

On behalf of: First, Second and Third Claimants

Witness: Jamie Philip Godden

No. of Witness Statement: First

Exhibit: "JPG1"

Date: 20 December 2024

Claim No. QB-2020-002702

- (1) MULTIPLEX CONSTRUCTION EUROPE LIMITED**
(2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)
(3) SAMPSON HOUSE LIMITED (INCORPORATED IN JERSEY)

Claimants

and

**PERSONS UNKNOWN ENTERING IN OR REMAINING AT
THE CLAIMANTS' CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT
THE CLAIMANT'S PERMISSION**

Defendants

**WITNESS STATEMENT OF JAMIE PHILIP
GODDEN**

I, **JAMIE PHILIP GODDEN** of 99 Bishopsgate, 2nd Floor, London EC2M 3XD **WILL SAY** as follows:-

1. I am the Project Director for the First Claimant.
2. On 19 January 2024, The Honourable Mr Justice Ritchie granted an interim injunction to restrain the Defendants from entering or remaining upon Bankside Yards (the "**Injunction**"). The Injunction is expressed to last until 20 January 2025.
3. I make this Witness Statement in support of the Claimants' application to extend the duration of the Injunction and a minor amendment to the particulars of claim (the "**Application**").
4. Where the facts referred to in this witness statement are within my own knowledge they are true; where the facts are not within my own knowledge, I believe them to be true and I have provided the source of my information. I have adopted the definition of "Bankside Yards" which is used in other witness evidence filed in these proceedings.

BACKGROUND

5. The registered titles of the parcels of land comprising Bankside Yards are vested in the Second Claimant and the Third Claimant.
6. The Second Claimant is the long leasehold proprietor (and therefore the party entitled to immediate possession) and also the freehold proprietor of parcels of land which comprise part of Bankside Yards. The Second Claimant's leasehold titles are registered at the Land Registry under numbers TGL541676, TGL467215, TGL467217, TGL501998. The Second Claimant's freehold title is registered at the Land Registry under number TGL62703. Official Copies of the Register and Title Plans for the Second Claimant's titles can be found at **pages 1 - 32 of JPG1**.
7. The Third Claimant is the freehold proprietor of the part of Bankside Yards which is registered at the Land Registry under title numbers TGL138850 and TGL583150. Official Copies of the Register and Title Plans for the Third Claimant's titles can be found at **pages 33 - 64 of JPG1**.
8. The First Claimant is an international construction contractor delivering high specification projects around the world, with a particular focus on prime London markets.
9. The First Claimant is appointed by the Second Claimant and Third Claimant as Principal Contractor for the purposes of the Construction (Design and Management) Regulations 2015 in connection with the redevelopment of Bankside Yards for residential and commercial use. Copies of the documents relating to the appointment of the First Claimant can be provided to the Court if required but the main provisions relevant to both agreements are set out in the previous witness statements of Martin Philip Wilshire dated 27 July 2020 and 25 January 2021 ("**Mr Wilshire's Statements**").
10. As explained in Mr Wilshire's Statements, the redevelopment of Bankside Yards is being carried out in a phased manner. The projected date for practical completion of the first phase of the Bankside Yards was December 2022 and the second phase was projected to be completed in December 2023. Both phases have now been completed.
11. On 29 December 2023, the First and Second Claimants entered into an agreement in relation to the construction of a 50-storey residential tower at Bankside Yards, known as Building 2 (the "**Building 2 Contract**") for a contract sum of circa £173 million.
12. The provisions of clause 2.2 of the Building 2 Contract impose various responsibilities on the First Claimant, requiring it to comply with statutory requirements which are relevant to the health and safety of those who work at / visit Bankside Yards.
13. The provisions of clause 2.3 of the Building 2 Contract confer on the First Claimant the right to possession of the land and buildings for the duration of the works.
14. The works in relation to the construction of Building 2 are projected to be completed in the first quarter of 2027. The concrete frame for the first 26 floors is already constructed and a further 24

floors are due to be constructed. A crane is in place to facilitate the works and the First Claimant intends to install a scaffold bridge at level 21 imminently. The crane is projected to be removed in or around April 2026, once the structure of the Building 2 is completed. It is the presence of the crane, and an associated common tower which runs up the outside of the part of the building that has already been constructed (both shown on the photograph at **page 65 of JPG1**) that is of particular concern for the First Claimant. As explained further below these structures present an increased risk of trespass at Bankside Yards. It is for this reason that the Application and draft order seek to extend the current interim injunction until 30 April 2026.

