

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



KB-2025-BHM-000248

BETWEEN:

NORTH WARWICKSHIRE BOROUGH COUNCIL

Claimant

-and-

Site 1 (WK487422)

- (1) DAVID JOHN PITT
- (2) KAYE LINDA PITT
- (3) CHRISTOPHER TORRENS

-and-

Site 2 (WK397261)

- (4) THOMAS CORCORAN
- (5) MARTIN TORRENS
- (6) TERESA TORRENS
- (7) HELEN ROCHFORD

-and-

(8) PERSONS UNKNOWN BRINGING CARAVANS/MOBILE HOMES ON TO THE LANDS KNOWN AS LAND ON THE EAST SIDE OF STONELEIGH GLEBE FARM, ATHERSTONE ROAD, HARTSHILL, NUNEATON CV10 0TB (WK487422 - "SITE 1") **AND** LAND LYING TO THE NORTH-WEST OF ATHERSTONE ROAD, MANCETTER, ATHERSTONE (WK397261 - "SITE 2") ("THE LANDS") TO LIVE IN, OR UNDERTAKING ANY FURTHER DEVELOPMENT (INCLUDING RESIDENTIAL OCCUPATION) AS DEFINED BY SECTION 55 OF THE TOWN AND COUNTRY PLANNING ACT 1990 ON THE LANDS.

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 AT PARAS 2, 3 AND 4 OF THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.

BEFORE Her Honour Judge Emma Kelly sitting as a Judge of the High Court on 18 August 2025.

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

AND UPON the Court being satisfied that it is appropriate to deal with the matter in the first instance in the absence of notice to the defendants.

AND UPON the Court being satisfied that it is appropriate to grant relief against an unnamed defendant and to allow service by alternative methods on the 4th and 8th defendants.

AND UPON the claimant undertaking to provide a typed copy of its solicitor's note of the hearing to the defendants and anyone else who requests it as soon as practicable.

IT IS ORDERED:

The Lands

1. The Lands referred to in this order are land on the east side of Stoneleigh Glebe Farm, Atherstone Road, Hartshill, Nuneaton, CV10 0TB and registered at HM Land Registry under title number WK487422 (referred to as "Site 1") and land lying to the

north-west of Atherstone Road, Mancetter, Atherstone and registered at HM Land Registry under title number WK397261 (referred to as "Site 2"). The Lands are delineated in red on the attached plans.

Injunction

2. Until final determination of the claim or further order of the Court, the defendants shall not whether by themselves or encouraging, instructing or allowing another bring any further caravans or undertake any development (as defined by section 55 of the Town and Country Planning Act 1990) on the Lands or any parts thereof without the grant of planning permission or the written consent of the claimant's solicitor. Nothing in this order requires the removal of any development that has already occurred or of a person already living on either Site 1 or Site 2. For the avoidance of doubt nobody may live on either Site 1 or Site 2 who does not currently do so.
3. If any defendant sells or leases the Lands or part thereof, they 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's solicitor within 48 hours of the transfer / exchange of contracts.
4. If any defendant has already sold or leased the Lands or part thereof, they 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's solicitor within 48 hours of service of this order.

Service

5. The claimant shall personally serve the 1st, 2nd, 3rd, 5th, 6th, and 7th defendants with a copy of this order together with the claim form and the application and evidence in support.
6. Permission to the claimant to effect service on the 4th defendant of this order together with the claim form and the application and evidence in support by an alternative method namely the claimant shall serve by:

- a. Email to [REDACTED] ; and
- b. First class post to 7 Long Green, Cressing, Braintree CM77 8DL.

The deemed date of service shall be the date of completion of the last of the aforementioned steps.

7. Permission to the claimant to effect service on the 8th defendant of this order together with the claim form and the application and evidence in support by an alternative method, namely the claimant shall:
 - a) Attach copies of this order together with the application, claim form and evidence in clear plastic envelopes conspicuously at the entrances to Sites 1 and 2 on fencing and on the nearest building to those entrances so that they come to the attention of any visitors; and
 - b) Load up on to its website a copy of this order together with the application, the claim form and evidence so that it is readily and easily accessible by any member of the public including a link to the aforementioned documents from the claimant's main web page; and

- c) Email a copy of this order, the claim form, application and evidence in support to Philip Brown at [REDACTED]

The deemed date of service shall be the date of completion of the last of the aforementioned steps.

Liberty to apply to vary this order

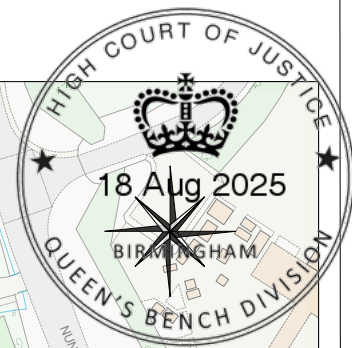
- 8. Liberty to the defendants to apply to set aside or vary this order upon 48 written notice to the claimant.

