# Aditional Emails / Everdence

Created by:
Everyone!

# Aditional Emails / Everdence

Monday
Tuesday
Wendsday
Thursday
Friday
Satuday
Sunday

Created by:
Everyone!

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|---|---|
| **From:** | Google <no-reply@accounts.google.com> |
| **Sent time:** | 29/01/2018 03:08:03 AM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Security alert |

Google

too smooth

## New device signed in to

re_wired@ymail.com

Your Google Account was just signed in to from a new Windows device. You're getting this email to make sure that it was you.

CHECK ACTIVITY

You received this email to let you know about important changes to your Google Account and services.

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 04/02/2018 10:21:09 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Fwd: Simon Cordell Bail |

Sent from my iPhone

Begin forwarded message:

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Date:** 4 February 2018 at 22:18:09 GMT
**To:** Tahir.Razzaq@met.police.pnn.uk
**Subject: Re: Simon Cordell Bail**

Dear Tahir Razzaq

My son simon has been trying to contract you now for over a week, also his solicitor has also tried to contact you.

Simon Cordell DOB: 26/01/2018 is due in court tomorrow he also has his bail to attend the police station to see you, his solicitor said the court takes priority over the police station so if at all possible could you rearrange his bail as he will not be able to attend the police station on the 05/02/2018 as he will be at court.

You do have his solicitors contract and i am sure his solicitor will again try to contact you tomorrow, my son is also going to try and call you again in the morning as he was told that is the next time you are on duty.

Regards

Lorraine Cordell

Sent from my iPhone

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 04/02/2018 10:26:09 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Fwd: Simon Cordell Bail |

Simon i sent this to the police officer so he knows you cant not attend the police station tomorrow and the police cant say you have not told him

Sent from my iPhone

Begin forwarded message:

> **From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
> **Date:** 4 February 2018 at 22:18:09 GMT
> **To:** Tahir.Razzaq@met.police.pnn.uk
> **Subject: Re: Simon Cordell Bail**
>
> Dear Tahir Razzaq
>
> My son simon has been trying to contract you now for over a week, also his solicitor has also tried to contact you.
>
> Simon Cordell DOB: 26/01/2018 is due in court tomorrow he also has his bail to attend the police station to see you, his solicitor said the court takes priority over the police station so if at all possible could you rearrange his bail as he will not be able to attend the police station on the 05/02/2018 as he will be at court.
>
> You do have his solicitors contract and i am sure his solicitor will again try to contact you tomorrow, my son is also going to try and call you again in the morning as he was told that is the next time you are on duty.
>
> Regards
>
> Lorraine Cordell
>
> Sent from my iPhone

**From:** Balbinder Kaur Geddes <Balbinder.Kaur-Geddes@Enfield.gov.uk>
**Sent:** 02 May 2018 13:44
**To:** Lorraine32@blueyonder.co.uk
**Cc:** Ludmilla Iyavoo
**Subject:** LBE -v- Simon Cordell - Committal Applications
**Attachments:** Committal Application - 05.02.18 - Simon Cordell.pdf; Committal Application 20.4.18 - Simon Cordell.pdf

Dear Mrs Cordell

We have today attempted to serve the attached documents personally on your son Simon Cordell. We attach copies of the documents for your record. Copies of the same have been placed in the post to your address of 23 Byron Terrace, Edmonton, N9 7DG.

Yours sincerely

Balbinder Kaur Geddes
Legal Officer
Legal Services, Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 4834
Fax: 020 8379 6492

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Campaign

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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.

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**<br>**Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant**<br>**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
LEGAL SERVICES

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 (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 Mwabuisi 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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

# 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 ıt 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 / 2018 Name of judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

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

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

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

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

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

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

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

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

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

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

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

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

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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 Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.

5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

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

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should 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**

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

**on 05th February 2018**

LONDON BOROUGH
OF ENFIELD

**Before me:**

**Signed** .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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

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,

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**

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

# 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** |

**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.**

N244

# Application notice

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

| Name of court<br>Edmonton County Court | Claim no.<br>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.)<br>The London Borough of Enfield (LS/C/LI/157255) | |
| **Defendant's name** (including ref.)<br>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 fri~~end)

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 fri~~end)

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

**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 ıt 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.

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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Mdyutugu 20 APR 2018 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

---

236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number: 1 3 3 . Date: . . . Call sign: H 2 3 X Fleet number: 7 9 6 1 M.I. Patient No.:

Activation details: Incident No. 1 2 2 6 3 4 Location: 111 BURNCROFT AVENUE ENFIELD Age: U/K Sex: F Bleeding from ear, seen at home

Dispatch time: 09:17 Arrival time: 09:17 Departure time: 09:28 Arrival at hospital: 09:38 Handover time: 09:38

Patient's details

Last name: [illegible]
First name: [illegible]
Date of birth: 2 8 0 1 1 9 6 4 Age: 5 4
Male: X Female: Race: 2 4
NHS No.:
Home address: S/L
Postcode: E N 3 7 J D
Tel no.: 07861740939
Next of Kin: [illegible]
Relationship: WIFE
Contact details: AS ABOVE
GP Name: DR SEVEDEN
Address: [illegible]
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: FACIAL INJURY / FACIAL INJURY
Incident time / onset of symptoms: Time 0900 Date 15/03/18

Airway: Clear X / Partially obstructed / Obstructed
Breathing: Present X / Absent
Complete a sentence in one breath X / Unable to assess
Circulation: B mucosa cyanosed / Peripheral cyanosis / Capillary refill > 2 sec / Distal pulse X
Other: Sweating / Vomiting / Fitting / Number of fits / Burns %
Estimated blood loss

Observations

| | | |
|---|---|---|
| Time | 09:30 | 10:[illegible] |
| AVPU | A | A |
| Resp rate | 16 | 19 |
| Resp depth | R | R |
| % O2 sats | Air 99 / O2 | Air 99 / O2 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 106 |
| Pulse character | R | R |
| BP | 132/82 | 147/84 |
| Colour | PERF | PERF |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size | R 3 L 3 | R 3 L 3 |
| Pupils reactive | R Y L Y | R Y L Y |
| GCS | E 4 V 5 M 6 | E 4 V 5 M 6 |
| ECG rhythm | | |

Allergies: NKDA
Known infectious
Past medical history: DIABETES / HYPERCHOLESTEROL / HTN
Medication: METFORMIN
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 (Unequal smile or obvious weakness) Y N Unable to assess / Affected side R L
Arm weakness (One arm drifts down or falls) Y N / Affected side R L
Speech (Word finding difficulties or slurred speech) Y N
Chest pain (cardiac in origin) / Shortness of breath / Other symptoms / pain (cardiac in origin) / T-LOC / Palpitations / Asymptomatic N

Cannulation: Line 1 IV / IO Size g Time Successful Y N By No touch technique / Placed in emergency conditions / Flush
Line 2 IV / IO Size g Time Successful Y N By No touch technique / Placed in emergency conditions / Flush N

Fluid and drug administration: Drug bag codes N

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:40 | 1 |

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 Y N By, ET size, Time; SGA successful Y N By, SGA size, Time; NCr / NCr successful Y N By, Time; NTh / NTh successful Y N By, Time N

Cardiac arrest, CPR, Defib, & ROSC: Arrest witnessed Y N: 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 Y N, Time started, Effective Y N, By
Pre-LAS Defib Y N, Time started, By
LAS CPR Y N, Time started, By
LAS Defib Y N, Time of 1st LAS shock, By, Number of shocks, Paediatric electrodes used Y N
Return of spontaneous respiration Y N Time
Return Of Spontaneous Circulation Y N Time
ROSC sustained to hospital Y N N

Recognition Of Life Extinct: Time; Heart sounds absent / Asystolic rhythm strip / Apnoeic / Confirmed dead at Hospital / Fixed dilated pupils N

PC. [illegible] INJURY & POST ASSAULT
[illegible]

Injury = X, Burns = ■, ? Fracture = #, Pain = ●

Transporting / Left scene: Pre-alert:

Lifting and Immobilisation: Arrive Hospital Destination

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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

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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

**Dated this 2a day of April 2018**

M. Rosetty 20 APR 2018

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 RM1

---

**Dr H I Swedan**
**Claremont Medical Centre**
**27 Claremont Road**
**Walthamstow**
**LONDON**
**E17 6RJ**
**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 EN3.7.JQ
**Mobile No: 07891740939**

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Yours sincerely

Dr H I Swedan

Dr H SWEDAN
Claremont Medical Centre
29 Claremont Road
London E17 6RJ
Tel 0208 527 1888

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

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DRAFT ORDER

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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.

