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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ENFIELD Connected

ENFIELD Council

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

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: 09 January, 2018

Edmonton County Court

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 Nwabuisi 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 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.

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.

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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 _____ position or office held Solicitor

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

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 AN NG 2014

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

Seal

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

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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

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

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

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

This written evidence is served with this application.
This application is to be served upon (7) MR SIMON CORDELL

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

This section to be completed by the court

This application will be heard by the (District) Judge
at
on 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

1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
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.

8

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

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.

ENFIELD Connected

ENFIELD Council

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

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: D02ED073
Date: 03 January, 2018

Edmonton County Court
DX: 136686 Edmonton 3

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 Iyavoo 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 Iyavoo
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

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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	Claim no.
Edmonton County Court	D02ED073
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/Li/C/157255)	
Defendant's name (including ref.) Mr Simon Cordell (VLS/E0/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.

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10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [x] 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 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)~~('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 EN1 3XA	

If applicable	
Phone no.	0208 379 8323
Fax no.	
DX no.	90609 Enfield 1
Ref no.	LS/C/LI/157255

E-mail address	ludmilla.iyavoo@enfield.gov.uk

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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 sitting at the Edmonton County Court on January 2018.

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.

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 dully 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.

General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	D02ED073
Date	9 November 2017

LONDON BOROUGH OF ENFIELD	**1st Claimant** **Ref** LS/C/LI/157255
MR SIMON CORDELL	**1st 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

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-IRC5045_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

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Classification: OFFICIAL

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ENFIELD Connected

ENFIELD Council

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

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 : D05ED073
Date : 17 November, 2017

To the Court Manager
Edmonton County Court
DX 136686 Edmonton 3

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,

Ludmilla 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

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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Directions questionnaire (Fast track and Multi-track)

In the	Claim No.
Edmonton County Court	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? ☑ Yes ☐ No
2. If Yes, do you want a one month stay? ☐ Yes ☑ No
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.

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.

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.

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B Court

Notes

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?

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.

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.

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 ☐☐/☐☐/☐☐☐☐

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
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.

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.

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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.

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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	Anti-social behaviour
Mr Neville Gray	Same
3 other witnesses	Same

G Trial or Final Hearing

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

☐ less than one day ☐ Hrs | ☑ one day | ☐ more than one day ☐ 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.

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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.

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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 16/11/2017

[Legal Representative for the ~~[1st][2nd][3rd]~~]
[Claimant][Defendant]~~[Part 20 claimant]~~

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

	If applicable	
London Borough of Enfield Legal Services PO BOX 50 Civic Centre Enfield	Telephone no.	0208 367 8323
	Fax no.	020 8379 6492
	DX no.	90615 Enfield 1
Postcode EN1 3XA	Your ref.	LS/C/LI/157255

E-mail	Ludmilla. Iyavoo@enfield.gov.uk

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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 sitting at the Edmonton County Court on November 2017.

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

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 3

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

Ludmilla Iyavoo

From: emmanuel <emmanuel@vlssolicitors.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@vlssolicitors.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@vlssolicitors.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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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.

HM Courts & Tribunals Service

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

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

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,

Ourvasse Cundapen
Back Office Section
Ext

c.c: defendants

LONDON BOROUGH OF ENFIELD
RECEIVED
14 DEC 2017

L BLANK

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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 5

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

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@vlssolicitors.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

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.

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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.

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General Form of Judgment or Order

In the County Court at Edmonton	
Claim Number	D02ED073
Date	2 January 2018

LONDON BOROUGH OF ENFIELD	**1st Claimant** **Ref** LS/C/LI/157255
MR SIMON CORDELL	**1st 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 sent 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

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

VLS SOLICITORS

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

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

Family Law Advanced

SM

Children Law

27 DEC 2017

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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N244

Application notice

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

Name of court	Claim no.
County Court at Edmonton	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

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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.

