimant to sign this statement.

Full name: Stephen Cox

Position or office held: Solicitor.

Signed. *Stephen Cox*

(If signing on behalf of firm, company or corporation)

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

Claimant

-and-

- (1) GEOFFREY RACKSTRAW
- (2) LEE DAVIS
- (3) CARRIE HEARN
- (4) SARAH-JAYNE SMITH
- (5) PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK AND TOWN HALL CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (6) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AND TOWN HALL CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (7) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (8) PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (9) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (10) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

Defendant

[DRAFT] MINUTE OF ORDER

PENAL NOTICE:

IF YOU DO NOT COMPLY WITH THIS ORDER, YOU MAY BE HELD IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

Claimant

-and-

- (1) GEOFFREY RACKSTRAW
- (2) LEE DAVIS
- (3) CARRIE HEARN
- (4) SARAH-JAYNE SMITH
- (5) PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (6) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (7) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (8) PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (9) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (10) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

Defendant

SCHEDULE 1

- (1) The relevant land and buildings, are forthwith defined as:
 - a) Swan Theatre Car Park, means the land and buildings owned by the Claimant within Title Number BM384826 which includes the 12 floors of a multi storey commercial car park, for identification purposes edged green on the attached land registry plan. The Claimant is the freehold owner of the property and is not encumbered by the leases identified within the schedule of notice of leases.

- b) Town Hall car park. means the land and buildings owned by the Claimant within Title Number BM384826 The car park, for identification purposes, is on the ground floor, under the first-floor land coloured pink on the attached land registry plan. This area is also edged green. The Claimant is the freehold owner of the property.

 - c) Queen Victoria Car Park, means the land and buildings owned by the Claimant within Title Number BM343738, a multi storey commercial car park- comprising 2 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property and is not encumbered by the leases identified within the schedule of notice of leases.

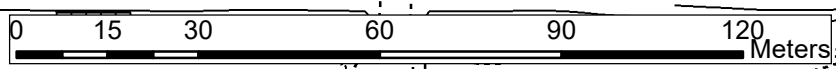
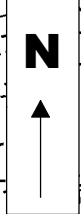
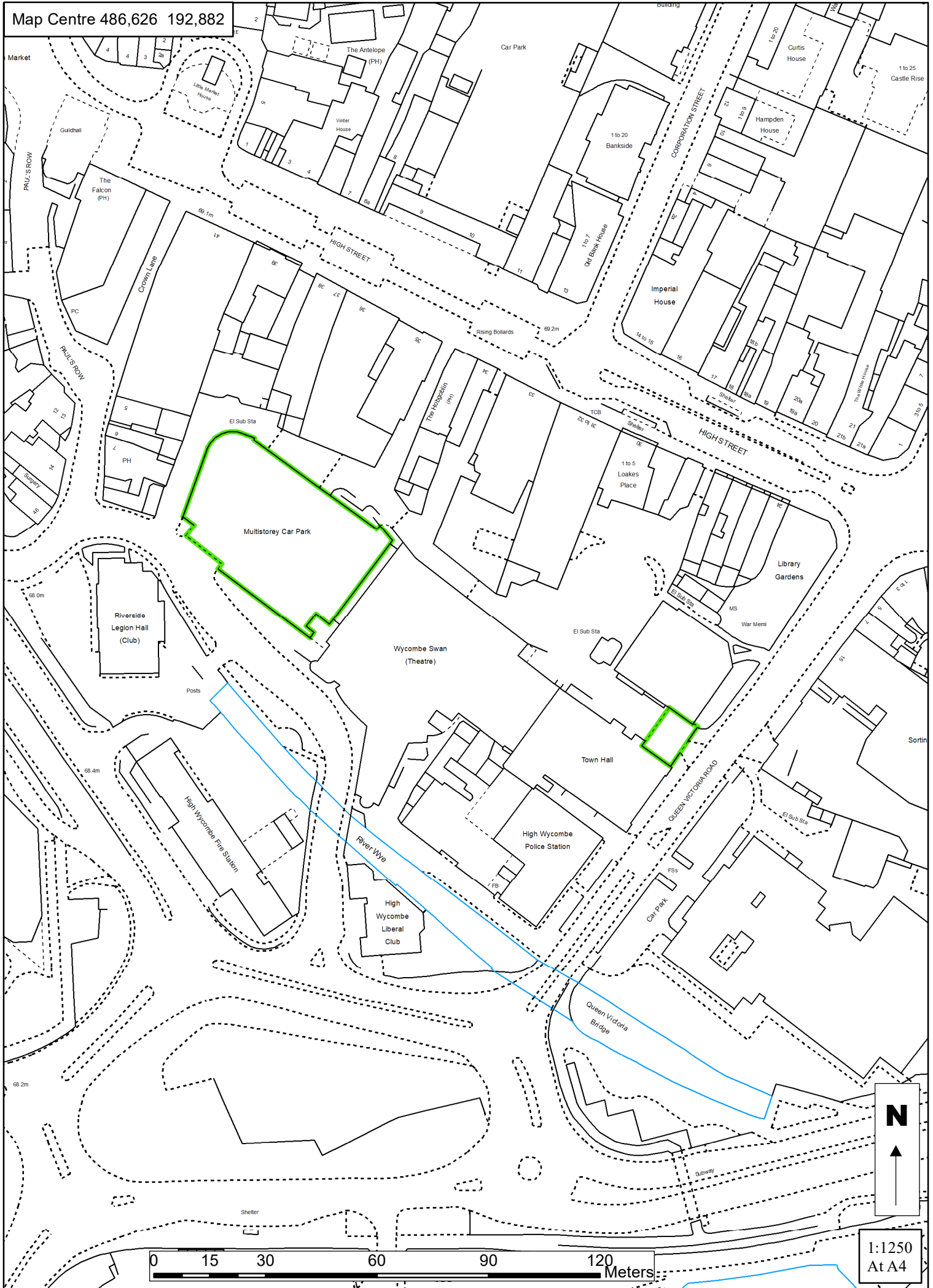
 - d) Easton Street Car Park, means the land and buildings owned by the Claimant within Title Number BM413614, a multi storey car park comprising 12 floors, which includes the land edged green on the plan appended hereto. The Claimant is the freehold owner of the property.
- (2) The conduct complained of, and which the Claimant seeks injunctive relief for is defined, forthwith as follows:
- (a) Entering, accessing, or remaining on any part of the Swan Theatre Car Park, Town Hall Car Park, Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of occupying, residing, remaining or otherwise sleeping at Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park.

 - (b) Entering, accessing, or remaining on any part of Swan Theatre Car Park, Town Hall Car Park Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of possessing, supplying, producing or using controlled drugs or alcohol.

 - (c) Entering, accessing, or remaining on any part of Swan Theatre Car Park, Town Hall Car Park Queen Victoria Car Park and Easton Street Car Park (as defined in paragraph 1 of the appended schedule) with the intention of creating or causing harm, nuisance or obstructing the Claimant (or public) in the exercise or enjoyment of Swan Theatre Car Park, Queen Victoria Car Park and Easton Street Car Park.

Queen Victoria Road Car Park, High Wycombe

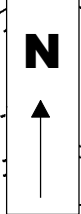
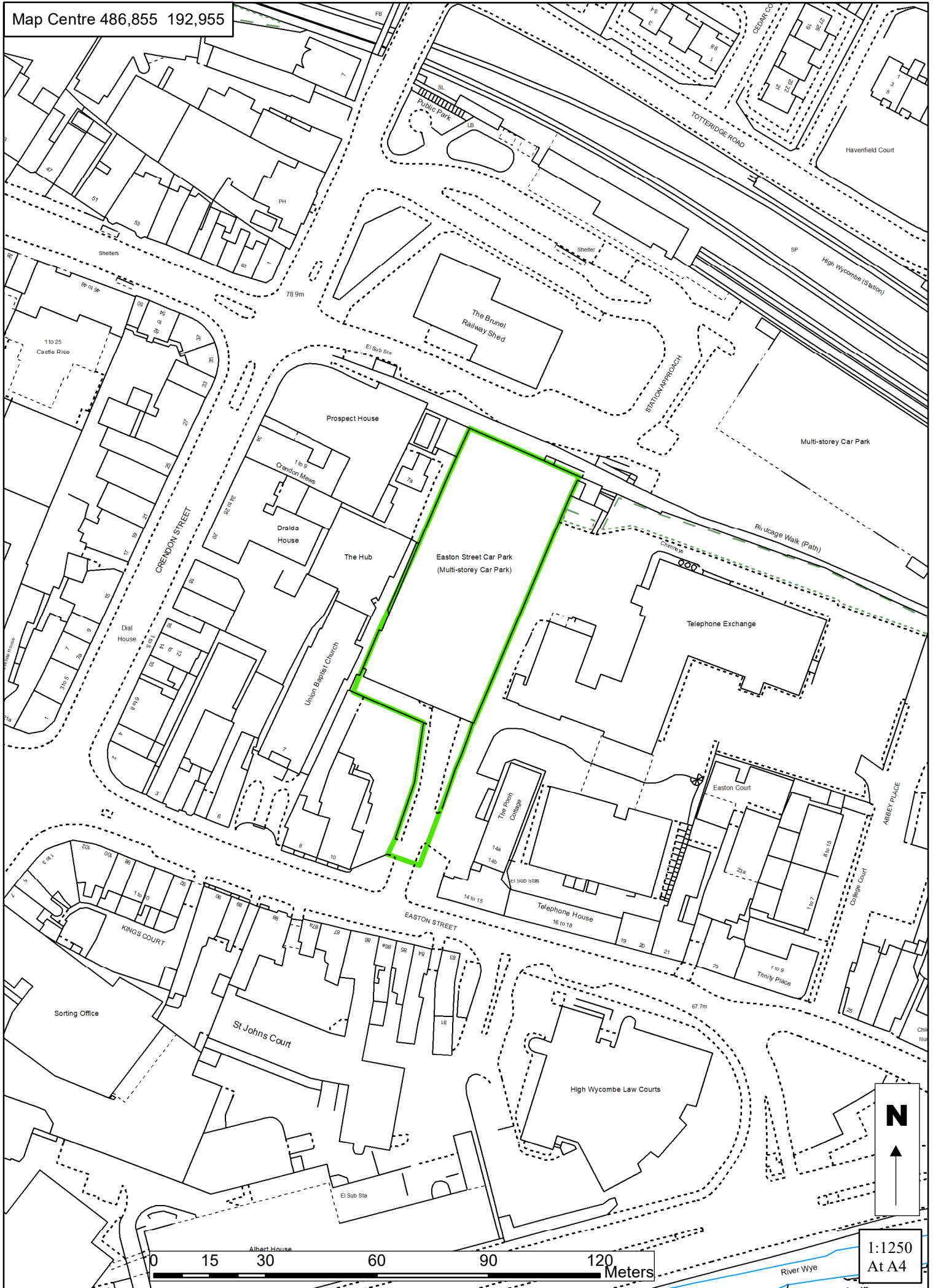
Map Centre 486,626 192,882



