

**IN THE HIGH COURT OF JUSTICE  
QUEENS BENCH DIVISION  
CARDIFF DISTRICT REGISTRY**



**QB-2022-CDF-000027**

**BEFORE THE HONOURABLE MR JUSTICE BOURNE ON 28 APRIL 2022**

**BETWEEN:**

**WREXHAM BOROUGH COUNCIL**

**Claimant**

**- and -**

**(1) MR DONALD HITCHMOUGH  
(2) PERSONS UNKNOWN CARRYING OUT DEVELOPMENT AT THE SITE  
AS DEFINED BY SECTION 55 OF THE TOWN AND COUNTRY PLANNING  
ACT 1990 (INCLUDING THE BRINGING ON OF CARAVANS/MOBILES  
HOMES FOR RESIDENTIAL USE)**

**Defendants**

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**ORDER**

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**IMPORTANT NOTICE – ORDER OF THE COURT  
YOU MUST OBEY THIS ORDER.**

**YOU SHOULD READ THIS ORDER CAREFULLY AND LOOK AT THE MAP WITH CARE. IF YOU DO NOT UNDERSTAND ANYTHING IN THIS ORDER YOU MAY GO TO A SOLICITOR, LEGAL ADVICE CENTRE OR CITIZENS ADVICE CENTRE. ANY MEMBER OF THE PUBLIC HAS THE RIGHT TO APPLY TO THE COURT TO CHANGE OR CANCEL THE ORDER.**

**IF YOU DO NOT OBEY THE INSTRUCTIONS CONTAINED WITHIN 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 in support of the claim by CVP

UPON the Court being satisfied that it is appropriate to proceed without notice being given to the defendants

UPON the Court being satisfied that it is appropriate for the interim order to be made against an un-named defendant and that service by alternative means is apt

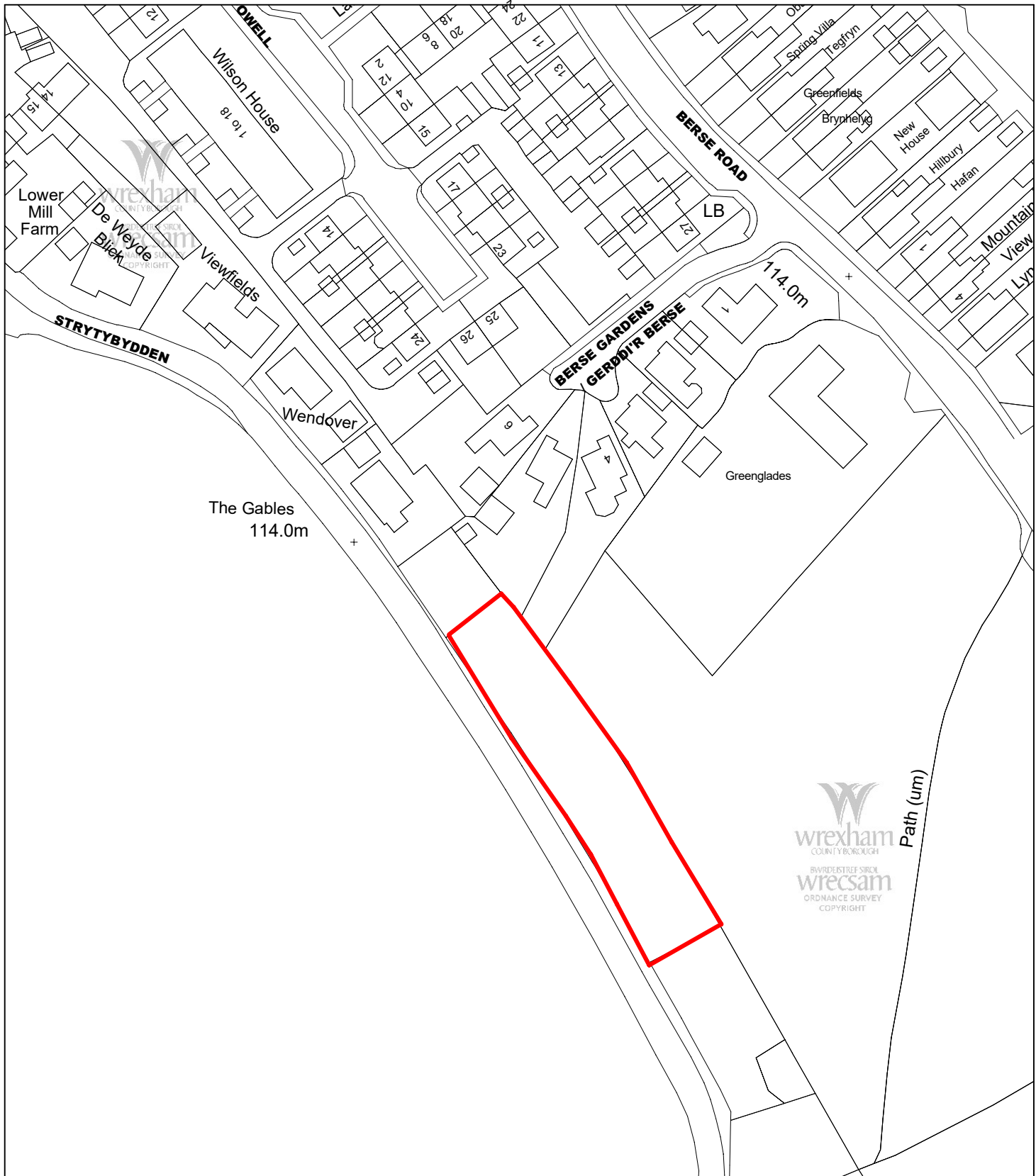
UPON the claimant's solicitor taking a good note of the hearing and undertaking to provide a typed copy to the defendants or any other person upon request


**IT IS ORDERED:**

1. Until further order, the defendants:
  - a) Shall not (whether by themselves or by instructing or encouraging any other person) undertake any development (as defined by section 55 of the Town and Country Planning Act 199) at the site without the written consent of the claimant's solicitor. For the avoidance of doubt, the defendants are forbidden from excavating/importing/exporting material, altering the ground levels, bringing on any caravans/mobiles, erecting any buildings/structures or starting any residential use of the site.
  - b) If they wish to sell or lease the site, they must provide a copy of this order to the proposed purchaser/tenant before sale and shall provide the full name and contact

details of the new purchaser/tenant to the claimant's solicitor within 24 hours of the exchange of contracts.

2. The site referred to in this order is that known land at Stryt y Bydden, Caego, Wrexham as delineated in red on the attached plan.
3. The claimant shall personally serve the first defendant with a copy of this order together with the claim form, application and evidence in support.
4. In order to effect service on the 2<sup>nd</sup> defendant, the claimant shall:
  - a) Affix a laminated copy of this order at a conspicuous place at the entrance to the property so that it comes to the attention of others.
  - b) Provide a copy of this order to the first defendant's contractors who have previously worked at the property and undertaken the unauthorised work.
  - c) Load up a copy of this order on to the claimant's website
  - d) There shall be deemed service within 1 hour of the aforementioned steps having been completed.
5. Liberty to the defendants to apply to set aside or vary this order upon 48 hours written notice.
6. The matter shall return to Court on 13 May 2022 with a time estimate of 1 hour. At this hearing, the Court shall consider whether the interim order was properly made, whether its terms ought to be varied or discharged and decide whether further relief should be granted.
7. Costs reserved.



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	<b>Wrexham County Borough Council</b>	
<b>Scale</b>		<b>1:1250</b>
<b>Centre</b>		<b>331245.575 351025.609</b>