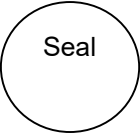


Application for Injunction
(General Form)

- Notes on completion
Tick which boxes apply and specify the legislation where appropriate.
(1) Enter the full name of the person making the application.
(2) Enter the full name of the person the injunction is to be directed to.
(3) Set out here the proposed terms of the injunction order...
(4) Set out here any proposed mandatory orders requiring acts to be done.
(5) Set out here any further terms asked for including provision for costs.
(6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application...
(7) Enter the names and addresses of all persons upon whom it is intended to serve this application.
(8) Enter the full name and address for service and delete as required.

Name of Court: Birmingham High Court
Claim No.
Claimant's Name and Ref: North Warwickshire Borough Council
Defendant's Name and Ref: 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)CHRISTOPHER TORRENS (8) HELEN ROCHFORD -and- (9) PERSONS UNKNOWN

By application in pending proceedings
Under Statutory provision: Part 1 of the ASB, Crime and Policing Act 2014
This application is made under Part 8 of the Civil Procedure Rules
This application raises issues under the Human Rights Act 1998 Yes No



The Claimant (1) North Warwickshire Borough Council applies to the court for an injunction order in the following terms:
That (2) Site 1 (WK487422) David John Pitt, Kaye Linda Pitt, Christopher Torren and Site 2 (WK397261) Thomas Cocoran, Martin Torrens, Teressa Torrens, Christopher Torrens, Helen Rochford and, Persons Unknown must (3) As set out in the Order
And that
The grounds of this application are set out in the written evidence of Julian Turner and Ryan Lee-Wilkes dated 11 August 2025
This written evidence is served with this application
This application is to be served upon (7)
Personal Service at last known residential address and as per the Order
This application is filed by (8) North Warwickshire Borough Council (the Claimant) whose address for service is Council House, South Street, Atherstone, CV9 1DE
Signed Sofia Ali Dated 18 August 2025

*
Name and
address of the
person application
is directed to

To*
of

This application will be heard by the (District) Judge

At

on the day of at o'clock

If you do not attend at the time shown the court may make an injunction order in your absence

If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

The court office at

is open between 10 am and 4 pm Mon – Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.



Claim Form (CPR Part 8)

In the											
Claim no.											
Fee Account no.											
Help with Fees - Ref no. (if appli- cable)	<table><tr><td>H</td><td>W</td><td>F</td><td>-</td><td></td><td></td><td>-</td><td></td><td></td><td></td></tr></table>	H	W	F	-			-			
H	W	F	-			-					

Claimant



Defendant(s)

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☐ No

Details of claim (see also overleaf)

Defendant's
name and
address

--

£

Court fee	
Legal representative's costs	
Issue date	

For further details of the courts www.gov.uk/find-court-tribunal.

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim no.	
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Details of claim (continued)

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in these particulars of claim are true.

☐ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the claimant to sign this statement.

Signature

☐ Claimant

☐ Litigation friend (where claimant is a child or a Protected Party)

☐ Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day

Month

Year

Full name

Name of claimant's legal representative's firm

If signing on behalf of firm or company give position or office held

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Note of Hearing

Her Honor Judge Kelly is reading the order:

- Planning control interim injunction - paragraph 4 - evidence - residential use
- Clear there has been breaches - going ahead with construction regardless of it being a breach
- paragraph (a) summarizes council has given advice as to need for planning permission.
- HHJ Kelly asked, why D3 is mentioned twice? – Claimant replies, D3 will be remove the second mention
- (9) person unknown – HHJ Kelly is questioning this, according to her this is unsatisfactory - the Claim Form should have an identified defendant 9.
- HHJ Kelly asks, for named defendants what addresses do we have for them? any email address? Claimant confirms what details it has.
- Planning to serve and place injunction simultaneously
- Claimant advises - Defendant 1 and Defendant 2 are not residents - but land owner – HHJ Kelly wants us to attempt a personal service.
- Defendant 4 resides in Milton Keynes. Have an email address. The address in Milton Keynes is a recent unauthorised development site confirmed with MK Local Planning Authority.
- HHJ Kelly mentions defendant 4's name sounds familiar.
- Claimant advised that any established address for D4 is likely to be old as he recently moved.
- Site 2: 3 defendants mentioned they were living there
- In Mr Turners statement - paragraph 20 - site - he mentions how an appeal led to planning permission; however, the site is not laid out in accordance with the permission provided. HHJ Kelly questioned why she has not been informed what planning permission was provided, that should have inputted into evidence.
- Claimant advised; previous defendants were entitled to develop a number of plots but did not develop them according to the planning permission granted.
- Exhibit J201 - Site 2 is identified during these discussions
- Claimant assures HHJ Kelly, they will insert the initial planning permission into a return witness statement.