Next hearing

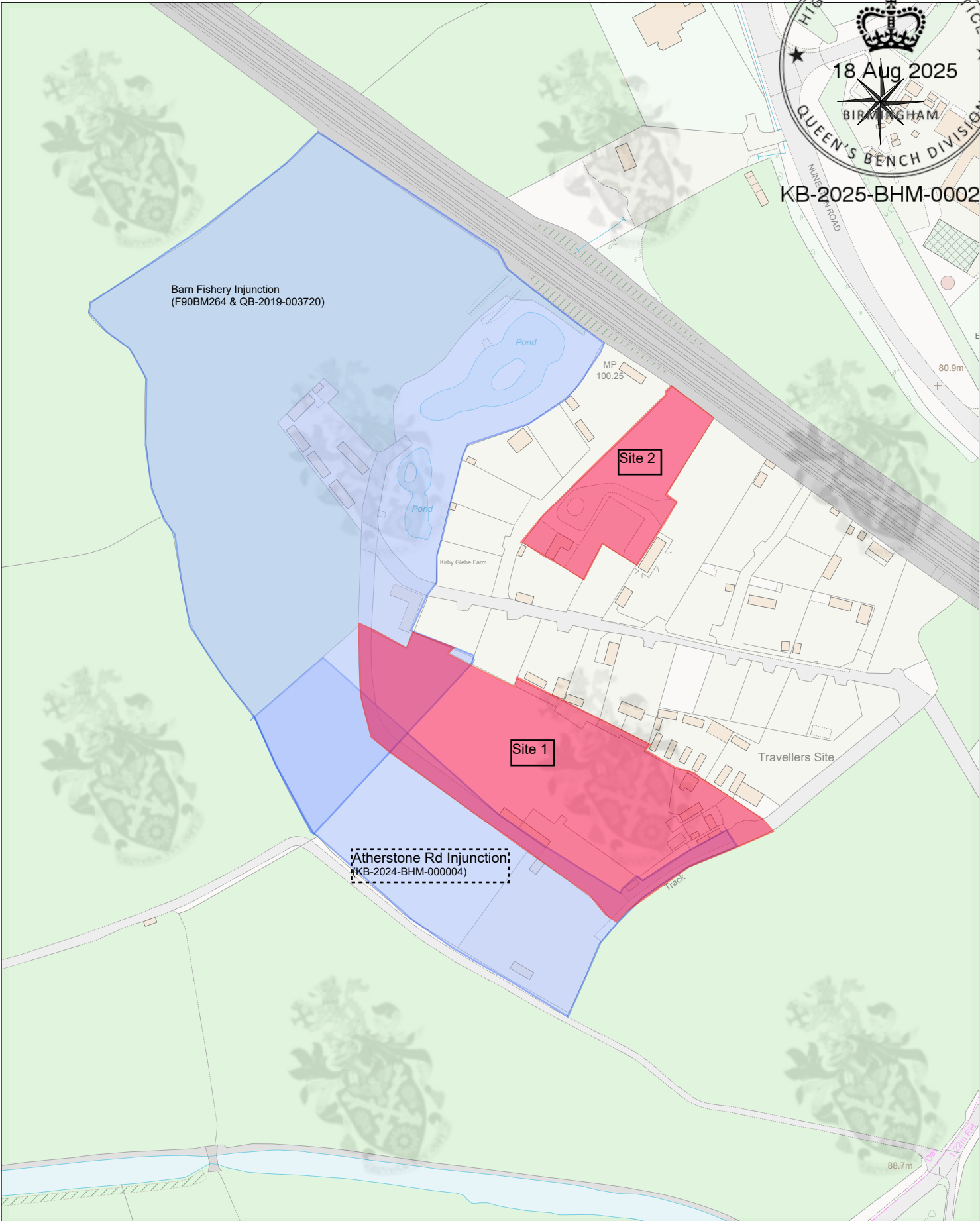
- 9. **The matter shall return for an on-notice hearing of the interim application at 2pm on Thursday 18th September with a time estimate of 2 hours.** To be listed before HHJ Emma Kelly, if available, or any other KB authorised Circuit Judge if HHJ Kelly is unavailable. At this hearing, the Court shall reconsider whether the interim order was properly made and whether its terms ought to be varied or discharged.
- 10. If the defendants wish to:
 - a) Rely upon any evidence to contest the claim, they must file and serve the acknowledgment of service within 14 days of service;
 - b) Rely upon any evidence to contest the application, they shall file and serve it by no later than 4pm on 15 September 2025. .
- 11. The claimant shall file a hearing bundle in electronic form no later than 4pm on 16 September 2025. If any defendant requires a copy of the hearing bundle they shall notify the Council by email at legalservices@northwarks.gov.uk or by telephone on 01827 715341 by 4pm on 11 September 2025 that (a) they require a copy of the

hearing bundle and (b) provide a postal address or email address to which a hard copy or electronic copy as appropriate can be sent.

