

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY**

Claim No: KB-2023-BHM-000256



KB-2023-BHM-000256

**IN THE MATTER OF AN INJUNCTION PURSUANT TO SECTION 187B OF THE
TOWN AND COUNTRY PLANNING ACT 1990**

BETWEEN:

EAST LINDSEY DISTRICT COUNCIL

Claimant

-and-

(1) MR WILLIAM EDWARD TIDD

**(2) PERSONS UNKNOWN BRINGING CARAVANS ON TO THE LAND AT THE REAR
OF MEADOWN VIEW, FARM, LODGE LANE, MINTING TO LIVE IN OR
UNDERTAKING DEVELOPMENT AS DEFINED BY SECTION 55 OF THE TOWN
AND COUNTRY PLANNING ACT 1990**

Defendants

ORDER

IMPORTANT NOTICE TO THE DEFENDANTS

**YOU MUST OBEY THIS ORDER OF THE COURT. YOU SHOULD READ IT
CAREFULLY. IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU**

SHOULD GO TO A SOLICITOR, LEGAL ADVICE CENTRE OR CITIZENS ADVICE CENTRE.

IF YOU DO NOT OBEY THE INSTRUCTIONS CONTAINED IN THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.

Before HHJ Rawlings sitting as a Judge of the High Court on 24 November 2023

UPON hearing from Counsel for the claimant in person and reading the evidence filed in support of the claim.

UPON hearing from the Defendant in person and being satisfied that he understands the terms of this order.

UPON the Claimant and the First Defendant confirming and the court agreeing that the First Defendant presently lives on the Land in a mobile home with his family (being Mr Tidd, Miss Smith and four children).

UPON the Court being satisfied that it is appropriate to grant relief against an un-named defendant and correspondingly to allow service by an alternative method.

IT IS ORDERED:

1. Until 4pm on 24th November 2027 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 without the grant of planning permission or the written consent of the Claimant. 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.
- b) Nobody who is not living on the Land at the time of the service of this order may live on the Land after.
 - c) If a caravan/mobile home is removed from the Land, it may not be replaced with another caravan/mobile home without the written consent of the Claimant.
2. If the 1st Defendant sells or leases the Land, he shall:
- a) Provide a copy of this order to the prospective purchaser/tenant before the Land (or any part therein) is transferred or contracts exchanged;
 - b) Provide the full name and contact details of the new owner/tenant to the Claimant within 48 hours of the transfer / exchange of contracts.
3. If the 1st Defendant has already sold or leased the Land, he shall 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 as soon as practicable.
4. The Land referred to in this order is land at the rear of Meadow View Farm, Lodge Lane, Minting which is as delineated in red on the attached plan.
5. The claimant shall immediately personally serve the 1st defendant with a copy of this order. Further, to effect service on the 2nd defendant the claimant shall:
- 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) Load up on to its website a copy of this order together with the application, claim form and evidence.
 - c) Provide to any planning agent or individual who expresses an interest in the Land a copy of this order together with the application, claim form and evidence.

6. Liberty to the First Defendant to apply to vary this order upon 48 hours written notice to the Claimant.
7. Liberty to the Second Defendant to apply to set aside or vary this order upon 48 hours written notice to the Claimant.
8. No Order as to costs.

GUIDANCE NOTES

Effect of this Order

A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

Parties other than the Claimant and Defendants

It is Contempt of Court for any person notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

Communications with the Court

All communications to the Court about his Order should be sent to the court office at the High Court of Justice, King's Bench Division, Birmingham District Registry, 33 Bull Street, Birmingham, B4 6DS, 0121 681 4441.

Name and Address of Claimant

East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9
6PH. Telephone: 01507 601111. Contact: Jo Parker, Planning Enforcement Manager.