

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

CLAIM: TBC

**IN THE MATTER OF AN INJUNCTION PURSUANT TO SECTION 187B OF THE
TOWN AND COUNTRY PLANNING ACT 1990**

**BEFORE THE HONOURABLE MR JUSTICE COPPEL
29 AUGUST 2026**

BETWEEN:

EAST HERTFORDSHIRE DISTRICT COUNCIL

Claimant

-and-

- (1) PERSONS UNKNOWN CARRYING OUT, ENCOURAGING AND/OR
FACILITATING DEVELOPMENT ON, OR WITH AN INTENT TO
UNDERTAKE DEVELOPMENT ON, THE LAND ON SOUTH WEST SIDE
OF SHEERING MILL LANE, SAWBRIDGEWORTH AS SHOWN EDGED IN
RED ON THE MAP ATTACHED TO THIS ORDER**
- (2) PERSONS UNKNOWN OCCUPYING OR INTENDING TO OCCUPY THE
LAND ON SOUTH WEST SIDE OF SHEERING MILL LANE,
SAWBRIDGEWORTH AS SHOWN EDGED IN RED ON THE MAP
ATTACHED TO THIS ORDER**
- (3) LEONARD RICHARDS**
- (4) DARREN GLOVER**

Defendants

INTERIM INJUNCTION ORDER

PENAL NOTICE

**IF YOU THE WITHIN NAMED DEFENDANTS DO NOT COMPLY WITH THIS
ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND YOU MAY
BE IMPRISONED OR FINED OR YOUR ASSETS MAY BE SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING
WHICH HELPS OR PERMITS THE DEFENDANTS TO BREACH THE TERMS OF
THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE
IMPRISONED, FINED, OR HAVE THEIR ASSETS SEIZED.**

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this 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.

If you are in any doubt about whether an action or activity on the Land is prohibited by the Order you should seek written permission from the Claimant before carrying out that action or activity.

If you disobey this Order you may be found guilty of Contempt of Court and you may be sent to prison or fined or your assets may be seized.

UPON the Claimant's urgent application without notice for an injunction pursuant to section 187B of the Town and Country Planning Act 1990, dated 29 August 2026

AND UPON HEARING from counsel for the Claimant

AND UPON READING the Written Submission and the Witness Statement of Ms Nina Marhsall (and the Exhibits to that Witness Statement) dated 29 August 2026 (appended at Schedule B to this Order)

AND UPON the Claimant undertaking to file a Claim Form for its claim under s.187B of the Town and Country Planning Act 1990 as soon as possible and at the latest by 4pm on 11 September 2026

IT IS ORDERED THAT:

DEFINITIONS

1. In this Order:
 - a. "the Land" means the land registered under title HD418207 as more particularly shown on the plan attached to this Order edged red at Schedule A. The address of the Land is Land on the south west side of Sheering Mill Lane, Sawbridgeworth.
 - b. "development" means building, engineering, mining or other operations in, on, over or under land, or the making of a material change in the use of buildings or other land.

INJUNCTION IN FORCE

2. With immediate effect and until the conclusion of return date hearing on 15 September 2026, or further order in the meantime, the Defendants and each of them, whether by themselves or by instructing, encouraging or permitting any other person, **must not carry out development on the Land in breach of planning control or carry out any works or activities which are or could serve as being preparatory works or activities to enable or support development of the Land.** In particular, but not exclusively, the Defendants must not on the Land, without written permission from the Claimant:
 - a. carry out any further development;
 - b. clear any further land;
 - c. lay hardstanding;
 - d. lay bitumen;
 - e. lay gravel;
 - f. erect any fencing;
 - g. erect any gates;
 - h. construct any road on the Land;
 - i. create any further access to the Land;
 - j. remove or damage any hedgerow on the Land;
 - k. install any camera or CCTV equipment;
 - l. bring onto the Land or any part thereof or keep on the Land any plant or machinery used or capable of being used for the development of the Land;
 - m. use any plant or machinery capable of being used for the development of the Land on the Land;
 - n. bring onto the Land, or station on the Land, any caravans, vehicles or mobile homes;
 - o. permit occupation of any caravan or mobile home already on the Land;
 - p. continue to occupy any caravan or mobile home already on the Land;
 - q. install any septic tank or carry out any associated works on the Land; or
 - r. install or lay on the Land any electric cable, water pipe or any other infrastructure or carry out any associated works on the Land.