URBAN EXPLORING

15. As set out in Mr Wilshire's Statements, the First Claimant has an ongoing concern regarding the likelihood of 'roof-topping' at Bankside Yards.
16. By way of a recap, 'roof-topping' involves individuals / urban explorers (also known as 'urbex') gaining access to the roof of a building (without the consent of the building owner) in order to take photographs and / or videos. Some urban explorers go roof topping in order to post videos of themselves free running and parkouring (which involves climbing and leaping rapidly over obstacles) at dangerous heights. I refer to various screenshots of social media posts, uploaded by parkour enthusiasts, at **pages 66 - 71 of JPG1**, showing them trespassing to gain access to tall structures in order to film their climbs.
17. I understand that urban explorer activity continues to be highly problematic when it comes to construction sites, particularly where there are tower cranes installed. Examples of recent social media posts of individuals roof-topping can be found at **pages 72 - 81 of JPG1**. These have been redacted so as to maintain the individuals' anonymity however the dates on which they were posted and the 'hashtags' demonstrate this is an ongoing issue.
18. I refer, in particular, to a screenshot of the post, posted on or around the 14th of December 2024 and shown on **page 75 of JPG1** in which the urban explorers state: "*we counted at least 90 cameras at the start (we eventually stopped counting as there was too many), over 30 security vans and staff all over the site and still managed to sneak through the net*". This refers to premises in Port Talbot.
19. A fellow urban explorer who appears to have been a member of the same group, scaling the same structure stated: "*now we have a solid sneaky route through the site you can be sure we will all be back for another nosey and hopefully a lot better quality shots*". Their post is at **page 76 of JPG1**.
20. This demonstrates that, despite the property owner's attempts to secure the site, the urban explorers persisted and managed to find a way in, with the intention of returning again to take more photographs. Whilst I consider that the injunction granted has reduced the number of these attempts at Bankside Yards, this is clear evidence that the practices of urban explorers continue

and would, in my opinion, commence with more frequency if the injunction were not in place to protect Bankside Yards.

21. There are numerous social media pages where urban explorers post about their latest ‘achievements’, including (among many others):
 - UK (and beyond) Urban Exploration – Urbex
 - Urban Exploring UK
 - Project Urbex UK
 - Forgotten urbex UK
22. These all evidence that construction sites, particularly which include tower cranes have become a particular target for urban explorers. The First Claimant is therefore concerned about the likelihood of urban explorers attempting to access / accessing Bankside Yards as there is currently a tower crane installed at the Bankside Yards construction site and a scaffold bridge is due to be installed imminently. These create high level platforms that can be accessed (potentially via the external common tower) for exactly the kind of high thrill activity that the urban explorers are looking for.
23. I consider that Bankside Yards, with the added “attraction” of the tower crane and scaffold bridge, will be a target for urban explorers given its proximity to the Thames and the City of London as well as the far reaching views over some of the iconic skyline features of Greater London.
24. The risks associated with accessing and climbing these tall structures are increased in circumstances where security on patrol approaches the urban explorers who are often tempted to run away, putting themselves in danger of tripping or even falling down voids.
25. Urban exploring tends to be carried out by teenagers and young adults who likely underestimate the dangers of accessing active construction sites. All staff attending construction sites receive specialised training and are required to wear personal protective equipment to ensure their safety. Urban explorers do not have such training and, as I understand, no safety precautions / gear are taken when roof topping. The social media posts referenced above and exhibited demonstrate this.
26. The risks are evident from the number of deaths around the world which are referred to in Mr Wilshire’s Statements.
27. Most recently on 13 October 2024, a British influencer, Lewis Stevenson, who was famous for roof topping around the world, lost his grip and fell to his death from a 192m-tall bridge in Spain. Mr Stevenson was only 26 years old and one of his many roof topping stunts in London involved resting on a metal beam overlooking the City of London. Images of his many stunts in London are at **pages 79 - 81 of JPG1**. One of the images shows Mr Stevenson on the end of a crane, by the crane hook.

