

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

Claim No. QB2022-000449

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 Mrs Justice Cutts on 11 February 2022

UPON hearing Counsel for the claimant and reading the evidence in support of the application

UPON the Court being satisfied that the application is properly made without notice

UPON the claimant keeping a good note of the hearing and undertaking to provide a typed copy of it upon request

IT IS ORDERED:

1. Until further order, 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.
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. To effect service the Claimant shall:
 - a) Personally serve each Defendant with a copy of this order together with the claim form, application and evidence in support;
 - b) Attach a copy of the order in a transparent waterproof envelope to the entrance of the Land so that it comes to the attention of any visitors; and
 - c) Display a copy of the order on its website.
4. Liberty to the Defendants to apply to set aside or vary this order upon 48 hours written notice.
5. The matter shall return to Court at 10.30am on 25 February 2022 with a time estimate of 1 hour. At this hearing the Court shall reconsider whether this interim order was properly made and decide what further orders are appropriate (including a mandatory order requiring complete compliance with the enforcement notice).
6. If the Defendants wish to rely upon any evidence to resist the claim, this must be filed and served at least 3 days before the hearing.
7. Costs reserved.

Dated this 11th day of February 2022



Title: Greenfields Plots 10 and 11

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**North
Northamptonshire
Council**

Date: 11/02/22

Scale: 1:4000

Drawn by: BCW