SERVICE BY ALTERNATIVE METHOD

3. The Court will provide sealed copies of this Order to the Claimant's solicitors for service. In order that the sealing of the Order does not delay its service, the Claimant is permitted to serve the Order made by the Court immediately after it is so made, but must exchange the Order served on the Land with the sealed version without 24 hours of receipt of the sealed Order.
4. Pursuant to CPR 6.27 and 81.4:
 - a. the Claimant shall serve this Order upon the Defendants by affixing sealed copies of this Order in a transparent waterproof document wallet in prominent positions on or at the boundary of the Land, and by placing it on any caravan or mobile home which has been stationed on the Land.
 - b. Such affixing or placing shall be deemed to be good and sufficient service on the Defendants of the Order.
 - c. Any future documentation may be served on the Defendants in the same manner.
5. Service in accordance with paragraph 4 above shall be verified by a certificate of service filed with the Court.

THE RETURN DATE

6. There shall be a hearing on Tuesday 15 September 2026 at 10.30am in person at the Royal Courts of Justice. At that hearing, the Defendants can make, if so advised, representations in relation to the continuation, variation or discharge of this Order.

FURTHER DIRECTIONS

7. The Defendants or any other person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors immediately by email at the details set out below providing at least 48 hours' written notice of any hearing. If any evidence is to be relied upon in support of such an application the substance of it must be communicated in writing to the Claimant's solicitor at least 24 hours in advance of the hearing. The hours between 5pm on any Friday and 9am on any Monday cannot be counted as part of the relevant notice period.

8. Any person applying to vary or discharge this Order, or to appear at the Return Date hearing must provide their full name and address, an address for service, and must also apply to be joined as a named defendant to the proceedings.
9. The Claimant has liberty to apply to extend or vary this Order or for further directions.
10. Costs reserved.
11. Should the Claimant become aware of the identity of any of the persons currently encompassed within Persons Unknown it shall apply, as soon as reasonably practicable thereafter, to join that individual to these proceedings as a named defendant.

COMMUNICATIONS WITH THE CLAIMANT

12. The Claimant's solicitors and their contact details are: FAO: Simon Kiely, Sharpe Pritchard LLP, Elm Yard, 10-16 Elm Street, London WC1X 0BJ, skiely@sharpepritchard.co.uk, 020 7405 4600, Ref. SK/2801/137

BY THE COURT

MADE ON 29 AUGUST 2026

GUIDANCE NOTES

Effect of this Order

1. A Defendant who is an individual who is ordered not to do something must not do it personally or in any other way. They must not do it through others acting on their behalf or on their instructions or with their encouragement.
2. A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees, or agents or in any other way.