12. Costs reserved.



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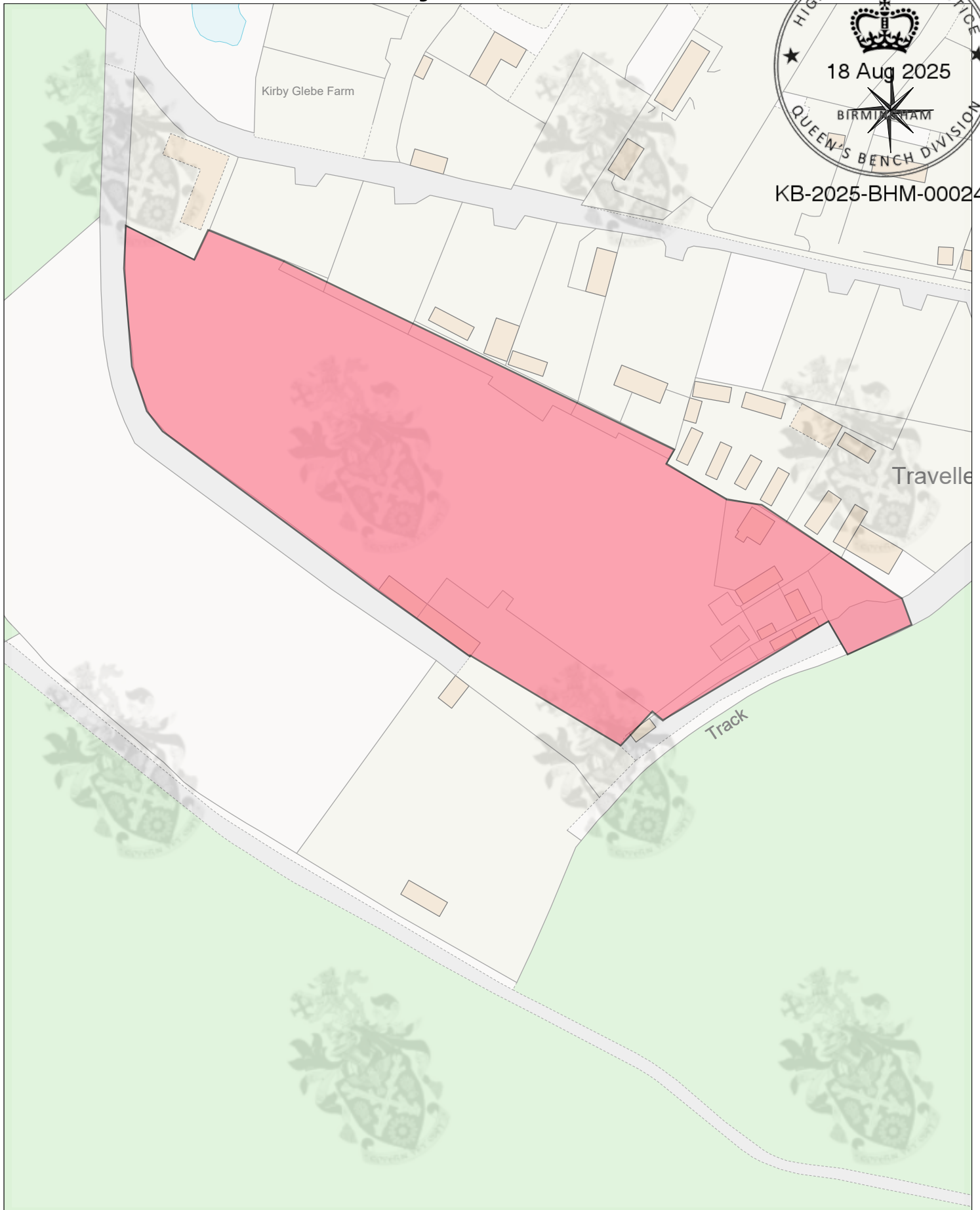
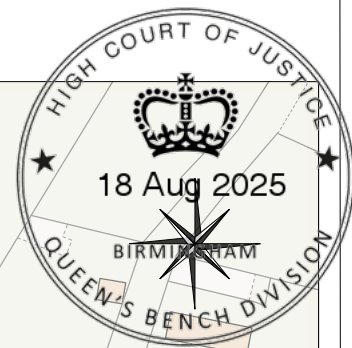
North Warwickshire Borough Council
The Council House
South Street
Atherstone
CV9 1DE



