

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
ROYAL COURTS OF JUSTICE

Claim No. QB-2022-000449

BETWEEN:

NORTH NORTHAMPTONSHIRE COUNCIL

-and-

(1) MR JAMES JASON MONGAN
(2) MR EDWARD PAUL MONGAN
(3) MR CHRISTOPHER JOSEPH MONGAN



QB-2022-000449
Defendants

ORDER

IMPORTANT NOTICE FOR THE DEFENDANTS

**YOU MUST READ THIS ORDER CAREFULLY AND YOU MUST OBEY IT.
IF YOU DO NOT UNDERSTAND IT, YOU SHOULD SEEK LEGAL ADVICE AND
CONSIDER CONSULTING THE CITIZENS ADVICE BUREAU
IF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO
BREACH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND
MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

Before Antony Dunne sitting as a Deputy High Court Judge on 25 February 2022

UPON hearing Counsel for the claimant

UPON the Court being satisfied that the proceedings have been properly served on the Defendants

IT IS ORDERED:

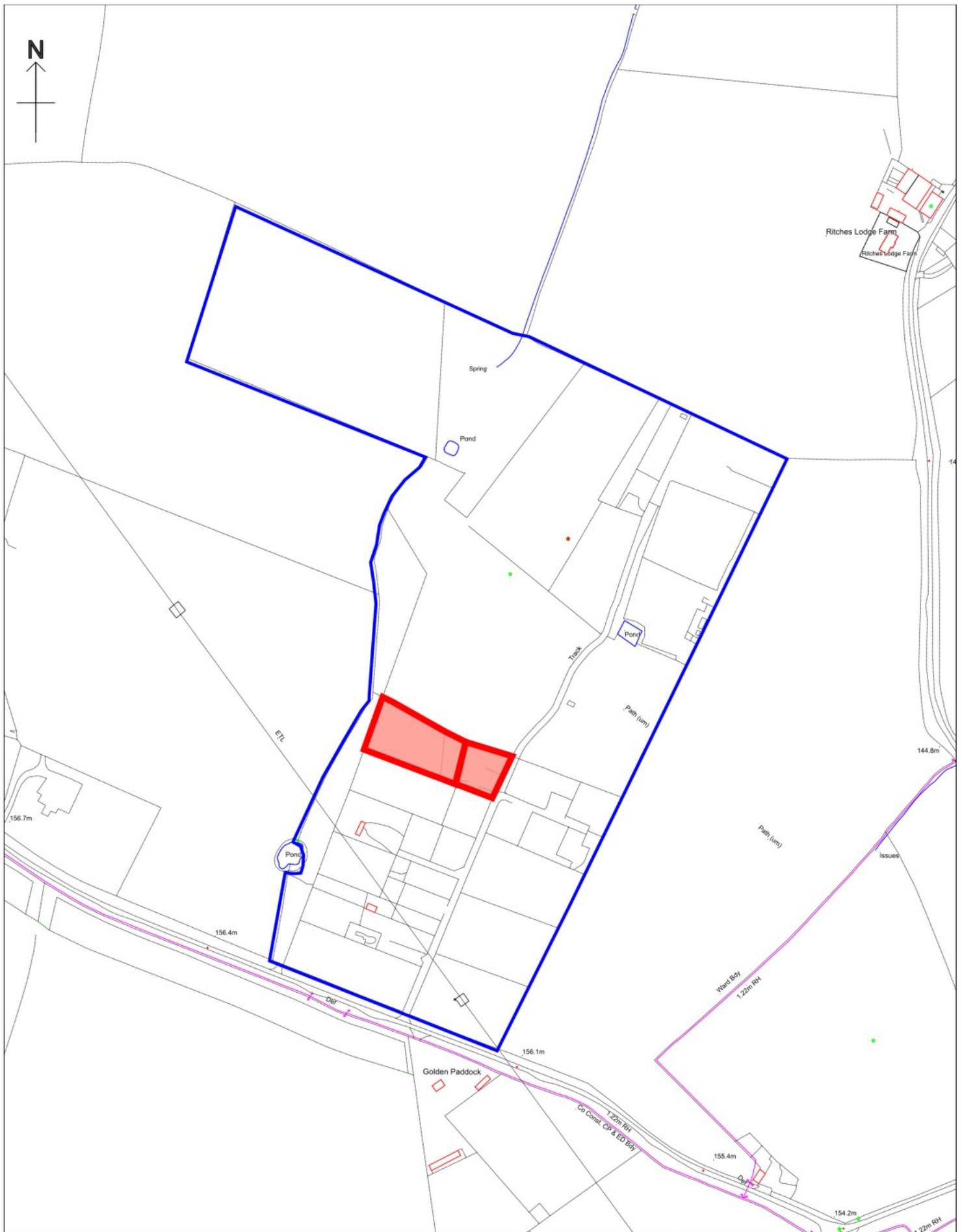
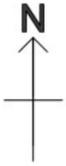
1. Until 24 February 2027, the Defendants shall not (whether by themselves or encouraging or allowing another) undertake any engineering operation on the Land or

import, deposit or excavate any material on the Land without the written consent of the Claimant's solicitor. For the avoidance of doubt, the Defendants are forbidden from importing or depositing any material (including hardcore, building material, soil or domestic waste) or excavating/digging up the Land so as to alter the grounds levels save that required to comply with para 3 herein.

2. The Land referred to in this order is the Land at plots 10 and 11 at Greenfields, Braybrooke Road, Braybrooke as delineated in red on the attached plan.
3. The Defendants must fully obey the enforcement notice dated 13 December 2019. To that end, by 4pm on 24 May 2022, the Defendants must remove all of the material which has been brought on to the Land since the summer of 2019. The Defendants shall start the removal by 18 March 2022. In removing the material, the Defendants must:
 - a) Do so lawfully and they shall not transfer the material on to any land which does not have the benefit of planning permission.
 - b) Keep adequate records of each removal so that they can satisfy the Claimant and the Court that the requisite minimum volume of material has been removed. By 4pm on 30 May 2022, the Defendants shall provide to the Claimant's solicitor (Mr Nigel Bell) a written record of what material has been removed, specifying the quantity, appending documentary evidence to prove the same (including delivery invoices).
4. The Defendants may not sell or lease the Land without the consent of the Claimant's solicitor until they have fully obeyed this order.
5. Matter is adjourned generally with liberty to restore. If no application is made by the end of 2023, the claim shall stand dismissed.
6. The Claimant shall effect service of the order and the judgment of the Court as follows:

- a) Personally serve each Defendant with a copy of this order together with a copy of this judgment. If personal service cannot be effected, the Claimant shall leave a copy of this order and a copy of the judgment for each of the Defendants at 125 Everton Drive, Stanmore HA7 1EB.
 - b) Attach a copy of this order in a transparent waterproof envelope to the entrance of the Land; and
 - c) Display a copy of this order on the Claimant's website.
7. The Defendants shall pay the Claimant's costs of the claim summarily assessed in the sum of £3,982.00 within 14 days.

Dated 11th March 2022



Title: Greenfields Plots 10 and 11

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**North
Northamptonshire
Council**

Date: 11:02:22

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