

# ELDC v Connors & Others

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**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

**BEFORE THE HON MR JUSTICE  
CAVANAGH**



**KB-2025-BHM-000218**

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

**EAST LINDSEY DISTRICT COUNCIL**

**Claimant**

**-and-**

**(1) MR FRANCIS CONNOR  
(2) (2) MR PATRICK TEELAN  
(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  
REAR OF 51 BOSTON ROAD, SPILSBY PE23 5HQ**

**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 DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.**

On 30 July 2025

UPON hearing from Counsel for the Claimant and reading the claim form and the witness statements of Ryan Dodd and Elaine Bruce filed in support of the claim

UPON the Court being satisfied that it is appropriate to deal with the matter in the first instance in the absence of notice to the Defendants

UPON the Court being satisfied that it is appropriate to grant relief against an un-named Defendant and correspondingly to allow service by an alternative method in respect of the Defendants

UPON the Claimant undertaking to provide a typed copy of its solicitor's note of the hearing to the Defendants and anyone else who requests it as soon as practicable

**IT IS ORDERED:**

1. Permission to the Claimant to amend the description of the 3<sup>rd</sup> Defendant on the claim form to:

*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 REAR OF 51 BOSTON ROAD,  
SPILSBY PE23 5HQ*

2. Within 48 hours, the Claimant must file the amended claim form. The Claimant must serve it on the Defendants as soon as possible thereafter.



3. The Land referred to in this order is land to the rear of 51 Boston Road, Spilsby, Lincolnshire PE23 5HQ which is as delineated in red on the attached plan.
4. Until final determination of the claim or further order of the Court, 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. To that end, the Defendants may not import or deposit any material, undertake any excavation, erect any structure/building or site any caravan/mobile on the land for residential purposes. Nobody may live on the Land who was not living there at the time of service of this order.
5. 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.
6. If the 1<sup>st</sup> or 2<sup>nd</sup> Defendant has already sold or leased the Land, they shall provide a copy of this order to the purchaser/tenant and provide the full name and contact details of the purchaser/tenant to the Claimant's solicitor as soon as practicable.
7. The Claimant shall use its best endeavours to personally serve the 1<sup>st</sup> and 2<sup>nd</sup> Defendant with a copy of this order together with the amended claim form and the application and evidence in support. In the event that this does not prove possible, the Claimant is permitted to serve:
  - a) The 1<sup>st</sup> Defendant by an alternative method namely that the claimant may serve him with a copy of this order together with the application, amended claim form and evidence by

sending these documents by registered post to his address (as set out on the face of the claim) together with by text message and whatsapp (if available). There shall be deemed service 48 hours after the documents have been posted or within a hour of sending the documents by text or whatsapp.

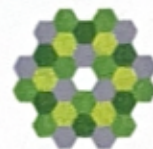
- b) The 2<sup>nd</sup> defendant by an alternative method namely that the claimant may serve him with a copy of this order together with the application, amended claim form and evidence by sending these documents by registered post to his address (as set out on the face of the claim). There shall be deemed service 48 hours after the documents have been posted.
8. Permission to the Claimant to effect service on the 3<sup>rd</sup> Defendant by an alternative method namely the claimant shall:
- a) Attach copies of this order together with the application, amended claim form and evidence in a clear plastic envelope at a conspicuous location at the sole entrance of the Land so that it comes to the attention of any visitors;
  - b) Load up on to its website a copy of this order together with the application, the amended claim form and evidence so that it is readily and easily accessible by any member of the public including a link to the aforementioned documents from the claimant's main web page.
  - c) There shall be deemed service upon completion of these 2 steps.
9. Liberty to the Defendants to apply to set aside or vary this order upon 48 written notice to the Claimant.
10. The matter shall return for an on-notice hearing of the interim application on 10.30am on 12 August with a time estimate of 1.5 hours. At this hearing, the Court shall reconsider whether the interim order was properly made and whether its terms ought to be varied or discharged.
11. If the Defendants wish to:

- a) Rely upon any evidence to contest the claim, they must file and serve the acknowledgment of service within 14 days of service.
- b) Rely upon any evidence to contest the application, they shall file and serve it at least 3 days before the hearing.

12. Costs reserved.

# HM Land Registry Current title plan

Title number **LL310177**  
Ordnance Survey map reference **TF4065NW**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Lincolnshire : East**  
**Lindsey**



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 11 July 2025 at 10:15:24. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Kingston upon Hull Office.



**Caroline Siddiquee Filenote**

**Matter** : **East Lindsey District Council v Francis Connors and Others**  
**Date** : **30/07/2025**  
**Time** : **9.50am**

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Ex-parte Injunction hearing

Before the Honourable Mr Justice Cavanagh

Attending for Claimant (ELDC)

- Jack Smyth, Counsel (JS)
- Caroline Siddiquee, Solicitor

Hon. Judge

- Confirmed has had opportunity to read papers lodged and now received in paper format. Including witness statement of Ms Bruce her photographs.
- See draft order return date is 10 August – court can accommodate Monday 11 or 12 August.

JS

- Confirmed availability for 12 August.

Hon. Judge

- read papers and note Claimant to provide transcript of hearing to Defendant. Would be grateful for explanation for being brought without notice.

JS

- para 11 of skeleton argument – PD requires 21 days notice and the Council's concern is if notice given it will defeat the purpose of the injunction. Suspect breach is to create a caravan site and in matter hours caravans could be brought onto the site. Defendants might also expedite the work and get around any order the court might grant.

Hon Judge

- I am familiar with principles which apply to this type of case and set out in skeleton argument and also set out appropriately points that might be made against the you if the Defendant were present. Only looking to hold the ring and allow the Defendants to be represented at the return date.
- In the circumstances proposing to grant injunction with return date of 12 August.

JS

- we have a telephone number for D1 and allow service by text and WhatsApp. Stipulate on draft order?

Hon. Judge

- That should be stipulated. Ask provide perfected version of order which can be sealed and issued. Also application for amendment to claim form?

JS

- Amend reference to persons unknown to stipulate who is caught by the injunction. Providing description.

Hon. Judge

Judgment

- This is an application for an interim injunction without notice
- The applicant seeks an injunction restricting building and engineering works at the rear of 51 Boston Road, Spilsby, PE23 5HQ until further order with return date of 12 August, so just over a week from now. Application made under s187b of the Town and Country Planning Act. Also order for substituted service and amendment to claim form.
- D1 is the occupier of the land, D2 the registered owner. Also seek injunction against persons unknown likely to work on the land in breach of planning legislation. Heard from JS for the Claimant and see witness statement of Mr Dodd plus exhibits and witness statement of his colleague Elaine Bruce. Grateful to JS for his assistance.
- Given the urgency of matter, with related heavy matter to follow, will not give detailed judgment but have considered the papers fully.
- Without Notice – Defendant has not been given informal notice. Fears that if given notice they may pre-empt the issue by doing extensive works on the land at speed or lodging caravans on the site. Satisfied that in all the circumstances this is an appropriate case to proceed without notice give the concerns of the claimant and return date in a few days time. On the basis of the information provided the injunction does no more than request they comply with planning laws on site.
- Satisfied should grant the injunction sought. Court does not exercise a supervisory jurisdiction. Court will not consider planning matters or judgment for LA to determine but it may have impact on prospects of success. The Court should not carry out detailed exam of prospects of success. This is not a case where a planning application has been made. The test of an injunction is whether it is justly proportioned.
- Must not only be satisfied good evidence but that in all the circumstances proportionate and just to grant the injunction taking into account the impact of an injunction for the Defendants, including whether they want to use the land for their home and having regard to their property rights. I have also had regard to the American cyanimide test
- There is clear evidence that the first d has been carrying out development works on the property and this includes hardstanding s=trenches and electrical hook up points. Rd visited site on two occasions – one first occasion FC said planning on building a house on the site. Said would do no more work until permission granted. On 16 July clear more work had been done of type if prepared to be a caravan site rather than single dwelling. No assurance given works will stop. On 28 July Ms Bruce visited and took photographs. 4 men working on the site and since 16 July further aggregate has been laid and additional fencing. Men on site said D1 not there.

- I have seen photos of the work and they are very extensive. There is no planning permission for works of this nature. Land designated agricultural. Unclear how foul and surface water will be disposed of and access arrangements are unlikely to be suitable for caravans. Council cannot rely on statutory enforcement powers.
- Arguable further work will be in breach of planning law, D1 and perhaps D2, intend to do such further works with a view to caravans on site. Damages are not an adequate remedy.
- There is no one living on the site therefore Art 8 rights are not infringed. Judgement is the need to ensure planning law respected takes precedence.
- East Lindsey local plan has provision for gypsy and travellers site but does not include this site.
- JS made points Defendant might make if represented today. Do not persuade me to refrain from granting the order. This is a suitable case to allow an injunction for persons unknown. In the circumstances of this case an injunction that did not apply to D2 or to persons unknown would not be sufficient to hold the ring.
- Application for substituted service granted including service by text and WhatsApp to D1. Also grant amendment to claim form.
- Claimant undertaken to provide transcript of this hearing.

# Application for Injunction (General Form)

Name of court High Court of Justice Kings Bench Division	Claim No.
Claimant's Name and Ref. East Lindsey District Council Ref: CXS/74245	
Defendant's Name and Ref. Francis Conner	
Fee Account no. PBA0088053	

## Notes on completion

Tick which boxes apply and specify the legislation where appropriate.

(1) Enter the full name of the person making the application.

(2) Enter the full name of the person the injunction is to be directed to

(3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought

☐ By application in pending proceedings

☒ Under Statutory provision S187B Town and Country Planning Act 1990

☐ This application is made under Part 8 of the Civil Procedure Rule

This application raises issues under the Human Rights Act 1998 ☐ Yes ☒ No

**The Claimant** <sup>(1)</sup> East Lindsey District Council  
**applies to the court for an injunction order in the following terms:**

**The Defendant** <sup>(2)</sup>  
**must** <sup>(3)</sup>

Please see attached Draft Order

**The Defendant**

Seal



(4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise')

**be forbidden (whether by himself or by instructing or encouraging or permitting any other person) <sup>(4)</sup>**

Please see attached Draft Order

(5) Set out here any further terms asked for including provision for costs

**And that <sup>(5)</sup>**

Please see attached Draft Order

(6) Enter the name of all persons who have sworn affidavits or signed statements in support of this application

**The grounds of this application are** set out in the written evidence of <sup>(6)</sup> Ryan Dodd sworn (signed) on 27 July 2025

(7) Enter the names and addresses of all persons upon whom it is intended to serve this application

The written evidence is served with this application.

**This application is to be served upon <sup>(7)</sup>**  
the Defendants

(8) Enter the full name and address for service and

**This application is filed by <sup>(8)</sup> Legal Services Lincolnshire**

the Solicitors for the claimant (Applicant/Petitioner)  
whose address for service is  
County Offices, Newland, Lincoln, LN1 1YS

Signed



Dated 27 July 2025

This section to be completed by the court

\*  
Name and  
address of  
the person  
application  
is directed  
to

To\*  
of

**This application will be heard by the (District) Judge  
at**

**on                      the                      day of                      20                      at                      o'clock**

**If you do not attend at the time shown the court may make an injunction order in your absence**

If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

The court office at

is open between 10am and 4pm Mon-Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

CLAIM NO.

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR  
(2) PATRICK TEELAN  
(3) PERSONS UNKNOWN

Defendants

---

DRAFT FINAL ORDER

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**PENAL NOTICE**

**IF YOU, THE WITHIN NAMED OR ANY UNKNOWN PERSONS DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND LIABLE TO IMPRISONMENT OR FINED OR HAVE YOUR ASSETS SIEZED.**

**IMPORTANT NOTICE TO THE DEFENDANTS**

**You should read the terms of this Order and 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.**

Before sitting as a [Deputy] High Court Judge on 2025

**AND UPON** hearing Counsel for Claimant and Counsel for the named Defendants;

**AND UPON** the Court being satisfied that the proceedings have been properly served on the Defendants;

**AND UPON** the Court being satisfied that the interim restraint shall remain in force but that its terms should be varied to allow for the determination of any planning application.

**AND UPON** the First Defendant having indicated an intention to submit a planning application for the residential use of the Land ("the planning application").