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)('~~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@vlssolicitors.com

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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.

File Note 14/11/17

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.

File Note 5/1/18

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

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

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

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.

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

N110A

Power of arrest

Name of court	Claim No.
THE COUNTY COURT AT EDMONTON	E00ED049

Claimant's name (including ref.)
THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)
MR SIMON CORDELL

Name of defendant
MR SIMON CORDELL

Defendant's address
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Seal

Date order made 9 / 1 / 2 0 1 8 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 / 2 0 1 8 **and expires on the** 9 / 1 / 2 0 1 9

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

VLS SOLICITORS

Gibson House, 800 High Road
Tottenham, London N17 0DH

Tel: +44(0)20 8808 7999
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+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

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

Family Law Advanced

SQM

Children Law

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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ENFIELD Connected

ENFIELD Council

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

Mr Simon Cordell
109 Buncroft Avenue
Enfield
EN3 7JQ

BY PERSONAL SERVICE
BY PROCESS SERVER

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,

BKGeddes

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.

General Form of Judgment or Order

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

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

LONDON BOROUGH
OF ENFIELD
RECEIVED
12 FEB 2018

Application notice

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

Name of court	Claim no.
Edmonton County Court	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 (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? [ ] Hours [30] Minutes

   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.

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10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [x] 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 black. 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 if 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 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 Postcode EN1 3XA	

If applicable	
Phone no.	0208 379 8323
Fax no.	
DX no.	906015 Enfield 1
Ref no.	LS/C/LI/155584

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

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Injunction Order

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

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

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

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.

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

N110A

Power of arrest

Name of court	Claim No.
THE COUNTY COURT AT EDMONTON	E00ED049

Claimant's name (including ref.)
THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)
MR SIMON CORDELL

Name of defendant
MR SIMON CORDELL

Defendant's address
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Seal

THE COUNTY COURT

Date order made 9 / 1 / 2 0 1 8 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 / 2 0 1 8 **and expires on the** 9 / 1 / 2 0 1 9

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

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).

(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

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.

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: 5200718/18 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.

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

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

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 toucher 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 you'z 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

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.

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 Nwabulsi 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 got 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

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 toucher 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 you'z 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

Before me:

Signed .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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ENFIELD Connected

ENFIELD Council

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

Mr Simon Cordell
109 Buncroft Avenue
Enfield
EN3 7JQ

BY PERSONAL SERVICE
BY PROCESS SERVER

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,

BK Geddes

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

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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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N244

Application notice

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

Name of court	Claim no.
Edmonton County Court	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 _____ Dated 19.04.2018

Applicant('s legal representative)('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 19.04.2018

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

		If applicable
London Borough of Enfield Legal Services PO BOX 50 Enfield Postcode EN1 3XA	Phone no.	0208 379 8323
	Fax no.	
	DX no.	906015 Enfield 1
	Ref no.	LS/C/LI/157255

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

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Evidence in support of the application notice dated20.04.2018 (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 to 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

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

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

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.

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

N110A

Power of arrest

Name of court	Claim No.
THE COUNTY COURT AT EDMONTON	E00ED049

Claimant's name (including ref.)
THE LONDON BOROUGH OF ENFIELD

Defendant's name (including ref.)
MR SIMON CORDELL

Name of defendant
MR SIMON CORDELL

Defendant's address
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Seal

THE COUNTY COURT

Date order made 9 / 1 / 2 0 1 8 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 / 2 0 1 8 **and expires on the** 9 / 1 / 2 0 1 9

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

© Crown copyright 2015

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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 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.

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:

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.

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

M. Mdlyutungu 20 APR 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

L. [illegible]

EDMONTON COUNTY COURT
59 FORE 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

London Ambulance Service NHS

236963321

Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number | Date | Call sign | Fleet number | M.I. Patient No.

Patient's details

Date of birth | Age

Male ☒ Female ☐ Race

NHS No.

