

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

Claim Nos F90BM264 & QB-2019-003720

BETWEEN:

NORTH WARWICKSHIRE BOROUGH COUNCIL

Claimant



-and-

(1) MR HUGH PATRICK McGINLEY

(2) MR WILLY McGINLEY

(3) MR THOMAS CORCORAN

(4) PERSONS UNKNOWN BRINGING CARAVANS/MOBILE HOMES ON TO THE LAND KNOWN AS BARN FISHERY, ATHERSTONE ROAD, HARTSHILL, WARWICKSHIRE, CV10 0JB ("THE LAND") TO LIVE IN, OR UNDERTAKING DEVELOPMENT (INCLUDING RESIDENTIAL OCCUPATION) AS DEFINED BY SECTION 55 OF THE TOWN AND COUNTRY PLANNING ACT 1990 ON THE LAND

Defendants

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ORDER

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**IMPORTANT NOTICE – ORDER OF THE COURT**

YOU SHOULD READ THIS ORDER CAREFULLY AND LOOK AT THE MAPS WITH CARE. IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU MAY GO TO A SOLICITOR, LEGAL ADVICE CENTRE OR CITIZENS ADVICE CENTRE. ANY MEMBER OF THE PUBLIC HAS THE RIGHT TO APPLY TO THE COURT TO CHANGE OR CANCEL THE ORDER.

IF YOU DO NOT OBEY THE INSTRUCTIONS CONTAINED WITHIN THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND MAY BE SENT TO PRISON.

Before His Honour Judge Rawlings Sitting as a Judge of the High Court on 1 November 2024;

UPON hearing Counsel for the Claimant and the Defendants not attending or having been given notice of the hearing;

**AND UPON** the Court agreeing to vary the Order of HHHJ Wall sitting as a Judge of the High Court, dated 19 November 2019;

**IT IS ORDERED:**

1. The Defendants are amended as follows:

- a. the First Defendant is Mr Hugh Patrick McGinley;
- b. the Second Defendant is Mr Willy McGinley;
- c. the Third Defendant is Mr Thomas Corcoran;
- d. the Fourth Defendant is "Persons unknown bringing caravans/mobile homes on to the Land known as Barn Fishery, Atherstone Road, Hartshill, Warwickshire, CV10 OJB ("the Land") to live in, or undertaking development (including residential occupation) as defined by section 55 of the Town and Country Planning Act 1990 on the Land".

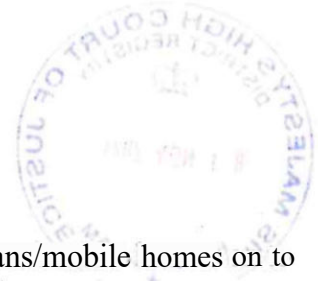
2. Until further hearing of the application:

Nobody shall (whether by himself or by instructing or encouraging any other person) move any caravans or mobile homes on to the Land or undertake development on the Land as defined by section 55 of the Town and Country Planning Act 1990 which provides as follows: the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

This would include activities such as the digging of trenches, the erection of any building/structure or the laying of further hardstanding without the written consent of the claimant's solicitor or the further grant of planning permission.