- WK397261 - to live in or undertake any further development discussed
- Court has read the witness statement of Mr Turner and Mr Lee-Wilkes, dated on the same day.
- Subsection 1a is mentioned, Section 187 of planning act 1990 is also mentioned.
- Claim rises out of circumstances, claimant is NWBC.
- Several defendants are occupying the land and living on the land.
- Two injunctions have been evidenced on neighbouring sites.
- Claimants (NWBC) concern is related to development work - fencing, siting of 2 caravans which has no planning permission on Site 1.
- Site 2 Planning permission has been granted for residential use for 7 gypsy families, reiterating previous argument on neighbouring land - however, unlawful development on site.
- HHJ Kelly mentions, this is not for court to determine today. She further adds, the court simply needs to understand whether the issue needs to be tried and whether a breach has occurred. Then consider if damages.... and if Interim was or was not granted.
- Status quo is spoken about and defendants not required to do anything.
- Therefore, proposes grant relief in principle with return hearing.
- HHJ Kelly grants order against 7 named Individuals and 1 unknown
- Conversation about limiting the geographical and temporal aspects took place, and HHJ Kelly grants setting boundaries in the areas identified in the plans provided.

What HHJ Kelly requires:

1. Steps taken to correct various procedural irregularities
2. Steps to remove 7th defendant
3. Claim Form needs amending to particularise Person Unknown.
4. A supplementary witness statement to address detail of planning permission that may exist for site 2.
5. Service injunction - personally serve all named defendants other than Defendant 4, where she grants service by alternative means such i.e. email

HHJ Kelly is questioning the formatting of the order:

- 1st paragraph of order should start off with a definition of land (at the moment it is paragraph 4.
- The 2nd paragraph should be the Injunction relief
- Paragraph 1 - On the land needs amendments - "or any part thereof"
- Don't use land at all, define what is meant by site 1 and site 2
- Make it clear - any work that has been carried out till date needs to be reinstated and that no individual needs to be removed, they just need to carry on with status quo.
- The original 2nd paragraph now becomes the 3rd paragraph - again change definition
- 3rd paragraph is shuffled down, it is not the 4th paragraph - subject to variation to define land (refer to paragraph 1)
- We now need to have a subheading as - Service
- paragraph 5
- paragraph 6
- paragraph 7 becomes permission for alternative service
- Wooden fencing is mentioned, take instructions before draft claimant can decide.
- Mr Brown is involved, does he require a copy? Claimant agrees.
- Further consideration should be given to whether there is a traveller's organisation representative, or indeed they do not have one. Claimant agrees to check.
- Service to Person Unknown - deed date of service is date of completion
- Delivery to comply becomes paragraph 8
- Subheading is required - Next Hearing
- What was initially paragraph 8 now has turned to paragraph 9
- Subsequently the 9th paragraph is now the 10th paragraph

HHJ Kelly's judgement:

- Next occasion needs to be a hearing bundle, by no later than 4pm and 3 days prior to the hearing
- File and serve

- The hearing bundle can be sent via postal delivery or email address (electronic copy)
- The court bundle hearing can be electronic
- Cost of today is reserved at next hearing
- Penal notice needs amending with the paragraphs of injunction – presumably 2, 3, and 4 – injunction itself
- What they need to do if they sell or release the land?
- HHJ Kelly requires a coloured plan attached to the order
- Plan – take out proposed injunction on RLW03 and use.

Next Hearing

- 18th September 2025 at 2pm

Email to Clerk

- Continuation of status quo
- Names and addresses
- Claim Form needs to be inputted into the CE File.