

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2024-001199

KING'S BENCH DIVISION

IN THE MATTER OF SECTION 222 LOCAL GOVERNMENT ACT 1972

IN THE MATTER OF A CLAIM FOR A PROHIBITORY AND MANDATORY
INJUNCTION

12th June 2024



KB-2024-001199

B E T W E E N :

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

- and -

**(1)CHARLES SNELL
(2)DAVID SNELL
(3)STEPHEN MAY
(4)ABDELLAH TAYEB (AKA CASTRO)
(5)MICHAL WUJEK
(6)PERSONS UNKNOWN**

Defendants

INJUNCTION ORDER

PENAL NOTICE

If you the within named CHARLES SNELL, DAVID SNELL, ABDELLAH TAYEB (AKA CASTRO) or MICHAL WUJEK, all of no fixed abode, or any other PERSONS UNKNOWN, whether by yourselves or by instructing, assisting or encouraging any other person and whether or not you have been occupying the land to which it relates before this Injunction was imposed, disobey this Order you may be found guilty of contempt of Court and may be sent to prison or fined or your assets may be seized.

IMPORTANT:-

NOTICE TO DEFENDANTS

This Order prevents you from doing the acts set out in the Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.

BEFORE Mr Duncan Atkinson KC, sitting as a deputy judge of the High Court;

UPON THE COURT CONSIDERING the Claimant's skeleton argument, the Part 8 Claim Form, the Application Notice for the interim injunction, witness statements of Karen Maguire dated 18th April and 7th May 2024, Aron Graves dated 25th April 2024, Rauf Iqbal dated 7th May 2024, Frederick Chatfield dated 10th May 2024; Jonathan Chatfield dated 3rd June 2024; David Shaw dated 6th June 2024; certificates of service; and the exhibits attached thereto;

AND UPON the application of the Claimant for an interim prohibitory injunction against the Defendants, on notice to the First, Second, Third, Fourth and Fifth Defendants;

AND UPON HEARING FROM Counsel for the Claimant and the Fifth Defendant in person, the other Defendants not attending or being represented, the Fifth Defendant informing the Court within the hearing that the Second and Fourth Defendants were unwell and unable to attend;

IT IS ORDERED THAT:

1. You, the said **CHARLES SNELL, DAVID SNELL, ABDELLAH TAYEB (AKA CASTRO)** or **MICHAL WUJEK**, all of no fixed abode whether by yourselves or by instructing, assisting or encouraging any other person, shall not:
 - (a) Occupy or continue to occupy, in any way, including by occupying any structure on or setting up an encampment on or in;
 - (b) Continue to moor, or bring onto and/or moor or leave any boat on;
 - (c) Bring onto and/or leave any caravan, mobile home, pick-up truck, van or lorry and/or any associated vehicles on; or

(d) Cause or continue to cause, any nuisance by reason of any unauthorised occupation, trespass, mooring of boats or in any other way on or in;

any part of the Land under Title Numbers AGL536977, AGL536978 and AGL216617 and more particularly identified on the plan attached to this order edged red and/or any part of the River Lea Navigation System adjacent to that land (hereinafter '**the Land**').

2. **You**, the said **PERSONS UNKNOWN**, whether by yourselves or by instructing, assisting or encouraging any other person and whether or not occupying the Land at the date of this Injunction, shall not:

(a) Occupy in any way, including by setting up or occupying any structure or or setting up or occupying any encampment on or in;

(b) Bring onto and/or moor or leave any boat on;

(c) Bring onto and/or leave any caravan, mobile home, pick-up truck, van or lorry and/or any other vehicles on;

(d) Enter for the purposes of fly-tipping or discarding rubbish;

(e) Fly-tip or discard rubbish on or in;

(f) Engage in any anti-social behaviour on or in; or

(g) Cause nuisance by reason of any unauthorised occupation, trespass, mooring of boats or in any other way on or in;

any part of the of the Land.