Home address

Postcode

Tel No.

Next of Kin

Relationship

Contact details

GP Name

Address

N scene ☐ Visited ☐ Planned ☐ Re-visit ☐ Letter ☐

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

Date

Airway

Clear ☒

Partially obstructed ☐

Obstructed ☐

Breathing

Present ☒

Absent ☐

Complete a sentence in one breath ☒

Unable to assess ☐

Circulation

Mucosa cyanosed ☐ ☒

Peripheral cyanosis ☐ ☒

Capillary refill > 2 sec ☐ ☒

Distal pulse ☒ ☐

Other

Sweating ☐ ☒

Vomiting ☐ ☒

Fitting ☐ ☒

Number of fits ☐

Burns ☐ ☐ %

Estimated blood loss

Observations

Time		
AVPU		
Resp rate		
Resp depth		
% O_2 sats	Air / O2	Air / O2
Peak flow		
CO_2		
Pulse rate / Pulse character		
BP		
Colour		
BM		
Temp		
Pain 0-10		
Pupils size	R L	R L
Pupils reactive	R L	R L
GCS	E V M	E V M
ECG rhythm		

Allergies

Known infectious

Past medical history

Medication

Medication brought in ☐ List brought in ☐

12 Lead ECG

Normal ECG

Inferior MI

Anterior MI

Lateral MI

Posterior MI

LBBB

ST depression

T wave changes only

Other abnormality

Inconclusive ECG

FAST

Facial weakness

Arm weakness

Speech

Unable to assess ☐ Affected side ☐

Chest pain ☐ Shortness of breath ☐

Other symptoms / pain ☐ T-LOC ☐

Palpitations ☐

Asymptomatic ☐

Cannulation

Line 1 IV / IO Size Time Successful By No touch technique ☐ Placed in emergency conditions ☐ Arch

Line 2 IV / IO Size Time Successful By No touch technique ☐ Placed in emergency conditions ☐ Arch N

Fluid and drug administration

Drug bag sealed N

Code	Time	Amount	Dose	Route	Time	By

Total Controlled Drug amount wasted ____ Signed ____ Witnessed ____

Airway and Respiratory management

Y

Maintenance: Positional ☐ Head lift ☐ Jaw thrust ☐

Clearance: Suction ☐ Manual ☐

Airway adjuncts: OP ☐ NP ☐ ET ☐ SGA ☐

ET successful ☐ By ☐ ET size ☐ Time

SGA successful ☐ By ☐ SGA size ☐ Time

NCr ☐ NCr successful ☐ By ☐ Time

NTh ☐ NTh successful ☐ By ☐ Time

Cardiac arrest, CPR, Defib, & ROSC

Y

Arrest witnessed ☐ ☐

By other ☐

By crew ☐

On scene ☐

During removal ☐

In Ambulance ☐

Cause of cardiac arrest: Cardiac ☐ Trauma ☐ Respiratory ☐ Other ☐

Initial arrest rhythm: VF / VT ☐ Asystole ☐ PEA ☐

Pre-LAS CPR ☐ ☐ Time started ☐ Effective ☐ By

Pre-LAS Defib ☐ ☐ Time started ☐ By

LAS CPR ☐ ☐ Time started ☐ By ☐

LAS Defib ☐ ☐ Time of 1st LAS shock ☐ By ☐

Number of shocks ☐

Paediatric electrodes used ☐ ☐

Return of spontaneous respiration ☐ ☐ Time

Return Of Spontaneous Circulation ☐ ☐ Time

ROSC sustained to hospital ☐ N

Recognition Of Life Extinct

Y

Time

Heart sounds absent ☐

Apnoeic ☐

Fixed dilated pupils ☐

Asystolic rhythm strip ☐

Confirmed dead at hospital ☐ N

Injury = X Burns = ■ Fracture = ≠ Pain = ●

Transporting / Left scene ☐ ☐ ☐ Pre-alert ☐ ☐ ☐

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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 MM2

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NHS DENTAL CARE

Contractor's Name:	Handan Sabahlar	**Patient's Surname:**	Markandu
Address:	Inspire Dental Walthamstow 67-69 Palmerston Road Walthamstow London	**Patient's Forename:**	Mathiyalagan
		Date of Acceptance:	22/03/18
		Treatment on Referral:	No
Telephone:	0208 521 6656		
NHS Organisation:	NHS England London Lat		

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.

