

From: Lorraine Cordell <lorraine32@blueyonder.co.uk>
Sent time: 24/06/2018 09:49:20 AM
To: re_wired@ymail.com
Subject: Fwd: LBE v Cordell - bundle [SEC=OFFICIAL]
Attachments: LBE v Cordell Bundle Part 1.pdf LBE v Cordell Bundle Part 2.pdf

Simon here

Sent from my iPhone

Begin forwarded message:

From: Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
Date: 21 June 2018 at 17:40:10 BST
To: Lorraine Cordell <lorraine32@blueyonder.co.uk>
Subject: LBE v Cordell - bundle [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Ms Cordell,

Please find attached a copy of the hearing bundle, for your attention. A hardcopy has also been sent to you by Post.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR.SIMON CORDELL

Defendant

BUNDLE FOR THE HEARING OF 26.06.2018

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Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

Edmonton County Court

E-mail: Ludmilla.lyavoo@enfield.gov.uk
Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 09 January, 2018

Dear Sirs

Re: The London Borough of Enfield v Cordell

Please find enclosed a new application for an ex parte application. We enclose herewith the following documents:

1. Claim form for an Injunction (Part 8).
2. Form N16 A
3. Draft Order
4. Witness Statement of Mr Nwabulsi and Mr Mathiyalagan dated 05th and 08th January 2018.

Please deduct the Court fees from the London Borough of Enfield PBA Account, which details are as follows:

PBA Account details: 0079006
Reference: LS/LI/C/155584
Fee: £308.00

Yours faithfully,



Ludmilla lyavoo
Lawyer
For the Director of Law and Governance

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk



? If you need this document in another language or format contact the service using the details above.



Claim Form (CPR Part 8)

In the Edmonton County Court

Claim no.

Fee Account no. 007 9 006

Help with Fees -
Ref no. (if applicable) **H W F -**

Claimant

THE LONDON BOROUGH OF ENFIELD
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

SEAL

Defendant(s)

MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

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

☐ Yes

☐ No

Details of claim (see also overleaf)

The Claimant seeks an injunction against the Defendant on the following terms:

MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Defendant's
name and
address

£

Court fee

Legal representative's costs

Issue date

For further details of the courts 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.

N208 Claim form (CPR Part 8) (06.16)

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Claim no.

Details of claim *(continued)*

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. Costs in the case

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

Full name Ludmilla Iyavoo

Name of claimant's legal representative's firm Enfield Council, Legal Services

signed



*(Claimant)(Litigation friend)
(Legal representative's solicitor)

position or office held Solicitor

(if signing on behalf of firm or company)

**delete as appropriate*

THE LONDON BOROUGH OF ENFIELD
LEGAL SERVICES
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

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.

3

Application for Injunction (General Form)

Name of court EDMONTON COUNTY COURT	Claim No.
Claimant's Name and Ref. THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255)	
Defendant's Name and Ref. MR SIMON CORDELL	
Fee Account no. 0079006	

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.

(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').

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

☐

By application in pending proceedings

☒

Under Statutory provision Part 1 ANTI-SOCIAL BEHAVIOUR CRIME AND DISORDER ACT 2014

☐

This application is made under Part 8 of the Civil Procedure Rules



This application raises issues under the Human Rights Act 1998

☐

Yes

☐

No

The Claimant ⁽¹⁾ THE LONDON BOROUGH OF ENFIELD applies to the court for an injunction order in the following terms:

The Defendant ⁽²⁾ MR SIMON CORDELL must ⁽³⁾

1. TO PERMIT THE CLAIMANT'S EMPLOYEES AND CONTRACTORS ACCESS INTO 109 BURNCROFT AVENUE, ENFIELD, EN3 7JQ TO CARRY OUT ROUTINE, MAINTENANCE INSPECTIONS AND NECESSARY REPAIRS WITHIN 48 HOURS OF WRITTEN NOTIFICATION.

2. TETHER HIS DOMESTIC DOG IN PUBLIC.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person) ⁽⁴⁾

2. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE PHYSICAL VIOLENCE AND VERBAL ABUSE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.

3. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE HARASSMENT, ALARM AND DISTRESS TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.

4. FROM ENGAGING OR THREATENING TO ENGAGE IN CONDUCT THAT IS LIKELY TO CAUSE NUISANCE AND ANNOYANCE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.

5. FROM PERMITTING HIS DOMESTIC DOG TO FRIGHTEN, INTIMIDATE OR THREATEN VIOLENCE TO THE CLAIMANT'S EMPLOYEES, TENANTS AND VISITORS OF THE

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.

N16A General form of application for injunction (05.14)

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BLOCK OF FLATS AT BURNCROFT AVENUE, ENFIELD.

6. A POWER OF ARREST IS ATTACHED TO PARAGRAPHS 1 TO 5 ABOVE.

7. COSTS IN THE CASE

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

And that ⁽⁵⁾

The grounds of this application are set out in the written evidence of ⁽⁶⁾ LEMMY NWABUISI, MARKANDU MATHIYALAGAN, sworn (signed) on 05th and 08th January 2018

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

This written evidence is served with this application.

This application is to be served upon ⁽⁷⁾ MR SIMON CORDELL

(8) Enter the full name and address for service and delete as required

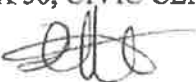
This application is filed by ⁽⁸⁾ ENFIELD COUNCIL LEGAL SERVICES

(the Solicitors for) the Claimant (Applicant/Petitioner)

whose address for service is

PO BOX 50, CIVIC CENTRE, SILVER STREET, ENFIELD, MIDDLESEX EN1 3XA

Signed



Dated 08 ~~AUGUST 2017~~ **JANUARY 2018**

Name and address of the person application is directed to

To*
of
at
on

This section to be completed by the court

This application will be heard by the (District) Judge

at **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

IN THE EDMONTON COUNTY COURT

CLAIM NUMBER:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

(CLAIMANT)

-AND-

MR SIMON CORDELL

(DEFENDANT)

DRAFT ORDER

IMPORTANT PENAL NOTICE

If you do not obey this Order you will be guilty of contempt of court and you may be sent to prison

If you, Mr Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

Before Circuit/ District Judge

The Defendant MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalagan
3. Statement No. 1
- 4.
5. Dated 5 January 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

SECOND WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of 117 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been housed to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for committal as the Defendant is in breach of the Injunction Order with Power of Arrest made against him In the County Court at Edmonton on 9th August 2017.
3. The Defendant's abusive behaviour towards my family and I stopped for some time after the Claimant obtained the Injunction against him although he continued to make general comments towards us whenever he sees me or my wife entering or leaving the block.
4. On 11th November 2017 between 11:30am and 12pm, my wife was at home when the Defendant came up to our front door, opened the letterbox and peeped through it to see who was inside our flat. He started swearing and shouting abuse and banging on the door as soon as he saw my wife. He then ran down stairs when my wife went to get her mobile phone to record the incident. My wife telephoned the police and reported the incident, CAD No. 3230 of 11/11/17. The police attended about two hours later, went and spoke to the Defendant and came informed my wife that he denied coming to our front door.
5. On 2nd January 2018 at 6:30pm, my wife was inside our flat trying to assemble a cupboard that we bought from Ikea. Our three-year-old daughter and my cousin who was asleep at the time were also in the flat. Suddenly my wife heard someone banging on our front door and she went to the door with her phone and overheard the Defendant shouting that there was noise coming from our flat. My wife told him that she was trying to assemble a cupboard but he called her a liar and accused her of deliberately banging on the floor. The Defendant then stood outside our front door for more than twenty minutes swearing and shouting abuse at my wife.

6. The Defendant went away and returned half an hour later, he lifted our letterbox flap, stuck his mobile phone through the letterbox and started to record my family while swearing and shouting abuse. This went on for about ten to fifteen minutes. The matter was reported to the police, CAD No. 5121 of 2/1/18.
7. On 3rd January at 9:30am, I was inside our flat with my wife and daughter when the Defendant came and started banging on our front door. I went and asked him what the problem was and he stated that my wife was banging on the floor yesterday for about an hour. I told him that my wife was not banging on the floor, that she was trying to assemble a cupboard but he called me a liar and continued to shout and swear at us. He threatened to kill us and burn down our property and stated that we will not be safe no matter where we are. The Defendant then forced his way into our flat but my wife managed to push him out and double-locked the door. I called the police and they came and advised us to report the matter to the council, CAD No. 2098 of 3/1/18. The officers refused to listen to the audio recording of the incident and advised that we should ask the council to re-house us.
8. The recent abuse and threats to kill from the Defendant have made it difficult for us to live in our own home. My wife is afraid to stay in our flat alone with our daughter or leave the flat alone without me or my cousin accompanying her. The Defendant's behaviour is also causing a lot of distress and anxiety not only to me and my wife but also to our three-year-old daughter.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed M. Mathiyalagan

Name: Mr Markandu Mathiyalagan

Dated this 05 January 2018

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. LN01-LN03
5. Dated 08 January 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the

Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

2. I make this Witness Statement in support of the Claimant's application dated 08th January 2018. This is my second witness statement in the above proceedings.

Backgrounds to the case

3. The Claimant obtained an interim injunction against the Defendant on 09th August 2017 under claim number D02ED073. On 13th December 2017, the Court made an order striking out the Claimant's claim on the basis that it failed to file its direction questionnaire on 17th November 2017 as directed. The Court stated that it received the Claimant's questionnaire on 20th November 2017 and therefore ordered that the Claim be struck out and that the interim injunction order be discharged.
4. The Claimant's solicitor emailed the Edmonton County Court on 14th November 2017 asking that the Claim be reinstated as it had filed its direction questionnaire on 17th November at 11.59 and was therefore within time. The email has not been responded to until today.
5. On 03rd January 2018, the Claimant filed an application notice at the Court by email asking for the Claim to be reinstated. The application was filed after the Court served an order dated 02nd January 2018 ordering the Claimant to pay the Defendant's legal costs. A copy of the application notice can be found under exhibit LN01.
6. Mr Mathiyalagan who is one of the Defendant's neighbours and resident at Flat 117 Burncroft Avenue, Enfield contacted me and complained about further incidents of anti-social behaviour he was subjected to by the

Defendant. It is also to be noted that Mr Mathiyalagan provided evidence in support of the initial injunction order.

Incidents of anti-social behaviour

7. On 14th November 2017 Mr Mathiyalagan telephoned me to report an incident that occurred at 11:30am on 11th November 2017. He reported that his wife was alone inside their flat when the Defendant came to their front door, opened the letterbox and peeped through it to see who was inside the flat. Mr Mathiyalagan stated that the Defendant started swearing and shouting abuse and banging on his front door as soon as he saw his wife. He then ran downstairs when his wife went to get her mobile phone to record the incident. He stated that his wife called the police, CAD No. 3230 of 11th November 2017 and the police attended and went and spoke to the Defendant and came and informed his wife that he denied coming to their front door. A file note of this report is under exhibit LN02.
8. On 5th January 2018 Mr and Mrs Mathiyalagan met with me to report recent incidents that occurred on 2nd and 3rd January 2018. Mr Mathiyalagan reported that on 2nd January 2018 at 6:30pm, his wife was inside their flat trying to assemble a cupboard, she was with their 3-year-old daughter and a cousin who was asleep at the time. He stated that suddenly his wife heard someone banging on their front door. She went to the door with her phone and overheard the Defendant shouting that there was noise coming from their flat. His wife told the Defendant that she was trying to assemble a cupboard but he called her a liar and accused her of deliberately banging on the floor. The Defendant then stood outside his front door for more than twenty minutes swearing and shouting abuse at his wife. Mr Mathiyalagan stated that the Defendant went away and returned half an hour later, he lifted his letterbox flap, stuck his mobile phone through the letterbox and started to record his family while swearing

and shouting abuse at his wife. This went on for about fifteen minutes. The matter was reported to the police, CAD No. 5121 of 2nd January 2018.

9. Mr Mathiyalagan also stated that on 3rd January 2018 at 9:30am, the Defendant came to his front door and started banging on the door. He went and asked him what the problem was and he complained that his wife was banging on the floor the previous day for about an hour. He explained to the Defendant that his wife was not banging on the floor, that she was trying to assemble a cupboard but he called him a liar and continued to swear and shout abuse at him and his wife. Mr Mathiyalagan also stated that the Defendant threatened to kill him and his family and said to him that they will not be safe from him no matter where they are. Mr Mathiyalagan stated that the Defendant then forced his way into their flat but his wife managed to push him out and double-locked the door. He called the police, CAD No. 2098 of 3rd January 2018 and police officers attended and advised them to report the matter to the council. A file note of this report is under exhibit LN3.

10. Mr Mathiyalagan stated that him and his wife recorded the incidents on their mobile phones and played the recordings to me. One of the recordings clearly showed a person whom I believe to be the Defendant looking through Mr Mathiyalagan's letterbox with a mobile phone on one hand. On the other recordings, I could clearly hear a person whom I also believe to be the Defendant shouting, swearing and making death threats to Mr and Mrs Mathiyalagan.

11. Mr and Mrs Mathiyalagan have stated the Defendant's behaviour is causing him and his family a lot of distress and anxiety. They have reported that they are afraid to live in their own home because of the Defendant's recent threats to kill. Mr Mathiyalagan have also stated that his wife and three-year-old daughter are afraid to stay in the flat on their own or leave the flat alone without him or his cousin accompanying them. He

stated that the recent threats from the Defendant has made it difficult for them to live in their own home and that they are constantly having to double lock their front door for fear that the Defendant may break into their flat again.

ORDER SOUGHT FROM THE COURT

- **Request that the Claim and interim injunction order of 09th August 2017 be reinstated**

12. The Claimant has in its application notice dated 03rd January 2018 provided evidence that it filed its questionnaire on time. As such the Claim should have never been struck out and the Court is asked respectfully, to reinstate the Claim and the injunction order.

13. The Claimant's legal department contacted the police on 05th January 2018 and enquired as to the reasons why no arrests were made to the Defendant on 11th November 2017 while a civil injunction was in place. The police officer looked at the file notes and explained that at the time the incident was reported by Mr Mathiyalagan, they were not aware of the injunction although it was served to a different department. The Defendant also denied the incident and Mr Mathiyalagan could not prove that the incident took place. The police have now referred this incident to an investigating officer and created a crime reference number 5200 37618.

14. The Claimant also advised the police of the incidents dated 02nd and 3rd January 2018 but the police confirmed that they could not take actions as at the time of the incidents the civil injunction was discharged by the Court. The police advised that had the injunction been in place, the Defendant

could have well been arrested in light of Mr Mathiyalagan being able to evidence the incident by way of the audio recordings.

15. The recent incidents and death threats are extremely serious and I have concerns that the Defendant may escalate his actions further. Mr Mathiyalagan and his family do not feel safe anymore and on that basis, It would be of great assistance if the Claim and injunction order be reinstated as soon as possible.

- **Declaration from the Court that the injunction order has been effective throughout the period of 13th December 2017 to present**

16. The interim injunction order was discharged purely because of a technicality, however had the Court realised that the Claimant had filed the questionnaire on time, it would not have struck out the Claim.

17. The Court should note that the Defendant started to act anti-socially again, soon after he was notified by the Court that the interim order has been discharged. Unfortunately, because the Claim was struck out the Claimant and the police are currently not able to take any actions against the Defendant. It is on that basis that we would like to ask the Court for a declaration that that the interim injunction order has been effective since 13th December 2017 and that the Defendant has been in breach of the interim injunction order dated 09th August 2017.

18. However, in the event that the Court cannot make such a declaration, we would ask the Court to make a new injunction order to cover the recent incidents dated 02nd and 3rd January 2018 and enclose a new claim for an injunction for the Court's consideration.

Permission to bring and serve an application for the Defendant's committal under CPR 81.

19. In the event that the Court agrees to reinstate the injunction and to make a declaration that the Defendants has acted against the terms of the injunction dated 09th August 2017, it is the Claimant's intention to bring an application for committal against the Defendant. Therefore, we would like permission from the Court to bring and serve an application for the Defendant's committal under CPR 81 for breaches of the terms of the injunction for the incidents dated 11th November 2017, 02nd and 3rd January 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 08th January 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT LN1

This is the exhibit LN1 of the witness statement of Lemmy Nwabuisi dated 08th January 2018.

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Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

Edmonton County Court
DX: 136686 Edmonton 3

E-mail: Ludmilla.lyavoo@enfield.gov.uk
Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/CL/157255
Your Ref: D02ED073
Date: 03 January, 2018

Also by email

Dear Sirs

Re: The London Borough of Enfield v Cordell
Claim Number: D02ED073

Further to the above matter, please find enclosed 3 copies of the following documents:

1. Application notice dated 03rd January 2018; seeking to set aside the Court orders dated 13.12.2017 and 02.01.2018.
2. Witness statement of Ms Ludmilla lyavoo in support of the application
3. A draft Court order

We would be grateful if the enclosed application could be dealt with as a matter of urgency.
The Defendant's representatives are copied in.

Yours faithfully,


Ms Ludmilla lyavoo
Lawyer
For the Director of Law and Governance

CC. Defendant's solicitors- Mr Onwusiri of VLA Solicitors

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk


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? If you need this document in another language or format contact the service using the details above.

N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court Edmonton County Court	Claim no. D02ED073
Fee account no. (if applicable) 007 9 006	Help with Fees - Ref. no. (if applicable) H W F - [] [] - [] []
Warrant no. (if applicable)	
Claimant's name (including ref.) The London Borough of Enfield (LS/LI/C/157255)	
Defendant's name (including ref.) Mr Simon Cordell (VLS/EO/H/CORDELL/17)	
Date	03.01.2017

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

The London Borough of Enfield, Legal Services

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?

1. To set aside the order dated 13.12.2017 striking out the claim and discharging the injunction dated 09.08.2017.2. To set aside the order dated 02.01.2018 ordering the Claimant to pay the Defendant's costs
 3. The Defendant to pay the Claimant's legal costs.

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 telephone hearing
6. How long do you think the hearing will last?
 Hours Minutes
 Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

The Defendant

- 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.

The Claimant was ordered by the Court on 06 November 2017 to file and serve a copy of its directions questionnaire by no later than 17 November 2017. The Claimant did so and emailed a copy of its questionnaire to the Court's enquiry inbox on 17 November 2017 at 11:59. However the Court made an order on 13 December 2017 applying the sanction of 06 November 2017 order on the basis that it only received the hardcopy of the directions questionnaire on 20 November 2017. The Court when making this order disregarded the fact that the questionnaire was effectively filed by the Claimant by email on 17 December and therefore within the deadline. The Claimant emailed the Court on 14 December 2017 with evidence that it had effectively filed his allocation questionnaire on 17 December and asking that the Claim and injunction order be reinstated, but received no response to this correspondence as to date.

Furthermore the Defendant's solicitors filed an application notice on 21 December 2017, asking that the Claimant pays the Defendant's costs as a result of the claim being struck out. The application was made without notice. The Court considered the application on 02 January 2018 and made an order that the Claimant pays the Defendant's legal costs on a standard basis. The Claimant therefore makes this application to set aside the Court orders dated 13 December 2017 and 02 January 2018.

Statement of Truth

~~(I believe)~~ (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Dated 03.01.2018

Applicant's legal representative's (solicitor's) (litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm

London Borough of Enfield, Legal Services

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed



Dated 03.01.2018

Applicant's legal representative's (solicitor's) (litigation friend)

Position or office held Solicitor

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Civic Centre Enfield Postcode <u>E N 1</u> <u>3 X A</u>	<table border="1"> <thead> <tr> <th colspan="2">If applicable</th> </tr> </thead> <tbody> <tr> <td>Phone no.</td> <td>0208 379 8323</td> </tr> <tr> <td>Fax no.</td> <td></td> </tr> <tr> <td>DX no.</td> <td>90609 Enfield 1</td> </tr> <tr> <td>Ref no.</td> <td>LS/C/LI/157255</td> </tr> </tbody> </table>	If applicable		Phone no.	0208 379 8323	Fax no.		DX no.	90609 Enfield 1	Ref no.	LS/C/LI/157255
If applicable											
Phone no.	0208 379 8323										
Fax no.											
DX no.	90609 Enfield 1										
Ref no.	LS/C/LI/157255										
E-mail address <u>ludmilla.iyavoo@enfield.gov.uk</u>											

IN THE EDMONTON COUNTY COURT

CLAIM NUMBER: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

(CLAIMANT)

-AND-

MR SIMON CORDELL

(DEFENDANT)

COURT ORDER

**Before District Judge
January 2018.**

sitting at the Edmonton County Court on

**And UPON considering the Claimant's application notice dated 03rd January 2018
and the statement of Ms Ludmilla Iyavoo in support.**

IT IS ORDERED THAT:

- 1. The Claim be reinstated**
- 2. The interim injunction order made by the Court on 09th August 2017, continues to remain in force.**
- 3. The matter be listed for a trial for the first opened date after 04th January 2018.**
- 4. The Defendant is ordered to pay the Claimant's legal costs which it had incurred as a result of this application.**

Dated: January 2018

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1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MS LUDMILLA IYAVOO

I, Ms Ludmilla Iyavoo, of the London Borough of Enfield, Silver Street, Enfield EN1 3XA make this statement believing it to be true and understand that it may be placed before the court.

Insofar as the contents of this witness statement are within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the Claimant as an in-house lawyer and have been so employed since September 2016. I have had the main conduct of this claim.
2. I am making this witness support in support of the Claimant's application notice dated 03rd January 2018, seeking to set aside the orders made by the Court respectively on 13th December 2017 and 02nd January 2017.

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Backgrounds facts

3. This matter was allocated to the Claimant's Legal Services department in August 2017, following many complaints received from some of the Claimant's employees and residents living in the same block as the Defendant. The Claimant's anti-social behaviour team instructed our legal services to issue an application for an injunction under the Anti- Social Behaviour, Crime and Policing Act 2014.
4. An ex-parte application was made and the Court made an interim injunction order against the Defendant on 09th August 2017. The matter was re-listed for a return hearing on 21st August 2017 but adjourned to 25th September 2017 where the Defendant attended with his legal representative. The Defendant indicated that it wished to defend the claim and some directions order was made.
5. The parties were ordered to file their directions questionnaire by 23rd October 2017, however this deadline was overlooked by me and the Court made an order on 06th November 2017 asking the Claimant to file a completed directions questionnaire by 4pm on 17th November 2017. A copy of the Order can be found under exhibit LI1.
6. On 17th November 2017 at 11:59, I sent an email to the Court on the following address: enquiries@edmonton.countycourt.gsi.gov.uk, with a copy of the Claimant's directions questionnaire. The Defendant's solicitors were also copied in to this email. A copy of this email is attached in exhibit LI2.
7. Just before filing the directions questionnaire with the Court, I contacted the Defendant's solicitors on 16th November 2017, Mr Emmanuel Onwusiri of VLS Solicitors, with a suggested draft directions order. However he responded by saying that it was not necessary to agree directions in the proposed form. He was therefore fully aware of the fact that I was about to file the Claimant's directions questionnaire. A copy of my email correspondence to Mr Onwusiri can be found in exhibit LI3.

8. I then received an order from the Court dated 13th December 2017, advising me that a judge has considered the file and having seen that the questionnaire was received on 20th November 2017, has decided to apply the sanction as set out in the order dated 06th November 2017. As a result the Claim was struck out and the interim injunction made on 09th August 2017 was discharged. A copy of the order is attached under exhibit LI4.
9. Upon receiving the above order, I emailed the Defendant's solicitors Mr Onwusiri and advised him that the Court made the order in error as the Claimant had filed the directions questionnaire electronically on 17th November 2017. Mr Onwusiri was fully aware of this fact as he was copied in to the email. A copy of my email to Mr Onwusiri dated 15th December 2017 can be found under exhibit LI5.
10. On 14th December 2017, Ms Zena Ndereyimana on behalf of the Claimant's legal services emailed the Edmonton County Court advising that Claimant's directions questionnaire was emailed to the Court on 17th November 2017 and provided evidence in support. The email requested that the Court reconsider the order dated 13th December 2017 as the Claimant has complied with the earlier directions order made on 06th November 2017. A copy of the email correspondence to the Court can be found in exhibit LI6.
11. **The Claimant has received no response from the Court following the email it sent out on 14th November 2017.**
12. On 03rd January 2017 I received an order from the Edmonton County Court ordering the Claimant to pay the Defendant's costs of the action on a standard basis to be assessed if not agreed. Please refer to exhibit LI7. The order was made after the Defendant's representatives filed an application notice at Court on 21st December 2017. The application was only received by the Claimant on 27 December 2017 and as I was on annual leave, the application notice only came to my attention on 03rd January 2017 so I was not able to respond.

13. It was inappropriate for the Defendant's representatives to have made this application as he was fully aware of the fact that our directions questionnaire was duly filed at Court on 17th November 2017. He was copied in to all the correspondence sent to the Court. He was also advised by me that the Court must have made an error when it stated to have received the order on 20th November 2017 while clearly it received it electronically on 17th November 2017. I am of the view that the Defendant's representatives have taken advantage of the situation as when making this application he already knew of the fact that the Claimant's questionnaire was filed on 17th November 2017 and there could be a possibility of the Court reconsidering its decision of striking out the Claim. I find his conduct against the spirit of the Civil Procedures Rules which encourage parties to cooperate, communicate and try to resolve dispute out of Court. The Court order dated 02nd January 2018 could have been avoided had the Defendant acted with more fairness and this conduct has partly triggered the necessity to make this application notice which means that the Claimant is now incurring more costs.

14. I am also instructed that since the Court made the interim injunction order on 09th August 2017, the Defendant's anti-social behaviour has ceased towards the neighbours and no complaints have been received from them. I am therefore of the view that the residents and employees of the Claimant could be prejudiced if the Claim and interim injunction order were not reinstated.

15. As a result of the above, we would like the Court to set aside the orders made on 13th December 2017 and 02nd December 2018. The Claimant would also like the Claim and interim injunction to be reinstated and an order that the Defendant pays the Claimant's costs as his conduct has led to the necessity to make the present application.

Statement of Truth

I believe the facts in this Witness Statement are true. I am dully authorised by the Claimant to sign this statement on its behalf.

Signed 

Dated this 03rd January 2018

1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 1

This is the Exhibit LI 1 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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General Form of Judgment or Order

In the County Court at
Edmonton

Claim Number	D02ED073
Date	9 November 2017



LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/LI/157255
MR SIMON CORDELL	1 st Defendant Ref VLS/EO/H/ CORDELL/17

Before District Judge Cohen sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Of the Court's own initiative and upon the claimant having failed to file a directions questionnaire

IT IS ORDERED THAT

1. The Claimant do file a completed directions questionnaire by 4.00 pm on 17 November 2017.
2. If the Claimant fails to comply with paragraph 1 of this order the injunction of 9th August 2017 do stand discharged without further order and the claim do stand struck out without further order.
3. Permission to either party to apply to set aside, vary or stay this order by an application on notice which must be filed at this Court not more than 3 days after service of this order.

Dated 6 November 2017

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: Ms M Tucker
CJR065C

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1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 2

This is the Exhibit LI 2 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

Ludmilla Iyavoo

From: Ludmilla Iyavoo
Sent: 17 November 2017 11:59
To: Edmonton County, Enquiries
Cc: emmanuel
Subject: London Borough of Enfield v Cordell-D02ED073
Attachments: LBE-SV-PRN-002_PR-ECCBS-GPV59544-IRC5046_1714_001.pdf

Categories: Egress Switch: Unclassified

Dear Sirs,

Please find attached a copy of the Claimant's correspondence with enclosures for the Court's attention.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

To the Court Manager
Edmonton County Court
DX 136688 Edmonton 3

E-mail : Ludmila.Iyavoo@enfield.gov.uk
Phone : 0208 379 8323
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref : D05ED073
Date : 17 November, 2017

Also by email to :
enquiries@edmonton.countycourt.gsi.gov.uk

Dear Sirs

URGENT

Re: The London Borough of Enfield v Cordell
Claim number: D05ED073

Further to the Order made by the Edmonton County Court on 09th November 2017, please find enclosed a copy of the Claimant's Directions questionnaire with a proposed directions order.

A copy of the enclosed documents have been sent to the Defendant's representatives.

We look forward to hearing from you.

Yours faithfully,


Ludmila Iyavoo,
Lawyer

for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources
and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk


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 If you need this document in another language or format contact the service using the details above.

Directions questionnaire (Fast track and Multi-track)

In the
Edmonton County Court

Claim No.
D05ED073

To be completed by, or on behalf of,

The London Borough of Enfield

who is [1st][2nd][3rd] [] (Claimant) (Defendant) (Part 20 claimant) in this claim

You should note the date by which this questionnaire must be returned and the name of the court it should be returned to since this may be different from the court where the proceedings were issued.

If you have settled this claim (or if you settle it on a future date) and do not need to have it heard or tried, you must let the court know immediately.

If the claim is not settled, a Judge will allocate it to an appropriate case management track. To help the Judge choose the most just and cost-effective track, you must now complete the directions questionnaire.

You should write the claim number on any other documents you send with your directions questionnaire. Please ensure they are firmly attached to it.

A Settlement

Notes

Under the Civil Procedure Rules parties should make every effort to settle their case before the hearing. This could be by discussion or negotiation (such as a roundtable meeting or settlement conference) or by a more formal process such as mediation. The court will want to know what steps have been taken. Settling the case early can save costs, including court hearing fees.

For legal representatives only

I confirm that I have explained to my client the need to try to settle; the options available; and the possibility of costs sanctions if they refuse to try to settle.

☒ I confirm

For all

Your answers to these questions may be considered by the court when it deals with the questions of costs: see Civil Procedure Rules Part 44.

1. Given that the rules require you to try to settle the claim before the hearing, do you want to attempt to settle at this stage?
2. If Yes, do you want a one month stay?
3. If you answered 'No' to question 1, please state below the reasons why you consider it inappropriate to try to settle the claim at this stage.

☒ Yes ☐ No

☐ Yes ☒ No

Reasons:

The Claimant will consider settling the case on the basis that the Defendant agrees to give an undertaking in the terms of the order made by the Edmonton County Court on 09.08.2017. However this is not something that the Defendant is willing to consider.

The court may order a stay, whether or not all the other parties to the claim agree. Even if you are requesting a stay, you must still complete the rest of the questionnaire. More information about mediation, the fees charged and a directory of mediation providers is available online from www.civilmediation.justice.gov.uk. This service provides members of the public and businesses with contact details for national civil and commercial mediation providers, all of whom are accredited by the Civil Mediation Council.

B Court

B1. (High Court only)

The claim has been issued in the High Court. Do you consider it should remain there?

☐ Yes

☒ No

If Yes, in which Division/List?

If No, in which County Court hearing centre would you prefer the case to be heard?

B2. Trial (all cases)

Is there any reason why your claim needs to be heard at a court or hearing centre?

☒ Yes

☐ No

If Yes, say which court and why?

Edmonton County Court being the Defendant's local Court.

Notes

High Court cases are usually heard at the Royal Courts of Justice or certain Civil Trial Centres. Fast or multi-track trials may be dealt with at a Civil Trial Centre or at the court where the claim is proceeding.

C Pre-action protocols

You are expected to comply fully with the relevant pre-action protocol.

Have you done so?

☒ Yes

☐ No

If you have not complied, or have only partially complied, please explain why.

Before any claim is started, the court expects you to have complied with the relevant pre-action protocol, and to have exchanged information and documents relevant to the claim to assist in settling it. To find out which protocol is relevant to your claim see: www.justice.gov.uk/guidance/courts-and-tribunals/courts/procedure-rules/civil/menus/protocol.htm

D Case management information

D1. Applications

Have you made any application(s) in this claim?

☐ Yes

☒ No

If Yes, what for? (e.g. summary judgment, add another party).

For hearing on

☐☐☒☐☐☐☐☐

D2. Track

If you have indicated in the proposed directions a track attached which would not be the normal track for the claim, please give brief reasons below for your choice.

D1. Applications

It is important for the court to know if you have already made any applications in the claim (or are about to issue one), what they are for and when they will be heard. The outcome of the applications may affect the case management directions the court gives.

D2. Track

The basic guide by which claims are normally allocated to a track is the amount in dispute, although other factors such as the complexity of the case will also be considered. Leaflet *EX305 – The Fast Track and the Multi-track*, explains this in greater detail.

D Case management information (continued)

Notes

D3. Disclosure of electronic documents (multi-track cases only)

If you are proposing that the claim be allocated to the multi-track:

1. Have you reached agreement, either using the Electronic Documents Questionnaire in Practice Direction 31B or otherwise, about the scope and extent of disclosure of electronic documents on each side? ☐ Yes ☐ No
2. If No, is such agreement likely? ☐ Yes ☐ No
3. If there is no agreement and no agreement is likely, what are the issues about disclosure of electronic documents which the court needs to address, and should they be dealt with at the Case Management Conference or at a separate hearing?

