

IN THE HIGH COURT OF JUSTICE

Claim No. KB 2026-

KING'S BENCH DIVISION

IN THE MATTER OF SECTION 187B TOWN AND COUNTRY PLANNING ACT 1990

BETWEEN: -

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Applicant

And

(1) PERSONS UNKNOWN

Defendants

WITNESS STATEMENT OF CHRISTOPHER BARNES

Introduction

1. The facts and matters set out in this statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified; facts and matters derived from other sources are true to the best of my knowledge and belief.
2. I, Christopher Barnes, am employed as a Principal Planning Compliance Officer at South Cambridgeshire District Council ('the Council'). I am a Chartered Member of the Royal Town Planning Institute and I have over thirteen years' experience in this and similar roles. I make this statement in support of the Claimant's application for continuation of a planning injunction under s.187B of the Town and Country Planning Act 1990 (as amended) in relation to land known as West of Moor Drove, Histon, Cambridge ('the Site'), which is located within the administrative boundary of South Cambridgeshire District Council. A plan of the site is included in exhibit **CB1**.
3. In my role as Principal Planning Compliance Officer I am familiar with the planning issues relating to the Site. I was previously made aware of the Site in December 2025, when I was informed that the Site had been sold to travellers from outside of the area, who may be looking to move on to the land. I carried out

a site visit in December 2025, my photographs are attached in exhibit **CB2**. At the time the land was completely undeveloped.

4. I am aware of the interim injunction order granted on 24 May 2026 (“the Order”) by Mr Justice Mansfield, as well as the witness statements of Stephen Kelly and Dr Martin Cahn.
5. I understand that on Wednesday 3 June 2026, the Court will consider, on notice, whether the interim injunction, granted under s. 187B of The Town and Country Planning Act 1990 (as amended) should continue. This witness statement will cover all relevant matters since the interim injunction order was granted.

Service of injunction

6. A separate witness statement is provided by the process server, Mr Phil Rands, which advises the Court that multiple copies of the interim injunction order were served on the land on 25 May 2026 in accordance with the order. At the time of service there were approximately 5 caravans on the site, with works to prepare the site for occupation still ongoing. This is corroborated by aerial drone footage taken at 12:22pm on 25 May 2026, see exhibits **CB3 and CB4**.
7. A copy of the injunction was also published on the Council’s website and social media on 26 May 2026, see exhibit **CB5**.

Site visits 26 May 2026 – enquiries & breaches of injunction

8. On 26 May 2026, I attended the Site with Tanya Mutch, Senior Enforcement Officer, and two Officers from Cambridgeshire Police. The purpose of the visit was to check compliance with the Order, make further enquiries in relation to land ownership/those responsible for the works, and check the welfare of those on site.
9. When we arrived on the Site, there were approximately 17 caravans on site, with hardcore, fencing, amenity facilities (mobile toilet blocks), cars, and other residential paraphernalia; Copies of the order previous displayed on site were not visible. We started at the far (northern) end of the site, and began knocking door to door on each caravan, either handing a copy of the interim injunction order to residents, or affixing a copy to each caravan.

10. The first person we spoke to and began explaining the injunction to, asked us to speak to her friend in a neighbouring caravan at the same time. Whilst waiting for them, two men arrived in a car and approached us. One man did the majority of the talking, and he would later identify himself as Tom Price (hereafter referred to as Tom).
11. I explained to Tom that the Order was served the day before and at the time of service there were only approximately 4 caravans. Although it subsequently transpires there had been 5 caravans on site at the time of service of the Order, during the visit I thought there had been 4. I explained that the injunction is against persons unknown, and that it had a penal notice attached, which appeared to be currently breached, as residents were living on site, and caravans had been stationed on the land for residential purposes. I also explained the process for applying to vary the injunction, the need for legal advice, and the implications of breaching the injunction (being in contempt of court). I did this by reading out sections of the order, whilst being filmed by unidentified persons on site at the time of the visit.
12. Tom advised me that a number of families had moved on to the land to live here, they have a planning application in and a planning agent, and that the planning agent, Mr Matt Taylor, could provide information on ownership of the land. Tom stated that they had nowhere to go, but that they wished to comply with the injunction. During the conversation, another (older) man approached, and when I explained the situation, he said he would not leave the land unless he was arrested.
13. I explained to Tom that even if a planning application had been submitted, this does not alter the Order – in fact the Order is clear that an application for planning permission can be made. I later checked the Council's records; as of 28 May 2026, no application has been received by the Local Planning Authority, despite the agent advising that it has been submitted.
14. Copies of the Order were handed out to everyone and affixed to the remaining caravans as the conversation concluded and we left the site. I explained that we would not be going to the High Court that day (Tuesday) but would return to site on Wednesday 27 May 2026, with a view to bringing contempt proceedings against anybody present. Various photos taken at the time of this visit are appended in Exhibit **CB6**.
15. We attempted to make welfare checks but those on Site were unwilling to provide any information on the day; some women on site took the forms to fill out

