

Herefordshire Council
Finance, legal & Democratic Services
Plough Lane Offices
Hereford
HR4 0LE

**Herefordshire Council
Legal Services**

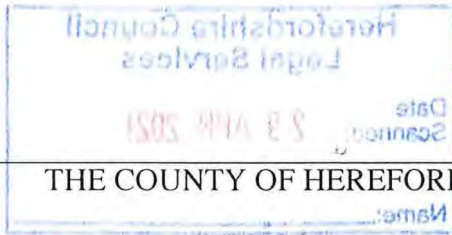
Date
Scanned: **29 APR 2021**

Name: _____

General Form of Judgment or Order

In the High Court of Justice
Queen's Bench Division
Birmingham
District Registry

Claim Number	H90BM020
Date	26 April 2021



THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL	1 st Claimant Ref AG/007617
[REDACTED]	1 st Defendant Ref
[REDACTED]	2 nd Defendant Ref
PERSONS UNKNOWN	3 rd Defendant Ref

Before His Honour Judge Siimon sitting at Birmingham District Registry, Civil Justice Centre, The Priory Courts, 33 Bull Street, Birmingham, B4 6DS.

IMPORTANT NOTICE

YOU MUST OBEY THIS ORDER. IF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS PERSONS 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.

Before His Honour Judge Simon sitting as a Judge of the High Court on 26 April 2021

UPON hearing Counsel for the Claimant and Counsel for the first Defendant

UPON the Court being satisfied that the claim form, notice of hearing and evidence in support have been properly served on the Defendants

UPON the Court being informed that the second Defendant has quit the site with his caravan

UPON the Court being informed by those acting on behalf of the first Defendant that he is in the process of selling the site to "Mr Mustow"

The court office at Birmingham District Registry, Civil Justice Centre, The Priory Courts, 33 Bull Street, Birmingham, B4 6DS. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0121 681 4441. 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.

IT IS ORDERED:

1. The second Defendant, having left the site, may not return to live there and he is hereby released from the proceedings.

2. Until further order, the first and third Defendants shall not (whether by themselves or encouraging or allowing another) undertake any development as defined by section 55 of the Town and Country Planning Act 1990 on the site (as defined by para 5 below) without the grant of planning permission or the written consent of the Claimant's solicitor. For the avoidance of doubt, the first and third Defendants are forbidden from:

- a) Importing or depositing any material;
- b) Excavating or altering ground levels;
- c) Laying down further hardstanding/hardcore;
- d) Erecting any building/structure;
- e) Siting any caravans/mobile homes.

3. Until further order, the first Defendant shall not sell or lease the site without the written consent of the Claimant's solicitor.

4. By 3 May 2021, the first Defendant shall confirm the identity and sufficient contact details of the person with whom he is in the process of selling the site. Thereafter, he shall confirm any change in the identity of the proposed purchaser in writing to the Claimant's solicitor in good time.

5. The site referred to in this order is that adjoining The Old Post Office, Cross Keys, Hereford, HR1 3NN (known as Grover's Field) subject to the claim and currently owned by the first Defendant.

5. Permission to the Claimant to amend the description of the third Defendant as set out in the header with re-service dispensed with.

7. To effect service on the third Defendant, the Claimant shall attach a copy of this order in a water-proof envelope at a conspicuous location at the entrance to the site so that it comes to the attention of visitors, provide a copy of the order to the Council's gypsy traveller liaison officer, place a copy of the order on its public website and have a hardcopy of it at its publicly available reception for easy inspection by any member of the public. There shall be deemed service upon completion of all of these aforementioned steps.

8. Any person who alleges that s/he were unaware of the terms of this order when they breached it shall remove all caravans and quit the residential use of the site within 4 hours of being provided with a copy of the order by an officer or employee of the Council.

9. Liberty to apply upon 3 days written notice to vary or set aside this order.

10. By 24 May 2021, the first Defendant shall serve all evidence upon which he relies. By 7 June 2021, the Claimant if so advised may serve evidence in response.

11. The matter shall stand trial on 10 August 2021 with a time estimate of a day, to be heard as a hybrid hearing, with all parties to attend in person save for the first Defendant. Any application for his attendance in person shall be made in good time and in any event no later than 16 July 2021. The Claimant shall lodge an agreed trial bundle and any authorities no later than 2 August 2021. [REDACTED]

[REDACTED]

12. Costs in the case.

Dated 26 April 2021