

Injunction Order

In the County Court at
Nottingham

Claim Number M00NG564

Claimant
(including ref.) Newark & Sherwood
District Council

Defendant
(including ref.)



IMPORTANT NOTICE TO ALL DEFENDANTS

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 YOU TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED

IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU SHOULD GO TO A SOLICITOR LEGAL ADVICE CENTRE OR A CITIZEN ADVICE BUREAU

Before [REDACTED] County Court at Nottingham, Nottingham Justice Centre, Carrington Street, Nottingham, NG2 1EE, on 25 April 2025.

Upon:-

(1) In this Order, the following definitions applying:-

- (a) "the Claimant" is Newark & Sherwood District Council;
- (b) "the Defendants" are the First Defendant, the Second Defendant, the Third Defendant and the Fourth Defendant together;
- (c) "the First Defendant" [REDACTED]
- (d) "the Second Defendant" [REDACTED]
- (e) "the Third Defendant" [REDACTED]
- (f) "the Fourth Defendant" is persons unknown residentially occupying or undertaking any building or engineering operation on the land known as land at the South East side of Moorhouse Road in Weston, Nottinghamshire;

(2) The Court considered an application for an injunction against the Defendants for an injunction under Section 187B of the Town and Country Planning Act 1990 dated 24 April 2025 ("the Application");

The court office at the County Court at Nottingham, 60 Canal Street, Nottingham, Nottinghamshire, NG1 7EJ. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577. 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.

(3) Hearing counsel for the Claimant [REDACTED]

(4) The Defendants not having been given notice of today's hearing;

(5) The Court being satisfied that there was good reason to hear the Application and to grant the interim remedies contained within this Order against the Defendants without notice being given to the Defendants, with the Court providing for there to be a further hearing in the near future on notice to the Defendants at which they may be heard and for the Defendants to have the opportunity, should they wish, to apply to set aside, vary or stay this Order in the meantime;

(6) The Court reading the written evidence of [REDACTED] signed on 24 April 2025;

(7) The Court being satisfied that it is appropriate to grant the remedies contained within this Order, including against an un-named Defendant, and to give the case management directions contained within this Order, including as to service; and

(8) The Court giving an oral, "ex tempore", judgment justifying the decisions made in this Order today;

IT IS ORDERED that:-

1. The name of the First Defendant be amended to [REDACTED] and the name of the Fourth Defendant be amended to [REDACTED]

[REDACTED] Filing and service of amended statements of case is dispensed with.

2. Paragraphs 3 and 4 of this Order will remain in force until **4pm on 25 July 2025** unless before then they are revoked by a further Order of the Court.

3. The Defendants shall not whether by themselves or encouraging, instructing or allowing another undertake any development (as defined by section 55 of the Town and Country Planning Act 1990) on THE LAND KNOWN AS LAND AT THE SOUTH EAST SIDE OF MOORHOUSE ROAD IN WESTON NOTTINGHAMSHIRE as delineated in red on the attached plan ("**the Land**") without the grant of planning permission or the written consent of the Claimant's solicitor. For the avoidance of doubt:

a) The Defendants must not materially change the use of the Land or undertake any engineering operation, erect any building/structure, bring on to the Land any further caravans/mobile homes, import or deposit any material or excavate the Land without the grant of planning permission or the written consent of the claimant's solicitor.

b) Any person who is not living on the Land at the time of the service of this order may not live on the Land after service of this order.

c) No caravan or mobile home may be stationed on the Land which was not there at the time of the service of this order.

d) If a caravan/mobile home is removed from the Land, it may not be replaced with another caravan/mobile home and nor may it be returned to the Land.

4. If the First Defendant sells or leases the Land, it must:

a) Provide a copy of this order to the prospective purchaser/tenant before the Land (or any part therein) is transferred or contracts exchanged; and

b) Provide the full name and contact details of the new owner/tenant to the Claimant's solicitor within 48 hours of the transfer / exchange of contracts.

5. If the First Defendant has already sold or leased the Land, it must provide a copy of this order to the purchaser/tenant and provide the full name and contact details of the purchaser/tenant to the Claimant's solicitor by **4pm on 2 May 2025**.

6. The Claimant shall immediately attempt to personally serve the First Defendant, the Second Defendant and Third Defendant with a copy of this order together with the Application, claim form and evidence.

7. Further, to effect service on the Fourth Defendant the Claimant shall (with there being deemed service upon completion of these steps):

a) Attach a copy of this order together with the application, claim form and evidence in a clear plastic envelope at the entrance to the Land so that it comes to the attention of any visitors.

b) Attach a copy of this order together with the application, claim form and evidence in a clear plastic envelope on the door of every caravan/vehicle on the Land so that it comes to the attention of any occupiers.

c) Load up on to its website a copy of this order together with the Application, claim form and evidence.

8. In the event that the Council is unable to personally serve the First Defendant, the Second Defendant or the Third Defendant, it is permitted to serve:

a) The First Defendant [REDACTED] and the Second Defendant [REDACTED] by first class post to the addresses detailed in this paragraph above, with service being deemed to be effected on the second day after the documents were posted, left with, delivered to, or collected by the relevant postal service provider, provided that day is a business day, or, if not, the next business day after that day.

b) The Third Defendant in accordance with the steps specified at paragraph 7 of this Order above in relation to the Fourth Defendant (with service being deemed to be effected upon those steps being taken).

9. The Court will reconsider the application and whether the Order should continue at a further hearing **at 10am on 7 May 2025**, at the County Court at Nottingham, Nottingham Justice Centre, Carrington Street, Nottingham, NG2 1EE, in person, with an estimated length of hearing of one hour. If the Defendants wish to rely upon any evidence in relation to the Application they should file and serve the same by **4pm on 2 May 2025**.

10. If you object to this Order, you may apply to have it reconsidered, set aside, varied or stayed before the hearing specified in paragraph 9 above.

11. Costs reserved.

Dated 25 April 2025.