Effect of this Order on Parties other than the Defendants

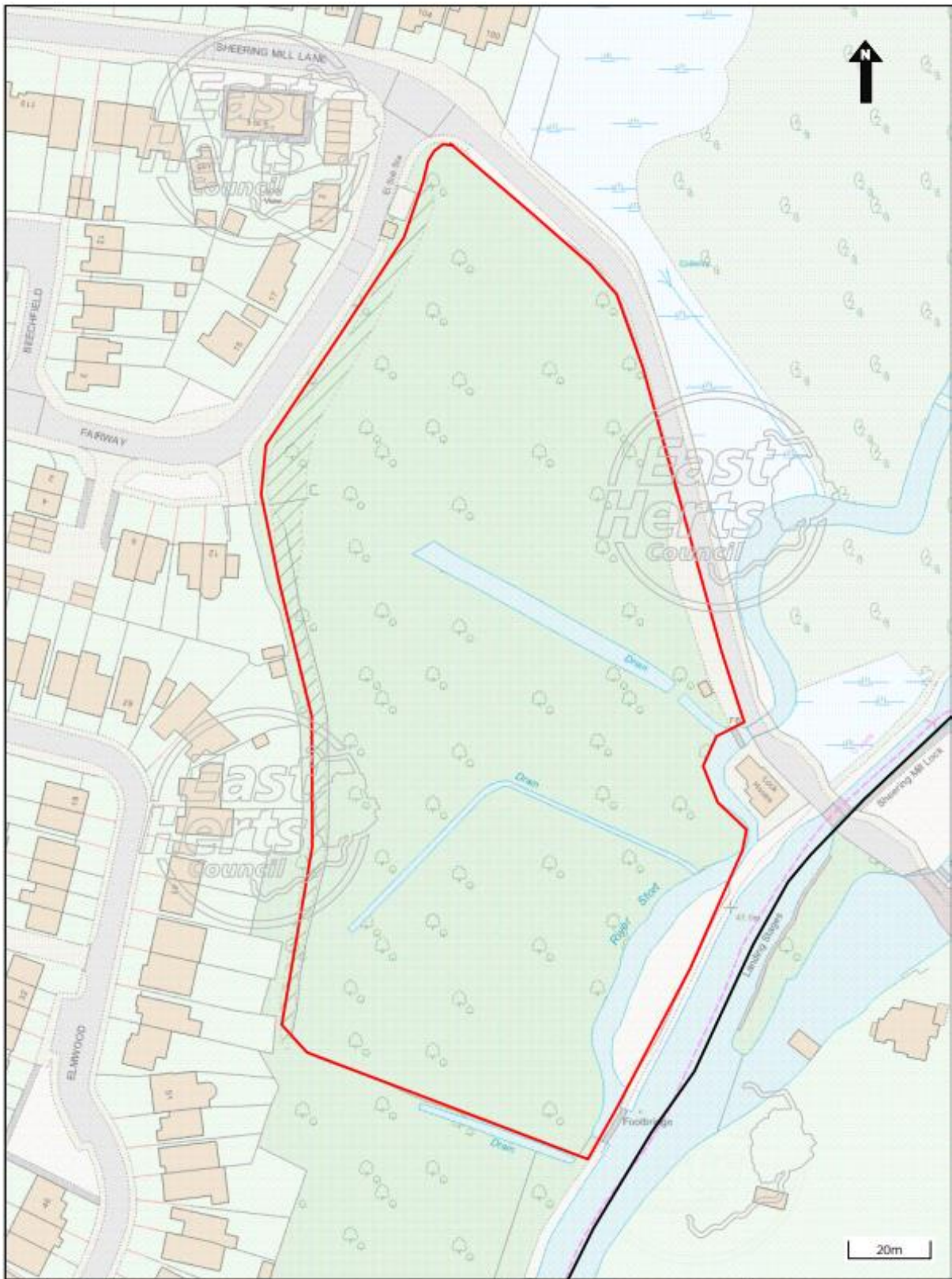
3. It is a contempt of court for any notified of this Order knowingly to assist in or permit a breach of this Order. Any person doing so may be sent to prison, fined or have his assets seized.

Communications with the Court

4. All communications to the Court about this Order should be sent to Room WG 08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 am and 4:30pm Monday to Friday.

Pursuant to CPR Part 40.7(1) this order takes effect from the date it was made, i.e the date on the face of the Order.

SCHEDULE A – PLAN OF THE LAND



SCHEDULE B – WITNESS EVIDENCE

Witness statement of Nina Johnson Marshall dated 29 August 2026

SCHEDULE C – NOTE OF HEARING

Claim No.

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

B E T W E E N: -

EAST HERTFORDSHIRE DISTRICT COUNCIL

(Claimant)

and

(1) PERSONS UNKNOWN CARRYING OUT, ENCOURAGING AND/OR FACILITATING DEVELOPMENT ON, OR WITH AN INTENT TO UNDERTAKE DEVELOPMENT ON, THE LAND ON SOUTH WEST SIDE OF SHEERING MILL LANE, SAWBRIDGEWORTH AS SHOWN EDGED IN RED ON THE MAP ATTACHED TO THIS ORDER

(2) PERSONS UNKNOWN OCCUPYING OR INTENDING TO OCCUPY THE LAND ON SOUTH WEST SIDE OF SHEERING MILL LANE, SAWBRIDGEWORTH AS SHOWN EDGED IN RED ON THE MAP ATTACHED TO THIS ORDER

(3) LEONARD RICHARDS

(4) DARREN GLOVER

(Defendants)

NOTE OF HEARING ON 29 AUGUST 2026

18:04

Judge, Mr Justice Coppel (J): I've read the documents that you've sent through. I am satisfied of the need and justification for an injunction. I just want to talk to you about the terms of the draft that you've sent through.