Date: 30 July 2025
Scale: 1:2500

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Site 1 Injunction Plan



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Date: 30 July 2025

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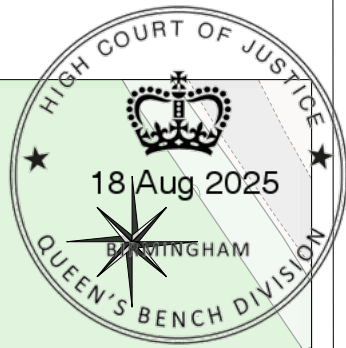
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Metres

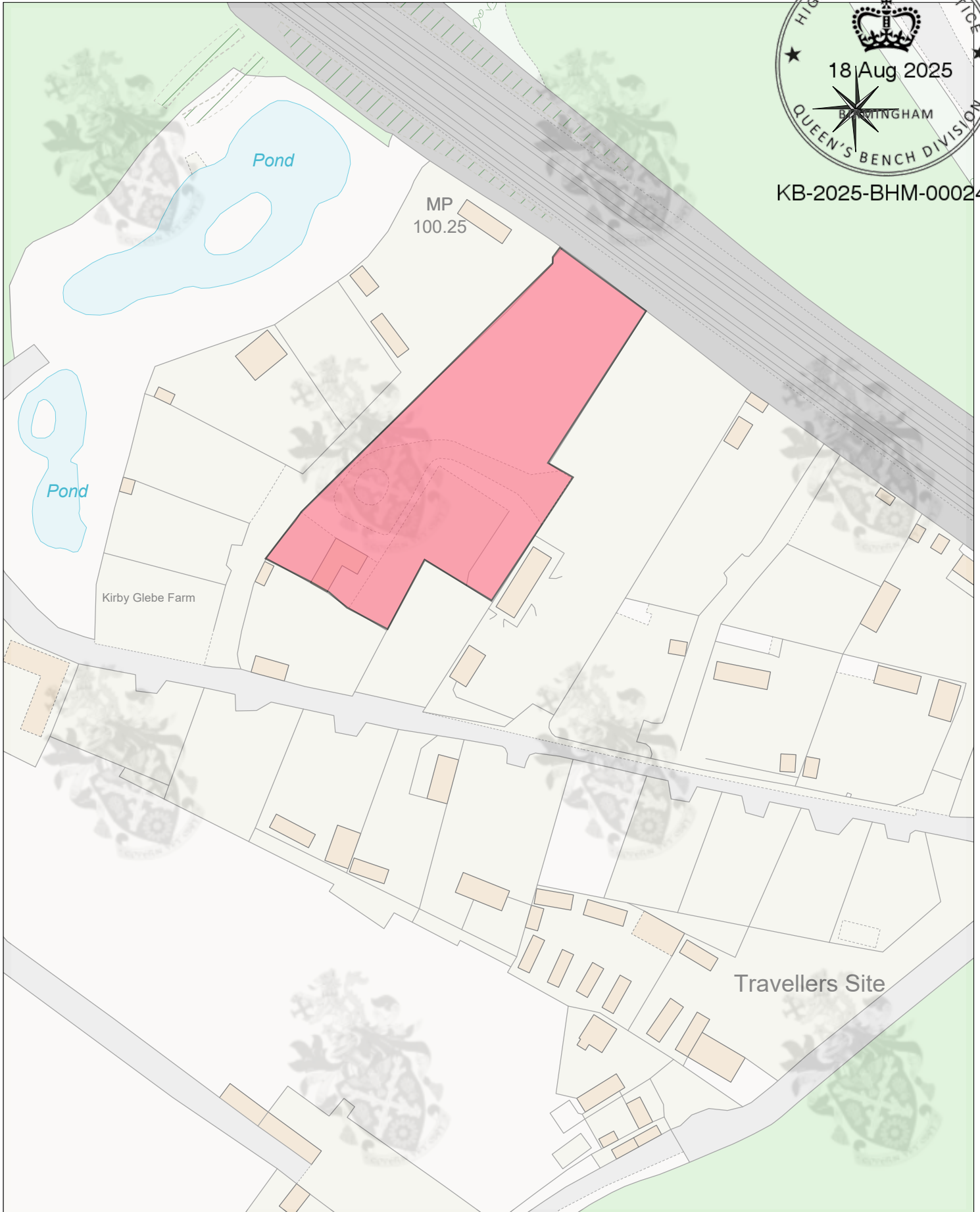


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Site 2 - Injunction Plan



KB-2025-BHM-000248

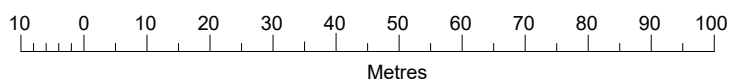


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