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

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 10/02/2018 02:14:39 PM |
| **To:** | Rewired Rewired <re_wired@ymail.com> |
| **Subject:** | RE: new council-docs |
| **Attachments:** | Si-New-Docs-Enfield-Council-06-02-2018.pdf |

Simon

Here is the scanned documents for Enfield council dated 06/02/2018

S:-New-Docs-Enfield-Council-06-02-2018.pdf

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: 06 February, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

By First Class Post and Recorded delivery

Dear Mr Cordell,

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

We write further to the order made by District Judge Cohen on 05th February 2018. Paragraphs 1 and 2 of the Order directed the Claimant to file and serve an affidavit of service of the Claim form, but also to serve by First Class Post a copy of our application notice which we filed in Court on 05th February 2018, by no later than 4pm on 09th February 2018.

We therefore enclose the following documents for your attention:

1. The witness statement of service of Mr Andy PHILIPPOU
2. A copy of the sealed application notice, which will be considered at the next hearing.

Yours sincerely,

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.

SI-New-Docs-Enfield-Council-06-02-2018.pdf

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 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 Wednesday 10 January 2018 at approximately 10.20.am attend at the offices of VLS Solicitors, Gibson House, 800 High Road, Tottenham, London N17 0DH in order to meet with the Defendant's Solicitor. That I did at approximately 10.30.am meet and personally serve Suzanne Ozdemir (receptionist) of VLS Solicitors with the following:

An Injunction Order dated 09 January 2018 with Notice of Hearing on 05/02/2018 at 2.pm
A General Form of Judgement or Order dated 09 January 2018
A Power of Arrest dated 09 January 2018
An N244 Application Notice
A Statement of Lemmy Nwabusi dated 08 January 2018, with exhibits
A Court Order
A Statement of Ludmilla Iyavoo dated 03 January 2018, with exhibits

3. That I did on the same date at approximately 11.30.am and in the absence of a response from the Defendant's address of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ post through the

Si-New-Docs-Enfield-Council-06-02-2018.pdf

letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ copies of the aforementioned documents in a sealed plastic wallet for the attention of the defendant.

4 . That I did on the same date having had notification from the Claimant Solicitor of the Defendant's arrest the previous evening attend at Wood Green Police Station in order to meet and personally serve the defendant with the aforementioned documents. That I did after having had to wait post interview and having the matter referred to the duty Sergeant by Officer Tahir Razzaq; meet and serve the above named defendant with the aforementioned documentation in the presence of five officers in the doorway of holding cell 9.

5. That at the time of service the aforementioned defendant admitted his identity to me as Simon Cordell, namely an adult male of mixed race, possibly in his mid 20's, approximately 5'10" tall and slim build.

6. 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:

10/01/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF HARINGEY

Claimant

-and-

ANTHONY MORRIS

Defendant

"A"

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

Signed:

10/01/2018

SI-New-Docs-Enfield-Council-06-02-2018.pdf

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 (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 Mwabuisi 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 E N 1 3 X A

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

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

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

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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

3. **Background:**

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

4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

---

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

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

**I WILL SAY AS FOLLOWS**

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

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

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.

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

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

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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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed....

Dated this 05th day of February 2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.

3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.

5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

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

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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

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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

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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**

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

**on 05th February 2018**

LONDON BOROUGH
OF ENFIELD

**Before me:**

**Signed** .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

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

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.

2. A power of arrest is attached to this new paragraph.

3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.

4. Dispense with personal service of this Order on the Defendant.

5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

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

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

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

IT IS ORDERED

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

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

(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

**From:** Google <no-reply@accounts.google.com>
**Sent time:** 14/02/2018 06:41:29 PM
**To:** re_wired@ymail.com
**Subject:** Security alert

---

Google

too smooth

## New device signed in to

re_wired@ymail.com

Your Google Account was just signed in to from a new Windows device. You're getting this email to make sure that it was you.

CHECK ACTIVITY

You received this email to let you know about important changes to your Google Account and services.
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**From:** Google <no-reply@accounts.google.com>
**Sent time:** 15/02/2018 10:42:17 AM
**To:** re_wired@ymail.com
**Subject:** Template Gallery connected to your Google Account

---

Google

# Template Gallery connected to your Google Account

Hi too,

**Template Gallery** now has access to your Google Account **re_wired@ymail.com**.

**Template Gallery** can:

- View and manage the files in your Google Drive

You should only give this access to apps that you trust. Review or remove apps connected to your account any time at My Account.

Find out more about what it means to connect an app to your account.

The Google Accounts team

This email can't receive replies. For more information, visit the Google Accounts Help Centre.

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 05/03/2018 04:42:58 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | re: Court Letter |
| **Attachments:** | Si-Letter-to-court-03-03-2018.pdf |

Here read please

Si-Letter-to-court-03-03-2018.pdf

Mr. Simon Cordell
109 Burncroft Ave
Enfield
EN3 7JQ
03/03/2018

- **Case Ref: EOOED049**

To Whom It May Concern:

I am writing this letter due to some confusion with the above case number, this case is with regards to an Injunction Order from, The London Borough of Enfield towards myself Mr. Simon Cordell.

On the 09/08/2017 case ref: D02ED073 the Claimant was granted an interim injunction order, this order I disputed, but due to the Claimant not doing what the court ordered this interim injunction order was discharged and struck out by the court on the 17/11/2017.

The Claimant tried on the 09/01/2018 to get case ref: D02ED073 reinstated which the judge did not allow.

On the 09/01/2018 the Claimant put the new application in for the issue of the same interim injunction order which the court had refused to reinstate, which the court granted case ref: EOOED049.

The Claimant have stated the interim injunction order of the 09/01/2018 was served to me on the 10/01/2018, which I am disputing this was served personally to myself on the 10/01/2018.

On the 05/02/2018 we were to attend court the judge was not happy that the interim injunction order had been served correctly due to there being no affidavit of service filed to the court, also there was other application the Claimant has submitted to the

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court which I had not seen, the Judge did on the 05/02/2018 ask the Claimant to complete a list of things please see below.

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).

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

I have received the new application and within the documents is a statement of affidavit of service which I am still disputing was served correctly.

Within the statement of affidavit of service from Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N99AB, it states please see below.

> *"1. That I am over sixteen years of age.*
>
> *2. That I did on Wednesday 10 January 2018 at approximately 10.20.am attend at the offices of VLS Solicitors, Gibson House, 800, High Road, Tottenham, London N17 ODH in order to meet with the Defendant's Solicitor. That I did at approximately 10.30.am. meet and personally serve Suzanne Ozdemir (receptionist) of VLS Solicitors with the following:*
>
> *An Injunction Order dated 09 January 2018 with Notice of Hearing on OS/02no18 at 2.pm*
> *A General Form of Judgement or Order dated 09 January 2018*
> *A Power of Arrest dated 09 January 2018*
> *An N244·Application Notice*
> *A Statement of Lemmy Nwabusi dated 08 January 2018, with exhibits*
> *A Court Order ·*
> *A Statement of Ludmilla lyavoo dated 03 January 2018, with exhibits*

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*3. That I did on the same date at approximately 11.30.am and in the absence of a response from*
*the Defendant's address of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ post through the*
*letterbox of 109 Burncroft -Avenue, Enfield, Middlesex EN3 7JQ copies of the aforementioned*
*documents in a sealed plastic wallet for the attention of the defendant.*

*4. That I did on the same date having had notification from the Claimant Solicitor of the Defendant's· arrest the previous evening attend at Wood Green Police Station in order to meet and personally serve the defendant with the aforementioned documents. That. I did after having had to wait post interview and having the matter referred to the duty Sergeant by Officer Tahir Razzaq; meet and serve the above-named defendant with the aforementioned documentation in the presence of five officers in the doorway of holding cell 9.*
*.*
*5. That at the time of service the aforementioned defendant admitted his identity to me as Simon Cordell, namely an adult male of mixed race, possibly in his mid 20's, approximately 5'10" tall and slim build.*

*6.This statement is true to the best of my knowledge and belief and .1 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."*

As stated this is a new interim injunction order dated the 09/01/2018 so why did the Claimant serve this to a solicitor who in fact was not dealing and new nothing about this application, and in fact is not representing in this new case.

I believe posting this in someone door does not class this application as it being served.

And I believe the police allowing a person into the police custardy area where I was being held in a cell and then allowing this person along with five police officers is wrong in law.

There is also the fact that Andy Philippou has stated he personally serve the defendant with the aforementioned documents in the cell and that I give my name.