D4. Disclosure of non-electronic documents (all cases)

What directions are proposed for disclosure?

For all multi-track cases, except personal injury.

Have you filed and served a disclosure report (Form N263) (see Civil Procedure Rules Part 31)?

☐ Yes ☐ No

Have you agreed a proposal in relation to disclosure that meets the overriding objective?

☐ Yes ☐ No

If Yes, please ensure this is contained within the proposed directions attached and specify the draft order number.

E Experts

Do you wish to use expert evidence at the trial or final hearing?

☐ Yes ☒ No

Have you already copied any experts' report(s) to the other party(ies)?

☒ None yet obtained☐ Yes ☐ No

Do you consider the case suitable for a single joint expert in any field?

☐ Yes ☒ No

There is no presumption that expert evidence is necessary, or that each party will be entitled to their own expert(s). Therefore, the court requires a short explanation of your proposals with regard to expert evidence.

E Experts (continued)

Notes

Please list any single joint experts you propose to use and any other experts you wish to rely on. Identify single joint experts with the initials 'SJ' after their name(s). Please provide justification of your proposal and an estimate of costs.

Expert's name	Field of expertise (e.g. orthopaedic surgeon, surveyor, engineer)	Justification for expert and estimate of costs

F Witnesses

Which witnesses of fact do you intend to call at the trial or final hearing including, if appropriate, yourself?

Witness name	Witness to which facts
Mr Lemmy Nwabulsi Mr Neville Gray 3 other witnesses	Anti-social behaviour Same Same

G Trial or Final Hearing

How long do you estimate the trial or final hearing will take?

☐ less than one day☒ one day☐ more than one day Hrs State number of days

Give the best estimate you can of the time that the court will need to decide this case. If, later you have any reason to shorten or lengthen this estimate you should let the court know immediately.

Are there any days within the next 12 months when you, an expert or an essential witness will not be able to attend court for trial or final hearing?

You should only enter those dates when you, your expert(s) or essential witnesses will not be available to attend court because of holiday or other commitments.

If Yes, please give details

Name	Dates not available

You should notify the court immediately if any of these dates change.

H Costs

Notes

Do not complete this section if:

- 1) you do not have a legal representative acting for you
- 2) the case is subject to fixed costs

If your claim is likely to be allocated to the Multi-Track form Precedent H must be filed at in accordance with CPR 3.13.

I confirm Precedent H is attached. ☐

I Other information

Do you intend to make any applications in the future?

☐ Yes

☒ No

If Yes, what for?

In the space below, set out any other information you consider will help the judge to manage the claim.

The Defendant is known to display aggressive behaviour at Court.

J Directions

Notes

You must attempt to agree proposed directions with all other parties. Whether agreed or not a draft of the order for directions which you seek must accompany this form.

All proposed directions for multi-track cases must be based on the directions at www.justice.gov.uk/courts/procedure-rules/civil

All proposed directions for fast track cases must be based on CPR Part 28.

Signature



Date

1 6 / 1 1 / 2 0 1 7

[Legal Representative for the ~~144(2)(a)(i)~~
[Claimant][Defendant][Part 20 claimant]

Please enter your name, reference number and full postal address including details of telephone, DX, fax or e-mail

London Borough of Enfield Legal Services PO BOX 50 Civic Centre Enfield Postcode <table border="1"><tr><td>E</td><td>N</td><td>1</td><td></td><td></td><td></td></tr><tr><td>3</td><td>X</td><td>A</td><td></td><td></td><td></td></tr></table>	E	N	1				3	X	A				If applicable	
E	N	1												
3	X	A												
Telephone no.	0208 367 8323													
Fax no.	020 8379 6492													
DX no.	90615 Enfield 1													
Your ref.	LS/C/LI/157255													
E-mail <table border="1"><tr><td>Ludmilla. Iyavoo@enfield.gov.uk</td></tr></table>			Ludmilla. Iyavoo@enfield.gov.uk											
Ludmilla. Iyavoo@enfield.gov.uk														

IN THE EDMONTON COUNTY COURT

CLAIM NUMBER: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

(CLAIMANT)

-AND-

MR SIMON CORDELL

(DEFENDANT)

DIRECTIONS ORDER

**Before District Judge
November 2017.**

sitting at the Edmonton County Court on

IT IS ORDERED THAT:

- 1. The matter be allocated to the Fast Track**
- 2. The parties should exchange their witness statements simultaneously on 14th December 2017, 4pm.**
- 3. The matter be listed for a trial for the first opened date after 04th January 2018.**
- 4. No order as to costs.**

Dated: November 2017

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1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT LI 3

This is the Exhibit LI 3 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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Ludmilla Iyavoo

From: emmanuel <emmanuel@vissolicitors.com>
Sent: 17 November 2017 11:15
To: Ludmilla Iyavoo
Subject: RE: LBE v Cordell-D05ED073 [SEC=OFFICIAL]

Dear Ludmilla,

The section J requires parties to agree directions if possible but not in the form of draft order as you have done. I will suggest that we leave it for the court to give directions.

Kind regards,
Emmanuel

From: Ludmilla Iyavoo [<mailto:Ludmilla.Iyavoo@enfield.gov.uk>]
Sent: 17 November, 2017 10:23 AM
To: emmanuel
Subject: RE: LBE v Cordell-D05ED073 [SEC=OFFICIAL]

Dear Emmanuel,

I will invite you to consider section J (last page) of the Directions questionnaire. If no consent can be provided to the draft emailed over to you yesterday, I will just send it as it is and ask the Court to decide on it.

I hope to hear from you by 12noon today.

Kind regards

Ludmilla

From: emmanuel [<mailto:emmanuel@vissolicitors.com>]
Sent: 16 November 2017 17:28
To: Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
Subject: RE: LBE v Cordell-D05ED073 [SEC=OFFICIAL]

Dear Ludmilla,

Further to your email the order says that you file directions questionnaire therefore there is no need for draft directions in this kind of matter.

Kind regards,
Emmanuel Onwusiri

From: Ludmilla Iyavoo [<mailto:Ludmilla.Iyavoo@enfield.gov.uk>]
Sent: 16 November, 2017 5:09 PM
To: emmanuel@vissolicitors.com
Subject: LBE v Cordell-D05ED073 [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Emmanuel,

The Claimant has been ordered to file its directions questionnaire by close of business tomorrow. I attach a draft directions order and would ask you that this be agreed by 12 noon tomorrow.

I look forward to hearing from you.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL



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<http://www.enfield.gov.uk>

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This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.

1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 4

This is the Exhibit LI 4 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

44



**HM Courts
& Tribunals
Service**

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

**HM Courts & Tribunals Service
The County Court at Edmonton
59 Fore Street
London
N18 2TN**

DX 136686 EDMONTON 3

**T 020 8884 6500
F _____**

www.gov.uk

Your ref: LS/C/LI/157255

13 December 2017

Dear Sir/Madam

Re: Case Number: D02ED073 London Borough Of Enfield v Mr Simon Cordell

The file was referred to the District Judge and his comments are :

"Your Directions Questionnaire was received by the court on 20/11/17. Therefore the sanction on the order of 6/11/17 applies."

Yours sincerely,

Vas.

**Ourvasse Cundapan
Back Office Section
Ext**

c.c: defendants



C BLANK

45

1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 5

This is the Exhibit LI 5 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

46

Ludmilla Iyavoo

From: Ludmilla Iyavoo
Sent: 15 December 2017 13:36
To: 'emmanuel'
Subject: RE: LBE v Cordell

Categories: Egress Switch: Unclassified

Dear Emmanuel,

There's a mistake from the Court as the order should not be discharged and will without a doubt be reinstated in due course. If your client is found to be in breach of the terms of the injunction, we reserve the right to take further actions against your client. Your client should continue to respect the terms of the order as we have advised the court that the order has been discharged due to an internal admin. Error. I hope he will be advised of our position.

Kind regards

Milla

—Original Message—

From: emmanuel [mailto:emmanuel@vlsolicitors.com]
Sent: 15 December 2017 13:00
To: Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
Subject: RE: LBE v Cordell

Dear Ludmilla,

The Order discharging the injunction and striking out your claim subsists until set aside.

Kind regards,
Emmanuel Onwusiri.

—Original Message—

From: Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
Sent: 15 December, 2017 12:41 PM
To: emmanuel
Subject: LBE v Cordell

Dear Emmanuel,

Please see attached a copy of the Court order. Our direction questionnaire was filed electronically on 17th November 2017 at 12 noon. I have emailed the Court yesterday with evidence and will advise them that the injunction should continue as our questionnaire was filed by the given deadline. I hope you will advise your client to continue to comply with the terms of the Interim injunction ordered by the Court on 09th August 2017.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

47

1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 6

This is the Exhibit LI 6 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018:

48

Ludmilla Iyavoo

From: Zena Ndereyimana
Sent: 14 December 2017 14:36
To: Edmonton County, Enquiries
Cc: Ludmilla Iyavoo
Subject: FW: London Borough of Enfield v Cordell-D02ED073
Attachments: LBE-SV-PRN-002_PR-ECCBS-GPV59544-IRC5045_1714_001.pdf; LBE-SV-PRN-002_PR-ECCBS-LYB09571-IRC2020_2991_001.pdf

Dear Sirs,

London Borough of Enfield v Cordell-D02ED073

In relation to the above matter and order dated 9.11.2017.

The claimant's directions questionnaire was filed at Edmonton County Court by email on 17.11.2017 and not on the 20.11.2017 as your letter implies and as per the email below.

In light of the above, we kindly ask the court to reconsider their decision as the claimant complied with the court's directions.

Any assistance in this matter will be greatly appreciated.

Kind regards,

Zena Ndereyimana
Paralegal
Legal Services
Enfield Council

Civic Centre
PO Box 50
Silver street
Enfield
EN1 3XE
Email: zena.ndereyimana@enfield.gov.uk
Website: www.enfield.gov.uk

'Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

From: Ludmilla Iyavoo
Sent: 17 November 2017 11:56
To: Edmonton County, Enquiries
Cc: emmanuel
Subject: London Borough of Enfield v Cordell-D02ED073

Dear Sirs,

Please find attached a copy of the Claimant's correspondence with enclosures for the Court's attention.

Kind regards,
Ludmilla Iyavoo
Solicitor

1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 7

This is the Exhibit LI 7 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

SO

General Form of Judgment or Order

In the County Court at
Edmonton

Claim Number	D02ED073
Date	2 January 2018



LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/LI/157255
MR SIMON CORDELL	1 st Defendant Ref VLS/EO/H/ CORDELL/17

Before Deputy District Judge Harris sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Upon reading the application from the Defendant's Solicitors dated 21 December 2017 (see copy attached),

IT IS ORDERED THAT:

1. Claimant pay Defendant's costs of the action on a standard basis to be assessed if not agreed.
2. Because this order has been made by the Court without considering representations from the parties, the parties have the right to apply to have the order set aside, varied or stayed. A party wishing to make an application must send or deliver the application to the court (together with any appropriate fee) to arrive within seven days of service of this order.

Dated 2 January 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: Adrian B
CJR065C

51

Our ref: VLS/EO/H/CORDELL/17
Your ref: LSC/CLJ/157255
Date: 21 December 2017



Gibson House, 800 High Road
Tottenham, London N17 0DH
Tel: +44(0)20 8808 7999
Fax: +44(0)20 8808 1999

Emergency Nos:
+44(0)7940 728 166
+44(0)7533 255 996

DX: 36209 Edmonton Exchange

Email: info@vlsolicitors.com
www.vlsolicitors.com

London Borough of Enfield
Legal Services
P O Box 50 Civic Centre
Silver Street
Enfield
EN1 3XA

DX: 90615 ENFIELD 1

Dear Sirs,

RE: LONDON BOROUGH OF ENFIELD v MR SIMON CORDELL
CLAIM NUMBER: D02ED073

Further to the above matter we attach herewith and by way of service copy of our Application Notice (Form N244) that we have filed at the court.

Yours faithfully,


VLS Solicitors



CONTRACTED WITH
LEGAL AID AGENCY

A LIST OF DIRECTORS IS
DISPLAYED AT THE FIRM'S
REGISTERED ADDRESS

Privy Council Agent
VAT Reg. No. 929 6322 02

27 DEC 2017

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N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.



Name of court County Court at Edmonton		Claim no. D02ED073	
Fee account no. (if applicable)		Help with Fees - Ref. no. (if applicable)	
		H W F - - - - -	
Warrant no. (if applicable)			
Claimant's name (including ref.) London Borough of Enfield Ref: LS/C/LI/157255			
Defendant's name (including ref.) Mr Simon Cordell Ref: VLS/EO/H/CORDELL/17			
Date		21 December 2017	

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

VLS SOLICITORS

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

If you are a legal representative whom do you represent?

DEFENDANT

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

AN ORDER THAT THE CLAIMANT PAYS THE DEFENDANT'S COSTS BECAUSE THE CLAIMANT'S CLAIM WAS STRUCK OUT

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 telephone hearing
6. How long do you think the hearing will last? Hours Minutes
- Is this time estimate agreed by all parties? ☐ Yes ☐ No
7. Give details of any fixed trial date or period
8. What level of Judge does your hearing need?
9. Who should be served with this application? CLAIMANT
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.
- ENFIELD COUNCIL
LEGAL SERVICES
PO BOX 50 CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

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.

The Claimant obtained an Injunction against the Defendant on the 9 August 2017.

At the hearing on the 25 September 2017 at the County Court at Edmonton, Employment Judge Taylor made an order inter alia that the parties file Directions Questionnaire by 23 October 2017 but the Claimant failed to comply with the order.

On the 6 November 2017 District Judge Cohen made an order that the Claimant do file a completed Directions Questionnaire by 4.00 pm on 17 November 2017 and if the Claimant failed to comply with the order the injunction of 9 August 2017 do stand discharged without further order and the claim do stand struck out without further order.

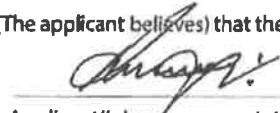
The court by its letter dated 13 December 2017 stated that the sanctions on the order of 6 November 2017 applies because the Claimant's Directions Questionnaire was received by the court on the 20 November 2017.

The court having discharged the injunction against the Defendant and the Claimant's claim having been struck out, the Defendant respectfully requests the court to make an order that the Claimant pays his costs in the case.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed



Dated 21.12.17

Applicant's legal representative's (litigation friend)

Full name Emmanuel Onwusiri

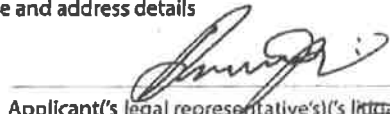
Name of applicant's legal representative's firm VLS SOLICITORS

Position or office held SOLICITOR

(if signing on behalf of firm or company)

11. Signature and address details

Signed



Dated 21.12.17

Applicant's legal representative's (litigation friend)

Position or office held SOLICITOR

(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

VLS SOLICITORS
GIBSON HOUSE
800 HIGH ROAD
TOTTENHAM
LONDON

Postcode N17 0DH

If applicable

Phone no. 020 8808 7999

Fax no. 020 8808 1999

DX no. 36209 EDMONTON EXCHANGE

Ref no. VLS/EO/H/CORDELL/17

E-mail address info@vlsolicitors.com

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT LN2

This is the exhibit LN2 of the witness statement of Lemmy Nwabuisi dated 08th January 2018.

55

Telephone conversation with Mr Markandu Mathiyalagan**117 Burncroft Avenue, Enfield, EN3**

Mr Mathiyalagan telephoned me this morning to report an incident that occurred at 11:30am on 11th November 2017. He reported that his wife was alone inside their flat when the Mr Cordell came to their front door, opened the letterbox and peeped through it to see who was inside the flat. Mr Mathiyalagan stated that Mr Cordell started swearing and shouting abuse and banging on his front door as soon as he saw his wife. He then ran down stairs when his wife went to get her mobile phone to record the incident. He stated that his wife called the police, CAD No. 3230 of 11th November 2017 and the police attended and went and spoke to Mr Cordell and came and informed his wife that he denied coming to their front door and therefore they are unable to take any action against him.

I asked whether his wife recorded the incident and he said, that Mr Cordell left when his wife went to get her mobile phone. He also stated that there were no witnesses as his wife was alone in the flat at the time. I asked whether his wife showed a copy of the injunction and power of arrest to the police officers that attended and he said no that she did not. I advised him that in future, they must show the court order to the police as the officers that will attend may not be aware of the injunction.

Lemmy Nwabuisi**ASB Co-Ordinator**

IN THE EDMONTON COUNTY COURT

CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT LN3

This is the exhibit LN3 of the witness statement of Lemmy Nwabuisi dated 08th January 2018.

57

Meeting with Mr and Mrs Mathiyalagan**117 Burncroft Avenue, Enfield, EN3**

Mr and Mrs Mathiyalagan attended the Civic Centre to report recent incidents that occurred on 2nd and 3rd January 2018. Mr Mathiyalagan stated that on 2nd January 2018 at 6:30pm, his wife was inside their flat trying to assemble a cupboard with their three-year-old daughter and his cousin who was asleep at the time. He stated that suddenly his wife heard someone banging on their front door. She went to the door with her phone and overheard Mr Cordell shouting that there was noise coming from their flat. His wife told Mr Cordell that she was trying to assemble a cupboard but he called her liar and accused her of deliberately banging on the floor. Mr Mathiyalagan stated that Mr Cordell then stood outside his front door for more than twenty minutes swearing and shouting abuse at his wife.

Mr Mathiyalagan stated that Mr Cordell then went away and returned half an hour later, lifted his letterbox flat, stuck his mobile phone through the letterbox and started to record his family while swearing and shouting abuse at his wife. This went on for about fifteen minutes until his wife threatened to call to call the police. The matter was reported to the police, CAD No. 5121 of 2nd January 2018.

Mr Mathiyalagan also stated that on 3rd January 2018 at 9:30am, Mr Cordell came to his front door and started banging on the door and was swearing and shouting abuse at him and his wife. He went and asked him what the problem was and he complained that his wife was banging on the floor the previous day for about an hour. He explained to him that his wife was not banging on the floor, that she was trying to assemble a cupboard but he called him a liar and continued to swear and shout abuse at him and his wife. Mr Mathiyalagan also stated that Mr Cordell then threatened to kill him and his family and burn down his property and said to him that they will not be safe from him no matter where they are.

Mr Mathiyalagan stated that Mr Cordell then forced his way into their flat by either using an object to open or by pushing it very hard, he is not sure how he did it, but his wife managed to push him out and double-locked the door. He called the police, CAD No. 2098 of 3rd January 2018 and police officers attended and advised them to report the matter to the council.

Mr Mathiyalagan stated that him and his wife recorded the incidents on their mobile phones and played the recordings to me. One of the recordings clearly showed a person whom I

believe to be Mr Cordell looking through Mr Mathiyalagan's letterbox with a mobile phone on one hand. On the other recordings, I could clearly hear a person whom I also believe to be Mr Cordell shouting and swearing at Mr and Mrs Mathiyalagan, using threatening language and threatening to kill and burn down their property.---

Lemmy Nwabuisi

ASB Co-Ordinator

Injunction Order

Between Mr Simon Cordell, Defendant
and The London Borough Of Enfield, Claimant

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

In the County Court at
Edmonton

Claim Number	E00ED049
Claimant (including ref.)	The London Borough Of Enfield LS/C/L1/155584
Defendant (including ref.)	Mr Simon Cordell

If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be sent to prison

If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for the claimant and without notice to the defendant, considered an application for an injunction.

AND IT WAS ORDERED THAT

The defendant, Mr Simon Cordell , must;

1. Permit the claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Darren Civil
CJR105

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AND IT IS FURTHER ORDERED THAT

The defendant, Mr Simon Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

NOTICE OF FURTHER HEARING.

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

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

You are entitled to apply to the court to reconsider the order before the day.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

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N110A

Power of arrest

Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Name of court

THE COUNTY COURT AT
EDMONTON

Claim No.

E00ED049

Claimant's name (including ref.)

THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)

MR SIMON CORDELL

Seal

Date order made

9 / 1 / 2018

Name of judge

EMPLOYMENT JUDGE TAYLOR

Order madeunder (insert
statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on

9 / 1 / 2018

and expires on the

9 / 1 / 2019

Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number

62

Our ref: VLS/EO/H/CORDELL/17
Your ref: LSC/C/L1/157255
Date: 19 February 2018

VLS
SOLICITORS

Gilbert House, 800 High Road
Tottenham, London N17 0D1

Tel: +44(0)20 8808 7999

Fax: +44(0)20 8808 1999

Emergency Nos:

+44(0)7940 728 166

+44(0)7533 255 996

DX: 36209 Edmonton Exchange

Email: info@vlsolicitors.com
www.vlsolicitors.com

London Borough of Enfield
Legal Services
P O Box 50 Civic Centre
Silver Street
Enfield
EN1 3XA

Dear Sirs,

RE: LONDON BOROUGH OF ENFIELD v MR SIMON CORDELL
CLAIM NUMBER: D02ED073

We write to notify you that VLS Solicitors are no longer acting for the Defendant in the above matter.

We request that VLS SOLICITORS be removed from records and all communications and correspondences be directed to the Defendant.

Yours sincerely


VLS Solicitors



CONTRACTED WITH
LEGAL AID AGENCY

A LIST OF DIRECTORS IS
DISPLAYED AT THE FIRM'S
REGISTERED ADDRESS

Privy Council Agent
VAT Reg. No. 929 6322 02

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64



Mr Simon Cordell
109 Buncroft Avenue
Enfield
EN3 7JQ

**BY PERSONAL SERVICE
BY PROCESS SERVER**

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

E-mail : balbinder.Kaur-Geddes@enfield.gov.uk
Phone : 020 8379 4834
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/BKGE/155584
Your Ref :
Date : 2 May 2018

Dear Mr Cordell

**Re: LONDON BOROUGH OF ENFIELD -v- MR SIMON CORDELL
E00ED049 – Application for Committal dated 5 February 2018**

Further to the hearing of 1 May 2018, please find the following documents enclosed:

1. Order of the Court dated 5 February 2018
2. Application Notice dated 5 February 2018 with accompanying documents:
 - (a) Injunction Order dated 9 January 2018 with Power of Arrest of same date
 - (b) Witness Statement of Mr Lemmy Nwabuisi dated 2 February 2018
 - (c) Witness Statement of Ms Kaunchita Maudhub dated 5 February 2018
 - (d) Draft Order

These documents are being served upon you personally.

Yours faithfully,

Balbinder Kaur-Geddes,
Lawyer

for Director of Law and Governance

Jeremy Chambers
Director of Law
and Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

www.enfield.gov.uk



☎ If you need this document in another language or format contact the service using the details above.

65

General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	9 February 2018



THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref

Before District Judge Cohen sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

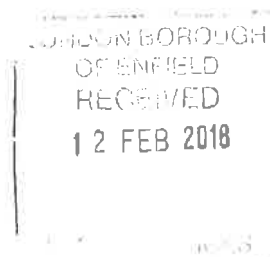
Upon hearing Solicitor for the Claimant and the Defendant in person and there being no affidavit of service filed and the Defendant denying he has been personally served.

IT IS ORDERED THAT

1. The Claimant do by 4pm on 09/02/2018 file and serve an affidavit of service.
2. The Claimant do by 4pm on 09/02/2018 serve on the Defendant by first class post its application of 05/02/2018.
3. Matter be listed for further consideration of the order 09/01/2018 and the Claimant's application referred to above, on 30/05/2018 at 14:00pm (time estimate 1 hour).

The Defendant's address for service is 109 Buncroft Avenue, Enfield EN3 7JQ

Dated 5 February 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: A ABIODUN
CJR065C

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Application notice

For help in completing this form please read the notes for guidance form N244Notes.



Name of court Edmonton County Court		Claim no. E00ED049	
Fee account no. (if applicable) 007 9 006		Help with Fees - Ref. no. (if applicable) H W F -	
Warrant no. (if applicable)			
Claimant's name (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
Defendant's name (including ref.) Mr Simon Cordell (VLS/EO/H/CORDELL/17)			
Date		05.02.2018	

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

London Borough of Enfield, Legal Services

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

If you are a legal representative whom do you represent?

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

1. To vary the terms of the Interim Injunction order dated 09.01.2018
 2. To bring an application for the Defendant's committal under CPR 21 for breaching the terms of the interim injunction order dated 09.01.2018.

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 telephone hearing
6. How long do you think the hearing will last?
 Is this time estimate agreed by all parties? ☐ Yes ☒ No
7. Give details of any fixed trial date or period
 Return hearing on 05.02.2018, 2pm
8. What level of Judge does your hearing need?
 District
9. Who should be served with this application?
 Defendant
- 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.

The Defendant has made threats to the Claimant's employees on 09th January 2018 by stating that he knew where they worked/ lived and threatening one of the employees that he should watch his back. The employees are concerned by the threats made and would like the interim injunction order to be varied to prevent the Defendant from approaching the Claimant's employees at their place of work and personal address. The application to vary is supported by the witness statements of Mr Mwabulsi dated 02.02.2018 and Ms Mudhub dated 05.02.2018 along a draft order.

The Defendant has breached the terms of the interim injunction order on 24.01.2018 by harassing and intimidating one of the Claimant's employees by calling her on her work number on two occasions. The telephone calls constituted threats, harassment and intimidation causing the employee to put the phone down during the first phone call but the Defendant continued to call again. The Claimant therefore wants to Defendant to be arrested in light of those incidents. The details of the telephone conversation is covered in the affidavit of Ms Maudhub dated 05.02.2018.

Statement of Truth

~~(I believe)~~ (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed  Dated 05.02.2018
Applicant's legal representative's (s litigation friend)
Full name Ludmilla Iyavoo
Name of applicant's legal representative's firm London Borough of Enfield, Legal Services
Position or office held Solicitor
(If signing on behalf of firm or company)

11. Signature and address details

Signed  Dated 05.02.2018
Applicant's legal representative's (s litigation friend)
Position or office held Solicitor
(If signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Enfield		If applicable	
Postcode <u>EN 1</u> <u>3 X A</u>		Phone no.	0208 379 8323
		Fax no.	
		DX no.	906015 Enfield 1
		Ref no.	LS/C/LI/155584
E-mail address <u>Ludmilla.Iyavoo@enfield.gov.uk</u>			

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Injunction Order

Between Mr Simon Cordell, Defendant
and The London Borough Of Enfield, Claimant

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

In the County Court at Edmonton	
Claim Number	E00ED049
Claimant (including ref.)	The London Borough Of Enfield LS/C/L1/155584
Defendant (including ref.)	Mr Simon Cordell



If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be sent to prison

If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for the claimant and without notice to the defendant, considered an application for an injunction.

AND IT WAS ORDERED THAT

The defendant, Mr Simon Cordell , must;

1. Permit the claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Darren Civil
CJR105

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AND IT IS FURTHER ORDERED THAT

The defendant, Mr Simon Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

NOTICE OF FURTHER HEARING.

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

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

You are entitled to apply to the court to reconsider the order before the day.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

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N110A

Power of arrest

Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Name of court

THE COUNTY COURT AT
EDMONTON

Claim No.

E00ED049

Claimant's name (including ref.)

THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)

MR SIMON CORDELL

Seal



Date order made 9/1/2018

Name of Judge EMPLOYMENT JUDGE TAYLOR

Order made

under (insert
statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on 9/1/2018

and expires on the 9/1/2019

Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number

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POWER OF ARREST (CONT)

1. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
2. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
3. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

Upon considering the Claimant's application notice dated 04th February 2018 seeking permission from the Court to vary the terms of the interim injunction order made by District Judge Taylor on 09th January 2018, it is ordered that the following paragraph be added to the injunction order :

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.
2. A power of arrest is attached to this new paragraph.
3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.
4. Dispense with personal service of this Order on the Defendant.
5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09th January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees.

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09th January 2018 [paragraphs 3-6] of the order dated 09th January 2018 by harassing, intimidating and making threats to one of the Claimant's employees on 24th January 2018, by telephoning her on two occasions and making threats, accusations and comments on other employees.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

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(5) that the costs of the Claimant [summarily assessed in the sum of £ 900.00] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy
3. Dated 02nd February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Behaviour Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to my role in investigating allegations of verbal abuse, threats, harassment and intimidation made against the Defendant by his neighbours.

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2. I make this Witness Statement in support of the Claimant's application to vary the interim injunction order of 09th January 2018. This is my second statement in the above proceedings.

3. **Background:**

On 9th January 2018 at about 12:18pm, the Defendant telephoned me and accused me of killing his baby. He accused me of forging documents to get an Anti-Social Behaviour Order (ASBO) against him thereby making him a prisoner inside his own home and that this is now personal between us. He stated that he knows where I live in Enfield and that me and my family are not safe from him. He also stated that he has watched me leave the office and have followed me home, that he can 'get me' any time he likes and that I should watch my back.

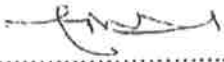
4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.
5. The matter was reported to the police, Crime Reference: 6200718/18 and the Defendant was arrested at about 8:00pm on 9th February 2018 and released on bail on 10th February 2018 pending further investigation. He is due to report back to Woodgreen Police Station on 5th February 2018.

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6. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However, the interim injunction order is limited to the area of Burncroft Avenue, Enfield, EN3 and not necessary to my personal address or work place. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and my family and would like the order to be varied to exclude the Defendant or his associates from approaching me at my work and home address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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1. Made on behalf of the Claimant
2. First Witness Statement of Kaunchita Maudhub
3. Dated 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street, Enfield, Middx EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers. My involvement with the Defendant was due to my

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supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.
3. On 09th January 2018, in a telephone message left by Simon Cordell (the Defendant) for Lemmy Nwabuisi, the Defendant referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. It would therefore appear that Mr Cordell has identified my personal home address and stated that he knows where I live. The contents of the voicemail are as follows:

' You killed my baby, it's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers fucking computers. You don't know Lemmy I've stripped you computers not through Daniel Ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know kanichiwa's I know fucking rob leak owns 15 million pounds more and kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal

I'll take it personal with you. I hope you fucking get me arrested cause I get to show everybody the report and the interview of what you've really fucking done Lemmy, come and get me arrested I know that you are gonna touch my fucking mother, your fucking mad Lemmy yeh, you're gonna touch my fucking mother, you've already touched my fucking mother by forwarding the paperwork..... Listen I know what you've done Lemmy you're fucking out of order you shouldn't be working in that company, you've never checked the computers from before and you've allowed all this to happen to me. Go to bristolspotlight.co.uk – Robert Taylor was the bloke that was my barrister before and he's done exactly the same to me to somebody else as what he's done to me – caused a sex scandal with youz lot in somebody else's name, locked them out, kidnapped, done everything to them, yeh and I was phoning you I got bare recordings telling you that these guys are setting me up, and this is out of order what they're doing, I'm the black boy on the block, all the times, their first application is as fraudulent as your fucking application Lemmy, and you think your gonna walk around this town with your children, living your life getting the salary that you're on and your gonna fucking earn the right to do this to people your supposed to be looking after and posting pictures that your all good at law, I,m better than you at fucking law Lemmy, I'm better than the executive director at criminal law as well.'

4. The matter was referred to the police and he was arrested on 09th January 2018 for threats to kill and has been released on bail on the following conditions: **Not to contact directly or indirectly Lemmy Nwabuisi and not to engage in threatening conduct that is likely to cause physical or verbal abuse to the employees of the London Borough of Enfield.** He is bailed to return to the police station on 5th February 18 at 19.00hrs.

5. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However the interim injunction order is limited to the area of Burncroft Avenue, EN3 and not necessary to me personally and my workplace. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and would like the order to be varied to exclude the Defendant from approaching me directly at my personal address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed... 

Dated this 05th day of February 2018

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1. Made on behalf of the Claimant
2. First affidavit of Kaunchita Maudhub
3. Sworn on 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub, of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street do solemnly and sincerely affirm that the content of this affidavit is within my own personal knowledge It is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers and Co-Ordinators. My involvement with the Defendant was due to my supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.
3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.
5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

"It's Mr Cordell, I think that you putting the phone down on me when I'm explaining to you what the people that you're in charge of are doing illegally to me. Lemmy understood what he was doing, I've recorded every conversation with Lemmy since the day the witness care team told you'z lot that I have no case to answer against Mr Mathiyalagan and you decided to make a possession order. That possession order says that I've got a possession order for having printers in my house which are legal to have and I have them in the back garden now cause you'z lot won't tell me what

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should get to prison for what's happened and you as his manager should do something about this you're the one advising him to do it and I'm gonna see you at court and I'm gonna serve you lot my official report, I'm taking this case up to judicial review cause this lower court doesn't have the ability to deal with this case and the fraudulent activity and the sentences you lot should get 25 years you should be getting for ? in public office, that is more than 2 life sentences that's what I believe that you lot deserve for breaching your statutory duties and the evidence I've got on you, I'll be contacting, I'll see you in court "

The voice mail would be made available to the Court. The Defendant's acts constitute acts of harassment and intimidation and he is therefore in breach of paragraph 4 of the interim Injunction Order.

