

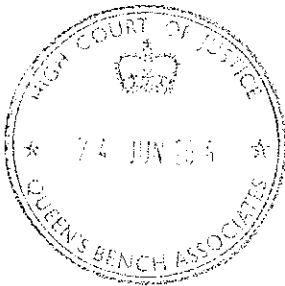
CLAIM NO: HQ 16X00618

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

IN THE MATTER OF  
SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE MR JUSTICE MITTING  
On 16<sup>th</sup> June 2016

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



**BROADS AUTHORITY**

**-and-**

- (1) ROGER WOOD**
- (2) CAYENNE MARINE LIMITED**

**Claimant**

**Defendants**

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**ORDER**

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**UPON HEARING** Mr William Upton for the Claimant and Mr Ned Westaway for the Defendants

**IT IS ORDERED THAT**

1. There shall be an injunction in the form attached to this Order;
2. The Defendants shall pay two-thirds of the Claimant's costs, to be subject to detailed assessment if not agreed.

Dated 16<sup>th</sup> June 2016

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SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

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- (1) ROGER WOOD
- (2) CAYENNE MARINE LIMITED

Defendants

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INJUNCTION ORDER

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PENAL NOTICE

TO THE DEFENDANTS AND  
ANYONE SERVED WITH A COPY OF THIS INJUNCTION ORDER

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

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING  
WHICH HELPS OR PERMITS THE DEFENDANTS OR ANYONE SERVED WITH A  
COPY OF THIS ORDER OR EACH OF THEM TO BREACH THE TERMS OF THIS  
ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE  
IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

WHEREAS:-

This Order sets out the terms of the injunction restraining the use of the Land at the western end of Thorpe Island, Norwich NR7 0TH as defined in this Order and referred to in the Interim Order of the High Court dated 16<sup>th</sup> March 2016

## **IT IS ORDERED THAT:-**

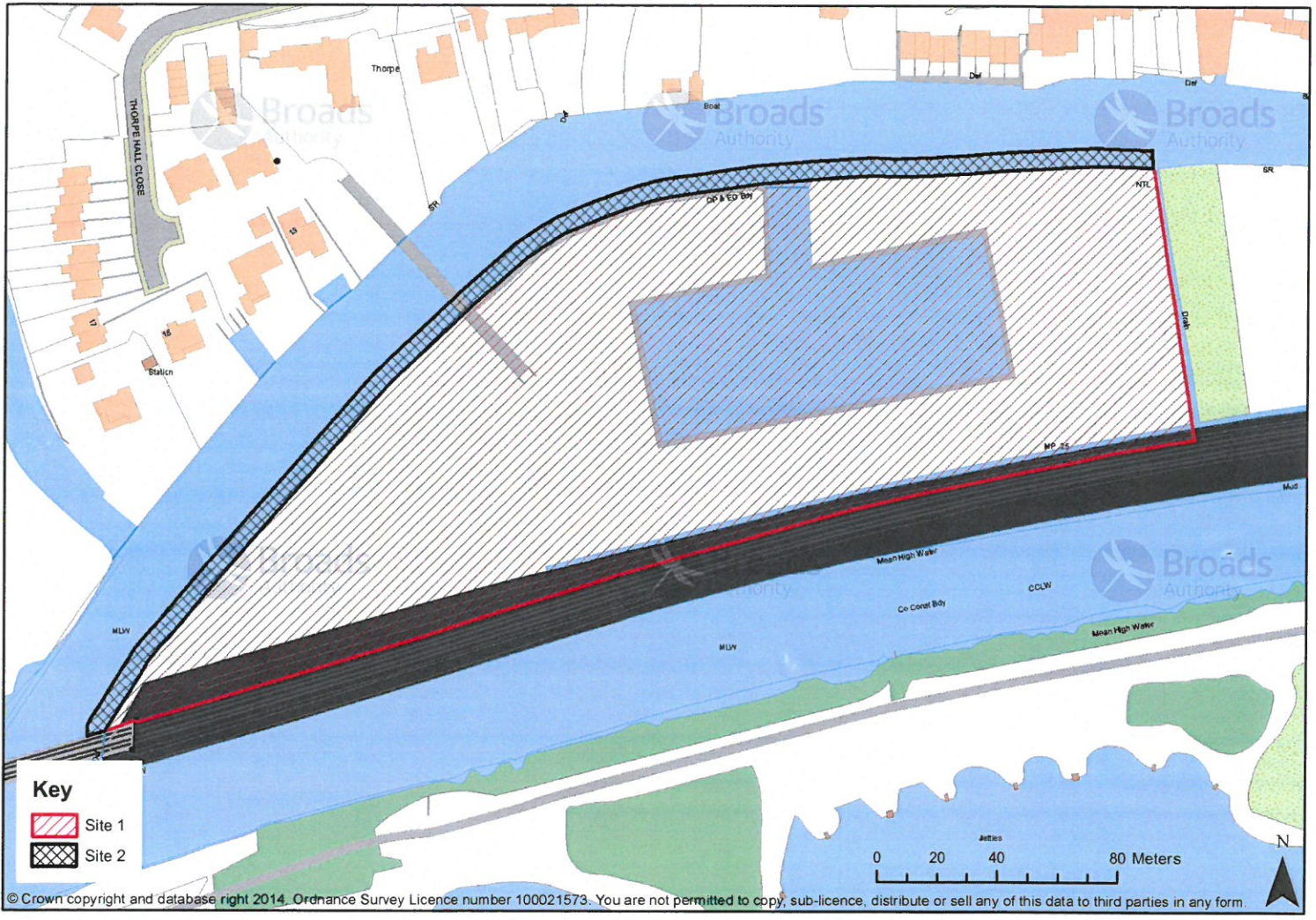
In relation to the land and riverbank at the western end of Thorpe Island, Norwich NR7 0TH, and shown as Sites 1 and 2 on the Plan attached to this Order ("the Land") the Defendants whether by themselves or by authorising any other person must:

1. Not permit the mooring of more than 21 vessels at any one time in the basin in Site 1;
2. Not permit the occupation of any vessel as a main residence or for more than 28 days in a year;
3. Within four months, remove all boats and pontoons in the basin in Site 1 and cease the use of the basin for mooring, unless
  - a. within three months, details capable of being consistent with those required by the planning conditions set out in the decision letter of the Planning Inspector dated 20 October 2014 are submitted as part of a planning application to the Broads Authority.
4. Not move any vessels moored in Site 1 to Site 2 unless they are moored in Site 2 for no more than four days;
5. Remove all the sunken vessels in the basin in Site 1 by 31 December 2016;
6. Remove the green container on Site 1 within four months unless a planning application is made under and in accordance with paragraph 3, and, in the event that such an application is made, must remove it within one month following final determination of the planning application.

### **Interpretation of this Order**

1. In this Order the words "the Land" means the Sites 1 and 2, as shown on the Plan attached to this Order.
2. Site 1 is hatched red on the Plan attached to this Order
3. Site 2 is cross-hatched black on the Plan attached to this Order
4. In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means both or all of them.
5. A requirement to serve on "the Defendant" means on each of them. However, the Order is effective against any Defendant on whom it served.
6. An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

7. In this Order "final determination" includes the final determination of any appeal and/or statutory challenge.



**Key**  
 [Diagonal Hatching] Site 1  
 [Cross-hatching] Site 2

0 20 40 80 Meters

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