**IT IS ORDERED:**

1. Until further order, the Defendants shall not whether by themselves or by instructing, encouraging or permitting any other person in relation to land registered with the Land Registry with title numbers LL3010177 and LL196469 and shown edged red on the attached plan ('the Land'), save with the Claimant's prior written permission:
  - a. Carry out any operational development on the Land as defined by s55 of the Town and Country Planning Act 1990, including but not limited to the laying of hardcore material to the ground or any other construction related activity; and
  - b. Erect or bring onto the Land any caravans/mobile homes, buildings, cabins, structures, construction related materials or construction machinery
2. To effect service of this order on all the Defendants the Claimant shall load up a copy of this order on its website and attach a copy at a conspicuous location at the entrance to the Land. There shall be deemed served within 4 hours of these steps being completed.
3. [In respect of the First and Second Defendants who have not been personally served with the proceedings but have been made aware of the claim, the Claimant may dispense with personal service and there shall be deemed service within 4 hours of the claim form, applications and this order being attached at a conspicuous location at the entrance to the Land.]
4. The Defendants shall, within 28 days of the date of this order, submit a planning application to the Claimant.

5. In the event that the planning application for residential use of the Land is refused by the Claimant the Defendants shall lodge any appeal against the same with the Planning Inspectorate within 28 days of any such refusals of planning permission by the Claimant.
6. Following the occurrence of one or more of the following ‘trigger’ events the steps applying to that event (as set out below) shall be taken:
  - a. Should the Claimant confirm in writing that the planning application is not valid the Defendants shall have 28 days to make a valid application for planning permission. If no such valid application is made within those 28 days, the Defendants shall return the land to its condition pre-development removing all development within a further 28 days (being a total of 56 days from the date of confirmation in writing of the lack of a valid application having been made);
  - b. Should the Defendants not lodge an appeal against the refusal of the planning application within 28 days of that refusal in accordance with paragraph 5 (above) the Defendants shall return the land to its condition pre-development removing all development within a further 28 days (being a total of 56 days from the date of confirmation in writing of the lack of a valid application having been made);
  - c. Should the Defendants make an appeal to the Planning Inspectorate against the refusal of the planning application by the Claimant, on the dismissal of any such appeal to the Planning Inspectorate (including any statutory appeal to the High Court by virtue of s288 of the Town and Country Planning Act 1990) the Defendants shall, within 28 days of the dismissal of any such appeal (including any statutory appeal) return the land to its condition pre-development removing all development;
7. The matter is adjourned generally with liberty to restore. If the proceedings are not restored by \_\_\_\_\_, they shall stand dismissed without further order. In the event that planning permission in respect of the planning applications is granted, the parties may apply to the Court to discharge or vary this order.

8. Costs reserved.

## **GUIDANCE NOTES**

### **Effect of this Order**

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 Defendants**

It is 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.

### **Communications with the Court**

All communications to the Court about his Order should be sent to the court office at the King's Bench Division, The Royal Courts of Justice, Strand, London, WC2A 2LL, United Kingdom, 020 3936 8957.

### **Name and Address of Claimant's Legal Representatives**

The Claimant's Legal Representatives are: Legal Services Lincolnshire, County Offices, Newland, Lincoln, LN1 1YS. Telephone number: 01522 552527, Ref: CXS/74245.

CLAIM NO.

IN THE HIGH COURT OF JUSTICE  
KINGS'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR  
(2) PATRICK TEELAN  
(3) PERSONS UNKNOWN

Defendants

---

DRAFT ORDER

---

**PENAL NOTICE**

IF YOU, THE WITHIN NAMED OR ANY UNKNOWN PERSONS DISOBEY  
THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND  
LIABLE TO IMPRISONMENT OR FINED OR HAVE YOUR ASSETS  
SIEZED.

**IMPORTANT NOTICE TO THE DEFENDANTS**

You should read the terms of this Order and 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.

Before sitting as a [Deputy] High Court Judge on  
2025

**AND UPON** the Court being satisfied that the application was made without notice;

[**AND UPON** hearing Counsel for the Claimant;]

**IT IS ORDERED THAT**

1. Until further order, the Defendants are forbidden immediately upon service of the order, whether by themselves or by instructing, encouraging or permitting any other person in relation to land registered with the Land Registry with title numbers LL3010177 and LL196469 and shown edged red on the attached plan ('the Land'):
  - a. Carry out any operational development on the Land as defined by s55 of the Town and Country Planning Act 1990, including but not limited to the laying of hardcore material to the ground, the installation of services or associated apparatus or any other construction related activity; and
  - b. from erecting or bringing onto the Land any caravans, buildings, cabins, structures, construction related materials or construction machinery.
2. To effect service of the application and interim injunction Order, the Claimant shall:
  - a. Serve First and Second Defendants by attaching to wooden stakes placed on the Land in no less than 2 conspicuous places;



- b. On the Second Defendant by placing the documents through the letterbox at 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB in the event the Second Defendant is not at the address upon first attendance.
- c. To serve persons unknown, the Claimant shall load up the Documentation on its website, attach the Documentation at 2 conspicuous locations at the entrance to the site.

There shall be deemed served on persons unknown within 4 hours of these steps being completed.

- 3. Documentation in paragraph 2 above means a copy of the application for an interim injunction, the interim injunction order and any evidence.
- 4. The matter shall return to Court at                      on                      2025 with a time estimate of 1 hour when the Court shall consider whether the interim order was properly made and what further relief is appropriate.
- 5. Costs reserved.

## **GUIDANCE NOTES**

### **Effect of this Order**

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 Defendants**

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### **Name and Address of Claimant's Legal Representatives**

The Claimant's Legal Representatives are: Legal Services Lincolnshire, County Offices, Newland, Lincoln, LN1 1YS. Telephone number: 01522 552527, Ref: CXS/74245.

**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

**BEFORE HER HONOUR JUDGE  
KELLY SITTING AS A JUDGE OF THE  
HIGH COURT**

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

**EAST LINDSEY DISTRICT COUNCIL**

**Claimant**

**-and-**

**(1) MR FRANCIS CONNOR  
(2) (2) MR PATRICK TEELAN  
(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  
REAR OF 51 BOSTON ROAD, SPILSBY PE23 5HQ**

**Defendants**

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**SKELETON ARGUMENT ON BEHALF OF THE CLAIMANT**

---

## INTRODUCTION

1. This is the Council's application for an interim injunction to maintain the status quo on the Land. The 2<sup>nd</sup> defendant holds the legal title. The 1<sup>st</sup> defendant is in control of it.

## THE LAW

### S187B

2. Lord Hoffmann noted in Tesco Stores v Secretary of State for the Environment [1995] 1 W.L.R. 759 at p.780: "*If there is one principle of planning law more firmly settled than any other, it is that matters of planning judgment are within the exclusive province of the local planning authority or the Secretary of State*".
3. The judgment of the House of Lords in South Buckinghamshire DC v Porter (No 1) [2003] UKHL 26 is a leading decision on the use of section 187B, in which it was said:

*Where it appears that a breach or apprehended breach will continue or occur unless and until effectively restrained by the law and that nothing short of an injunction will provide effective restraint ( City of London Corp'n v Bovis Construction Ltd [1992] 3 All ER 697 , 714), that will point strongly towards the grant of an injunction. So will a history of unsuccessful enforcement and persistent non-compliance, as will evidence that the defendant has played the system by willfully exploiting every opportunity for prevarication and delay, although section 187B(1) makes plain that a local planning authority, in applying for an injunction, need not have exercised nor propose to exercise any of its other enforcement powers under Part VII of the Act. In cases such as these the task of the court may be relatively straightforward. But in all cases the court must decide whether in all the circumstances it is just to grant the relief sought against the particular defendant; per Lord Bingham at [29] (emphasis added)*

4. Lord Bingham concluded that the guidance given in the same case in the Court of Appeal in the judgment of Lord Justice Simon Brown was "*judicious and accurate*" and should be followed; that guidance was quoted at paragraph [20] of Lord Bingham's opinion and is as

follows:

*The approach to section 187B*

38. *I would unhesitatingly reject the more extreme submissions made on either side. **It seems to me perfectly clear that the judge on a section 187B application is not required, nor even entitled, to reach his own independent view of the planning merits of the case.** These he is required to take as decided within the planning process, the actual or anticipated breach of planning control being a given when he comes to exercise his discretion. But it seems to me no less plain that the judge should not grant injunctive relief unless he would be prepared if necessary to contemplate committing the defendant to prison for breach of the order, and that he would not be of this mind unless he had considered for himself all questions of hardship for the defendant and his family if required to move, necessarily including, therefore, the availability of suitable alternative sites. I cannot accept that the consideration of those matters is, as Burton J suggested was the case in the pre-1998 Act era, 'entirely foreclosed' at the injunction stage. Questions of the family's health and education will inevitably be of relevance. But so too, of course, will countervailing considerations such as the need to enforce planning control in the general interest and, importantly therefore, the planning history of the site. **The degree and flagrancy of the postulated breach of planning control may well prove critical. If conventional enforcement measures have failed over a prolonged period of time to remedy the breach, then the court would obviously be the readier to use its own, more coercive powers.** Conversely, however, the court might well be reluctant to use its powers in a case where enforcement action had never been taken. On the other hand, there might be some urgency in the situation sufficient to justify the pre-emptive avoidance of an anticipated breach of planning control. Considerations of health and safety might arise. Preventing a gipsy moving onto the site might, indeed, involve him in less hardship than moving him out after a long period of occupation. Previous planning decisions will always be relevant; how relevant, however, will inevitably depend on a variety of matters, including not least how recent they are, the extent to which considerations of hardship and availability of alternative sites were taken into account, the strength of the conclusions reached on land use and environmental issues, and whether the defendant had and properly took the opportunity to make his case for at least a temporary personal planning permission.*
39. ***Relevant too will be the local authority's decision under section 187B(1) to seek injunctive relief. They, after all, are the democratically elected and accountable body principally responsible for planning control in their area. Again, however, the relevance and weight of their decision will depend above all on the extent to which they can be shown to have had regard to all the material considerations and to have properly posed and approached the article 8(2) questions as to necessity and proportionality.***
40. *Whilst it is not for the court to question the correctness of the existing planning*

*status of the land, the court in deciding whether or not to grant an injunction (and, if so, whether and for how long to suspend it) is bound to come to some broad view as to the degree of environmental damage resulting from the breach and the urgency or otherwise of bringing it to an end. In this regard the court need not shut its mind to the possibility of the planning authority itself coming to reach a different planning judgment in the case.*

41. *True it is, as Mr McCracken points out, that, once the planning decision is taken as final, the legitimate aim of preserving the environment is only achievable by removing the gipsies from site. That is not to say, however, that the achievement of that aim must always be accepted by the court to outweigh whatever countervailing rights the gipsies may have, still less that the court is bound to grant injunctive (least of all immediate injunctive) relief. Rather I prefer the approach suggested by the 1991 Circular: the court's discretion is absolute and injunctive relief is unlikely unless properly thought to be 'commensurate'—in today's language, proportionate. The approach in the Hambleton case [1995] 3 PLR 8 seems to me difficult to reconcile with that circular. However, whatever view one takes of the correctness of the Hambleton approach in the period prior to the coming into force of the Human Rights Act 1998, to my mind it cannot be thought consistent with the court's duty under section 6(1) to act compatibly with convention rights. Proportionality requires not only that the injunction be appropriate and necessary for the attainment of the public interest objective sought—here the safeguarding of the environment—but also that it does not impose an excessive burden on the individual whose private interests—here the gipsy's private life and home and the retention of his ethnic identity—are at stake.*
42. *I do not pretend that it will always be easy in any particular case to strike the necessary balance between these competing interests, interests of so different a character that weighing one against the other must inevitably be problematic. This, however, is the task to be undertaken by the court and, provided it is undertaken in a structured and articulated way, the appropriate conclusion should emerge." (emphasis added)*

#### **‘Persons Unknown’**

5. In Boyd & Anor v Ineos Upstream Ltd & Ors [2019] EWCA Civ 515 the Court of Appeal cautiously listed the conditions that would be necessary to grant relief in the context of future injunctions of this kind against persons unknown [at para 34]:

*a) A sufficient and imminent risk of a tortious act being committed such as to justify the application of this ‘quia timet’ relief*

- b) The impossibility of identifying the perpetrator of said tort unless they were restrained*
- c) The likelihood of giving notice of the injunction and the method of doing so to be set out in the order itself*
- d) The terms of the injunction are not so wide as to prohibit lawful conduct and refer directly to the potential tortious act*
- e) The terms of the order are sufficiently clear to allow persons who could be affected by the injunction know what they could not do*
- f) For there to be clear temporal and geographical limits to the injunction*

6. The most recent leading case is Wolverhampton CC v London Gypsies and Travellers [2023] UKSC 47. At para 167, the Court set out the following guidance:

*These considerations lead us to the conclusion that, although the attempts thus far to justify them are in many respects unsatisfactory, there is no immovable obstacle in the way of granting injunctions against newcomer Travellers, on an essentially without notice basis, regardless of whether in form interim or final, either in terms of jurisdiction or principle. But this by no means leads straight to the conclusion that they ought to be granted, either generally or on the facts of any particular case. They are only likely to be justified as a novel exercise of an equitable discretionary power if:*

- (i) There is a compelling need, sufficiently demonstrated by the evidence, for the protection of civil rights (or, as the case may be, the enforcement of planning control, the prevention of anti-social behaviour, or such other statutory objective as may be relied upon) in the locality which is not adequately met by any other measures available to the applicant local authorities (including the making of byelaws). This is a condition which would need to be met on the particular facts about unlawful Traveller activity within the applicant local authority's boundaries.*
- (ii) There is procedural protection for the rights (including Convention rights) of the affected newcomers, sufficient to overcome the strong prima facie objection of subjecting them to a without notice injunction otherwise than as an emergency measure to hold the ring. This will need to include an obligation to take all reasonable steps to draw the application and any order made to the attention of all those likely to be affected by it (see paras 226-231 below); and the most generous provision for liberty (ie permission) to apply to have the injunction varied or set aside, and on terms that the grant of the injunction in*

*the meantime does not foreclose any objection of law, practice, justice or convenience which the newcomer so applying might wish to raise.*

*(iii) Applicant local authorities can be seen and trusted to comply with the most stringent form of disclosure duty on making an application, so as both to research for and then present to the court everything that might have been said by the targeted newcomers against the grant of injunctive relief.*

*(iv) The injunctions are constrained by both territorial and temporal limitations so as to ensure, as far as practicable, that they neither outflank nor outlast the compelling circumstances relied upon.*

*(v) It is, on the particular facts, just and convenient that such an injunction be granted. It might well not for example be just to grant an injunction restraining Travellers from using some sites as short-term transit camps if the applicant local authority has failed to exercise its power or, as the case may be, discharge its duty to provide authorised sites for that purpose within its boundaries.*

### **The role of the legal title in planning injunctions**

7. In East Lindsey District Council v Thompson [2001] EWHC Admin 81 the Court of Appeal made clear that for the purposes of planning enforcement the legal owners of the Land remain subject to any notice even if they have sold the land to a third party unless and until registration takes place (see paras 25-32). In that case, after selling the land but before registration of title, Thompson was prosecuted for non-compliance with an enforcement notice. His conviction was upheld.

### **SUBMISSIONS**

#### **American Cynamide**

8. There is a significant risk of future breaches of planning control. The 1<sup>st</sup> defendant has undertaken unauthorised development on the land during the course of July. He has been



warned to stop (9 July site visit) but has persisted in the face of the Council's investigation (16 July site visit). The Council suspects this development represents preparatory works to make way for the unlawful residential occupation of the Land. The Court can be suspicious of the 1<sup>st</sup> Defendant intentions given what he told the officer on 9 July and that he has broken his word when he agreed to stop but persisted.

9. There is a serious issue to be tried; the balance of convenience favours maintaining the status quo (the lawful status quo being agriculture); damages are not an adequate remedy (indeed: the Court cannot award the Council damages for breaches of control committed by a defendant) and the restraint is not draconian as it simply prevents unlawful behaviour.
10. Whilst it is fair to say that the Council's injunction is focussed on the 1<sup>st</sup> Defendant, the 2<sup>nd</sup> Defendant remains the legal owner. Given the uncertainty as to what is going on at the Land (and the obvious incentive for those involved to downplay their role and not be forthcoming with information) it is just and proportionate for the restraint in the first instance to bite against the 2<sup>nd</sup> Defendant. If the 2<sup>nd</sup> Defendant can show that he no longer has an interest in the Land, the Council would be content to discharge the injunction against him (but we are not at that point yet).

#### **Without Notice**

11. It is the Council's case that should notice be given (the PD stipulates 21 days) this would defeat the purpose of the order as the Defendants would be incentivised to expedite the works so that they are completed by the time of the hearing. Further, the Council has considered whether to give "short" notice" (say 3 days). However, it remains of the view that even short notice could defeat the purpose of the injunction as the 1<sup>st</sup> Defendant could easily encourage people to move their caravans on to the Land within a matter of

hours. It is submitted that the nature of the breaches of planning control already undertaken and the risk of imminent residential occupation are sufficient to satisfy the Court that this is an exceptional case which justified relief in the first instance without notice.

### **The duty of candour**

12. The Council has reflected upon what points could properly be said against it. To that end:

- a) It acknowledges that (i) it may be wrong in its suspicion that the Land will be developed unauthorisedly for residential purposes and (ii) ultimately planning permission could be granted by the Council or upon appeal to the Planning Inspector for the apprehended development.
- b) Has there been any further activity on the land since 16 July? Not that the Council is aware of.
- c) There is no unmet need for gypsy traveller pitches in the district. The Council recently updated its 2016 Gypsy Traveller Needs Assessment. This 2022 GTNA found that there is no identified need for permanent pitches and that the majority of our Gypsy, Traveller and Show people population is made up of a few already settled families, a number of over-wintering Show people sites and a transient summer population that visit the coast for their holidays. As such, it recommends that the Council could enter into an agreement with a couple of local landowners on the coast to use land as temporary summer sites to accommodate those visiting. The 2016 GTNA is the one that underpins the current policy position. The 2022 GTNA will underpin the reviewed Local Plan.

- d) There is no transit site in the district.
- e) The Judge may ask why other conventional enforcement steps have not been undertaken such as service of a Temporary Stop Notice (TSN). A TSN does not prevent residential occupation, nor does it require reversal of works already carried out. The Council is doubtful that it provides an effective restraint given that breach of it leads only to a fine. It is considered too limited in duration (running for 28 days) and power to address the scale and urgency of potential irreversible harm.

#### **Persons Unknown**

13. In accordance with Ineos, it is submitted that the conditions for relief are satisfied. It is noted:

- a) A sufficient and imminent risk of a tortious act being committed such as to justify the application of this 'quia timet' relief

14. See para 8.

- b) The impossibility of identifying the perpetrator of said tort unless they were restrained

15. The Council has no way of establishing who may occupy the Land and undertake further development. The 1<sup>st</sup> defendant has no reason to be forthcoming.

- c) The likelihood of giving notice of the injunction and the method of doing so to be set out in the order itself

16. The Council proposes a number of conventional means to maximise the prospect that the order will come to the attention of the Defendants.

- d) The terms of the injunction are not so wide as to prohibit lawful conduct and refer directly to the potential tortious act
- 17. The restraint is targeted so that it only prevents unlawful conduct. A provision for liberty to apply and an early return date will help to protect the interests of the Defendants.
- e) The terms of the order are sufficiently clear to allow persons who could be affected by the injunction know what they could not do
- 18. The order has been drafted by reference to s55 of the TCPA 1990 so that it can be precisely known what the defendants can and cannot do.
- f) For there to be clear temporal and geographical limits to the injunction

The injunction is limited to a single site which is identified clearly. The restraint will be time limited.

**JACK SMYTH**

**No5 CHAMBERS**

**25 July 2025**

**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**  
**BIRMINGHAM DISTRICT REGISTRY**

**BEFORE HER HONOUR JUDGE  
KELLY SITTING AS A JUDGE OF THE  
HIGH COURT**

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

**EAST LINDSEY DISTRICT COUNCIL**

**Claimant**

**-and-**

**(1) MR FRANCIS CONNOR  
(2) (2) MR PATRICK TEELAN  
(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  
REAR OF 51 BOSTON ROAD, SPILSBY PE23 5HQ**

**Defendants**

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**DRAFT 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 DO NOT OBEY THIS ORDER, YOU WILL BE GUILTY OF CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.**

UPON hearing from Counsel for the Claimant and reading the evidence filed in support of the claim

UPON the Court being satisfied that it is appropriate to deal with the matter in the first instance in the absence of notice to the defendants

UPON the Court being satisfied that it is appropriate to grant relief against an un-named defendant and correspondingly to allow service by an alternative method in respect of the Defendants

UPON the claimant undertaking to provide a typed copy of its solicitor's note of the hearing to the Defendants and anyone else who requests it as soon as practicable

**IT IS ORDERED:**

1. Permission to the Claimant to amend the description of the 3<sup>rd</sup> Defendant on the claim form to:

*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 REAR OF 51 BOSTON ROAD, SPILSBY PE23 5HQ*

2. Within 48 hours, the Claimant must file the amended claim form. The Claimant must serve it on the Defendant as soon as possible thereafter.
3. The Land referred to in this order is land to the rear of 51 Boston Road, Spilsby, Lincolnshire PE23 5HQ which is as delineated in red on the attached plan.

4. Until final determination of the claim or further order of the Court, 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. To that end, the Defendants may not import or deposit any material, undertake any excavation, erect any structure/building or site any caravan/mobile on the land for residential purposes. Nobody may live on the Land who was not living there at the time of service of this order.
5. 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.
6. If the 1<sup>st</sup> or 2<sup>nd</sup> Defendant has already sold or leased the Land, they shall provide a copy of this order to the purchaser/tenant and provide the full name and contact details of the purchaser/tenant to the Claimant's solicitor as soon as practicable.
7. The Claimant shall use its best endeavours to personally serve the 1<sup>st</sup> and 2<sup>nd</sup> Defendant with a copy of this order together with the amended claim form and the application and evidence in support. In the event that this does not prove possible, the Claimant is permitted to serve:
  - a) The 1<sup>st</sup> Defendant by an alternative method namely that the claimant may serve him with a copy of this order together with the application, amended claim form and evidence by sending these documents by registered post to his address (as set out on the face of the claim). There shall be deemed service 48 hours after the documents have been posted.
  - b) The 2<sup>nd</sup> defendant by an alternative method namely that the claimant may serve him with a copy of this order together with the application, amended claim form and

evidence by sending these documents by registered post to his address (as set out on the face of the claim). There shall be deemed service 48 hours after the documents have been posted.

8. Permission to the Claimant to effect service on the 3<sup>rd</sup> Defendant by an alternative method namely the claimant shall:
  - a) Attach copies of this order together with the application, amended claim form and evidence in a clear plastic envelope at a conspicuous location at the sole entrance of the Land so that it comes to the attention of any visitors;
  - b) Load up on to its website a copy of this order together with the application, the amended claim form and evidence so that it is readily and easily accessible by any member of the public including a link to the aforementioned documents from the claimant's main web page.
  - c) There shall be deemed service upon completion of these 2 steps.
9. Liberty to the Defendants to apply to set aside or vary this order upon 48 written notice to the Claimant.
10. The matter shall return for an on-notice hearing of the interim application on 10.30am on 10 [    ] August with a time estimate of 1.5 hours. At this hearing, the Court shall reconsider whether the interim order was properly made and whether its terms ought to be varied or discharged.
11. If the Defendants wish to:
  - a) Rely upon any evidence to contest the claim, they must file and serve the acknowledgment of service within 14 days of service.
  - b) Rely upon any evidence to contest the application, they shall file and serve it at least 3 days before the hearing.
12. Costs reserved.





## Claim Form (CPR Part 8)

In the  
High Court of Justice  
Kings Bench Division

Claim no.

Fee Account no.

PBA0088053

Help with Fees – Ref  
no. (if applicable)

HWF - - -

Claimant  
East Lindsey District Council  
Town Hall  
Eastgate  
Louth  
LN9 6PH

SEAL

### Defendant(s)

(1) Francis Connor  
Land to the East of Boston Road  
Spilsby

(2) Patrick Teelan  
1 Rosegarth Court  
Stainforth  
Doncaster  
DN7 5GB

(3) Persons Unknown  
Land to the East of Boston Road  
Spilsby

Does your claim include any issues under the Human Rights Act 1998?

☐ Yes ☒ No

Details of claim (see also overleaf)

An application for an injunction under s187 of the Town and Country Planning Act 1980 to restrain a breach of planning control. Please see the attached Details of Claim and Draft Order, together with the witness statement of Ryan Dodds and exhibits.

CPR Part 8 applies to this claim.

In light of the issues as set out in the Details of Claim, the witness statement of Ryan Dodds and the urgency of this matter, the Claimant respectfully requests that the Court grants an Interim Injunction without notice.