6. On 9th January 2018 the Defendant telephoned Lemmy Nwabuisi and accused him of killing his baby, he also stated that he knew where Lemmy lived and that him and his family were not safe and that he should watch his back.
7. On 9th January 2018, in a telephone message left by the Defendant for Lemmy Nwabuisi, Mr Cordell referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. The contents of the voicemail are as follows:

"You killed my baby, It's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers

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fucking computers. You don't know Lemmy I've stripped your computers not through Daniel Ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know Kanichiwa's I know fucking Rob Leak owns 15 million pounds more and Kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal I'll take it personal with you. I hope you fucking get me arrested cause I get to show everybody the report and the interview of what you've really fucking done Lemmy, come and get me arrested I know that you are gonna touch my fucking mother, your fucking mad Lemmy yeh, you're gonna touch my fucking mother, you've already touched my fucking mother by forwarding the paperwork..... Listen I know what you've done Lemmy you're fucking out of order you shouldn't be working in that company, you've never checked the computers from before and you've allowed all this to happen to me. Go to bristolspotlight.co.uk – Robert Taylor was the bloke that was my barrister before and he's done exactly the same to me to somebody else as what he's done to me – caused a sex scandal with youz lot in somebody else's name, locked them out, kidnapped, done everything to them, yeh and I was phoning you I got bare recordings telling you that these guys are setting me up, and this is out of order what they're doing, I'm the black boy on the block, all the times, their first application is as fraudulent as your fucking application Lemmy, and you think your gonna walk around this town with your children, living your life getting the salary that you're on and your gonna fucking earn the right to do this to people your supposed to be looking after and posting pictures

that your all good at law, I'm better than you at fucking law Lemmy, I'm better than the executive director at criminal law as well".

8. The Defendant was arrested for threats to kill and released on bail. He is due to report back to the police station on 05th February 2018 at 09:00am. His bails conditions are as follows: **'not to contact directly or indirectly Lemmy Nwabuisi and not to engage in threatening conduct that is likely to cause physical or verbal abuse to the employees of the London Borough of Enfield'**. It is clear that in view of the phone calls and threats he made to me on 24th January 2018, the Defendant has also breached the terms of his bail conditions.
9. We would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Sworn at



on 05th February 2018

ENFIELD DISTRICT COURT
A COURT OF THE DISTRICT JUDGE
LONDON N4 3JH
LONDON BOROUGH OF ENFIELD

Before me:

Signed RSP Ms R Stah.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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Mr Simon Cordell
109 Buncroft Avenue
Enfield
EN3 7JQ

**BY PERSONAL SERVICE
BY PROCESS SERVER**

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

E-mail : balbinder.Kaur-Geddes@enfield.gov.uk

Phone : 020 8379 4834

DX : 90615 ENFIELD 1

Fax : 0208 379 6492

My Ref : LS/C/BKGE/155584

Your Ref :

Date : 2 May 2018

Dear Mr Cordell

**Re: LONDON BOROUGH OF ENFIELD -v- MR SIMON CORDELL
E00ED049 – Application for Committal dated 20 April 2018**

Further to the hearing of 1 May 2018, please find the following documents enclosed:

1. Order of the Court dated 24 April 2018
2. Application Notice dated 20 April 2018 with accompanying documents:
 - (a) Injunction Order dated 9 January 2018 with Power of Arrest of same date
 - (b) Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
 - (c) Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
 - (d) Draft Order

These documents are being served upon you personally.

Yours faithfully,



Balbinder Kaur-Geddes,
Lawyer

for Director of Law and Governance

Jeremy Chambers
Director of Law
and Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

www.enfield.gov.uk


**EQUALITY
FRAMEWORK
FOR LOCAL
GOVERNMENT
EXCELLENT**

 If you need this document in another language or format contact the service using the details above.

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N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court Edmonton County Court		Claim no. E00ED049	
Fee account no. (if applicable)		Help with Fees – Ref. no. (if applicable)	
007 9 006		H W F - [] [] - [] []	
Warrant no. (if applicable)			
Claimant's name (including ref.) The London Borough of Enfield (LS/C/LI/157255)			
Defendant's name (including ref.) Mr Simon Cordell			
Date		20.04.2018	

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

London Borough of Enfield, Legal Services

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

If you are a legal representative whom do you represent? []

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

The Claimant is seeking an order for the Defendant's committal for breaching the terms of the interim injunction order dated 09.01.2018 with has a power of arrest, pursuant to CPR 23 and 81.

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 telephone hearing

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

[] Hours [30] Minutes

Is this time estimate agreed by all parties?

☐ Yes ☒ No

7. Give details of any fixed trial date or period

Hearing on 30.05.2018, 2pm

8. What level of Judge does your hearing need?

District

9. Who should be served with this application?

Defendant

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

[]

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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

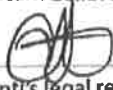
If necessary, please continue on a separate sheet.

Please refer to the evidence attached on a separate sheet.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed


Applicant's legal representative's (solicitor/friend)

Dated 19.04.2018

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor
(If signing on behalf of firm or company)

11. Signature and address details

Signed


Applicant's legal representative's (solicitor/friend)

Dated 19.04.2018

Position or office held Solicitor
(If signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield Legal Services PO BOX 50 Enfield	<table border="1"><thead><tr><th colspan="2">If applicable</th></tr></thead><tbody><tr><td>Phone no.</td><td>0208 379 8323</td></tr><tr><td>Fax no.</td><td></td></tr><tr><td>DX no.</td><td>906015 Enfield 1</td></tr><tr><td>Ref no.</td><td>LS/C/LI/157255</td></tr></tbody></table>	If applicable		Phone no.	0208 379 8323	Fax no.		DX no.	906015 Enfield 1	Ref no.	LS/C/LI/157255
If applicable											
Phone no.	0208 379 8323										
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Postcode <table border="1"><tr><td>E</td><td>N</td><td>1</td><td></td><td>3</td><td>X</td><td>A</td><td></td></tr></table>	E	N	1		3	X	A		E-mail address <u>Ludmilla.Iyavoo@enfield.gov.uk</u>		
E	N	1		3	X	A					

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Evidence in support of the application notice dated 20.04.2018 (part 10)

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:

Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.

Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

Clause 7: A power of arrest is attached to the above paragraphs.

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 05/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 05/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told

him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.
8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:
 - (1) *This rule applies where a person is arrested pursuant to –*
 - (a) *a power of arrest attached to a provision of an injunction; or*
 - (b) *a warrant of arrest.*
 - (2) *The judge before whom a person is brought following his arrest may –*
 - (a) *deal with the matter; or*
 - (b) *adjourn the proceedings.*
9. The Police are aware of the Injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.
10. The Claimant is therefore bringing an application for the Defendant's committal.

Injunction Order

Between Mr Simon Cordell, Defendant
and The London Borough Of Enfield, Claimant

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

In the County Court at
Edmonton

Claim Number E00ED049

Claimant
(including ref.) The London Borough Of
Enfield
LS/C/L1/155584

Defendant
(including ref.) Mr Simon Cordell



If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be sent to prison

If you, Mr Simon Cordell, disobey the order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the court to vary or discharge this order.

On 9th January 2018 at The County Court at Edmonton, Employment Judge Taylor, upon hearing the solicitor for the claimant and without notice to the defendant, considered an application for an injunction.

AND IT WAS ORDERED THAT

The defendant, Mr Simon Cordell, must;

1. Permit the claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Darren Civil
CJR105

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AND IT IS FURTHER ORDERED THAT

The defendant, Mr Simon Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

This order shall remain in force until 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

NOTICE OF FURTHER HEARING.

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

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

You are entitled to apply to the court to reconsider the order before the day.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

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N110A

Power of arrest

Name of defendant

MR SIMON CORDELL

Defendant's address

109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Name of court

THE COUNTY COURT AT
EDMONTON

Claim No.

E00ED049

Claimant's name (including ref.)

THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)

MR SIMON CORDELL

Seal



Date order made 9/1/2018

Name of judge EMPLOYMENT JUDGE TAYLOR

Order made

under (insert
statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

This power of arrest was ordered on 9/1/2018

and expires on the 9/1/2019

Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number

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POWER OF ARREST (CONT)

- 1. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
- 2. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
- 3. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**
- 4. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.**

1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
 - a. *Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*
 - b. *Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*
 - c. *Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*
 - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

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Incident of 15 March 2018

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self-defence to stop him. Some neighbours come out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.

7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in exhibit MM1.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in exhibit MM2.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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Incident 01 March 2018

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

Incident 26/02/2018

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20 day of April 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018

L. H. Ows

EDMONTON COUNTY COURT
59 FORD STREET, EDMONTON
LONDON N18 2TN

LONDON BOROUGH
OF ENFIELD

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM1

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London
Ambulance
Service

Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD/Event number

1 1 3 1

Date

11/11/11

Clin sign

1 2 3 4

First number

7 8 9

M.I.

Patient No.

1 2 3 4 5 6 7 8 9 10

Patient's details Date of birth: 2/10/1942 Age: 69 Male ☒ Female ☐ Race: L NHS No: Home address: Postcode: E11 1 7 1 3 Tel no: Next of Kin: Relationship: Contact details: GP Name: Dr. S. S. S. S. S. Address: Mental Health Team / CPN / AMHP: Contact details: Name of H.V. / Primary Carer: Name of School / Nursery: Patient accompanied by:	Presenting complaint Incident time / onset of symptoms: Time: 15:00 Date: 11/11/11 Airway: Clear ☐ Partially obstructed ☐ Obstructed ☐ Breathing: Present ☒ Absent ☐ Complete a sentence in one breath ☒ Unable to assess ☐ Circulation: Buccal cyanosis ☒ Peripheral cyanosis ☒ Capillary refill > 2 sec ☒ Distal pulse ☒ Other: Sweating ☒ Vomiting ☒ Fitting ☒ Number of fits: Burns ☐ Estimated blood loss:	Observations Time: 15:00 AVPU: Resp rate: Resp depth: % O ₂ sats: Peak flow: CO ₂ : Pulse rate: Pulse character: BP: Colour: BM: Temp: Pain 0-10: Pupils size: Pupils reactive: GCS: ECG rhythm:	Allergies None Past medical history None Medication None FAST Facial weakness: Arm weakness: Speech: Cannulation: Line 1: Line 2: Fluid and drug administration: Drug name: Amount: Dose: Route: Time: By: Signed: Witnessed: Return of spontaneous respiration: Return of spontaneous circulation: ROSC sustained to hospital:	12 Lead ECG Normal ECG ☐ Inferior MI ☐ Anterior MI ☐ Lateral MI ☐ Posterior MI ☐ LBBB ☐ ST depression ☐ T wave changes only ☐ Other abnormality ☐ Inconclusive ECG ☐ Chest pain / discomfort in chest ☐ Other symptoms / pain (specify in notes) ☐ Palpitations ☐ Asymptomatic ☐ No touch technique ☐ Placed in emergency conditions ☐ No touch technique ☐ Placed in emergency conditions ☐
Alway and Respiratory management Maintenance: Postural head tilt: Jaw thrust: CP: NP: ET: SGA: ET successful: SGA successful: NCP: Nth: NCP successful: Nth successful: Cardiac arrest, CPR, Defib, & ROSC Arrest witnessed: Cause of cardiac arrest: Cardiac ☐ Trauma ☐ Other ☐ By other: By crew: On scene during removal: Initial arrest rhythm: VF/VT: Asystole: PEA: Pre-LAS CPR: Time started: Time stopped: By: Pre-LAS Defib: Time started: Time stopped: By: LAS CPR: Time started: Time stopped: By: LAS Defib: Time started: Time stopped: By: Number of shocks: Paediatric electrodes used: Total Controlled Drug amount wasted: Signed: Witnessed: Recognition of Life District: Heart sounds absent: Apnoeic: Fixed dilated pupils: Asystolic rhythm strip: Cardiac dead at hospital: ROSC sustained to hospital: Injury = 1 Burns = 0 Fracture = 0 Pain = 0 Transporting / Left scene: Pre-alert:				

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM2

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NHS DENTAL CARE

Contractor's Name: Handan Sabahar

Address: Inspire Dental Walthamstow
67-69 Palmerston Road
Walthamstow
London

Telephone: 0208 521 8858

NHS Organisation: NHS England London Lat

Patient's Surname: Markandu

Patient's Forename: Mathiyasagan

Date of Acceptance: 22/03/18

Treatment on Referral: No

TREATMENT PLAN & ESTIMATE

Revision No.

1

What the NHS will provide	The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.
Emergency Arrangements	Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.
Replacements free of charge	If you are 16 or over and a filling, metal filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless: The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible. This NHS cover does not apply to any private treatment you may have.
Dental treatment charges	I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.
Treatment on referral	With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment; only one charge will be made by your referring dentist, as outlined below.
Paying for NHS treatment	Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are: * Pregnant or have had a child in the last 12 months * If you are aged 16 and in full time education * If you or your partner are named on a current HC2 NHS charges certificate * If you or your partner are named on a valid NHS tax credit exemption certificate * If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit * If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office Please Note: The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension Credit Savings Credit and Contribution-based Jobseeker's Allowance.
Cancelling Appointments	If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.
Regular care	Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

NHS Treatment

1	Examination	LR1
1	Extraction	LL1
1	Extraction	LL2
1	Extraction	LR1-LL2
1	Partial Denture Bearing	
1	Primary Denture Impression(s)	
1	Note	
Total		£ 0.00

Additional Private Treatment

1	30 min Hygienist Visit	£ 47.00
Total		£ 47.00

PATIENT'S DECLARATION

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.
I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

NHS Charge:	£0.00	Total Private Charge:	£47.00	Total Charge:	£47.00
Patient's signature	M. Mathiyasagan			Date	22/03/2018

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM3

107

Dr H I Swedan
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 5RJ
Tel No: 0208 527 1888
Fax No: 0208 527 5111

9th April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971

14 Netley Road, Walthamstow, E17 7QD →

Mobile No: 07891740939

117 BURNCROFT AVE
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN
Claremont Medical Centre
27 Claremont Road
London E17 5RJ
Tel 0208 527 1888

108

1. Made on behalf of the Claimant
2. Witness Statement of Revathy Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED048

BETWEEN:

THE MAYOR AND BURGESSSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (hereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under exhibit RM1.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 28 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that the injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.

11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

Dated this 20 day of April 2018

M. R. R. 20 APR 2018

LONDON BOROUGH
OF ENFIELD

111

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

EXHIBIT RM1

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Dr H I Sweden
Clarendon Medical Centre
27 Clarendon Road
Walthamstow
LONDON
E17 8RJ
Tel No: 0208 827 1888
Fax No: 0208 827 8111

6th April 2018

To Whom It May Concern:

RE: Sureshly Mathiyalagan 26.07.1971
14 Holey Road, Walthamstow, E17 7QD →
Mobile No: 07804749000

117 BURNBROFT AVE
EN3 7JA

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely


Dr H I Sweden

Dr H I Sweden
Clarendon Medical Centre
27 Clarendon Road
Walthamstow
LONDON E17 8RJ
Tel: 0208 827 1888
Fax: 0208 827 8111

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Bumcroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Bumcroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Bumcroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 16 March 2018, 01 March 2018 and 26 February 2018.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant (summarily assessed in the sum of £ 1,000) to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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Notice of Hearing of Application

In the County Court at
Edmonton

Claim Number	E00ED049
Date	24 April 2018

THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref



Before District Judge Lethem sitting at the County Court at Edmonton, 59 Fore Street, Upper Edmonton, London, N18 2TN

UPON HEARING Solicitor for the Claimant and the Defendant having no notice

AND UPON READING the Witness Statement of Mr Markandu Mathiyalagan dated 20th April 2018

IT IS ORDERED THAT:

1. The hearing of the Claimant's application for (see copy attached) will take place at 10:00 am on the 1 May 2018 at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N244A Notice of Hearing of Application

Produced by: S DEMETRIOU

CJR027

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116A



Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

E-mail: Ludmilla.Iyavoo@enfield.gov.uk
Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 11 May, 2018

By personal service via process server

Dear Mr Cordell,

Re: The London Borough of Enfield v Cordell
Claim number: E00ED049

We are aware that at the hearing in the Edmonton County Court on 01 May 2018, an additional breach of the injunction took place as shouting; swearing and threats were directed to two of the Claimant's employees and one of your neighbours.

We therefore attach the following documents for your attention:

1. An application notice dated 11.05.2018 seeking permission from the Court to amend the committal application dated 20.04.2018 to add the recent incident.
2. Amended application notice dated 20.04.2018
3. Affidavit of Mr and Mrs Mathiyalagan dated 20.04.2018
4. An amended draft order dated 20.04.2018
5. Witness statements of Mr Lemmy Nwabuisi and Mrs Balbinder Kaur Geddes dated 10.05.2018.

We will ask the Court to consider the attached application at the next court hearing listed in the Edmonton County Court on 30.05.2018.

You are entitled to seek independent legal advice.

Yours sincerely,

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk



? If you need this document in another language or format contact the service using the details above.

116B

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court Edmonton County Court	Claim no. E00ED049
Fee account no. (if applicable) 0079006	Help with Fees – Ref. no. (if applicable) H W F - [] [] [] - [] [] []
Warrant no. (if applicable)	
Claimant's name (including ref.) The London Borough of Enfield (LS/C/LI/157255)	
Defendant's name (including ref.) Mr Simon Cordell	
Date	11.05.2018

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

London Borough of Enfield, Legal Services

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?

The Claimant seeks leave from the Court to amend its committal application dated 20.04.2018 as further breaches of the injunction order took place on 01.05.2018. A copy of the amended application with the witness statements of Lemmy Nwabuisi and Balbinder Geddes are attached to this application in support.

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 telephone hearing
6. How long do you think the hearing will last? Hours Minutes
 Is this time estimate agreed by all parties? ☐ Yes ☐ No
7. Give details of any fixed trial date or period
 30/05/2018, 2pm
8. What level of Judge does your hearing need?
 District Judge
9. Who should be served with this application?
 Defendant
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

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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.

An interim injunction order was made against the Defendant on 09/01/2018.

The Defendant committed further breaches of the injunction on by shouting, swearing and abusing two employees of the Claimant and one of his neighbours while attending a hearing in the Edmonton County Court on 01/05/2018.

The Claimant would like the committal application issued at Court on 20/04/2018 to be amended to include the additional incident.

A copy of the amended committal application is provided in support (amendments are marked in red). The application notice is also supported by the witness statements of Mr Lemmy Nwabuisi and Ms Balbinder Kaur Geddes.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed [Signature] Dated 11/05/2018
Applicant's legal representative's (litigation friend)

Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor
(if signing on behalf of firm or company)

11. Signature and address details

Signed [Signature] Dated 11/05/2018
Applicant's legal representative's (litigation friend)

Position or office held Solicitor
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield legal Services PO BOX 50 Civic Centre Enfield Postcode <u>E N 1</u> <u>3 X A</u>	If applicable	
	Phone no.	0208 379 8323
	Fax no.	
	DX no.	90615 Enfield 1
	Ref no.	LS/C/LI/157255
E-mail address		

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N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court Edmonton County Court	Claim no. E00ED049
Fee account no. (if applicable) 007 9 006	Help with Fees - Ref. no. (if applicable) HWF - - - - -
Warrant no. (if applicable)	
Claimant's name (including ref.) The London Borough of Enfield (LS/C/LI/157255)	
Defendant's name (including ref.) Mr Simon Cordell	
Date	20.04.2018

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

London Borough of Enfield, Legal Services

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

If you are a legal representative whom do you represent?

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

The Claimant is seeking an order for the Defendant's committal for breaching the terms of the interim injunction order dated 09.01.2018 with has a power of arrest, pursuant to CPR 23 and 81.

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 telephone hearing

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

Hours Minutes

Is this time estimate agreed by all parties?

☐ Yes ☒ No

7. Give details of any fixed trial date or period

Hearing on 30.05.2018, 2pm

8. What level of Judge does your hearing need?

District

9. Who should be served with this application?

Defendant

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

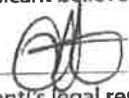
If necessary, please continue on a separate sheet.

Please refer to the evidence attached on a separate sheet.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed


Applicant's legal representative's (solicitor friend)

Dated 19.04.2018

Full name Ludmilla Lyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor
(if signing on behalf of firm or company)

11. Signature and address details

Signed


Applicant's legal representative's (solicitor friend)

Dated 19.04.2018

Position or office held Solicitor
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield
Legal Services
PO BOX 50
Enfield

Postcode E N 1 3 X A

If applicable

Phone no. 0208 379 8323

Fax no.

DX no. 906015 Enfield 1

Ref no. LS/C/LI/157255

E-mail address Ludmilla.lyavoo@enfield.gov.uk

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Evidence in support of the application notice dated 20.04.2018 (part 10)

1. On 09/01/2018 the Court made an interim injunction order against Mr Cordell (the Defendant), attaching a power of arrest. The main terms of the order are summarised as follows:

The Defendant, Mr Cordell, be forbidden (whether by himself or by instructing or encouraging or permitting any other person:

Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.

Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

Clause 7: A power of arrest is attached to the above paragraphs.

2. The Defendants have committed several breaches by committing several acts of anti-social behaviour against his neighbours. Mr and Mrs Mathiyalagan have been the victim of several incidents of harassment, intimidation and a serious assault on 05/03/2018. Despite the matter being reported to the police, they have failed to take actions against the Defendant to enforce the terms of the injunction.
3. The incidents are supported by the affidavit of Mr and Mrs Mathiyalagan dated 20/04/2018.
4. The most recent incident took place on 05/03/2018; the Defendant assaulted Mr Mathiyalagan who then tried to defend himself. Mr Mathiyalagan sustained personal injuries to his face and had some of his teeth removed as a result of the assault. The injuries are supported by the ambulance officers' report, dentist records and letter from a GP which are exhibited in Mr Mathiyalagan affidavit dated 20/04/2018 and supporting this application.
5. The Police arrested the Defendant, interviewed him and released him.
6. On 01/03/2018, Mr Mathiyalagan stated that his wife was inside the bathroom giving their daughter a shower while his cousin was in the living room, he was at work. At about 11am, the Defendant came to their front door and started rattling the letterbox and knocking loudly on the door. His wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. His wife told

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him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.
8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:
 - (1) *This rule applies where a person is arrested pursuant to –*
 - (a) *a power of arrest attached to a provision of an injunction; or*
 - (b) *a warrant of arrest.*
 - (2) *The judge before whom a person is brought following his arrest may –*
 - (a) *deal with the matter; or*
 - (b) *adjourn the proceedings.*
9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

10. The Claimant is therefore bringing an application for the Defendant's committal.

11. An additional breach of the injunction occurred within and outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and Mr Mathiyalagan. These threats were made in front of Employment Tribunal Tribunal, two security guards and other members of staff.

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.
3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.
4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:
 - a. *Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*
 - b. *Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*
 - c. *Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*
 - d. *Clause 7: A power of arrest is attached to the above paragraphs.*
5. The following incidents/ breaches of the interim injunction order took place on the following days:

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Incident of 15 March 2018

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self-defence to stop him. Some neighbours came out of their flat after a while and the Defendant got off me and went into his flat. By then I was bleeding profusely on my lips and forehead and both my wife and I called the police and ambulance service.

7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.
8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.
9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.
10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.
11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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Incident 01 March 2018

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

Incident 26/02/2018

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

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Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in exhibit MM3.

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

Dated this 20 day of April 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018

L. H. Ous

EDMONTON, ALBERTA COURT
5000 130th Street, Edmonton, AB
T5A 1G1

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM1

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[illegible]

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM2

132

NHS DENTAL CARE

Contractor's Name: Handan Sabahlar
Address: Inspire Dental Walthamstow
 67-69 Palmerston Road
 Walthamstow
 London
Telephone: 0208 521 6656
NHS Organisation: NHS England London Lat

Patient's Surname: Markandu
Patient's Forename: Mathiyalagan
Date of Acceptance: 22/03/18
Treatment on Referral: No

TREATMENT PLAN & ESTIMATE

Revision No.

1

What the NHS will provide

The NHS provides all the treatment necessary to secure and maintain your oral health. There are some treatments (mainly cosmetic) that are not normally available under the NHS, and you may choose to have these provided privately. You may also choose to have some treatment provided privately as an alternative to NHS treatment. The dentist will discuss these options with you so that you can make an informed choice.

Emergency Arrangements

Whenever possible please contact us about urgent treatment during normal surgery hours. If you need to be seen the same day, please get in touch as early in the day as possible. If an emergency arises out of hours, please telephone the Primary Care Trust for advice.

Replacements free of charge

If you are 18 or over and a filling, root filling, veneer, inlay or crown provided by me under the NHS within the last 12 months has to be replaced, you will not be charged if you return to me, unless:-
 The treatment was temporary; or it was provided against my advice; or the replacement is necessary because of accident; or a different treatment is necessary because a satisfactory replacement is not possible.
 This NHS cover does not apply to any private treatment you may have.

Dental treatment charges

I want you to understand the treatment being offered and any charge which may apply. Below is a treatment plan and an estimate of the cost. Within 2 months of completion of the course of treatment below, should you require further NHS treatment in either the same or lower charge band, you will not normally need to pay again. Please ask if you do not understand this or need any further information.

Treatment on referral

With your agreement, it may be necessary to refer you to another dentist under NHS arrangements, for part of your course of NHS dental treatment. Where this happens you will not be asked to pay a further charge for your NHS dental treatment; only one charge will be made by your referring dentist, as outlined below.

ing for NHS treatment

Patients aged 18 and over normally pay charges for NHS treatment. There is NO CHARGE if you are:

* Pregnant or have had a child in the last 12 months

* If you are aged 18 and in full time education

* If you or your partner are named on a current HC2 NHS charges certificate

* If you or your partner are named on a valid NHS tax credit exemption certificate

* If you or your partner receive Income Support, Income-based Jobseeker's Allowance or Pension Credit Guarantee Credit

If you are not in any of these groups, but have a low income, you may still be able to get help with NHS charges. You can get a claim form HC1 from any Social Security office

Please Note: The following benefits, on their own, do not entitle you to help with health costs: Incapacity Benefit, Disability Living Allowance, Pension

Credit Savings Credit and Contribution-based Jobseeker's Allowance.

Cancelling Appointments

If you have to cancel an appointment, please give as much notice as possible in order that it may be offered to someone else. If you miss appointments I may be unable to provide further treatment.

Regular care

Taking good care of your teeth is important. Come and see me regularly for checkups and advice. Some people need to see their dentist more than others and I shall advise you when to return next.

NHS Treatment

1	Examination	LR1
1	Extraction	LL1
1	Extraction	LL2
1	Extraction	LR1-LL2
1	Partial Denture Bearing	
1	Primary Denture Impression(s)	
1	Note	

Total £ 0.00

Additional Private Treatment

1	30 min Hygienist Visit	£ 47.00
Total		£ 47.00

PATIENTS DECLARATION

I understand the nature of the proposed NHS treatment services and accept those services and the associated fees as detailed.
 I understand the nature of the proposed private treatment services and accept those services and the associated fees as detailed.

NHS Charge:	£0.00	Total Private Charge:	£47.00	Total Charge:	£47.00
Patient's signature	M. Mathiyalagan			Date	22/03/2018

Should it become necessary to alter this treatment plan, you will be advised of the changes and any amendment to the cost.

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-And-

MR SIMON CORDELL

Defendant

EXHIBIT MM3

134

Dr H I Swedan
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 5RJ
Tel No: 0208 527 1888
Fax No: 0208 527 8111

9th April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Netley Road, Walthamstow, E17 7QD →
Mobile No: 07891740939

117 BURNCROFT AVE
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H SWEDAN
Claremont Medical Centre
27 Claremont Road
London E17 5RJ
Tel 0208 527 1888

135

1. Made on behalf of the Claimant
2. Witness Statement of Ravathy Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-And-

MR SIMON CORDELL

Defendant

AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.
3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.
4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.
5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.
6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the injunction order so it could decide on his arrest.
7. I fear for my family safety and feels that the interim injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under **exhibit RM1**.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.
9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.
10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that he injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.
11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

Dated this day of April 2018

.....

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-AND-

MR SIMON CORDELL

Defendant

EXHIBIT RM1

139

Dr H I Swedan
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 5RJ
Tel No: 0208 527 1888
Fax No: 0208 527 8111

9th April 2018

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Netley Road, Walthamstow, E17 7QD →
Mobile No: 07891740939

117 BURNCROFT AVE
EN3 7JQ

I would be grateful for your urgent help and support for this family. The above named lady lives with her husband and 3-year-old girl and they have been subject to from problems from the next door neighbour and her husband was assaulted and had to call an ambulance. They are terrified and especially the young girl and she is crying. Mrs Mathiyalagan suffers from hypertension. She is on treatment. Her husband also suffers from high blood pressure and he is diabetic.

Yours sincerely



Dr H I Swedan

Dr H I SWEDAN
Claremont Medical Centre
27 Claremont Road
London E17 5RJ
Tel 0208 527 1888

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AMENDED DRAFT ORDER

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

DRAFT ORDER

Before District Judge

sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018. But also by shouting abuse, swearing and making threats to two employees of the Claimant and one of his neighbours at the hearing dated 04 May?

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

Backgrounds to the case

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

Attempted service of the two committal applications dated 05 February and 20 April 2018.

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under exhibit 'LM1'.
6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

Additional breach of the interim injunction order following an incident which occurred on 01 May 2018

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

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Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD,**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT 'LM1'

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.
4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.
5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....
Ms Balbinder Kaur Geddes

Dated this 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT 'BKG1'

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that "he had difficulty reading" (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

Edmonton County Court

E-mail: Ludmilla.Iyavoo@enfield.gov.uk
Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/157255
Your Ref:
Date: 14 May 2018

Dear Sirs

Re: The London Borough of Enfield v Cordell
Claim number: E00ED049

Please find enclose the following documents:

1. Application notice (N244) seeking leave from the Court to dispense with personal service of the committal applications dated 05.02.2018, 20.04.2018 and application notice dated 11.05.2018, pursuant to CPR 81.10(5).
2. Witness statement of Mr Nwabuisi and Ms Kaur Geddes dated 10.05.2018
3. Witness statement of attempted service of Mr Andy Philippou, process server.

We authorise you to take away the relevant fee from our PBA Account, which details are as follows:

PBA Account details: 0079006
Reference: LS/LI/C/157255
Fee: £255.00


Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk


EQUALITY
FRAMEWORK
FOR LOCAL
GOVERNMENT
EXCELLENT

? If you need this document in another language or format contact the service using the details above.

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N244

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Name of court Edmonton County Court	Claim no. E00ED049
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
0079006	H W F - - - - -
Warrant no. (if applicable)	
Claimant's name (including ref.) The London Borough of Enfield (LS/C/LI/157255)	
Defendant's name (including ref.) Mr Simon Cordell	
Date	14.05.2018

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

London Borough of Enfield, Legal Services

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?

The Claimant seeks leave from the Court to: 1) Dispense with personal service of the committal applications dated 05.02.2018 and 20.04.2018 pursuant to CPR 81.10(5) and 2) Dispense with personal service of the application notice dated 11.05.18 seeking to amend the committal application of 20.04.18.

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 telephone hearing

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

Hours Minutes

Is this time estimate agreed by all parties?

☐ Yes ☐ No

7. Give details of any fixed trial date or period

30/05/2018, 2pm

8. What level of Judge does your hearing need?

District Judge

9. Who should be served with this application?

Defendant

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

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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.

Statement of Truth

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed


Applicant('s legal representative)'(~~s litigation friend~~)

Dated 11/05/2018

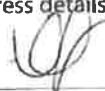
Full name Ms Ludmilla Iyavoo

Name of applicant's legal representative's firm London Borough of Enfield, Legal Services

Position or office held Solicitor
(if signing on behalf of firm or company)

11. Signature and address details

Signed


Applicant('s legal representative's)'(~~s litigation friend~~)

Dated 11/05/2018

Position or office held Solicitor
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield
legal Services
PO BOX 50
Civic Centre
Enfield

Postcode E N 1 3 X A

If applicable

Phone no. 0208 379 8323

Fax no.

DX no. 90615 Enfield 1

Ref no. LS/C/LI/157255

E-mail address

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10. What other information will you be relying on in support of the application?

