

**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**

**Claim Number: KB-2023-002981**

**BEFORE MR JUSTICE MURRAY**

**B E T W E E N**

**TENDRING DISTRICT COUNCIL  
ESSEX COUNTY COUNCIL**

**Claimants**

**AND**

**PERSONS UNKNOWN  
INTENDING TO PARK OR PLACE CARAVANS, CAMPERVANS, MOBILE  
HOMES OR TENTS ON CERTAIN LAND OR CERTAIN ROADS WITHIN  
TENDRING DISTRICT BETWEEN THURSDAY 17 AUGUST 2023 AND  
SATURDAY 2 SEPTEMBER 2023**

**Defendants**

**NOTE OF JUDGMENT**

*Application for without notice injunction  
25 July 2023 at 11am - King's Bench Division - Mr Justice Murray  
Note prepared from contemporaneous notes taken by Josef Cannon (counsel for the  
Claimants)*

I have read the Witness Statement of Michael Carran which sets out the background to this application, and the exhibits attached.

The first claimant is the local authority for the area including Clacton - it also organises the annual Airshow (which is the only event of this kind on the East Coast of England). The second claimant is the local highway authority for Essex.

This application is for an injunction, effective from 0001 hrs on Thursday 17 August 2023 to 2359 hrs on Saturday 2 September 2023, covering a period of time in advance of the Airshow and a period after the Airshow, which is to take place on 24 and 25 August 2023.

Having read the evidence of Mr. Carran, I am satisfied that it is just and proportionate to make the Order sought, essentially for the reasons given by the Judge making a similar order in 2022, and in 2019.

In particular I am satisfied that the injunction sought is properly time-limited and concerns a focused geographical area. It does not extend beyond that which is necessary to restrain the anticipated conduct.

I am similarly satisfied that the other powers enjoyed by the Claimants are not sufficient to restrain the conduct concerned if no injunction is granted.

There is a real issue to be tried and I accept that damages would not be an appropriate or adequate remedy in the context of an injunction against Persons Unknown, so an undertaking in damages is not appropriate.

I accept that the proposals for serving the Order are sensible and necessary, given that this is an Order against Persons Unknown. They are also fair, and make it clear how to challenge or seek to vary the Order to anyone interested in doing so.

In particular I note, and approve, the consideration given by the Councils as to the human rights and equalities implications of the order sought, and I agree that it is just and proportionate to make the order in that context.

I am therefore satisfied that it is just and proportionate to grant the relief sought.

25 July 2023

*Note approved by Mr Justice Murray on 26 July 2023*