Defendant's  
name and  
address

(1) Francis Connor, Land to the East of  
Boston Road, Spilsby  
(2) Patrick Teelan, 1 Rosegarth Court,  
Stainforth, Doncaster, DN7 5GB  
(3) Persons Unknown, Land to the East  
of Boston Road, Spilsby

£

Court fee

£646

Legal representative's costs

TBC

Issue date

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

**Details of claim** (continued)

Please see Details of Claim

Legal Services Lincolnshire  
County Offices  
Newland  
Lincoln  
LN1 1YS

Email: [caroline.siddiquee@lincolnshire.gov.uk](mailto:caroline.siddiquee@lincolnshire.gov.uk)

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

## Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- ☐ I believe that the facts stated in these particulars of claim are true.
- ☒ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the Claimant to sign this statement.

### Signature



- ☐ Claimant
- ☐ Litigation friend (where Claimant is a child or a Protected Party)
- ☒ Claimant's legal representative (as defined by CPR 2.3(1))

### Date

Day

27

Month

07

Year

2025

Full name

Caroline Siddiquee

Name of Claimant's legal representative's firm

Legal Services Lincolnshire

If signing on behalf of firm or company give position or office held

Senior Lawyer

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

## Notes for claimant on completing a Part 8 claim form

- Please read all of these guidance notes before you begin completing the claim form. The notes follow the order in which information is required on the form.
- Court staff can help you fill in the claim form and give information about procedure once it has been issued. But they cannot give legal advice. If you need legal advice, for example, about the likely success of your claim or the evidence you need to prove it, you should contact a legal representative or a Citizens Advice Bureau.
- If you are filling in the claim form by hand, please use black ink and write in block capitals.
- You must file any written evidence to support your claim either in or with the claim form. Your written evidence must be verified by a statement of truth.
- Copy the completed claim form, the defendant's notes for guidance and your written evidence so that you have one copy for yourself, one copy for the court and one copy for each defendant. Send or take the forms and evidence to the court office with the appropriate fee. The court will tell you how much this is.

### Notes on completing the claim form

#### Heading

You must fill in the heading of the form to indicate whether you want the claim to be issued in a county court or in the High Court (The High Court means either a District Registry (attached to a county court) or the Royal Courts of Justice in London).

Use whichever of the following is appropriate:

'In the County Court at .....'  
(inserting the name of the court)

**or**

'In the High Court of Justice.....Division'  
(inserting eg. 'Queen's Bench' or 'Chancery' as appropriate)  
.....District Registry'  
(inserting the name of the District Registry)

**or**

'In the High Court of Justice.....Division,  
(inserting eg. 'Queen's Bench' or 'Chancery' as appropriate)  
Royal Courts of Justice'

#### Claimant and defendant details

As the person issuing the claim, you are called the 'claimant'; the person you are suing is called the 'defendant'. Claimants who are under 18 years old (unless otherwise permitted by the court) and patients within the meaning of the Mental Health Act 1983 must have a litigation friend to issue and conduct court proceedings on their behalf. Court staff will tell you more about what you need to do if this applies to you.

You must provide the following information about yourself **and** the defendant according to the capacity in which you are suing and in which the defendant is being sued. When suing or being sued as:-

##### **an individual:**

All known forenames and surname, whether Mr, Mrs, Miss, Ms or Other (e.g. Dr) and residential address (including postcode and telephone and any fax or e-mail number) within the United Kingdom or in any other European Economic Area (EEA) state. Where the defendant is a proprietor of a business, a partner in a firm or an individual sued in the name of a club or other unincorporated association, the address for service should be the usual or last known place of residence **or** principal place of business of the company, firm or club or other unincorporated association.

##### **Where the individual is:**

**under 18** write '(a child by Mr Joe Bloggs his litigation friend)' after the child's name.

**a patient within the meaning of the Mental Health Act 1983** write '(by Mr Joe Bloggs his litigation friend)' after the patient's name.

##### **trading under another name**

you must add the words 'trading as' and the trading name e.g. 'Mr John Smith trading as Smith's Groceries'.

##### **suing or being sued in a representative capacity**

you must say what that capacity is e.g. 'Mr Joe Bloggs as the representative of Mrs Sharon Bloggs (deceased)'.

##### **suing or being sued in the name of a club or other unincorporated association**

add the words 'suing/sued on behalf of' followed by the name of the club or other unincorporated association.

##### **a firm**

enter the name of the firm followed by the words 'a firm' e.g. 'Bandbox - a firm' and an address for service which is either a partner's residential address or the principal or last known place of business.

##### **a corporation (other than a company)**

enter the full name of the corporation and the address which is either its principal office **or** any other place where the corporation carries on activities and which has a real connection with the claim.

##### **a company registered in England and Wales**

enter the name of the company and an address which is either the company's registered office **or** any place of business that has a real, or the most, connection with the claim e.g. the shop where the goods were bought.

##### **an overseas company (defined by s744 of the Companies Act 1985)**

enter the name of the company and either the address registered under s691 of the Act **or** the address of the place of business having a real, or the most, connection with the claim.

## Details of claim

Under this heading you must set out either

- the question(s) you wish the court to decide; **or**
- the remedy you are seeking and the legal basis for your claim; **and**
- if your claim is being made under a specific CPR Part or practice direction, you must state which.

## Defendant's name and address

Enter in this box the full name and address of the defendant to be served with the claim form (i.e. one claim form for each defendant). If the defendant is to be served outside the European Economic Area, you may need to obtain the court's permission.

## Address for documents

Insert in this box the address at which you wish to receive documents, if different from the address you have already given under the heading 'Claimant'. The address you give must be either the business address of your legal representative or European Lawyer or your own residential or business address within the UK or in any other EEA state.

## Statement of truth

This must be signed by you, by your legal representative or your litigation friend, as appropriate.

Where the claimant is a registered company or a corporation the claim must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.



## Notes for defendant (Part 8 claim form)

**Please read these notes carefully - they will help you to decide what to do about this claim.**

- You have 14 days\* from the date on which you were served with the claim form to respond to the claim
- If you **do not return** the acknowledgment of service, you will be allowed to attend any hearing of this claim but you will **not** be allowed to take part in the hearing unless the court gives you permission to do so
- Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately

### Time for responding

The completed acknowledgment of service must be returned to the court office within \*(14 days) ( ) of the date on which the claim form was served on you. If the claim form was:

- sent by post, the \*(14 days) ( ) begins 2 business days from the date of the postmark on the envelope.
- delivered or left at your address, the \*(14 days) ( ) begins the second business day after it was delivered.
- handed to you personally, the \*(14 days) ( ) begins on the second business day it was given to you.

### Completing the acknowledgment of service

You should complete sections A - E as appropriate. In **all** cases you must complete sections F and G.

#### Section A - not contesting the claim

If you do **not** wish to contest the remedy sought by the claimant in the claim form, you should complete section A. In some cases the claimant may only be seeking the court's directions as to how to act, rather than seeking a specific order. In these circumstances, if you wish the court to direct the claimant to act in a certain way, give brief details.

#### Section B - contesting the claim

If you do wish to contest the remedy sought by the claimant in the claim form, you should complete section B. If you seek a remedy different from that sought by the claimant, you should give brief details in the space provided.

#### Section C - disputing the court's jurisdiction

You should indicate your intention by completing section C and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

#### Section D - objecting to use of procedure

If you believe that the claimant should not have issued the claim under Part 8 because:

- there **is** a substantial dispute of fact involved; and
- you do not agree that the rule or practice direction stated does provide for the claimant to use this procedure

you should complete section D setting out your reasons in the space provided.

#### Section E - written evidence

Complete this section if you wish to rely on written evidence. You must send your written evidence to the court with your acknowledgment of service. It must be verified by a statement of truth or the court may disallow it. If you have agreed with the other party(ies)

an extension of time for filing your written evidence, a copy of your written agreement must be filed with your acknowledgment of service. Please note that the agreement can only extend time by 14 days from the date you file your acknowledgment of service.

### Claims under section 1 of the Inheritance (Provision for Family and Dependents) Act 1975

A defendant who is a personal representative of the deceased must file and serve written evidence which must state to the best of that person's ability:

- full details of the value of the deceased's net estate, as defined in section 25 of the Act;
- the person or classes of person beneficially interested in the estate, and
  - the names and (unless they are parties to the claim) addresses of all living beneficiaries; and
  - the value of their interests in the estate so far as they are known;
- whether any living beneficiary (and if so, naming him) is a child or protected party within the meaning of Rule 21.1(2); and
- any facts which might affect the exercise of the court's powers under the Act.

### Section F - name of defendant

Print your full name, or the full name of the defendant on whose behalf you are completing this form.

### Serving other parties

You must send to any other party named on the claim form, copies of both the acknowledgment of service and any written evidence, at the same time as you file them with the court.

### What happens next

The claimant may, within 14 days of receiving any written evidence from you, file further evidence in reply. On receipt of your acknowledgment of service, the court file will be referred to the judge for directions for the disposal of the claim. The court will contact you and tell you what to do next.

### Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant is a registered company or a corporation the statement must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

*\*For claims under the Inheritance (Provision for Family and Dependents) Act 1975 the period is 21 days.*



CLAIM NO.

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Part 8 Claimant

And

(1) FRANCIS CONNOR  
(2) PATRICK TEELAN  
(3) PERSONS UNKNOWN

Part 8 Defendants

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DETAILS OF CLAIM

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Introduction

1. The Claimant seeks an injunction pursuant to section 187B of the Town and Country Planning Act 1990 (as amended). The Defendants have carried out unauthorised development of the Land including residential occupation of the Land, details of which are set out below. The Claimant relies upon the witness statement and exhibits of Ryan Dodd, dated 27 July 2025 in support of this claim.
2. Part 8 of the Civil Procedure Rules 1998 (**'CPR'**) applies to this Claim pursuant to PD 8A, paragraph 9.1.
3. This claim includes an ex-parte application for an interim injunction pursuant to CPR 25.1 due to the exceptional urgency of this matter, pending determination of the



proceedings and final injunction concerning land to the east of Boston Road, Spilsby and registered with the Land Registry under title numbers LL3010177 and LL196469 (*'the Land'*).

### **The Land**

4. The Land is identified edged in red on the plan appended to the witness statement of Ryan Dodd at exhibit **RD1**.
5. The land is located to the rear of 51 Boston Road, Spilsby, PE23 5HQ and is sandwiched between residential properties and an industrial estate. It is irregular in shape, approximately 0.08 hectares and was previously undeveloped and overgrown.
6. The vehicular access to the Land is a shared access from Boston Road, Spilsby and to the rear of property numbers 37-51 Boston Road, Spilsby.

### **The Parties**

7. The Claimant is a District Council. The responsibility for the planning matters within the County of Lincolnshire is split between the County Council, District and Borough Councils. As the Land to which this matter relates is private land planning applications are dealt with by the local District Planning Authority. The Claimant is therefore responsible for dealing with planning applications and enforcements concerning the Land.
8. It is believed that the Defendants are members of the Travelling Community. The First Defendant has indicated that he owns the Land. The Land Registry Title documents (attached at **Exhibit DC1**) confirm that the owner of both parcels of land that make up the Land is the Second Defendant.

### **Unknown Parties**

9. At the time of issuing this claim, the Claimant has not been able to identify what the current position is in relation to true ownership of the Land or whether it is anticipated that others will be invited to purchase and/or occupy the Land.
10. The claim is therefore also brought against persons unknown. The Claimant avers that persons unknown can be identified as falling into the following categories:
  - a. Individuals who either own the Land or have an interest in the Land.
  - b. Individuals who enter onto the Land for purposes other than permitted development including but not limited for the purposes of laying of hardcore material to the ground, the installation of services or associated apparatus or any other construction related activity, residential use of the Land, the installation or construction of buildings, cabins or structures, or the bringing onto the Land construction related materials or construction machinery.

### **The Grounds of the Injunction**

11. The Land has never been subject to any planning permissions or applications. The development of the Land by the Defendants is a clear breach of planning control. Furthermore, the Defendants know this to be the case. The First Defendant was informed by the Claimant's Officer on 9 July 2025 that planning permission was required. The First Defendant's response confirmed he was aware of this fact and he indicated there was an intention to apply for planning permission for a dwelling. The First Defendant has continued with development and has laid drainage, hardcore and installed 8 electrical hook up points of the kind used by touring caravans.
12. The Claimant avers that the breach of planning control can only be restrained by the grant of an Injunction pursuant to s187B of the Town and Country Planning Act 1990.