AND THE COURT FURTHER ORDERS AND DIRECTS THAT:

Issue of Proceedings, evidence and Return Date

3. The name of the Fifth Defendant being spelt Michal Wujek not Michael Wujeck, the Claim Form and Application Notice are hereby amended so that his name is spelt correctly as Michal Wujek;

4. The Defendants, including any Person Unknown, may, if so advised, file evidence in response to the application; and such evidence, if relied upon, shall be filed and served not later than 4 pm on 6th December 2024;

5. The Claimant may file further evidence, limited to evidence of facts that became known to it after its most recent evidence and any response to any evidence filed by the

Defendant; and such evidence, if relied upon, shall be filed and served not later than 4 pm on 10th January 2025;

6. This matter shall be listed for trial on 4th and 5th February 2025 and the following directions shall apply:
 - (1) The parties shall agree an updated hearing bundle, which shall be filed and served by the Claimant not more than 14 or less than seven clear working days before the hearing; and the Claimant shall provide hard copies to the Court not less than seven days before the hearing; and
 - (2) Skeleton arguments by any represented party shall be exchanged and filed not less than five clear working days before the hearing; and
 - (3) The Claimant shall file an authorities' bundle, agreed if possible, not less than five clear working days before the hearing;

Service and committal proceedings

7. This Order shall be served on the Defendants; and the Claimant may serve this order on Persons Unknown by an alternative method (pursuant to CPR 6.15(1)), namely by affixing it on any vehicles, vessels and/or encampments on the Land and/or any part of the River Lee Navigation System adjacent to the land marked on the said plans; and, wherever the Order is affixed in accordance with this paragraph of the Order, the Claimant shall affix a letter advising any person affected by the order to read the evidence in support of the order online by going to the online address of the link provided for in paragraph 8 of this Order;
8. The Claimant shall, by email, serve the application notice, the claim form, all the witness statements and evidence in support of the application and all the orders and judgments on the National Bargee Travellers Association and shall serve on the same by email any evidence, bundles or submissions required to be served on the parties;
9. The Claimant shall publish the application notice, the claim form, all the witness statements and evidence in support of the application and all the orders and judgments on a page of its website that shall be accessible by clicking on an online link included in the letter provided for by paragraph 7 of this Order;

10. Any committal application issued in respect of a breach of any injunction order made by the court, may be supported by witness statements in place of affidavits;

Variation or discharge of this order

11. This Order shall remain in force until further order;
12. Any of the Parties may apply to the Court at any time to vary or discharge this Order but if they wish to do so they must first inform the other parties or the other parties' solicitors in writing at least two clear working days beforehand, which may be by email to Balbinder Kaur, solicitor to the Claimant, at Balbinder.Kaur@Enfield.gov.uk.

Communications with the Court

13. All communications to the Court about this Order should be sent to the King's Bench Division of the High Court, the Royal Courts of Justice, The Strand, London WC2A 2LL quoting the case number. The office is open between 9am and 4pm Monday to Friday. The telephone number is 020 3936 8957

Costs

14. The costs of this application for an interim injunction shall be reserved.

Name and Address of Claimant's Solicitor

Legal Services,
The Council of the London Borough of Enfield,
Silver Street,
Enfield EN1 3XA

