

Order on determination of proceedings for contempt of court

(issued under rule 81.9(1) of the Civil Procedure Rules)



Name of court

The County Court at West Cumbria

Claim no.

K00WH140

Claimant's name (including ref.)

Home Group Limited (AS/Varah)

Defendant's name (including ref.)

Alexandra Shaw

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons following the Defendant's arrest under a Power of Arrest attached to the Order made on 29 November 2023

The court being satisfied beyond reasonable doubt that the defendant is guilty of contempt of court

- in the manner stated in the court's judgment
- by breaching an order of the court made on

Day

29

Month

11

Year

2023

a copy of which is attached.

Note – In this order, 'claimant' means the person making the contempt application and 'defendant' means the person against whom the application was made.

by breaching an undertaking given to the court on

Day

Month

Year

not to (~~state breach of undertaking etc.~~)

1) Enter 35-44 Queen Street, Whitehaven which was breached by entering 40 Queen Street and being present at 3:15 AM on 24 January 2024.

and not to

2) Engage in conduct likely to cause a nuisance or annoyance to any person residing in or occupying housing accommodation at Jefferson Park, Whitehaven, Cumbria, CA28 9HE which was breached by the causing of nuisance and making threats to Mr Andrew Sharpe (a person with such right) on 08 February 2024.

The Court imposed a custodial sentence for each breach as follows:

- i) 20 days custody.
- ii) 24 days custody to be served concurrently as set out below.

AND the matters required by Civil Procedure Rule 81.4(2) having been included in the

application

summons

It is ordered that:

1. The defendant be committed to prison for a period of

Days	Weeks	Months	Years
24	-	-	-

2. The committal of the defendant to prison under paragraph 1 above shall be suspended on the following terms - set out terms below

Compliance with the terms of the Order of DDJ McGregor dated 29 November 2023.

3. The defendant shall pay to HM Paymaster General a fine of

£ within days

4. The relevant commissioners authorised for the purpose by the claimant and to be approved by the court shall be authorised at the request of the claimant to confiscate, seize and sequester the following real and personal property of the defendant

until they clear

- their contempt or
 until further order

5. The defendant shall pay the claimant's costs
 on the indemnity basis
 summarily assessed in the sum of
£ to be paid by 4:00 PM on 15 March 2024.
 to be subject to detailed assessment, if not agreed.
6. The defendant may apply under rule 81.10 of the Civil Procedure Rules 1998 to discharge this order.
7. The defendant has the right to appeal.
8. The court before which any appeal must be brought is
9. The Appellant's Notice must be filed at the appeal court by 4pm on
Day Month Year
10. A transcript of the judgment given at this hearing will be published on the website of the judiciary of England and Wales and obtained at public expense.

Dated

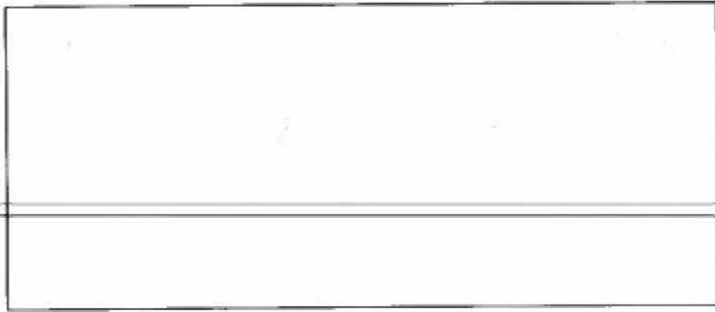
Day Month Year

Order made by District Judge Stone

Injunction Order

Between Alexandra Shaw, Defendant
and Home Group Limited, Claimant

In the County Court at West Cumbria	
Claim Number	K00WH140
Claimant (including ref.)	Home Group Limited AS/VARAH
Defendant (including ref.)	Alexandra Shaw



If you the within named ALEXANDRA SHAW do not comply with this order you may be held in contempt of court and imprisoned or fined, or your assets may be seized

On the 29th November 2023 at the County Court at West Cumbria, Deputy District Judge McGregor heard a return hearing following an interim civil injunction being granted on the 22nd November 2023.

Upon hearing the claimant's Solicitor, a representative for the claimant and The Defendant, Miss Alexandra Shaw

IT IS RECORDED THAT:

The Civil Injunction was served personally on The Defendant, Miss Alexandra Shaw on Wednesday 22nd November 2023 at approximately 18:05hrs

IT IS ORDERED THAT:

That the Defendant ALEXANDRA SHAW is forbidden (whether by herself or by instructing or encouraging any other person) from:

(1) Entering 35 – 44 Queen Street, Whitehaven, CA28 or entering the areas marked in red on the attached map. For the avoidance of doubt, the areas marked in red include:

- Both footpaths to the entrance of 35 – 44 Queen Street, Whitehaven and 103 – 112A Queen Street, Whitehaven.
- The road which runs parallel to the entrance of 35-44 Queen Street and 103-112
- Queen Street, Whitehaven.
- The communal area to the rear of 35-44 Queen Street, Whitehaven
- The public footpath adjacent to Church Street, Whitehaven
- The Public footpath adjacent to Duke Street, Whitehaven
- The public footpath adjacent to George Street, Whitehaven

(2) From allowing Mr Michael Newell of 41A Queen Street, Whitehaven access to any parts of Jefferson Park, Whitehaven, Cumbria, CA28 9HE.