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 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	
1	Extraction	LR1
1	Extraction	LL1
1	Extraction	LL2
1	Partial Denture Bearing	LR1-LL2
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

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 → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07891740939

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
28 Claremont Road
London E17 5RJ
Tel 0208 527 1888

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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: 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.

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 15 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.

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 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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

Dated this 20 day of April 2018

M. Rowcroft 20 APR 2018

LONDON BOROUGH
OF FIREBLO

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

Dr H I Sweden
Claremont Medical Centre
37 Claremont Road
Walthamstow
LONDON
E17 8RJ
Tel No: 0208 527 1666
Fax No: 0208 527 0111

9th April 2016

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Notley Road, Walthamstow, E17 7QD → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07901740630

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
Claremont Medical Centre
37 Claremont Road
London E17 8RJ
Tel 0208 527 1666

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

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

Notice of Hearing of Application

In the County Court at Edmonton	
Claim Number	E00ED049
Date	24 April 2018

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

THE COUNTY COURT

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.

ENFIELD Connected

ENFIELD Council

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

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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Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

N244

Application notice

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

Name of court	Claim no.
Edmonton County Court	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	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 15 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?

- [x] the attached witness statement
- [ ] the statement of case
- [x] 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 _____ 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 _____ Dated 11/05/2018

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 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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AMENDED APPLICATION NOTICE

N244

Application notice

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

Name of court	Claim no.
Edmonton County Court	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 _____ Dated 19.04.2018

Applicant('s legal representative)('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 19.04.2018

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 Postcode EN1 3XA	

If applicable	
Phone no.	0208 379 8323
Fax no.	
DX no.	906015 Enfield 1
Ref no.	LS/C/LI/157255

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

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Evidence in support of the application notice dated20.04.2018 (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 to 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.

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 Judge Taylor, two security guards and other members of staff

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.

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:

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 [redacted] 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 [redacted] 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.

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. Mdlyutugu 20 APR 2018 L. [illegible]

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

236983321

London Ambulance Service NHS Trust

Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number | Date | Call sign | Fleet number | M.I. Patient No.

Patient's details

Last name

First name

Date of birth | Age

Male ☐ Female ☐ Race

NHS No.

Home address

Postcode

Telno.

Next of Kin

Relationship

Contact details

GP Name

Address

At scene ☐ Visited ☐ Phoned ☐ To visit ☐ Letter ☐

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

Date

Airway

Clear

Partially obstructed

Obstructed

Breathing

Present

Absent

Complete sentence in one breath

Unable to assess

Circulation

B mucosa cyanosed

Peripheral cyanosis

Capillary refill > 2 sec

Distal pulse

Other

Sweating

Vomiting

Fitting

Number of fits

Burns %

Estimated blood loss

Observations

Time	:	:
AVPU		
Resp rate		
Resp depth		
% O2 sats	Air / O2	Air / O2
Peak flow		
CO2		
Pulse rate		
Pulse character		
BP	/	/
Colour		
BM		
Temp		
Pain 0-10		
Pupils size	R / L	R / L
Pupils reactive	R / L	R / L
GCS	E V M	E V M
ECG rhythm		