1. An interim injunction order was made against the Defendant on 09.01.2018.
2. The order was served personally on 10.01.2018 and the injunction has a power of arrest attached to it. The Defendant committed further breaches of the injunction and as a result two committal applications were issued by the Claimant respectively on 05.02.2018 and on 20.04.2018.
3. A hearing took place in the Edmonton County Court before Employment Tribunal Judge Taylor who ordered that the proceedings be adjourned to 30.5.2018 on the basis that personal service of the committal applications did not take place pursuant to CPR 81.10(4).
4. On 02.05.2018 the Claimant instructed a process server to effect personal service of the two committal applications. However the Defendant refused to accept service despite identifying himself to our process server. In view of the Defendant's refusal to accept personal service of the documents the Claimant is making the present application notice to seek the Court's permission to dispense with service pursuant to CPR 81.10 (5). The Court should also note that the Defendant's mother Ms Lorraine Cordell accepts that the two committal applications were received by Post in any event. There is a witness statement of attempted service from Mr Andy Philippou dated 08.05.2018 which is attached to this application dated 10.05.2018.
5. Further breaches of the injunction were also committed by the Defendant on 01.05.2018 inside and outside of the Edmonton County Court premises. The Defendant was shouting, swearing and made threats to two of the Claimant's employees and one neighbour who attend a Court hearing on the day. The incident is supported by the witness statements of Lemmy Nwabuisi and Ms Balbinder Kaur Geddes which are attached to this application.
6. As a result of the recent incident, the Claimant has decided to issue an application notice dated 11.05.2018 to include the incident in the committal application dated 20.04.2018. An amended committal application was prepared and personal service was attempted upon the Defendant by our process server on 11.05.2018 but this was refused by the Defendant. There is a witness statement of attempted service from Mr Andy Philippou dated 11.05.2018. In view of the Defendant's refusal to accept an amended committal application, the Claimant would ask permission from the Court to dispense with personal service of the amended committal application and to allow service to take place by other means.
7. This application is made ex parte on the basis that the next hearing to hear the committal application is listed on 30.05.2018 and the Defendant needs to be served with the two committal applications and application notice dated 11.05.2018 at least 14 days in advance of the next hearing.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.
3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

Backgrounds to the case

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

Attempted service of the two committal applications dated 05 February and 20 April 2018.

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under exhibit 'LM1'.
6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

Additional breach of the Interim injunction order following an incident which occurred on 01 May 2018

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.
9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT 'LM1'

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.
3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statément filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.
2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.
4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.
5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.
7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.
8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.
9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr Nwabuisi; I did tell Mr Nwabuisi not to respond to him but the Defendant was trying to come to our directions but was held back by his mother. We proceeded to walk away in the opposite direction to avoid him so we could reach our car without any disruptions.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed BL Geddes.....

Ms Balbinder Kaur Geddes

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBIT 'BKG1'

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 05 February 2018
- c) An Application Notice dated 05 February 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) A Power of Arrest dated 09 January 2018
- f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
- g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
- h) A Draft Order

And

- a) A Letter from the Claimant Solicitor dated 02 May 2018
- b) An Order of the Court dated 24 April 2018
- c) An Application Notice dated 20 April 2018 with accompanying documents
- d) An Injunction Order dated 09 January 2018
- e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
- f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
- g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB

Acting under the instructions of:-

The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA

STATE AS FOLLOWS :-

1. That I am over sixteen years of age.
2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:
 - a) A Letter from the Claimant Solicitor dated 11 May 2018
 - b) An Application Notice dated 11 May 2018
 - c) An Application Notice marked 'Amended Application Notice'
 - d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
 - e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
 - f) An amended Draft Order
 - g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
 - h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit
3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope whilst the defendant continued to speak in what could be best described as in a nonsensical manner as the conversation bore no relevance to my attending the address or the nature of my attendance. The defendant continued to speak about the 'unlawful' act I was performing by affixing with a cable tie the sealed envelope in a plastic wallet to the external door hinge of 109 Burncroft Avenue, EN3 7JQ. That I did whilst performing this act explain to the defendant that by his refusing to open the door to me and by sealing access through the letterbox that by effecting 'lodgement' at the address in this manner was the only course of action left open to me. That I did having re-affirmed this to the defendant and his saying "what if someone takes this off in five minutes" state by virtue of our conversation and his knowledge of my action did not excuse his not wishing to be informed of the Claimant attempting to effect service upon the above named Defendant. That I did at approximately 9.35.am affix with a cable tie in a plastic wallet attached to the side hinge 'barrel' of the door frame of 109 Burncroft Avenue, EN3 7JQ a sealed envelope addressed to the defendant in order that its content would have come to the attention of the Defendant.

4. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:



11/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

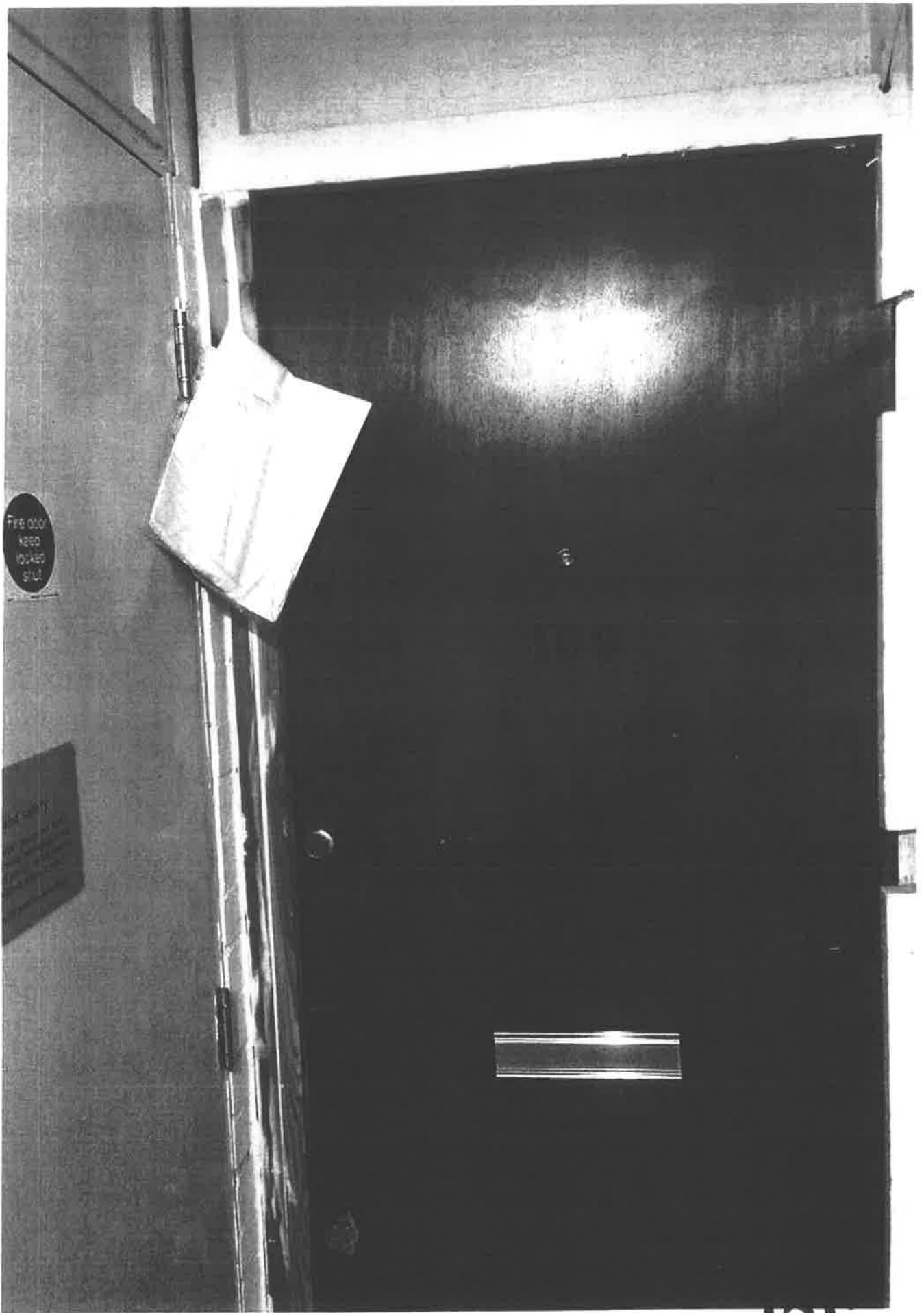
This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:



11/05/2018

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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	14 May 2018



THE LONDON BOROUGH OF ENFIELD	1st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1st Defendant Ref

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to Applicant to amend the application for committal.
2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: D. Humphreys
CJR065C

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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	14 May 2018



THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to Applicant to amend the application for committal.
2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: D. Humphreys
CJR065C

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Please reply Legal Services
to: PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

Edmonton County Court
DX: 136686 Edmonton 3

E-mail: Ludmilla.lyavoo@enfield.gov.uk
Phone: 0208 379 8323
90615 Enfield 1

Fax: 0208 379 6492

My Ref: LS/C/LI/155584

Your Ref:

Date: 15 May, 2018

URGENT

Dear Sirs

Re: The London Borough of Enfield-v- Cordell- E00ED049

We write further to the Claimant's ex parte application which was considered by Deputy District Judge Genn on 14 May 2018 in the Edmonton County Court.

The Claimant collected a copy of the Order which was drafted shortly after the hearing. However paragraph 2 of the order is slightly ambiguous and incomplete. It reads as follows:

'Permission pursuant to CPR 81.10 (5) (b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant'.

The Claimant's application notice issued on 14 May 2018 and considered by the Judge requested the following:

- 1) The Claimant seeks permission from the Court to dispense with personal service of the applications dated 05.02.2018 and 20.04.2018 pursuant to CPR 81.10 (5) and;
- 2) To dispense with personal service of the application notice dated 11.05.2016.

At the hearing it was explained to the judge that the Defendant has evaded personal service of the committal applications dated 05.02.2018 and 20.04.2018 and of the application notice dated 11.05.2018. The witness statements provided with the application also support the position. It was further explained that as a result of the

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk


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? If you need this document in another language or format contact the service using the details above.

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Defendant's conduct we would seek permission to have service of the application dispensed with.

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.

We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.

Yours faithfully,

 Kamilla Iyavoo

Lawyer

For the Director of Law and Governance

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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	E00ED049
Date	14 May 2018



THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref



Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.
ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application
IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.



Dated 14 May 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: D. Humphreys
CJR065C

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General Form of Judgment or Order

In the County Court at
Edmonton

Claim Number E00ED049

Date 14 May 2018



THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref



Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 the amended application by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.



Dated 14 May 2018



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: D. Humphreys
CJR065C

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General Form of Judgment or Order

Bsd

In the County Court at Edmonton	
Claim Number	E00ED049
Date	12 June 2018



THE LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/L1/155584
MR SIMON CORDELL	1 st Defendant Ref

Before District Judge Dias sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

AND UPON the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

AND UPON the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

AND UPON the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

AND UPON the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

AND UPON the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

AND UPON the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

AND UPON the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

AND UPON the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: D. Humphreys
C18065C

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AND UPON the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

IT IS ORDERED THAT

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.
2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.
3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.
4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.
5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.
6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.
7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.
8. Costs reserved.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

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Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

Dated 5 June 2018

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The Court Manager
Edmonton County Court

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

E-mail :
Phone : 0208379 6470
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref :
Date : 08 August 2017

BY HAND

Dear Sirs,

Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL
APPLICATION FOR WITHOUT NOTICE INJUNCTION
ANTI-SOCIAL AND CRIME AND POLICING ACT 2014

We write further to the above matter.

We enclose 3 copies of our application for an injunction.

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,


Luvemilla Iyavoo
for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources
and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY



Phone: 020 8379 1000
Website: www.enfield.gov.uk

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Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

Help with Fees -
Ref no. (if applicable)

H W F -

Claimant

THE LONDON BOROUGH OF ENFIELD
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

SEAL

Defendant(s)

MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

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

☐ Yes

☒ No

Details of claim (*see also overleaf*)

The Claimant seeks an injunction against the Defendant on the following terms:

MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Defendant's
name and
address

Court fee

£ 308.00

Legal representative's costs TBA

Issue date

For further details of the courts 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.

N208 Claim form (CPR Part 8) (06.16)

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Claim no.

Details of claim *(continued)*

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. Costs in the case

Statement of Truth

*(I believe)(The Claimant believes) that the facts stated in these particulars of claim are true.

* I am duly authorised by the claimant to sign this statement.

Full name Ludmilla Iyavoo

Name of claimant's legal representative's firm Enfield Council, Legal Services

signed 

*(~~Claimant~~)(~~Litigation friend~~)
(Legal representative's solicitor)

position or office held Solicitor

(if signing on behalf of firm or company)

**delete as appropriate*

THE LONDON BOROUGH OF ENFIELD
LEGAL SERVICES
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

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.

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Application for Injunction (General Form)

Name of court EDMONTON COURT	Claim No. COUNTY
Claimant's Name and Ref. THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255)	
Defendant's Name and Ref. MR SIMON CORDELL	
Fee Account no. 0079006	

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.

(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').

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

☐

By application in pending proceedings

☒

Under Statutory provision Part 1 ANTI-SOCIAL BEHAVIOUR CRIME AND DISORDER ACT 2014

☐

This application is made under Part 8 of the Civil Procedure Rules



This application raises issues under the Human Rights Act 1998

☐

Yes

☒

No

The Claimant ⁽¹⁾ THE LONDON BOROUGH OF ENFIELD applies to the court for an injunction order in the following terms:

The Defendant ⁽²⁾ MR SIMON CORDELL must ⁽³⁾

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.

2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person) ⁽⁴⁾

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

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.

N16A General form of application for injunction (05.14)

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IN THE EDMONTON COUNTY COURT

CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD**

(CLAIMANT)

-AND-

MR SIMON CORDELL

(DEFENDANT)

DRAFT ORDER

IMPORTANT PENAL NOTICE

If you do not obey this Order you will be guilty of contempt of court and you may be sent to prison

If you, Mr Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

Before Circuit/ District Judge

The Defendant MR SIMON CORDELL must:

- 1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**
- 2. Keep his dog on a lead in communal areas outside his property.**

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

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1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
- 4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR JOHN IRVING

I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.
2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

Background

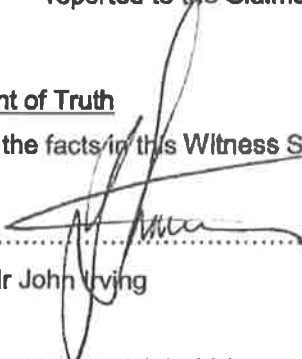
3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.
4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.
5. The Defendant lives in Flat 109 and In conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasingly agitated by the raised voices and approaches towards Mr Gray. I could

see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR NEVILLE GRAY

I, Mr Neville Gray, of PO BOX 50, Civic Centre, Silver Street, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

Background

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.
4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints were made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.
5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non-existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.
7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.
8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.
9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr Neville Gray

Dated this 04 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalagan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

BACKGROUND

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.
4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.
5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

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all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6th August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.
7. On 8th August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.
8. On 27th September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.
9. On 28th September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.
10. On 8th December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

11. On 11th December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.

12. On 23rd December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23rd December 2016.

13. On 26th December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.

14. On 3rd January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

15. On 21st January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.

16. On 31st January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.

17. On 5th May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.

18. On 12th May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.

19. On 1st June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

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20. On 9th June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.

21. On 16th June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.

22. On 18th June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.

23. On 23rd June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what

was happening, the Defendant went back into his flat. We then called the police, they attended and we explained what happened. The police then went and knocked on the Defendant's door but he refused to let them in.

24. On 28th June 2017 at 11:45am, the Defendant confronted my wife outside the main entrance door as she was going to pick up our daughter from school and demanded to talk to her. My wife told him that she cannot stop to speak with him as she was on her way to collect her daughter from school but the Defendant ran after my wife, stood in front of her and started to shout at her. The Defendant told my wife that he knows all our personal details including our full names, date of birth and bank details. The Defendant demanded that we should pay him some money and that my wife should tell me to come and talk to him. The Defendant also accused my wife of making noises inside our flat.

25. On 30th June 2017 at 11:45am, the Defendant confronted my wife as she was leaving the block to go and pick up our daughter from school and accused her of slamming the door. My wife denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

26. On 2nd July 2017 at 5:18pm, my family and I was going out to visit some friends and as we were about to exit the block, the Defendant popped his head out of his front door and asked me when I was going to hand over the money to him. I told him that I was not going to give him any money and that he should go and work so that he could earn some money. As we left the block, the Defendant came running after us and was shouting abuse and swearing at me and said to me that I should pay him some money if I want him to leave me and my family alone. The Defendant also said to me that he has all our personal details including phone numbers, date of birth

and bank details and that I must pay him to have them back. I told him that I will not pay him and to do whatever he likes with the details.

27. The constant verbal abuse, swearing, intimidation and aggressive behaviour from the Defendant towards my family and I have made it difficult for us to live in our own home. The fear of not knowing when we will be confronted with vile and aggressive behaviour as my wife and I go out or return to our home has caused us severe stress and anxiety. My wife is afraid of leaving our flat on her own due to fear that the Defendant will confront and shout abuse at her. We are having to tip-toe inside our flat for fear of being accused of making noise even though we live two floors above the Defendant. The Defendant has caused us immense hardship by vandalising my property and although I cannot prove it, I am certain that the Defendant was responsible for slashing my car tyres, damaging my meter cupboard and removing my electricity fuse several times and restricting water flow to my flat. Also, I no longer park my car outside my block in Bumcroft Avenue because of the car being vandalized. I now park a few streets away, about ten or fifteen minutes from my home instead of outside my block which is about a minute from my flat. I do not see why we should have to live this way.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....M. Mathiyalagan.....

Name: Mr Markandu Mathiyalagan

Dated this 02 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of George Quinton
3. Statement No. 1
- 4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR GEORGE QUINTON

I, Mr George Quinton, of 113 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located the next floor above the Defendant's. I have lived at this property since the 2nd May 2016.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

BACKGROUND

3. The problems that I have encountered with this tenant have been a regular occurrence since the commencement of my tenancy. The Defendant would come to my flat three or four times a week, on occasion this would occur more frequently whereby he would extend this harassment to not only myself but to my visitors also often following them as they would leave the building. He would often play loud music after which he would become very argumentative and bang on my door accusing me and my visitors of maliciously making loud noises to annoy him.
4. The Defendant would often make threats to me and on one particular occasion the Defendant said to me, 'he is on a curfew for 12 days but he would come 'after me' once this is over'.
5. The Defendant had also made accusations claiming that the noises I was allegedly causing had resulted in the sudden death of his child.
6. On another occasion on the 9th October 2016, the Defendant came to my flat banging on the door and when I answered immediately started shouting at me. He then went downstairs and about ten minutes later he approached my moped which was parked outside the building and started smashing it with a wooden stick. The damage that caused was to my vehicle was significant and prevented me from using it for some time and caused me to lose my job through lack of transport which was a requirement of my employment. The damage to the motorcycle was damage to tyres, the side panels, the headlights both front and rear along

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with both the breaks and the mirrors. The matter was reported to the Police who attended and arrested the Defendant. A crime reference number was obtained relating to this incident and I will be happy to provide this at the hearing when I attend. I also have a recording of conversation ~~between the Defendant and I, where he admitted to have caused damages to my moped.~~ The recording will be provided at the hearing.

7. A further incident occurred with the Defendant around January 2017 whereby he came to my front door and started shouting and complaining about noise and that he was being wrongfully accused by the Police and accused myself and other tenants of 'being out to get him'. I asked him to leave but he refused to do this so I then left my flat to stay at my friends as the Defendants behaviour had scared me. When I returned to the property a couple of days later, superglue had been inserted into the front entrance door lock preventing me from gaining access, this also caused the key to break.
8. This was reported to the council and an order was required to gain entry to my property. This was recorded under works order reference number 1814013/1.
9. Due to the erratic and abusive behaviour of this tenant I have been forced to flee my property because I feel scared and uncomfortable and I have not returned since. As a result of this I have also fallen into arrears, I am now facing homelessness.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....*GT Quinton*.....

Name: Mr George Quinton

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Dated this 7th day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 1
4. Exhibit No LN1
5. Dated 7 August 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

I WILL SAY AS FOLLOWS

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to other residents and their visitors on Burncroft Avenue.
3. The Defendant is a secure tenant of the Claimant at 109 Burncroft Avenue, Enfield, Middlesex, EN3 7JQ. His tenancy commenced on 14th August 2006. I hereby attach a bundle of documents relating to this case as exhibit number **LN1**. A copy of the Defendant's tenancy agreement and terms and conditions are hereby attached at pages 1-24.
4. The reports concerning the Defendant's alleged anti-social behaviour towards his neighbours was first brought to my attention in October 2016 when a case involving the Defendant and one of his neighbours was referred to me for investigation. The Defendant was reported to have caused frequent acts of harassment and anti-social behaviour against an elderly neighbour. The Defendant was arrested by the Police and bailed to a different address. The matter was referred to the Highbury Corner Magistrates' Court on 05 October 2016 where a first hearing took place. The Defendant pleaded not guilty and the trial was fixed for 17 November 2016. However, the trial did not proceed due to insufficient support as the elderly tenant was unable to attend Court due to health reasons. A copy of a letter from the Magistrate Court is attached to this statement at pages 25-26.
5. The Defendant was previously known to the Claimant and an anti-social behaviour order was made on 4 August 2015 by the Magistrates Court to prevent him from knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice Order Act 1994. The order was made for a duration of 5 years. A copy of the Order is at page 27 of the exhibit bundle.

6. On 6th August 2016, the Defendant threatened and shouted abuse at Mr and Mrs Mathiyalagan tenants of 117 Burncroft Avenue. He aggressively demanded money from him and threatened to beat him up. The Defendant also repeatedly swore at Mr Mathiyalagan's wife, called her a 'witch' and tried to stop the Mr Mathiyalagan from going up the stairs to his flat by standing in front of him and blocking his advance by placing his hands on the staircase railings. Mr Mathiyalagan has already provided a witness statement in support these proceedings to confirm that this incident happened. A file note of this report is exhibited at pages 28-30 of the exhibit bundle LN1.
7. On 8th August 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his front door, shouted abuse at him and his wife and accused them of making noise. Mr Mathiyalagan reported to us that he believes that the Defendant used a screw driver to damage the lock on his meter cupboard and removed the fuse box thereby cutting off their electricity supply. Mr Mathiyalagan reported this incident to the police and was given reference number CAD 7934/August 2016. A file note of this report is exhibited at pages 28-30 of the exhibit bundle.
8. On 27th September 2016, Mr Mathiyalagan reported that the Defendant confronted him as he returned to his flat with his wife and young daughter and threatened and swore at him and demanded money from him. A file note of the report is on pages 28-30 of the bundle.
9. On 28th September 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his door and threatened and shouted abuse and swear words at him and his wife. The Defendant also aggressively demanded money from Mr Mathiyalagan. A file of the report is at pages 28-30 of the exhibit bundle.
10. On 11th November 2016, my former colleague, Sarah Fletcher interviewed an elderly resident who wished to remain anonymous. He said that the Defendant approached him as he came out of his flat and started to shout abuse, swear at him and threatened to burn down the elderly neighbour's flat. The report

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continued that sometime around mid-September 2016, one of the Defendant's neighbours reported that the Defendant confronted him outside his block as he was going to the local park and started to shout abuse and threats at him and said to him "I can get you over at the park, I know you go for a walk". This incident led to his arrest and to the matter being referred to the Magistrates Court. A file note of the report is exhibited on page 31 of the exhibit bundle LN1.

11. I had meetings with Mr George Quinton, one of the Defendant's neighbours on 16th December 2016 and 11th January 2017. He reported that he was experiencing problems with the Defendant's behaviour, and that on 4th October 2016, the Defendant aggressively banged on his ceiling and accused him of making noise. The Defendant then went to the neighbour's flat upstairs and started kicking and banging on the front door and was swearing and shouting at him. The Defendant later went downstairs, dragged the neighbour's motorbike from where it was parked and started to hit it with a piece of wood. A file note of the report is at pages 32-34 of the exhibit bundle.

12. On 22nd November 2016, during a telephone conversation with my former colleague Ms Sarah Fletcher, the Defendant was heard saying to his mother, who was present with him, 'I'm gonna do her over, I'm gonna take her job just for fun' referring to Ms Fletcher. A file note of the incident is at page 34A of the exhibit bundle.

13. I hereby attach a case history detailing incidents of reports from Mr Mathiyalagan about the abuse, threats and persistent intimidation by the Defendant. The case history is at pages 35 to 40 of the exhibit bundle LN1. It shows that Mr Mathiyalagan reported incidents too numerous to set out in this statement about abuse, threats, attempts to extort money and intimidation by the Defendant. Examples are that the Defendant banged on his front door while his wife was alone at home with their young daughter and shouted abuse at his wife and asked her to turn off the bathroom taps. He also removed his electricity fuse thereby

cutting off their power supply. Mr Mathiyalagan reported the incident to the police and was given CAD 5753/23 December 2016. A file note of this incident is at page 37 of the exhibit bundle.

14. Other examples of aggressive and anti-social behaviour reported by Mr Mathiyalagan were that on 21st January 2017, the Defendant aggressively banged on his door, swore and shouted abuse and threats at him and his family and accused them of making noise.
15. On 9th June 2017, the Defendant attacked Mr Mathiyalagan's cousin in the communal hallway as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his mobile phone from him as he tried to record the incident.
16. On 16th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was exiting the main entrance at 11:55am and said to her that he had her bank and personal details. He also reported that the Defendant told his wife that he wanted her and her husband to pay him some money.
17. On 23rd June 2017, the Defendant came out of his flat with his dog and attacked Mr Mathiyalagan's cousin as he returned from work at 11:35pm. He reported that the Defendant punched his cousin twice on the chest, tried to push him out of the block and snatched his mobile phone as he tried to record the incident.
18. On 28th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was leaving the block at 11:45am, swore at her, shouted abuse and accused her of making noise inside her flat. He said to her that he knows all her personal details and that of her husband including their full names, date of birth, phone numbers and bank details. The Defendant demanded that they pay him some money and asked her to tell Mr Mathiyalagan to come and see him.
19. On 2nd July 2017, Mr Mathiyalagan reported that the Defendant confronted him with his dog barking and without a lead as he was going out with his family at

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5:18pm and asked him when he was going to hand over the money. He also reported that as they left the block, the Defendant ran after them swearing and shouting abuse and demanded that he must pay him money if he wants him to leave him alone. The Defendant also said to him that he has all their personal details. A report of the incident is at page 40 of the case history.

20. Case history notes exhibited at pages 41-46 show reports of similar aggressive and intimidating behaviour displayed to Mr Mathiyalagan was being experienced by another tenant who wishes to remain anonymous because of fear of reprisal from the Defendant.

21. Similarly, further case notes exhibited at pages 47-52 show that another tenant who wishes to remain anonymous was being subjected to the Defendant's anti-social behaviour. She had to be moved from the block because of the harassment from the Defendant and because she suffered from mental health problems and was particularly vulnerable and unable to deal with the threats and harassment from the Defendant.

22. On 7th February 2017, the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve low water pressure issues affecting the flat. The Defendant informed the leaseholder that there were problems between him and his tenants but did not give specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in their flat and that they were trying to fix the problem. The Defendant said to the leaseholder, "you will not resolve the problem as I am restricting their water supply". The leaseholder later asked the Defendant to increase the water pressure and the Defendant stated "I cannot do anything at the moment, I will sort it out later". A report of this incident is at page 55 of the exhibit bundle.

23. On 24th February 2017, the Claimants officers Sarah Fletcher and Steve Kirk attended the Defendant's property following reports of low water pressure in the

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flats above his. While inside his flat they noticed that the Defendant have installed a metal security gate inside his front door. It also appeared that the Defendant may have removed the wall between his kitchen and living room thereby creating an open plan living space. A copy of the file note is pages 56-57 of the exhibit bundle.

24. On 8th May 2017, the Claimant's officers, Ms Fletcher, a Neighbourhood officer who has since left the Council and Mr Steve Stirk, a Surveyor visited the Defendant's block of flats following reports of low water pressure to flats 109, 113 and 117 Burncroft Avenue. While the Claimant's officers were outside flat 113, the Defendant came up to them and started to complain about his perceived victimization by his neighbours, the police and the council. While the Defendant was talking to the officers, Mr Mathiyalagan came down the stairs and the Defendant said to him, "I'm going to the police station now with my evidence about you and I'm going to ruin your life". A file note of this report is exhibited at page 58 of the exhibit bundle and an email from Steve Stirk is at page 59.

25. On 14th May 2017, yet another neighbour who wishes to remain anonymous reported that the Defendant aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The neighbour stated that the Defendant later followed her to her car as she was leaving the block shouting abuse and wanting to know where she was going. The neighbour also reported that the Defendant allowed his dog to roam freely in the communal area of the block without a lead. A file note of the report is at page 60 of the exhibit bundle LN1.

26. On 28th May 2017, the Defendant was issued with a first instance Harassment letter by the police following allegations of harassment and threatening behaviour made to the police by his neighbour. A copy of the letter and the PC's statement are at pages 61-62 of the exhibit bundle LN1.

27. On 12th July 2017, Mr Neville Gray, the Claimants repairs surveyor attended the Defendant's flat to investigate reports of low water pressure to the flats above the Defendant's flat but the Defendant refused him access. Mr Neville Gray attended the Defendant's flat again at about 5:39pm following reports from the leaseholder of flat 117 Burncroft House that the water supply had stopped completely, but the Defendant also refused him access. The Defendant later shouted abuse and swear words at Mr Gray and would not allow him to approach his car. Mr Gray has provided a witness statement in relation to this incident.

28. The Defendant is in breach of the following conditions of his tenancy agreement;

- i. Condition 10 – "You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."
- ii. Condition 21 – "You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police".
- iii. Condition 31 – "You must take care not to cause damage to your property or the property of your neighbours".
- iv. Condition 33 – "You must keep the inside of your property clean and in reasonable decorative order".
- v. Condition 34 – "You must not use the property in any way that may cause a health and safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)"
- vi. Condition 53 – "You must keep the inside of the property, the fixtures and fittings and glass in the property in good repair during the tenancy"

29. I have corresponded with the Defendant regarding the reports of anti-social behaviour made against him by his neighbours and invited him to meetings with his mother Lorraine Cordell but he declined to attend. Letters were sent to him on 29th November 2016 inviting him for a meeting on 6th December 2016, 31st

January 2017 inviting him for a meeting on 9th February 2017, 16th February 2017 for a meeting on 22 February 2016 and 16th March 2017 for a meeting on 22nd March 2017. These letters are exhibited at pages 63-70 of the exhibit bundle.

30. I have enquired with the Mental Health Team whether the Defendant is currently known to the team and was informed that he is no longer under their care.

31. The Claimant's operatives have had difficulties in accessing the Defendant's flat to inspect the state of the property and the unauthorised works and modifications which the Defendant is purported to have carried out without a written consent from the Claimant. The Claimant has also been unable to check whether the Defendant is restricting water supply/pressure to the properties above his since December 2016. The Defendant has admitted to restricting the water supply but has refused to allow the Claimant's maintenance operatives access to his property to investigate and rectify the problem.

32. The Defendant has intimidated the residents in the entire block and because of his behaviour, we have received numerous complaints from residents, requests to be transferred from the block and we have had to move a vulnerable tenant from the block.

33. I have made attempts to engage with the Defendant but he has not been cooperative and has continuously displayed abusive and threatening behaviour towards the Claimant's members of staff and his neighbours. A Notice of Seeking Possession has been served on him and possession action is being considered. However, in the meantime, this injunction is required to ensure that the other residents are not subjected to further intimidation and harassment by the Defendant. This application is being made without notice because if the Defendant were given notice, he would intimidate the witnesses in an attempt to prevent the order being made.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed 

Dated this 8th day of August 2017

1. On behalf of the Claimant:
2. Lemmy Nwabuisi
3. Statement No 1
4. Exhibit: LN1
5. Dated 8th August 2017

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendants

EXHIBIT

This is the Exhibit LN1 referred to in the witness statement of Lemmy Nwabuisi dated 8th August 2017.

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Tenancy agreement

When signed, this document becomes a legal agreement between you, the tenant(s), and the London Borough of Enfield. You should not sign this agreement unless you agree to keep all the conditions written in it. You must ensure that you have read it properly and have asked for further explanation where necessary so that you do fully understand it.