13. The unauthorised development of the Land creates a number of issues of concern from a planning control perspective. Having assessed the unauthorised development, the Claimant does not consider the principle of the development on the Land to be sustainable for the reasons set out in the statement of Ryan Dodd, dated 27 July 2025.
14. The unauthorised laying of hard surfacing and the making of a material change of use of the land also significantly undermines the integrity of the proper planning process and harms the Claimant's ability to ensure that the process is upheld.
15. Whilst not yet physically divided, the Land has also had installed 8 separate electrical hook up points which is consistent with the layout and requirements to accommodate touring caravans. The Claimant is concerned that the Defendants will move caravans onto the Land without planning permission unless such activity is restrained by an Injunction.
16. Access and egress from the site is likely to be hazardous due to the narrow nature of the access track and will harm the residential amenity and existing access for residents to the rear of their properties.
17. The Claimant, for the reasons set out above, therefore considers it is necessary to obtain an injunction in the terms of the attached Draft Interim and Final Orders.
19. The Claimant initially seeks an ex-parte interim injunction immediately to prevent further development of the Land and siting of any caravans, buildings or cabins on the land due to the exceptional urgency of this matter. The Claimant is concerned that there is a risk that the Defendants will continue to proceed with the development of the Land with haste given the speed at which the development has proceeded to date. Should such development take place, this will serve to result in adverse irreversible harm to neighbouring residential amenity having regard to noise, disturbance, overlooking and loss of privacy. Further development is also likely to make it more difficult and costly to restore the Land.

20. An urgent injunction is therefore required to prevent such development and the further harm this will create.
21. The Claimant is further concerned that should the Defendants be provided with notice of the Injunction there are real concerns, that they will accelerate the unlawful development of the Land.
22. The Claimant considers there would be no prejudice to the Defendants in allowing an interim injunction pending a final hearing as the Claimant is simply requesting that the status quo upon the Land is maintained and that no further development is carried out pending a final hearing.
23. The Claimant thereafter seeks a final injunction against the Defendants in the form of the Draft Order attached including the restoration of the land to the position prior to the unlawful development taking place.

#### AND THE CLAIMANT CLAIMS

- a) An Interim injunction in the terms of the Draft Interim Order attached hereto;
- b) A final injunction in the terms of the Draft Final Order attached hereto;
- c) Any other such order as the Court determines appropriate;
- d) An order that the Defendants do pay the Claimant's costs of and incidental to this Claim.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

The Claimant believes that the facts stated in this Details of Claim are true. I am authorised by the Claimant to sign this statement.

Full name: Caroline Siddiquee

Claimant's legal representative's firm: Legal Services Lincolnshire

Signed:   
Claimant's Solicitor

Position or Office Held (if signing on behalf of a company): Senior Lawyer

CLAIM NO.

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR

(2) PATRICK TEELAN

(3) PERSONS UNKNOWN

Defendants

---

EXHIBIT DC1

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THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 11 JUL 2025 AT 10:13:36. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, KINGSTON UPON HULL OFFICE.

TITLE NUMBER: LL310177

There is no application or official search pending against this title.

## A: Property Register

This register describes the land and estate comprised in the title.

LINCOLNSHIRE : EAST LINDSEY

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the east of Boston Road, Spilsby.
- 2 (06.03.2003) The land has the benefit of the rights granted by but is subject to the rights reserved by the Conveyance dated 25 March 1986 referred to in the Charges Register.
- 3 (24.08.2009) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 14 August 2009 referred to in the Charges Register.
- 4 (24.08.2009) The Transfer dated 14 August 2009 referred to above contains provisions as to light or air, boundary structures and other matters.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.02.2023) PROPRIETOR: PATRICK TEELAN of 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB.
- 2 (03.02.2023) The price stated to have been paid on 27 January 2023 was £34,000.
- 3 (03.02.2023) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the register and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land in this title and other land dated 30 November 1983 made between (1) Peter Marriott (Vendor) and (2) Basil Robert Harriss (Purchaser) contains the following covenants:-  
  
"THE Purchaser for the benefit and protection of the retained land and each and every part thereof capable of being benefited thereby and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come hereby covenant with the Vendor

## C: Charges Register continued

that the Purchaser and the persons deriving title under him will at all times hereafter observe and perform the following covenants conditions and stipulations:-

(1) To erect within two months of the date hereof and forever thereafter to maintain a good and sufficient boundary fence on the Southern boundary of the retained land

(2) Not to do or suffer to be done on the property hereby conveyed any act matter or thing which is or may be or become a nuisance or annoyance to the Vendor or any persons deriving title under him to the retained land provided that the use of the property hereby conveyed as timber yard and saw mill in a reasonable manner shall not be deemed in breach of covenant"

*NOTE: Copy plan filed under LL225292.*

- 2 The land is subject to the following rights reserved by the Conveyance dated 30 November 1983 referred to above:-

"excepting and reserving unto the Vendor or other the owner or owners occupier or occupiers for the time being of the adjoining land retained by the Vendor (hereinafter referred to as the retained land) shown edged green for the purpose of identification only on the said plan:-

.....

(2) The right to use and maintain the existing pipes wires and cables for the supply of water electricity and gas services to the retained land and the drainage of sewage water and soil therefrom TOGETHER WITH the right to enter on to the said roadway for the purposes of inspecting cleansing maintaining repairing and renewing the said service media SUBJECT TO the payment of the whole of the expense thereof or in the case of the service media also serving the property hereby conveyed a fair proportion thereof according to user SUBJECT ALSO TO the persons entering making good any damage caused to the property hereby conveyed in the exercise of such right

(3) The full and unrestricted right at any times hereafter and from time to time to erect or permit to be erected any buildings or erections and to alter any buildings or other erections now standing or hereafter to be erected on any part of the retained land in such a manner as to obstruct or interfere with the passage and access of light and air to any building which is or may be erected upon any part of the property hereby conveyed and so that all privileges in respect of light and air now or hereafter to be enjoyed over any part of the retained land by or in respect of the premises hereby conveyed shall be deemed to be enjoyed by licence or consent of the Vendor and not as of right

(4) All easements quasi easements liberties privileges rights and advantages now or heretofore occupied or enjoyed by the retained land over or in respect of the property hereby conveyed and which would be implied by statute or by reason of severance in favour of a Purchaser of the retained land if the same had been conveyed to such Purchaser and the property hereby conveyed had been retained by the Vendor"

- 3 (06.03.2003) A Conveyance of the land in this title and other land dated 25 March 1986 made between (1) Basil Robert Harriss and (2) Colin Spurr contains restrictive covenants.

*NOTE: Copy filed under LL225292.*

- 4 (24.08.2009) A Transfer of the land in this title dated 14 August 2009 made between (1) Flagprompt Limited and (2) Jamie Lawie contains restrictive covenants.

*NOTE: Copy filed.*

End of register



THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 11 JUL 2025 AT 10:17:03. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, KINGSTON UPON HULL OFFICE.

TITLE NUMBER: LL196469

There is no application or official search pending against this title.

## A: Property Register

This register describes the land and estate comprised in the title.

LINCOLNSHIRE : EAST LINDSEY

- 1 (13.03.2001) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Kings Yard, 51 Boston Road, Spilsby (PE23 5HQ).
- 2 (13.03.2001) The land has the benefit of the following rights granted by the Conveyance dated 5 April 1928 referred to in the Charges Register:-

"Together also with the right for the Purchaser his heirs and assigns as owner or owners for the time being of the said premises hereby conveyed and his and their tenants and servants and all other persons authorised by him or them from time to time and at all times hereafter and for all purposes to pass and repass with or without horses and other animals carts and carriages over and along the private ten feet road coloured yellow on the said plan and adjoining the hereditaments hereby conveyed on the East and so that the right hereby granted shall be enjoyed by the Purchaser his heirs and assigns in common with all other persons now entitled or who may hereafter become entitled to use the said road."

NOTE: The road coloured yellow referred to has been tinted brown on the filed plan.

- 3 (16.05.2006) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 4 (04.07.2011) The registered proprietor claims that the land has the benefit of a right of way on foot and with vehicles over part of the accommodation road between numbers 29 and 35 Boston Road. The right claimed is not included in this registration. The claim is supported by a statutory declaration made on 26 May 2011 by Anthony Paul Lawie.

NOTE: Copy filed.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (16.12.2021) PROPRIETOR: PATRICK TEELAN of 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB.
- 2 (16.12.2021) The price stated to have been paid on 10 November 2021 was £35,000.

## B: Proprietorship Register continued

- 3 (16.12.2021) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (13.03.2001) A Conveyance of the land in this title dated 5 April 1928 made between (1) Harry Shaw (Vendor) and (2) John Norman Radford (Purchaser) contains the following covenants:-

"The Purchaser hereby covenants with the Vendor that until the said ten feet road shall become a public highway repairable by the inhabitants at large the Purchaser will from time to time pay a fair and reasonable proportion of keeping the same in repair and if any difference shall arise as to the amount to be so paid the same shall be referred to the District Surveyor of the Rural District Council of Spilsby aforesaid or if he shall decline to act then to some other person as arbitrator under the provisions of the Arbitration Act 1859

3. The Purchaser hereby further covenants with the Vendor that he the Purchaser his heirs and assigns will not at any time hereafter carry on or permit to be carried on upon the said premises or any part thereof any trade or business whatsoever but will use the same premises as and for a private dwellinghouse or lodging house only

4. The Purchaser hereby covenants with the Vendor to hereafter maintain a good and substantial fence on the South and East sides of the property secondly hereby conveyed."

End of register

On behalf of: Claimant  
Witness: R Dodd  
No. of witness statement: 1  
Exhibits: RD1-3  
Date: 23/07/2025

**CLAIM NO.**

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

**EAST LINDSEY DISTRICT COUNCIL**

Claimant

**And**

**(1) FRANCIS CONNOR**

**(2) PATRICK TEELAN**

**(3) PERSONS UNKNOWN**

Defendants

---

**WITNESS STATEMENT OF RYAN MATTHEW DODD**

---

I, Ryan Matthew Dodd of East Lindsey District Council, The Hub, Mareham Road, Horncastle, Lincolnshire, LN9 6PH will say as follows.

1. I am employed by East Lindsey District Council ("the Council") as a Senior Planning Enforcement Officer. During this time, my role has been to investigate and resolve alleged breaches of planning control. Previous experience includes working within Development Management as a Planning Officer, and I am an Associate of the Royal Town Planning Institute. The delegated decision to seek these legal proceedings have been authorised by Jo Parker, Enforcement Group Manager.
2. I make this statement in support of the Council's application for an Injunction under Section 187B of the Town and Country Planning Act 1990 to prevent a further breach of planning control at the land. The information in this statement is true to the best of my knowledge and belief. Where matters are not within

my direct knowledge, they are based on information obtained from Council records or colleagues, which I believe to be accurate and true.

3. The Land subject of these court proceedings is, Land to the rear of 51 Boston Road, Spilsby, PE23 5HQ, in the County of Lincolnshire. The Land is identified in RED on the attached land registry plans at **Exhibit RD1**.
4. The land is located within the town of Spilsby, a historic market town. The site area is approximately 0.08 hectares. It is located off a private access track leading from Boston Road. To the south-east is a designated industrial estate. To the north and west are residential properties.
5. On the 7<sup>th</sup> July 2025 I was allocated an enforcement investigation which related to the alleged unauthorised ground engineering works. The purpose of the investigation was to establish whether a breach of planning control had taken place.
6. As part of the investigation, I carried out desk top research to establish any planning history of the site. No planning application has been submitted in respect of the development to date or any proposed development. No permitted development rights exist for the development carried out.
7. I visited the site on 9<sup>th</sup> July 2025. Below is an extract of my site visit notes. I confirm I asked Francis Connors of his intentions. He replied with "I'm going to submit an application for a house". When I questioned why the need for installation of drainage pipes and electric hook-up points around the perimeter of the site, Francis Connors replied "I'm keeping my options open". I asked him not to carry out any further works until a planning permission has been granted. Francis Connors replied "I'm going to erect a fence and gate and then I won't carry out any more work".

09.05.25 - Site visit. An irregular shaped parcel of land to the rear of 51 Boston Road and land adj to 33 Boston Road has been cleared of overgrowth, installation of 4no. double electric hookup points (total of 8no. hookups) and excavations to install drainage pipes - currently not connected to any means of disposal. Access is gained via a shared access track to the rear of Boston Road properties. Francis Connors was on site (claims to be the owner of the land), and stated it is his intention to lay chalk stone and erect a fence and gate to secure the site which has a history of fly-tipping. No intentions to carry out any further work until planning permission is granted. Currently no application made. Francis stated it was his intention to apply for a dwelling. When questioned why the need for electric hook-up points and installation of drainage at this time, he replied he is keeping his options open. Advised not to carry out any further works until a permission for development is granted. Photos taken. RD

8. On 9<sup>th</sup> July 2025 I also received an email communication from the Ward Member for Spilsby with a series of photographs, attached at **Exhibit RD2**, confirming work had continued on site in the form of

engineering works to provide for foul water drainage and advised that fires were being lit on the Land to which the fire brigade had to attend on one occasion. As the Land is between an industrial estate and residential properties this is a concern.

