

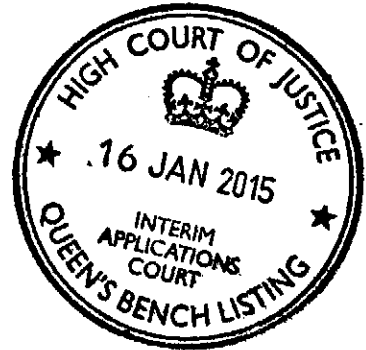
IN THE HIGH COURT OF JUSTICE
QUEENS BENCH DIVISION

Claim No. HQ6X00555

Before the Honourable Mr Justice

Dated 16 January 2015

IN THE MATTER OF



SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Claimant

VS

MICHAEL O'BRIEN (1)
MARGARET O'BRIEN (2)
NORA O'BRIEN(3)

Defendants

INJUNCTION ORDER

PENAL NOTICE

IF YOU THE WITHIN NAMED MICHAEL O'BRIEN, MARGARET O'BRIEN OR NORA O'BRIEN DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR YOUR ASSETS SEIZED

IMPORTANT

Notice to the Defendants

You should read the terms of this Order and the Guidance Notes very carefully.

You are advised to consult a solicitor as soon as possible.

If you disobey this Order you may be found guilty of Contempt of Court and may be sent to prison or fined. In the case of a Corporate Defendant, it may be fined, its Directors may be sent to prison or fined or its assets may be seized.

Upon hearing Counsel for the Claimant, upon reading the witness statement listed in Schedule A and upon accepting the undertaking listed in Schedule B

1. **IT IS ORDERED** that ~~until [the return date]~~ the Order of Mitting J dated 6 April 2006 ("the Order") be varied to remove the Defendants from within the proviso set out in paragraph 4 (a) of that Order. Within the terms of the Order the Defendants are those numbered 4, 12 and 13.

For the avoidance of doubt, IT IS FURTHER ORDERED that the remainder of the injunction in paragraph 4 a, b, c and d of the Order remains in force and must be complied with.

2. Service of this Order shall be by affixing a copy of this Order and the Order of Mitting J dated 6 April 2006 contained in a transparent waterproof envelope in a prominent position on the Land and if practicable personal service on the Defendants.
3. The Defendants may each of them (or anyone notified of this Order) apply to the Court on 48 hours notice in writing to vary or discharge this Order (or so much as it affects that person),
- (4) The costs of the matter be reserved.



GUIDANCE NOTES

Effect of this Order

- (1) 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.
- (2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

Parties other than the Claimant and Defendants

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

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

Communications with the Court

All communications to the Court about this Order should be sent to Room WG08, Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6010). The offices are open between 10 am and 4.30 pm Monday to Friday.

Schedule A

Witness Statement:

- (1) Statement of Mr Charles Swain, South Cambridgeshire District Council

Schedule B

Undertakings given to the Court by the Claimant

(1) Anyone notified of this Order will be given a copy of it by the Claimant's legal representatives.

Name and Address of Claimant's Legal Representatives

The Claimant's Legal Representatives are:-

Sharpe Pritchard, Elizabeth House, Fulwood Place, London, WC1V 6HG, London

Agents for the Claimant, South Cambridgeshire District Council

Tel: 020 7405 4600