This is untrue as I stated to the judge on the 05th February 2018, I would not allow the above person to serve me any documents while I was in police custardy, I stated that

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the police came to my cell with the person, and I stood by the CCTV camera in the police cell with my hands over my ears and started shouting so I could not hear anything that was being said. Due to me doing this the police closed the cell door and asked the person to leave the police station.

There is also the fact that the police had told me they were going to allow this person to serve me in the police station, my solicitor and mother was also told this, I had told the police I would not allow this to happen, which my solicitor also told the police I would not allow this. My mother also spoke to the officer in change and told him it was a breach of law to allow this, the police are getting involved in a civil court matter which I would not have any control over as I was classed as not a free person, and the police had total control, that the order should only be served at my home address or a business work place. The officer in change said he would talk to the custardy officer and let her know what he said, when he asked the custardy officer he told the officer in charge he was going to allow this, which was then passed on to my mother and my solicitor.

At this point in time I have asked the police for a subject access request of the CCTV and also all records of me bring in the police station.

I dispute that the interim injunction order was served on me personally at the police station.

I also depute the facts which the Claimant have put in this interim injunction order, since 2014 I have been left in my home with no help from the Claimant, many calls have been made many emails have been sent as well as complaints, but it would seem to be the case that the Claimant have ignored everything regarding me and only go on what the neighbours have said, I have been left to live in hell with what the neighbours are doing, I have to live in my own home with CCTV in every room so my movements are recorded, I record every thing as this is the way I have been left to live like in my own home, because I am being blamed for everything that goes on in my block of flats.

There is many emails which show I asked the Claimant for help regarding what is going on where I can sit down in my home and show the Claimant what is going on with my family there with me, The Claimant has refused to come out and take any reports from me and tell me I have to go to them to do this but they have been told I do not cope well when I have to leave my flat, but it seems the Claimants have no problem with going to the neighbours when they say anything.

It is ironic that I was begging for help in many emails and phone calls before any complaints when into to the Claimants about me, yet I am left to deal with it on my own with no help when I was asking for help. But as soon as a complaint went in from the neighbour the Claimants act on it. I believe there is reasons for this and I believe they will be fully seen by the court.

I have made so many calls to the police which I do have all the CAD numbers begging for help I just get told they won't get involved but as soon as the neighbours put a complaint in the police are there to arrest me.

I asked for help so many times the abuse is still ongoing every day by the neighbours yet the council will take no reports, we were told to only have contact with the acting solicitors.

This has had a large impact on my health which the Claimants are well aware off. My mother has had to help write this to the court.

I am unsure if this order is in place or not, and when I made a call to the police over the last days they have told me they do not believe it has been served correctly. Could the court please update me regarding this.

Regards

Mr S Cordell

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 12/04/2018 08:36:35 PM |
| **To:** | Rewired Rewired <re_wired@ymail.com> |
| **Subject:** | re:more 002 |
| **Attachments:** | SI-SEND-12-04-2018.rar |

---

002

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 12/04/2018 11:40:05 AM |
| **To:** | re_wired@ymail.com |
| **Subject:** | re: some bits |
| **Attachments:** | Simon Needs.rar PIP-Consultaion-filled-15-03-2018-signed.pdf |

I am getting all the things I do the request it may take me a while I am looking for the bareyland bits but I got a lot of information running accoss my whole hard drives

Sp get on with this I am trying to get all info

PIP-Consultaion-filled-15-03-2018-signed.pdf

If you contact us, use this reference:
JH653813B - PIP.6000

Department
for Work &
Pensions

Miss Deon Benjamin
7 Tennyson Close
Scotland Green Road
Enfield
EN3 4SN

Personal Independence Payment
2,
Mail Handling Site A,
Wolverhampton,
WV98 1AB

**www.gov.uk**

Telephone: **0800 121 4433**
Textphone: **0800 121 4493**

15 March 2018

# Personal Independence Payment

## About your consultation

Dear Miss Benjamin

You were contacted earlier to tell you that you had to attend a consultation with a health professional on 01 February 2018, before we can make a decision on your claim for Personal Independence Payment. Because you didn't attend your consultation we will disallow your claim to Personal Independence Payment unless you provide us with a good reason why you couldn't attend.

### What we want you to do

Please answer the questions on the page called **'Your reply'** and send the reply back to us straightaway. You'll need to sign and date it. You can use the envelope we've sent you. It doesn't need a stamp.

On the last page of the **'Your reply'** form, you'll see the return address. Put the completed form in the envelope provided so that the address shows through the window of the envelope.

Please tell us why you did not attend the consultation on 01 February 2018 and give details of any documents you will be sending us with this reply. We need to see any documents that support your reasons for not attending the consultation. For example, appointment cards or evidence of illness which prevented you from attending and from telling us that you weren't able to attend. If you don't provide the information we've asked for by 15 April 2018, or we decide that you didn't have a good reason for not attending your consultation, we will not award you and may disallow any existing entitlement to Personal Independence Payment.

If you have recently changed address, please tell us your new address and the date you moved in.

PIP-Consultaion-filled-15-03-2018-signed.pdf

JH653813B PIP.6000

**Support and advice**

You may like to contact a local support organisation who can provide independent help and support. You can find their details online, at your local library or in the telephone directory. We also have more information and tools to help you understand Personal Independence Payment at www.gov.uk/pip

You can also call us on the telephone number on the front page of this letter. A textphone is also available for people who don't speak or hear clearly. We're open Monday to Friday 8am to 6pm. If you phone us, we'll need your full name, address and National Insurance number. We'll also need the reference number at the top of this letter.

Yours sincerely

Office Manager

JH653813B PIP.6000

## Your reply

Please tell us why you couldn't attend your consultation and why you couldn't contact us to re-arrange it. If you have recently moved address please provide your new address details.

Please list below any evidence you are sending back to us.

## Declaration

**I declare** that the information I have given on this form is correct and complete as far as I know and believe.

**Signature**

**Date**

/ /

PIP-Consultaion-filled-15-03-2018-signed.pdf

PIP-Consultaion-filled-15-03-2018-signed.pdf

JH653813B PIP.6000

**Please return the completed form to this address**

Freepost RTEU-HGTR-JXZX
Personal Independence Payment 2
Mail Handling Site A
Wolverhampton
WV98 1AB

Put the completed form and any information we've asked for in the envelope provided, making sure the address shows through the envelope window. The envelope doesn't need a stamp. If you've access to the internet, you can get information about Personal Independence Payment by going to the Personal Independence Payment website:
**www.gov.uk/pip**

PIP-Consultaion-filled-15-03-2018-signed.pdf

- JH653813B PIP.6000
- **Your reply**
- **Please tell us why you couldn't attend your consultation and why you couldn't contact us to re- arrange it. If you have recently moved address please provide your new address details**.

After my form was filled I got a date of the 02/12/2017 for a home assessment, the lady came on this date, but it seemed she did not bring the forms so that the assessment could be recorded, we were told a new date would be made for a home assessment and a letter sent to us in the post, it may take a little while to get the new date but one would come and the paperwork would be there this time to have it recorded, a recorded assessment was asked for and it was checked it was going to be recorded and we were told yes.

We waited for the new date and a letter came for an assessment for the 01/02/2018 but this was not a home assessment so a call was made and it seems a mistake was made so the request went in for the home assessment and we were told a new letter would come with the date.

About a week later a call was again made to check for any updates to the assessment centre, where my contact telephone number was also updated. We were told to wait for the letter with the new date we were not told on this date the home assessment was refused. We have never had a new date or letter form the assessment centre since the one dated for the 01/02/2018 which was cancelled by the assessment centre when the call was made to them to say about the home assessment.

After I got your letter dated the 15/03/2018 on the 23/03/2018 a call was made to the assessment centre on the 24/03/2018 to find out what was going on, Where we were told, it seemed after the home assessment date of the 02/12/2017 the file was sent back to the DWP I am not sure as to the reason why this happened as the assessment dated the 02/12/2017 never went ahead due to there fault with no paperwork for recording the assessment, I do not understand why the assessment centre did not do a new date for a home assessment and sent the file back to yourselves the DWP.
The lady on the phone was not able to tell me the reason the file was sent back to the DWP and a new date not set.

