

Claim Number:

**BUSINESS AND PROPERTY COURTS IN MANCHESTER**

**B E T W E E N**

**(1) ABSENCE PROTECTION LIMITED**

**(2) AGM PRODUCTS LIMITED**

**(3) ALPHABOND TECHNOLOGIES LIMITED**

**and**

**OTHERS**

**Claimants**

**and**

**PERSONS UNKNOWN**

**Defendant**

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**WITNESS STATEMENT OF JAMES  
COLEMAN**

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I, James Coleman, will state as follows:

1. I am the Security, Risk and Resilience Director at The Hut Group Limited ('THG') which is a Claimant in this matter.

2. As part of my role, I am responsible for the security of THG's UK commercial property operations.
3. I give this statement in support of the Claimants' application for a *quia timet* injunction to prevent unlawful trespass and encroachment upon Gadbrook Park ('the Park') by Persons Unknown which is causing nuisance, annoyance and financial loss to the lawful occupiers of the same.
4. 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.

### **THG**

5. THG is a global online retailer with over 100 websites specialising in the beauty and wellbeing sector. THG employs over 7,000 people globally.
6. THG occupies FIVE office buildings (Meridian House, Kingsmead House, The Stables, Woodlands House and Hartford House) on Gadbrook Park ('the Park') and employs approximately 500 people at the same through these buildings alone during normal capacity.
7. THG has had premises at the Park for around Eight (8) years.

### **Unauthorised Trespass and Encroachment**

8. On or around 15 October 2020, there approximately 10 vehicles including cars and caravans attended the Park in an unauthorised trespass and encroachment ('the Trespass'). I was advised by our employees at the Park that the Trespass was committed by various members of the gypsy and traveller community ('Persons Unknown').
9. I am advised by Hugh Shields of Groundwork that between FOUR and FIVE cars and caravans set up an unauthorised encampment at THG's premises. The Trespass lasted FOUR days until Persons Unknown were peaceably removed by private bailiffs instructed by THG at cost to the business.
10. As part of the Trespass, Persons Unknown engaged in anti-social behaviour which included the following:

- a. Letting dogs roam around the premises which threatened the staff and also posed a danger to vehicles.
- b. Preventing access to the premises and car park for lawful visitors and colleagues
- c. Fly tipping
- d. Discarding waste and human excrement on the premises.

11. On attendance at the location caravans and vehicles were noticed. Persons were leaving bin bags by the building with waste contained and occupants including children were seen going to the toilet against our building

12. I confirm that Persons Unknown were not invited by THG to attend its premises and they had no business or relationship with the company to justify either their daytime or overnight attendance.

### **Financial Losses**

13. THG incurred costs in the sum of £4,600.00 which consisted of the following:

- a. £1,100.00 on bailiff's fees.
- b. £ Approximately £3,000 on installing bollards as a deterrent and other measures such as wooden posts to protect the land
- c. £1,450.00 + VAT on the installation of a gate to prevent further unauthorised access to the premises
- d. £ 1,000 on additional 24-hour security to guard THG's premises during the Trespass and to try to deter more vehicles from setting up encampments until the removal by the bailiffs took place.

14. I attach at Exhibit JC1 invoices of the above fees incurred by THG as a result of the Trespass.

### **Safety of Lawful Occupiers and Visitors**

15. As a result of the Trespass, THG were concerned for the safety of employees and lawful visitors for the following reasons:

- a. The presence of unlawful visitors and dogs preventing access to the building and car park

- b. The presence of waste and human excrement on the premises which posed a threat to health
- c. The difficulties that the Trespass posed when trying to control the numbers of people on the premises, enforce social distancing measures and remain COVID-19 secure.

**Statement of Truth**

I understand that the purpose of this witness statement is to set out matters of fact of which I have personal knowledge.

I understand that it is not my function to argue the case, either generally or on particular points, or to take the court through the documents in the case.

This witness statement sets out only my personal knowledge and recollection, in my own words.

On points that I understand to be important in the case, I have stated honestly (a) how well I recall matters and (b) whether my memory has been refreshed by considering documents, if so how and when.

I have not been asked or encouraged by anyone to include in this statement anything that is not my own account, to the best of my ability and recollection, of events I witnessed or matters of which I have personal knowledge.

Signed: .....James Coleman  .....

Name: James Coleman

Position: UK Security Manager


Dated: .....22<sup>nd</sup> June 2021 .....

**Certificate of Compliance**

I hereby certify that:

- 1. I am the relevant legal representative within the meaning of Practice Direction 57AC.