Allergies

Known infectious

Past medical history

Medication

Medication brought in ☐ List brought in ☐

12 Lead ECG

Normal ECG

Inferior MI

Anterior MI

Lateral MI

Posterior MI

LBBB

ST depression

T wave changes only

Other abnormality

Inconclusive ECG

FAST

Facial weakness
Unilateral smile or obvious weakness

Arm weakness
One arm drifts down or falls

Speech
Word finding difficulties or slurred speech

Palpitations

Asymptomatic

Cannulation

Line 1 IV IO Size Time Successful By Pre touch technique Placed in emergency conditions Flush

Line 2 IV IO Size Time Successful By No touch technique Placed in emergency conditions Flush

Fluid and drug administration

Drug bag codes

Code	Amount	Dose	Route	Time	By

Total Controlled Drug amount wasted

Signed

Witnessed

Airway and Respiratory management

Maintenance: Postural, Head tilt, Jaw thrust

Clearance: Suction, Manual

Airway adjunct: OP, NP, ET, SGA

ET successful By

ET size Time

SGA successful By

SGA size Time

NCr

NCr successful By Time

NTh

NTh successful By Time

Cardiac arrest, CPR, Defib, & ROSC

Arrest witnessed: by other crew, On scene, During removal, In Ambulance

Cause of cardiac arrest: Cardiac, Traumatic, Resoiratory, Other

Initial arrest rhythm: VF / VT, Asystole, PEA

Pre-LAS CPR

Time started

Effective

By

Pre-LAS Defib

Time started

By

LAS CPR

Time started By

LAS Defib

Time of 1st LAS shock By

Number of shocks

Paediatric electrodes used

Return of spontaneous respiration Time

Return Of Spontaneous Circulation Time

ROSC sustained to hospital

Recognition Of Life Extinct Time

Heart sounds absent

Asystolic rhythm strip

Apnoeic

Confirmed dead at Hospital

Fixed dilated pupils

Injury = X Fracture = ∅ Burns = ■ Pain = ●

Transporting / Left scene

Pre-alert

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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 MM2

NHS DENTAL CARE

Contractor's Name:	Handan Sabahlar	**Patient's Surname:**	Markandu
Address:	Inspire Dental Walthamstow 67-69 Palmerston Road Walthamstow London	**Patient's Forename:**	Mathiyalagan
		Date of Acceptance:	22/03/18
		Treatment on Referral:	No
Telephone:	0208 521 6656		
NHS Organisation:	NHS England London Lat		

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	
1	Extraction	LR1
1	Extraction	LL1
1	Extraction	LL2
1	Partial Denture Bearing	LR1-LL2
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

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 → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07891740939

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 SWEDAN
Claremont Medical Centre
29 Claremont Road
London E17 5RJ
Tel 0208 527 1888

Dr H I Swedan

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.

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 15 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.

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

.....

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

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 → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07891740939

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
28 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

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 neighbour's at the hearing dated 01 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.

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.

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

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

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'

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:

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

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.

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.

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 Nwuibuisi; 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..BK Geddes.....
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'

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:

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
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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

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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ENFIELD Connected

ENFIELD Council

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

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

Edmonton County Court

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.

N244

Application notice

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

Name of court	Claim no.
Edmonton County Court	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 15 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?

- [x] the attached witness statement
- [ ] the statement of case
- [x] 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 _____ 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 _____ Dated 11/05/2018

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 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 if 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 Court 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 servicer 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.

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.

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

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

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'

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:

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

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

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.

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.

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 Nwuibuisi; 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

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'

178

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:

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
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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

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

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

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 whist 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

