

# Injunction Order

Between Bss Investments Limited, Defendant  
and Newark & Sherwood District Council, Claimant



In the County Court at Nottingham	
<b>Claim Number</b>	M00NG564
<b>Claimant</b> (including ref.)	Newark & Sherwood District Council
<b>Defendant</b> (including ref.)	Bss Investments Limited and 3 others

## IMPORTANT NOTICE TO ALL DEFENDANTS

**IF YOU DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT AND IMPRISONED OR FINED OR YOUR ASSETS MAY BE SEIZED.**

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

**IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU SHOULD GO TO A SOLICITOR LEGAL ADVICE CENTRE OR A CITIZEN ADVICE BUREAU**

Before His Honour Judge Jonathan Owen, sitting in the County Court at Nottingham, Nottingham Justice Centre, Carrington Street, Nottingham, NG2 1EE, on 7 May 2025.

Upon:-

(1) In this Order, the following definitions applying:-

(a) “**the Claimant**” is Newark & Sherwood District Council;

(b) “**the Defendants**” are the First Defendant, the Second Defendant, the Third Defendant and the Fourth Defendant together;

(c) “**the First Defendant**” is BSS Investments Limited;

(d) “**the Second Defendant**” is John Sheridan;

(e) “**the Third Defendant**” is John Flynn;

(f) “**the Fourth Defendant**” is persons unknown residentially occupying or undertaking any building or engineering operation on the land known as land at the South East side of Moorhouse Road in Weston, Nottinghamshire; and

(g) “**the Named Defendants**” are the First Defendant, the Second Defendant and the Third Defendant together;

The court office at the County Court at Nottingham, 60 Canal Street, Nottingham, Nottinghamshire, NG1 7EJ. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 0300 123 5577. **Check if you can issue your claim online. It will save you time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.**

(2) The Court considered an application for an injunction against the Defendants for an injunction under Section 187B of the Town and Country Planning Act 1990 dated 24 April 2025 (“**the Application**”);

(3) Hearing counsel for the Claimant (Mr. Jack Smyth) and the Solicitor for the Named Defendants (Mrs. Tahseen Choudhry);

(4) The Claimant and the Named Defendants agreeing to the terms of this Order below, save and except in relation to the issue of the discharge of the First Defendant from the proceedings (with the Claimant’s position being that it should not be discharged from these proceedings at this time and with the Named Defendant’s position being that it should be discharged from the proceedings without further delay);

(5) No person claiming to be one of the Fourth Defendant seeking to be heard;

(6) Reading the witness statements of (a) Richard Marshall (signed on 24 April 2025 and 6 May 2025, (b) Oliver Scott (signed on 24 April 2025) and (c) Tahseen Choudhry (signed on 2 May 2025 and 6 May 2025);

(7) Reading the applications of the Defendants dated 2 May 2025 and 6 May 2025 (to adjourn today’s hearing date, to vary the Order of His Honour Judge Jonathan Owen, sitting in the County Court at Nottingham, dated 25 April 2025 - “**the Order dated 25 April 2025**”-, and to discharge the First Defendant from the current proceedings);

(8) Reading the hearing bundle filed in respect of today’s hearing (63 pages);

(9) Reading a document stated to be a TR1 transfer of the whole of registered title relating to the land at the South East side of Moorhouse Road, Weston, Nottinghamshire (title no. **NT307992**) dated 22 April 2025 (“**the TR1**”);

(10) The Court being satisfied that the Defendants have been properly served with the proceedings, including the Order dated 25 April 2025, and given notice of today’s hearing;

(11) The time to acknowledge service of the claim form (by 14 May 2025) having yet to expire;

(12) The Claimant telling the Court that additional caravans appear to have been brought on to the Land contrary to the terms of the Order dated 25 April 2025 and that it is investigating whether to bring a committal application if the allegedly unlawful caravans are not removed forthwith;

(13) It being asserted by the Named Defendants that the First Defendant had sold the land to the Second Defendant and the Third Defendant but with the Court not being prepared to discharge any injunction today against the First Defendant (with permission to the First Defendant to renew its application to be discharged from the proceedings as set out below); and

(14) The Court not considering it necessary or appropriate to list any further hearing in this matter at this stage in circumstances in which prominent and sufficient notice of today’s hearing was given to all persons who are likely materially to be affected by the same;

#### **IT IS ORDERED** that:-

1. The First Defendant’s application to be discharged from the proceedings is dismissed. The First Defendant has permission to renew its application to be discharged from the proceedings in the event of a material change of circumstance (which includes, but is not limited to, the completion of registration by HM Land Registry of the TR1). Any such application must be made on notice to the other parties and must be made formally and in writing, using Form N244 and paying any applicable Court fee (and / or filing a valid application for Help With Fees - “**HWF**”).