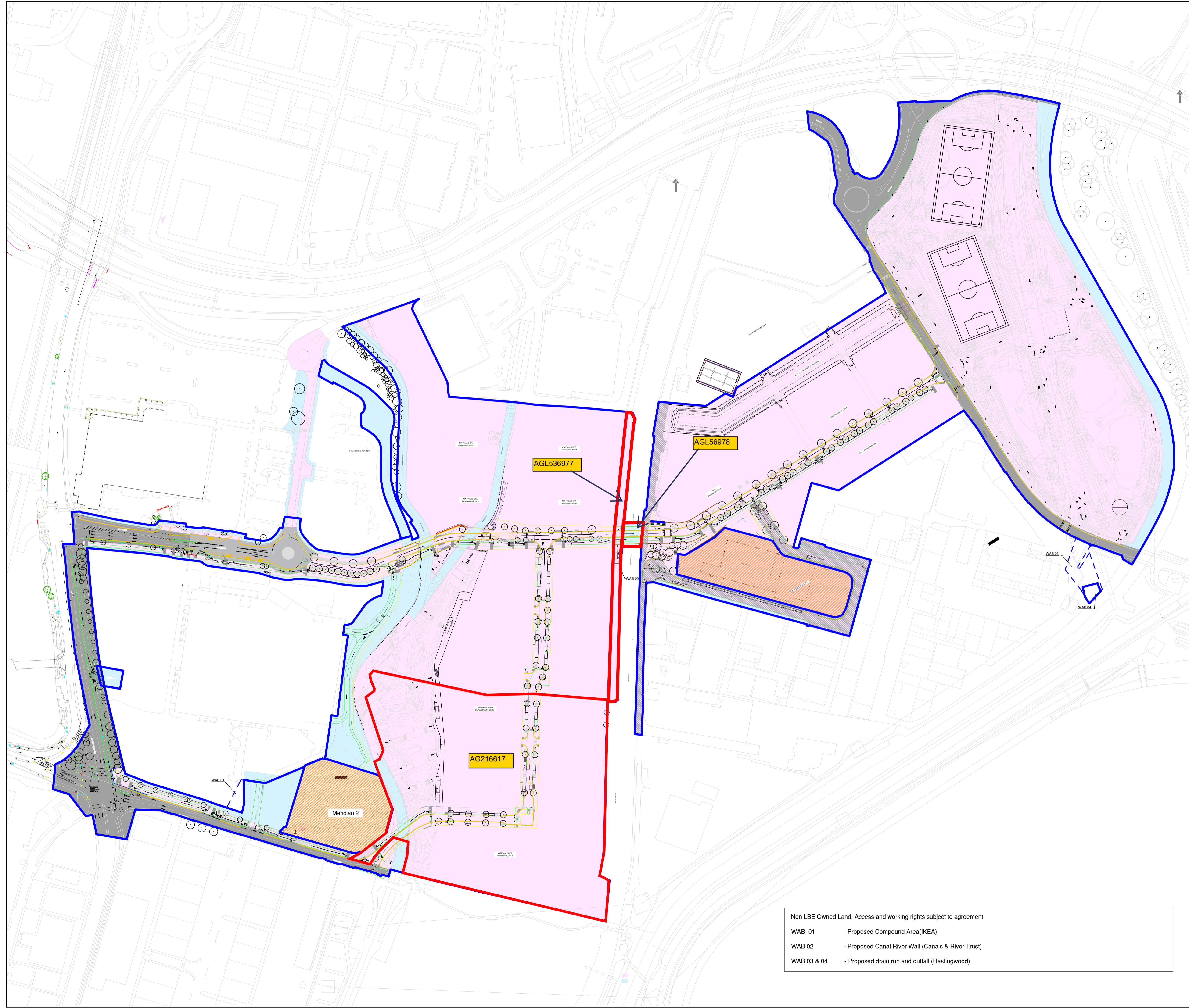
Telephone: 020 8132 0091

Email: Balbinder.Kaur@Enfield.gov.uk.

Fax: 020 8379 6492

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- KEY:**
- CLIENT OWNED LAND
 - RIGHTS OF ACCESS/ENTRY/WORKS/ OTHER IN PLACE(REFER TO CPO SCHEDULE
 - PUBLIC HIGHWAY
 - AREAS NOT WITHIN SIW SCOPE OF WORK
 - CLIENT OWNED ASSEST MANAGED AND MAINTAINED BY ENFIELD COUNCIL AS PUBLIC HIGHWAY
 - PRIVATE ESTATE ROAD OWNED BY THE CLIENT
 - WORKS AREA BOUNDARY



Non LBE Owned Land. Access and working rights subject to agreement

WAB 01 - Proposed Compound Area(IKEA)

WAB 02 - Proposed Canal River Wall (Canals & River Trust)

WAB 03 & 04 - Proposed drain run and outfall (Hastingwood)

P02	12/10/23	Council owned Highway Asset Managed Details Added	FC	PH	PH		
P01	22/09/23	First Issue	FC	PH	PH		
Rev:	Date	Comment	By	Des	Chk	App	Auth

Originator: FC

Contract: Meridian Water S.I.W

Location: Site Wide

Title: Working Boundary Plan

<p>TAYLOR WOODROW INFRASTRUCTURE LIMITED Astral House Imperial Way Watford WD24 4WW Tel: 01923-233433</p>	By:	FC	Scale:	NTS	Size:	A1
	Designed:	PH	Scale:		Size:	
	Checked:	PH	Scale:		Size:	
	Approved:		Scale:		Size:	
Purpose of Issue:		Names shown are valid for current revision		Status:	P02	
Drawing No:		SIW-TWC-XX-XX-SK-X-000003		Revision:		