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

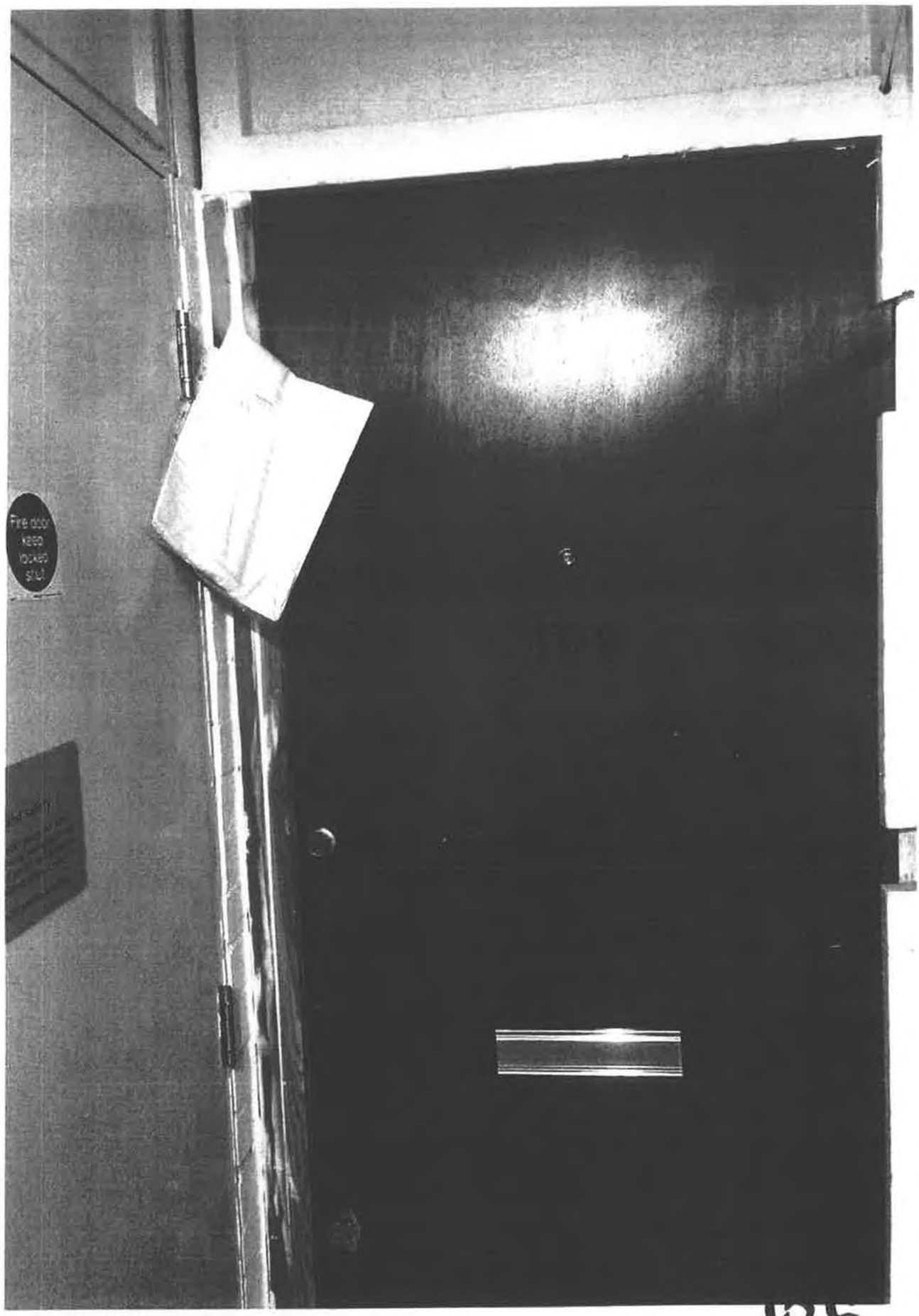
Defendant

"A"

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

Signed:

11/05/2018



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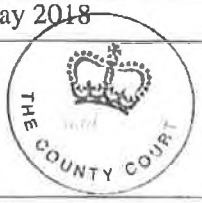
General Form of Judgment or Order

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

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

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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

ENFIELD Connected

ENFIELD Council

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

E-mail: Ludmilla.Iyavoo@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

Edmonton County Court
DX: 136686 Edmonton 3

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