and return, and it was explained that the Council has a Traveller Liaison Officer if they wished to speak to them directly.

Site visit 27 May 2026 – continuing breaches of the injunction.

16. I am aware that on 27 May 2026, Tanya Mutch Senior Planning Compliance Officer visited the site again at approximately 1.30pm, accompanied by two Police Officers. The caravans from the previous day remained on Site, but had been moved around.
17. I am aware that a separate witness statement will be served by Tanya Mutch, and I am aware that the contents can broadly be summarised as follows; those on Site refused to disclose who they were, who the landowner is, or why they continued to occupy the site in breach of a high court injunction. No efforts appear to have been made between 26 and 27 May 2026 to comply with the order. Photographs of this visit are contained within exhibit **CB7**.

Subsequent correspondence 29 May 2026 regarding ownership/occupation

18. On 29 May 2026, I spoke to a representative from Redmayne, Arnold & Harris, who were the land agents for the sale of the land. They advised that the executors of the estate of the registered owner, Ms Elaine Kidd, sold the site in March 2026, to a Mr Mark Clarke. I was provided telephone contact details for him. I spoke to Mr Clarke, and subsequently to his solicitor, who advised that the land had been sold off in plots to a range of individuals. At the time of writing this statement I am awaiting confirmation of the purchasers.
19. Later on 29 May 2026, I received email correspondence from the planning agent, Mr Matt Taylor. This included a plan provided by his client, Mr William Doherty, indicating who was responsible for each plot of land. It is unclear whether these individuals will be registered as the owners of each respective parcel, and/or whether they are the individuals currently occupying the site (or simply plan to occupy in the future). This is appended as exhibit **CB8** with the correspondence at **CB9**. The names stated are; William Doherty, Gerry Connors, Mark Cooper, Miss Mary Doherty, Michael Flynn, Miss Masie Clarke, Tristan Smith, Mrs Frances O'Donoghue, William Faulkner, Douglas Ward, Jacob Levy, Miss Ashleigh Price. Part of the red-line area appears to remain registered to Drewey Ambrose Price, see exhibit **CB10** and **CB11**.

Continued justification for injunctive relief

20. I have reviewed the contents of the witness statement by Stephen Kelly, filed in support of the Council's without-notice application, together with the Order granted on 24 May 2026 and sealed on 26 May 2026. I agree with the assessment in Mr Kelly's statement that there was clear evidence of a breach of planning control and a real risk of further imminent breach at the time the application was made. The events since the making and service of the Order have confirmed that assessment. In particular, by the time of my visit on 26 May 2026, approximately 17 caravans were present on the Site, together with extensive hardcore/hardstanding, fencing, portable toilet facilities, vehicles and domestic paraphernalia. That is a materially different position from the undeveloped agricultural land I observed in December 2025 and from the position recorded at the time of service of the Order on 25 May 2026.
21. The Council's concern is therefore no longer merely apprehended. The Site has now been developed and occupied in a manner which appears to be in breach of planning control and in breach of the terms of the Order. The Order was served at the Site and further copies were provided or affixed to caravans on 26 May 2026. I explained the effect of the Order, the penal notice, the right to seek legal advice, the right to apply to vary or discharge the Order, and the consequences of breach. Despite that, the occupation and stationing of caravans continued. I am also aware from the further visit by Ms Mutch on 27 May 2026 that there had been no apparent attempt to comply with the Order. It is my professional opinion, based on reviewing the photographs and witnesses statements prepared to date, that caravans have initially been moved on to give the appearance of occupation; it is only in later photographs, after the Order has been served, that larger caravans and a much greater number of caravans move on to site, together with sufficient services/amenities to facilitate occupation, once the works had been substantially completed.
22. The Site lies within the Cambridge Green Belt and, so far as the Council is aware, had a lawful agricultural use before the recent works. It has no planning permission for hardstanding, fencing, stationing of caravans, residential occupation, use as a caravan site, or any associated operational development. The laying of extensive hardcore/hardstanding and the erection of fencing have already caused a loss of openness and introduced urbanising features into what was open countryside. The presence of caravans, vehicles, portable facilities and domestic paraphernalia has materially increased that harm. In my professional view, continued occupation and further works would cause additional and progressively more difficult-to-remedy harm to the openness and rural character of the Green Belt.