The DWP sent back the file in January 2018 to the assessment centre and it was then the new assessment date of the 01/02/2018 was made without anyone looking into the home assessment until after the call was made asking why a home assessment was not due to take place this call was made before the 01/02/2018 assessment date to the assessment centre,

It seems also that my knew phone number was not updated in there system as the lady said on the phone that a call was made to me and I was told the home assessment was refused on the 01/02/2018 and the 02/02/2018, I stated at this time how could I have been told it had been refused my phone number was not updated with my knew phone number on your system so how did someone call me and tell me. The lady then said sorry we tried to call you and got no reply, we stated you just said I had been told via

hone the home assessment had been refused now you are saying you tried to call and got no reply how can you change what you are saying so easy. But I am sure when you call a cut of number it beeps to show it is cut of and no longer in use.

I was also told on the call that the DWP letter was wrong that had been sent to me stating about the missed date of assessment as being the 01/02/2018. I asked how is it wrong we had no knew dates for an assessment only the letter for the assessment of the 02/03/2018, they told us that a knew date had been made of the 18/02/2018 for us to attend the assessment centre that a letter had been sent to me and a text sent to my old phone number, I was shocked when we were told this, as no knew letters had come and they had not updated there system with my knew phone number.

I told the lady I was not happy with what had gone on and asked her for am email address for a complaint to be filled, we were told they don't have an email address to send a complaint in and that they would send a complaint file pack out to us to deal with the complaint which we are now waiting on.

i do not understand why this has happened if the paperwork for having my assessment recorded on the 02/12/2017 my assessment would have gone ahead on this date. I do not understand why my file was sent back to the DWP after this and a new date was not setup. I do not understand why when the DWP sent my file back to the assessment centre it was not looked at and a home assessment addressed at this time. I do not understand why there system was not updated with my new phone number, and I do not understand why the new letter for an assessment of the 18/02/2018 has never been received as it seems that is the only letter that seems to have gone missing. and it would seem that the DWP date of the 01/02/2018 is the only date they have on there system or why would that date be put on your letter dated the 15/03/2018.

I do believe that something has gone wrong at no fault of myself, and I do believe good cause has been laid out in this letter why I did not attend the assessment centre on the 01/02/2018 and that being that this date was cancelled by the assessment centre after a call was made to them regarding why it was not a home assessment. I have not failed to call the assessment centre at any point.

Regards

Deon Benjamin

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 13/04/2018 06:08:41 PM |
| **To:** | Rewired Rewired <re_wired@ymail.com> |
| **Subject:** | re: check these |
| **Attachments:** | SI-SEND-12-04-2018-001.rar |

omg simon i have check and recheck and recheck this document for the festival and i can't find it

if it is nt in any of these files i don’t know what to say i even check all emails and your emails

i think you used barleyland and changed the name to leevalley so i have also included them in this rar

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 25 April 2018 19:07
**To:** Lorraine Cordell
**Subject:** Fwd: Subject Access Request Simon Cordell 2018020000641
**Attachments:** Other Gateways for Disclosure.pdf; ATT00342.htm

Sent from my iPhone

Begin forwarded message:

**From:** <DPAMailbox-.SAR@met.pnn.police.uk>
**Date:** 27 March 2018 at 11:04:21 BST
**To:** <lorraine32@blueyonder.co.uk>
**Subject: Subject Access Request Simon Cordell 2018020000641**

Good morning,

OUR REFERENCE: 2018020000641
REQUEST DEADLINE: 25.03.2018

I am writing in response to your email enquiring about the progress of your Subject Access Request. Unfortunately, we are not in a position to provide you with a timescale for completion; this is due to the high volume of requests currently being received by the MPS, therefore your case is taking longer to process.

Your request was reviewed when first received and is now waiting to be allocated to a caseworker for processing.

We are not able to prioritise any application and all requests are being processed strictly by the date they have been received.

We are not taking telephone calls at the moment with regard to the progress of any application because the team are currently dedicating their available work-time to the processing of the requests in order of receipt to manage the workload effectively without interruption; ensuring that responses are sent to everyone in the shortest time possible.

If you require information for court or other legal proceedings, family court proceedings or employment tribunals, please see the attached document for suitable disclosure methods.

Please note this is not intended to infringe in any way on your right to access your personal data, as granted by Section 7 of the Data Protection Act.

Please accept my sincere apologies for any inconvenience this is causing you.

Regards,

**Anna Sokol |Administration Assistant for Privacy Team| Strategy and Insight | Strategy and Governance | Met HQ | Metropolitan Police Service**
**Telephone: 020 7161 3500 Email:DPA Mailbox - SAR**
**Address:Information Rights Unit, 3rd Floor, Empress State Building SW6 1SF**

**Protective Marking: RESTRICTED**

**Not Suitable for Publication:**

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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 23 March 2018 12:59
**To:** SAR Mailbox - DPA Enquiries <SARenquiries@met.pnn.police.uk>
**Subject:** RE: Subject Access Request Simon Cordell 2018020000641

To Whom It May Concern:

I am writing this email to see if there is any update as to when I will get the subject access request, i believe the 40 days is the 25/03/2018 so was wondering if the subject access reply would be within this time or after it.

Any update I would be grateful

Simon Cordell

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 14 February 2018 14:27
**To:** 'SARonlineapplications@met.pnn.police.uk'
**Subject:** RE: Subject Access Request Simon Cordell

To Whom It May Concern:

I am very sorry I added the wrong letter please see all attached files i have done a complete knew set.

Regards

---

**From:** Mary.Gibson@met.pnn.police.uk [mailto:Mary.Gibson@met.pnn.police.uk] **On Behalf Of** SARonlineapplications@met.pnn.police.uk
**Sent:** 14 February 2018 13:49
**To:** lorraine32@blueyonder.co.uk
**Subject:** RE: Subject Access Request Simon Cordell

Good afternoon,

Thank you for your email.
We are unable to process your request as we require:

- A copy of a proof of current address (dated within the last 6 months) for example, a copy of a utility bill or a bank statement.
  The letter you have sent is not dated within 6 months.

When you re-send the application, please re-send all documents together in one email (Form 3019, proof of ID and proof of address) as we do not keep returned applications.

Many thanks,

**Mary Gibson| Administration Assistant | Information Rights Unit**
*Strategy & Insight* | *Strategy & Governance* | Met HQ | Metropolitan Police Service

Telephone 0207 161 3500 | Email SARonlineapplications@met.pnn.police.uk
Address Information Rights Unit, PO Box 57192, LONDON SW6 1SF
**Protective Marking: RESTRICTED**

**Not Suitable for Publication: N**

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 12 February 2018 17:40
**To:** SAR Mailbox - Online Applications <SARonlineapplications@met.pnn.police.uk>; SAR Mailbox - DPA Enquiries <SARenquiries@met.pnn.police.uk>
**Subject:** Re: Subject Access Request Simon Cordell

To Whom It May Concern:

Please see attached documents with my request for information which is held about me.

Regards

Simon Cordell

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**Twitter: @metpoliceuk**

# Other Gateways for Disclosure

**Contact Details for Third Party for use in Legal Proceedings**
If you or your solicitor require the contact details of a third party in relation to pursuing legal proceedings you can write to the Commander of the Borough where the incident occurred quoting Section 35 of the DPA. Your request will then be risk assessed to decide if it can be released.

**Disclosure for Civil Action/Family Court Proceedings**
Should you require disclosure of documents (or CCTV) held by the MPS for a Civil Action or for Family Court Proceedings, you may wish to apply for a disclosure order via the courts specifying which documents are necessary and why. Specifying what information within each document is necessary.

Please send the disclosure order to;

Directorate of Legal Services
Metropolitan Police Service
10 Lambs Conduit Street
London
WC1N 3NR

**Court Order**

Should the information you have requested be required for a court case, it may be prudent to obtain a court order for the information. Your legal representative or HM Courts Service will be able to assist you with this. If the court case is not current but anticipated, you should request the documents under Section 35 of the DPA.

Disclosure through these routes may enable you to receive more information than you would get via the Subject Access provisions of the DPA, because your rights under Subject Access are for personal data only. The 40 day time limit on Section 35 requests also does not apply.

All such requests should be directed to:-

Directorate of Legal Services,
Metropolitan Police Service
10, Lambs Conduit Street,
London WC1N 3NR

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 25 April 2018 16:08
**To:** lorraine32@blueyonder.co.uk
**Subject:** RE: Simon cordell [SEC=OFFICIAL]
**Attachments:** LBE v Cordell- Application for committal.pdf

Classification: OFFICIAL

Dear Ms Cordell,

I am the solicitor in conduct of the injunction proceedings against your son. It is my understanding that during his last attendance your son has expressed the fact that all correspondence in relation to the above case should be served to his personal address. We are therefore not aware that all court correspondence should be sent to you as you expressed in your email.