2. I am satisfied that the purpose and proper content of trial witness statements, and proper practice in relation to their preparation, including the witness confirmation required by paragraph 4.1 of Practice Direction 57AC, have been discussed with and explained to ~~[name of witness]~~. **JAMES COLEMAN**
3. I believe this trial witness statement complies with Practice Direction 57AC and paragraphs 18.1 and 18.2 of Practice Direction 32, and that it has been prepared in accordance with the Statement of Best Practice contained in the Appendix to Practice Direction 57AC.

Signed: .....  .....

Name: ..... **ALEXANDER SAIDANI** .....

Position: ..... **PARTNER** .....

Dated: ..... **26/02/24** .....

**Butcher & Barlow LLP**  
Solicitors & Notaries  
3 Royal Mews  
Gadbrook Park  
Northwich Cheshire CW9 7UD



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date** 4 Feb 2021  
**Invoice Number** INV-12775  
**Reference** HUT067198 - Kingsmead House  
**VAT Number** 141594024

The ExcluSec Group Ltd  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
Traveller Eviction Services Job Number: 181841				
Serve Eviction Notice 4th February 2021	1.00	350.00	20%	350.00
Certified Enforcement Agent(s) 4th February 2021	13.00	75.00	20%	975.00
Site: Kingsmead House Gadbrook Park Northwich CW8 7RA				
Subtotal				1,325.00
TOTAL VAT 20%				265.00
<b>TOTAL GBP</b>				<b>1,590.00</b>
Less Amount Paid				1,590.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

## Due Date: 30 Mar 2021

Thank you for your continued business. Our services provided subject to our standard terms & conditions (available upon request).

If you have any queries regarding this invoice, please contact our Accounts Department on 0333 344 3990 or email [accounts@exclusec.co.uk](mailto:accounts@exclusec.co.uk)

Sort Code: 20-12-83  
Account Number: 93315002  
IBAN Number: GB65 BARC 20128393315002

Please send remittances by email to [accounts@exclusec.co.uk](mailto:accounts@exclusec.co.uk)

Please Note: We reserve the right to claim statutory interest at 8% above the Bank of England base rate for late payment in accordance with the Late Payment of Commercial Debts (Interest) Act 1998

## PAYMENT ADVICE

To: The ExcluSec Group Ltd  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

**Customer** The Hut.com Ltd  
**Invoice Number** INV-12775

**Amount Due** 0.00  
**Due Date** 30 Mar 2021

**Amount Enclosed**

Enter the amount you are paying above



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date** 19 Oct 2020  
**Invoice Number** INV-12193  
**Reference** HUT063386 -  
Woodlands House  
**VAT Number** 141594024

The ExcluSec Group Ltd  
t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
Traveller Eviction Services				
Service of Eviction Notice Friday 16th October 2020	1.00	350.00	20%	350.00
Bailiff Attendance Friday 16th October 2020	14.00	75.00	20%	1,050.00
Travel Time (Discount Applied)	4.00	(75.00)	20%	(300.00)
Site: Woodlands House Gadbrook Park Northwich CW9 7RA				
PO: PENDING				
Subtotal				1,100.00
TOTAL VAT 20%				220.00
<b>TOTAL GBP</b>				<b>1,320.00</b>
Less Amount Paid				1,320.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

## Due Date: 30 Nov 2020

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Sort Code: 20-12-83



Account Number: 93315002  
IBAN Number: GB65 BARC 20128393315002

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## PAYMENT ADVICE

To: The ExcluSec Group Ltd t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

<b>Customer</b>	The Hut.com Ltd
<b>Invoice Number</b>	INV-12193

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<b>Amount Due</b>	<b>0.00</b>
<b>Due Date</b>	30 Nov 2020

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<b>Amount Enclosed</b>	
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Enter the amount you are paying above



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date**  
15 Oct 2020

**Invoice Number**  
INV-12190

**Reference**  
HUT063385 - Meridian  
House

**VAT Number**  
141594024

The ExcluSec Group Ltd  
t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
Traveller Eviction Services				
Service of Eviction Notice 6th June 2020	1.00	350.00	20%	350.00
Bailiff Attendance 6th June 2020 11:00 - 15:00 + travel time	18.00	75.00	20%	1,350.00
Site: Meridian House Gadbrook Park Northwich CW9 7RA				
PO: HUT063385				
Subtotal				1,700.00
TOTAL VAT 20%				340.00
<b>TOTAL GBP</b>				<b>2,040.00</b>
Less Amount Paid				2,040.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

**Due Date: 30 Nov 2020**

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Sort Code: 20-12-83  
Account Number: 93315002