23. I do not seek in this statement to pre-determine any planning application that may be made. Any application would have to be considered on its own merits, with full regard to the development plan, national policy, the Planning Policy for Traveller Sites, the need for Gypsy and Traveller accommodation, the availability of alternatives, personal circumstances, children's best interests, highway safety, drainage, ecology, landscape, Green Belt harm and any other material considerations. However, those are precisely matters which should be assessed through the planning process before further development or occupation takes place. At the date of this statement, I am not aware of any valid planning application having been received by the Local Planning Authority, despite being told on site that one had been submitted. Having spoken to the planning agent on 29 May 2026, I understand that this has been submitted to a checking system, and may not have reached the stage of final submission to the Local Planning Authority.
24. I consider that ordinary planning enforcement tools would not provide adequate protection in the circumstances. An enforcement notice would not prevent further works or further occupation while any appeal is pursued. A stop notice or temporary stop notice would not provide the same practical control over unknown persons and an evolving occupation of this nature. The Council is dealing with persons who have declined to identify themselves or the owner of the land, and who have continued to occupy the Site despite the Order being served and explained. In my view, continuation of the Order is necessary to hold the position and prevent the breach from becoming further entrenched while any planning application or other lawful process is pursued.
25. The Council continues to have regard to its duties under section 149 of the Equality Act 2010. The Council recognises that Gypsies and Travellers may have protected characteristics for the purposes of the Equality Act, and that the traditional way of life, including living in caravans, is a matter requiring careful consideration. The Council has also had regard to Article 8 of the European Convention on Human Rights, including respect for private and family life and home, and Article 1 of the First Protocol, concerning peaceful enjoyment of possessions. National planning guidance also confirms that human rights considerations, including Article 8 and Article 1 of the First Protocol, are relevant to enforcement action, and that authorities should have regard to the health, housing needs and welfare of those affected.
26. I have also had regard to the best interests of any children on the Site as a primary consideration, as approximately 4-5 children have been seen by Officers on site. Officers attended the Site with police on 26 May 2026 not only to check

compliance but also to make enquiries and check welfare. However, those on Site have not provided names or detailed information about the occupiers, including the number and ages of children, medical needs, school attendance, local connections, or any specific accommodation needs. The Council's housing options team has not, to my knowledge, been approached by any occupier for assistance, although remains available on 01954 713000. The occupation appears to have begun only very recently, and there is presently no evidence of settled local schooling or other established local welfare arrangements arising from occupation of this Site.

27. I recognise that the Order interferes with the ability of those on Site to remain there and with any developing private and family life on the Site. I also recognise that the absence of an authorised stopping place or pitch may be a difficult matter for individual families. However, the interference is in accordance with law, pursues the legitimate aim of protecting the environment and maintaining effective planning control, and is proportionate. The Order does not prevent the making of a planning application, nor does it prevent any person affected from applying to vary or discharge the Order. Its purpose is to prevent further unauthorised development and occupation pending proper assessment through the planning system.

28. In my professional view, the balance remains firmly in favour of continuing the Order. The Site had no planning permission, was undeveloped when I first visited in December 2025, and has been rapidly developed and occupied in a manner which causes Green Belt harm and appears to be in breach of planning control. The risk of further works is real. If the Order is not continued, I consider it likely that further hardstanding, fencing, utility connections, septic tanks or cesspits, amenity structures, static caravans/mobile homes and other domestic infrastructure will be installed. That would increase planning harm, further entrench the unauthorised occupation, and make later restoration materially more difficult.