However we confirm that an application for Mr Cordell committal was issued on 20th April 2018, in the Edmonton County Court and a hearing has now been listed on Tuesday 1st May 2018 at 10am. The application was issued on the basis of a breach of undertaking. A copy of the application is attached to this email. Your son is advised to attend the hearing and to seek independent legal advice.

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.

As above please feel free to ask for more details regading the walk and for donations for this worthy cause please go to - https://uk.virginmoneygiving.com/LondonBoroughofEnfield18

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]

**Sent:** 25 April 2018 13:33
**To:** Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk>
**Subject:** Re: simon cordell

Dear Lemmy

Could you please send all paperwork that has been sent to my son to me. As you will be aware all paperwork and letter sent from the council should also be sent to me which has not been happening this would include all court paperwork.

Regards

Lorraine Cordell

Classification: OFFICIAL

Classification: OFFICIAL

Campaign

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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.

The London Borough Of Enfield
Legal Services
Po Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

LONDON
OF
RECEIVED
25 APR 2018
LEGAL SERVICES

# 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** |

**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.**

N244

# Application notice

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

| Name of court<br>Edmonton County Court | Claim no.<br>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.)<br>The London Borough of Enfield (LS/C/LI/157255) | |
| **Defendant's name** (including ref.)<br>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.


© Crown copyright 2016

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 fri~~end)

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 fri~~end)

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

**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.

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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018 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

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236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number: 1331 | Date | Call sign: H232 | Fleet number: 7961 | M.I. Patient No.

Activation details: No. 1 2 2 & 3 4 | Location: 117 BURNCROFT NEWN EFIELD | Call given as: Age U/K (M) F UK | BLEEDING FROM EAR, BEEN ATTACKED

Dispatch time: 09:17 | En route: 09:17 | Arrived at patient: 09:18 | Cancelled at: | Time: 09:08

## Patient's details

Last name: MARKANDU
First name: MATHIMANGAN
Date of birth: 28/02/1964 | Age: 54
Male ☒ Female ☐ | Race: 3L
NHS No.
Home address: S/L
Postcode: EN3 7JQ
Tel no.: 07861740939
Next of Kin: RAVATHY
Relationship: WIFE
Contact details: AS ABOVE
GP Name: DR SEVEDEN
Address: ~~PUMP CLAYMAN M/C ETP~~
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

FACIAL INJURY
POST ASSAULT

Incident time / onset of symptoms: Time 0900 | Date 15/03/18

**Airway**: Clear ☒ | Partially obstructed ☐ | Obstructed ☐

**Breathing**: Present ☒ | Absent ☐ | Complete a sentence in one breath ☒ N | Unable to assess ☐

**Circulation**: B.mucosa cyanosed ☐ ☒ | Peripheral cyanosis ☐ ☒ | Capillary refill > 2 sec Y ☒ | Distal pulse ☒ N

**Other**: Sweating Y ☒ | Vomiting Y ☒ | Fitting Y ☒ | Number of fits ☐ Mins | Burns ☐ % | Estimated blood loss

## Observations

| Time | 09:30 | 10:0 |
|---|---|---|
| AVPU | A | A |
| Resp rate | 16 | 18 |
| Resp depth | R | R |
| % O2 sats (Air / O2) | 99 | 99 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 106 |
| Pulse character | R | R |
| BP | 132/82 | 147/86 |
| Colour | PERF | PERF |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size (R / L) | 3 / 3 | 3 / 3 |
| Pupils reactive (R / L) | Y N / Y N | Y N / Y N |
| GCS (E V M) | 4 5 6 | 4 5 6 |
| ECG rhythm | | |

Allergies: NKDA | Known infectious

**Past medical history**: NIDDM | HYPOLIPIDAEMIA | HTN

**Medication**: METFORMIN

Medication brought in ☐ | List brought in ☐

## 12 Lead ECG

Y
Normal ECG ☐
Inferior MI ☐
Anterior MI ☐
Lateral MI ☐
Posterior MI ☐
LBBB ☐
ST depression ☐
T wave changes only ☐
Other abnormality ☐
Inconclusive ECG ☐

## FAST

Y

| | | Unable to assess | Affected side |
|---|---|---|---|
| Facial weakness — Unequal smile or obvious weakness | Y N | | R L |
| Arm weakness — One arm drifts down or falls | Y N | | R L |
| Speech — Word finding difficulties or slurred speech | Y N | | N |

Chest pain (cardiac in origin) ☐ | Shortness of breath ☐
Other symptoms / pain (cardiac in origin) ☐ | T-LOC ☐
Palpitations ☐
Asymptomatic ☐ N

## Cannulation

Y

| | | Size | Time | Successful | By | | |
|---|---|---|---|---|---|---|---|
| Line 1 | IV / IO | g | | Y N | | No touch technique / Placed in emergency conditions | Flush |
| Line 2 | IV / IO | g | | Y N | | No touch technique / Placed in emergency conditions | Flush N |

## Fluid and drug administration

Y — Drug bag codes — N

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:16 | |

Total Controlled Drug amount wasted | Signed | Witnessed

## Airway and Respiratory management

Y

Maintenance: Postural ☐ | Head tilt ☐ | Jaw thrust ☐
Clearance: Suction ☐ | Manual ☐
Airway adjunct: OP ☐ | NP ☐ | ET ☐ | SGA ☐
ET successful Y N By | ET size | Time
SGA successful Y N By | SGA size | Time
NCr ☐ | NCr successful Y N By | Time
NTh ☐ | NTh successful Y N By | Time — N

## Cardiac arrest, CPR, Defib, & ROSC

Y

Arrest witnessed Y N | 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 Y N | Time started | Effective Y N | By
Pre-LAS Defib Y N | Time started | By
LAS CPR Y N | Time started | By
LAS Defib Y N | Time of 1st LAS shock | By | Number of shocks | Paediatric electrodes used Y N
Return of spontaneous respiration Y N | Time
Return Of Spontaneous Circulation Y N | Time
ROSC sustained to hospital Y N — N

## Recognition Of Life Extinct

Y — Time
Heart sounds absent ☐ | Asystolic rhythm strip ☐
Apnoeic ☐ | Confirmed dead at Hospital ☐
Fixed dilated pupils ☐ — N

PC - FACIAL INJURY & POST ASSAULT

HPC - PT WAS TAKING HIS DAUGHTER TO SCHOOL. NEIGHBOUR WAS FIGHTING WITH PT. PT STOPPED HIS CAR AND GOT OUT. STARTED FIGHTING PT. PT FAINTED. I. FOUND BY NEIGHBOUR. FALL TO THE GROUND. NO LOC. PT SUSTAINED CUT TO LOWER LIP. LOOSE & LOWER INCISORS. GRAZE TO GP (D) SIDE OF HEAD. CUTS TO FINGERS OF (R) HAND. [illegible] PAIN FINGERS. SEE ABOVE. DH SEE ABOVE. SOCIAL PT [illegible] PT NOW INVOLVED WITH NEIGHBOUR LATER COMPLAINED FOR [illegible] TO NEIGHBOUR. DIR (D) OPEN. (R) [illegible] IN FULL SENTENCES. PUPILS [illegible] (D) PUPIL [illegible] PUPILLARY REFLEX. PUPILS [illegible] CLEANSING. RT. HAND (D) PALMAR [illegible] PT OFFERED + REFUSED AMB. ADVISED TO SEE GP RE LOOSE TEETH. LEFT IN CARE OF WIFE

Injury = X | Burns = ■ | ? Fracture = # | Pain = ●

Transporting / Left scene | Pre-alert

Lifting and Immobilisation | Arrive Hospital/Destination | Major Trauma (triage not approx) | Additional forms completed | Continuation sheet Y

Splints | Attendance Personnel: 1 Attend BARNING 2 Driver TILLER 3 Other 4 Other

Tourniquet used | Patient not conveyed referral code | No patient code | Event complete

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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 EN3.7.JQ
**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

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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

**Dated this 20 day of April 2018**

M. Reecety 20 APR 2018

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 RM1

---

**Dr H I Swedan**
**Claremont Medical Centre**
**27 Claremont Road**
**Walthamstow**
**LONDON**
**E17 5RJ**
**Tel No: 0208 527 1888**
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9th April 2018

**To Whom It May Concern:**

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Yours sincerely

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

Dr H I Swedan

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

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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.