This tenancy agreement is between the London Borough of Enfield and the tenants detailed below:

tenant	date of birth	family	date of birth
Simon Cordell	26/1/87		

The London Borough of Enfield lets the property detailed below:

address 109 Brunel Road Avenue
Enfield
N16 7JX

net rent	£ 62.44	caretaking	£ 2.47	concierge	£
water rates	£ 3.76	grounds maintenance	£ 0.66	other	£
heating charge	£	cctv	£	TOTAL RENT £ 65.13	

This is an ~~introductory~~/secure tenancy with effect from Monday 14th (date) Aug (month) 06 (year)

This introductory tenancy will automatically become a secure tenancy on unless we have started proceedings for possession

If you or anyone on your behalf has given false information to enable you to get this tenancy, we will take action to recover possession of the property.

If you break any of the conditions of your tenancy, we can take action to force you to meet the conditions or we can ask the court for permission to evict you.

I/We agree that I/we have had adequate time to read, understand and seek advice on the information and conditions in this document. I was/We were given details of where I/we could get this advice. I/We agree to keep to the conditions of this tenancy agreement.

signed 

tenant Simon Paul Cordell date 11/8/06

signed

tenant date

signed

tenant date

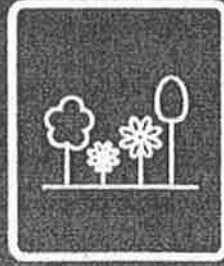
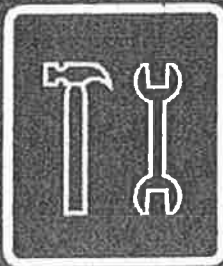
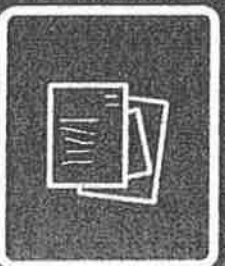
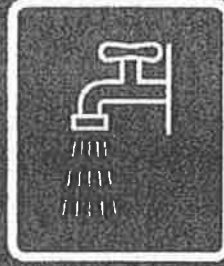
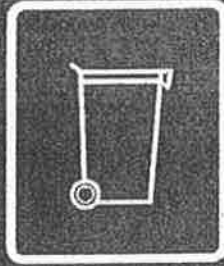
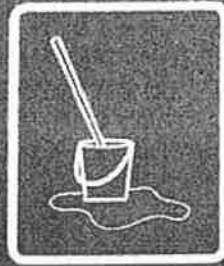
signed



on behalf of the London Borough of Enfield date 11/8/06

23101

Tenancy Agreement



www.enfield.gov.uk

ENFIELD
Council



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Section 1



General terms

This is your Tenancy Agreement. It is a legally binding document which sets out your rights and responsibilities as one of our tenants.

It is an important legal document and should be kept in a safe place.

Conditions of Tenancy are marked in red text as they are important, and you must comply with them.

If you break any of these tenancy conditions we may have to take legal action against you in the courts. This could lead to you losing your home.

For further explanation of anything contained in this document, please see the fact sheets on our website.

Where 'you' is used in this agreement, it means you, all members of your household and any visitors to your property.

Where 'we' or 'us' is used in this agreement it means Enfield Council or any agent acting on its behalf.

1.1 Interpretation

Unless the contrary is stated or implied, the rights and obligations set out in this agreement are intended to replicate the rights and obligations established by statute, for example, the Housing Act 1985, Part IV. The contrary may be implied where, for example, rights and obligations are set out in the contract that either are not addressed by statute or where the statute gives the council discretion.

1.2 What this agreement means

By signing the Tenancy Agreement you are entering into a legal contract with us to keep to all the conditions of your tenancy set out in this document.

This agreement is for both introductory and secure tenancies. If your tenancy is an introductory one, you do not have all the rights that you will have when your tenancy is secure. The section below, under the heading 'Introductory tenancies', outlines the rights you do have as an introductory tenant. Whether you are an introductory or a secure tenant, all the conditions will apply.

In this agreement, 'you' always means you, the tenant, or - in the case of joint tenancies - any or all of the joint tenants. Sometimes 'you' will include members of your household and visitors to your home. In this agreement, 'we' or 'us' means the London Borough of Enfield and its agents or representatives.

1.3 Personal information and photographs

Fair Processing Notice

We collect and process personal information to allow us to allocate homes and manage and improve services. This may involve sharing your personal data with other organisations that are contracted to carry out services on our behalf. This includes services provided to you such as repairs but also services delivered to us such as fraud detection provided by credit reference agencies. These organisations are obliged to keep your personal details secure. When we share information, we will draw up an agreement with the organisation that we need to share the information with. This is so that both sides understand why the information is being passed on, and what it can be used for.

We may pass on certain personal information to other organisations (such as local authorities, the courts or the police) where this is requested or we have a legal requirement to do so such as during a criminal investigation, a court case or to report benefit fraud.

Condition 1. By signing this agreement you agree that we can use the personal information you give us in accordance with the Data Protection Act 1998 for the purpose of detecting and preventing fraud.

Condition 2. By signing the Tenancy Agreement you agree to us taking a photograph of you at the beginning of your tenancy, and in the future, whether at your home or at our offices. This is for the purpose of detecting and preventing fraud. We will keep a copy of your photograph with our records.

1.4 Tenancy verification

Condition 3. By signing this agreement, you agree to provide us with up to date details of you and your household when requested, such as during a tenancy audit interview, at your home. You will agree to our officers inspecting your home to comply with health and safety requirements. If you refuse to comply with this or any reasonable request, we may take legal action which could lead to eviction and you may also incur court costs.

1.5 Introductory tenancies

All new Enfield tenants will be introductory tenants unless you were already a secure tenant of a local authority or an assured tenant of a registered provider at a previous property.

An introductory tenancy will last for a trial period of 12 months. Under the Housing Act 2004, we can extend the introductory tenancy period for a further 6 months if there has been a breach of the tenancy conditions in the probationary period.

If, during your introductory tenancy, you break any of the tenancy conditions, or if you made a false or misleading statement to obtain the tenancy, we may take action to end your tenancy by serving you a Notice of Possession Proceedings.

If you do not break any of the tenancy conditions during this time, you will automatically become a 'secure tenant' after a 12 month period.

As an introductory tenant, you do NOT have all the rights of a secure tenant. You do not have the right to:

- buy the property
- exchange the property with another tenant
- vote for a change to a new landlord
- take in lodgers
- sublet all or part of your home
- make any alterations or improvements.

If you break any of the conditions during your introductory tenancy, we may take legal action to end your tenancy.

1.6 Secure tenancies

If you are a secure tenant, you have the legal right to live in the property for which you hold the tenancy.

We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. We may take formal action if you break any of the tenancy conditions. We cannot evict you from the property unless we can prove grounds to do so in a court and the court grants an order for possession. As a secure tenant you will enjoy a number of rights not available to introductory tenants.

1.7 Sheltered accommodation

Some of our flats are designated as sheltered accommodation. Sheltered accommodation is intended for the over 60s and people with support needs and is considered unsuitable for families with children. If you live in one of these flats, you may be covered by some different local conditions due to the type of accommodation you are occupying.

1.8 Making a complaint

If we fail in any of our responsibilities, you have the right to make a complaint through our complaints system, which has the following stages:

Stage 0 – if you contact us to report something you are unhappy about and we can resolve the issue simply within 2 working days, we will record your dissatisfaction and handle the matter as Stage 0.

If the matter is unresolved, you may request that a formal Stage 1 complaint is logged.

Stage 1 – your complaint will be investigated by a senior manager from the team where the alleged service failure occurred. They will respond within 10 working days.

Stage 2 – your complaint will be reviewed by the Executive Management Team, who will aim to reply within 10 working days

Stage 3 – The Chief Executive of Enfield Council will arrange for your complaint to be independently reviewed by a senior officer in Enfield Council who does not work for Enfield Homes. They will write to you with a decision within 30 working days of receiving your complaint.

We hope our complaints procedure will help us to sort out, with you, any problems you may have with the way our services are provided, but if you are still not satisfied you have further options:

From 1st April 2013 the Localism Act 2011 provides that the tenants of housing associations, local authorities and ALMOs will be able to ask for their complaints to be considered by a 'designated' person when all stages of their landlord's internal complaints procedure are finished.

A designated person can be an MP, local Councillor or a Tenant Panel. If you want more information on who they are and how you can contact them, please contact us directly on **freephone 0800 40 80 160** or email us at **info@enfieldhomes.org**

When the Housing Ombudsman receives a complaint that has gone through all stages of the landlord's internal complaints procedure, they will always ask if it has then been referred to a designated person and if a tenant is clear that they do not want to make use of that opportunity for local resolution (if it is more than 8 weeks from the end of the landlord's complaints process) the Housing Ombudsman will consider the case.

The Housing Ombudsman Service can be contacted at:

81 Aldwych
London WC2B 4HN

Telephone 0300 111 3000

Fax 020 7831 1942

Email info@housing-ombudsman.org.uk

1.9 Taking legal action against the council

If you think we have not met our obligations as stated in this agreement, you have the right to take legal action against us. You must obtain your own independent legal advice.

1.10 Serving legal notices on the council

If you wish to serve any Notice on us, you should send it as described in the section 'Ending your tenancy' on page 16.

Section 2

Your conditions of tenancy



2.1 Rent

We can change your rent and other charges at any time. We have to give you 28 days' written notice of any change in your rent and the change must start on a Monday but we can change your water and other charges at any time.

The notice will specify the revised net rent and other charges. This notice may be left at or posted to your property.

Our usual practice is to increase the rent and other charges no more than once a year in April although this does not preclude a change in rent or other charges at any other time in the year when necessary.

2.1.1 Failure to pay

Condition 4. You must pay your total rent – which includes any charges on the property, for example water rates and service charges for amenities – in full on or before the date the payment is due.

If you fail to pay your rent and/or charges, the council may take legal action to recover the debt or ask the court to grant us possession of the property. This could lead to you being evicted.

Condition 5. You must tell us if you are unable to pay your rent in full or on time, and you must make an agreement to pay any rent arrears.

We will treat your payments as rent due before we credit them to any other charges.

If you owe rent or any other charges for a previous tenancy, we may require you to pay these through your current rent account.

2.1.2 Miscellaneous recharges

Condition 6. You must pay the cost of any items or works which are not our responsibility and for general damage to and misuse of the property. Examples are broken glass due to damage caused by you, a member of your household, or visitors to your household, the replacement of lost keys or fobs or the reinstatement of unauthorised alterations.

2.1.3 Liability of joint tenants

Condition 7. If you are a joint tenant, you are responsible for all the rent and other charges when they are due.

In a joint tenancy, each tenant has full responsibility for paying the rent and any other charges due on the property.

If one of you leaves the property without ending the tenancy, or does not pay the rent and the account goes into arrears, each joint tenant will continue to be responsible for the rent and any arrears on the account.

If you have a joint tenancy, the tenancy ends for both joint tenants if you or the other joint tenant serves a valid Notice to Quit on us.

If you serve a Notice to Quit on us, it is valid if it is in writing and served at least 4 weeks before the date of termination. The day of termination must always be a Sunday. This must be signed and dated by you.

Condition 8. If you or another joint tenant is intending to leave, or has left the property, you must inform us in writing.

If you are a joint tenant with your partner and your relationship breaks down, we may inform you about where you can get independent legal advice on your rights.

2.2 Conduct and behaviour

Condition 9. You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere else within Enfield borough.

2.2.1 Anti-social behaviour, nuisance and noise disturbance

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action, we will ask the court to give us an order against you for the legal costs we have incurred.

Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

Examples of this sort of behaviour include but are not limited to:

- playing loud music including noisy parties and congregations
- unreasonable noise caused by inadequate insulation and/or soundproofing of any type of flooring
- noisy DIY at unsocial hours
- loud arguments and/or fighting
- offensive and/or disruptive drunkenness
- dumping rubbish and furniture
- fly tipping
- slamming doors
- allowing your dog(s) to bark persistently and/or cause a mess
- not keeping your pet(s) under control
- playing ball games close to people's homes
- disruptive and/or intimidating loitering
- spraying or writing graffiti
- skateboarding and cycling on footpaths and balconies

- damaging or vandalising any council property
- setting fires
- riding motorbikes, mopeds, quad bikes anywhere other than on the road
- installing or using equipment such as aerials to operate illegal radio broadcasts from your own or any other council property or shared roof
- extensive repairing of cars and/or other motorised vehicles on estate roads or parking areas
- obstructing any shared areas, doorways or exits
- throwing items from balconies or windows
- feeding pigeons, squirrels; foxes, wild birds or any other non-domesticated animal
- jamming communal doors open
- letting people into communal blocks who do not have a right to be there.

If you are suffering abuse or annoyance, you should report the matter to us.

Condition 11. You must not install any audio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from, without first consulting us.

Condition 12. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with written specification of the proposed works prior to installation.

We would strongly advise that, in flats, you fit carpets. Do not remove existing carpets. You should not install tiling, hardwood or laminate-type flooring because fitting these may increase the way noise travels between floors and through walls. So if it disturbs your neighbours, we may consider it to be a nuisance and a breach of the conditions.

Condition 13. You must not carry out household tasks using machinery such as a washing machine, tumble dryer, dishwasher or vacuum cleaner between the hours of 10pm – 7am.

2.2.2 Domestic abuse

Condition 14. You must not cause any member of your household to leave your home because of domestic abuse. If you do, we will take action against you. This may result in your home being repossessed.

Condition 15. If you abuse or mistreat a child or, as a result of any such abuse or mistreatment, a child is endangered or taken into care, we may seek possession of your home and evict you.

2.2.3 Harassment and hate crime

Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

Examples of harassment include:

- using or threatening to use violence towards any person including our staff
- unprovoked physical assaults
- stalking, including cyber stalking
- domestic violence and abuse
- verbal abuse
- threatening or abusive behaviour
- threatening or abusive letters, telephone calls or text messages
- writing threatening, abusive, insulting or hate motivated graffiti
- racist comments and/or abuse
- damage to property or threats to damage property
- making false complaints about someone.
- abusing and/or bullying people through social media such as Facebook, Twitter, Instagram and text messaging.

2.2.4 Gang activity

Condition 17. You must not be involved in gang related activity or violence. This includes using or threatening to use violence, or verbally assaulting other people residing in the locality, so that they leave the property.

If you or other members of your household who are identified as being involved in, or potentially involved in, gang activity co-operate with us and/or our partner agencies, we will take this into account when considering tenancy enforcement action.

2.2.5 Criminal activity

Condition 18. You must not use the property or locality for criminal, immoral or illegal purposes, such as dealing in illegal drugs or substances or prostitution and/or human trafficking. If you are convicted of such an offence, in your home, locality or anywhere else within Enfield borough, this will be a breach of your tenancy conditions.

In particular, you must not use your home or any communal area, or anywhere else in Enfield borough, in connection with:

- selling, using, storing, manufacturing or growing of illegal drugs
- storing or handling stolen goods
- keeping illegal or unlicensed guns or weapons within the property with an illegal intent
- dealing in illegal pornography
- theft
- burglary
- criminal damage
- committing an offence during a riot
- cyber crime
- public order offences.

Condition 19. You must not use the communal area, any neighbouring areas or any garage or pram shed for any illegal purpose including, but not limited to:

- arson or attempted arson
- interference with security and safety equipment
- wilful damage to shared areas or facilities, including sheds
- breaking windows or doors or writing graffiti
- using weapons such as guns and/or knives
- using pets or dogs as a weapon
- using and/or dealing drugs.

You will be responsible for the cost of renewing any door that has been damaged following any forced entry by the Police and reclaiming the cost from the Police.

Condition 20. You must not keep any firearm, shot gun, or air rifle in your property without all the necessary certification required by law and without our written permission.

2.2.6 Other unacceptable behaviour

Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.

If you fail to keep this tenancy condition, we will support our officers if they refuse to interview you, visit you, or speak to you on the telephone. We may also refuse you entry to our offices and take legal action against you.

2.3 Use of premises

Condition 22. You must live in your property and use it as your only or main home.

If you are to be away from your home for a continuous period of more than a month, you should inform us. If you do not do so, we may think that the property has been abandoned and take action to recover possession of it. You must tell us how and where you can be contacted in case of an emergency.

If you move out of your property and allow someone else to live there, you will no longer be a secure tenant. We will take action to recover possession of the property by serving a Notice to Quit.

Condition 23. You must not allow your home to become overcrowded by other people living or staying there. You will not receive priority to transfer to larger accommodation under our Allocations Scheme if you do so.

Condition 24. You must notify us in writing, within 14 days, of any change, compared to those listed on your Tenancy Agreement, in the people who are living in your home. The notification must give:

- the person's full name, gender and date of birth
- the date of the change and
- whether s/he moved in or out of your home.

Condition 25. You are allowed to take in lodgers but must notify us in writing as required by Condition 24.

Introductory tenants are not allowed to take in lodgers.

Condition 26. You must not sublet or give up the whole of your property. If you do this, your secure tenancy may end. You may only sub-let part of your property with our prior written permission.

Condition 27. You can only assign your tenancy under certain circumstances which are described on page 19. You must have our written permission to do so.

Condition 28. You must not carry on or advertise any trade or business at your premises without our written permission and the necessary legal or planning requirements.

This Tenancy Agreement only gives you the right to use your property as a private residence. If we give written permission for you to use your property for business purposes, you must still meet any necessary legal or planning requirements for your business use. If your business causes nuisance or annoyance to neighbours or local residents, we can withdraw our permission.

Condition 29. It is your responsibility to pay for all gas and electricity used in your property, directly to the appropriate gas and electricity company unless you live in a block where the heating is communal and the landlord charges you directly for this as a service charge.

2.4 Sheltered accommodation

Condition 30. If you live in sheltered accommodation, you must seek your Sheltered Estate Manager's permission if anyone is moving in with you for more than a few days.

This should not be a permanent arrangement. However, your Sheltered Estate Manager may inform you of other housing options that may be more suitable for you.

2.5 Home contents insurance

Enfield Council is responsible for insuring the building and structure of your home but not the contents.

The council's building insurance does not cover contents insurance for your possessions. **You are responsible for insuring your home contents.** We are not responsible for loss or damage to your belongings including that caused by other residents.

2.6 Looking after your home

Condition 31. You must take care not to cause damage to your property or the property of your neighbours.

You should have any washing machine or dishwasher, electric or gas cooker, professionally installed. You must not use any of these if you know or suspect them to be faulty. If we send an electrician to check the electrical circuit and s/he finds that your appliance is faulty, we may recharge you the cost of the circuit check.

Refer to our website for advice on how to check if you have a faulty appliance. (See Appendix 3 for website details.)

Condition 32. You must not neglect your property and let it fall into disrepair. This includes individual gardens as well as shared access pathways and steps in houses. Tenants of flats and maisonettes are expected to report defects to communal areas; for example, defective floor tiles.

Condition 33. You must keep the inside of your property clean and in reasonable decorative order.

Condition 34. You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).

You must take reasonable steps to secure your property, for example, lock windows and doors when you go out.

It is your responsibility to decorate your home when it is needed.

Condition 35. If your property suffers from condensation or damp, you must inform our Customer Services Team and follow any reasonable advice given to you.

To help prevent condensation, you should:

- wipe dry the insides of windows
- open the windows and close the doors of any room used for hanging wet clothes
- not overcrowd any rooms with furniture or possessions.

2.7 Shared areas (communal)

Condition 36. You must not cause an obstruction in any shared area, including balconies, garage and shed areas. You must co-operate with us to help keep shared areas clean and tidy.

Everyone living in a block of flats or maisonettes is responsible for cleaning the landing area outside their flat.

Condition 37. You must NOT:

- store or leave any personal belongings such as flower pots, children's buggies, bicycles, boots and shoes in shared areas
- leave your rubbish in shared areas
- use inflatables (or other paddling/swimming pools, trampolines, bouncy castles) in shared areas such as communal gardens without our prior written permission. In deciding whether to grant permission, you will need to demonstrate that you have the necessary public liability insurance cover and that adult supervision will be provided at all times
- install swings and/or slides in communal areas
- use barbeques on balconies or in communal areas
- use a shared walkway/balcony/staircase to hang out washing
- store any items within communal area cupboards, communal loft spaces, intake, water tanks and communication equipment cupboards, other than allocated pram sheds
- adopt for sole use any communal area or land; for example landing, balcony, garden area, shared drying room, communal loft space. This also includes extending any existing individual garden.
- cut down, top, lop, uproot, damage or destroy any tree, shrub, plant or hedge on communal land
- store re-chargeable motorised vehicles without our express consent to do so
- use extension leads to charge/use any appliances on or within communal areas
- throw anything inappropriate down the communal rubbish chute; for example wood, bricks and children's buggies.

We reserve the right to remove any items that are placed in shared areas without permission and dispose of them, as well as repairing any damage arising from misuse of those areas, and recharge the cost to the tenant responsible where known.

Condition 38. You must co-operate fully with any measures we take to protect the security of your home and others' homes and you must keep all shared doors closed (for example: fire doors on landings).

Condition 39. You and/or anyone living with you or visiting you must not interfere with any equipment for detecting or for putting out fires in shared areas.

Condition 40. You must not install a gate leading on to shared footpaths and communal balconies without our prior written permission.

Condition 41. You must not erect any structure on communal land. This includes fencing off communal land.

Condition 42. You must not swap sheds with another resident without getting our prior written permission.

Not all flats are allocated with a shed. We reserve the right to take back the shed if it is swapped without permission or misused.

We will not be responsible for the loss or damage to any items stored in your shed. You will need to cover this on your own home contents insurance.

Condition 43. You must not use any shed for sleeping accommodation.

2.8 Improvements and alterations

Condition 44. You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.

Condition 45. You will be responsible for maintaining and/or repairing any alterations or improvements that you have carried out to your home.

Condition 46. You must not make any alterations to any gas appliance or installation in your home (including any gas and electric meter and any other associated pipe work or equipment or lighting installations).

If you wish work to be carried out on such appliances or installations you must obtain our prior written permission before any work is carried out. Any such work may only be carried out by a suitably qualified Gas Safety Registered contractor. Failure to do so may have fatal results and we will regard it as a serious breach of your tenancy.

Condition 47. If you carry out any works without our permission and we incur costs for reinstatement works, we will recharge you for the cost of those works.

2.9 Right to Improve (secure tenants only)

There are certain improvements for which you can claim compensation when you notify us that you are going to leave the property. We will be able to give you details of the improvements that qualify and the conditions that must be met under the Right to Improve scheme. **You must seek our written permission before carrying out any works under the Right to Improve scheme.**

Condition 48. You must obtain written permission from us before you erect, or arrange to have erected, any radio, television aerials, dishes, cameras/videos or any other electronic receiving equipment.

This is to prevent damage to the external fabric of the building as well as public safety considerations. Permission will not be unreasonably withheld for houses.

Condition 49. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with a specification of the proposed works prior to installation.

2.10 Repairs and access to your property

Condition 50. You must not cause damage to any of our fixtures and fittings, in your home or communal areas, deliberately or through misuse or negligence. You must not allow your visitors to do so.

If you do cause damage, or allow your visitors to do so, you will be responsible for repairing, renewing or replacing the damaged item. If you do not make good the damage caused, we may carry out the work and charge you for it.

Condition 51. You must get our written permission before you remove or replace any of OUR fixtures and fittings.

Condition 52. You are responsible for repairing and maintaining any fixtures and fittings YOU install.

We are only responsible for maintaining our fixtures and fittings. If you move, you must remove any fixtures or fittings that you have installed and put the property back the way it was at the start of your tenancy. If you remove your fixtures and fittings and do not replace them to our satisfaction, we will carry out the necessary work and charge you for it.

Condition 53. You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.

Condition 54. You must report promptly any disrepair or defect where we are responsible for putting it right.

When you sign for your tenancy we will give you information about our website which shows you which repairs are our responsibility and which repairs are your responsibility. It tells you how long repairs will take and gives advice about items in your home that might need repair and what information you should give when you report a repair to us.

Condition 55. You must carry out any necessary minor repairs to your home.

Condition 56. You must not carry out noisy repairs/improvements such as drilling, sanding and loud hammering at the following times:

weekdays 6pm – 8am

and weekend times as follows:

Saturday 5pm – Sunday 9am

Sunday 4pm – Monday 8am

Condition 57. You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.

Condition 58. You must allow our employees, representatives and contractors into your property to carry out repairs, servicing, inspections, or other works, where we consider it necessary.

Condition 59. You must allow our employees, representatives and contractors into your property if we need to carry out work to an adjoining property, and there is no other reasonable means of access (examples of such works are, but not limited to, scaffolding, access to boundary walls, roofing, tree works).

If we need to carry out any work to your property, we will give you adequate notice of the date and the reason. If you refuse us access, or we are unable to gain access, we will apply to the court for permission to gain entry to carry out the works.

If the court gives us permission, you will be responsible for the court costs and any additional costs that result from us not being able to gain access to your property.

If you live in a flat or maisonette we may need to carry out work or repairs on your block for which we will require access to a number of properties. If we need to come into your property, we will give you adequate notice of the date and the reason. If, on that date, we are unable to gain access to your property, we will force entry under certain circumstances. Those circumstances would be where:

- essential works could not be carried out unless all tenants give access on the date given
- other tenants would be caused extreme inconvenience or distress
- we would have to pay additional costs
- damage is being caused to communal parts; for example, service ducts.

The circumstances would be those that could result in a fire hazard, gas leak or flooding.

Our usual practice is to give at least 24 hours' written notice that we need to access your property. In case of an emergency or when urgent health and safety repairs are required, we may have to enter your property without giving notice and, if necessary, force entry.

If we need to carry out work to the outside of your block, we will ask you to remove objects from your individual balcony. If you refuse to remove them and your refusal means that we are unable to complete the planned work, we will move the objects and may dispose of them.

If we require access to your home and you prevent us from entering, and this causes further damage to your property or to another, we may charge you for any repairs that then become necessary.

You should always ask contractors or workers for official identification before you let them into your property. If they do not have proof of identity, you can refuse to allow them into your home.

2.11 Fences

Condition 60. You are responsible for keeping dividing fences in good repair and not causing any willful damage to fencing.

We will only repair or replace boundary fences and gates where the fence separates your garden from a public right of way; for example, a road or alleyway. We will not necessarily replace any such fencing in a similar style or material as the previous one.

2.12 Temporary vacation of property

Condition 61. Where we consider it necessary to carry out repairs, improvements or other works which cannot be carried out with you and members of your household living in the property, we will move you temporarily to a suitable alternative property. If you are moved to an alternative property, you must return to the original property once the works have been completed.

2.13 Gas safety

Condition 62. You must allow our employees or contractors access to your home to carry out a gas safety inspection.

Condition 63. You must ensure that you have sufficient credit on the gas and electric meters to enable the checks to be carried out.

We will give you written notice unless it is an emergency. If you do not let us in, we may take legal action to make you let us in or to allow us to force entry to your home. We may recover any reasonable costs from you associated with such action.

2.14 Health and safety

Condition 64. You must not do anything in or outside your home that may cause a danger to anyone in your home or in the locality including:

- throwing anything through or out of the windows or your home, balconies or roof or sweeping and/or wash offensive material on to the premises below
- placing anything on a window ledge, balcony or roof that could be a danger to anyone living in or visiting your home or in the locality
- causing a blockage to the drains and pipes, gutters and channels in or about the property by spilling or pouring in shared areas, oil, petrol, cooking oil, fat and oil based paint or other chemical substances or pouring the same down any drains or gullies
- altering the fire rating of your property by removing walls, doors and door closers
- removing external doors and replacing them with doors which do not comply with fire regulations
- propping open any communal fire doors
- storing items inappropriately in a way that may cause a health and safety hazard or encourage vermin and/or pests
- installing metal grilles to windows and external doors which may cause a fire escape hazard
- storing items, waste and personal possessions, which prevent the use of a room or space within the property.

Condition 65. You must provide a safe environment for staff and contractors visiting your home including not smoking in the same room where a member of staff or a contractor is working immediately before and during the visit.

Condition 66. If your property is fitted with a smoke detector, and/or a carbon monoxide alarm, you must keep it in working order by replacing batteries and reporting when there is a defect.

Condition 67. You must not keep or store dangerous, offensive or flammable materials or appliances at your home, or in communal areas, apart from those that may reasonably be needed for general household or medical use.

Condition 68. You must not use portable heaters that burn oil, paraffin, gas or other combustible materials without our written permission.

Condition 69. You must not interfere with the electric or gas supply.

Condition 70. You must not interfere with any equipment for detecting or putting out fires.

Condition 71. You must not use any shed/ pram shed/ garage/outbuilding in a way which causes a hazard, such as by storing flammable material.

Condition 72. You must not leave drug paraphernalia in any area where others might come into contact with them.

Condition 73. You must dispose of any hazardous waste safely and hygienically.

This will include such items as syringes, nappies and sanitary and incontinence pads, batteries and household appliances.

Condition 74. You must not allow children on to balconies, or any other area which could prove dangerous, without responsible adult supervision.

Condition 75. You must not allow anyone into shared areas of the block unless you know that they have a right to be there or allow anyone to follow you through a controlled door without permission.

2.15 Pet(s) and animal(s)

Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

If you live in a flat, maisonette or house with direct access to a private garden, you may be allowed to have more than one pet. You will need our written permission.

If you live in sheltered accommodation, you are required to nominate a friend or relative to take responsibility for your pet if you are taken into hospital or otherwise unable to look after it.

Pets must be kept in appropriate enclosures which are adequate for their needs and from which they cannot escape and with regard to their well-being.

Condition 77. You must inform us of details of pet(s) (and working dogs for example; guide or hearing dogs) before they are brought into the household.

Condition 78. Dogs, other than guide or hearing dogs, are not allowed in play areas.

Condition 79. You must always keep your dog(s) on a lead in communal areas and on our land.

Condition 80. You must ensure your dog(s) does/do not foul communal areas, estate roads or our land, including play areas. Dog faeces must be disposed of hygienically such as in dog waste bins.

Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we will take action and give written notice asking you to remove it/them from your home.

Condition 82. You must not:

- (a) breed any pet or animal at your home
- (b) encourage wild animals or wild birds, including pigeons, by feeding them. The feeding of wild birds is permitted providing that the food is contained in a suitable bird feeder.
- (c) allow any animal droppings to build up in your garden and/or balcony and you must keep these areas free from pigeon droppings.

2.16 Gardens

Condition 83. You must keep your garden (including any remote garden) well maintained at all times.

You are responsible for maintaining all parts of your garden; including pathways, grass, sheds, plants, bushes, hedges and trees (including any of these that were present when your tenancy started as well as anything you have installed or planted yourself).

We reserve the right to take back possession of any remote garden which is not maintained.

Condition 84. You must keep hedges, trees and shrubs at a manageable height. They should not hang over a public right of way, cause an obstruction or a nuisance to neighbouring properties.

Condition 85. You must not plant climbing plants for example; ivy, against the building which might damage the fabric of the building. You must also remove self-seeding climbing plants and self-set trees. We reserve the right to recharge for the cost of removal of any such vegetation and any associated structural repairs.

Condition 86. You must keep any garden and path clean tidy and free from obstruction. You should not leave rubbish or large items such as unwanted furniture, white goods and mattresses in your garden for an unreasonable period of time. (That is, longer than the council's refuse collection cycle).

Condition 87. You must obtain our prior written permission if you wish to plant a tree, cut one down, put up or take down and replace any fence or wall. If you install your own fence or wall, then you will be responsible for its maintenance.

Condition 88. You must not erect a greenhouse, garage, car port, shed, garden pond or summer house at your home without getting our prior written permission. You will be responsible for maintaining any structures that you erect. You will be responsible for obtaining any necessary Planning or Building Control permissions.

Condition 89. You must not attach to any part of your property, including to external walls, fences or other structures, any barbed wire, broken glass or other material which is likely to cause personal injury to anyone.

If we decide that tree management works are required to any tree in your garden, subject to any Tree Preservation Orders, we will advise you of what you must do. If you fail to comply with our request, we will carry out any necessary works and recharge you for the cost.

2.17 Vehicles and parking

Condition 90. You must not park any vehicle that is untaxed or is unroadworthy on any part of your estate or housing land.

We do not accept liability for any vehicle, fittings/components, or any contents of any vehicle parked on the estate.

We may remove and destroy any illegally parked, abandoned, dangerous or unroadworthy vehicle and charge the owner for our costs. This also applies to any vehicle not displaying a valid tax disc or a valid parking permit where one is needed.

Condition 91. You must not park caravans, boats, trailers, burger vans, or vehicles used for business purposes on the estate or road next to your house without our written permission.

Condition 92. You must park legally and considerately and make sure that you do not cause any obstruction or nuisance or annoyance. This includes obstructing access for emergency vehicles, access to garages, refuse stores and grounds maintenance access points.