29. I am aware that the Council is under a duty to provide full and frank disclosure when seeking and maintaining urgent injunctive relief. I wish to make clear that, during the 26 May 2026 site visit, I referred to there having been approximately four caravans on Site when the Order was served. I now understand from the process server's evidence and drone footage that there were approximately five caravans on Site at that time. Nothing turns on that distinction for the purposes of my assessment, but I correct it here for completeness. The key point is that by 26 May 2026 the number had increased substantially, to approximately 17 caravans.

30. For those reasons, I continue to support the Council's application for continuation of the injunction under section 187B of the Town and Country Planning Act 1990.

Statement of Truth

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


Signed:  Date: 29.05.2026

Exhibit CB1 – Site plan

Exhibit CB2 – Photos December 2025

Exhibit CB3 – Annotation of caravans on site at time of service

Exhibit CB4 – Aerial images 25.05.2026 at service

Exhibit CB5 – Copy of website and social media posts

Exhibit CB6 – Aerial and photos 26 May 2026

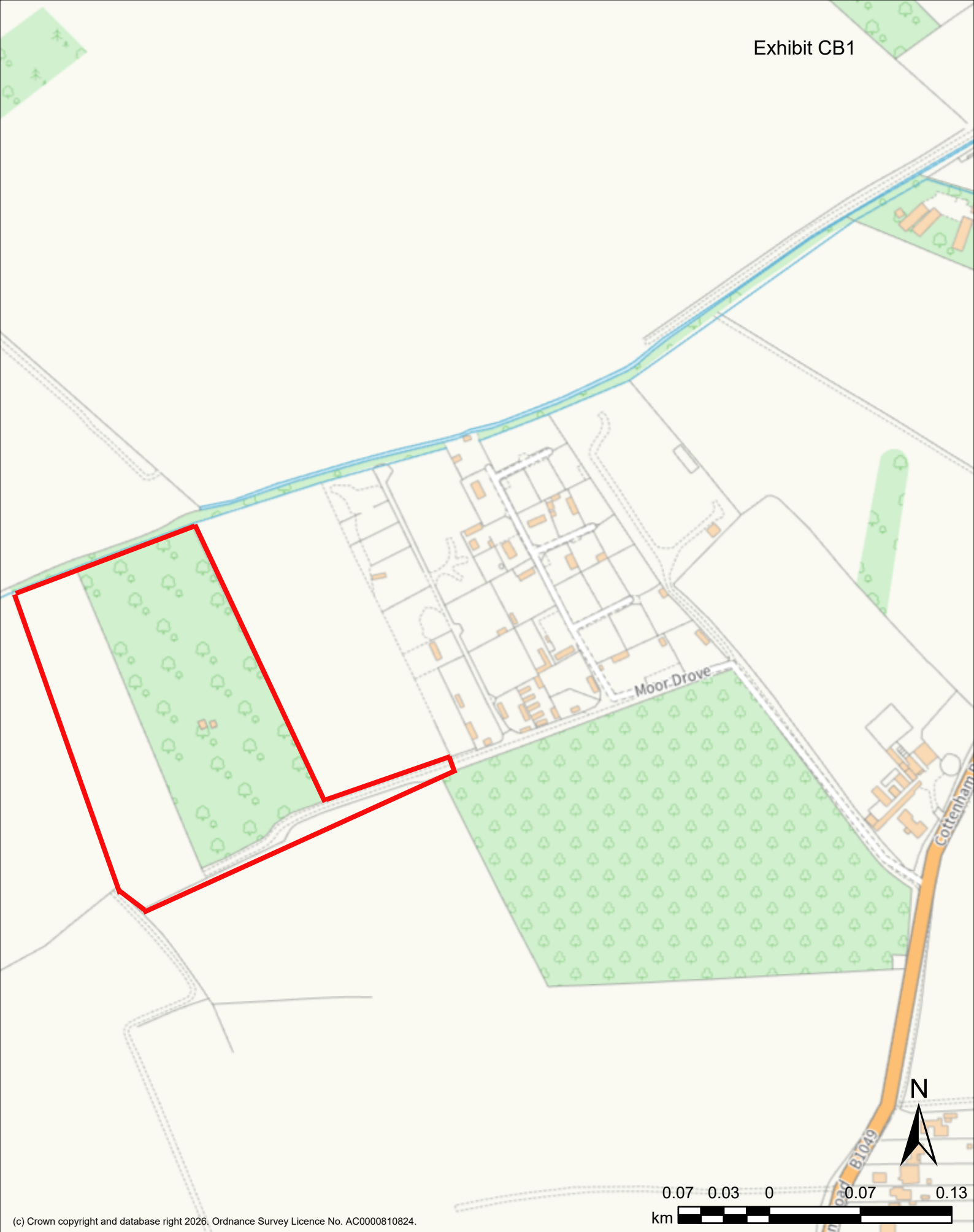
Exhibit CB7 – Photos 27 May 2026

Exhibit CB8 – Plan from planning agent indicating plots

Exhibit CB9 – Planning agent correspondence

Exhibit CB10 – Title Plan CB88586

Exhibit CB11 – Register CB88586



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Title:
**Land West of Moor Drove, Histon,
Cambridgeshire**

Date:
28 May 2026

Produced by:
Mapping Portal

Scale:
1:3,307 @ A4











Exhibit CB4



Exhibit CB4



Exhibit CB4



Exhibit CB4



Exhibit CB4