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

**From:** Balbinder Kaur Geddes <Balbinder.Kaur-Geddes@Enfield.gov.uk>
**Sent:** 02 May 2018 13:44
**To:** Lorraine32@blueyonder.co.uk
**Cc:** Ludmilla Iyavoo
**Subject:** LBE -v- Simon Cordell - Committal Applications
**Attachments:** Committal Application - 05.02.18 - Simon Cordell.pdf; Committal Application 20.4.18 - Simon Cordell.pdf

Dear Mrs Cordell

We have today attempted to serve the attached documents personally on your son Simon Cordell. We attach copies of the documents for your record. Copies of the same have been placed in the post to your address of 23 Byron Terrace, Edmonton, N9 7DG.

Yours sincerely

Balbinder Kaur Geddes
Legal Officer
Legal Services, Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 4834
Fax: 020 8379 6492

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

Campaign

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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.

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**<br>**Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant**<br>**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
LEGAL SERVICES

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 (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 Mwabuisi 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 |

# 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

THE COUNTY COURT

**If you, Mr Simon Cordell, do not obey this order you will be guilty of contempt of court and you may be ıt 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 / 2018 Name of judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

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

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

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

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

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

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

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

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

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

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

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

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

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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 Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.

5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

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

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should 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**

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

**on 05th February 2018**

LONDON BOROUGH
OF ENFIELD

**Before me:**

**Signed** .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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

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,

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.

# 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** |

**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.**

N244

# Application notice

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

| Name of court<br>Edmonton County Court | Claim no.<br>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.)<br>The London Borough of Enfield (LS/C/LI/157255) | |
| **Defendant's name** (including ref.)<br>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 fri~~end)

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 fri~~end)

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

**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 ıt 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 / 2018 Name of judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

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

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

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

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

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

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

Name of Claimant

THE LONDON BOROUGH OF ENFIELD

Claimant's address

PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

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

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

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

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

1. Made on behalf of the Claimant
2. Witness Statement of 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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Mdyutugu 20 APR 2018 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

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EXHIBIT MM1

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236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

CAD / Event number: 1331 Date: Call sign: Fleet number: 7961 M.I. Patient No.:

Activation details: 122634 Location: 111 Burcroft Avenue Enfield Age: U/K Gender: M Blood from ear, seen at home

09:17 09:17 09:28 09:08

**Patient's details**

Last name: [illegible]
First name: [illegible]
Date of birth: 28/01/1964 Age: 54
Male ☒ Female ☐ Race: [illegible]
NHS No.:
Home address: S/L
Postcode: EN3 7JD
Tel no.: 07861740939
Next of Kin: [illegible]
Relationship: WIFE
Contact details: AS ABOVE
GP Name: DR SEVEDEN
Address: [illegible]
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**

[illegible]

Incident time / onset of symptoms: Time 0900 Date 15/03/18

**Airway**: Clear ☒ Partially obstructed ☐ Obstructed ☐

**Breathing**: Present ☒ Absent ☐ Complete a 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 ☐ Mins; Burns ☐ %; Estimated blood loss

**Observations**

| Time | 09:30 | 10:[illegible] |
|---|---|---|
| AVPU | A | A |
| Resp rate | 16 | 19 |
| Resp depth | R | R |
| % O2 sats | Air 99 O2 | Air 99 O2 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 106 |
| Pulse character | R | R |
| BP | 132/82 | 147/84 |
| Colour | PERF | PERF |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size | R 3 L 3 | R 3 L 3 |
| Pupils reactive | R ☒ L ☒ | R ☒ L ☒ |
| GCS | E 4 V 5 M 6 | E 4 V 5 M 6 |
| ECG rhythm | [illegible] | |

Allergies: NKDA

Known infectious

Past medical history: [illegible]

Medication: METFORMIN

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 (Unequal smile or obvious weakness) Y N; Arm weakness (One arm drifts down or falls) Y N; Speech (Word finding difficulties or slurred speech) Y N

Unable to assess / Affected side: R L

Chest pain (cardiac in origin) ☐; Shortness of breath ☐; Other symptoms / pain (cardiac in origin) ☐; T-LOC ☐; Palpitations ☐; Asymptomatic ☐ N

**Cannulation**

Line 1: IV / IO; Size g; Time; Successful Y N By; No touch technique ☐; Placed in emergency conditions ☐; Flush ☐

Line 2: IV / IO; Size g; Time; Successful Y N By; No touch technique ☐; Placed in emergency conditions ☐; Flush ☐ N

**Fluid and drug administration** Drug bag codes N

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:40 | 1 |

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 Y N By; ET size; Time

SGA successful Y N By; SGA size; Time

NCr ☐ NCr successful Y N By; Time

NTh ☐ NTh successful Y N By; Time N

**Cardiac arrest, CPR, Defib, & ROSC**

Arrest witnessed Y N: 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 Y N; Time started; Effective Y N; By

Pre-LAS Defib Y N; Time started; By

LAS CPR Y N; Time started; By

LAS Defib Y N; Time of 1st LAS shock; By; Number of shocks; Paediatric electrodes used Y N

Return of spontaneous respiration Y N Time

Return Of Spontaneous Circulation Y N Time

ROSC sustained to hospital Y N N

**Recognition Of Life Extinct** Y Time: Heart sounds absent ☐; Asystolic rhythm strip ☐; Apnoeic ☐; Confirmed dead at Hospital ☐; Fixed dilated pupils ☐ N

PC: [illegible]

HPC: [illegible]

[illegible]

Injury = X Burns = ■ ? Fracture = # Pain = ●

Transporting / Left scene ☐ Pre-alert ☐

Lifting and Immobilisation

Arrive Hospital Destination

[illegible]

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THE MAYOR AND BURGESSES OF
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-And-

MR SIMON CORDELL Defendant

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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

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EXHIBIT MM3

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**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 EN3.7.JQ
**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

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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

**Dated this 2a day of April 2018**

M. Rosetty 20 APR 2018

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 RM1

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**Dr H I Swedan**
**Claremont Medical Centre**
**27 Claremont Road**
**Walthamstow**
**LONDON**
**E17 6RJ**
**Tel No: 0208 527 1888**
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Yours sincerely

Dr H I Swedan

Dr H SWEDAN
Claremont Medical Centre
29 Claremont Road
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Tel 0208 527 1888

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.

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

**From:** DPR Wholesalers <sales@dprwholesalers.com>

**Sent time:** 05/05/2018 05:57:38 PM

**To:** re_wired@ymail.com

**Subject:** DPR Wholesalers - Bank Holiday Opening Hours & Squishees

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Squishees Available now!
Bank Holiday Opening Hours
Running for the Brain Tumour Charity

See the online version

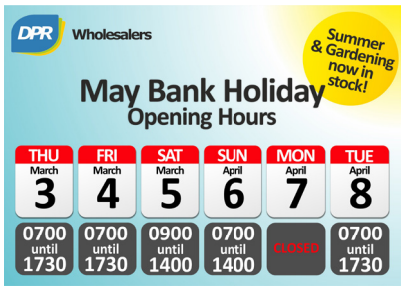
DPR Wholesalers 020 3583 5200
Sales@DPRWholesalers.com

## Bank Holiday Opening Hours and Squishees

### May Bank Holiday Opening Hours

We will be **closed** on **Monday 7th & 28th May 2018**, whilst Dhiren runs the Vitality London 10,000 (See below for sponsorship details)

Normal Opening hours operate on all other days.

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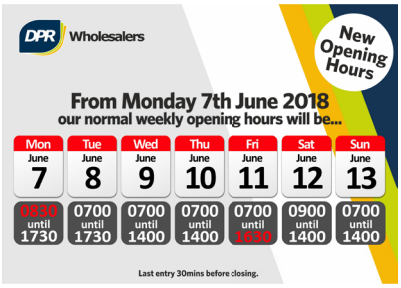


### Change of Opening Hours

From the **1st June 2018**, We will be changing our opening hours slightly.

On Mondays we will now be opening at **8:30am** instead of 7am and on Fridays we will be closing at **4:30pm** instead of 5:30pm. **As always last entry is 30mins before closing**

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**Vitality London 10,000 for The Brain Tumour Charity**

Whilst the business might be closed, Dhiren will be working hard, pounding the streets of London on Monday 28th 2018. He'll be running in the Vitality London 10,000, raising money and awareness for The Brain Tumour Charity. A cause very dear to all our hearts at DPR Wholesalers.

If you are able to please donate to the charity fund.

**Unicorn & Food Squishees**

Squishees available now, the latest craze is now available at DPR, We have 24 different assortments of Squishees and more arriving soon. Get yours quick before they run out!