1:1250
At A4

Easton Street Car Park, High Wycombe

Map Centre 486,855 192,955

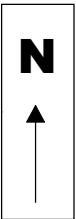
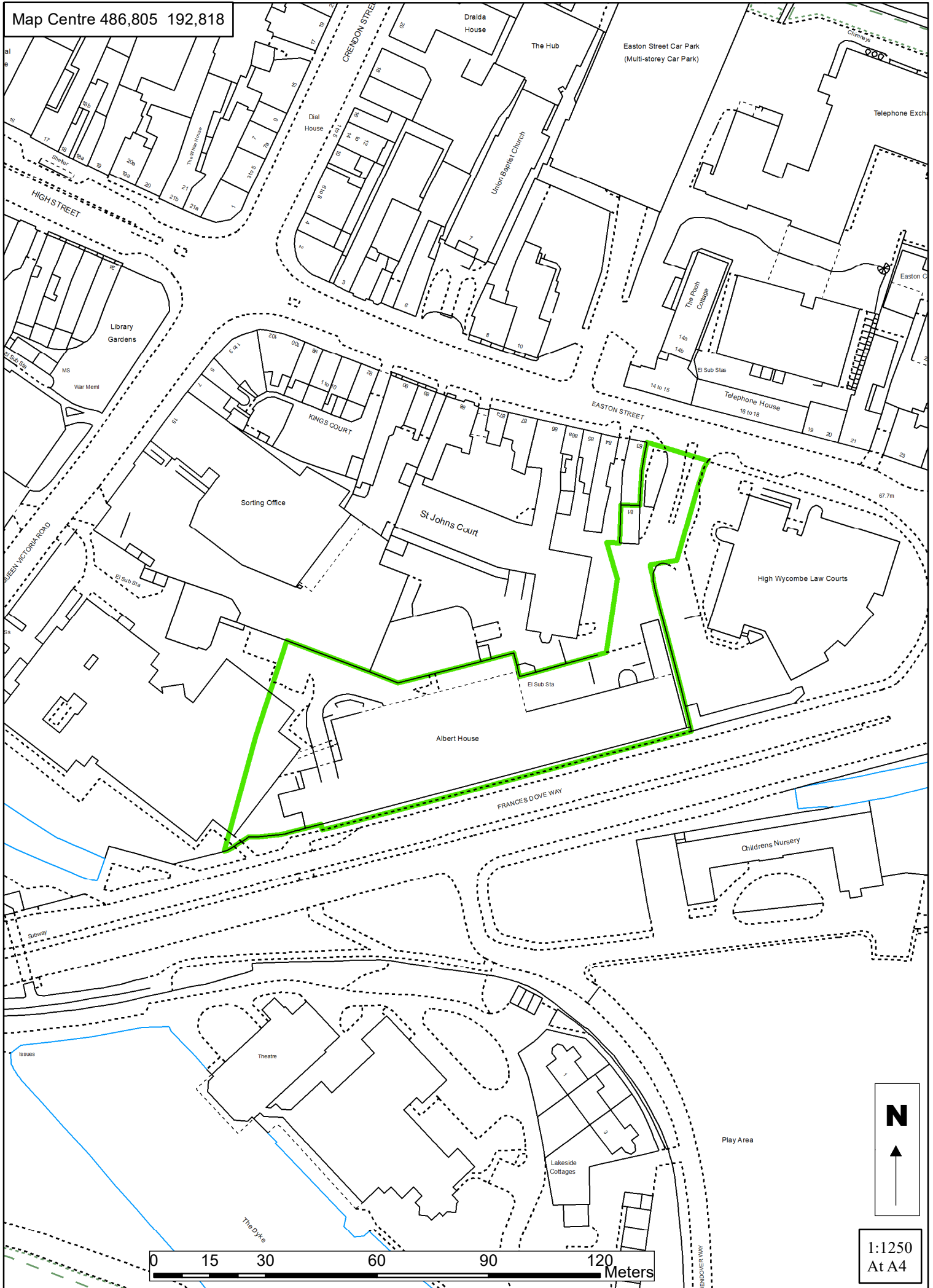


0 15 30 60 90 120 Meters

1:1250
At A4

Easton Street (South) Car Park, High Wycombe

Map Centre 486,805 192,818



1:1250
At A4

IN THE HIGH WYCOMBE COUNTY COURT

Claim No. KR00RG167

Party: Claimant

BUCKINGHAMSHIRE COUNCIL

(Claimant)

and

**(1) GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE
HEARNE, SARAH-JAYNE SMITH and**

(Defendants)

**(2) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**3) PERSONS UNKNOWN ENTERING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**4) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**5) PERSONS UNKNOWN ENTERING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**6) PERSONS UNKNOWN OCCUPYING OR
REMAINING AT EASTON STREET CAR PARK (AS
DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE
APPENDED) WITHOUT THE CLAIMANT'S
PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE
APPENDED**

**7) PERSONS UNKNWON ENTERING OR REMAINING
AT EASTON STREET CAR PARK (AS DEFINED IN
PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

AMENDED WITNESS STATEMENT OF NICK ADKINS

1. I, Nick Adkins of Buckinghamshire Council, Queen Victoria Road, High Wycombe, Bucks, HP11 1BB], will say as follows:-
2. I am employed by Buckinghamshire Council (“the Claimant”) as an Anti-Social Behaviour (ASB) Team Leader for Buckinghamshire Council’s Community Safety department, currently line managing the Street Wardens team. I have worked for the Council’s ASB department since December 2017.
3. Dates of birth for the defendants in this case have been provided to me by Thames Valley Police, who the Council work alongside as part of the Safer Buckinghamshire Board. This is a local Community Safety Partnership formed under the [Crime & Disorder Act 1998](#).
4. On 07/09/2022, I became aware that people were using the Swan Car Park to sleep in overnight. Since that date there has been an increase in anti-social behaviour by the rough sleepers, blocking doorways in stairwells, blocking lift lobby areas, discarding needles, leaving human waste matter (urine and faeces) in public areas and drawing a large amount of graffiti on the walls.
5. In view of the issues noted in paragraph 4, I have been duly authorised to make this witness statement in support of the Council’s application for an injunction to prevent the Defendants from entering or remaining in the multi-storey car park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE (“the Property”). Insofar as the facts and matters contained in this statement are within my knowledge, they are true. In so far as they are not within my own knowledge, they have derived from information contained within the Council’s files and they are true to the best of my knowledge, information and belief.

6. I am duly authorised to make this witness statement in support of the Council's application for an injunction to prevent the Defendants from entering or remaining in the multi-storey car park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE ("the Property"). Insofar as the facts and matters contained in this statement are within my knowledge, they are true. In so far as they are not within my own knowledge, they have derived from information contained within the Council's files and they are true to the best of my knowledge, information and belief.
7. I will exhibit photos from the Swan Car Park under a pack of photos reference NA1, followed by a description and date of each photo. I will exhibit photos from other locations under separate exhibit reference numbers.
8. On 07/09/2022, I received a photo from a Street Warden, Nathan Mockler, with a photo of bedding at the top of one of the Swan Car Park stairwells. This is exhibited under reference **NA1**.
9. On 08/09/2022, I received an e-mail from Jamie Clattenberg who is the Business Engagement Co-ordinator at HIGH WYCOMBE BUSINESS IMPROVEMENT DISTRICT COMPANY (HWBIDCO). Jamie runs the local Shopwatch radio system and monthly meetings where local business, Police and Council work together to deter crime and anti-social behaviour in Wycombe Town Centre. Jamie noted that he had picked up used syringes in the Swan Car Park that morning. Also, that there were two sleepers in the top stairwell. This photo is exhibited under reference **NA2**.
10. On 09/09/2022, I received a photo from a Street Warden, Nathan Mockler noting that 'Geoff' had moved into the Swan. I know Geoff to be Geoffrey Rackstraw, DOB 29/04/1960, who has been sleeping rough at other locations in High Wycombe since July 2022. I have known Geoffrey Rackstraw for over 7 years, since my time working as a Police Community Support Officer and, latterly, working in the ASB Team for the Council in Wycombe. I have seen Rackstraw on a frequent basis when I work in Wycombe and know him to be a beggar (often walking up to people to ask them for money) and a class A drug user. I have personally witnessed him smoking drugs and also injecting drugs on numerous occasions. The photo sent to me by Nathan shows some bedding material in an area later established to be the lift lobby on floor 6. This is exhibited as photo **NA3**.
11. On 12/09/2022 I patrolled the Swan Car Park with the Council's Street Wardens Team. When I patrolled the stairwell situated closest to the High Street, I sighted Lee Davis, DOB 07/05/1988, asleep on the top level in front of the exit door. I know who Lee Davis is due to my work with the Street Wardens, Thames Valley Police and local businesses. Davis is a known aggressive beggar who walks up to people in order to gain money from them. I have seen Davis begging in the town centre on numerous occasions, such on Whitehart Street, and outside Macdonald's Drive-Thru on 26/10/2022 where he approached numerous vehicles queuing up outside. I believe Davis is a drug user and have exhibited a photo of his former rough sleeper site under reference **NA4** noting that used syringes can be seen in that photo. Davis was

verified as sleeping at that site for some time prior to moving into the Swan Car Park stairwell. A photo of Davis asleep at the top of the Swan stairwell is exhibited under reference **NA5**. A photo of litter and paraphernalia found at Davis' sleep site on 29/09/2022 in the Swan is exhibited under **NA6**. A discarded syringe plunger and silver spoon, often used for cooking heroin, can be seen within the litter.

12. I attended the Swan Car Park on 20/09/2022 and found that the rough sleepers remained at the car park. **NA7** shows Geoffrey Rackstraw asleep in lift lobby 6. **NA8** shows Lee Davis asleep site at the top of one of the Swan Stairwells.
13. On 21/09/2022, I took part in a policing operation and attended the Swan car park at 11.00 a.m. and saw Lee Davis and Carrie Hearn, DOB 29/11/1982, asleep at the top of the stairwell which is closest to the High Street. I believe that Carrie Hearn is the Lee Davis's girlfriend.
14. On 21/09/2022, at 11.10 a.m. I saw Geoffrey Rackstraw asleep in lift lobby 6.
15. On 22/09/2022, I attended a Council meeting and one of the action points was to stop the lift going to level 6 of the Swan car park. This was to help protect the public from any risk encountered by persons sleeping, congregating and using drugs in the lift lobby. In my experience as a Council Officer and previously as a Police Community Support Officer (PCSO), I have previously witnessed Geoffrey Rackstraw smoking Class A drugs (that I believe to be Crack) and have also witnessed him injecting himself with drugs (that I believe to be Heroin).
16. On 23/09/2022 I was contacted by the Council's Street Wardens to advise that the door to lift lobby 6 had been secured from the inside by a cable so it was not possible to enter. A photo of the cable securing the door can be seen in exhibit **NA9**.
17. I attended the Swan Car Park on 29/09/2022 and found that Sarah-Jane Smith, DOB 19/12/1990, was now asleep in lift lobby 6 next to Geoffrey Rackstraw. Exhibit **NA10** shows both Rackstraw and Smith asleep, a large increase in bedding material, an increase in graffiti, a knife and screwdrivers placed close to ground level near the lift entrances. I have known Sarah-Jayne Smith for a number of years, since she was rough sleeping in Wycombe, although I had not seen her in some time until she appeared in the lift lobby next to Rackstraw. Shortly after 29/09/2022, I witnessed Smith sat down begging along Whitehart Street and asked her for her mobile number which I passed on to a support worker in the substance misuse service.

