IN THE HIGH COURT OF JUSTICE

CLAIM NO: KB-2024-001199

KING'S BENCH DIVISION

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF ENFIELD Claimants

-and-

[1] CHARLES SNELL
[2] DAVID SNELL
[3] STEPHEN MAY
[4] ABDELLAH TAYEB (AKA CASTRO)
[5] MICHAEL WUJECK
[6] PERSONS UNKNOWN

Defendants

SECOND WITNESS STATEMENT OF FREDERICK MILTON CHATFIELD

- I, Frederick Milton Chatfield of 212 Strand, London, WC2R 1AP, Process Server for the purpose of service instructed by London Borough of Enfield of Civic Centre, Silver Street, Enfield, EN1 3XA, the Claimant, will say as follows:-
- 1. THAT I did on Wednesday 12th June 2024 at 18.15hrs personally serve the Fourth Defendant Abdellah Tayeb (AKA Castro) with a sealed copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, endorsed with a Penal Notice on the tow path of the River Lee Navigation System, Enfield, London N18 3BY.

- 2. At the time of service, the Penal Notice endorsed on the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024 was brought to his attention.
- 3. THAT I did on Wednesday 12th June 2024 at 18.15hrs personally serve the Fifth Defendant, Michael Wujeck with a sealed copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, endorsed with a Penal Notice on the tow path of the River Lee Navigation System, Enfield, London N18 3BY.
- 4. At the time of service, the Penal Notice endorsed on the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024 was brought to his attention.
- 5. THAT I did on Wednesday 19th June 2024 at 17.42 hrs serve the First Defendant, Charles Snell with a sealed copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, endorsed with a Penal Notice on the Long Narrow Boat (Black with Red Top) moored on the east side of the River Lea Navigation System, Enfield, London N18 3BY, approximately 400 metres from the land shown as titles AGL536977 and AGL536978 by handing the same to David Snell who said that Charles was inside the boat and suffering from pneumonia.
- 6. At the time of service, the Penal Notice endorsed on the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, was brought to David Snell's attention.
- 7. THAT I did on Wednesday 19th June 2024 at 17.42 hrs personally serve the Second Defendant, David Snell with a sealed copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, endorsed with a Penal Notice on the Long Narrow Boat (Black with Red Top) moored on the east side of the River Lea Navigation System, Enfield, London N18 3BY, approximately 400 metres from the land shown as titles AGL536977 and AGL536978.
- 8. At the time of service, the Penal Notice endorsed on the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the High Court dated 12th June 2024, was brought to his attention.

9. A true copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the

High Court dated 12^{th} June 2024, endorsed with a Penal Notice, so served by me are now

produced and shown to me as an exhibit marked "FMC 2".

10. THAT I did on Wednesday 19th June 2024 between 16.40 hrs and 17.30hrs attend the at

River Lee Navigation System, Enfield, London N18 3BY and located the parcels of land

identified as titles AGL536977, AGL216617 and AGL536978.

11. I then effected service of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge

of the High Court dated 12th June 2024, endorsed with a Penal Notice and covering letter

from the Claimants dated 18th June 2024 ("the Documents") by inserting twelve complete

set of the Documents into twelve sealed transparent envelopes each individually

addressed to "The Occupiers" by affixing four complete sets of the Documents to wooden

stakes and placing the stakes in the four corners of the land known as title AGL216617;

by affixing one complete set of the Documents to a bridge within the land known as title

AGL216617; by affixing one complete set of the Documents to the Bridge known as

Chalk Bridge at the end of the land shown as title AGL216617; by affixing one complete

set of the Documents to the metal palisade gate leading to the land shown as title

AGL216617; by affixing five complete set of the Documents to the Herras fencing on the

boundary of the land shown as titles AGL536977 and AGL536978.

12. A true copy of the Order of Mr Duncan Atkinson KC, sitting as a Deputy Judge of the

High Court dated 12th June 2024 endorsed with a Penal Notice and the covering letter

from the Claimants dated 18th June 2024, so served by me on Wednesday 19th June 2024

are now produced and shown to me as an exhibit marked "FMC 3".