We will not be responsible for damage to your vehicle if we or the emergency services have to remove it.

Condition 93. You must not carry out repairs, other than minor routine servicing, to your vehicle on the estate or on any roads in the locality.

Condition 94. You must not leave a vehicle in a state of disrepair, or any parts of vehicles on the estate or on any roads in the locality.

Condition 95. You must not park SORN (Statutory Off Road Notification) vehicles on our land, including blocks/estate land, other than in your own drive/garden (in the case of a house). You can only keep SORN vehicles in your private garden/drive with prior written agreement from us for no longer than 12 months. We reserve the right to remove vehicles after 12 months after giving you 28 days written notice.

Condition 96. You must not build a garage, hard-standing or driveway without obtaining our prior written permission. You will also need Planning permission, Building Control approval and /or Highways approval. If you wish to install a dropped kerb, you must contact the Highways Department to obtain the relevant permission.

Condition 97. You must not park or permit visitors to park or drive on common grassed areas, verges (hard standing or grassed) or pavements outside or leading to your home. We reserve the right to recharge for costs arising from repair of any damage caused.

Condition 98. You must not use any communal land for the purpose of buying or selling vehicles, or repairing vehicles as part of a business enterprise.

Condition 99. You must not keep mopeds or motorbikes inside your home, in internal or external sheds, or in indoor communal areas, for example, landings, stairs, entrance and any internal area used by tenants.

This could put others at risk and any such vehicle found in internal communal areas will be removed.

2.18 Ending your tenancy

Condition 100. You must give at least 4 weeks' notice in writing if you are going to end your tenancy. If we offer you a transfer, we will set the date for termination. If you do not give proper notice, your tenancy will not end and you will continue to be responsible for the rent, service charges and any other payments due in respect of your tenancy.

The 4 weeks' notice must end on a Sunday.

If you are unable to give 4 weeks' notice, we may accept surrender of your tenancy earlier unless you are a joint tenant seeking to terminate it without the consent of the other joint tenant(s). As soon as you know you are leaving, you must contact us to discuss what you must do on surrender.

You can give notice to end your tenancy by writing to the address below:

Enfield Council
c/o Enfield Homes
The Edmonton Centre
36-44 South Mall
London N9 0TN

This is the address to which any Notices served on us should be sent.

Whether you or we end the tenancy the following conditions apply:

Condition 101. You must return all keys, including all main door entry controlled system keys or fobs, for the property to us at the above address by 12 noon on the Monday of the week you leave.

Condition 102. You must pay the rent and any other charges up to the date that your tenancy ends.

If you owe us money when you leave, you must make arrangements to repay the debt. If you do not, or if you make an agreement but do not keep to it, we may refuse to grant you another council tenancy. We will take legal action to recover the debt.

Condition 103. You must not leave anyone living in your home when your tenancy ends.

If there are people living in the property when your tenancy has ended, we will take action to evict them and charge you for the cost of the action. We may also charge you use and occupation charges for the property until the person is removed.

Condition 104. You must leave your property and garden in good repair and clean and tidy, with all fixtures and fittings in the same condition when you move out as they were at the start of the tenancy except for fair wear and tear.

We will charge you the cost of repairing any damage, installing missing or damaged fixtures and fittings and the cost of any cleaning that is necessary.

Condition 105. You must remove all rubbish, personal effects, including fitted carpets or other floor coverings and furniture from inside the property and garden, and any of your belongings or rubbish from communal areas. For further details see our website for advice and our Clean and Clear policy.

We cannot store tenants' belongings left on the premises after the tenancy has been terminated and the keys have been returned to us because the cost and conditions of insuring against loss and damage would be complicated and unreasonably expensive.

Therefore, we will get rid of any items that are left at the end of the tenancy and charge you the cost of removal. If we do not know your forwarding address, we will put the debt into an account in your name and pursue the debt.

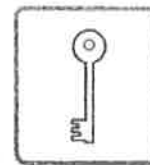
When you leave your home, it is your responsibility to ensure that we have your forwarding address in writing.

Condition 106. You may not be granted another council tenancy if you:

- are evicted from this council tenancy
- abandon this property and do not return the keys
- owe rent on this or a previous property
- leave this property in a poor condition and fail to pay for repair and replacement.

If you need advice on ending your tenancy, please discuss this with us.

Section 3



Our responsibilities

3.1 Repairs and maintenance

We will keep in good repair the structure and outside of your property, including drains, gutters and external pipes. This will not apply if the damage is caused deliberately or through misuse of the property by you, your household or visitors.

We will keep in good repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, heating and hot water. This will not apply if the damage is caused deliberately or through misuse of the installations by you, your household or visitors.

Our responsibility for repairing the internal structure of your property and the above installations only begins when we are told that a repair is needed.

If we are aware of damage that was caused by you which you refuse to repair, if it is dangerous to others, we will carry out the repair. We will charge you the cost of any work that is necessary to remove the danger.

The repairs part of our website will tell you our policy on repairs, and sets out which repairs are our responsibility and which are your responsibility.

We will keep in good repair all communal areas and amenities.

We are responsible for making sure that communal and external areas are in a reasonable condition, even when we are not told that a repair is needed.

We will carry out an annual gas safety inspection and an annual service of our gas appliances.

3.2 Right to Repair

We will pay you compensation if certain urgent repairs are not carried out within specified time limits decided by law.

This is the Right to Repair scheme and the details of the repairs that qualify for this, and the time scales, are on our website.

3.3 Major Works Improvements

We will seek and consider the views of all affected tenants on any proposed major repair and improvement scheme.

3.4 Consultation and information

We will consult you about important changes to the way in which the Housing Service is managed, particularly those relating to your tenancy.

We will provide you with information about our performance, how the Housing Service is paid for and how your money is spent. Performance information is available on our website.

We will make sure that any information about you is held in a way that complies with the Data Protection Acts.

We keep information about you that we need, to provide you with a service. Such information will be confidential and we will use it only for the purpose for which it was obtained, and will keep it as accurate and as up to date as possible. This information is held on computer and manual records, and you have the right, provided certain conditions are met, to see it.

3.5 Quiet enjoyment

We will not interfere with your quiet enjoyment of the property as long as you, your household and any visitors to your property, keep to the conditions of this Tenancy Agreement. If we need to gain access to your property in an emergency, we have the right to do so without giving you notice. If we have to force entry, we will make sure that your property is secured before we leave.

We have a legal responsibility to allow you, as long as you pay your rent and keep all other tenancy conditions, to live peaceably and without any interference from us or anyone acting on our behalf.

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If we need to come into your home, we will give you a minimum of 24 hours' notice wherever we can. However, there are situations where we might have to gain immediate access. If in such a situation, we could not gain access, we have the right to force entry into your property.

The situations where we have this right include those where we believe:

- that water or sewage flowing into another property is from your home
- there is a gas leak in your property
- there is an animal in distress in your property
- our assistance is urgently needed in your property.

3.6 Conduct and behaviour

We will work with you to keep your estates and locality safe and free from anti-social behaviour and behaviour which causes a nuisance and/or distress to residents:

If a tenant or a member of their household or their visitor behaves towards you in a way that causes you nuisance or annoyance, we will tell you what action you can take against the person who is breaking the conditions and explain what we can do to help you.

Our statement of policies and procedures on tackling anti-social behaviour is available on our website or by request to an officer.

3.7 Equality and diversity

We will act fairly in all matters connected with your tenancy and will not unlawfully discriminate against you or disadvantage anyone on the grounds of age, religious belief or faith, disability, ethnicity, gender, gender reassignment or sexual orientation.

3.8 Courtesy

Our officers and anyone acting on our behalf will treat you with courtesy and respect.

If any of our officers or representatives fails to do this, you can make a complaint through our complaints system.

3.9 Transfers

We will consider any application you make for a transfer to another property in line with our Allocations Scheme.

The offer of a new tenancy within this borough will depend on the urgency of your housing need compared with the needs of other transfer applicants and also on the accommodation available. If you have enough priority to qualify for an offer, you may be eligible to bid for vacant council or housing association homes advertised on our bidding system (see Enfield Council's website at the housing pages at www.enfield.gov.uk for more information).

3.10 Variation of tenancy conditions

If we want to change or vary any conditions of your tenancy, we will send you a notice:

- telling you that we are going to serve a Notice of Variation
- explaining what the changes are and their effect
- inviting you to comment on the proposed changes within a given time.

We will consider your comments before we decide whether to go ahead with the changes. When we serve the Notice of Variation it will:

- give details of the changes
- say when the changes begin
- be served at least 4 weeks before the date of the change.

3.11 Right to succeed

When you die your tenancy will pass to your husband, wife or civil partner or cohabitee of more than 12 months' duration if they were living with you at the time of your death. This is called 'succession'. If you do not have a husband, wife, civil partner or cohabitee of more than 12 months' duration, the tenancy can pass on to a member of your family if they had been living with you continuously for the 12 months before your death. If a joint tenant dies, the tenancy will pass to the other joint tenant and this will count as a succession. The law only allows one right of succession.

If you are a sheltered housing tenant, your spouse, civil partner or cohabitee of more than 12 months' duration will succeed to the tenancy as long as they were living in the property as their only or main home with you at the time of your death. If you do not have a spouse living with you, the tenancy could pass to a partner or family member as long as they are eligible for sheltered housing and were living with you for at least 12 months before you die. Failing this, we may consider granting a tenancy of another suitable property.

3.12 Right to assign

If you are a secure tenant or an introductory tenant, you can under certain circumstances, assign (legally transfer) your tenancy.

If you are a secure tenant or an introductory tenant, the law allows you to assign your tenancy to a person who would have been able to succeed to your tenancy if you had died immediately before assigning it. This means that, if you are a sole tenant, you can assign your tenancy to your spouse, civil partner, or to a family member, including cohabitee, or same-sex partner who has been residing with you for 12 months at the time of assignment. If you are a joint tenant you cannot assign the tenancy to another family member if they are not the other existing joint tenant. Effecting an assignment means that there will no further right to succession upon the death of the tenant to whom the tenancy has been assigned.

If you are a secure tenant, you have the right, provided certain conditions are met, to assign your tenancy by exchanging with one of our tenants or the tenant of another local authority or a housing association.

This right of mutual exchange does not apply to introductory tenants.

The court has the right to assign a secure or introductory tenancy on the breakdown of a marriage or relationship.

If you are a joint tenant and your relationship has broken down and you wish to transfer the tenancy into your sole name, we will ask you to obtain a court order from the County Court.

You must not assign your tenancy unless you have our written permission to assign your tenancy.

If we have begun court action against you for any breach of the Tenancy Agreement, or any other matter such as an injunction, we will refuse your request for a mutual exchange.

3.13 Right to Buy

Existing secure tenants will normally have the Right to Buy the freehold or leasehold of your home after they have been a tenant for 5 years.

You cannot buy your property during your introductory tenancy, but your period of introductory tenancy will count towards the 5 years.

If you are a sheltered housing tenant, under the Housing Act 1985, you do not have the right to buy your home.

If you have been guilty of anti-social behaviour, we can apply to court to request an order suspending your right to buy for a period that the court may specify.

You will not have the Right to Buy if we have obtained a suspended Possession Order against you.

3.14 Right to manage

This allows tenants' organisations to take over the management of their homes and to run services that we would normally be responsible for such as rent collection and the repairs service. A tenants' organisation is eligible for the right to manage if it can show that it represents the views of all its members and does what they ask of it.

3.15 If we end your tenancy

We may terminate your tenancy by leaving at your property, a Notice of Seeking Possession or a Notice to Quit or any Notice required by law.

All notices we leave in connection with your tenancy, including any Notice of Seeking Possession or Notice to Quit or other similar Notice, will be treated as properly served and received by you if left at the tenancy address, addressed to you.

This means that if we leave a Notice to Quit or a Notice of Seeking Possession addressed to you at your tenancy address, even if you are not living there, the court will recognise this as legal service of the notice.

If we serve a Notice of Seeking Possession on you, or any legal notice, the notice will contain reasons for our actions.

3.16 Housing related support

If you are an Enfield sheltered housing tenant, you may receive certain support services from the council, such as a daily visit from your Sheltered Housing Officer, in exchange for an extra charge added to your rent.

3.17 Welfare Benefit Reform

Through the Welfare Reform Act, the government has introduced new rules for the receipt of welfare benefits. For further information, and to see if you are affected, please contact us.

3.18 Prevention of Social Housing Fraud

The Prevention of Social Housing Fraud Act 2013 has been introduced which makes it a criminal offence to fraudulently sub-let social housing. The offences are punishable by a prison sentence, a large fine and/or an order for the repayment of any profits earned.

Section 4



Appendices

This section does not constitute part of your terms and conditions.

Appendix 1

Explanation of words used in this agreement

Abandon

When a tenant leaves their home without surrendering the tenancy, either by notifying us or ending the tenancy formally by serving a notice of termination on us.

Anti-social behaviour

Behaviour causing, or likely to cause, nuisance, annoyance, harassment, alarm or distress to anyone.

Assign

To transfer the tenancy during the tenant's lifetime.

Breach

To break or to fail to keep the conditions of the Tenancy Agreement, such as paying rent.

Civil partner

A person of the same-sex with whom you have registered your relationship as a civil partnership as from 5 December 2005.

Direct access

This means you have a front, side or back door that leads straight into your private garden.

Domestic abuse

Domestic abuse can be in the form of abuse including threatening behaviour, violence or abuse (physical, sexual, financial, psychological and emotional) between people who are, or were in an intimate relationship or close family relationship regardless of gender or sexuality (this includes forced marriages). Domestic abuse can be against anyone of any age and any background.

Fraud

When someone gives false or misleading information or takes action in order to get something which they would not otherwise be entitled to; for example, money, welfare benefits or a tenancy.

Fixtures and fittings

All appliances and furnishings in a property, including installations for supplying or using gas, electric and water.

Garden

The outside space which is let with your dwelling and is for the sole use of you and members of your household.

Harassment

To keep doing something to someone which they find annoying or upsetting. Harassment need not necessarily be abusive or violent.

Insurance

Liability cover provided by a company to protect goods and belongings in the event of damage.

Joint tenant

If more than one person has signed the Tenancy Agreement, then 'you' mean the joint tenants together and individually. Joint tenants have a shared interest in the property for the whole period of the tenancy. You are jointly and individually liable to pay the charges and for all the obligations under the tenancy.

Locality

The area in which you live including the estate you live on, the streets and all other areas around your home and the neighbourhood.

Lodger

Someone who pays to share your home with you but does not have an exclusive right to any part of it. A lodger would often pay rent that includes a payment for other things such as meals and/or cleaning.

Members of your household

Any person living at your property, either permanently or temporarily, even if their permanent address is elsewhere. This includes all members of your family living at the property, any relatives, friends or other lodgers staying with you and any sub-tenants of your property.

Mutual exchange

Exchanging your tenancy with another person by mutual agreement when permitted.

Negligence

When you fail to do something that it is your responsibility to do.

Neighbour

Includes anyone living in the area local to your home, including other tenants, people who own their own homes and local businesses.

Notice of Seeking Possession

This is a legal notification served on a secure tenant as the first stage before starting court action.

Notice of Possession Proceedings

This is a legal notification served on an introductory tenant as the first stage before starting court action.

Notice to Quit

This is a legal notification, usually of 28 days, served on a tenant to formally end the tenancy where security of tenure has been lost. Alternatively, it is also legal notification from a tenant that they will be giving up the tenancy.

Nuisance

Something that causes annoyance and/or distress.

Overcrowding

This is when a property has too many people occupying it.

Partner

Husband or wife or a cohabitee, including same-sex partner, who lives with you in a long-term or stable relationship.

Permission (or consent)

Where, in this agreement, it says that you must ask for permission or consent to do something, you must put your request in writing. This can be by letter or email. You must receive written permission from us before doing whatever it is that requires our consent.

People residing in the locality

All people living or staying, temporarily or permanently, in any part of the estate or locality in any type of property, whether rented or owned.

Possession

This is when the council takes back vacant use of a property by serving notice and taking court action. A Possession Order can be suspended on terms or take effect immediately.

Property

The dwelling, garden, yards, sheds and any other space which this Tenancy Agreement makes available for the sole use of you and your household.

Relative

Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step-relatives and adopted children. This includes relatives by marriage.

Remote gardens

Some flats are allocated with individual gardens which are separated from the main dwelling by things such as footpaths or drying areas.

Representative

Someone who is acting on our behalf.

Shared areas (communal)

The parts of the building or estate which all tenants and leaseholders can use, for example, halls, landings, foyers, stairways, landings, lifts, bin stores, shared gardens, landscaped areas, car parks and any other area accessible to more than one household.

Sheltered housing

Accommodation targeted for people over 60 years of age. However, people under 60 with support needs will also be considered.

Spouse

The person you are legally married to, including a registered civil partner.

Statutorily

By means of the written law.

Statutory Off Road Notification (SORN)

A notice that declares a vehicle's status to the authorities when it is kept off the road and is on private land. The notice must be applied for from the Driver and Vehicle Licensing Authority (DVLA).

Sub-let

Giving another person (lodger who pays you money) the right to live in part of your home with our agreement. You will be in breach of the Tenancy Agreement if you sub-let the whole of your property.

Succession

The transfer of a tenancy on the death of a tenant.

Surrender

An unwritten agreement between the landlord and the tenant or joint tenant(s) to bring the tenancy to an end. The tenant surrenders by taking steps that can be interpreted as giving up their tenancy, such as emptying their property and giving up their keys.

Unroadworthy

This describes a vehicle which is designed to be used on a road but which is either untaxed and/or has, or appears to have a fault or faults which would, to common knowledge, make it unsuitable or unsafe for use on the public highway.

Unsociable hours

Late evenings, night time and weekends when people are relaxing or sleeping.

Visitors

Anybody who visits you or any member of your household at your property and is allowed by you, or any member of your household, to come into the property.

Welfare Benefit Reform

Changes in the way welfare benefits are being assessed and dealt with. These changes are taking place in stages between 2012 and 2014.

Written permission

A letter from us allowing you to do something. If the permission includes conditions that must be met, and you do not carry out these conditions, this means the permission is automatically withdrawn as if it had never been given.

Appendix 2

Role and responsibilities of officers dealing with your tenancy

Income Officers are responsible for collecting rent.

Tenancy Management Officers are responsible for dealing with tenancy audits, successions, assignments, changes in tenancy and mutual exchange visits.

Anti-Social Behaviour Officers deal with reports of anti-social behaviour, neighbour disputes, hate crime and domestic abuse.

Estate Quality Monitoring Officers deal with any issues maintaining the estate environment, estate parking and communal repairs.

Customer Services Officers are the first point of contact when you telephone or visit us. They raise repairs and will direct your enquiries to the appropriate team.

Community Engagement Officers deal with resident associations and resident involvement.

Communal Services deal with caretaking and grounds maintenance on estates.

The Sheltered Housing Service provides supported accommodation for older residents and people with support needs.

02083451157
Police office Enfield Town



CRIMINAL JUSTICE SYSTEM

0208 721 4131

774131

774124
774083



Mr [REDACTED]
Burncroft Avenue
Enfield
EN3 7JQ

Witness Care Unit
Holborn Police Station
10 Lamps Conduit Street
Holborn
London WC1N 3NR

0208 247 7530
10am - 2pm Mon-Fri

7th October 2016

Dear Mr [REDACTED]

Case Against Simon Cordell
Unique Reference Number 01YE0355816

I am writing to confirm that you are required to attend court to give your evidence.

At the hearing on 5th October, 2016 at Highbury Corner Magistrates Court, Simon Cordell pleaded "not guilty" to the following offences:

- 1 Use threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence
- 2 Criminal damage to property valued under £5000

The defendant is on bail with the following conditions: not to contact you or attend your address and to reside at a designated address known to police. If you witness the defendant breaking these conditions, call 101 or in an emergency, 999 immediately.

A trial has been arranged to take place at HIGHBURY CORNER MAGISTRATES COURT at 13:30 p.m. on 17/11/2016. On arrival, please make your way to WITNESS SERVICE and you wait in their suite which is separate to the public and read through your statement. Please collect a blue claim form to claim any expenses of loss of earnings.

If you do not attend a WITNESS SUMMONS may be issued to enforce your attendance.

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Please confirm if you wish for your contact details to be passed onto the Witness Service. They offer support to victims and witnesses, on the day you attend court and they can arrange for you to visit the court, before the day of the trial, so that you can have a look around. If you would like to visit the court please contact the Witness Service on **0300 332 1000**

Thank you for your assistance as a witness, as giving evidence is very important and your help is greatly appreciated.

Yours sincerely

Thomas Jones
Witness Care Officer

What you should do now

- ❖ Please call WITNESS CARE to confirm that you will be attending.
- ❖ Please attend Highbury Corner Magistrates court at 13:30 p.m. on 17/11/2016
- ❖ For further information about being a witness, visit:
<http://www.justice.gov.uk/victims-and-witnesses/working-with-victims-witnesses>

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Highbury Corner Magistrates' Court
Code 2572
North London Admin Centre
PO BOX 527 3 London N7 1AF
Telephone 020 7506 3100 Fax 0870 739 5768

Mr Simon CORDELL
109 Burncroft Avenue
Enfield
Middlesex
EN3 7JQ

Case number: 011402490741
Born: 26 January 1981

Anti-social behaviour order on application

Order

You must not

- a. Attended a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994;
 - b. Be concerned in the organisation of a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994
 - c. Knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice and Public Order Act 1994;
 - d. Enter or remain in any ~~disused~~ or abandoned building unless invited to do so in writing by a registered charitable organisation or Local Authority
 - e. Enter or remain on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and
 - f. Engage in any licensable activity in an unlicensed premises
- For the sake of clarity, nothing in this order prevents the Defendant from assisting, preparing for or engaging in licensed licensable activities

This order lasts for 5 years.

Warning

If you do not obey any part of this order you will commit an offence and may be fined or sent to prison for up to five years.

*Imagined
DOJ*

J. Vantghem

Date: 4 August 2015

Justices' Clerk

Mr Simon CORDELL

4 August 2015/ASBO_16_0/1584095/1

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ASB Interview Record

<u>Name Of Interviewer(s)</u> Sarah Fletcher		<u>Name Of Interviewee(s)</u> Mr Markandu Mathiyalagan.
<u>Date Of Interview</u> 11-11-16		<u>Reason for Interview</u> ASB Complaint.
<u>Start Time</u> 10:05 am	<u>End Time</u> 11:15 am	<u>Location</u> Green Towers meeting rm.

Interview Details

Resides at 117 Burncroft Avenue - placed by Waltham Forest District Council (temp. accommodation) → has lived there for 2.5 yrs. Household: Mr + Mrs Mathiyalagan + 2 yrd old daughter.	
Complaint re: Mr Cordell, 109 Burncroft Avenue Have been experiencing issues for about 18 months: Mr Mathiyalagan was approached by Mr Cordell asking him to write a letter of support in relation to a problem he was having with the lady who used to live at 113 Burncroft Avenue. Mr Mathiyalagan told Mr Cordell that he does not wish to get involved as he had no problems with the lady that lived at 113 (this lady moved out earlier this year). Since then, Mr Cordell has made living in this block difficult for Mr Mathiyalagan's family.	
<u>Signed, Printed And Dated (Interviewers)</u>  11-11-16 SARAH FLETCHER	<u>Signed, Printed And Dated (Interviewees)</u> M. Mathiyalagan 11.11.16 MATHIYALAGAN MARKANDU

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Interview Details

Incidents include:	
- Threatening / intimidating behaviour - aggressively demanding money (6-8-16) (27-9-16) (28-9-16)	
- Constantly going on about noise - Mr Mathiyalakan	this is unjustified as family to be quiet / daughter toddling / no carpet / no padding
- Tyres slashed on car (cell 4)	
- Living in fear → wife + child	→ No complaints from
(When Mr Mathiyalakan goes to work, they are frightened to stay at home so accompany him and stay in car)	113 (new resident since summer 2016) young man
- Damaged fuse box resulting in no electricity (8-8-16)	
⇒ Suspect that Mr Cordell uses drugs / possible mental health issues.	
⇒ Has a big dog that he brings out with him when he approaches	
⇒ Has put a camera on his door (facing communal)	
- Physically threatened with a piece of wood.	
o Have reported all of the issues to the police	
o Have tried to report the problem to Waltham Forest District Council (Jabin, Kehinde, Ibrahim?)	
↳ temp. accommodation team:	
Tues 16-10-16 Ibrahim	020 8496 5503 /
Fri 12-8-16 Kehinde	5501 / 5502.
↳ Advised to contact Enfield Council about Mr Cordell.	
o Have written to MP.	
Signed, Printed And Dated (Interviewers)	Signed, Printed And Dated (Interviewees)
 SARAH FLETCHER 11-11-16	11-11-16 Mathiyalakan MATHIYALAKAN MARKADU

To be agreed and signed for before the end of the interview

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4/11/16

Home visit conducted on Friday 4th Nov 16. And emotional support was provided. At the time [REDACTED] was having problems remembering the timeline of dates pertaining to incidents. [REDACTED] said he was quite friendly with Simon Cordell – leading up to current events – and was somewhat perplexed as the sudden change in the attitude of the accused.

[REDACTED] and alleged other residents felt the problem could have something to do with a resident named [REDACTED]. [REDACTED] has since moved – [REDACTED] made reference to Simon Cordell boasting in having something to do with her departure.

[REDACTED] was trying to recall events and said it could have been in the month of July, – when Simone Cordell shouted abuse and swore at him and threatened to burn his flat down – Mr [REDACTED] did not call the housing or police to report the threat. His friend, another resident who did not want his name mentioned, said that it was it was on 6th July. Mr [REDACTED] could not quite remember when the second incident occurred but said that it was around mid-September. Simon Cordell approached Mr [REDACTED] outside his flat, when Mr [REDACTED] was on his way to the fields – and threatened him. A lady called Karen also a resident of Burncroft witness the threat and asked Mr Cordell to leave the viw alone. With encouragement from other residents – Mr [REDACTED] called the police a few days after the threat to make a report.

Mr [REDACTED] said the police a lot of police some with riot gear – entered his flat with officers posted to the front and rear of the building. They managed to coax Mr Cordell out of his flat and arrested him.

The case has since been heard in court and Simone Cordell pleaded not guilty. He has been bailed with conditions – to stay away from Mr [REDACTED] and also not to enter the Burncroft area.

Mr [REDACTED] is required to stand witness in court on the 17th Nov 2016. However, Mr [REDACTED] is feeling quite anxious and feels there may be reprisals to him giving evidence. I asked Mr [REDACTED] if he would like me to attend the hearing in support he said yes he would not mind. I also visited another resident Christine – to get her account of things.

Action

- Contact the witness service and arrange a pre-court trial visit and other assistance.
- Possibly arrange transportation on the day of the hearing – and for the pre-court trial visit

Any other assistance/support we can provide Mr [REDACTED] with.

Jean Barton

ASB Victim Support

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CASE HISTORY

Case17753 George Quinton
NEIGHBOUR Active ,Phone call with Victim

Involved Persons

CLIENT (VICTIM) George Quinton,	
Relationship to Cases	Client (Victim) in CASE 17753
Incidents in which Person is involved	Witness :
Current address	113 Burncroft Avenue,Enfield,EN3 7JQ
Main phone	07708934948
Gender	Male
DOB	21/12/1995
Age band	18-24
Ethnic origin	Other
Appearance	Male,20 yrs old,Other,
CLIENT (ACCUSED) Mr Simon Cordell,	
Relationship to Cases	Client (Accused) in CASE 16175 Client (Accused) in CASE 17753 Client (Accused) in CASE 17818 Client (Accused) in CASE 17834 Client (Accused) in CASE 18169
Incidents in which Person is involved	Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General) Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General) Witness : COMPLAINT: NO SPECIFIC DATE - Making threats Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) Witness :
Current address	109 Burncroft Avenue,Enfield,EN3 7JQ
Main phone	020 8245 7454
Gender	Male
DOB	26/01/1981
Age band	35-44
Ethnic origin	White/Black Caribbean
	Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed,

Notes about this person

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Appearance

Male, 36 yrs old, White/Black Caribbean,

History

05/10/2016 : Threats and intimidation , Date reported : 06/10/2016

Threats and intimidation (General)

Perpetrator has been harassing complainant for a while in relation to alleged noise nuisance. Yesterday evening the perpetrator was banging on the ceiling (the complainant lives above perpetrator) and then came upstairs and tried to kick the door in. He was very aggressive, shouting through the door. He then went outside, dragged the complainant's motorcycle from its parking space and started smashing it up. The police were called and the perpetrator was arrested.

Referral Details

06/10/2016 :

Organisation making referral

Housing Anti-Social Behaviour Response Team

History

06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 :

Social worker for George Quinton (complainant) is Blossom Nation (Triangle Hse) 07947 406 733

10/10/2016 : Update Complainant ,

Follow on action from Contact Complainant

19/10/2016 : Update Complainant ,

Follow on action from Contact Complainant

08/11/2016 : Update Complainant ,

Follow on action from Contact Complainant

21/11/2016 : 21/11/2016 : 28/11/2016 : 29/11/2016 :

Copy of letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

06/12/2016 :

Letter of complaint received from Mr Cordell's mother, copy attached.

16/12/2016 : 11/01/2017 :

I met with Mr Quinton today at the Civic Centre to discuss his complaints against Mr Simon Cordell. Mr Quinton stated that the problems started soon after he moved into the block in April 2016. He

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=796258,796261,817> 01/01/2017

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stated that soon after he moved into his flat, he went round to SC's flat to introduce himself. After he introduced himself, SC said to him that there is some kind of war going on between him and other neighbours. SC also told him that he's got a load of issues with the police and that he was trying to sue them because he felt that they were treating him unfairly. He told SC that he was a musician and that he does not want anything to do with his issues.

Straight after he moved in, SC will come up to his flat at least once a week to shout at him and complain about loud banging from his flat and knocking pipes. SC would accuse him of making noise on purpose to wind him up and he will always explain to him that it is not true, that he does not make any banging noises inside his flat and that he cannot explain why the pipes were making knocking noises.

Mr Quinton stated that on 4/10/16, he was sleeping when SC started to bang on his ceiling but he ignored him. SC then came up and started kicking at his door and he still ignored him. SC then went downstairs, dragged Mr Quinton's motorbike from where he parked it, threw it on the ground and started to hit it with what he believed to be a mop pole, he is not sure how many times he hit it. He then called the police and they came and took him away, CAD No. 3309/4 Oct. 2016.

On 11/12/16, SC came up to his flat 3 times to shout abuse and complain about noise from his flat. Mr Quinton explained that the first time, he was running a bath when SC came and knocked on the door to complain about knocking pipes. He did not open the door and he shouted abuse at him and his friends and called them homophobic names. He later came back again to bang on his door and shout further abuse. He also made threatened him and his exact words are 'I'm off curfew in 12 days, when I'm, I am coming for you', he shouted further abuse and walked off. Mr Quinton stated that he is not sure why he came back the second time but he assumed that it was because of the pipes again. He later came back again the third time and this time he opened the door because he has had enough. SC complained about noise from his flat and he told him that he was not making any noise. SC then went on to tell him that he has been away for a long time and that his family was coming to look after his dog. He asked SC if he knew anything about his bike and SC replied 'You know what, I'm a grown man I'm not gonna lie, it was me that smashed your bike and I was gutted that the stick broke and I couldn't smash it up more'. He then asked SC about his tyres which was punctured with a knife and he denied cutting them. He then explained to SC that the knocking pipes has nothing to do with him and that he does not bang or make deliberate noise and he advised SC to play his music over the noise if it happens again as there is nothing he can do about the pipes and the noise as it is the nature of the building. SC said cool, fair enough and walked off and as he walked off, he turned round and gave him a dirty look.

About a week later, 2 of his friends left his flat and a short while later he heard SC running out of the front door. Soon after one of his friends called and told him that they have just had a confrontation with SC in the street. His friend informed him that SC ran up to them in the street and confronted his friend Jazz about the knocking pipe noises from his flat. Jazz told SC that it has nothing to do with him. SC then head-butted Jazz and as Jazz fell on the floor, SC jumped on top of him and started to punch him. His other friend Jevon who was with Jazz at the time pulled SC off Jazz and held him until 2 Turkish men came and separated them.

Mr Quinton stated that the police did not contact him to update him on what action was taken against SC regarding his smashed bike. He stated that he has recording of SC admitting to smashing up his bike and played the recording to me. Although it was very faint but you could make out what sounded like SC talking about smashing the bike. He stated that he wants to sue SC for criminal damage, he also wants to take out a restraining order against him and possibly an injunction.