The screenshot shows the website for South Cambridgeshire District Council. At the top, there are navigation links for Accessibility, Translate, Leave feedback, Work with us, and News. A search bar is located on the right. Below the navigation, there are tabs for Residents, Business, and About your Council, along with a 'Log in to My South Cambs' button. A main banner features the headline 'Injunction: Land West of Moor Drive Histon/Cottenham' with sub-navigation options: Book, Pay, Notify, and Apply. The text below the headline states: 'South Cambs have been granted a High Court injunction against persons unknown for land West of Moor Drive in Cottenham to prevent works continuing on the site. To find out more please [read our news release](#).' Below this is a large image of trees with a white box containing the text 'In my area:' and instructions to enter a postcode. A search input field contains 'SG3 7BA' and a green search button. A 'Chat with SAM' button is visible in the bottom right corner.

The screenshot shows the Facebook page for South Cambridgeshire District Council. The page header includes the Facebook logo, the council's name, and options for 'Email or phone', 'Review', 'Log in', and 'Forgot my account?'. The page content includes an 'Intro' section with the text: 'We reserve the right to remove, without notice, any information offensive or abusive posts.' Below this is a 'Page' section with contact information: 'Government official', phone number '01934 719330', email 'scd@cambs.gov.uk', and website 'scambs.gov.uk'. A 'Photos' section is also visible. The main post is a text update from the council: 'We have been granted a High Court injunction against persons unknown for land West of Moor Drive in Cottenham to prevent works continuing on the site. See more' with an accompanying aerial photograph of a large, cleared land area. The post has 0 likes and 0 comments.