**Gardening Scotts May Promotions**

For the month of May 2018 we have the following lines on offer. Excellent prices for brands and products you know well!
Miracle-Gro Plant Food RTU @ only £2.25 + MUCH MORE!

For more offers, news and information, find us on Facebook, follow us on Twitter and also please visit our website www.DPRWholesalers.com.

**Sales@DPRWholesalers.com**
**020 3583 5200**

This email was sent to re_wired@ymail.com because you registered with us in store or on-line. Copyright © 2015 DPR Wholesalers Ltd. All rights reserved. Our mailing address is: DPR Wholesalers Ltd., 17 Suez Road, Off Mollison Avenue, Enfield, Middlesex EN3 7SN, UK.
Click here to unsubscribe

Sent by sendinblue

Sales@DPRWholesalers.com | 020 3583 5200

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 14 May 2018 09:51
**To:** Lorraine Cordell
**Subject:** LBE v Mr Cordell E00ED049 [SEC=OFFICIAL]
**Attachments:** Covering letter to Mr Cordell dated 11.05.2018.pdf; 1. Application notice dated 11.05.2018.pdf; 2. Amended application notice dated 20.04.2018.pdf; 3. Affidavit of Markandu Mathiyalagan 20.04.2018.pdf; 4. Affidavit Revathy Mathiyalagan 20.04.2018.pdf; 5. Amended draft order 20.04.2018.pdf; 6. WS of Mr Lemmy Nwabuisi 10.05.2018.pdf; 7. WS of Ms Kaur Geddes 10.05.2018.pdf

**Importance:** High

Classification: OFFICIAL

Dear Ms Cordell,

Please find attached a copy of our application notice dated 11.05.2018 seeking to amend our committal application dated 20.04.2018 in light of the incident which took place in the Edmonton County Court on 01.05.2018.

Our process server attended your son's property but he refused to open the door despite identifying himself. A copy was left to his door and he was made aware of it.

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

Campaign

Facebook Follow us on Facebook Twitter Twitter Enfield http://www.enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities. Opinions expressed in this email are those of the individual and not necessarily those of the London Borough of Enfield. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient and receive it in error you must not copy, distribute or use the communication in any other way. All traffic handled by the Government Connect Secure Extranet may be subject to recording/and or monitoring in accordance with relevant legislation.

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.

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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.

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

 © Crown copyright 2016

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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>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 | |

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 fri~~end)

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 fri~~end)

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>Postcode E N 1 3 X A | |

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

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

**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

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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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutigan 20 APR 2018 L. [signature]

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

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London Ambulance Service NHS Trust

236963321

# Patient Report Form (LA4)

NHS CONFIDENTIAL

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

Activation details: 1 2 2 6 3 4 — 117 BLANCHARD NEW ENFIELD — Age U/c — Sex M — BLEEDING FROM EAR, BEEN ATTACKED

Emergency / Non emergency — Origin time 09:08

Dispatch time 09:17 — To scene 09:27 — Dispatched to MRVT 64

Cancelled call

## Patient's details

Last name: MARIMUTHU
First name: MATHIYALAGAN
Date of birth: 28/02/1964 — Age: 54
Male ☒ Female ☐ — Race: 3L
NHS No.
Home address: S/w
Postcode: EN3 7JD
Tel no.: 07861740939
Next of Kin: RAJATHY
Relationship: WIFE
Contact details: AS ABOVE
GP Name: DR SWEDEN
Address: PARKS CLOSE, ENF
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

FACIAL INJURY
POST ASSAULT

Incident time / onset of symptoms: Time 09:00 — Date 15/03/18

### Airway
Clear ☒ — Partially obstructed ☐ — Obstructed ☐

### Breathing
Present ☒ — Absent ☐
Complete a 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 ☐ Mins — Burns ☐ % — Estimated blood loss

## Observations

| | | |
|---|---|---|
| Time | 09:30 | 10:10 |
| AVPU | A | A |
| Resp rate | 16 | 18 |
| Resp depth | R | R |
| % O2 sats | Air 99 / O2 | Air 99 / O2 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 106 |
| Pulse character | R | R |
| BP | 132/82 | 147/84 |
| Colour | PGRF | PGRF |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size | R 3 L 3 | R 3 L 3 |
| Pupils reactive | R ON L ON | R ON L ON |
| GCS | E 4 V 5 M 6 | E 4 V 5 M 6 |
| | Total | Total |
| ECG rhythm | | |

Allergies: NKDA
Known infectious

Past medical history: MDDS, ↑CHOLESTEROL, HTN
Medication: METFORMIN
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 — Unequal smile or obvious weakness — Y N — Unable to assess ☐ — Affected side R L
Arm weakness — One arm drifts down or falls — Y N — R L
Speech — Word finding difficulties or slurred speech — Y N — N

Chest pain (cardiac in origin) ☐ — Shortness of breath ☐
Other symptoms / pain (cardiac in origin) ☐ — T-LOC ☐
Palpitations ☐
Asymptomatic ☐ — N

## Cannulation
Line 1: IV / IO — Size — g — Time — Successful Y N — By — No touch technique ☐ — Placed in emergency conditions ☐ — Flush ☐
Line 2: IV / IO — Size — g — Time — Successful Y N — By — No touch technique ☐ — Placed in emergency conditions ☐ — Flush ☐ — N

## Fluid and drug administration
Drug bag codes

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:44 | |

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 Y N By — ET size — Time
SGA successful Y N By — SGA size — Time
NCr ☐ — NCr successful Y N By — Time
NTh ☐ — NTh successful Y N By — Time — N

## Cardiac arrest, CPR, Defib, & ROSC
Arrest witnessed Y N — By other 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 Y N — Time started — Effective Y N — By
Pre-LAS Defib Y N — Time started — By
LAS CPR Y N — Time started — By
LAS Defib Y N — Time of 1st LAS shock — By — Number of shocks — Paediatric electrodes used Y N
Return of spontaneous respiration Y N — Time
Return Of Spontaneous Circulation Y N — Time
ROSC sustained to hospital Y N — N

## Recognition Of Life Extinct
Time
Heart sounds absent ☐ — Asystolic rhythm strip ☐
Apnoeic ☐ — Confirmed dead at Hospital ☐
Fixed dilated pupils ☐ — N

PC - FACIAL INJURY @ POST ASSAULT

HPC - PT WAS TAKING HIS DAUGHTER TO SCHOOL, NEIGHBOUR HAS FILMING HIM. PT STARTED HIS CAR AND GOT OUT STARTED FILMING PT. PT APPROACHED BY NEIGHBOUR, FELL TO THE GROUND. HE HIT PT'S FACE CUT TO LOWER LIP. LOSS OF LOWER INCISOR. GIVEN TO GP DUE TO SCALP CUTS TO FOREHEAD OF R HAND. [illegible] RIGHT KNEE. PAIN. SEE ABOVE. PAIN. SEE ABOVE. [illegible] PT [illegible] WITH NEIGHBOUR LATER COMPLETED [illegible] TO HIGHER. OIR DONE. R TAKING IN FOR SEATED, [illegible] R HAND. [illegible] DIZZINESS, [illegible] BP [illegible] DIZZINESS. [illegible] BMI [illegible]

PT DISCHARGED + REFERRED ADVISED TO SEE GP RE LOSS OF TEETH. LEFT IN CARE OF WIFE

Injury = X ? Fracture = # Burns = ■ Pain = ●

Transporting / Left scene — Pre-alert

Lifting and immobilisation — Arrive Hospital/Destination — Additional forms completed — Continuation sheet Y

Ambulance Personnel: 1 Mark BROWNE — 2 Oliver TUCKER — 3 Other — 4 Other

Patient not conveyed - referral code — No patient code — Scene complete

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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 EN3.7.JQ
**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

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

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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 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.

4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.

5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.

6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the injunction order so it could decide on his arrest.

7. I fear for my family safety and feels that the interim injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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

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**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

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

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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 neighbours at the hearing dated 01 May 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

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..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
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

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 14 May 2018 17:36
**To:** Lorraine Cordell
**Subject:** London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL]
**Attachments:** Court Order made by the Edmonton County Court on 14.05.2018.pdf; Pdf bundle of the application notice 11.05.2018.pdf; pdf version of application to dispense with service dated 14.05.2018.pdf; Application for committal dated 05.02.2018.pdf; Application for committal dated 20.04.2018.pdf

**Importance:** High

Classification: OFFICIAL

Dear Ms Lorraine Cordell,

We have attempted service of our committal applications dated 05.02.2018 and 20.04.2018 upon Mr Simon Cordell and also attempted service of our application to amend our committal application in light of the incident which took place at Court on 01.05.2018 but Mr Simon Cordell refused to accept personal service of those documents.