Counsel for the Claimant, Michael Fry (C): Yes. my lord

J: First of all, the description of the First and Second Defendants have 'without lawful planning consent' after them. I had understood that there isn't any planning permission for this land, so do you need this wording?

C: It is there my Lord to ensure that I don't accidentally draw in anyone who does have lawful planning consent into the terms of the Order. It narrows down the potential class. Whether or not that matters, as anyone who does have lawful planning consent will be carved out of the injunction anyway. So whether that matters, is slightly by-the-by.

J: I had understood that there isn't any planning consent as this is in the Green Belt

C: There isn't any... I am happy to take it out. Is it just the wording 'without lawful planning consent'?

J: Yes. Thank you. Then the third and fourth defendants? I am not sure I know who these people are, it isn't explained in the witness statement.

C: Apologies, my lord. Mr Richards is on the title register, he is the registered owner of the land. Mr Glover, I've explained in my written submissions, owns the adjacent land. He's included simply because we don't know the extent of the development which has taken place. I suspect that one or both of those can ultimately be removed as defendants, as I suspect that the land has in fact been recently sold, but the Land Registry hasn't been updated.

J: Just in terms of the definition of 'development', I understand that you want to prohibit development and activities which are preparatory to development, and we can come on in a second to the principle of that, but it struck me that it is both surplusage and confusing to have both an extended wording of development in paragraph 1. (b) and in paragraph 2. of the injunction to have a prohibition of both development and the preparatory works of development, as you have already included those above. I would suggest that we just define development as up to 'changing the use of buildings or of land' which I assume is the statutory definition, and then in paragraph 2 of the injunction, you would have 'must not carry out any development on the land which are or which could serve as being preparatory works to enable development of the land'. Can you just explain to me: your submissions indicate that this is a slightly unusual extension of the normal approach, which would just be to prohibit development.

C: Yes, my Lord. I work in this area quite regularly, and it is to deal with an issue which has cropped in a committal for another Council where the Defendants have put up things like CCTV cameras, concrete posts, fencing, and gates, and there was a live issue in the committal proceedings as to whether or not that was 'development'. I am trying to protect myself from any future submission being made that it is only works being carried out by a builder or machinery which would be caught by the injunction.

J: So you are prohibiting them from doing things which are not unlawful in themselves, but its in aid of the primary prohibition on development given that there has already been unlawful development, this is to stop them in their tracks rather than to enable them to enhance development around the edges.

C: That's correct my lord, but the saving for the Defendants here is that they can apply for a variation or for permission of the council if they do want to put fences up, and it will be for the council to say whether that is preparatory or not, and if they disagree they will be able to apply for a variation to the injunction instead.

J: I am happy in principle with this extension prohibition for the reasons I've just expressed. I'd like the return date to be on the 14th of September and not the 24th, so just about two weeks. In paragraph 3, I do not like "if they are in doubt" – that's pretty vague – and what is the basis for asking for written permission?

C: The usual situation is that once such an order is made, the Defendants usually start writing to the council or their solicitors for permission to do various further works, put up fences etc. It is unnecessary I suppose, and perhaps it is better for this to go in the Notes to Defendant bit which doesn't have any bite, but just says if you're not sure about anything just ask us and we'll tell you what it means.

J: Given that we're setting out a whole list of preparatory steps that they are not permitted to take, perhaps we don't need paragraph 3 at all – so shall we delete paragraph 3. In terms of what we do with it, were you suggesting we put it in the Notes to the Defendant at the top of the Order?

C: Perhaps it is not necessary at all for the reasons that your Lord has just set out. Guidance notes don't have any force, but it should be obvious to anyone who is reading this order that right at the top it says that if you do not understand it you should go and see a solicitor.

J: So if I add a second paragraph in the Notes for Defendant section that if you are in any doubt about the effect of this Order that you should seek written permission from the Claimant.

C: That's very sensible, my lord – I imagine that this would become standard drafting in these injunctions if you put it there.