9. On 16<sup>th</sup> July 2025 I visited the site for proactive monitoring. Work was continuing in the form of laying and flattening hardcore. One adult male and a young male (under 18) were working on the land. No names were provided to me. Francis Connors was not present on the land. On site activity has intensified, further evidencing the need for urgent injunctive action. Photos obtain **Exhibit RD3**.
10. The development carried out, namely the excavation of trenches for the installation of drainage infrastructure, the installation of electrical hook-up points and the laying of hardstanding, constitute “engineering operations” within the meaning of Section 55 of the Town and Country Planning Act 1990 and therefore amount to development requiring planning permission.
11. Despite my informal advice to cease work, work is continuing to prepare the land for what appears to be a caravan site. Ground works have taken place to install drainage pipes, consistent with foul or surface water drainage installation and electric cabling and hook-up points have been installed. The drainage trenches have been back filled and the area of land has been laid with crushed hardcore. I believe there is significant risk of further breaches of planning control on the site given my discussions with Francis Connors on the 9<sup>th</sup> July 2025 when he said “I’m keeping my options open”.
12. Strategic Policy 12 (SP12) of the East Lindsey Local Plan 2018 relates to the provision of Gypsy, Traveller, and Traveling Show people accommodation. It is broadly supportive under specific circumstances (not dissimilar to housing) including a locational aspect in that the sites should be adjacent to or in reasonable proximity to a town or large village. The Local Plan also allocates three sites to address the identified need. This site does not form part of one of those allocations. Although Spilsby is a town, the Council considers that the works being carried out are in advance of an unauthorised use of the land, potentially as a residential or gypsy/traveller transit caravan site. If the land becomes occupied for use as a caravan site either for permanent residential or a gypsy/traveller transit site, the use is likely to result in adverse irreversible harm to neighbouring residential amenity having regard to noise, disturbance, overlooking and loss of privacy.
13. It is also unclear how foul and surface water will be adequately disposed of. Whilst drainage pipes have been laid, there are no consents in place to discharge into the main sewer. Given the recent

communication from Anglian Water, it is unlikely they will support any connections due to the capacity of the Water Recycling Centre for the Spilsby catchment area. A generic email was received from Anglian Water on 16 May 2025 providing an up-to-date list to local planning authorities of all water recycling centres and how they would respond to planning applications for each catchment area going forward. At line 883 of that spreadsheet, it confirmed that any request for a new connection to the water recycling centre at Spilsby would be objected to indicating that it is at capacity.

LPA	WRC Name	Planning Response
East Lindsey District	SPILSBY STW	Object

14. Furthermore, although Lincolnshire County Council as Highway Authority have not been consulted, it is my professional judgement the access arrangements are unlikely to be suitable for caravan development. Moreover, the use of the access track to the rear of Boston Road dwellings is also likely to cause significant harm to residential amenity by the number of vehicular comings and goings to the rear of the residential properties. If development is allowed to continue it will be harder and take significant time to remedy once established. The policy assessment at the time of statement indicates caravan development would be an inappropriate form of development at this site
15. The Council has not served an Enforcement Notice under S171A of the Town and Country Planning Act 1990, as the matter is considered urgent and the Court's injunctive jurisdiction is necessary to prevent irreversible harm and to protect the integrity of the planning system.
16. Despite site visits and discussions with Francis Connors, no firm assurances have been given that the works will cease or that the land will not be brought into use without the benefit of a planning permission. Furthermore, I understand from a colleague, Francis Connors and Patrick Teelan, are known names within the traveller community.

#### **Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

A handwritten signature in black ink, appearing to be 'RM Dodd', written over a light blue rectangular background.

Name: Ryan Matthew Dodd  
Position: Senior Planning Enforcement Officer  
Dated: 23 July 2025

CLAIM NO.

IN THE HIGH COURT OF JUSTICE  
KING'S BENCH DIVISION  
BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR

(2) PATRICK TEELAN

(3) PERSONS UNKNOWN

Defendants

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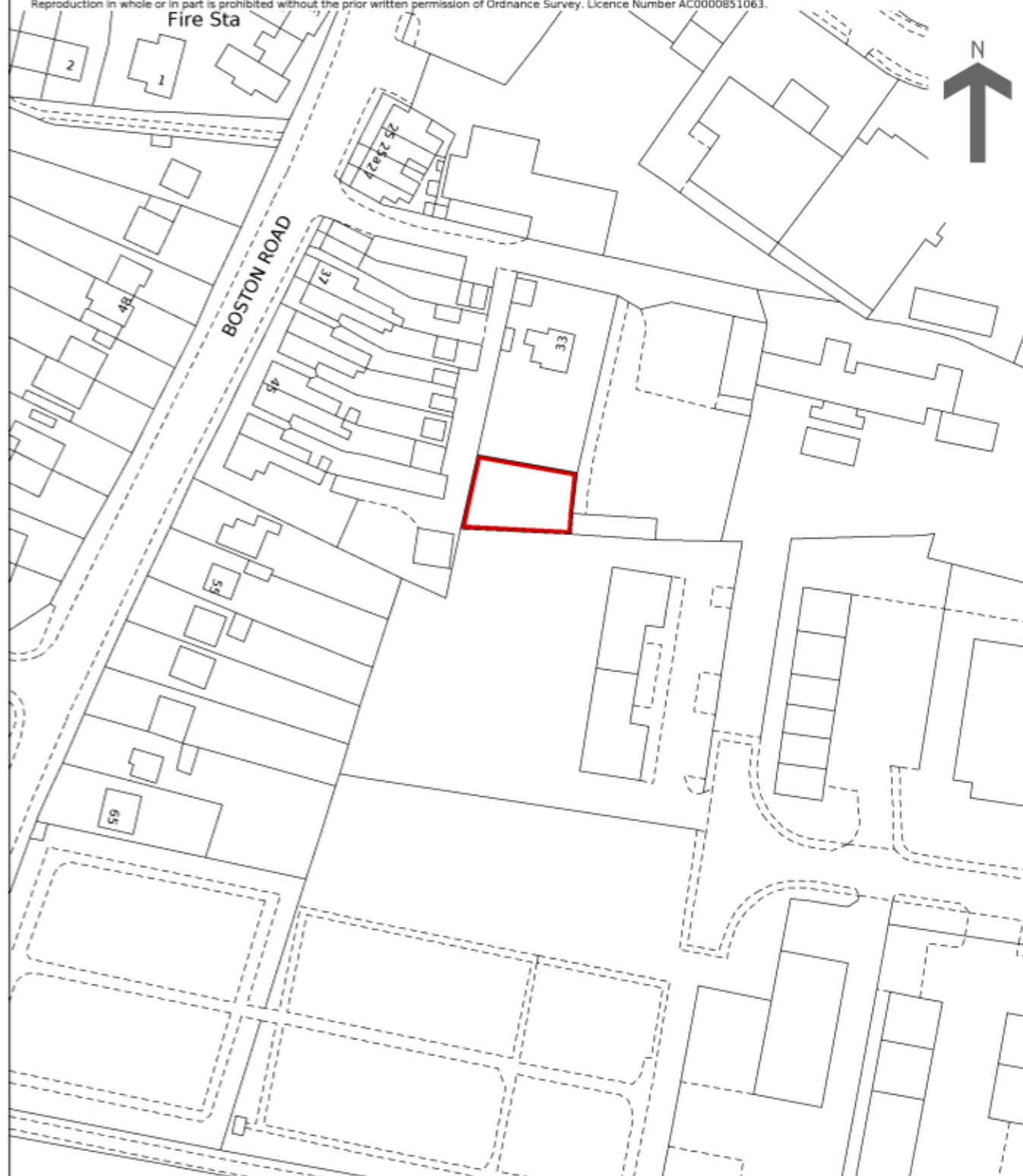
EXHIBIT RD1

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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 11 July 2025 at 10:15:24. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Kingston upon Hull Office.

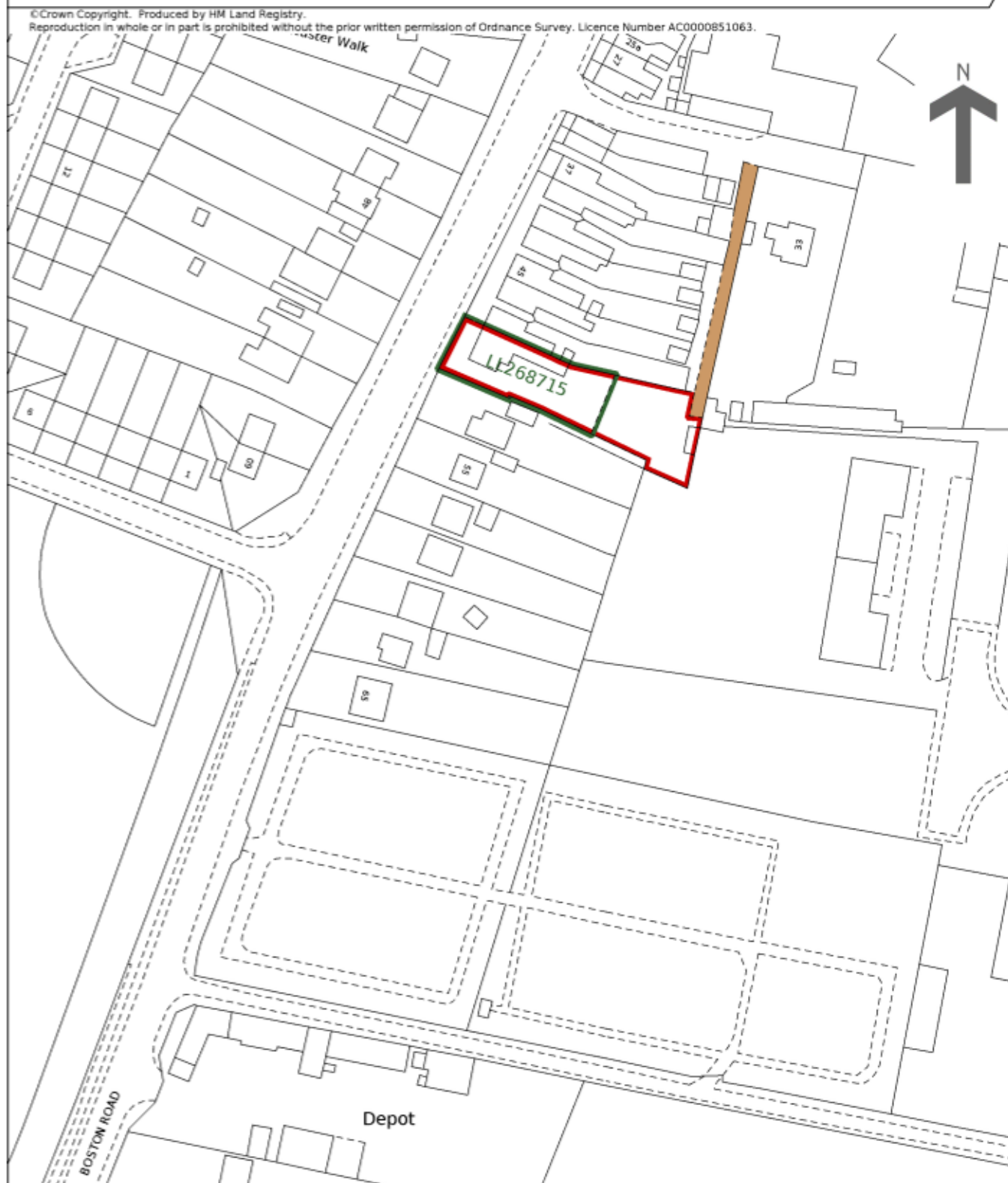
# HM Land Registry

## Current title plan

Title number **LL196469**  
Ordnance Survey map reference **TF3965NE**  
Scale **1:1250**  
Administrative area **Lincolnshire : East Lindsey**



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This title is dealt with by HM Land Registry, Kingston upon Hull Office.

CLAIM NO.