18. I also visited the stairwell on the opposite side of the Swan car park and Exhibit **NA11** shows a photo of Lee DAVIS still in situ at the top of that Stairwell on 29/09/2022.
19. On 05/10/2022 my team and I spotted notices from the Council's car parks team had been placed around the Swan car park. Exhibit **NA12** shows one of the notices which is affixed to a lift door.
20. On 19/10/2022, at 0900 I patrolled the Swan Car Park again. On opening the door to Lift Lobby 6, I discovered there were 4 people sleeping there. Geoffrey Rackstraw, Sarah Smith and two unknown males who Geoff told me were just visiting from Risborough. A photo is exhibited under **NA13**.
21. I again visited the stairwell on the opposite side of the Swan car park. Exhibit **NA14** shows the rough sleeper site used by Lee Davis and Carrie Hearn. I have witnessed them both asleep together in the car park.
22. On the evening of 26/10/2022 I patrolled the Swan Car Park at 7.21 p.m. with two of the Council's Street Wardens. I took photos of both sleep sites described above. Exhibit photo **NA15** shows a wide-angle view of lift lobby 6 which is still being used as a sleep site by Geoffrey Rackstraw. The photo shows an increase in graffiti and, looking towards the button between the lift doors a yellow knife concealed under 'do not use the lift in a fire' warning sign. The picture of the knife is exhibited under photo reference **NA16**. I took the knife to High Wycombe Police station shortly afterwards and placed it into the knife amnesty bin in the reception area.
23. **NA17** and **NA18** show photos of used syringes found in lift lobby 6 of the Swan car park on 26/10/2022. Some of these syringes were uncapped with needles sticking out of the end. The photos were taken at approximately 7.21 p.m.
24. Also on 26/10/2022, at around 7.30 p.m. I visited Lee Davis' sleeping site at the top of the Swan car park stairwell. I took a photograph which is exhibited under reference **NA19**. It is hard to evidence within photos but it is worth noting that there is an extremely foul smell at the top of the stairwell where Lee Davis is sleeping. The smell gets stronger as approaching the sleep site and I would describe it as smelling like extremely strong cheese which has gone off. It is possible that part of the smell relates to the amount of urine that is often seen in the stairwells.
25. With regards to the impact that has been caused at rough sleeper sites such as those in the Swan Car Park, I would specifically refer to my past experience of Geoffrey Rackstraw, who uses the tags 'Irish G' and 'Darkhorse Warrior' within his graffiti. I have visited numerous sleep sites used by Rackstraw over the past 7 years (sites next to Butlers on Frogmoor, the loading bay at the back of Argos in Swan Service Yard, Easton Street Car Park, Swan Service Yard Archway, an empty office block at 24-28 Easton Street and most recently the site inside the Swan Lift Lobby 6). I witnessed discarded used syringes at most of these sites, with Argos, Butler's and 24-28 Easton Street being the worst as I witnessed an extremely large number of discarded used syringes. I exhibit a photo showing the rough sleeper site at 24-28 Easton Street **NA20** and a

latter photo **NA21** taken of the used syringes and sharps containers that were filled by the Council's waste team when cleaning up the site. The amount of drug use and discarded syringes clearly present a risk to members of the public and cleaning staff/street cleaners who could injure themselves and risk contracting blood borne viruses.

26. I have also found items which have been used as makeshift weapons at some of Rackstraw's sites. For example, a T shaped corkscrew at the Swan Archway, a broken and sharpened umbrella pole at the Swan Archway, 2 knives and some screwdrivers at the Swan Lift Lobby 6.
27. The rough sleeper sites, Council car park stairwells and other buildings throughout the town have been regularly damaged by Graffiti that I believe was drawn by Rackstraw. Exhibit **NA22** shows an example of some of the graffiti and includes the tag 'Irish G' which is one of the tags regularly used by Rackstraw. Other tag he has often used are 'Darkhorse Warrior', P13, Stoner and an A (for anarchy) motive).
28. **Exhibit RN1-28102022** is a video recorded by Street Warden, Ruben Nunes, of Geoffrey Rackstraw sat in a stairwell at the Swan Car Park injecting himself with a syringe on 09/08/2022. That exhibit is described in a separate statement that was completed by Ruben.
29. I have spoken to Geoffrey Rackstraw on numerous occasions this summer and note that he has been sleeping at 2 other sites within the town centre prior to setting up a third rough sleeping site in the Swan Car Park. A photo of the initial site at the Swan Archway site is exhibited under **NA23**. This photo shows Rackstraw's sleeping site, artwork and begging box.
30. I spoke to Rackstraw at the Swan Service Yard archway during July and August 2022 and established that he had a tenancy with Red Kite housing, plus an offer of temporary accommodation at The Old Tea Warehouse. I spoke to Geoffrey about his situation and encouraged him to accept support. I put him in touch with his Red Kite landlord and support agencies, but he did not wish to go back to his tenancy or accept the offer of accommodation at Old Tea Warehouse. Due to his continued anti-social behaviour, I issued a Community Protection Warning Notice to Rackstraw on 28/07/2022 and exhibit this document under reference **NA24 GR CPNW 28072022**
31. Instead of accepting the accommodation available to him, Rackstraw chose to move from the Swan Archway to a site at 24-28 Easton Street, which was close to a children's nursery. When my team and I were informed about that site, we found a lot of bedding, graffiti and a large amount of syringe needles. We worked with the Police who put a closure order on the site, the Council's waste team cleared the bedding and needles, and Council's facilities team fenced off the site. Rackstraw was found in the Swan car park a few days later.
32. As of 27th October 2022, I have received an update from a local support agency confirming that Geoffrey Rackstraw has finally accepted the offer of temporary accommodation at The Old Tea Warehouse. However, it is my experience that he will continue to visit car park areas to take drugs and to

damage the car parks and other buildings with further graffiti. An example of this is exhibited under **NA25** which shows graffiti that I believe has been put there by Rackstraw, as these are tags that he regularly uses.

33. Exhibit **NA26** shows recent graffiti added to a railing. This includes the A for Anarchy motive, often used in Rackstraw's graffiti.
34. Exhibits **NA27** and **NA28** show more graffiti added by Rackstraw. These include tags 'Irish G', Stoner and the A motive.
35. In my opinion, Rackstraw should be restricted from entering all of the Council's car parks to prevent him from carrying out further criminal damage and drug use in those locations.
36. Aside from making the area look run down and uncared for, the graffiti and rough sleeper sites have caused a financial impact to the Council. The Council has incurred large costs due to criminal damage to the car parks and also the time spent to clean human waste such as urine and excrement, and to remove discarded items and abandoned bedding material.
37. Exhibit **NA29** is a copy of a quotation showing a cost of £29,350 to remove the current paint at the Swan Car Park and to recover in anti-graffiti paint. This quotation is for one car park only and there would be further large costs to fix the damage at other locations such as Easton Street Car Park.
38. Exhibit **NA30** is a copy of an e-mail confirming the cost of £150, which was incurred when stopping the lift from going to level 6. This was done to protect the public from having to enter that area, if they selected level 6 on the lift button.
39. I also understand that Sarah Smith was provided with temporary accommodation on or around 19/10/2022. However, on 26/10/2022, I have since seen her in the car park with an unknown male, inside the lift lobby below her former rough sleeping site at the Swan Car Park. It is difficult to say why she was there but there was no good reason for her to be inside the car park and, as far as I am aware, she does not need to park a vehicle there.
40. Whilst I have not mentioned the Council's other car parks up until this point, it is worth noting that I have also sighted rough sleepers and other anti-social activity in the Council's Easton Street Car Park and rough sleepers have stayed in the Council office car park at Queen Victoria Road.
41. On Tuesday 01/11/2022, I patrolled Easton Street Car Park and verified 3 rough sleepers bedded down in the stairwell. On Thursday 03/11/2022, there were 2 rough sleepers in the same location. On Wednesday 23/11/2022, there was one rough sleeper, Lee DAVIS, in Easton Street car park stairwell.
42. Buckinghamshire Council have worked with local support agencies to introduce temporary accommodation to cover the winter months from 1st December 2022 and I believe this will run until 31 March 2023. I have confirmed in paragraphs 32 and 39 that Rackstraw and Smith were already in temporary accommodation. Lee Davis and Carrie Hearn have also now been provided with accommodation and will hopefully maintain this. However, as

noted above, Rackstraw continues to come into the car parks and damages them with Graffiti. Smith has also been seen back in the Swan car park.

43. I attended Easton Street car park on 20th January 2023 and there were three persons sleeping rough in the stairwells. I identified Lee Davis and Carrie Hearn. They were back in the car park having been evicted from the Council's Winter Accommodation referred to in paragraph 42.
44. Also on 20th January 2023, there was a further male named Kevin, bedded down in Easton Street car park stairwell. He refused to provide me with any further details, despite me suggesting he attended the Council offices for emergency accommodation due to the cold weather. There was another empty bed made up so possibly four people had been sleeping in the location.
45. As of 23rd January 2023, both the Swan and Easton Street car parks are still getting numerous unwanted visitors, confirmed by further signs of drug use, littered syringes/paraphernalia and graffiti. Even when the car parks are not being used to sleep in, it is likely that drug users are visiting them periodically to use drugs when they have gathered enough money from begging and shoplifting offences.
46. My view is that the defendant's, Geoffrey Rackstraw, Sarah-Jane Smith, Lee Davis and Carrie Hearn have no good reason to enter the Council's car parks. They have each contributed to anti-social and criminal behaviour when they have been inside the car parks and should be restrained from re-entering the sites. I make this statement in support of the council's application for an injunction to prevent them from entering and remaining in, the multi-storey car park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE ("the Property"), the multi-storey car park on Easton Street, the Council's staff car park at the Queen Victoria Road Offices and the disabled parking area under the archway next to the Oak rooms in the Swan Service Yard.

