

IN THE COUNTY COURT AT NOTTINGHAM

CLAIM NO: C10NG401

BEFORE HHJ GODSMARK QC

BETWEEN:

CANAL & RIVER TRUST

Claimant

and

[REDACTED]



ORDER

Before HHJ Godsmark QC sitting in the County Court at Derby

If you do not obey paragraphs 2 and 3 of this Order then you may be held in contempt of court and imprisoned or fined, or your assets may be seized

UPON hearing the Claimant's Part 8 Claim

AND UPON hearing the Solicitor for the Claimant and the Defendant attending by telephone

IT IS ORDERED THAT:

1. It is hereby declared that the Claimant is entitled, after 4pm on 29 August 2019, to remove the Defendant's boat "Halcyon Daze", Index No. 52721 ("the Boat") from the canals and inland waterways under the Claimant's control shown coloured blue on the plan and listed in the Schedule ("the Claimant's Waterways"), both annexed hereto, pursuant to its statutory powers under section 8 of the British Waterways Act 1983 and section 13 of the British Waterways Act 1971, unless on or before that date the Defendant has first obtained a licence or pleasure boat certificate (as appropriate) for the Boat, or otherwise the consent of the Claimant for the Boat to remain thereon.
2. The Defendant is forbidden, after 4pm on 29 August 2019 (whether by himself or by instructing or encouraging any other person), without a licence or pleasure boat certificate (as appropriate) first being issued for the Boat by the Claimant (or otherwise with the consent of the Claimant) from navigating, mooring and/or securing the Boat on any part of the Claimant's Waterways.

3. The Defendant shall, by no later than 4pm on 29 August 2019, remove the Boat from the Claimant's Waterways if by that time a licence or pleasure boat certificate (as appropriate) has not been issued for the Boat or the Claimant has otherwise given its consent to the Boat remaining thereon.
4. The Defendant shall pay the Claimant's costs in respect of this action, summarily assessed in the sum of £6769.00 payable within 14 days of the date of this Order.



HHJ Godsmark QC
Dated: 15 August 2019