

IN THE HIGH COURT OF JUSTICE

Claim No. KB-2026-001835

KING'S BENCH DIVISION

IN THE ROYAL COURTS OF JUSTICE

IN THE MATTER OF AN INJUNCTION PURSUANT TO SECTION 187B

OF THE TOWN AND COUNTRY PLANNING ACT 1990

B E T W E E N: -

CANTERBURY CITY COUNCIL

Claimant

- and -

(1) JOHN LLOYD

(2) ADELINE READING

(3) PERSONS UNKNOWN, BEING ANY PERSON OTHER THAN THE NAMED DEFENDANTS WHO INTENDS TO TAKE ANY OF THE STEPS PROHIBITED BY THE ORDER BELOW (EITHER BY THEMSELVES OR BY ASKING OR INSTRUCTING OR ALLOWING OR CONTRACTING ANOTHER PERSON)

Defendants

Note of Hearing

Before the hearing the Claimant's solicitors called the First Defendant, Mr Lloyd, at 14:14pm on 22 May 2026. He asked that the Judge was told the following:

He has asked that the Judge is told the following

This place is for me and family going to live.

Place we want to stay

It's no-on else's land

I've lived round all my life and want settle down and make it my own and have a stable life

[REDACTED]

The application was called on at 14:45pm on 22 May 2026.

Before the Honourable Mr Dexter Dias.

J: Ms Rowland

ER: Yes, my lord, this is an application for an interim injunction under s.187B of the Town and Country Planning Act. I represent Canterbury City Council. The Defendants are John Lloyd, Adeline Reading, and Persons Unknown. This is an application without notice. My solicitors at 14:14pm rang the Defendant and were able to get through to him and let him know of the hearing. I have what he said. I can give it to you and can read it. But to start, I can ask if you have had a chance to read in.

J: I have read the draft order and plus I looked at the statement of solicitors in the case.

ER: Do you mean Ian Farrow, the planning enforcement officer?

J: Yes

ER: There would have also been a detail of claim have you had the chance to read?

J: Yes- I would like to know what Mr Lloyd said.

ER: Yes, he informs the court, and this is me reading from email:

"This place is for me and family going to live.

[REDACTED]

Place we want to stay

It's no-on else's land

I've lived round all my life and want settle down and make it my own and have a stable life

[REDACTED]

ER: That is all I have in the email indication as to what he has said about this application.

J: Right, let's take it in stages. Thank you for attending court at such short notice. The court is grateful. It looks like the previous work was done at what date?

ER: It took place last bank holiday.

J: Yes- but what is precisely the latest work authorised without permission, what date?

ER: Between 6th of May and 8th of May. A site visit was taken, and there was a caravan on site, but there was no one present on the 6th. When they attended on the 8th they were in the caravan and said that they had moved in and so there was a material change of use between the 6th and 8th May as far as the Council are aware.

J: In terms of material changes, what was the date?

ER: The last physical development would be between the 1st may and 6th – I am unable to obtain the exact date.

J: But the last date possible is the 6th is that right?

ER: Yes, there have been no identified changes, but having said that, the photographs taken by officers yesterday show that some additional materials were brought on, which appear to be outdoor seating, which are at tab 20- pg. 122. In the top two photographs, you can see black solid outdoor seating. If you go back to page 118, you can see nothing of the sort on the land. In my submission, that shows applicants who are planning to stay on the land and looking to undertake further work.

J: those are two separate things; what it appears Mr Lloyd said is that he wants to stay- you say an inference that there will be further development?

ER: Yes, the main evidence is that a planning application was submitted on 30 January 2026 for 3 plots on exact same site, this was refused on 2nd April, and this development was commenced on the bank holiday in May. The intention was for more plots, no indication has been given what those plots, or how his intention is to use this land, or how he will continue to do so. I appreciate that it is your point about 6th.

J: Yes there are two points I need your assistance on. First yes, as you already pointed out, but secondly, why is it you notified today? What the effect is, is that Mr Lloyd doesn't have

adequate opportunity to make submissions to the court. Given that the last date is the 6th- why is it have you waited until the 22nd May to make this application?

ER: The concern is that the bank holiday would be the target weekend. This is when the anticipated development would take place.

J: When did that concern take place?

ER: in the immediate past- during this week, if not the end of last week.

J: Why didn't you make the application then? The last Bank Holiday something happened without permission, it is likely that something else could happen, but why is it that you waited till last afternoon to come in front of the court?

ER: We acted as quickly as we could in circumstances with all the information.

J: If the Council had a concern, they could have made an application earlier that would have given the Defendant a chance to be heard?

ER: An effort was made last night, and why we are here this afternoon. I appreciate the concern coming in late. It doesn't avoid the concern that development will take place at the weekend, and the prejudice is low, the Council is not asking for an order to leave the land, it is an order to stop further people coming on.

J: That is a different issue. Why is it that Mr Lloyd has effectively been deprived of the opportunity to be in front of the court, which is departure from article 6 rights. You could have served him and given it in time?

ER: The Council acted as quickly as it could.

J: How did you do that- you could have filed it after the weekend?

ER: it takes time to instruct counsel- to prepare a witness statement with all the relevant material. The Council has tried to give informal notice. It was aware of the risk of letting him know yesterday that there would be an injunction hearing and for him to start development in the circumstances.

J: you haven't given him an opportunity to be heard.

ER: I disagree, we have had some opportunity.

J: Do you say that is sufficient?

ER: In the circumstances that we are in, yes. We only received notification of the hearing minutes before 2pm. Had notice been given before the council knew hearing was taking place, Mr Lloyd would have had an opportunity to undertake development.

J: This reinforces the point - that the application should have been made earlier this week

ER: It was made as soon as the council could. While Mr Lloyd hasn't been able to come here today, an answer to this would be a short return date.

J: What do you suggest

ER: Tuesday- he has sufficient time to have his case heard. That would strike an appropriate balance in circumstances where he clearly wants to say something to the Judge, but it means an interim injunction in place over bank holiday where he has previously taken advantage where officers on leave, and conduct further development in that time.

J: You persuade me. You understand that the court has a duty to ask those questions, and you are seeking an contra mundum injunction.

ER: I know you have indicated you agree but a contra mundum injunction is for persons unknown would always be without notice, and the Mr Lloyd is in a different position to persons unknown.

J: At the forefront of my mind is the comments in Wolverhampton.

ER: yes.

The Judge and ER reviewed the draft order.

The Return date was set as 27 May 2026.

Kate Tidmarsh

22 May 2026