He stated that his friends Simon Cocks (07393285528), Julian Jackson (07387277163) and Jazz Bramble (07375651241) are willing to provide witness statements and will attend court to give evidence on his behalf. He also wants us to find out why what action the police took regarding his smashed bike.

08/02/2017 :

I did an announced visit to Mr Quinton at 113 Burncroft Avenue following recent email from Mrs Cordell concerning noise disturbances from the flat as a result of wooden flooring but there was no response. I then telephoned Mr Quinton and left a voice message for him.

07/03/2017 : 27/07/2017 :

I telephoned Mr Quinton for updates on any recent incidents and he stated that there has been none as he has been staying at his flat. He stated that he has been staying with friends and family and only goes back to his flat to check his letters.

He stated that he will give a witness statement and will attend court if required to do so.

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I received a call from Simon Cordell of 109 Burncroft Avenue at approx. 1.20pm. The call was transferred by the customer services team informing me that Mr Cordell wished to discuss his housing options/how to move. I took the call – he sounded agitated and said that he had a few things that he wished to discuss with me. He said he was calling in response to a letter that I had sent him requesting the removal of a CCTV camera that he had installed on the inner communal/fire door on the ground floor of the block. He informed me that he would not be removing the camera as he believed he was legally allowed to have the camera as the communal area was his. I explained that he was in breach of his tenancy conditions as permission had not been sought or granted for the installation and he could not install anything in the communal area as this belonged to the Council. He maintained that his neighbour in another block had a camera and had taken the Council to court about it and won the case. I responded that I could not comment about other cases but my position remains as per the letter I sent: That the camera was in breach of tenancy conditions, was invasive to the privacy of other residents in the block as it points at the outer communal door and should be removed by Friday 25th November or the Council will remove it and charge him for the cost of doing so. He then said that the camera was fake so it didn't need to be removed. I responded that it did still need to be removed. His voice was raised throughout the exchange and I had to ask him to calm down and lower his voice more than once. He then said that he wanted to move on to finding out about moving to another address. He proceeded to give me a full history of his experiences with the police and previous housing management and alleged that 'Jackie', who had previously lived above him and 'Stan', his immediate neighbour on the ground floor, had victimised him over a long period of time and that he had done nothing wrong. This history was very full and it was difficult to get a word in because he was so worked up so I let him relay the information to me as it seemed like he wanted to get it off of his chest. He was very derogatory about the police and previous housing staff who had signed a request for an asbo application against him. I told him that I could not comment about previous action taken. He then came on to more recent events and stated that there had been an incident between him and another resident where she had shouted at him out of her window because of him starting up a scrambler bike in his garden. He maintained that he was courteous during the exchange but the police came and arrested him because she told them that he had threatened to kill her and that he had been put in the mental hospital, had won his case in court and was able to go home as of today. He said that he wanted me to give him 'points' so that he could move. I explained that his best means of moving would be through a mutual exchange but he was adamant that he did not want to do this and wanted to be moved in the same way that he moved into this property 11yrs ago by being given points. I explained that a transfer was unlikely based on what he had told me so far but that I could look into the position for him. He said a lot about his perceived victimisation by his neighbours and expressed that he felt that I should have a duty to protect him. I explained that I had a responsibility to all residents living at Burncroft Avenue and took the opportunity to mention that I had received some reports about anti-social behaviour by him that I would need to discuss with him but suggested that we leave that for today. He then put his mother on the line (she had been trying to interject throughout the conversation) who said she wanted to know why I had not responded to her messages to call her. I apologised for this and explained that I have been very busy but that I needed to know whether we had written permission from Mr Cordell for us to speak to her – she said that there was a written note recorded on our files in 2015. Mr Cordell asked her what I was asking her and when she replied that I was querying permission I clearly heard Mr Cordell say angrily and aggressively "I'm gonna do her over" and then "I'm gonna take her job just for fun". I informed Mrs Cordell that I had overheard these remarks and that I was ending the call. She said that her son had now left the room and she was talking to me. I repeated that I would be ending the call and that she should put what she wanted to say in writing to me.

Sarah Fletcher
Neighbourhood Officer

266 34A

CASE HISTORY



Case 17834 Markandu Mathiyalakan Burncroft Avenue 117 EN3 7J
GENERAL Active, Phone call with Victim

Involved Persons

CLIENT (VICTIM) Mr Markandu Mathiyalakan,
Relationship to Cases

Client (Victim) in CASE 17834

Incidents in which Person is involved

INCIDENT: SINCE 06 Aug 16 - Threats and
intimidation (General)

Current address

117 Burncroft Avenue, Enfield, EN3 7JQ

Main phone

07891740939

Gender

Male

Ethnic origin

Unknown

Appearance

Male, Unknown,

CLIENT (ACCUSED) Mr Simon Cordell,

Relationship to Cases

Client (Accused) in CASE 16175
Client (Accused) in CASE 17753
Client (Accused) in CASE 17818
Client (Accused) in CASE 17834
Client (Accused) in CASE 18169

Incidents in which Person is involved

Witness : COMPLAINT: NO SPECIFIC DATE -
Threats and intimidation (General)
Witness : INCIDENT: SINCE 05 Oct 16 - Threats and
intimidation (General)
Witness : COMPLAINT: NO SPECIFIC DATE -
Making threats
Witness : INCIDENT: SINCE 06 Aug 16 - Threats and
intimidation (General)
Witness :

Current address

109 Burncroft Avenue, Enfield, EN3 7JQ

Main phone

020 8245 7454

Gender

Male

DOB

26/01/1981

Age band

35-44

Ethnic origin

White/Black Caribbean

Home visit to Ms Deborah Andrews flat. Attendees:
Dawn Allen TMO and CPN Bola Quadri. Home visit to
Ms Andrews advised that her neighbour at number
109 has for the past few months harassed,
intimidated, stalked her and made a life a complete
misery. He continuously plays loud music, bangs on
her ceiling and door alleging that she is monitoring his

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=799452,799455,817> 08/08/2017

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Notes about this person

movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintances before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Appearance

Male, 36 yrs old, White/Black Caribbean,

History

06/08/2016 : Threats and intimidation , Date reported : 17/10/2016

Threats and intimidation (General)

Letter received from complainant via MEQ alleging that another resident who is drug addicted has been aggressively demanding money, making threats and exhibiting threatening behaviour towards him/his wife. Complainant requesting action be taken against Waltham Forest District Council and the police. (Complainant is living in a leasehold property - accommodation provided by Waltham Forest?). Perpetrator identified as living on ground floor but door number not specified.

Referral Details

17/10/2016 :

Organisation making referral

Housing Anti-Social Behaviour Response Team

History

17/10/2016 : Contact Complainant , 17/10/2016 : Contact Complainant ,

17/10/2016 : Contact Complainant ,

We discussed the complaint; confirmed that the perpetrator was Simon Cordell at 109 Burncroft Avenue; confirmed that complainant is housed in temporary accommodation by Waltham Forest District Council and has been trying to report issues to them and police; Issues have been going on for some time and include: intimidating/threatening behaviour, aggressive demands/threats for money, tyres slashed, swearing/name calling etc.

20/10/2016 :

Response sent to Members Enquiry - no prior reports received from Complainant - may have been reporting to Waltham Forest District Council? Contact information requested for complainant in order to investigate further.

Contact number subsequently provided.

26/10/2016 : Update Complainant ,

Follow on action from Contact Complainant

01/11/2016 : Update Complainant ,

Follow on action from Contact Complainant

02/11/2016 : Update Complainant ,

Follow on action from Contact Complainant

11/11/2016 : Interview Complainant,

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I interviewed the Complainant. He reported that the issues have been on going for about 18 months (He, his wife and daughter have lived at Burncroft Avenue in temporary accommodation provided by Waltham Forest DC for 2.5yrs). Please see attached notes of interview - The complainant is really frightened for his family - Mr Cordell is very aggressive and has previously kicked him in the nose/face and threatened to hit him with a piece of wood; his wife is so scared that she accompanies him to work and waits in the car with their daughter for his shifts.

28/11/2016 :

Copied the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

06/12/2016 : 06/12/2016 : 07/12/2016 : 08/12/2016 : 12/12/2016

Mr Mathiyalagan telephoned to report that Simon Cordell aggressively banged on his front door and accused them of making noise. He stated that he also shouted abuse and threats and swore at them.

22/12/2016 : 10/01/2017 : 13/01/2017 :

Mr and Mrs Mathiyalagan attended the Civic Centre to report incidents that happened over the Christmas and New Year period. Mr Mathiyalagan stated the following,
23/12/16 at about 3.43pm - Mr Cordell banged on his front door while his wife was at home alone with their young daughter and shouted abuse at her and asked her to go to the bathroom and turn off the tap. He also removed their electricity fuse thereby cutting off power supply. He stated that the incident was reported to the police, CAD 5753/23 December 2016 and they were advised to contact the council.

26/12/16 at about 12.30pm - Mr Mathiyalagan stated that he and his family was going out and that as they got to the first floor, he saw Mr Cordell running up the stairs towards them with a towel tied round his waist. He stated that Mr Cordell started shouting abuse at them and accused them of tampering with his water supply and stopping the water. He stated that he tried to explain to him that there may be a problem with the water supply to the whole block as they also have the same problem with their water supply but Mr Cordell will not listen and continued to accuse them of tampering with his water supply. He and his wife told him to please go away and leave them alone but he continued to swear and shout abuse at them. They then walked away.

31/1/17 at 10.47pm - Mr Mathiyalagan stated that Mr Cordell followed him and his family up the stairs as they returned from a family outing and was shouting at them about deliberately banging on the pipes and making noise. He also stated that the person sleeping on his sofa was banging on the floor, talked about saving him from getting beaten up by local youths, stated that he caught him and his wife making noise inside their bathroom, called him 'a lying cunt' and asked him to swear on his baby's life that he was not banging.

Mr Mathiyalagan stated that the constant harassment from Mr Cordell is making it difficult for them to continue living at Burncroft Avenue and wanted to know if I can contact Waltham Forest to see if they can rehouse them. I promised to speak to Waltham Forest and explain to them that they are victims of anti-social behaviour and to see if they rehouse them.

16/01/2017 : 16/01/2017 : 23/01/2017 :

Mr Mathiyalagan telephoned today to report an incident that happened at 6.21pm on Saturday 21/1/17 when Mr Cordell aggressively banged on his front door, swore and shouted abuse and threats at him and his wife and accused them of making noise. He stated that there was no noise in his flat at the time and that Mr Cordell is just picking on them. He stated that they were fed up of being picked on and wanted to know what the council is doing to stop Mr Cordell from harassing them. I informed him that I will discuss his reports with Mr Cordell and will ask him to stop knocking on his door and to report any noise disturbances to the council to deal with.

01/02/2017 :

Mr and Mrs Mathiyalagan attended the Civic Centre today, 1/2/17 to report an incident that occurred yesterday 31/1/17. Mrs Mathiyalagan stated that at about 6.30pm, she was inside her flat with her two and a half year old daughter when Mr Cordell aggressively banged on her front door while she was feeding her baby and shouted abuse and threats at her and accused her of making noise. Mrs Mathiyalagan denied making noise at the time and stated that she does not know why Mr Cordell accused her making noise.

She stated that she is terrified of moving around inside her flat for fear of being accused of making noise. I asked whether she recorded the incident and she said she did not. She also stated that she did not report the incident to the police as it only lasted for a few minutes. I advised her to log any further incident and to call the police if she feels threatened.

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06/02/2017 : 08/02/2017 :

I visited Mr Mathiyalagan at 117 Burncroft Avenue today to look at the flooring following email from Mrs Cordell concerning noise as a result of wood flooring in the flat. I noticed that there is laminate flooring in the whole flat and ceramic tiles in the kitchen. Mr Mathiyalagan stated that the flooring was already in the flat when they moved in. He stated that they do not make noise deliberately and that any noise from his flat is household noise. He also stated that as far as he is aware that the person living below them have not complained of noise and that he will be the one that will be affected if there is excessive noise from his flat. He also stated that he has asked the council if they are causing noise disturbances and he said they are not. He also requested that Mr Cordell should contact the council if he is being disturbed by noise from his flat instead of harassing him and his family by banging on his front door, shouting abuse at him and his wife, threatening them and confronting them when they come into the block.

I informed him that laminate flooring can generate some noise and to be mindful of his neighbours while walking around inside his flat.

I then went and knocked at flat 113 but there was no response.

17/02/2017 :

Telephone call from Mr Cordell regarding the letter sent to him to attend the Civic Centre on 22/2/17 to discuss the on going reports of harassment, verbal abuse and threatening behaviour made against him by his neighbours. File note of the telephone conversation attached.

21/02/2017 : 21/02/2017 : Contact Complainant ,

Follow on action from

20/03/2017 :

I visited 109 Burncroft Avenue on 17/3/17 to hand deliver to post a letter through Mr Cordell's door and as I got into my car to drive off after posting the letter, Mr Cordell ran after me shouting and screaming abuse. I did not stop to speak to him and he ran after me until I turned left into Green Street. As he was running after my car, he was shouting at people passing by to stop the car. By the time I returned to the office, Mr Cordell had telephoned me several times. I telephoned him back and he wanted to know whether I was the person that posted a letter through his letterbox and I said yes. He asked why I did not stop when he ran after me and I told him that I had another visit and did not have the time to stop and talk to him. He stated that he will not attend the meeting at the Civic Centre or any of the council and that I should come to his flat. I offered to have the meeting at a neutral venue like the local library or even at his mother's house but he refused and shouted to shout abuse and accuse me of taking sides with his neighbours. He denied doing the things that he is accused of doing and stated that he is the victim and that the council have refused to deal with his complaints against his neighbours. He stated that he has been suffering noise disturbances from his neighbours since he moved into his flat and that the council have refused to deal with it. He alleged that the council is conniving with the police to victimise him and threatened to put in a complaint against me. He continued shouting abuse and will not let me say a word. I then advised him that I will have to terminate the conversation as we were getting no where.

05/05/2017 :

Mr Mathiyalagan telephoned me to report that Mr Cordell went to his flat while he was at work and his wife was at home with his cousin and daughter and started to bang on his door and shout abuse and threats. He stated that he was at work and was scared for his wife and daughter. I advised him to call the police.

08/05/2017 :

Mr Mathiyalagan telephoned to report an incident that happened this morning as he was leaving the block to go to work. He stated that as he walked down the stairs, he saw Mr Cordell talking to 2 council officials and as he walked past, Mr Cordell threatened him by shouting that he was going to ruin his life and that he was going to the police with evidence about him. He stated that he did not respond.

12/05/2017 :

Find attached my file notes related to Sarah Fletcher's (Neighbourhood Officer) visits to Burncroft Avenue and encounters with Mr Cordell.

15/05/2017 :

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Mr and Mrs Mathiyalagan attended the Civic Centre to report that Mr Cordell has started to regularly harass them again. They complained that Mr Cordell now comes to bang on their front door and shout and scream abuse and threats every other day. He stated that the latest incident happened at 12pm on 12/5/17 when Simon came and started banging on his door aggressively while his wife was at home with his daughter and cousin and was telling his wife to open the door. He stated that Simon knew that he was at work and that his wife was probably alone at home with his daughter. Mr Mathiyalagan stated that he is scared for his and his family's safety and wants something done urgently to keep them safe from Mr Cordell. They pleaded with me to speak to Waltham Forest to find an alternative accommodation for them as it is no longer safe for them to continue living in Burncroft Avenue. I took the contact details of the property manager at Waltham Forest and called and left a message for him to call me back. The details are Mr Osmani, tel. 02084965503 and his manager is Taylor tel. 02084965496, also 02084965502/5506.

02/06/2017 :

Mr Mathiyalagan telephoned to report that he was at work yesterday, 1/6/17 when his wife called him to complain that Mr Simon Cordell and two other males came and banged on his front door for about 1 or 2 minutes. He stated that his wife and daughter were alone in the flat at the time and that they were very frightened as a result of the loud banging on his front door. I advised him to call the police if Simon bangs on his door again.

12/06/2017 :

Mr Mathiyalagan telephoned to report an incident that happened late night on Friday 9/6/17 between Mr Cordell and his cousin. Mr Mathiyalagan stated that his cousin returned from work late at night and as he opened the front door, Mr Cordell came out of his flat and confronted him. He stated that as his cousin brought out his phone to record the incident, Mr Cordell snatched the phone from him. A struggle ensued as his cousin tried to get his phone back from Mr Cordell and Mr Cordell attacked his cousin, grabbed him round the neck and also injured him on the arm causing his arm to bleed. He stated that his cousin managed to get his phone back from Mr Cordell and came up to his flat and told him what happened. He then called the police and they attended within 10 minutes. They explained what happened to the police and they went to Mr Cordell's flat to speak to him but he refused to let them in. Mr Mathiyalagan also stated that the dog was barking throughout.

19/06/2017 :

Mr Mathiyalagan telephoned to report an incident that happened today at 11.55am as his wife was going to pick their daughter from school. He stated that Simon confronted her outside the communal entrance door and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him. He also stated that another incident happened on Friday 16/6/17 at 11.55am when Simon confronted his wife as was going to pick their daughter from school and accused her of making noise. He stated that Simon also told his wife that he has their bank account and personal details and that she should tell him to pay him money.

26/06/2017 :

Mr Mathiyalagan telephoned to report an incident that occurred on Friday 23/6/17. He stated that his cousin returned from work at 11.35pm and as he entered the block, Simon Cordell came out of his flat with his dog swearing and shouting abuse at his cousin and attacked him by punching him twice on the chest. He stated that SC tried to push his cousin out of the block and snatched his cousin's mobile phone as he tried to record the incident but he managed to get the phone back from him. He stated that SC's dog was also barking loudly and was not on a lead. Mr M stated that his wife overheard the commotion and woke him up and as they came down the stairs shouting at his cousin and asking what was going on, SC went back to his flat. They called the police and when the police came, they explained what happened. The police then went and knocked on SC's door to talk to him but he refused to let them in. He stated that his cousin did not provoke SC in any way and did not do anything to cause SC to attack him.

03/07/2017 :

Mr and Mrs Mathiyalagan attended the Civic Centre today to report further incidents with Simon Cordell and gave me a DVD recording of another incident. Mr Mathiyalagan stated that on 28/6/17 at 11.45am, Simon confronted his wife at the main entrance door as she was going to pick up their daughter from school and demanded to talk to her. His wife told him that she cannot stop to talk to him as she was on her way to collect her daughter from school but he insisted on talking to her. He stated that Simon ran after her, stood in front of her, accused her of making noise inside their flat and started shouting at her and said to her that he knows all their personal details including their full

names, dates of birth and bank details. He also demanded money and told his wife to tell him to come and talk to him.

He stated that the second incident happened on 30/6/17 at 11.45am when Simon confronted his wife as she was leaving the block and accused her of slamming the door. He then called his a liar when she denied slamming the door and proceeded to shout abuse at her. Mr Mathiyalagan also stated that on 2/7/17, he and his family was going out to visit some friends at about 5.18pm and as they were about to exit the block, Simon popped his head out of his door and asked him when he was going to hand over the money. He told him that he was not going to give him any money and that he should go and work so that he can earn some money. He stated that as they left the block, Simon came running after them shouting and swearing at him and said to him that he should pay him money if he wants him to leave him and his family alone. He stated that Simon also said to him that he has all of their personal details including phone numbers, full names, date of birth and bank details and that he must pay him some money to have them back. He stated that he told Simon that he will not pay him any money and to do whatever he likes with the details. He stated that he does not know how Simon came across their personal details, if he has them. He stated that his wife lost her phone some weeks ago and that it is possible that he may have accessed their details from the phone if he has it because his wife stored their personal details on her phone.

13/07/2017 : 19/07/2017 :

NOSP served on Mr Cordell today at 4.05pm with Enfield Highway DWOs, copy attached.

27/07/2017 :

I telephoned Mr Mathiyalagan for updates on any recent incidents and he stated that there has been none. He also confirmed that he is willing to give a signed witness statement and will attend court to give if required to do so.

08/08/2017 :

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CASE HISTORY



Case 17818 [REDACTED] Burncroft Avenue [REDACTED] EN3 7JQ
GENERAL Active , Phone call with Victim

Involved Persons

CLIENT (VICTIM) [REDACTED]

Relationship to Cases

Client (Victim) in CASE 17818

Incidents in which Person is involved

Witness :

Current address

[REDACTED] Burncroft Avenue, Enfield, EN3 7JQ

Main phone

07870655010

Gender

Male

DOB

[REDACTED]

Age band

[REDACTED]

Ethnic origin

[REDACTED]

Appearance

[REDACTED]

CLIENT (ACCUSED) Mr Simon Cordell [REDACTED]

Relationship to Cases

Client (Accused) in CASE 16775
Client (Accused) in CASE 17753
Client (Accused) in CASE 17818
Client (Accused) in CASE 17834
Client (Accused) in CASE 18169

Incidents in which Person is involved

Witness : COMPLAINT: NO SPECIFIC DATE -
Threats and intimidation (General)
Witness : INCIDENT: SINCE 05 Oct 16 - Threats and
intimidation (General)
Witness : COMPLAINT: NO SPECIFIC DATE -
Following threats:
Witness : INCIDENT: SINCE 06 Aug 16 - Threats and
intimidation (General)
Witness :

Current address

109 Burncroft Avenue, Enfield, EN3 7JQ

Main phone

020 8245 7454

Gender

Male

DOB

26/01/1981

Age band

35-44
[REDACTED]

Ethnic origin

White/Black Caribbean

Home [REDACTED] Deborah Andrews flat. Attendees
Dawn Allen TMO and CPN Pula Quadri Home visit to
Ms Andrews advised that her neighbour at number
109 has for the past few months harassed,

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=798655,798658,817...> 03/08/2017

273 41

Notes about this person

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She has been [REDACTED] his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the [REDACTED] matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Appearance

Male, 36 yrs old, White/Black Caribbean,

History

06/07/2016 : Making threats, Date reported : 06/07/2016

Making threats

The defendant using threatening/abusive/insulting words and behaviour with intent to cause fear - provoke unlawful violence [REDACTED]

31/10/2016 :

From: [REDACTED]
Sent: 31 October 2016 18:09
To: Kaunchita Maudhub
Subject: Contact phone number for [REDACTED]

Hi Kaunchita,

This is the contact phone number for [REDACTED]

As stated, [REDACTED]
If I can be of further assistance, please do not hesitate to call me.

Thanks for your help.

Regards,

John Bates

03/11/2016 :

From: Kaunchita Maudhub
Sent: 03 November 2016 10:13
To: Jean Barton
Subject: FW: Contact phone number for M [REDACTED]

Dear Jean,

We received a phone call from a M [REDACTED] on behalf of his friend M [REDACTED]. He explained that Mr [REDACTED] and having to attend court to give evidence against a male named simon cordell who verbally abused him. We are aware of simon cordell as Steve/Pat obtained an ASBO against him for illegal raves etc. I believe he is also a council tenant (I need to check)

Could you initially contact [REDACTED] – obtain his address and the reasons he is going to court. Also ascertain what support he needs. It is not an open case as such but depending on your findings we may be able to assist.

Many Thanks

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Regeneration & Environment
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Referral Details

03/11/2016 :

Organisation making referral

Community Safety Unit

History

03/11/2016 :

On request I contacted the viw explained the reason for my call – Mr [REDACTED] did have some reservations about going to court. Therefore I have arranged to conduct a home visit scheduled for Friday 4th Nov 16 at 2:30 pm then we discuss the matter further.

03/11/2016 :

Research conducted on Northgate – shows that Sarah Fletcher is the housing officer. I spoke to Sarah who is aware of issues with Simon Cordell and the action against him – however, she said she needs to gather more information as she has had a member's enquiry from Waltham Forest. As to our viw Mr [REDACTED] she has not had any complaints or court action. Therefore it is possible that the legal proceeding has been taken by the police.

04/11/2016 :

Phone call made to the Witness Service from the victims home – to possible arrange a pre-court trial visit to no avail.

04/11/2016 : 04/11/2016 : 07/11/2016 :

From: lee.martinez@wsncc.citizensadvice.org.uk [mailto:lee.martinez@wsncc.citizensadvice.org.uk]
On Behalf Of Contact Centre
Sent: 07 November 2016 16:48
To: Jean Barton
Subject: 01YE0355816

Hi Jean,

Our Outreach manager will be getting in touch with Stanley to see what support they can put in place.

Kind regards,

Lee

National Contact Centre Team

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=798655,798658,817...> 01/06/2017

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Witness Service
Citizens Advice
0300 332 1000
contactcentre@citizensadvice.org.uk

07/11/2016 :

I spoke to Sabran Witness Service Highbury & Islington court she advised pre-court trial visit are no longer arranged directly by them. I will have to go through Citizens Advice national contact centre. I she gave me a number however, I was getting no response on the number given 0208 733 6422. I also called 101 and was given another number 0208 733 5480 – again a voice recording with no one to take the call. I contacted the call centre again and was given another number with on digit difference to the previous 0208 733 6423 Clair Lockwood. A voice recording again I therefore left a message requesting a call back.

08/11/2016 :

I tried calling the Witness Care Unit again at Holborn station to no avail – I then got a call back from police Holborn asking if I had tried to contact them – I was then put through to Thomas Jones Witness Care Officer – from this point the communicative lines was open for progress. Tom also said the oic is DC Campbell attached to Edmonton Police station. And that he will email him to contact the viw to re-assure him.

08/11/2016 : 08/11/2016 :

mailto:Thomas.Jones@met.pnn.police.uk]

Sent: 08 November 2016 11:16

To: Jean Barton

Subject: R v CORDELL - WITNESS CARE OFFICERS CONTACT DETAILS

Dear Jean,

As promised.

Thomas JONES | Witness Care Officer | Camden & Islington CJU | Holborn Police Station
Met Prosecutions Crime | MetPhone 746339 | Telephone 0208 733 6339 | Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden.
MetSec Code: Not Protectively Marked
fA Please consider the environment - Do you really need to print this email?

14/11/2016 :

From: Jean Barton [mailto:Jean.Barton@enfield.gov.uk]

Sent: 14 November 2016 11:37

To: Jones Thomas - Met Prosecutions

Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Greetings Thomas,

As to our pending court hearing on Thursday for Stanley – have the CPS replied to your email regarding their decision for a taxi?

Regards
Jean

14/11/2016 :

From: Jones Thomas - Met Prosecutions

Sent: 14 November 2016 11:48

To: 'Jean Barton'

Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=798655,798658,817> 03/11/2017

27644

Good Morning Jean,

They have acknowledged a taxi is required, although I have a reminder set for tomorrow and Wednesday to check it has been finalised. I will update you as soon as CPS contacts Witness Care.

Kind regards,

Thomas.

15/11/2016 :

From: Thomas.Jones@met.pnn.police.uk [mailto:Thomas.Jones@met.pnn.police.uk]

Sent: 15 November 2016 11:56

To: Jean Barton

Subject: R v CORDELL - UPADTE from WITNESS CARE

Hello Jean,

CPS has not confirmed the taxi yet. I have a close eye on the case, with a view that we have till tomorrow – 16:00hrs - to obtain this information. As soon as CPS responds I will contact you.

Regards,

Thomas.

Thomas JONES | Witness Care Officer | Camden & Islington CJU | Holborn Police Station
Met Prosecutions Crime | MetPhone 746339 | Telephone 0208 733 6339 | Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden

16/11/2016 :

I received a call from Thomas Jones – Witness Care he advised that the CPS have dropped the case of [REDACTED] v Cordell. Reason – Not enough evidence to provide a realistic prospect of any conviction. In further discussion Thomas said DC Campbell was of ill – has now returned; however, he said he will contact Mr [REDACTED] in relation to the current position of the matter. I asked Tom if the CPS will be writing to Mr [REDACTED] directly – he said they should to advise accordingly. Tips given to report further incidents and keep records.

16/11/2016 : 16/11/2016 : 16/11/2016 :

Visited [REDACTED] (flat [REDACTED] Burncroft Avenue) and [REDACTED] (flat [REDACTED]). [REDACTED] stated that she witnessed the September when Mr Cordell threatened Mr [REDACTED]. She stated that she was with her neighbour [REDACTED] when they heard Mr Cordell shouting and as they came out to see what was happening, she saw Mr Cordell shouting at Mr [REDACTED]. She alleged that he was shouting abuse and threats and that Karen told him to leave Mr [REDACTED] alone, that he is an old man. Mr Cordell then started shouting abuse and threats at [REDACTED]. [REDACTED] stated that she is not prepared to give a statement and that she will not keep incident logs.

We then met with [REDACTED] outside the block. She stated that she and [REDACTED] witnessed the incident that happened in September. She stated that Mr Cordell was shouting abuse and threats at Mr [REDACTED] and that she told him to leave Mr [REDACTED] alone as he is an old man and that Mr Cordell then turned against her and started threatening her. She stated that she is not afraid of him when she is on her own, that her only concern is that she is looking after 2 very vulnerable children and she will not be able to defend herself and them if Mr Cordell was to attack her when she is with them. She is happy to make a statement and will log any further incidents.

17/11/2016 :

Visited Mr [REDACTED] and [REDACTED] to hand deliver incident diaries.

28/11/2016 :

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=798655,798658,817...> 05/11/2017

277 45

07/12/2016 : 09/12/2016 : 14/12/2016 : 09/01/2017 : 10/01/2017 : 10/01/2017 :

Joint home visit conducted with Lemmy. Mr [REDACTED] said that he has had no further problems from Simone Cordell however, he was aware of altercations between Simone Cordell and other residents in the block. Mr [REDACTED] said he will still maintain his own logs and call the police and the council if necessary. The camera directly outside of Simone Cordell flat has been removed however, we notice that there was a camera in the communal area pointed toward the staircase – we need to find out who the camera belongs to.

21/02/2017 : 06/03/2017 : 15/03/2017 :

CASE HISTORY



Case 16175 [REDACTED]
GENERAL Active, Phone call with Perpetrator

Involved Persons

CLIENT (VICTIM) Ms Deborah Andrews,
Relationship to Cases

Client (Victim) in ASB Case 16175

Incidents in which Person is involved

Witness :

Current address

[REDACTED] Burncroft Avenue, Enfield, EN3 7JQ

Main phone

[REDACTED]

Gender

[REDACTED]

DOB

[REDACTED]

Age band

[REDACTED]

Ethnic origin

[REDACTED]

Appearance

[REDACTED]

CLIENT (ACCUSED) Mr Simon Cordell,

Relationship to Cases

Client (Accused) in CASE 16175
Client (Accused) in CASE 17753
Client (Accused) in CASE 17818
Client (Accused) in CASE 17834
Client (Accused) in CASE 18169

Incidents in which Person is involved

Witness : COMPLAINT: NO SPECIFIC DATE -
Threats and intimidation (General)
Witness : INCIDENT: SINCE 05 Oct 16 - Threats and
intimidation (General)
Witness : COMPLAINT: NO SPECIFIC DATE -
Making threats
Witness : INCIDENT: SINCE 06 Aug 16 - Threats and
intimidation (General)
Witness :

Current address

[REDACTED] Burncroft Avenue, Enfield, EN3 7JQ

Main phone

[REDACTED]

Gender

Male

DOB

[REDACTED]

Age band

35-44

Ethnic origin

White/Black Caribbean

Home visit to [REDACTED] flat. Attendees
[REDACTED] TMO and CPN Bola Quadri Home visit to
[REDACTED] advised that her neighbour at number
109 has for the past few months harassed,

47

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Sage Publications

Appearance

Abstract

Abstract

UNCLASSIFIED-PROTECT]

VICTIM

MS [REDACTED]
[REDACTED] Bumcroft Avenue

Perpetrator
Simone Cordell

[REDACTED]

[REDACTED] advised that her neighbour

paired but, the damage

When the petp...

██████████ also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

██████████ felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by Dawn that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

23/09/2015 : Contact Complainant ,

Home visit to Ms ██████████ flat. Attendees Dawn Allen-TMO and CPN Bola Quadri

Home visit to ██████████ advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

23/09/2015 : Update Complainant ,

Follow on action from Contact Complainant

23/09/2015 : Letter - sent,

ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

23/09/2015 : Email - sent,

Classification: PROTECT
Hi Mark,

On second thoughts, could you contact her on her landline instead and speak to her directly please?
Her number is ██████████

Thank you for your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=747403,750084,747...> 03/08/2015

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281

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[REDACTED] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by [REDACTED] that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats, and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

Thank you

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

23/09/2015 :

INTERVIEW NOTES FOR [REDACTED]

VICTIM
[REDACTED]
[REDACTED] Burncroft Avenue ENFIELD EN3 7JQ
[REDACTED]
[REDACTED]

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to Ms [REDACTED] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [REDACTED] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker. [REDACTED] she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=747403,756084,747...> 23/08/2017

Tenancy Management
Enfield Council

Classification: PROTECT
Good morning Mark,

Thank you for the information, yes she suffers from mental health and his behaviour continues to exacerbate her condition. I will appreciate if you visit him sooner than later and also pop round to [REDACTED] to reassure her.

