

**IN THE HIGH COURT OF JUSTICE**

**CLAIM NO:QB-2019-000616**

**QUEENS BENCH DIVISION**

**IN THE MATTER OF S222 LOCAL GOVERNMENT ACT 1972, AND 187B TOWN AND COUNTRY PLANNING ACT 1990**

**BEFORE MR JUSTICE DOVE**

**On the 22 day of February 2019**

**BETWEEN:**

**(1) NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**(2) WARWICKSHIRE COUNTY COUNCIL**



**Claimants**

**-and-**

**(1) THOMAS CORCORAN & 52 OTHER NAMED DEFENDANTS IN SCHEDULE 1 OF THE CLAIM FORM**

**(54) PERSONS UNKNOWN FORMING UNAUTHORISED ENCAMPMENTS WITHIN THE BOROUGH OF NUNEATON AND BEDWORTH**

**Defendants**

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**ORDER**

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**UPON HEARING** Counsel for the Claimants without notice to the Defendants

**AND UPON** reading the witness statement of Phillp Richardson, Director of Arts Leisure and Democracy at Nuneaton and Bedworth Borough Council

**IT IS ORDERED THAT:**

- 1. The application for the injunction shall be listed before a Judge on Tuesday 19 March 2019 at 10.30am, to allow three clear days between service of the proceedings and**

the hearing date for the application for the Interim Injunction with a 2 hour time estimate.

2. Pursuant to CPR Part 6.14, 6.15, 6.26 and 6.27 the Claimants have permission to serve the Defendants between 6.30am and 8pm during the week and between 7am and 4pm on a Saturday. Copies (as opposed to originals) of claim forms and applications served on a Saturday will be deemed served on the second working day after the date of service and copies (as opposed to originals) of claim forms and applications served after 4pm on a working day shall be deemed served on the second working day after the date of service.
3. In the event that the Claimants are unable to personally serve any of the 1<sup>st</sup> to 53<sup>rd</sup> Defendants, pursuant to CPR Part 6.14 and 6.15 the Claimant shall be permitted to serve any such Defendants by leaving a copy (as opposed to an original) of the application notice, claim form, draft order, and supporting evidence, in a clear transparent envelope and affixing the same to a caravan, mobile home, or, other vehicle, or, the front door of any residential premises, which in each case is reasonably believed to be owned or occupied by the said Defendants, or, by putting such copy documents through the letter box of any such residential premises. Any such copy documents served by this method will be deemed served the second working day after service of the application notice and claim form.
4. The Claimants shall be permitted pursuant to CPR Part 6.27 to serve the evidence in support of the Claim and application for an Interim Injunction by USB memory stick and shall provide any Defendant that requests hard copies of the same within 2 working days of receipt of such request, and shall have a copy of all evidence relied upon in these proceedings available for inspection at the First Claimant's offices at Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA between the hours of 10am and 4pm Monday to Friday excluding public holidays.
5. The claim form and application notice shall be deemed served on Persons Unknown (Second Defendant) pursuant to CPR Part 6.14, 6.15, 6.27 and 6.27 by serving a copy (as opposed to an original) of the claim form, application notice and draft order on

**all 141 sites identified in Schedule 3 of this Order by affixing them in a prominent place on the Land with a notice to Persons Unknown that a copy of the supporting evidence can be obtained from the First Claimant's offices at Nuneaton and Bedworth Borough Council, Town Hall, Coton Road, Nuneaton, Warwickshire CV11 5AA.**

- 6. The Defendants shall acknowledge service of the claim form 21 days after the date of deemed service and file any written evidence in support of the Defence by the same date.**
- 7. The Claimants have permission to serve the Defendants with a sealed copy of this Order (as opposed to an original).**