(3) From engaging in conduct which is likely to cause a nuisance or annoyance to:

i. Any person with a right (of whatsoever description) to reside in or occupy housing accommodation, owned or managed at Queen Street, Whitehaven, Cumbria CA28 and / or Jefferson Park, Whitehaven, Cumbria, CA28 9HE.

ii. Any person employed by the Claimant in connection with the exercise of the Claimant's housing management functions, or

iii. Any person residing, visiting or otherwise engaging in a lawful activity at Queen Street, Whitehaven, Cumbria CA28 and / or Jefferson Park, Whitehaven, Cumbria, CA28 9HE.

(4) A power of arrest shall be attached to paragraphs 1, 2 and 3i, ii, iii of this order.

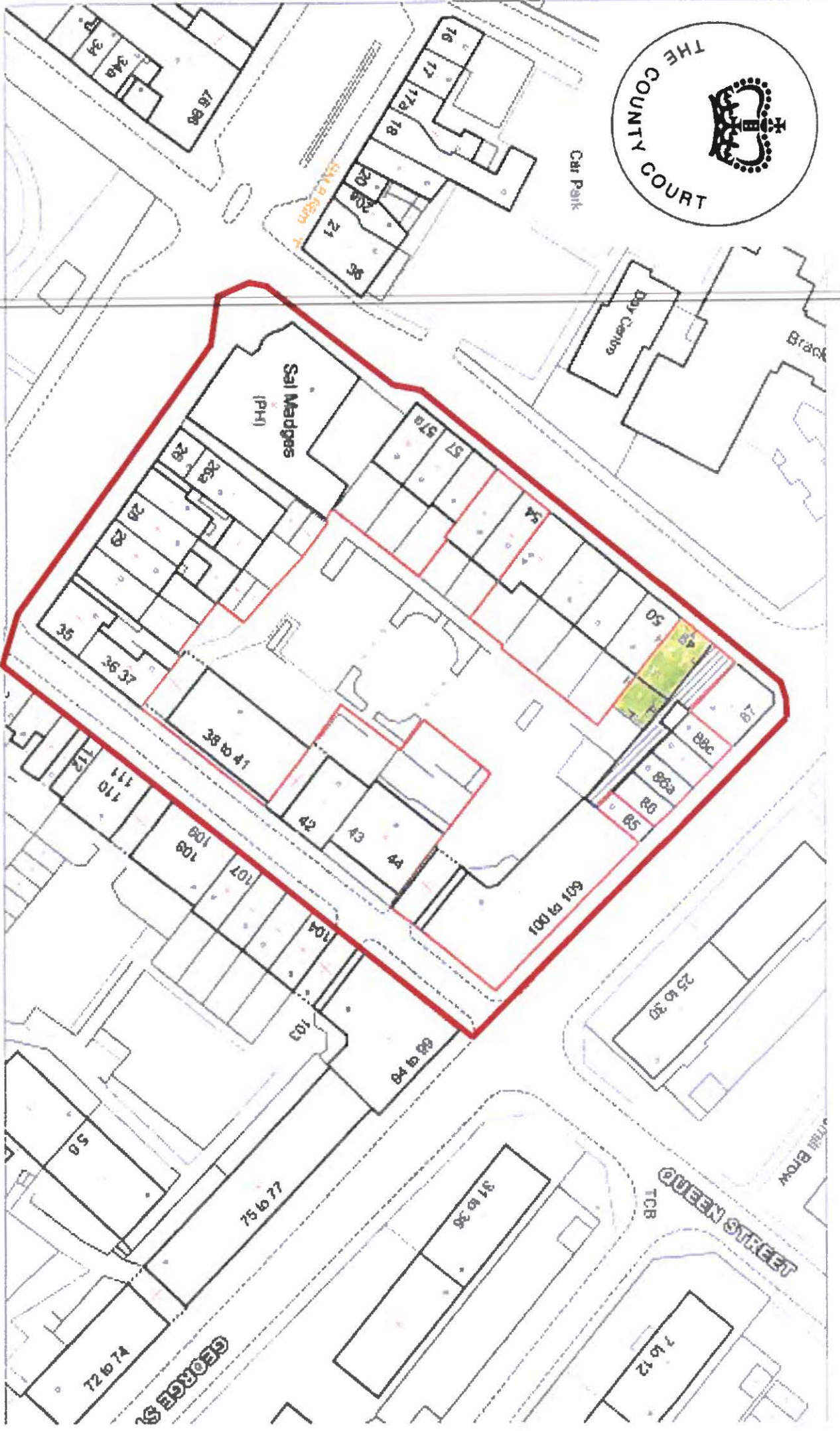
(5) The order shall remain in force until 4pm on the 29th November 2024 unless before then it is revoked by further order of the court.

(6) The Defendant pays The Claimants cost's of £332.00 for the application fee and £300.00 legal fees. The total amount of £632.00 to be added to "The Defendants" rent account and paid back at £5.00 per week starting from the 11th December 2023.

Power of Arrest

The court is satisfied that the conduct prohibited by this injunction consists of or includes the use or threatened use of violence or that there is a significant risk of harm to another person towards whom the conduct prohibited by this injunction is directed.

A power of arrest is attached to paragraphs 1, 2 and 3i, ii, iii of this injunction whereby any constable may under the power given in section 9 of the Anti-Social Behaviour, Crime and Policing Act 2014, arrest without warrant the Defendant if the constable has reasonable cause for suspecting the Defendant is in breach of this injunction.



Housing Stock Transfer.
Whitehaven.
49 to 55 Church Street,
86, 100 to 105 George Street.
Plan Nr 20.3.12



Scale 1:500
27.05.2004

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