Thank you for all your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

From: Mark.Tilley2@met.pnn.police.uk [mailto:Mark.Tilley2@met.pnn.police.uk]
Sent: 18 September 2015 17:23
To: Dolly Ogunseye
Subject: [REDACTED] Burncroft Avenue, Enfield, Middlesex, EN3 7JQ [REDACTED] [SEC=PROTECT]

Hi Dolly,

Myself and Nick attended [REDACTED] a while ago and spoke to the [REDACTED] a while ago when she originally called Police. At the time she didn't want us to speak to her neighbour as things had got better. The lady handed us a letter about what had happened but none of it made any sense.

We believe she was suffering from mental health issues. On another occasion we popped round to see her and she wouldn't come and speak to us so instead she spoke through her letterbox to us. The male at 109 - Simon Cordell who is causing the problems is very well known to Police and is also very anti Police. I know some Officers went round and spoke to him and things seemed to get better. After that we have had no further calls from the lady at [REDACTED]

We will try and get round to see her when were back on duty on Monday.

Kind Regards

Classification: PROTECT
Good afternoon Mark,

Could you kindly assist with this query please. Following reports of ASB by the above tenant, my colleague and I visited her this morning and were alarmed by the nature of her complaints. She has in the past few months being constantly harassed, intimidated, bullied, stalked and threatened to kill by her neighbour at 109.

As a result of his behaviour, she has become too scared to leave her flat for fear of what may happen to her. She is a vulnerable tenant who requires support from services. However, the unsettling behaviour exhibited by number 109, has hindered her from attending her appointments and exacerbated her condition. At the moment, she feels very disorientated / agitated and will like the harassment to stop.

She advised that she had reported this to the police a few times but, wasn't taken seriously.

I will appreciate if you could stop over at [REDACTED] to reassure her that the matter is being dealt with and also to stop by 109 and advise him that you are aware of what is going on and the repercussions should it continue.

Thank you for your support and assistance

Dolly Ogunseye
Anti-Social Behaviour Officer

<https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=747403,750084,747...> 03/08/2017

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Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

Referral Details

23/09/2015 :

Organisation making referral

Housing Anti-Social Behaviour Response Team

History

23/09/2015 : Threats and intimidation , Date reported : 23/09/2015

Threats and intimidation (General)

Home visit to [REDACTED] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [REDACTED] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making [REDACTED] appointments pending the time this matter is resolved. [REDACTED]

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her over [REDACTED] a few months ago which has since been repaired but, the damage alleged had occurred.

23/09/2015 : Agree an Action Plan with the Complainant,

ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

23/09/2015 : Action Plan to Complainant ,

Follow on action from Agree an Action Plan with the

23/09/2015 : Contact Perpetrator ,

Follow on action from Agree an Action Plan with the

23/09/2015 : Action Plan Reviewed ,

Follow on action from Agree an Action Plan with the

23/09/2015 : 23/09/2015 : 24/09/2015 : Email - sent,

RE Re SOVA Alert - D.A - 1009639

Classification: PROTECT

Dear Susan,

Thank you for your email. Please note that as from Monday 28th September 2015, all high level cases of anti-social behaviour will be transferred to the Council's Community Safety Unit.

In light of the above, [REDACTED] case has been identified as one of many cases involved in this process. You will shortly hear from an officer within the Community Safety Unit advising you of the name of the officer that will be dealing with [REDACTED] case.

Kind regards

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

<https://ecasesworks.net/ENFIELD/ViewSelected.asp?sViewData=747403,750061,747403,13/08/2017>

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Lemmy Nwabuisi

From: John Irving <irvingjohn15@gmail.com>
Sent: 07 February 2017 14:42
To: Lemmy Nwabuisi
Subject: Re: Low water pressure to 117 Burncroft Avenue [SEC=OFFICIAL]

Ref: 117 Burncroft Ave, Enfield, EN3 7JQ

low water pressure - harassment by tenant at 109

Thurs 26/01/17 - While in attendance at 117 Burncroft, where we were attempting to resolve a low water pressure issue, we were approached by the tenant of 109 Burncroft the ground floor flat. He stated that there were problems between him and the tenants of 117 without going into specific details. I was with a private plumber who was looking at the low water pressure problem at 117. We explained the problem to the tenant from 109 who stated 'you will not solve the problem as I am restricting their water supply!' obviously both myself and the plumber were shocked at this statement. Despite thorough investigation to the low water pressure problem we were unable to increase the pressure. However, before leaving the site I knocked at 109 asking whether he would increase their pressure, he stated 'I cannot do anything at the moment I will sort it out later!'. Despite the attendance of Thames Water (twice), the agents plumber, my plumber and various sub contractors from Enfield Homes this matter remains unresolved.

John Irving
Owner/Landlord
117 Burncroft Avenue
[REDACTED]

On 30 January 2017 at 11:05, Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk> wrote:

Classification: OFFICIAL

Dear Mr Irving,

As discussed, could please email me details of the conversation you had with the tenant at 109 Burncroft Avenue as this will be used in evidence should we refer this matter to court.

Kind Regards

Lemmy Nwabuisi

Anti-Social Behaviour Team

Community Safety Unit

Environmental & Community Safety

B Block North

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285

Civic Centre

Enfield

EN1 3XA

Tel: 020 8379 5354

Classification: OFFICIAL



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This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.

File note

24/2/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Following reports of continued low water pressure/supply to 117 Burncroft Avenue (second floor) despite information from Thames Water indicating that they had attended and that supply to the block 109-119 Burncroft Avenue was of a sufficient bar pressure, I tried to coordinate access to all flats on the right-hand side of the block potentially affected by the issue: 109, 113 and 117.

I wrote and hand delivered letters to all 3 of the properties requesting access for the Council Surveyor to visit and assess the water pressure in each on Friday 24th February 2017 between 10am and 12pm.

I spoke by telephone with Mr Irving, the leaseholder of 117, who had instigated the water pressure complaint who agreed that he would attend and give access.

I spoke by telephone with Mr George Quinton, the tenant of 113, who agreed that he would give access.

I spoke by telephone with Lorraine Cordell, mother of Simon Cordell, the tenant of 109 who said that no one was available to give access.

I attended with Steve Stirk, surveyor, on Friday 24th February 2017 at 10am. We were given access to 117 and Steve Stirk investigated the water pressure to the taps in the kitchen and bathroom.

We were unable to gain access to 113 as the tenant was not home – I called and left voicemail messages for the tenant but did not get any further response.

Steve Stirk suggested that we knock at 109 just on the off chance that someone was home. Mr Simon Cordell answered the door and, once Steve Stirk had explained that we were investigating the low water pressure/supply issue to the block, he allowed us into the property.

While Steve Stirk checked the water pressure in the kitchen, I introduced myself to Mr Cordell. He then became quite agitated and proceeded to regale me with the same issues that he had relayed to me during our previous telephone conversation including issues about his neighbours, the police and the Council conspiring to ruin his life as well as his work arranging community music events. He did not give me much of an opportunity to respond and kept talking over me when I tried to do so. Steve Stirk then went and checked the bathroom taps which he discovered were all already open (water running in wash basin; water running in bath which was full and going down overflow). We then thanked Mr Cordell for his time and left the property.

Outcome: It is unclear whether Mr Cordell running all of the taps constantly is linked to the issue of low water pressure as he is on the ground floor and 117 is 2 floors up (we had been unable to check the pressure in 113). Steve Stirk to liaise again with Thames Water about the issue and to consider separation of the water supply to the ground floor flat.

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made some observations whilst in Mr Cordell's property, 109 Burncroft Avenue which are of some concern:

There is a security gate installed on the inside of the front door.

There were 3 large 'industrial' matrix type printers in the property (1 in the hallway and 2 in the living room)

Mr Cordell talked about running 'events'

A non-standard kitchen ie. a wall seemed to have been removed between the kitchen and the living room creating an open plan effect: No fire door

Much of the property was taken up by the printers, boxes and folders – possible hoarding (6)?

Dog faeces in private back garden

Sarah Fletcher

Neighbourhood Officer

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File note

9/5/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Further to ongoing issues related to water pressure/supply to the block at 109 – 119 Burncroft Avenue particularly to the right hand supply affecting 109, 113 and 117, I visited the block on Monday 8th May 2017 at 11am with Steve Stirk, Surveyor, and an MCP locksmith.

The purpose of the visit was to gain access to 113 Burncroft Avenue to assess the water pressure/supply to this property. Several attempts had been made previously to do this but the tenant was not there to give access so a 'forced' entry was made and the locks subsequently changed (the tenant had been notified previously that we would be taking this action if he did not provide access).

We entered the property so that Steve Stirk could test the water taps in the kitchen and bathroom. There was no flooring laid except for a rug in the living room (the kitchen was accessed through here) and the floorboards made a significant amount of noise as we stepped on them.

The resident from the property underneath, Mr Simon Cordell, heard us in the property and came upstairs. Steve Stirk and I were outside the property at this point as the locksmith started to undertake the work to install new locks on to the door (he was inside the hallway).

Mr Cordell proceeded to 'rant' at Steve Stirk and myself about his perceived victimisation by his neighbours. He was very agitated and loud – recounting his experience with the police, previous housing management, a previous partner, a previous neighbour and allegations of anti-social behaviour made against him.

Steve Stirk tried to explain that we were there to deal with a specific issue and that this was not the time or place to address these concerns. Mr Cordell did not want to listen and became fixated on Steve Stirk being 'dismissive' towards him (Mr Cordell's words). He went on at length about his upstairs neighbours, both past and present on first and second floors, 'banging' hammers deliberately above his head.

He continued to go on, in his agitated state, about how he had been treated by the police and previous housing managers who had promised him that they would re-lay the floor of flat 113 but had not done so. At this point the resident from 117, Mr Mathiyalakan Markandu, came down the stairs on his way out of the building. As he came down past us Mr Cordell focussed his attention on him and said to him: 'I'm going to the police station now with my evidence about you and I'm going to ruin your life'. Mr Mathiyalakan Markandu did not respond and proceeded to walk past and go down the stairs and out of the building.

Both Steve Stirk and I commented to Mr Cordell that the way he had behaved was threatening in nature and was not acceptable. Mr Cordell responded 'it's not a threat it's a fact'. He then continued to repeat his history with the police and previous housing management.

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I asked Mr Cordell to calm down and tried to explain that some of these issues could have been addressed by attending the meeting that Lemmy Nwabusi in the CSU team had tried to convene with him. He said that he was not prepared to attend such a meeting but wanted to speak to me, his housing officer, now. I explained that as Steve Stirk had already said, that we could not address his issues there and then. I suggested that a meeting could be convened with both the CSU and neighbourhood teams to look at some of the issues with Mr Cordell. He indicated that he would be willing to do this if we came to his home to do so.

Sarah Fletcher

Neighbourhood officer

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Lemmy Nwabuisi

From: Steve Stirk
Sent: 10 May 2017 08:42
To: Lemmy Nwabuisi
Subject: 109, BURNCROFT AVENUE, ENFIELD, EN3 7JQ

Further to my conversation today please note the following
I carried out a joint visit with Sarah back in January regarding low water pressure to 117
While on location the following was noted:

Kitchen internal wall has been partly removed
3 large industrial type printers found with assorted inks and cleaning liquids
Internal gate installed to front door
While all these items could be used in normal day to day interests the tenant made claims he was actively involved in planning and conducting events and the equipment was used to produce marketing leaflets and posters

This Monday we had reason to attend 113 to carry out a full lock change given accusation from the tenant that his lock had been glued so was unable to gain access the tenant claim the damage was caused by 109, (this cannot be confirmed) as the tenant did not attend both Sarah and myself did go in and while there was confrontation by the tenant from 109, the tenant for about twenty minutes would not leave us alone and became increasingly aggressive despite attempt to explain to him that we had not come to see him or indeed were able to comment on any of his accusations on how Enfield had ruin his life were putting him in danger by leaving him in his flat, during this confrontation the tenant from 117 passed through the passage and the tenant from 109 stated he was going to ruin his life and generally became more irate towards the tenant.
It is clear that we are unable to allow this to continue as the body posture from 117 was defensive and did not wish to reply or get into any form of conversation with this tenant
Given that two members of staff were present and the confrontational attitude towards not only us but the other resident I believe we need to action this event to try and stop any further escalation from this tenant

Lastly I would recommend that we need full access to 109 to assess what is the true cause of the low water pressure to the flats above given the items found in the flat as well these need to be removed as does the internal gate please advise so I can carry out a full inspection as this is a complaint from the lease holder as they have very little water flow in the flat above and given the nature of the conditions and life style of 109 we are unable to show if he has caused the issue, on a housing point the internal wall that has been partly removed needs to be put back as it is a breach of fire regs

Steve Stirk
Maintenance Surveyor
Technical Services, Repairs and Maintenance
Enfield Council
Edmonton Centre
N9 0TN

Tel: 020 8375 8023
Tel: 0800 40 80 160
Email: steve.stirk@enfield.gov.uk
Web: www.enfield.gov.uk

"Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities".

I telephoned Miss [REDACTED] to discuss her complaints against Mr Cordell and agree an action plan. Miss [REDACTED] stated that she has lived in the block since April 2015 and that the problems with Mr Cordell started about a year ago. She stated that he bangs on her door when she is sleeping at night and also follows her to her car asking her where is going or where she is coming from. She alleged that on 14th May 2017 Mr Cordell came and aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise inside her flat. She stated that she does not make noise and that her flat is on the opposite side of Mr Cordell flat and therefore he should not hear any noise from her flat. She stated that Mr Cordell came up to her face in a very aggressive and intimidating manner to accuse her of coming into his flat to attack him and asking her why she comes into his flat. She denied going into flat and stated that he does everything to try and intimidate her.

She also complained that she feels scared every time she is going out or returning to her flat as Mr Cordell allows his dog to run freely inside the block.

She stated that Mr Cordell has banged on her door about 4 times in the past 2 months. She also alleged that he has followed her to her car twice in the past 1 month accusing her of coming into his flat to attack him and also kept asking her where she was going or coming from. She alleged that on one occasion, Mr Cordell stood in front of her car and will not let her drive away. She stated that he has been verbally aggressive and intimidating but has not been physically aggressive towards her. She stated that she suffers from mental illness and that this has exacerbated her problems and that she no longer feels safe living in her property. She stated that she has asked her neighbourhood officer to rehouse her as a result of the harassment from Mr Cordell. She stated that she is unable to complete incident diaries as a result of her illness but will telephone to report any further incidences. She stated that she has reported the matter to the police several times and believes that they are dealing with it. She stated that she has been staying with friends and family as she no longer feels safe to stay in her property on her own.

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RESTRICTED



METROPOLITAN
POLICE

Working together for a safer London

Form 9993

Prevention of Harassment Letter (Police Copy)

To:

Name:

Address: 109, BURNCROFT AVENUE
ENFIELD,
Postcode: EN3 7JQ

Date of birth:

26/01/81

An allegation of harassment has been made against you:

Details of alleged conduct (specific actions that are cause for complaint):

Following a female whilst she is alone, and with her partner to their vehicle, asking why they are causing noise and attacking him inside of his home address causing the person harassment and distress.

HARASSMENT IS A CRIMINAL OFFENCE under the Protection from Harassment Act 1997.

"A person must not pursue a course of conduct which amounts to harassment of another and which he/she knows, or ought to know, amounts to harassment of the other."

Harassment can take many forms and examples can include: wilful damage to property, assault, unwarranted verbal or physical threats, abusive communication or repeated attempts to talk to or approach a person who is opposed to this.

It is important that you understand that should you commit any act or acts either directly or indirectly that amount to harassment, you may be liable to arrest and prosecution. A copy of this letter which has been served on you will be retained by police but will not be disclosed now to the alleged victim. However a copy could be disclosed in any subsequent criminal proceedings against you as proof that police have spoken to you about this allegation. This does not in any way constitute a criminal record and will only be referred to should further allegations of harassment be received.

Signature of recipient of form:.....

(This is not an admission or acceptance of the allegation)

Officer issuing:.....

(Rank, surname, warrant number, station attached, contact telephone number)

POLICE USE ONLY

CRIS REPORT NUMBER:

CRIMINT LOG NUMBER:

Date and time of issue:

Exhibit No.:

Description: One (1) Allegation of Harassment Warning Letter Form 9993

Date:

I identify this exhibit as that referred to in my statement.

Signature:

Retention period: 7years
MP 130/10

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RESTRICTED (when complete)

MG11C

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC SERGISON 415YE

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Scott SERGISON 415YE* Date: 28/05/2017

On SUNDAY 28 MAY 2017 I was on duty in uniform call sign YE801 with PC 446YE. I attended 109, BURNCROFT AVENUE EN3 7JQ. This is the home address of SIMMON CORDELL 26/01/1981. I attended the address to issue a first issue harassment letter to SIMON CORDELL cris number 5210999/17 refers. At 1402hrs I knocked on the front door where SIMON CORDELL refused to answer the door to police. I explained the reason for the Harassment letter. SIMON CORDELL prevented me from posting the letter into the letter box, and as such I slid the letter under the front door.

Witness Signature: *Scott SERGISON 415YE* 62

Signature Witnessed by Signature: Page 1 of 1

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RESTRICTED (when complete)

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Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JL

Please reply to: Lemmy Nambuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre

Enfield

EN1 3XA

E-mail : lemmy.nambuisi@enfield.gov.uk

My Ref :

Your Ref :

Date : 29 November 2016

Dear Mr Cordell,

Re: Reports of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

The reports include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation and making threats towards your neighbours. It is also alleged that on 4th October 2016, you banged on your ceiling and you later started to bang and kick at your neighbour's door. It is alleged that you were very aggressive and was shouting through your neighbour's door and that you then proceeded to drag his motorbike from where it was parked and started to smash it up.

It is also alleged that your dogs are left by themselves all day and night barking and causing noise disturbances to your neighbours. Your neighbours have also alleged that you have installed a CCTV in the communal area with the camera pointing towards the main entrance to the block thereby making them to feel very uncomfortable when entering and leaving the block. Your neighbours have alleged that this is an invasion of their privacy.

If these allegations are true, they are in breach of the following terms and conditions of your Tenancy Agreement:

Ian Davis
Director – Regeneration &
Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

Website: www.enfield.gov.uk



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2.2.1 Anti-social behaviour, nuisance and noise disturbance.

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action we will ask the court to give us an order against you for the legal costs we have incurred.

Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

Condition 11. You must install any radio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from without first consulting us.

2.2.3 Harassment and hate crime.

Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

2.2.6 Other unacceptable behaviour

Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the police.

2.15 Pet(s) and animal(s)

Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit, hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

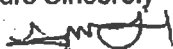
Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we

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will take action and give written notice asking you to remove it/them from your home.

It is very important that we meet with you to discuss these very serious allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Tuesday, 6th December 2016 to discuss this matter. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely



Lemmy Nwabuisi
ASB Team

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA

E-mail: lemmy.nwabuisi@enfield.gov.uk

My Ref :

Your Ref :

Date: 31 January 2017

Dear Mr Cordell,

Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th November 2016 regarding these reports and invited you to meet with me at the Civic Centre on 6th December 2016 to discuss the allegations made against you, copy attached. I received a letter from your mother dated 24th November 2016 in which she stated that she does not believe that it is justified to hold the meeting before your formal complaint and subject access request is dealt with. I understand these have now been dealt with.

The Enfield Council, Community Safety Unit, Anti-Social Behaviour Team have continued to receive various allegations from your neighbours against you concerning alleged nuisance and anti-social behaviour towards them. The allegations include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation, making threats towards your neighbours and tampering with the electricity and water supply to their flat.

These are very serious breach of tenancy conditions and it is very important that we meet with you to discuss these allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Thursday, 9th February

Ian Davis
Director - Regeneration &
Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

Website: www.enfield.gov.uk


EQUALITY
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FOR LOCAL
GOVERNMENT
EXCELLENT

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2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely



Lemmy Nwabuisi
ASB Team

ENC:

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 16 February 2017

Dear Mr Cordell,

Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

As requested, I sent an email to you on 10th February 2017 with details of the allegations made against you. We now need to meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2.30pm on Wednesday, 22nd February 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely


Lemmy Nwabuisi
ASB Team

Ian Davis
Director – Regeneration &
Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

Website: www.enfield.gov.uk


EQUALITY
FRAMEWORK
FOR LOCAL
GOVERNMENT
EXCELLENT

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Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA

E-mail: lemmy.nwabuisi@enfield.gov.uk
My Ref:
Your Ref:
Date: 16 March 2017

Dear Mr Cordell,

Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th December 2016 to arrange to meet with you on 6th December 2016 to discuss these reports but you cancelled the meeting. I wrote to you again on 31st January 2017 to arrange to meet with you on 9th February 2017, you also cancelled the meeting. I then wrote to you again on 16th February 2017 to arrange to meet with you on 22nd February 2017 and again you cancelled the meeting. I have enclosed all three letters for your information.

It is unfortunate that you have repeatedly refused to meet with us to discuss this matter and look at ways to resolve the problems between you and your neighbours. The allegations made against you by your neighbours, if true, are very serious breaches of your tenancy conditions. It is important that we meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 3pm on Wednesday, 22nd March 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you.

Ian Davis
Director - Regeneration &
Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY.

Website: www.enfield.gov.uk



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Please note that if you fail to attend or call to rearrange this meeting, then we will have no option but to serve a notice of seeking possession against your tenancy without further warning. The council may also take further tenancy enforcement and/or legal action against you if further substantiated allegations are made against you.

Kind Regards

Yours Sincerely



Lemmy Nwabuisi
ASB Team

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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Our ref: VLS/EO/H/CORDELL/17
Your ref: LSC/C/L1/157255
Date: 22 September 2017



Gibson House, 800 High Road
Tottenham, London N17 0DH

Tel: +44(0)20 8808 7999

Fax: +44(0)20 8808 1999

Emergency Nos:

+44(0)7940 728 166

+44(0)7533 255 996

DX: 36209 Edmonton Exchange

Email: info@vlssolicitors.com

www.vlssolicitors.com

London Borough of Enfield
Legal Services
P O Box 50 Civic Centre
Silver Street
Enfield
EN1 3XA

By Fax no: 020 83796492

Dear Sirs,

RE: LONDON BOROUGH OF ENFIELD v MR SIMON CORDELL
CLAIM NUMBER: D02ED073

We act for the Defendant in the above case and enclose herewith:

1. our duly completed notice of change of legal representative and
2. Defence

Yours faithfully,

A handwritten signature in black ink, appearing to read 'VLS Solicitors'.

VLS Solicitors



CONTRACTED WITH
LEGAL AID AGENCY

A LIST OF DIRECTORS IS
DISPLAYED AT THE FIRM'S
REGISTERED ADDRESS

Privy Council Agent
VAT Reg. No. 929 6322 02

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg. No. 8572584, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority. (SRA No 627688)

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IN THE COUNTY COURT AT EDMONTON
BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

AND

MR SIMON CORDELL

Defendant

DEFENCE STATEMENT OF SIMMON CORDELL

1. Defendant admits paragraph 3 of the witness statement of Mr Lemmy Nwabuisi dated 7 August 2017.
2. Paragraph 4 of the witness statement is denied in so far as it relates to acts of harassment and antisocial behaviour but admits that he was charged at Highbury Corner Magistrates Court but was discharged.
3. Defendant denies paragraphs 6 to 25 of the witness statement and Claimant is put to proof.
4. Paragraph 27 of the witness statement is denied. Defendant avers that he has always granted access to the Claimant and its contractors upon being given reasonable notice.
5. Defendant denies paragraphs 28 to 33 of the witness statement and the Claimant is put to strict proof
6. Defendant avers that he suffers from mental health problems and is under the care of the mental health team which the Claimant has always been aware of and in breach of its duty under section 15 and 149 of the Equality Act 2010. Defendant has on several occasions complained to the Claimant about noise and other antisocial behaviour by the tenants of 113 and 117 but Claimant

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failed or refused to investigate and/or take any action which there was no possible reason other than the Defendant's mental health problems.

7. The Defendant respectfully requests the court to discharge the injunction dated 8 August 2017.

Statement of Truth

Defendant believes the facts stated in this Defence are true.

I am authorised by the Defendant to sign this statement.

Sign: 
Name: Emmanuel Onwusiri
Date: 22/9/17

VLS Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH

Ref: VLS/EO/H/CORDELL/17

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Notice of change of legal representative

Note:

You should tick either box A or B as appropriate and box C. Complete details as necessary.

In the COUNTY COURT AT EDMONTON	Claim No. D01ED073
Name of Claimant (including ref.) LONDON BOROUGH OF ENFIELD REF: LS/C/L/1/157255	
Name of Defendant MR SIMON CORDELL	

I (We) give notice that

A ☐ my legal representative (insert name and address)

has ceased to act for me and I shall now be acting in person.

B ☒ we (insert name of legal representative)

VLS SOLICITORS

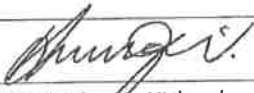
have been instructed to act on behalf of the ~~claimant~~ (defendant) in this claim
in place of (insert name and address of previous legal representative).

C ☒ # (we) have served notice of this change on every party to the claim (and on the former legal representative).

Address to which documents about this claim should be sent (including any reference)

VLS SOLICITORS GIBSON HOUSE 800 HIGH ROAD TOTTENHAM LONDON Postcode N 1 7 0 D H	If applicable	
	Telephone no.	020 8808 7999
	Fax no.	020 8808 1999
	DX no.	36209 EDMONTON EXCHANGE
	Your ref.	VLS/EO/H/CORDELL/17
E-mail info@vlsolicitors.com		

Signed



(Claimant)(Defendant)(s legal representative)
(Litigation friend)

Position or
office held

SOLICITOR

If signing on behalf of firm or company

Date

For further details of the courts 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.

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Injunction Order

Between Mr Simon Cordell, Defendant
and London Borough Of Enfield, Claimant

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

In the County Court at
Edmonton

Claim Number	D02ED073
Claimant (including ref.)	London Borough Of Enfield LS/C/LI/157255
Defendant (including ref.)	Mr Simon Cordell



If you do not obey this order you will be guilty of contempt of court and you may be sent to prison

If you, Mr. Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of Court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

Before Deputy District Judge Harris sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN,

Upon hearing Solicitor for the Claimant on without notice application,

IT IS ORDERED THAT:

1. The Defendant, Mr. Simon Cordell permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. The Defendant, Mr. Simon Cordell keep his dog on a lead in communal areas outside his property.
3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. This order shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the court.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N16 General Form of injunction for interlocutory application or originating application

Produced by: Adrian B
CJR105

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9. **Matter be listed for a further hearing at 10:00AM on 21 August 2017 at the County Court at Edmonton,**
59 Fore Street, London, N18 2TN with a time estimate of 30 minutes.
10. Costs in the case.

You are entitled to apply to the court to reconsider the order before the day.

If your case does settle prior to the hearing date please notify the court in writing.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information.

Dated 9 August 2017

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N110A

Power of arrest

Name of defendant

Mr. Simon Cordell

Defendant's address

109 Burncroft Avenue
Enfield
London
EN3 7JQ

Name of court

County Court at Edmonton

Claim No.

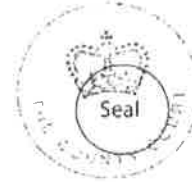
D02ED073

Claimant's name (including ref.)

The Mayor and Burgesses of The London Borough of Enfield (LS/C/LI/157255)

Defendant's name (including ref.)

Mr. Simon Cordell



Date order made 9/8/2017

Name of judge Deputy District Judge Harris

Order made under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:

(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

See attached

This power of arrest was ordered on 9/8/2017

and expires on the 8/8/2018

Note to Arresting Officer

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

The Mayor and Burgesses of The London Borough of Enfield

Claimant's address

PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA

Claimant's phone number

0208 3796438

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3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.

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Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

STATEMENT OF TERENCE CONWAY

I, Terence Conway, of Global Investigation Services, Process Server acting under the direction of The London Borough of Enfield, Legal Services Department, P.O Box 50, Civic Centre, Silver Street, Enfield EN1 3XA, solicitors for the above-named Claimant, and say as follows:

1. That I am over sixteen years of age.
2. That I did on Thursday 10th August 2017 at approximately 10.15am attend at the address supplied of 109 Burncroft Avenue Enfield EN3 7JQ, and, in the presence of PSO Sam Lowe and two Police Constables with 'collar numbers' 343YE, 417YE and 7142YE respectively, I did meet and personally serve the above named Defendant with the following: a Cover Letter from the claimant's solicitor dated 9th August 2017, an Injunction Order dated 9th August 2017 giving Notice of Hearing for 21st August 2017 at 10.00am at the Edmonton County Court, an N110A Power of Arrest, a Claim Form CPR Part 8, an Acknowledgement of Service Form with Notes for the Defendant, an Application for an Injunction, a Witness Statement of John Irving, a

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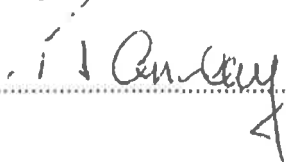
Witness Statement of Markandu Mathiyalagam, a Witness Statement of Neville Grey;
a Witness Statement of George Quinton and a Witness Statement of Lemmy Nwabuisi
with Exhibits.

3. That there is now produced and shown to be marked 'A' a bundle containing true
copies of the said documents so served by me as aforesaid.

4. That, at the time of service, the Defendant freely identified himself to me as
SIMON CORDELL and was recognised as being the Defendant by the attending PSO
Sam Lowe, who has had dealings with the Defendant on previous occasions.

5. That, furthermore, when I asked the Defendant if he was able to read and
understand the Injunction I had served upon him, he replied that he had difficulty
reading, That, therefore, I did read out all the terms of the Injunction Order to the
Defendant, emphasising the need for compliance to these terms with the Power of
Arrest being applied to terms 3 -6 inclusive, should they be breached. I further
advised the Defendant that the Hearing for this matter was set for the 21st August
2017 at 10.00am at the Edmonton County Court.

I Terence Conway confirm the contents of this Statement to be true to the best of my
knowledge


.....

Dated 10th August 2017

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Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

EXHIBIT 'A'

This is the exhibit marked 'A' as referred to in the Statement of Terence Conway
Dated 10th August 2017

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London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1



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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	D02ED073
Date	29 September 2017



LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/LI/157255
MR SIMON CORDELL	1 st Defendant Ref

Before Employment Judge Taylor sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Upon hearing the Solicitor for the Claimant and the Solicitor for the Defendant,

And upon the Defendant's application to discharge the interim injunction,

IT IS ORDERED THAT:

1. The Claimant do file a Reply to Defence, if so advised by 9 October 2017.
2. The parties do file a Directions Questionnaire by 23 October 2017.
3. The interim order for injunction and power of arrest shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the Court.
4. Costs in the case.

Dated 25 September 2017

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: Adrian B
CJR065C

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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	D02ED073
Date	9 November 2017



LONDON BOROUGH OF ENFIELD	1 st Claimant Ref LS/C/LI/157255
MR SIMON CORDELL	1 st Defendant Ref VLS/EO/H/ CORDELL/17

Before District Judge Cohen sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

Of the Court's own initiative and upon the claimant having failed to file a directions questionnaire

IT IS ORDERED THAT

1. The Claimant do file a completed directions questionnaire by 4.00 pm on 17 November 2017.
2. If the Claimant fails to comply with paragraph 1 of this order the injunction of 9th August 2017 do stand discharged without further order and the claim do stand struck out without further order.
3. Permission to either party to apply to set aside, vary or stay this order by an application on notice which must be filed at this Court not more than 3 days after service of this order.

Dated 6 November 2017



The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

N24 General Form of Judgment or Order

Produced by: Ms M Tucker
CL065C

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**HM Courts
& Tribunals
Service**

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

HM Courts & Tribunals Service
The County Court at Edmonton
59 Fore Street
London
N18 2TN

DX 136886 EDMONTON 3

T 020 8884 6500

F _____

www.gov.uk

Your ref: LS/C/LI/157255

13 December 2017

Dear Sir/Madam

Re: Case Number: D02ED073 London Borough Of Enfield v Mr Simon Cordell

The file was referred to the District Judge and his comments are :

"Your Directions Questionnaire was received by the court on 20/11/17. Therefore the sanction on the order of 6/11/17 applies."

Yours sincerely,

Vas.

Ourvasse Cundapen
Back Office Section
Ext

c.c: defendants



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