J: Okay so, paragraph 3 has gone. Service by alternative methods, I am happy with that in principle, but it struck me that you should affix more than one copy of the Order, so I've got you shall serve sealed copies in prominent positions, and on any vehicle, caravan, or mobile homes which has been stationed on the land.

C: The only problem I can see is that there are many vehicles coming on and off the land, and there is a potential criminal damage element if one is sticking things to people's windows and caravans. I think several copies at the entrances is probably sufficient, but what we will also do is make sure that when it is served that we read it out on the site so that the people who are in occupation will understand what is going on.

J: My particular concern is that if you have got someone who is occupying caravans on the land and if you want the people to stop occupying the caravans, it just struck me that you want to make sure that you serve the order on whoever is occupying the caravans.

C: Could we limit it just to caravans and mobile homes and not vehicles.

J: Yes – could it be placing them on or in? Do caravans have letterboxes?

C: My understanding is that often they are stuck to caravans or placed in sealed envelopes on the steps to the caravan. But we will take photos to show how they've been served.

J: Right. Given that you want to go beyond a status quo order and ask for people to cease occupation of any caravans on the land, you say that is justified because they have only just moved on and there cannot be any serious Article 8 point. I am happy with that.

C: Can I just articulate this as I am sure this is a point of this Order that will be challenged. From the photos, at the present time the caravan is still hatched to the back of a 4x4 vehicle. The point is that the caravan gets parked up but doesn't always get occupied straight away, but even if occupation has only just commenced it cannot in any serious sense said to be occupation for Article 8.

J: I am happy in principle that it is appropriate to go slightly beyond the usual status quo in this instance. In relation to sub-paragraph (o) of paragraph 1 you've got permit, allow, or occupy any caravan or mobile home already on the land. What are you getting at here? Do you want the owner of the caravan to tell the people to leave because they cannot permit the caravan to stay there?

C: It is to capture people coming onto the land with caravans and allowing families to occupying those caravans. It should probably be 'do not permit or allow occupation of any caravan already on the land'.

J: Is there any difference between permit and allow?

C: Probably not – I do not think they capture anything particularly differently.

J: This is to cover a situation where someone owns a caravan on the land and allows other people to occupy it?

C: That certainly happens. Caravans come onto the site and then families follow thereafter. That would then cover this and be a breach if you would allow it.

J: Okay. Fine. Just going back to 4.(a) I am going to add 'and by affixing or placing it on a caravan or mobile home which has been stationed on the land', and then (b) will refer to such affixing or placing shall be deemed to be sufficient service.

C: The reference to further documents being served will need to be updated.

J: Yes, that's now paragraph 4 isn't it. The return date then is to be Monday 14th of September at 10am

C: Yes, my Lord. May I just check my calendar to make sure I am free... I am in fact sitting myself that day – could we make it 15th of September instead? I'd be grateful.

J: Yes, okay. At Schedule C of the draft Order you have note of hearing. Has your solicitor been keeping a note?

C: It will be rough and ready, but as we are ex-parte it is important that we provide it with the order.

J: What I normally do is to give brief written reasons at the bottom of the order, but if your solicitor has been taking a note, and as I am conscious that you would like an Order as quickly as possible, then I will just add some additional wording and make reference to the fact that this order goes further than a usual status quo order, both firstly in relation to prohibiting works which might be preparatory to development and I consider that to be justified given the extent of the development already undertaken and to stop that development in its tracks as far as possible, and secondly in relation to the provision in the order for anyone already occupying a home on the land to stop doing so, I am satisfied that no Article 8 rights could be engaged given that occupation will have been extremely brief, and for those reasons I will make that Order.

C: May I just raise two issues with you: firstly, my Lord will have seen the full and frank disclosure within my written note that we have not been able to undertake any welfare checks or find out how many children are on site, because nobody will talk to us. Can I just confirm that we have brought this to your attention.

J: Yes

C: Secondly, in relation to the photo exhibits I don't want to cause any community tensions by including the photos of people or vehicles or number plates which could lead to identification. So what I propose to do is to replace those exhibits with wording that says, 'This is a photo exhibit. If you wish to see these photos please contact the Council's solicitors at this email address' rather than having those photos on the site, as I don't want to cause any further community tensions, if you are happy with that?

J: Yes.

C: I am grateful, my Lord.