Exhibit CB6



Exhibit CB6



Exhibit CB6



Exhibit CB6





Exhibit CB7

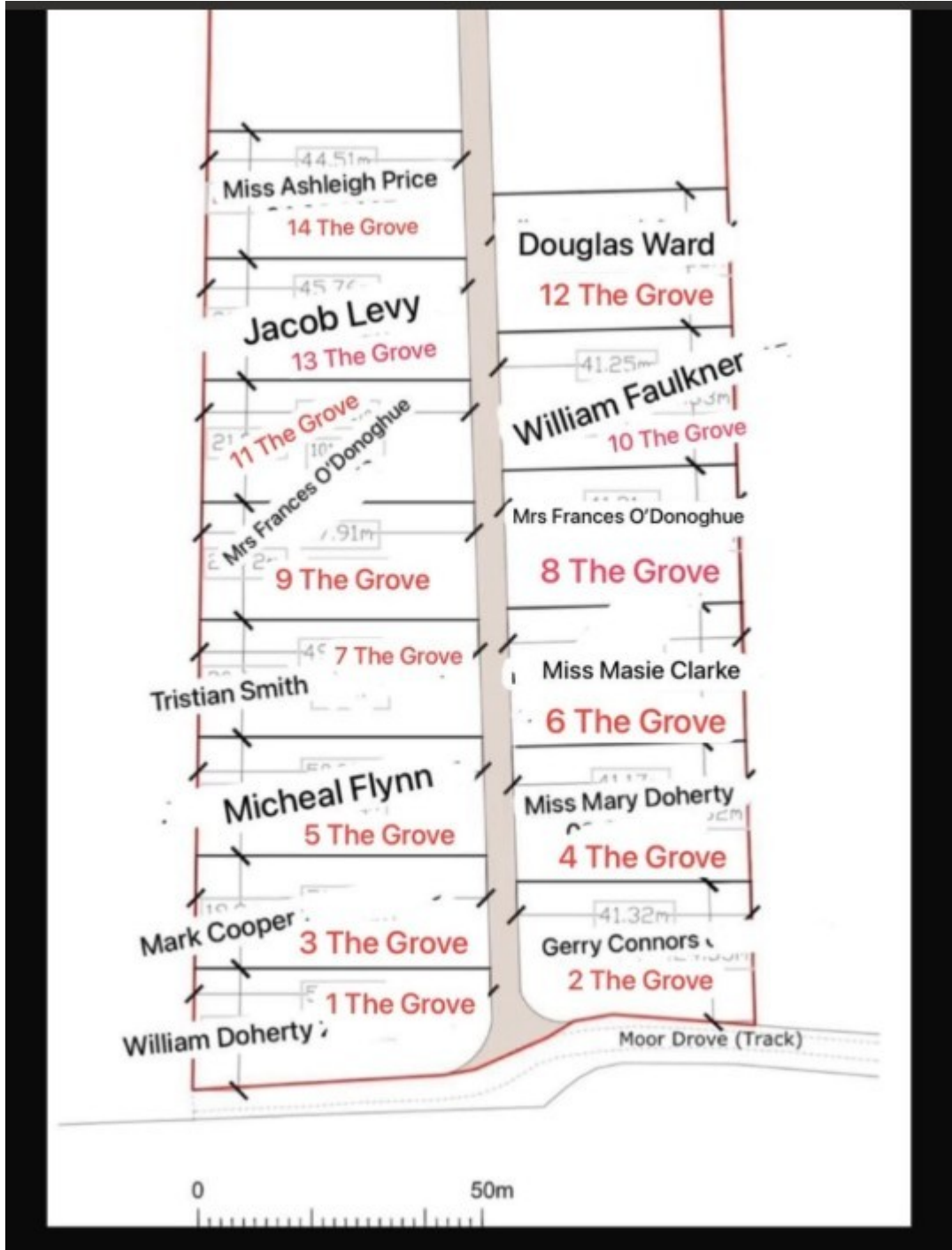


Exhibit CB7



Exhibit CB7





From: Matt Taylor
Sent: Friday, May 29, 2026 1:44 PM
To: Chris Barnes
Subject: RE: land west of moor drove histon cambs

Hi chris, sorry I am away at the moment, this is what I have received from who I was instructed by , the address im not sure if they have set up a an address wit the royal mail/ council, I asked who was on each plot and this is what I got.

Planning – I uploaded it via planda portal and was sent but it checks everything before but I cant log in on my phone so if it needs me to change anything I might not of seen it yet , I should try get on my laptop tonight or in the morning when on some decent wifi and hopefully if its sitting there push it through or I can get planda to contact the council if any issues

Hope that helps

Kindest Regards

Matt Taylor

Taylor Planning and Building Consultants

From: Chris Barnes
Sent: 29 May 2026 12:50
To: Matt Taylor
Subject: Re: land west of moor drove histon cambs

Hi Matt, is there any update on this please? I have been provided with a potential owner's name, but it is not William Doherty, so we really need to understand exactly who has an interest in the land. I have also checked our system and cannot find any record of a planning application being received yet?

Kind regards,

Chris

Chris Barnes | Principal Planning Compliance Officer

From: Matt Taylor
Sent: Tuesday, May 26, 2026 5:16 PM
To: Chris Barnes
Cc:
Subject: Re: land west of moor drove histon cambs

Chris , just rang me and left a message with him to give me a name for each plot, I can then add this to a site plan and send it to you

Sent from my iPhone

On 26 May 2026, at 17:15, Matt Taylor wrote:

Hi Chris , thanks for the email I only got appointed mid last week by a mr William Doherty that's the only contact I have , I went to the site last Wednesday to take measurements for bng calculations and it was empty just a field with a hardcore / gravel entrance

We was appointed to put a application in and that's all the information I have to submit a planning application , I can contact mr Doherty for names and get them to you asap

Sent from my iPhone

On 26 May 2026, at 17:10, Chris Barnes wrote:

Dear Matt,

Thank you for your email and the information contained below.