Statement of truth

I believe that the facts stated in these 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. I am duly authorised by the Claimant to sign this statement.

Full name: Nick Adkins

Position or office held: ASB Town Centre and
Street Wardens Team Leader

Signed: 

Date: ~~23rd January 2023~~

Amended Date: 27th February 2023

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA1 – SWAN CAR PARK, TOP OF STAIRWELL

I verify that this is the exhibit marked NA1 in my statement.



IF YOU I ACTUALLY FINISHED YOU FARWELL.
YOUR BACK OFF TENNIS YOUR MUM DONT THE
MAY YOU ARE THE BEST
KODAK FOR ALUMINA AND ALL

Kodak

Kodak

IF YOU I ACTUALLY FINISHED YOU FARWELL.
YOUR BACK OFF TENNIS YOUR MUM DONT THE
MAY YOU ARE THE BEST
KODAK FOR ALUMINA AND ALL

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA2 – PHOTO OF NEEDLE

I verify that this is the exhibit marked NA2 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA3 – GR MOVED INTO SWAN CAR PARK

I verify that this is the exhibit marked NA3 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA4 – PREMIER INN UNDERPASS, ABANDONED SITE

I verify that this is the exhibit marked NA4 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA5 – LD IN SWAN CAR PARK STAIRWELL

I verify that this is the exhibit marked NA5 in my statement.



COVID: Q1CE TEST

BEANIE

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA6 – PARAPHERNALIA ON STAIRWELL

I verify that this is the exhibit marked NA6 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA7 – GR LIFT LOBBY 6

I verify that this is the exhibit marked NA7 in my statement.



LIFT OPERATING TIMES
Monday - Saturday
0800 - 2300
Sunday
0900 - 2300

AUREN

Assholes

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA8 – LD SWAN STAIRWELL

I verify that this is the exhibit marked NA8 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA9 – CABLE ON LIFT LOBBY 6

I verify that this is the exhibit marked NA9 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA10 – SS APPEARS AND KNIFE

I verify that this is the exhibit marked NA10 in my statement.



CHILLING VACABOND

DON'T WORRY
THE WORLD IS YOURS

Autumn
2021
11/5



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA11 – LD SWAN STAIRWELL

I verify that this is the exhibit marked NA11 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA12 – NOTICE FROM CAR PARKS

I verify that this is the exhibit marked NA12 in my statement.



IMPORTANT NOTICE

To: Persons Unknown
Multistorey Car Park adjoining Wycombe Swan Theatre,
St Mary Street, High Wycombe,
HP11 2XE

Please note the Multistorey Car Park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe, HP11 2XE is owned by Buckinghamshire Council.

We wish to advise you that you have not been granted consent, licence or permission by any of the Council's officers, agents, employees or contractors to sleep overnight in this Multistorey Car Park and as such your occupation of the said building is unlawful and amounts to trespass.

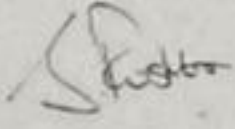
Please immediately remove your belongings from the Car Park (including the stairwells and lift accesses) because this is creating an unsafe environment for car park users. In addition, we are informed that you have been engaged in conduct which is likely to cause harassment, alarm or distress towards the Council's contractors which means the area is unable to be cleaned.

We must insist that you vacate the Multistorey Car Park immediately. If you are still on the premises by the end of this week (Friday 7th October 2022), we will take further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with homelessness, please contact our Housing Options team:

- email: housingoptions.wyc@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 999 7677

We urge you to take independent legal advice in relation to the contents of this letter.


Signed:
Head of Parking Services
Dated: 4th October 2022

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA13 – 4 PEOPLE IN SWAN LIFT LOBBY

I verify that this is the exhibit marked NA13 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA14 – LD SWAN STAIRWELL

I verify that this is the exhibit marked NA14 in my statement.



LEVEL SEVEN

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

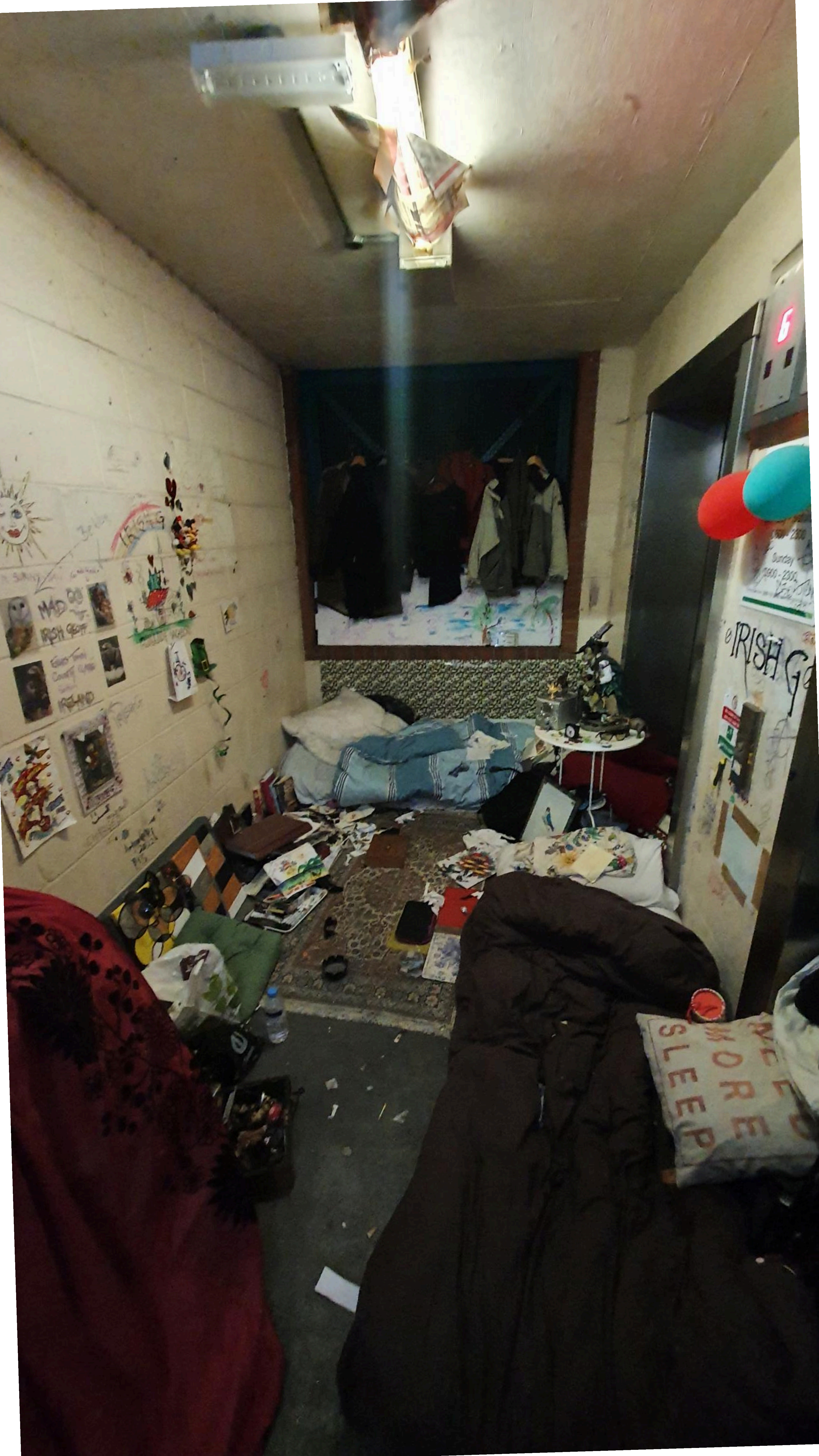
Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA15 – LIFT LOBBY 6 WIDE VIEW

I verify that this is the exhibit marked NA15 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA16 – KNIFE FOUND IN LIFT LOBBY 6

I verify that this is the exhibit marked NA16 in my statement.

IRISH


**In case of fire
do not use lift**
  
Use the stairs



IRISH



SHOFF
OFF
ORCHID

THE
AMERS

DARK
A



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

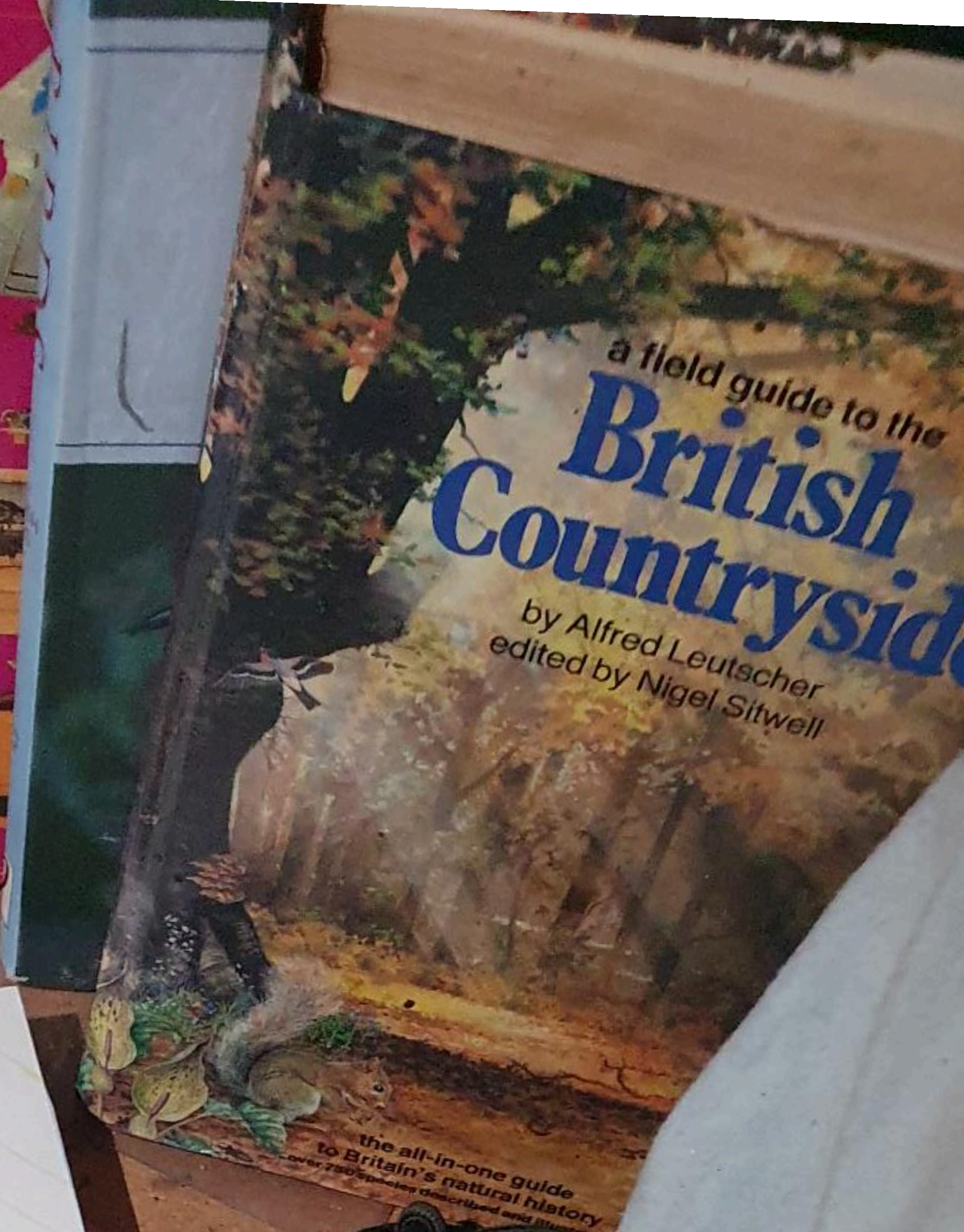
Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA17 – SYRINGES IN LIFT LOBBY 6