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR

(2) PATRICK TEELAN

(3) PERSONS UNKOWN

Defendants

---

EXHIBIT RD2

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From: Dodd, Ryan <Ryan.Dodd@e-lindsey.gov.uk>  
Sent: 22 July 2025 11:17  
To: Caroline Siddiquee  
Subject: Email from Ward Member 9th July 2025

---

**Caution external:** This email originated from outside of the council. Do not click on links or open attachments unless you are confident the email is legitimate

**From:** Marsh, Ellie  
**Sent:** Wednesday, July 09, 2025 19:23  
**To:** Dodd, Ryan  
**Subject:** Re: Boston Road, Spilsby

Good evening Ryan

Has anyone been out and visited the site yet? They've had fires every night this week, and the fire brigade have attended this evenings fire. The drainage system they have installed is extensive so they are obviously planning big things. I've have sent some pics on another email for your information

What are the rules regarding this sort of occurrence? Do they have to have caravans sited before action can be taken?

Many thanks

Ellie

Ellie Marsh  
District Councillor for Spilsby Ward  
Tel - [REDACTED]











CLAIM NO.

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR

(2) PATRICK TEELAN

(3) PERSONS UNKNOWN

Defendants

---

EXHIBIT RD3

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## Application notice

For help in completing this form please read the notes for guidance form N244 Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<b>Name of court</b> High Court of Justice Kings Bench Division		<b>Claim no.</b>
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref no.</b> (if applicable)	
PBA0088053	HWF - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>	
<b>Warrant no.</b> (if applicable)		
<b>Claimant's name</b> (including ref.) East Lindsey District Council		
<b>Defendant's name</b> (including ref.) (1) Francis Connor, (2) Patrick Teelan and (3) Persons Unknown		
<b>Date</b>	23/07/2025	

1. What is your name or, if you are a legal representative, the name of your firm?

Legal Services LIncolnshire

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative  
☐ Other (please specify)

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

An Order for the Court to dispense with personal service pursuant to CPR 6.15 and for service of the Court documents to be effected on the Land to which these proceedings relate.

4. Have you attached a draft of the order you are applying for? ☒ Yes ☐ No
5. How do you want to have this application dealt with? ☒ at a hearing ☐ without a hearing  
☐ at a remote hearing

6. How long do you think the hearing will last?  Hours  20 Minutes

Is this time estimate agreed by all parties?

☐ Yes ☒ No

7. Give details of any fixed trial date or period

N/A

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

Without Notice Application due to urgency

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

☒ the attached witness statement

☐ the statement of case

☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☒ No



## Statement of Truth

**I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.**

- ☐ **I believe** that the facts stated in section 10 (and any continuation sheets) are true.
- ☒ **The Applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the Applicant to sign this statement.

### Signature



- ☐ Applicant
- ☐ Litigation friend (where applicant is a child or a Protected Party)
- ☒ Applicant's legal representative (as defined by CPR 2.3(1))

### Date

Day

Month

Year

23

07

2025

Full name

Caroline Siddiquee

Name of applicant's legal representative's firm

Legal Services Lincolnshire

If signing on behalf of firm or company give position or office held

Senior Lawyer

Applicant's address to which documents should be sent.

Building and street

County Offices

Second line of address

Newland

Town or city

Lincoln

County (optional)

Lincolnshire

Postcode

L	N	1		1	Y	S
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If applicable

Phone number

01522 552527

Fax number

DX number

Your Ref.

CXS/74245

Email

caroline.siddiquee@lincolnshire.gov.uk

**CLAIM NO.**

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

**EAST LINDSEY DISTRICT COUNCIL**

Claimant

**And**

**(1) FRANCIS CONNOR  
(2) PATRICK TEELAN  
(3) PERSONS UNKNOWN**

Defendants

---

**DRAFT ORDER**

---

Before sitting at

**IT IS ORDERED THAT**

1. Personal Service be dispensed with.
2. All documents in this case to be served:
  - a. by attaching to wooden stakes placed on the Land in no less than 2 conspicuous places;
  - b. on the Second Defendant by placing the documents through the letterbox at 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB in the event the Second Defendant is not at the address upon first attendance.
3. The documents shall be deemed served immediately once the actions set out in paragraph 2 are completed.

4. The Defendants shall have 14 days to file and serve an Acknowledgment of Service from the date of service of the Claim Form.
5. If you object to this Order you may make an application to have it set aside, varied or stayed within 7 days of receiving it.
6. This Order shall remain in force until determination of the Part 8 Claim or further order of the Court.

On behalf of: Claimant  
Witness: C Siddiquee  
No. of witness statement: 1  
Exhibits:  
Date:

**CLAIM NO.**

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

**EAST LINDSEY DISTRICT COUNCIL**

Claimant

**And**

**(1) FRANCIS CONNOR  
(2) PATRICK TEELAN  
(3) PERSONS UNKNOWN**

Defendants

---

**WITNESS STATEMENT OF CAROLINE SIDDIQUEE**

---

I, Caroline Siddiquee of Legal Services Lincolnshire, County Offices, Newland, Lincoln, LN1 1YS, will say as follows.

1. I make this statement in support of the Claimant's application to dispense with personal service of the Court Documents in relation to the claim for an injunction concerning land to the rear of 51 Boston Road, Spilsby, PE23 5HQ (*'the Land'*).
2. The witness statement of Ryan Dodd, dated 23 July 2025, attached to the accompanying Part 8 Claim confirms the background to this matter. In particular, he sets out the further activity that is likely to take place and the further harm that

will be caused to the Land and the surrounding area if an interim injunction is not immediately effective.

3. There are currently no caravans on the Land. The Claimant attended the Land on and made enquiries with the First Defendant on 9 July 2025. The First Defendant advised that he was the owner of the Land and that his intention was to make an planning application for a dwelling on the Land. However, the electrical hook up points and drainage have led Mr Dodd to believe that the land is being prepared for use as a caravan site. When the First Defendant was questioned on this he advised that he was “keeping his options open” and did not dent this to be the case.
4. It is likely that further development will continue and caravans placed on the Land imminently.
5. The only contact details the Claimant has for the First Defendant is a telephone number and it is now known where he is currently residing or any email addresses. There is a real concern that if the First Defendant was contacted prior to the interim injunction being granted to request a postal and/or email address that this will alert the Defendants to activity by the Claimant with a real risk that development on site could increase and caravans stationed there quickly to avoid the consequences of further action being taken prior to people taking up occupation.
6. The Second Defendant is listed at the Land Registry as the current owner and there is an address listed on the Official Land Registry Copies attached as **Exhibit CS1**. It cannot be established at this point whether the Second Defendant retains ownership, in light of the First Defendants comments, or that he is in fact living at that address prior to the making of this application as any visit to the property would likely tip the owners of the land off to the potential legal action.
7. The land has a single point of access off Boston Road. It is therefore considered that attaching papers in no less than 2 locations both at the entrance to the access and at the point of accessing the land would be sufficient.

8. The Interim Injunction solely concerns the Land and simply seeks to maintain the status quo by prohibiting further development of the Land.
9. I therefore request that the Court dispense with personal service pursuant to CPR Part 6.15 and allow service of documents by posting on the land and in the event the Second Defendant cannot be located, by posting through the letterbox at 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB.

**Statement of Truth**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:



Name: Caroline Siddiquee

Position: Senior Lawyer

Dated: 23 July 2025

CLAIM NO.

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

BETWEEN

EAST LINDSEY DISTRICT COUNCIL

Claimant

And

(1) FRANCIS CONNOR

(2) PATRICK TEELAN

(3) PERSONS UNKNOWN

Defendants

---

EXHIBIT CS1

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THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 11 JUL 2025 AT 10:13:36. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, KINGSTON UPON HULL OFFICE.

TITLE NUMBER: LL310177

There is no application or official search pending against this title.

## A: Property Register

This register describes the land and estate comprised in the title.

LINCOLNSHIRE : EAST LINDSEY

- 1 The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the east of Boston Road, Spilsby.
- 2 (06.03.2003) The land has the benefit of the rights granted by but is subject to the rights reserved by the Conveyance dated 25 March 1986 referred to in the Charges Register.
- 3 (24.08.2009) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 14 August 2009 referred to in the Charges Register.
- 4 (24.08.2009) The Transfer dated 14 August 2009 referred to above contains provisions as to light or air, boundary structures and other matters.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.02.2023) PROPRIETOR: PATRICK TEELAN of 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB.
- 2 (03.02.2023) The price stated to have been paid on 27 January 2023 was £34,000.
- 3 (03.02.2023) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the register and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 A Conveyance of the land in this title and other land dated 30 November 1983 made between (1) Peter Marriott (Vendor) and (2) Basil Robert Harriss (Purchaser) contains the following covenants:-  
  
"THE Purchaser for the benefit and protection of the retained land and each and every part thereof capable of being benefited thereby and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come hereby covenant with the Vendor

## C: Charges Register continued

that the Purchaser and the persons deriving title under him will at all times hereafter observe and perform the following covenants conditions and stipulations:-

(1) To erect within two months of the date hereof and forever thereafter to maintain a good and sufficient boundary fence on the Southern boundary of the retained land

(2) Not to do or suffer to be done on the property hereby conveyed any act matter or thing which is or may be or become a nuisance or annoyance to the Vendor or any persons deriving title under him to the retained land provided that the use of the property hereby conveyed as timber yard and saw mill in a reasonable manner shall not be deemed in breach of covenant"

*NOTE: Copy plan filed under LL225292.*

- 2 The land is subject to the following rights reserved by the Conveyance dated 30 November 1983 referred to above:-

"excepting and reserving unto the Vendor or other the owner or owners occupier or occupiers for the time being of the adjoining land retained by the Vendor (hereinafter referred to as the retained land) shown edged green for the purpose of identification only on the said plan:-

.....

(2) The right to use and maintain the existing pipes wires and cables for the supply of water electricity and gas services to the retained land and the drainage of sewage water and soil therefrom TOGETHER WITH the right to enter on to the said roadway for the purposes of inspecting cleansing maintaining repairing and renewing the said service media SUBJECT TO the payment of the whole of the expense thereof or in the case of the service media also serving the property hereby conveyed a fair proportion thereof according to user SUBJECT ALSO TO the persons entering making good any damage caused to the property hereby conveyed in the exercise of such right

(3) The full and unrestricted right at any times hereafter and from time to time to erect or permit to be erected any buildings or erections and to alter any buildings or other erections now standing or hereafter to be erected on any part of the retained land in such a manner as to obstruct or interfere with the passage and access of light and air to any building which is or may be erected upon any part of the property hereby conveyed and so that all privileges in respect of light and air now or hereafter to be enjoyed over any part of the retained land by or in respect of the premises hereby conveyed shall be deemed to be enjoyed by licence or consent of the Vendor and not as of right

(4) All easements quasi easements liberties privileges rights and advantages now or heretofore occupied or enjoyed by the retained land over or in respect of the property hereby conveyed and which would be implied by statute or by reason of severance in favour of a Purchaser of the retained land if the same had been conveyed to such Purchaser and the property hereby conveyed had been retained by the Vendor"

- 3 (06.03.2003) A Conveyance of the land in this title and other land dated 25 March 1986 made between (1) Basil Robert Harriss and (2) Colin Spurr contains restrictive covenants.

*NOTE: Copy filed under LL225292.*

- 4 (24.08.2009) A Transfer of the land in this title dated 14 August 2009 made between (1) Flagprompt Limited and (2) Jamie Lawie contains restrictive covenants.

*NOTE: Copy filed.*

End of register

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 11 JUL 2025 AT 10:17:03. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, KINGSTON UPON HULL OFFICE.

TITLE NUMBER: LL196469

There is no application or official search pending against this title.

## A: Property Register

This register describes the land and estate comprised in the title.

LINCOLNSHIRE : EAST LINDSEY

- 1 (13.03.2001) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Kings Yard, 51 Boston Road, Spilsby (PE23 5HQ).
- 2 (13.03.2001) The land has the benefit of the following rights granted by the Conveyance dated 5 April 1928 referred to in the Charges Register:-

"Together also with the right for the Purchaser his heirs and assigns as owner or owners for the time being of the said premises hereby conveyed and his and their tenants and servants and all other persons authorised by him or them from time to time and at all times hereafter and for all purposes to pass and repass with or without horses and other animals carts and carriages over and along the private ten feet road coloured yellow on the said plan and adjoining the hereditaments hereby conveyed on the East and so that the right hereby granted shall be enjoyed by the Purchaser his heirs and assigns in common with all other persons now entitled or who may hereafter become entitled to use the said road."

NOTE: The road coloured yellow referred to has been tinted brown on the filed plan.