Statement of Truth

I believe that the facts stated in this witness statement are true. 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 as to its truth.

Signed:

Frederick Milton Chatfield

Dated: 26th June 2024

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF ENFIELD Claimants

-and-

[1] CHARLES SNELL

[2] DAVID SNELL

[3] STEPHEN MAY

[4] ABDELLAH TAYEB (AKA CASTRO)

[5] MICHAEL WUJECK

[6] PERSONS UNKNOWN

Defendants

CLAIM NO: KB-2024-001199

"FMC 2"

This is the exhibit marked "FMC 2" referred to in the second Witness Statement of Frederick Milton Chatfield dated 26th June 2024

Signed:

Frederick Milton Chatfield

Dated: 26

26th June 2024

Claim No. KB-2024-001199

KING'S BENCH DIVISION

IN THE MATTER OF SECTION 222 LOCAL GOVERNMENT ACT 1972

<u>IN THE MATTER OF A CLAIM FOR A PROHIBITORY AND MANDATORY</u> INJUNCTION

12th June 2024



BETWEEN:

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 exbibits 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 or 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 no 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,

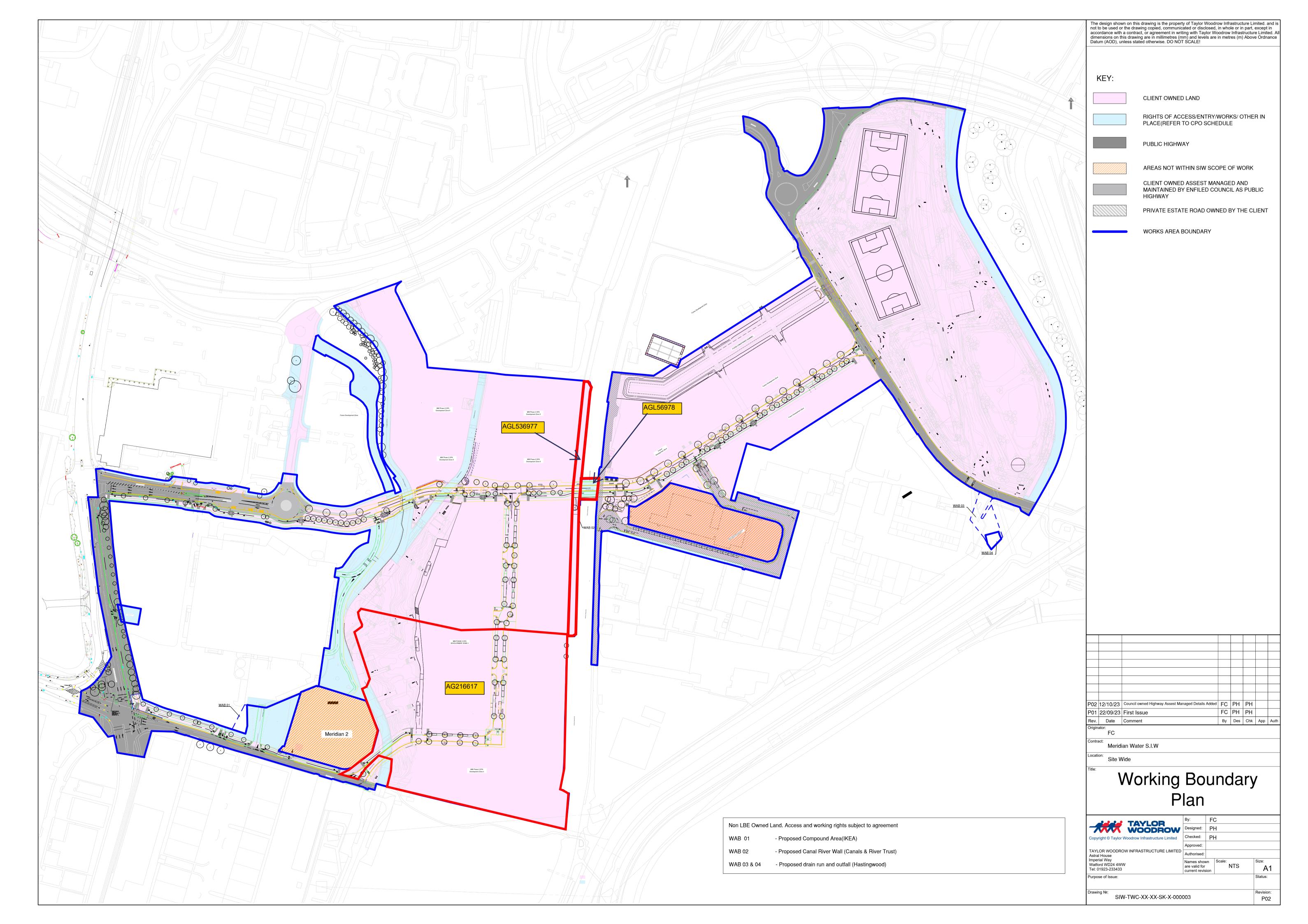
Silver Street,

Enfield EN1 3XA

Telephone: 020 8132 0091

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

Fax: 020 8379 6492



IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF ENFIELD Claimants

-and-

[1] CHARLES SNELL
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[6] PERSONS UNKNOWN

Defendants

CLAIM NO: KB-2024-001199

"FMC 3"

This is the exhibit marked "FMC 3" referred to in the second Witness Statement of Frederick Milton Chatfield dated 26th June 2024

Signed:

Frederick Milton Chatfield

Dated: 26th June 2024



TO PERSONS UNKNOWN

18 June 2024

RE: INTERIM INJUNCTION ORDER DATED 12 JUNE 2024
THE LONDON BOROUGH OF ENFIELD - and - CHARLES SNELL, DAVID SNELL,
ABDELLAH TAYEB (AKA CASTRO), MICHAL WUJEK AND PERSONS UNKNOWN

The Council applied to the High Court for an injunction in the above case concerning trespassers occupying part of the River Lea in boats and separate structures on the embankment. An interim injunction was granted on 12 June 2024 and came into effect at midnight on 12 June 2024; the Order of 12 June 2024 is attached to this letter.