I verify that this is the exhibit marked NA17 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA18 – FURTHER SYRINGES IN LIFT LOBBY 6

I verify that this is the exhibit marked NA18 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

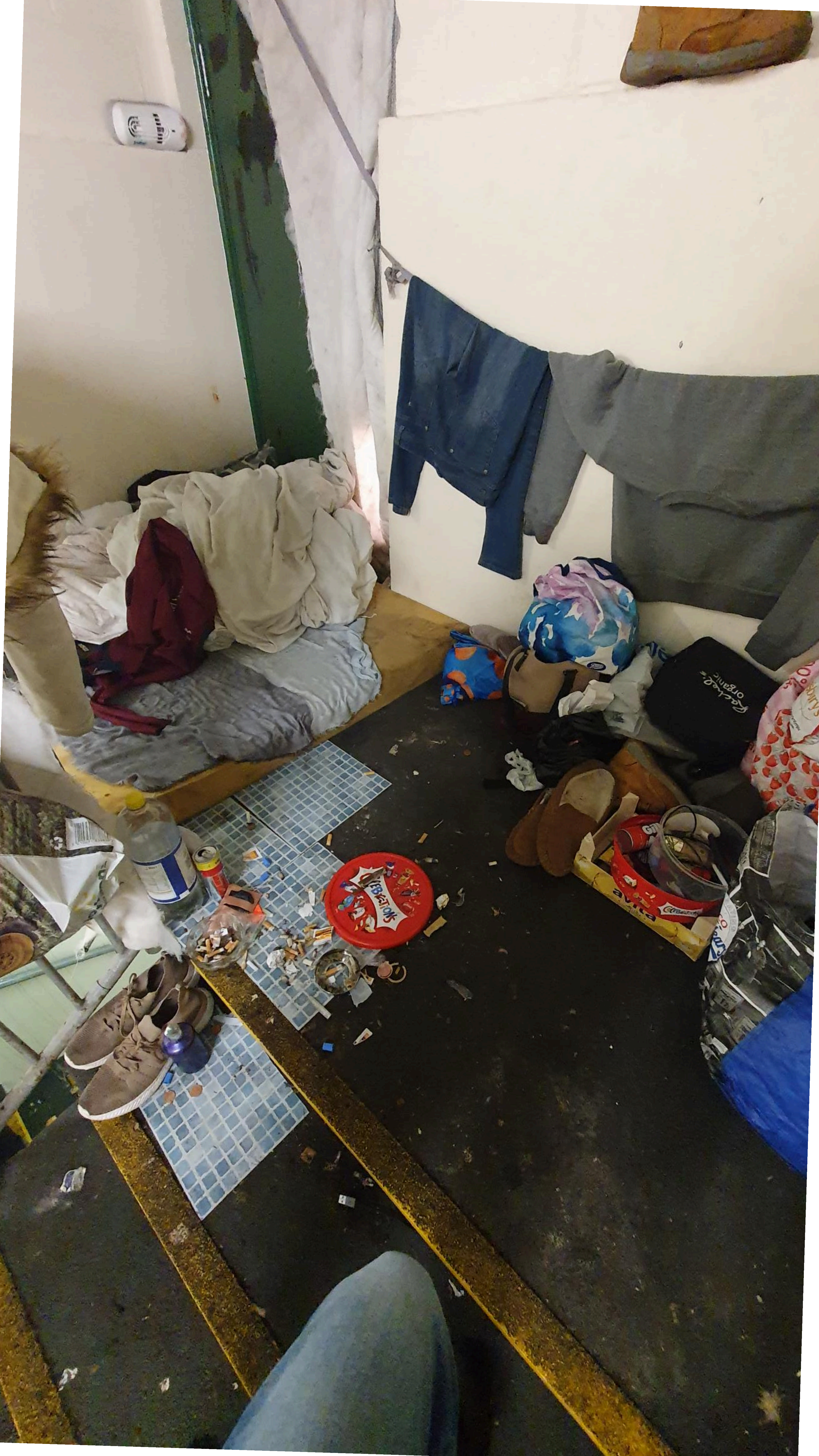
Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA19 – LD SWAN STAIRWELL

I verify that this is the exhibit marked NA19 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA20– 2428 EASTON ST IRISH G ON FLAG

I verify that this is the exhibit marked NA20 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

**EXHIBIT NA21 – SYRINGES FOUND AT 24-28 EASTON STREET
CAR PARK**

I verify that this is the exhibit marked NA21 in my statement.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

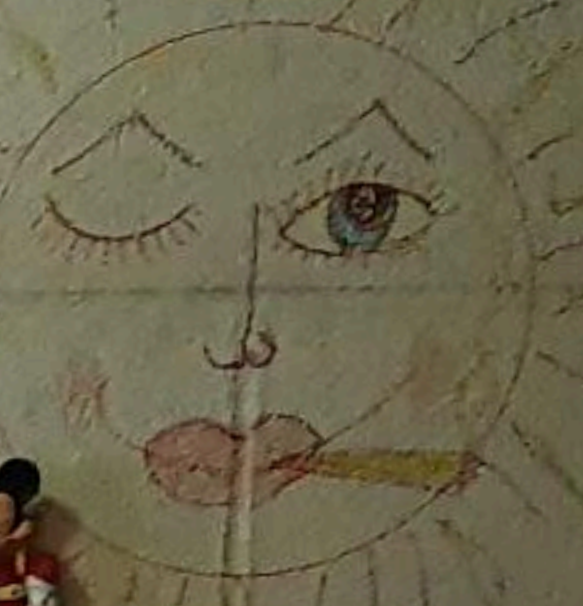
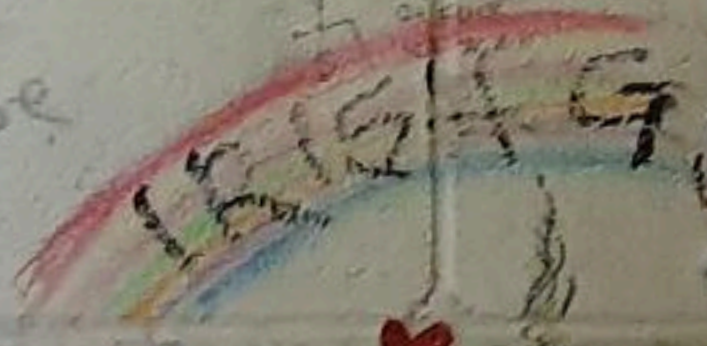
EXHIBIT NA22 – GRAFFITI IN LIFT LOBBY

I verify that this is the exhibit marked NA22 in my statement.

LOVE
PEACE



Be Wise



HAVE A SUNNY DAY



MAD
IRISH GEOFF



DONT WORRY
I'M GONNA BE ANGRY



EDDIE TOWN
COUNTY CLARE
IRELAND



CHILLING VAGABOND



IRISH G



EMERSON

November 2022
P.S.

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA23 – GR SWAN ARCHWAY

I verify that this is the exhibit marked NA23 in my statement.

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA24 – GR COMMUNITY PROTECTION NOTICE WARNING

I verify that this is the exhibit marked NA24 in my statement.



Working together for a
safer Buckinghamshire

Mr Geoffrey Rackstraw
178 New Road
High Wycombe
Bucks
HP12 4RL

DOB: 29/04/1960

28th July 2022

Community Protection Notice Warning

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014, SECTIONS 43 TO 58

Dear Mr Rackstraw,

THIS IS A FORMAL WARNING issued by Buckinghamshire Council pursuant to section 43 of the Anti-Social Behaviour Crime and Policing Act 2014.

TAKE NOTICE that under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014, Buckinghamshire Council is satisfied that you, being a person aged 16 or over, or a business or organisation are responsible for behaviour or conduct which we are satisfied, is:

- having a detrimental effect on the quality of life of those in the locality;
- is persistent or continuing in nature, and
- is unreasonable.

The Council has recently received complaints in relation to:

- Blocking access to disabled parking bays
- Blocking access to Fire Exits/Assembly points
- Littered syringes at your rough sleeping site

Furthermore, we have also found:

- Signs at your rough sleeping site which request people to give money
- Graffiti which has appeared at the rough sleeping site, public car parks and public toilets. This is often signed off with you're the tag 'Darkhorse Warrior' or recently Irish G.

This Warning letter now requires you to:

- 1. Not block access to disabled parking areas.**
- 2. Not block access to Fire Exits.**
- 3. Reside at your accommodation (and do not sleep rough in High Wycombe)**
- 4. Keep your sleeping area clean and free from used syringes. All used syringes should be placed in a proper sharps container and taken back to the needle exchange pharmacy.**
- 5. Not draw, paint or mark any property in High Wycombe, as this is criminal damage.**
- 6. Not approach or engage with any member of the public with the intention to receive money from them or cause a financial loss to an individual**
- 7. Not loiter, sit or stand in an area where your behaviour or conduct is such as implies you are begging or require any financial gain**
- 8. Not behave in a manner which causes members of the public to be alarmed, harassed and/or distressed through unwanted contact**

In addition, I require you to seek support from the following agencies:

- One Recovery Bucks – George Street, High Wycombe, 0300 772 9672
- Connection Support Outreach Workers – Melissa and Louise

Thames Valley Police and Buckinghamshire Council will monitor your compliance with this notice and review this in three weeks from the date of service for any further incidents. If you fail to comply with the above requirements, we will consider serving you with a Community Protection Notice (CPN) under Part 4 Anti-Social Behaviour Crime and Policing Act 2014. The purpose of a CPN is to stop conduct which unacceptably affects the community.