2. The name of the Second Defendant be amended to “Mr John Sheridan”. Filing and service of amended statements of case and the amendment of any previous Order or Notice in this matter is dispensed with.

3. Upon this Order having been served in accordance with paragraphs 8 and 9 of this Order below, paragraph 3 of the Order dated 25 April 2025 shall stand discharged without further Order of the Court (because it is replaced by paragraph 5 of this Order below).

4. Paragraphs 5 and 7 of this Order will remain in force until **4pm on 7 December 2026** unless before then they are revoked by a further Order of the Court.

5. 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 KNOWN AS LAND AT THE SOUTH EAST SIDE OF MOORHOUSE ROAD IN WESTON NOTTINGHAMSHIRE as delineated in red on the attached plan (“**the Land**”) without the grant of planning permission or the written consent of the Claimant’s solicitor. For the avoidance of doubt:

a) The Defendants must not materially change the use of the Land or undertake any engineering operation, erect any building/structure, bring on to the Land any further caravans/mobile homes, import or deposit any material or excavate the Land without the grant of planning permission or the written consent of the claimant’s solicitor.

b) Any person who is not living on the Land at the time of the service of this order may not live on the Land after service of this order.

c) No caravan or mobile home may be stationed on the Land which was not there at the time of the service of this order (the maximum is 42 caravans).

d) If a static mobile home is removed from the Land, it may not be replaced with another caravan/mobile home and nor may it be returned to the Land (albeit it is permitted for a tourer caravan to leave and return to the Land).

6. By **4pm on 21 May 2025**, the Solicitor for the Named Defendants shall provide by email to the Solicitor for the Claimant a list of the full names of every occupant of the Land.

7. If the Second Defendant or the Third Defendant sell or lease the Land, they must:

a) Provide a copy of this order to the prospective purchaser/tenant before the Land (or any part therein) is transferred or contracts exchanged; and

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.

8. The Claimant shall serve a copy of this order on the Solicitor for the Named Defendants. Personal service of this Order upon the Named Defendants is dispensed with. Further, to effect service of this Order on the Fourth Defendant, the Claimant shall:

a) Attach a copy of this order in a clear plastic envelope at the entrance to the Land so that it comes to the attention of any visitors;

b) Attach a copy of this order in a clear plastic envelope on the door of every caravan/vehicle on the Land so that it comes to the attention of any occupiers; and

c) Load up on to its website a copy of this order.

9. Personal service of this Order upon the Fourth Defendant is dispensed with. Service shall be effected upon the Fourth Defendant by the steps specified in paragraph 8 of this Order above being completed and shall be deemed to have been effected on the day on which those steps were completed, if those steps were completed before 4:30pm on a business day, or, in any other case, the next business day after the day on which those steps were completed.

10. The Claimant shall within two clear days of effecting service of this Order upon each of the Defendants file a fully completed Form N215 certificate of service with the Court confirming service upon that Defendant.

11. In the event that any person serves an Acknowledgement of Service by 4pm on 14 May 2025, the Claimant shall within two clear days of service of any Acknowledgment of Service file a written request with the Court for the matter to be listed for a hearing. The Claimant shall therein prominently refer to this paragraph and paragraph 13 of this Order below and ask that the matter be referred to a Circuit Judge for further consideration.

12. The matter is adjourned generally with permission to any party to apply to restore the proceedings (of which application at least 3 days' notice must be given to all other parties). Any such application must be made formally and in writing, using Form N244 and paying any applicable Court fee (and / or filing a valid application for HWF). If no such application is received at the Court office by **4pm on 7 December 2026**, the proceedings shall stand struck out without further Order and with no order as to costs.

13. Any application in this matter or the filing of any Acknowledgment of Service shall be referred to a Circuit Judge. Any such application or the covering letter filing any Acknowledgment of Service shall prominently refer to this paragraph and ask that the matter be referred to a Circuit Judge for further consideration.

14. The costs of today and the costs of the hearing on 25 April 2025 are reserved to the conclusion of these proceedings.