Any person affected by the order is directed to read the evidence in support of the order online including the application and all the orders and judgments which have been published on the Council website and are accessible through the following online address link: https://www.enfield.gov.uk/services/your-council/injunction-order.

Should the Named Defendants including any Persons Unknown wish to file evidence in response to the application, it is required to be filed and served on the Council and at the High Court by no later than 4 pm on 6 December 2024. The address for service for the council is: Legal Services, London Borough of Enfield, Silver Street, Enfield EN1 3XA, Telephone: 020 8132 0091 Email: Balbinder.Kaur@Enfield.gov.uk.

A final hearing of the interim injunction is listed for 2-3 February 2025 at the High Court, Kings Bench, Royal Courts Of Justice, Strand, London, WC2A 2LL; Telephone: 020 7947 6000 / 020 3936 8957

Yours sincerely

BKaur

BALBINDER KAUR

Assistant Principal Lawyer

On behalf of Terry Osborne

Director of Law & Governance

Monitoring Officer

Terry Osborne
Director of Law & Governance
Monitoring Officer
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XA

www.enfield.gov.uk

? If you need this document in another language or format contact the service using the details above.

Claim No. KB-2024-001199

KING'S BENCH DIVISION

IN THE MATTER OF SECTION 222 LOCAL GOVERNMENT ACT 1972

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Defendants

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IMPORTANT:-

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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').

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 - (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
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any part of the of the Land.

AND THE COURT FURTHER ORDERS AND DIRECTS THAT:

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- 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 no less than seven days before the hearing; and
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- 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;

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by the court, may be supported by witness statements in place of affidavits;

Variation or discharge of this order

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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

