



Claim No: KB-2025-BHM-000334

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

KB-2025-BHM-000334

**HHJ Charman sitting as a Judge of the  
High Court**

**B E T W E E N:**

**HARBOROUGH DISTRICT COUNCIL**

**Claimant**

**-and-**

**(1) MR HENRY BEENY**

**(2) MR PATRICK HARTY**

**(3) PERSONS UNKNOWN RESIDENTIALLY OCCUPYING OR  
UNDERTAKING DEVELOPMENT AS DEFINED BY SECTION 55 OF THE  
TOWN AND COUNTRY PLANNING ACT 1990 ON TO THE LAND TO THE  
SOUTH WEST OF CLAYBROOKE PAVA CLOSE TO THE JUNCTION OF  
WOODWAY LANE AND THE A5 ROAD**

**Defendants**

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**ORDER**

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**IMPORTANT NOTICE TO THE DEFENDANTS**

**YOU MUST OBEY THIS ORDER OF THE COURT. YOU SHOULD READ IT CAREFULLY. IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU SHOULD GO TO A SOLICITOR, LEGAL ADVICE CENTRE OR CITIZENS ADVICE CENTRE.**

**IF YOU THE DEFENDANTS DISOBEY PARAGRAPH 2 OF THIS ORDER, YOU MAY BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY PERSON WHO KNOWS OF THIS ORDER AND DISOBEYS PARAGRAPH 2 OF THIS ORDER OR DOES ANYTHING WHICH HELPS OR PERMITS ANY PERSON TO WHOM THIS ORDER APPLIES TO BREACH THE TERMS OF PARAGRAPH 2 OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

Before HHJ Charman sitting in the High Court of Justice, King's Bench Division, Birmingham District Registry on 25<sup>th</sup> November 2025

FURTHER TO the interim injunction order granted by HHJ Emma Kelly on 12<sup>th</sup> November 2025

AND UPON the Claimant's (amended) application for an injunction pursuant to s187B of the Town and Country Planning Act 1990, dated 28<sup>th</sup> October 2025

AND UPON hearing from Counsel for the Claimant, the First Defendant, the Second Defendant and Mr Boswell and reading the hearing bundles (comprising the Interim Injunction Bundle and the Final Hearing Bundle)

AND UPON the Court being satisfied that the steps specified for service upon the Third Defendant at paragraph 5 of the interim injunction dated 12<sup>th</sup> November 2025 have been undertaken

AND UPON it having been agreed between the Claimant and the 1<sup>st</sup> and 2<sup>nd</sup> Defendants that the Claimant will confirm to the 1<sup>st</sup> and 2<sup>nd</sup> Defendants in writing that a further 3 static caravans may be brought onto the Land to be used only for welfare purposes (including laundry facilities and childcare space) and not for residential purposes

IT IS ORDERED THAT:

1. In this Order “the Land” means the land to the south west of Claybrook Parva, close to the junction of Woodway Lane and the A5 road, which is delineated on the attached plan.
2. The Order made by HHJ Emma Kelly on 12<sup>th</sup> November 2025 shall continue until 25<sup>th</sup> November 2027. In consequence the Defendants shall not whether by themselves or encouraging, instructing or allowing another undertake any development (as defined by section 55 of the Town and Country Planning Act 1990) on the Land without the grant of planning permission or the written consent of the Claimant’s solicitor. For the avoidance of doubt:
  - a. This order does not prevent the siting and / or occupation of no more than 2 static or touring caravans on each of the 9 pitches on the Land, save that there must not be more than 18 static or touring caravans on the Land at any one time.
  - b. The prohibited development falling within section 55 Town and Country Planning Act 1990 (as amended) may include but is not limited to the importing or depositing of material, the undertaking of excavation, the erection of any structure / building, and the siting of additional static or touring caravans on the Land for residential purposes.
3. If the 1<sup>st</sup> or 2<sup>nd</sup> Defendant sells or leases the Land, they shall:
  - a) Provide a copy of this Order to the prospective purchaser/tenant before the Land (or any part therein) is transferred or contracts exchanged;
  - b) Provide the full name and contact details of the new owner/tenant to the Claimant’s solicitor within 48 hours of the transfer / exchange of contracts.
4. The Claimant has permission to effect service of this Order on the 3<sup>rd</sup> Defendant by alternative means namely the Claimant shall:
  - a. Attach copies of this Order together with the application, amended claim form, evidence and any response pack in a waterproof, clear plastic envelope at a conspicuous location at the entrance[s] to the Land; and

- b. Attach copies of this Order together with the application, amended claim form, evidence and any response pack in a waterproof, clear plastic envelope on the door of every caravan / mobile home on the Land; and
  - c. Put into the Claimant's website a copy of this Order such that it is readily and easily accessible by any member of the public including providing a link to the aforementioned documents.
5. The deemed date of service of the alternative service provisions in paragraph 4 of this Order shall be the date of completion of the last of the three required steps.
6. The 1<sup>st</sup> and 2<sup>nd</sup> Defendants shall pay the Claimant's costs assessed in the sum of £7119.76. The 1<sup>st</sup> and 2<sup>nd</sup> Defendants shall pay that sum in twelve equal instalments of £593.31 with the first payment to be made on 2<sup>nd</sup> January 2026 and each remaining instalment payable every calendar month thereafter until the full sum is settled.

**NAME AND ADDRESS OF CLAIMANT'S SOLICITORS**

Harborough District Council, Legal Services, The Symington Building, Adam and Eve Street,  
Market Harborough, Leicestershire, LE16 7AG

Ref: Legal/BS/709

**BY THE COURT**

**MADE ON 25<sup>TH</sup> NOVEMBER 2025**