- 3 (16.05.2006) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 4 (04.07.2011) The registered proprietor claims that the land has the benefit of a right of way on foot and with vehicles over part of the accommodation road between numbers 29 and 35 Boston Road. The right claimed is not included in this registration. The claim is supported by a statutory declaration made on 26 May 2011 by Anthony Paul Lawie.

NOTE: Copy filed.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (16.12.2021) PROPRIETOR: PATRICK TEELAN of 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB.
- 2 (16.12.2021) The price stated to have been paid on 10 November 2021 was £35,000.

## B: Proprietorship Register continued

- 3 (16.12.2021) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (13.03.2001) A Conveyance of the land in this title dated 5 April 1928 made between (1) Harry Shaw (Vendor) and (2) John Norman Radford (Purchaser) contains the following covenants:-

"The Purchaser hereby covenants with the Vendor that until the said ten feet road shall become a public highway repairable by the inhabitants at large the Purchaser will from time to time pay a fair and reasonable proportion of keeping the same in repair and if any difference shall arise as to the amount to be so paid the same shall be referred to the District Surveyor of the Rural District Council of Spilsby aforesaid or if he shall decline to act then to some other person as arbitrator under the provisions of the Arbitration Act 1859

3. The Purchaser hereby further covenants with the Vendor that he the Purchaser his heirs and assigns will not at any time hereafter carry on or permit to be carried on upon the said premises or any part thereof any trade or business whatsoever but will use the same premises as and for a private dwellinghouse or lodging house only

4. The Purchaser hereby covenants with the Vendor to hereafter maintain a good and substantial fence on the South and East sides of the property secondly hereby conveyed."

End of register



## Claim Form (CPR Part 8)

In the  
High Court of Justice  
Kings Bench Division

Claim no.

Fee Account no.

PBA0088053

Help with Fees – Ref  
no. (if applicable)

HWF - - - - -

Claimant  
East Lindsey District Council  
Town Hall  
Eastgate  
Louth  
LN9 6PH

SEAL

Defendant(s)

(1) Francis Connor

(2) Patrick Teelan

(3) ~~Persons Unknown~~

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 rear of 51 Boston Road, Spilsby, PE23 5HQ.

Land to the East of Boston Road  
Spilsby

1 Rosegarth Court  
Stainforth  
Doncaster  
DN7 5GB

Land to the East of Boston Road  
Spilsby

Does your claim include any issues under the Human Rights Act 1998?

☐ Yes ☒ No

Details of claim (see also overleaf)

An application for an injunction under s187 of the Town and Country Planning Act 1980 to restrain a breach of planning control. Please see the attached Details of Claim and Draft Order, together with the witness statement of Ryan Dodds and exhibits.

CPR Part 8 applies to this claim.

In light of the issues as set out in the Details of Claim, the witness statement of Ryan Dodds and the urgency of this matter, the Claimant respectfully requests that the Court grants an Interim Injunction without notice.

Defendant's  
name and  
address

(1) Francis Connor, Land to the East of Boston Road, Spilsby  
(2) Patrick Teelan, 1 Rosegarth Court, Stainforth, Doncaster, DN7 5GB  
(3) Persons Unknown, Land to the East of Boston Road, Spilsby

£

Court fee

£646

Legal representative's costs

TBC

Issue date

**Details of claim** (continued)

Please see Details of Claim

Legal Services Lincolnshire  
County Offices  
Newland  
Lincoln  
LN1 1YS

Email: [caroline.siddiquee@lincolnshire.gov.uk](mailto:caroline.siddiquee@lincolnshire.gov.uk)

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

## Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- ☐ I believe that the facts stated in these particulars of claim are true.
- ☒ **The Claimant believes** that the facts stated in these particulars of claim are true. **I am authorised** by the Claimant to sign this statement.

### Signature



- ☐ Claimant
- ☐ Litigation friend (where Claimant is a child or a Protected Party)
- ☒ Claimant's legal representative (as defined by CPR 2.3(1))

### Date

Day

27

Month

07

Year

2025

Full name

Caroline Siddiquee

Name of Claimant's legal representative's firm

Legal Services Lincolnshire

If signing on behalf of firm or company give position or office held

Senior Lawyer

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>



## Notes for claimant on completing a Part 8 claim form

- Please read all of these guidance notes before you begin completing the claim form. The notes follow the order in which information is required on the form.
- Court staff can help you fill in the claim form and give information about procedure once it has been issued. But they cannot give legal advice. If you need legal advice, for example, about the likely success of your claim or the evidence you need to prove it, you should contact a legal representative or a Citizens Advice Bureau.
- If you are filling in the claim form by hand, please use black ink and write in block capitals.
- You must file any written evidence to support your claim either in or with the claim form. Your written evidence must be verified by a statement of truth.
- Copy the completed claim form, the defendant's notes for guidance and your written evidence so that you have one copy for yourself, one copy for the court and one copy for each defendant. Send or take the forms and evidence to the court office with the appropriate fee. The court will tell you how much this is.

### Notes on completing the claim form

#### Heading

You must fill in the heading of the form to indicate whether you want the claim to be issued in a county court or in the High Court (The High Court means either a District Registry (attached to a county court) or the Royal Courts of Justice in London).

Use whichever of the following is appropriate:

'In the County Court at .....'  
(inserting the name of the court)

**or**

'In the High Court of Justice.....Division'  
(inserting eg. 'Queen's Bench' or 'Chancery' as appropriate)  
.....District Registry'  
(inserting the name of the District Registry)

**or**

'In the High Court of Justice.....Division,  
(inserting eg. 'Queen's Bench' or 'Chancery' as appropriate)  
Royal Courts of Justice'

#### Claimant and defendant details

As the person issuing the claim, you are called the 'claimant'; the person you are suing is called the 'defendant'. Claimants who are under 18 years old (unless otherwise permitted by the court) and patients within the meaning of the Mental Health Act 1983 must have a litigation friend to issue and conduct court proceedings on their behalf. Court staff will tell you more about what you need to do if this applies to you.

You must provide the following information about yourself **and** the defendant according to the capacity in which you are suing and in which the defendant is being sued. When suing or being sued as:-

##### **an individual:**

All known forenames and surname, whether Mr, Mrs, Miss, Ms or Other (e.g. Dr) and residential address (including postcode and telephone and any fax or e-mail number) within the United Kingdom or in any other European Economic Area (EEA) state. Where the defendant is a proprietor of a business, a partner in a firm or an individual sued in the name of a club or other unincorporated association, the address for service should be the usual or last known place of residence **or** principal place of business of the company, firm or club or other unincorporated association.

##### **Where the individual is:**

**under 18** write '(a child by Mr Joe Bloggs his litigation friend)' after the child's name.

**a patient within the meaning of the Mental Health Act 1983** write '(by Mr Joe Bloggs his litigation friend)' after the patient's name.

##### **trading under another name**

you must add the words 'trading as' and the trading name e.g. 'Mr John Smith trading as Smith's Groceries'.

##### **suing or being sued in a representative capacity**

you must say what that capacity is e.g. 'Mr Joe Bloggs as the representative of Mrs Sharon Bloggs (deceased)'.

##### **suing or being sued in the name of a club or other unincorporated association**

add the words 'suing/sued on behalf of' followed by the name of the club or other unincorporated association.

##### **a firm**

enter the name of the firm followed by the words 'a firm' e.g. 'Bandbox - a firm' and an address for service which is either a partner's residential address or the principal or last known place of business.

##### **a corporation (other than a company)**

enter the full name of the corporation and the address which is either its principal office **or** any other place where the corporation carries on activities and which has a real connection with the claim.

##### **a company registered in England and Wales**

enter the name of the company and an address which is either the company's registered office **or** any place of business that has a real, or the most, connection with the claim e.g. the shop where the goods were bought.

##### **an overseas company (defined by s744 of the Companies Act 1985)**

enter the name of the company and either the address registered under s691 of the Act **or** the address of the place of business having a real, or the most, connection with the claim.



## Details of claim

Under this heading you must set out either

- the question(s) you wish the court to decide; **or**
- the remedy you are seeking and the legal basis for your claim; **and**
- if your claim is being made under a specific CPR Part or practice direction, you must state which.

## Defendant's name and address

Enter in this box the full name and address of the defendant to be served with the claim form (i.e. one claim form for each defendant). If the defendant is to be served outside the European Economic Area, you may need to obtain the court's permission.

## Address for documents

Insert in this box the address at which you wish to receive documents, if different from the address you have already given under the heading 'Claimant'. The address you give must be either the business address of your legal representative or European Lawyer or your own residential or business address within the UK or in any other EEA state.

## Statement of truth

This must be signed by you, by your legal representative or your litigation friend, as appropriate.

Where the claimant is a registered company or a corporation the claim must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

## Notes for defendant (Part 8 claim form)

**Please read these notes carefully - they will help you to decide what to do about this claim.**

- You have 14 days\* from the date on which you were served with the claim form to respond to the claim
- If you **do not return** the acknowledgment of service, you will be allowed to attend any hearing of this claim but you will **not** be allowed to take part in the hearing unless the court gives you permission to do so
- Court staff can tell you about procedures but they cannot give legal advice. If you need legal advice, you should contact a solicitor or Citizens Advice Bureau immediately

### Time for responding

The completed acknowledgment of service must be returned to the court office within \*(14 days) ( ) of the date on which the claim form was served on you. If the claim form was:

- sent by post, the \*(14 days) ( ) begins 2 business days from the date of the postmark on the envelope.
- delivered or left at your address, the \*(14 days) ( ) begins the second business day after it was delivered.
- handed to you personally, the \*(14 days) ( ) begins on the second business day it was given to you.

### Completing the acknowledgment of service

You should complete sections A - E as appropriate. In **all** cases you must complete sections F and G.

#### Section A - not contesting the claim

If you do **not** wish to contest the remedy sought by the claimant in the claim form, you should complete section A. In some cases the claimant may only be seeking the court's directions as to how to act, rather than seeking a specific order. In these circumstances, if you wish the court to direct the claimant to act in a certain way, give brief details.

#### Section B - contesting the claim

If you do wish to contest the remedy sought by the claimant in the claim form, you should complete section B. If you seek a remedy different from that sought by the claimant, you should give brief details in the space provided.

#### Section C - disputing the court's jurisdiction

You should indicate your intention by completing section C and filing an application disputing the court's jurisdiction within 14 days of filing your acknowledgment of service at the court. The court will arrange a hearing date for the application and tell you and the claimant when and where to attend.

#### Section D - objecting to use of procedure

If you believe that the claimant should not have issued the claim under Part 8 because:

- there **is** a substantial dispute of fact involved; and
- you do not agree that the rule or practice direction stated does provide for the claimant to use this procedure

you should complete section D setting out your reasons in the space provided.

#### Section E - written evidence

Complete this section if you wish to rely on written evidence. You must send your written evidence to the court with your acknowledgment of service. It must be verified by a statement of truth or the court may disallow it. If you have agreed with the other party(ies)

an extension of time for filing your written evidence, a copy of your written agreement must be filed with your acknowledgment of service. Please note that the agreement can only extend time by 14 days from the date you file your acknowledgment of service.

### Claims under section 1 of the Inheritance (Provision for Family and Dependents) Act 1975

A defendant who is a personal representative of the deceased must file and serve written evidence which must state to the best of that person's ability:

- full details of the value of the deceased's net estate, as defined in section 25 of the Act;
- the person or classes of person beneficially interested in the estate, and
  - the names and (unless they are parties to the claim) addresses of all living beneficiaries; and
  - the value of their interests in the estate so far as they are known;
- whether any living beneficiary (and if so, naming him) is a child or protected party within the meaning of Rule 21.1(2); and
- any facts which might affect the exercise of the court's powers under the Act.

### Section F - name of defendant

Print your full name, or the full name of the defendant on whose behalf you are completing this form.

### Serving other parties

You must send to any other party named on the claim form, copies of both the acknowledgment of service and any written evidence, at the same time as you file them with the court.

### What happens next

The claimant may, within 14 days of receiving any written evidence from you, file further evidence in reply. On receipt of your acknowledgment of service, the court file will be referred to the judge for directions for the disposal of the claim. The court will contact you and tell you what to do next.

### Statement of truth

This must be signed by you, by your solicitor or your litigation friend, as appropriate.

Where the defendant is a registered company or a corporation the statement must be signed by either the director, treasurer, secretary, chief executive, manager or other officer of the company or (in the case of a corporation) the mayor, chairman, president or town clerk.

*\*For claims under the Inheritance (Provision for Family and Dependents) Act 1975 the period is 21 days.*