IBAN Number: GB65 BARC 20128393315002

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**PAYMENT ADVICE**

To: The ExcluSec Group Ltd t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

**Customer** The Hut.com Ltd  
**Invoice Number** INV-12190

**Amount Due** 0.00  
**Due Date** 30 Nov 2020

**Amount Enclosed**

Enter the amount you are paying above



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date** 6 Jun 2020  
**Invoice Number** INV-11602  
**Reference** HUT059311 - Hartford House  
**VAT Number** 141594024  
The ExcluSec Group Ltd  
t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
Traveller Eviction Services				
Service of Eviction Notice 6th June 2020	1.00	350.00	20%	350.00
Bailiff Attendance 6th June 2020 11:00 - 15:00 + travel time	10.00	75.00	20%	750.00
Site: Hartford House Gadbrook Park Rudheath CW9 7RA				
PO: HUT059311				
Subtotal				1,100.00
TOTAL VAT 20%				220.00
<b>TOTAL GBP</b>				<b>1,320.00</b>
Less Amount Paid				1,320.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

## Due Date: 30 Jul 2020

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Sort Code: 20-12-83  
Account Number: 93315002

IBAN Number: GB65 BARC 20128393315002

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## PAYMENT ADVICE

To: The ExciuSec Group Ltd t/as ExciuSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

**Customer** The Hut.com Ltd  
**Invoice Number** INV-11602

**Amount Due** 0.00  
**Due Date** 30 Jul 2020

**Amount Enclosed**

Enter the amount you are paying above



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date**  
4 Jun 2020

**Invoice Number**  
INV-11600

**Reference**  
HUT059310 -  
Kingsmead House

**VAT Number**  
141594024

The ExcluSec Group Ltd  
t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
<b>Traveller Eviction Services</b>				
Service of Eviction Notice 4th June 2020	1.00	350.00	20%	350.00
Bailiff Attendance (inc travelling time) 4th June 2020 11:30 - 18:30 + 2 hours travel	18.00	75.00	20%	1,350.00
Site: Kingsmead House Gadbrook Park Rudheath CW9 7RA				
PO: HUT059310				
Subtotal				1,700.00
TOTAL VAT 20%				340.00
<b>TOTAL GBP</b>				<b>2,040.00</b>
Less Amount Paid				2,040.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

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Sort Code: 20-12-83  
Account Number: 93315002

IBAN Number: GB65 BARC 20128393315002

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## PAYMENT ADVICE

To: The ExcluSec Group Ltd t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

<b>Customer</b>	The Hut.com Ltd
<b>Invoice Number</b>	INV-11600

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<b>Amount Due</b>	<b>0.00</b>
<b>Due Date</b>	30 Jul 2020

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**Amount Enclosed**

Enter the amount you are paying above



# Invoice

The Hut.com Ltd  
The Stables  
Gadbrook Park  
Rudheath  
NORTHWICH  
Cheshire  
CW9 7RA  
GBR

**Invoice Date** 1 Jun 2020  
**Invoice Number** INV-11597  
**Reference** HUT059007 - Meridian House  
**VAT Number** 141594024

The ExcluSec Group Ltd  
t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

Description	Quantity	Unit Price	VAT	Amount GBP
<b>Traveller Eviction Services</b>				
Service of Eviction Notice 1st June 2020	1.00	350.00	20%	350.00
Bailiff Attendance (inc travelling time) 1st June 2020	10.00	75.00	20%	750.00
Site: Meridian House Gadbrook Park Rudheath CW9 7RA				
PO: HUT059007				
Subtotal				1,100.00
TOTAL VAT 20%				220.00
<b>TOTAL GBP</b>				<b>1,320.00</b>
Less Amount Paid				1,320.00
<b>AMOUNT DUE GBP</b>				<b>0.00</b>

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Sort Code: 20-12-83  
Account Number: 93315002  
IBAN Number: GB65 BARC 20128393315002

Company Registration No: 07342491. Registered Office: Layton House, Gas Street, BOLTON, Lancashire, BL1 4TQ, GBR.



Please send remittances by email to [accounts@exclusec.co.uk](mailto:accounts@exclusec.co.uk)

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## PAYMENT ADVICE

To: The ExcluSec Group Ltd t/as ExcluSec Security  
Layton House  
Gas Street  
Bolton  
BL1 4TQ

**Customer** The Hut.com Ltd  
**Invoice Number** INV-11597

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**Amount Due** 0.00  
**Due Date** 30 Jul 2020

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**Amount Enclosed**

Enter the amount you are paying above