If you fail to comply, without reasonable excuse, with the requirement(s) of a Community Protection Notice (CPN):

- You commit a criminal offence.
- You may be issued with a Fixed Penalty Notice (FPN).
- You may be prosecuted and if convicted the maximum penalty is a fine of up to £2,500 for individuals and unlimited for organisations.
- The Court may make whatever order it thinks appropriate to ensure that the CPN is complied with.
- The Court may require you to surrender possession of any item used in your failure to comply with the Notice to a constable. The Court may require this item to be destroyed or disposed of by the Police.
- The Court may issue a warrant, authorising a constable or authorised person to enter your premises to seize any item used in the commission of an offence.

I would therefore **strongly advise** you to comply with the requirements of this Warning letter.
Please be aware that I will be monitoring the situation.

I trust the above clarifies my present position on the matters raised and I anticipate your full co-operation. Should you wish to discuss any of the items raised in this letter, please contact me by visiting the Wycombe Council Offices or via the Street Wardens team and I would be happy to arrange an appointment with you.

Yours sincerely

Nick Adkins
Buckinghamshire Council

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA25 – EASTON STREET LIFT GRAFFITI

I verify that this is the exhibit marked NA25 in my statement.

Handwritten graffiti on a metal mesh surface. The graffiti includes the year "2022" written twice, a large scribble that appears to be "MURDER", a circle with a cross through it, a hand symbol, the word "SAFE", and the number "420". There are also various other scribbles and symbols.



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA26 – EASTON ST STAIRWELL GRAFFITI 20122022

I verify that this is the exhibit marked NA26 in my statement.

THE TRUTH
I WANT TO SPEAK

BUY GEAR + MONEY
DISSAPPEAR

WHY DO I STILL
DO THIS TO
MYSELF EVERYDAY.

WHY DO I
STILL DO THIS
TO MYSELF
EVERYDAY

DISAPPEAR
+ FORGET
THE LIFT
KEEP WALKING
THE STAIRS

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA27 – EASTON STREET GRAFFITI

I verify that this is the exhibit marked NA27 in my statement.

F A
STONER
STREET
SON
H

MERRY



XMAS



IRISH G O

THE
COOL-TEAM

WARRIOR
S T
N E R

INSOULMATES

2255
SOURCE
TO
DARKHORSE



WARRIOR
PRINCESS

R.I.P



8/1/2020

Never
forget

IRISH
VAGBONDS
STREET



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA28 – FURTHER EASTON STREET GRAFFITI

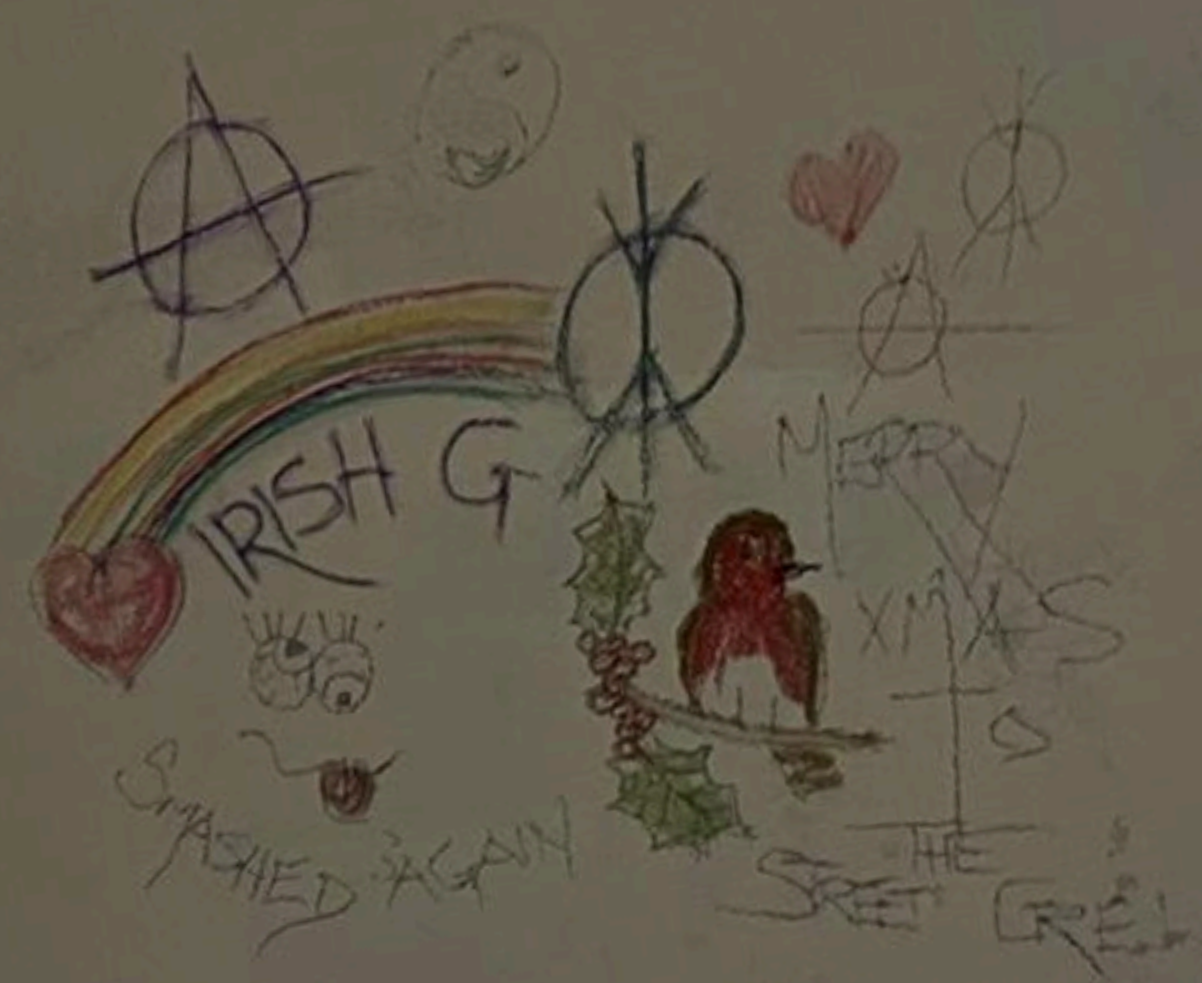
I verify that this is the exhibit marked NA28 in my statement.



Never forget
 IRISH
 VAGBONDS
 STREET
 2020
 EVIL
 IOR
 ESS



SPOT 1ST
 ? LATER



A 10
 RIP
 CLARE

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA29 – SWAN GRAFFITI ESTIMATE

I verify that this is the exhibit marked NA29 in my statement.



Astute Developments Ltd

Property Refurbishment

Mobile 07990692648 / 07939130167
Fax 0207 900 6888
Email office@astutedevelopments.co.uk

27 Old Gloucester Street
London
WC1N 3XX

F.A.O – Dan Peters

Estimate No – 220622DP

Estimate Of Works As Per Site Meeting

Swan car park Wycombe

Decorate the top 5 levels of one staircase and the top 4 levels of the second staircase
Approximately 500sq meters

All walls to be prepared and given 2 coats of emulsion paint

All walls to be given 1 coat of clear anti graffiti paint

Open Air top floor of car park

All walls to be prepared appropriately 255sq metres with existing graffiti

All walls to be given 2 coats of masonry paint

All walls to be given 1 coat of clear anti graffiti paint

Floor area approximately 50sq meters

Paint floor black to cover graffiti

Labour and Materials £29350.00 + VAT

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT NA30 – STOP LIFT COST

I verify that this is the exhibit marked NA30 in my statement.

RE: Impact Statements for ASB Injunction (Confidential)



Gill Smith (Facilities)

To Nick Adkins

Cc Gary Shackleton; Terry Day; Wycombe Street Wardens Mailbox

Reply Reply All Forward

Fri 16/12/2022 10:07

You replied to this message on 16/12/2022 11:36. This message is part of a tracked conversation. Click here to find all related messages or to open the original flagged message.

Hi Nick,

Thanks – since writing I have gained the cost of the lift which is £150 to stop this.

Just waiting for the cost of the herras fencing Terry.

Kind regards

Gill

Gill Smith MIWFM

Head of Facilities Management

Planning Growth & Sustainability Directorate

Buckinghamshire Council

IN THE HIGH WYCOMBE COUNTY COURT

Claim No. KR00RG167

Party: Claimant

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

(Claimant)

and

**(1) GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE
HEARNE, SARAH-JAYNE SMITH and**

(Defendants)

**(2) PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN
THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE
CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**3) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN
THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE
CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**4) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN
VICTORIA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE
CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**5) PERSONS UNKNOWN OR ENTERING OR REMAINING AT
QUEEN VICTORIA ROAD CAR PARK (AS DEFINED IN PARAGRAPH
(1)(b) OF THE SCHEDULE APPENDED WITHOUT THE CLAIMANT'S**

PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

6) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

7) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

AMENDED WITNESS STATEMENT OF DANIEL SEXTON

1. I, Daniel Sexton of Buckinghamshire Council of Queen Victoria Road, High Wycombe, Bucks, HP11 1BB, will say as follows: -
2. I am employed by Buckinghamshire Council (“the Claimant”) as a Contract Monitoring Team Leader for Buckinghamshire Council’s South Waste Team. I have been working in this capacity since 1st September 2022.
3. I am duly authorised to make this witness statement in support of the Council’s application for possession and interim possession of the Multi-storey Car Parks adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE & Easton Street Multi-storey Car Park & Queen Victoria Road Car Park (all together identified as ‘the Properties’). Insofar as the facts and matters contained in this statement are within my knowledge, they are true. In so far as they are not within my own knowledge, they have derived from information contained within the Council’s files and they are true to the best of my knowledge, information and belief.
4. The Claimant is the freehold owner of the Properties named above. The Claimant's title to the Land is registered under Land Registry title number BM384826 Wycombe Swan Theatre Multi-storey car park; and BM413614 Easton Street Multi-storey Car Park; and BM343738 Queen Victoria Road car park.

5. I confirm that the Properties do not include residential property.
6. Our outsourced Cleansing contractor (Veolia) brought to my attention, rough sleepers occupying the areas within the Properties, for which they are contracted to cleanse. First such email correspondence from the contractor is dated 6th June 2022. Veolia reported evidence of Anti-Social behaviour occurring on the Properties, which included drug use and discarded drug paraphernalia; increased levels of litter and waste arising, including human waste. At the time of writing this statement, this activity is still occurring.
7. There have been prolific examples of offensive and non-offensive graffiti; and reports of aggressive behaviour targeted towards Operatives trying to perform cleansing duties within the Properties for which the company (Veolia) is contracted. It has been necessary for Officers from the South Waste Team (client team) at Buckinghamshire Council, to visit the Properties and observe the rough sleepers in situ. I have witnessed the consequences of some of this behaviour, which are described above. I have reported findings and observations to colleagues in the Parking Services Team at Buckinghamshire Council, in order to raise the profile of the Anti-Social activity taking place and the risk this poses to Operational staff and the public.
8. It has been necessary to instruct cleansing Operatives employed by Veolia to avoid areas occupied by the rough sleepers, as a safety precaution and to avoid direct contact with potential for confrontation.
9. Evidence in the form of photographs have been gathered and shared for the purposes of this statement
10. In light of the above, I believe the Defendants intend to continue the trespass referred to above unless restrained by the court.