28. I understand that the risks have also been acknowledged on numerous occasions by the Courts. In fact, on 16 February 2023, in the case of *Quintain (Wembley Retail Park) Limited v Persons Unknown*, HHJ Simpkins sitting in the High Court of Justice continued an injunction designed to prevent trespass by urban explorers on a development site near Wembley Stadium until late July 2025, by which time much of the construction of the development is anticipated to be complete. The court did so having considered evidence of the potential attraction of the site to urban explorers, due to the presence of cranes, good transport links and views of the iconic Wembley Stadium, and the real dangers of urban exploring. As above I consider that very similar risks are present at the Bankside Yard site.

MULTIPLEX SECURITY MEASURES

29. As mentioned in Mr Wilshire's first statement, the First Claimant takes all safety and security issues extremely seriously. Our arrangements as Principal Contractor exceed the minimum requirements in relation to these issues which are prescribed by key legislation, namely the Construction (Design and Management) Regulations 2015.

30. There are a number of security arrangements in place at Bankside Yards, including:

30.1 timber site hoardings which are a minimum of 2 metres high;

30.2 24 hour CCTV monitoring;

30.3 24 hour security personnel;

30.4 intruder alarms (both audible and silent); and

30.5 anti-climb measures on hoardings and tower cranes.

31. Notwithstanding these measures, urban explorers continue to attempt to gain entry to Bankside Yards.

32. There have been incidents of trespass and attempted trespass at Bankside Yards, although these have decreased since the Injunction has been in force, I believe as a result of the Injunction. The most recent incident was on 18 October 2024 when a number of teenagers appeared to be 'scoping' the site, with two of the group members climbing on the perimeter fence in an attempt to gain access. They were ultimately deterred by the First Claimant's security personnel. A report from onsite security can be found at **pages 82 - 83 of JPG1**.

33. While the Claimants maintain stringent security measures to ensure public safety, it is evident that the Injunction is an important deterrent as other sites, where similar security measures have been adopted but which do not have the added protection of an injunction, continue to be targeted. Examples of recent urban explorer activity at other sites in London are at **pages 84 - 87 of JPG1**.

EXTENDING THE DURATION OF THE INJUNCTION

34. On 19 January 2024, Mr Justice Ritchie granted the Injunction to restrain the Defendants from entering or remaining on the Bankside Yards construction site. The Injunction was granted until 20 January 2025.

35. Earlier injunctions (in substantially the same terms) were granted in these proceedings by:

- Mr Justice Soole - dated 30 July 2020;
- Mr Justice Bourne - dated 26 January 2021;
- Mr Justice Stewart - dated 4 March 2021;
- Mr Justice William Davis - dated 20 July 2021;
- Master Dagnall - dated 26 October 2021;
- HHJ Shanks (sitting as a High Court judge) - dated 3 March 2022; and
- Mrs Justice Jefford dated 21 December 2023.

36. For all of the reasons set out in Mr Wilshire’s Statements and herein, I believe that Bankside Yards will continue to be a target for urban explorers for as long as it remains a construction site and therefore respectfully request that the Injunction be extended in accordance with the terms of the draft Order enclosed with the Claimants’ Application for a period of time when, in my opinion, the site poses the highest risk as a result of the presence of the crane and high level platform which are anticipated to be removed in or around April 2026.

37. Finally I confirm that the First Claimant remains willing and able to provide the undertaking in the form set out in the draft order annexed to the Application and I attach the most recent audited accounts for the First Claimant in support of that at **pages 88 - 123 of JPG1**.

STATEMENT OF TRUTH

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.....

Jamie Philip Godden

Dated.....20 December 2024.....

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**EXHIBIT TO WITNESS STATEMENT OF
JAMIE PHILP GODDEN**

This is the exhibit marked "JPG1" referred to in the witness statement of Jamie Philp Godden

Signed:

Dated: 20 December 2024