

**Claim Number: KB-2024-002382**

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



**BETWEEN:**

**TENDRING DISTRICT COUNCIL [1]**  
**ESSEX COUNTY COUNCIL [2]**

**Claimants**

**AND PERSONS  
UNKNOWN:**

- 1. INTENDING TO PARK OR PLACE CARAVANS, CAMPERVANS, MOBILE HOMES OR TENTS ON LAND OR ROADS SHOWN ON PLAN A, WITHIN TENDRING DISTRICT BETWEEN THURSDAY 15 AUGUST 2024 AND SATURDAY 31 AUGUST 2024 INCLUSIVE; OR**
  
- 2. PARKING OR PLACING CARAVANS, CAMPERVANS, MOBILE HOMES OR TENTS ON LAND OR ROADS SHOWN ON PLAN A, WITHIN TENDRING DISTRICT BETWEEN THURSDAY 15 AUGUST 2024 AND SATURDAY 31 AUGUST 2024 INCLUSIVE)**

**Defendants**

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**INJUNCTION ORDER**

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**IMPORTANT – PENAL NOTICE**

**Notice to the Defendants**

**You should read the terms of the Order and the Guidance Notes very carefully. You are advised to consult a Solicitor as soon as possible.**

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

**BEFORE the Honourable Mr Justice Ritchie**, sitting at the Royal Courts of Justice, the Strand, London on 31.7.2024.

**UPON** on the Claimants' application notice dated 25 July 2024 for an injunction.

**AND UPON** hearing Counsel for the Claimants without notice to the Defendants.

**AND UPON** The First Claimant undertaking to serve this Order as directed by paragraph 4 of this Order by 4pm on 7 August 2024.

**NOW IT IS ORDERED** that:

1. The Defendants and each of them shall not:
  - (a) Place or permit to remain any campervan, mobile home or caravan or tent on the Seafront Roads and the Claimants' Open Land at any time without written authorisation from Tendring District Council;
  - (b) Place or permit to remain any campervan, mobile home or caravan or tent on the Car Parks between the hours of 22:00 and 07:30.
2. Paragraphs 1 (a) and (b) of this Order shall have effect from 00:01 hours on Thursday 15 August 2024 until 23:59 on Saturday 31 August 2024.
3. For the purposes of this order the Land is defined as (1) the Seafront Roads; (2) the Claimants' Open Land; and (3) the Car Parks, as specified in Schedule 1 hereto and shown on Plan A.

**FURTHER ORDERS**

4. That under CPR Rule 6.27, 6.15 and 6.22 service of this Order be effected by:
  - (a) publishing a notice on the First Claimant's website at [<https://www.tendringdc.gov.uk/airshow-injunction-2024>] displaying a copy of this Order together with the attached Schedule and Plan A; and
  - (b) placing copies of this Order with the attached Schedule reproduced on A3 size paper, together with a copy of Plan A reproduced on A3 size paper, all laminated, and secured to the Land in a conspicuous position as set out below:
    - (i) in respect of The Claimants' Open Land in the positions marked "X" on Plan A;
    - (ii) in respect of the Car Parks in two separate positions at the entrance to the land; and
    - (iii) in respect of The Seafront Roads at intervals of no less than 100 metres in positions adjacent to, and clearly visible from, the carriageway;

and that personal service be dispensed with. The order shall be deemed as being served 2 days after the last of those steps has been taken.

5. The Court further ordered under CPR Rules 6.15 and 6.27 that service of the Claim Form, application notice, and supporting evidence be effected by:
  - (1) by leaving sufficient copies available for collection on request during office hours at the Town Hall, Station Road, Clacton on Sea, Essex, CO15 1SE; and
  - (2) publishing a notice on the First Claimant's website at [<https://www.tendringdc.gov.uk/airshow-injunction-2024>] advertising the availability of such copies and allowing those materials to be downloaded; and
  - (3) by publishing notice of the claim in the Clacton Gazette and Reuters, and that the Claim Form and other documents shall be deemed served 7 days after the last of those steps has been taken.

#### **APPLICATION TO REVIEW OR VARY THIS ORDER**

6. The Court further ordered that any person may apply to the Court on notice to the Claimants to ask the Court to set aside or vary the Order. For the avoidance of doubt such an application shall not by itself affect the requirement to obey this order at any time before the Court has considered the application and decided to vary the Order.
7. Costs reserved.

#### **NOTES :**

The Claimants' contact details for giving notice are: Governance and Legal Services, Tendring District Council, Town Hall, Station Road, Clacton-on-Sea, Essex, CO15 1SE. Email: [legal.admin@tendringdc.gov.uk](mailto:legal.admin@tendringdc.gov.uk) Telephone 01255 686868.

#### **Effect of this Order**

- A. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.

#### **Parties other than the Claimant and Defendant**

##### **B. Effect of this Order-**

It is a Contempt of Court for any person 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.

**Interpretation of this Order**

- C. In this Order, where there is more than one Defendant, (unless otherwise stated) references to “the Defendant” means both or all of them.
- D. A requirement to serve on “the Defendant” means on each of them. However, the Order is effective against any Defendant on whom it is served.
- E. An Order requiring “the Defendant” to do or not to do anything applies to all Defendants.

**Ritchie J****Made: 31.7.2024****Attached:****Schedule 1****Plan A**

**Schedule 1 to the Order of Mr Justice Ritchie dated 31 July 2024**

<b>Reference</b>	<b>Description of Land</b>	<b>Title Number</b>
<p><b>"The Claimants Open Land"</b> Being the land described below and shown edged in red on the plans attached</p>		
COL 1	Land on the South side Marine Parade West Pier to Tower Road	EX763962
COL 2	Land South side Marine Parade West Tower Road to Collingwood Road	EX763748
COL 3	Martello Bay Area (including Hastings)	EX386364
<p><b>The Seafront Roads</b> As indicated on the attached plans</p>		
	Hastings Avenue, Clacton on Sea between the junction with West Road and Selsey Avenue	
	Marine Parade West, Clacton on Sea	
	West Road, Clacton on Sea between the junction with Marine Parade West/Wash Lane and Hastings Avenue	
<p><b>The Car Parks</b> Being the land described below and shown edged in red on the plans attached</p>		
CP 1	Hastings Avenue Car Park	EX386364
CP 2	Hastings Bay Car Park	EX386364
CP 3	Martello Coach and Car Park	EX386364

**Plan A**  
**See attached PDF**

**TENDRING DISTRICT COUNCIL**

A.WHITE BSc MRICS  
HEAD OF PROPERTY SERVICES  
CORPORATE SERVICES

**Title:** Plan A: To the order of Mr Justice Ritchie.

**Date:** 31 July 2024

**Scale:** 1:5000

**Drawn By:** I.Marshall

**Drawing No. & Revision**

1 A