Statement of truth

I believe that the facts stated in these 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. I am duly authorised by the Claimant to sign this statement.

Full name: Daniel Sexton

Position or office held: Contract Monitoring Team
Leader, South Waste Team, Neighbourhood Services,
Buckinghamshire Council

Signed:



~~Date: 19th January 2023.~~

Amended Date: 27th February 2023

IN THE HIGH WYCOMBE COUNTY COURT

Claim No. KR00RG167

Party: Claimant

BUCKINGHAMSHIRE COUNCIL

(Claimant)

and

**(1) GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE
HEARNE, SARAH-JAYNE SMITH and**

(Defendants)

**(2) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**3) PERSONS UNKNOWN ENTERING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**4) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**5) PERSONS UNKNOWN ENTERING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**6) PERSONS UNKNOWN OCCUPYING OR
REMAINING AT EASTON STREET CAR PARK (AS
DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE
APPENDED) WITHOUT THE CLAIMANT'S
PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE
APPENDED**

**7) PERSONS UNKNWON ENTERING OR REMAINING
AT EASTON STREET CAR PARK (AS DEFINED IN
PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

AMENDED WITNESS STATEMENT OF JULIE RUSHTON

1. I, Julie Rushton of Buckinghamshire Council, Queen Victoria Road, High Wycombe, Bucks, HP11 1BB, will say as follows:-
2. I am employed by Buckinghamshire Council (“the Claimant”) as Head of Parking Services for Buckinghamshire Council’s Communities – Highways and Technical Services department. I have worked in this role at the Council since 1st April 2021. Prior to this and Unitary, I was the Parking Manager for the legacy Chiltern and South Bucks District Councils since 25 November 2015.
3. I have been duly authorised to prepare this witness statement in support of the Council’s application for an injunction to prevent the Defendants from entering or remaining in the following car parks; (1) multi-storey car park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE, (2) Easton Street Car Park, Easton Street, High Wycombe HP11 1NT, (3) Council Offices, Queen Victoria Road, High Wycombe HP11 2XE and (4) Disabled Car Parking Bays adjacent to Town Hall (under archways), Queen Victoria Road, High Wycombe.

4. I became aware of rough sleepers residing at the multi-storey car park adjoining Wycombe Swan Theatre on 22 September 2022, as flagged by Nick Adkins from the Street Wardens team. A notice was displayed at the Wycombe Swan Theatre dated 4 October 2022 which required "Persons Unknown" to vacate the premises by 7 October 2022. An offer was made to seek advice with the Housing Options team if there was a threat of homelessness.
5. As there were recurring issues at various car parks where the same Defendants had been sighted and known for anti-social behaviour and drug misuse, I was of the view that an injunction should be applied across other car parks. Subsequently, an additional notice was issued at the Wycombe Swan Theatre car park. I refer to the photograph of a notice displayed at the car park dated 6 January 2023. The notice requires the named Defendants and "Persons Unknown" to vacate the premises by 11 January 2023. This is exhibited under **JR1** together with a copy of the notice.
6. I refer to the photograph of a notice displayed at the Council Offices, Queen Victoria Road car park. The notice is dated 6 January 2023 and requires that the Defendants vacate the premises by 11 January 2023. This is exhibited under **JR2** together with a copy of the notice.
7. I refer to the photograph of a notice displayed at the Easton Street Car Park. The notice is dated 6 January 2023 and requires the named Defendants and "Persons Unknown" to leave the premises by 11 January 2023. This is exhibited under **JR3** together with a copy of the notice.
8. It had been reported there was a sleeper residing at the disabled car parking bays adjacent to Town Hall and a separate notice was issued at the site. I refer to the photograph of a notice dated 6 January 2023, requesting the named Defendants and "Persons Unknown" to vacate the premises by 11 January 2023. This is exhibited under **JR4** together with a copy of the notice.

Statement of truth

I believe that the facts stated in these 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. I am duly authorised by the Claimant to sign this statement.

Full name: Julie Rushton

Position or office held: Head of Parking Service



Signed:

Date: ~~23rd January 2023~~

Amended Date: 27th February 2023

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT JR1 – NOTICE AT WYCOMBE SWAN THEATRE CAR PARK

I verify that this is the exhibit marked JR1 in my statement.



IMPORTANT NOTICE

To: Geoffrey Rackstraw, Lee Davis, Carrie Hearne, Sarah-Jayne Smith and Persons Unknown

Multistorey Car Park adjoining Wycombe Swan Theatre,
St Mary Street,
High Wycombe,
HP11 2XE

Please note the Multistorey Car Park adjoining Wycombe Swan Theatre, St Mary Street, High Wycombe, HP11 2XE is owned by Buckinghamshire Council.

We wish to advise you that you have not been granted consent, licence or permission by any of the Council's officers, agents, employees or contractors to sleep overnight in this Multistorey Car Park and as such your occupation of the said building is unlawful and amounts to trespass.

Please immediately remove your belongings from the Car Park (including the stairwells and lift accesses) because this is creating an unsafe environment for car park users. In addition, we are informed that you have been engaged in conduct which is likely to cause harassment, alarm or distress towards the Council's contractors which means the area is unable to be cleaned.

We must insist that you vacate these premises immediately. If you are still on the premises by next Wednesday (11th January 2023) at 4pm, we will take further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with homelessness, please contact our Housing Options team:

- email: housingoptions.wyc@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 999 7677

We urge you to take independent legal advice in relation to the contents of this letter.

Signed:
Head of Parking Services
Dated: 6th January 2023

LEVEL TWO



BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT JR2 – NOTICE AT EASTON STREET CAR PARK

I verify that this is the exhibit marked JR2 in my statement.



IMPORTANT NOTICE

To: Geoffrey Rackstraw, Lee Davis, Carrie Hearne, Sarah-Jayne Smith and
Persons Unknown
Easton Street Multi-Storey Car Park
Easton Street
High Wycombe
HP11 1NT,

Please note Easton Street Multi-Storey Car Park, Easton Street, High Wycombe is owned by Buckinghamshire Council.

We wish to advise you that you have not been granted consent, licence or permission by any of the Council's officers, agents, employees or contractors to sleep overnight in this Multistorey Car Park and as such your occupation of the said building is unlawful and amounts to trespass.

Please immediately remove your belongings from the Car Park (including the stairwells and lift accesses) because this is creating an unsafe environment for car park users. In addition, we are informed that you have been engaged in conduct which is likely to cause harassment, alarm or distress towards the Council's contractors which means the area is unable to be cleaned.

We must insist that you vacate these premises immediately. If you are still on the premises by next Wednesday (11th January 2023) at 4pm, we will take further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with homelessness, please contact our Housing Options team:

- email: housingoptions.wyc@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 999 7677

We urge you to take independent legal advice in relation to the contents of this letter.

Signed:
Head of Parking Services
Dated: 6th January 2023

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

**EXHIBIT JR3 – NOTICE AT COUNCIL OFFICES, QUEEN VICTORIA ROAD
CAR PARK**

I verify that this is the exhibit marked JR3 in my statement.



IMPORTANT NOTICE

To: Geoffrey Rackstraw, Lee Davis, Carrie Hearne, Sarah-Jayne Smith and
Persons Unknown
Council Offices,
Queen Victoria Road,
High Wycombe,
HP11 1BB

**Please note Council Offices, Queen Victoria Road, High Wycombe, HP11 2XE
is owned by Buckinghamshire Council.**

We wish to advise you that you have not been granted consent, licence or permission by any of the Council's officers, agents, employees or contractors to sleep overnight in this Multistorey Car Park and as such your occupation of the said building is unlawful and amounts to trespass.

Please immediately remove your belongings from the Car Park (including the stairwells and lift accesses) because this is creating an unsafe environment for car park users. In addition, we are informed that you have been engaged in conduct which is likely to cause harassment, alarm or distress towards the Council's contractors which means the area is unable to be cleaned.

We must insist that you vacate these premises immediately. If you are still on the premises by next Wednesday (11th January 2023) at 4pm, we will take further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with homelessness, please contact our Housing Options team:

- email: housingoptions.wyc@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 999 7677

We urge you to take independent legal advice in relation to the contents of this letter.

Signed:
Head of Parking Services
Dated: 6th January 2023



IMPORTANT NOTICE

To: Geoffrey Rickstone, Leo Davis, Carrie Pearce, Sarah-Jayne Smith and
Percy Robinson
Council Offices,
Queen Victoria Road,
High Wycombe,
HP11 1BB

Please note Council Offices, Queen Victoria Road, High Wycombe, HP11 2AF
is owned by Buckinghamshire Council.

We wish to advise you that you have not been granted consent, licence or
permission by any of the Council's officers, agents, employees or contractors to
sleep overnight in the Accessibility Car Park and in such your occupation of the
said building is unlawful and amounts to trespass.

Please immediately remove your belongings from the Car Park (including the
stairs and lift access) because this is creating an unsafe environment for
car park users. In addition, we are informed that you have been engaged in
conduct which is likely to cause harassment, alarm or distress towards the
Council's contractors which means the area is unable to be cleared.

We must insist that you vacate these premises immediately. If you are still on
the premises by mid-Wednesday (11th January 2023) at 8pm, we will take
further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with
homelessness, please contact our Housing Options team.

- email: housingoptions@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 800 7677

We urge you to take independent legal advice in relation to the contents of this
notice.

Signed
Head of Parking Services
Dated: 4th January 2023

Disabled
Badge
Holders

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

-and-

Claimant

- (1) **GEOFFREY RACKSTRAW**
- (2) **LEE DAVIS**
- (2) **CARRIE HEARN**
- (4) **SARAH-JAYNE SMITH**
- (5) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (6) **PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (7) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (8) **PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (9) **PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**
- (10) **PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED**

Defendants

EXHIBIT JR4 – NOTICE AT DISABLED CAR PARKING BAYS (UNDER ARCHWAY)

I verify that this is the exhibit marked JR4 in my statement.



IMPORTANT NOTICE

To: Geoffrey Rackstraw, Lee Davis, Carrie Hearne, Sarah-Jayne Smith and
Persons Unknown
Disabled Car Parking Bays adjacent to Town Hall (under archways),
Queen Victoria Road
High Wycombe.

Please note the Disabled Car Parking Bays adjacent to Town Hall (under archways), Queen Victoria Road, High Wycombe are owned by Buckinghamshire Council.