I visited the site today and spoke to a number of the people present, including a Mr Tom Price, who provided your contact details. Copies of the order were served on site and handed to those present, and I spent some time reading out the terms of the injunction to Mr Price and others. I have attached a copy of the sealed order to this email.

It is important that we establish who has an interest in the land. The land is currently registered to a JEAN ROSE KIDD with no pending applications. Mr Price said that you would be able to provide details of all of the owners; I would therefore ask that you provide as a matter of urgency, details of anybody with an interest in the land, what their interest is, and their address for service of papers.

In addition to the above, it would be helpful if you could provide:

- Details of all those occupying the site, and what their G&T status is
- Please clarify what you mean by "moved on to the land" on 22nd May; perhaps in the first bullet point you can include if/when they started to live on the site

At the site visit today, it was apparent that the terms of the injunction appear to have been breached significantly. I have explained to those on site that Officers will revisit the site tomorrow (27 May 2026), with a view to commencing contempt proceedings if breaches of the injunction remain. This position is unaffected by the submission of an application. I have also signposted those on site to the section in the injunction regarding how to apply to vary or discharge the order.

Kind regards,

Chris

Chris Barnes | Principal Planning Compliance Officer

From: Matt Taylor

Sent: 26 May 2026 13:01

To: Ivy Legal

Subject: land west of moor drove histon cambs

Re: Land West of Moor Drove, Histon, Cambridgeshire

Your letter dated 24 May 2026

We write further to your letter dated 24 May 2026 in respect of the above site, on which we act for the occupiers.

We confirm that our clients moved onto the land on Friday 22 May 2026. We have been instructed to prepare and submit a planning application in respect of the proposed use of the site, and we can confirm the position as follows:

- The planning application was uploaded to the Planning Portal for submission on 22 May 2026;
- The application was finalised on the Portal on 23 May 2026;
- Submission could not be completed at that point as the Planning Portal payment system was unavailable;
- The application fee has now been paid on the next working day, today, 26 May 2026, and the application is in the process of being submitted to the Local Planning Authority.

On that basis, we anticipate that the application will be with South Cambridgeshire District Council within the next 24 hours. Once it has been validated and registered by the Council, we will forward the planning registration details to you for your records in due course.

For the avoidance of doubt, our client understands the notice that has been served and the matters raised in your letter of 24 May 2026. The submission of the planning application is intended to regularise the position, and we trust that your client will hold any further action in abeyance pending its determination.

We would be grateful if you could acknowledge receipt of this letter and confirm that the contents have been brought to the attention of your client.

In the meantime, should you require any further information or have any queries, please do not hesitate to contact the writer.

Yours faithfully,

Kindest Regards

Matt Taylor

Taylor Planning and Building Consultants

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 26 May 2026 shows the state of this title plan on 26 May 2026 at 10:02:28. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by the HM Land Registry, Peterborough Office .

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H.M. LAND REGISTRY

TITLE NUMBER

CB88586

ORDNANCE SURVEY
PLAN REFERENCE

TL4365

Scale
1/2500

COUNTY CAMBRIDGESHIRE

DISTRICT SOUTH CAMBRIDGESHIRE

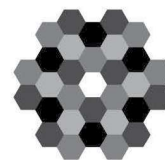
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Exhibit CB11

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number CB88586

Edition date 26.05.2021

- This official copy shows the entries on the register of title on 26 MAY 2026 at 10:02:28.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 26 May 2026.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Peterborough Office.

A: Property Register

This register describes the land and estate comprised in the title.

CAMBRIDGESHIRE : SOUTH CAMBRIDGESHIRE

- 1 (29.01.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the west of Moor Drove, Histon Moor.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (26.05.2021) PROPRIETOR: DREWEY AMBROSE PRICE of 11 Sunrise Meadow, Needingworth Road, Bluntisham, Huntingdon PE28 3FP and DREWEY PRYCE of 4 Moor Drove, Histon, Cambridge CB24 9AN.
- 2 (26.05.2021) The price stated to have been paid on 20 May 2021 was £25,000.
- 3 (26.05.2021) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

End of register