3. The Land referred to in this order are 2 sites namely:

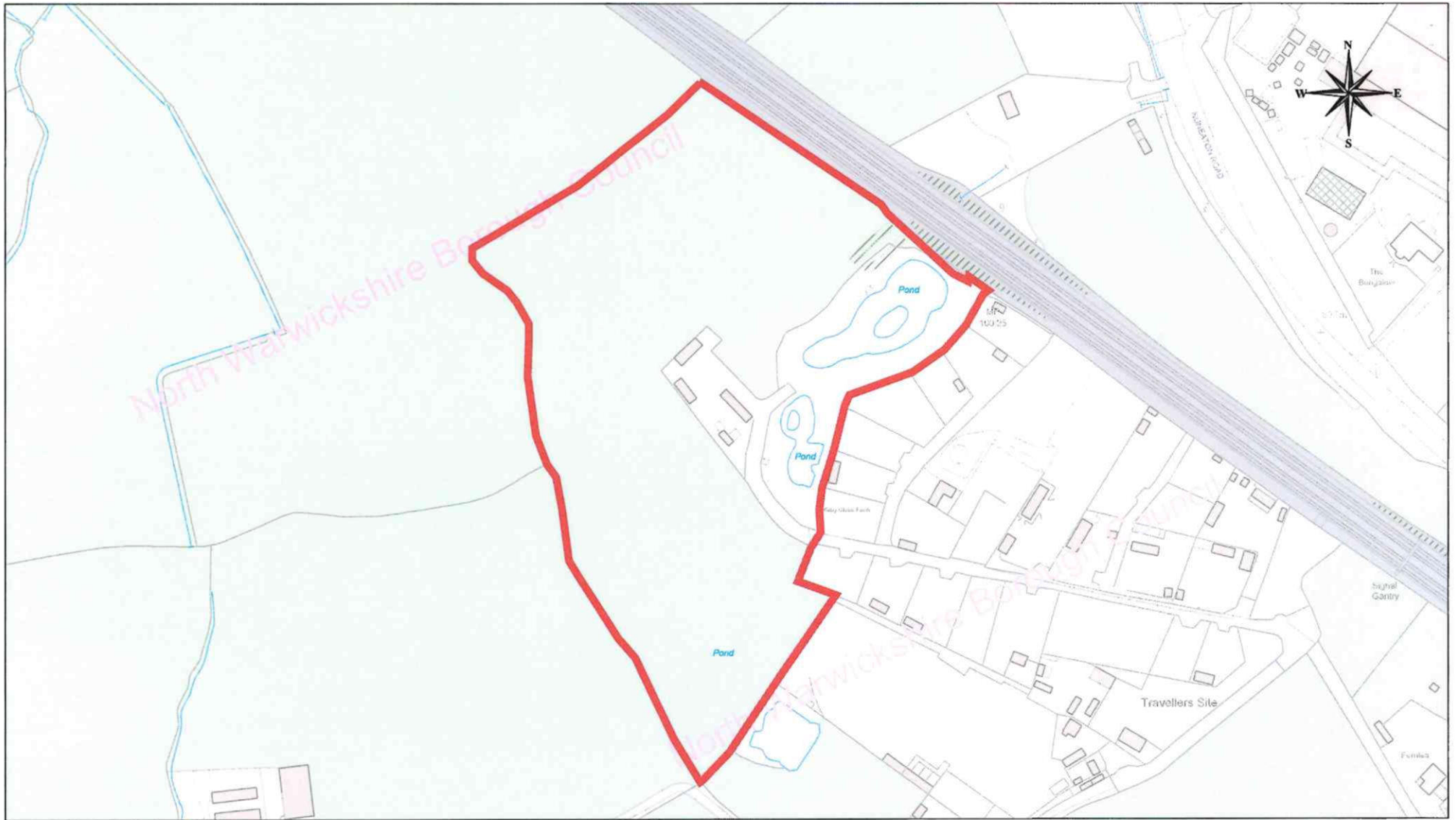
- a) Known as Barns Fisheries, Atherstone Road, Hartshill, Warwickshire as delineated in black and hatched in grey on the attached plan 1.



b) At Kirby Glebe Farm, Atherstone Road, Hartshill, Warwickshire as delineated in black and hatched in grey on the attached plan 2.

4. **There will be a further hearing of the Claimant's Application at 11.30am on Monday 25 November 2024 at the High Court Birmingham District Registry, Birmingham Civil Justice Centre, The Priory Court, 33 Bull Street, Birmingham BV 6DS when the court will consider the Claimant's application that the injunction be extended for the period of 3 years.**
5. The Claimant shall personally serve a copy of this order on the first, second, and third Defendants, advertise its terms on its website and affix a laminated copy of this order at two conspicuous locations at the entrance to the Land so that it comes to the attention of visitors.
6. Any party is at liberty to apply to discharge or vary this order upon 48 hours written notice.
7. Costs reserved.





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