We wish to advise you that you have not been granted consent, licence or permission by any of the Council's officers, agents, employees or contractors to sleep overnight in this Multistorey Car Park and as such your occupation of the said building is unlawful and amounts to trespass.

Please immediately remove your belongings from the Car Park (including the stairwells and lift accesses) because this is creating an unsafe environment for car park users. In addition, we are informed that you have been engaged in conduct which is likely to cause harassment, alarm or distress towards the Council's contractors which means the area is unable to be cleaned.

We must insist that you vacate these premises immediately. If you are still on the premises by next Wednesday (11th January 2023) at 4pm, we will take further legal action against you without further notice.

If you require advice and assistance if you are homeless or threatened with homelessness, please contact our Housing Options team:

- email: housingoptions.wyc@buckinghamshire.gov.uk
- phone (office hours): 01494 421212
- phone (emergency / out of hours): 0800 999 7677

We urge you to take independent legal advice in relation to the contents of this letter.

Signed:
Head of Parking Services
Dated: 6th January 2023

IN THE HIGH WYCOMBE COUNTY COURT

Claim No. KR00RG167

Party: Claimant

BUCKINGHAMSHIRE COUNCIL

(Claimant)

and

**(1) GEOFFREY RACKSTRAW, LEE DAVIS, CARRIE
HEARNE, SARAH-JAYNE SMITH and**

(Defendants)

**(2) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**3) PERSONS UNKNOWN ENTERING OR REMAINING
AT SWAN THEATRE CAR PARK (AS DEFINED IN
PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**4) PERSONS UNKNOWN OCCUPYING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE
IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF
THE SCHEDULE APPENDED**

**5) PERSONS UNKNOWN ENTERING OR REMAINING
AT QUEEN VICTORA CAR PARK (AS DEFINED IN
PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

**6) PERSONS UNKNOWN OCCUPYING OR
REMAINING AT EASTON STREET CAR PARK (AS
DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE
APPENDED) WITHOUT THE CLAIMANT'S
PERMISSION TO ENGAGE IN CONDUCT AS
DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE
APPENDED**

**7) PERSONS UNKNWON ENTERING OR REMAINING
AT EASTON STREET CAR PARK (AS DEFINED IN
PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED)
WITHOUT THE CLAIMANT'S PERMISSION TO
ENGAGE IN CONDUCT AS DESCRIBED IN
PARAGRAPH (2) OF THE SCHEDULE APPENDED**

AMENDED WITNESS STATEMENT OF RUBEN NUNES

1. I, Ruben Nunes employee of Buckinghamshire Council of Queen Victoria Road, High Wycombe, Bucks, HP11 1BB, will say as follows:-
2. I am employed by Buckinghamshire Council (“the Claimant”) as a Street Warden for Buckinghamshire Council's Community Safety Team. I have been working in this capacity since 04/06/2022.
3. Since the beginning of September 2022, I became aware that people were using the Swan Car Park to sleep in overnight. They blocked doorways in stairwell and lift lobby areas, discarded needles, left human waste matter (urine and faeces) in public areas and drew graffiti on the walls.
4. In view of the issues noted in paragraph 3, I am duly authorised to make this witness statement in support of the Council's application for an injunction to prevent the Defendants from entering or remaining in the multi-storey car park adjoining

Wycombe Swan Theatre, St Mary Street, High Wycombe HP11 2XE (“the Property”). Insofar as the facts and matters contained in this statement are within my knowledge, they are true. In so far as they are not within my own knowledge, they have derived from information contained within the Council’s files and they are true to the best of my knowledge, information and belief.

5. On 09/08/2022, at 3.03 p.m. I was patrolling the Swan Car Park. As I walked down one of the stairwells, I witnessed Geoffrey Rackstraw sat on the flight of steps below me. I could see through the railings that he was about to inject his left leg with a syringe. I told Geoff “You can’t do that in here”. He took the needle away and said “well, where am I going to fucking do it then?” He rolled his trouser leg back down and left the stairwell. I recorded the incident on my body worn video camera.
6. The Street Wardens use body worn video camera devices and I used my device to record the above incident, noted in paragraph 5, then uploaded the footage onto the Street Wardens Evidential Laptop. This laptop is stored in a secure environment, in a locked room inside the Council’s secure CCTV building.
7. On 28/10/2022, I used the Street Wardens Evidential Laptop to burn the footage noted in paragraph 5 onto a disc. I exhibit this footage as RN1-28102022.

Statement of truth

I believe that the facts stated in these 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. I am duly authorised by the Claimant to sign this statement.

Full name: Ruben Nunes

Position or office held: Street Warden

Signed : 

Date: ~~01/02/2023~~

Amended Date: 27th February 2023

BETWEEN:

BUCKINGHAMSHIRE COUNCIL

Claimant

-and-

- (1) GEOFFREY RACKSTRAW
- (2) LEE DAVIS
- (3) CARRIE HEARN
- (4) SARAH-JAYNE SMITH
- (5) PERSONS UNKNOWN OCCUPYING OR REMAINING AT SWAN THEATRE CAR PARK (AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (6) PERSONS UNKNOWN ENTERING OR REMAINING AT SWAN THEATRE CAR PARK AS DEFINED IN PARAGRAPH (1)(a) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (7) PERSONS UNKNOWN OCCUPYING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (8) PERSONS UNKNOWN ENTERING OR REMAINING AT QUEEN VICTORIA CAR PARK AS DEFINED IN PARAGRAPH (1)(b) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (9) PERSONS UNKNOWN OCCUPYING OR REMAINING AT EASTON STREET CAR PARK (AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED
- (10) PERSONS UNKNOWN ENTERING OR REMAINING AT EASTON STREET CAR PARK AS DEFINED IN PARAGRAPH (1)(c) OF THE SCHEDULE APPENDED) WITHOUT THE CLAIMANT'S PERMISSION TO ENGAGE IN CONDUCT AS DESCRIBED IN PARAGRAPH (2) OF THE SCHEDULE APPENDED

Defendant

NOTE FOR DEFENDANT

A. OVERVIEW:

1. This note is prepared in accordance with the order of the court made on 7 March 2023. This note serves only to provide a brief note of the hearing so that the Defendant(s) can understand broadly how the arguments developed and assure them that their interests were considered.
2. This note is not intended to be a full recital of the hearing on 7 March 2023, nor is it a verbatim transcript of the submissions, discussions, or judgment. This note is a summary of the hearing.

3. This note has been prepared by Counsel and approved by Buckinghamshire Councils' in-house litigation team as being an accurate summary of the hearing on 7 March 2023.
4. In respect of any submissions outlined herein below, all submissions are made in accordance with instructions provided by the Claimant.

B. THE CLAIMANTS' CLAIM:

5. Counsel for the Claimant addressed the background to the claim, as set out in paragraphs 4 and 8 to 12 of the Skeleton Argument. The Claimant's Counsel provided the court with copies of the HM Land Registry Office Copies evidencing the Claimant's registered proprietary interest in the Car Parks (as defined in the Skeleton Argument).
6. The Claimant's Counsel outlined the legal framework set out in paragraphs 13 to 20 of the Skeleton Argument. The Claimant's Counsel explained the current legal position in respect of *Barking and Dagenham v Persons Unknown* [2022] EWCA Civ 13, namely, that the Court of Appeal considered that the court had jurisdiction to make final injunctive orders in such terms that they would have an effect against 'newcomers' who automatically become a party when they knowingly violate an injunction. The Claimant's Counsel explained that the aforementioned case was binding but was currently subject to appeal to the Supreme Court, although no judgment had been handed down. The court was informed that the appeal was heard at the Supreme Court on 8 and 9 February 2023, with judgment to follow within nine months of the conclusion of the appeal hearing.
7. Counsel for the Claimant took the court through the procedural history of the claim outlining the date of issue, together with the court orders and service of the claim. The court was referred to the witness statements of Mr John Power dated 2 March 2023 and the first and second witness statement of Mr Safian Rasheed dated 3 and 6 March 2023, respectively.
8. The court was taken to through the Claimant's submissions in paragraphs 21 to 30 of the Skeleton Argument.
9. Finally, the court was taken through paragraphs 31 to 48 of the Skeleton Argument, namely, the terms of the injunction and proposed service of said order.

C. THE INJUNCTION:

10. Counsel for the Claimant invited the court to make an order in the terms proposed by the draft order and suggested that such be made on an interim basis, pending the handing down of the judgment of the Supreme Court.
11. The Court agreed for an injunction to be granted on an interim basis, per the terms of the sealed order to which this note is appended.

D. JUDGMENT:

12. The following is a summary of the ex-temporary judgment handed down by Deputy District Judge Taskis KC:

- a. Claim by Buckinghamshire County council, described in detail in Particulars of Claim, sealed in January 2023.
- b. The Claimant seeks an order for possession and restraining trespass; four named Defendants, and six persons unknown, have been occupying one or more of the four car parks, set out in the evidence, sleeping, spending time in the day, Mr Nick Adkins, details factual information including, that bedding being found there, and suspected drug use. This evidenced the need to involve emergency services.
- c. In those circumstances, listed for 2 May 2023, brought forward Deputy District Judge Chataway on 10 February 2023.
- d. The court has seen a skeleton argument by Ms Traynor, comprehensively setting out the claim, the basis upon which injunction, precautionary, for which it is an imminent and real risk of harm. Referred to various authorities, and procedural guidelines to be followed, and considerations on such an application.
- e. Service of the present claim, on four named Defendants and persons unknown, in the manner set out by the witness statements of Mr Power and Mr Rasheed. Mr Rasheed set out that service took effect by displaying plastic cases in prominent cases. Mr Power described effecting personal service on the Fourth Defendant. The Fourth Defendant attended, accepted received those documents.
- f. The court is wholly satisfied as to the legal basis for me to make the injunction sought, evidence and skeleton arguments, heard from the First and Fourth Defendant, who confirmed they are no longer in occupation, but in temporary accommodation and pleased to hear, do not raise any objection to grant of the order.
- g. The remaining issue, question, Court of Appeal Barking & Dagenham, no difference in considerations applicable, basis on that Court of Appeal appropriate to make a final injunction, as would have an effect against newcomers, after the date of the order and automatically. However, as informed by Ms Traynor, this case is subject to an appeal to Supreme Court, heard on 8 and 9 February 2023. Quite rightly, Ms Traynor suggests making an interim injunction pending judgment of the Supreme Court. This is the appropriate and proper course to take. The Claimant has undertaken the court, the fee for application for an injunction, notwithstanding lesser relief, final injunction present state of the late, should require payment and dispense with the need to final or service any formal app in N244, plainly set out in the POC that have been issued.
- h. For those reasons, make the order seeks.

C. ORDER:

13. The order of Deputy District Judge Taskis KC is appended hereto.