In light of Mr Cordell's refusal to accept personal service, the threats of violence towards the neighbours and the fact that a hearing has been listed on 30.05.2018, we have decided to issue an ex parte application for service to be dispensed with. The application was considered by Deputy District Judge Genn in the Edmonton County Court who made the following order:

1. Permission to the Applicant is given to amend the application for committal
2. Permission is given pursuant to CPR 81.10(5)(b) to serve the amended application by email on you.

In light of the Court order made by the Court this morning, the attached applications are deemed served upon Mr Simon Cordell. Please note that your son is entitled to seek independent legal advice.

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

Campaign

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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.

# 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

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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.

London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL]->Pdf bundle of the application notice 11.05.2018.pdf

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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | |

| If applicable | |
|---|---|
| Phone no. | 0208 379 8323 |
| Fax no. | |
| DX no. | 90615 Enfield 1 |
| Ref no. | LS/C/LI/157255 |

| | |
|---|---|
| E-mail address | |

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 E N 1 3 X A

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

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

**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 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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018 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

---

236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

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

Activation details

Emergency

Original time: 09:08

Canceled call

## Patient's details

Last name: MARKWAN

First name: MATHIMAGAN

Date of birth: 28/02/1964 | Age: 54

Male ☒ Female ☐ | Race

NHS No.

Home address: S/L

Postcode: EN3 7JQ

Tel no.: 07861740939

Next of Kin: BAGYTHY

Relationship: WIFE

Contact details: AS ABOVE

GP Name: DR SOVEDEN

Address: Palmers Green MK Elm

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

FACIAL INJURY

POST ASSAULT

Incident time / onset of symptoms: Time 09:00 | Date 15/03/18

### Airway

Clear ☒
Partially obstructed ☐
Obstructed ☐

### Breathing

Present ☒
Absent ☐
Complete a sentence in one breath ☒ N
Unable to assess ☐

### Circulation

B.mucosa cyanosed Y ☒
Peripheral cyanosis Y ☒
Capillary refill > 2 sec Y ☒
Distal pulse ☒ N

### Other

Sweating Y ☒
Vomiting Y ☒
Fitting Y ☒
Number of fits ☐ Mins
Burns ☐ %
Estimated blood loss

## Observations

| | | |
|---|---|---|
| Time | 09:00 | 10:10 |
| AVPU | A | A |
| Resp rate | 16 | 19 |
| Resp depth | R | R |
| % O2 sats | Air 99 / O2 | Air 99 / O2 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 104 |
| Pulse character | R | R |
| BP | 132/82 | 147/86 |
| Colour | PINK | PINK |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size | R 3 L 3 | R 3 L 3 |
| Pupils reactive | R Y L Y | R Y L Y |
| GCS | E 4 V 5 M 6 | E 4 V 5 M 6 |
| | Total | Total |
| ECG rhythm | Intermittent | |

Allergies: NKDA

Known infectious

Past medical history: NIDDM, ACHOLESTEROL, HTN

Medication: METFORMIN

Medication brought in ☐ List brought in ☐

## 12 Lead ECG

Y

Normal ECG
Inferior MI
Anterior MI
Lateral MI
Posterior MI
LBBB
ST depression
T wave changes only
Other abnormality
Inconclusive ECG

## FAST

Y

Facial weakness — Unequal smile or obvious weakness — Y N — Unable to assess ☐ — Affected side R

Arm weakness — One arm drifts down or falls — Y N — L

Speech — Word finding difficulties or slurred speech — Y N — N

Chest pain (cardiac in origin)
Shortness of breath
Other symptoms / pain (cardiac in origin)
T-LOC
Palpitations
Asymptomatic — N

## Cannulation

Y

Line 1: IV / IO — Size — g — Time — Successful Y N — By — No touch technique — Placed in emergency conditions — Flush

Line 2: IV / IO — Size — g — Time — Successful Y N — By — No touch technique — Placed in emergency conditions — Flush — N

## Fluid and drug administration

Drug bag codes — N

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| P A R | PARACETAMOL | 1g | | OR | 09:45 | |

Total Controlled Drug amount wasted — Signed — Witnessed

## Airway and Respiratory management

Y

Maintenance: Postural ☐ Head tilt ☐ Jaw thrust ☐

Clearance: Suction ☐ Manual ☐

Airway adjunct: OP ☐ NP ☐ ET ☐ SGA ☐

ET successful Y N By — ET size — Time

SGA successful Y N By — SGA size — Time

NCr ☐ — NCr successful Y N By — Time

NTh ☐ — NTh successful Y N By — Time — N

## Cardiac arrest, CPR, Defib, & ROSC

Y

Arrest witnessed Y N — By other 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 Y N — Time started — Effective Y N — By

Pre-LAS Defib Y N — Time started — By

LAS CPR Y N — Time started — By

LAS Defib Y N — Time of 1st LAS shock — By — Number of shocks — Paediatric electrodes used Y N

Return of spontaneous respiration Y N — Time

Return Of Spontaneous Circulation Y N — Time

ROSC sustained to hospital Y N — N

## Recognition Of Life Extinct

Y

Time

Heart sounds absent
Asystolic rhythm strip
Apnoeic
Fixed dilated pupils
Confirmed dead at Hospital — N

PC - FACIAL INJURY @ POST ASSAULT

HPC - PT WAS TAKING HIS DAUGHTER TO SCHOOL. NEIGHBOUR HAS BEGUN HIT. PT STOPPED HIS CAR AND GOT OUT. STARTED PUNCHING PT. PT PUNCHED IN FACE BY NEIGHBOUR. FELL TO THE GROUND. NEIGHBOUR PT STARTED CUT TO LOWER LIP. LOOSE & LOWER INCISORS. CUT TO GP @ SIDE OF HEAD. CUTS TO RIGHT OF (R) HAND. [illegible]

PMH - SEE ABOVE. DH - SEE ABOVE. SOCH - SH. PT [illegible]

PT ASW INVOLVED WITH NEIGHBOUR WITH COMPLETED GBH. [illegible] WITNESS TO VIOLENCE. DH (D) OPIATE. (S) TWICE IN FULL SENTENCES. ADDS [illegible] (S) PULSE [illegible] PSYCHOMOTOR. PT HAS (D) PT HEART [illegible] EYES OPEN. PT OPENED + REFUSED TO SEE GP RE LOOSE TEETH. LEFT IN CARE OF WIFE

Injury = X ? Fracture = # Burns = ■ Pain = ●

Transporting / Left scene | Pre-alert

Lifting and immobilisation

Arrive Hospital/Destination

Major Trauma

Treatment consent obtained

Mental capacity

Consent lack

Physical disability

Learning disability

Additional forms completed

Ambulance Personnel

1 Hand Driving

2 Driver Trainee

3 Other

4 Other

Patient not conveyed

Transport used

Patient Hospital No.

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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

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EXHIBIT MM3

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**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 EN3.7.JQ
**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

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

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AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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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

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**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 EN3.7.JQ
**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

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

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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 neighbours 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

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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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'**

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

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

-ánd-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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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
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

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.

London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL]->pdf version of application to dispense with service dated 14.05.2018.pdf

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 | |
|---|---|

**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..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
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

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

109
Fire door
keep
locked
shut

109

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
SERVICES

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 (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 Mwabuisi 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 |

# 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 ıt 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.

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 Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.

5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

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

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should 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**

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

**on 05th February 2018**

LONDON BOROUGH
OF ENFIELD

**Before me:**

**Signed** .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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

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**

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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

# 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** |

**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.**

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

**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 ıt 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.

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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutigan 20 APR 2018

L. [signature]

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

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236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

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

Activation details | Incident location | Incident time / onset of symptoms

**Patient's details**

Last name | First name | Date of birth | Age | Male / Female | Race | NHS No.

Home address | Postcode | Tel no.

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 | Date

**Airway**: Clear / Partially obstructed / Obstructed

**Breathing**: Present / Absent; Complete a 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 | | |
| % $O_2$ sats | Air / $O_2$ | Air / $O_2$ |
| 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 (Unequal smile or obvious weakness); Arm weakness (One arm drifts down or falls); Speech (Word finding difficulties or slurred speech) — Unable to assess / Affected side

Chest pain (cardiac in origin); Other symptoms / pain (cardiac in origin); Palpitations; Asymptomatic; Shortness of breath; T-LOC

**Cannulation**: Line 1 (IV / IO), Size, Time, Successful, By; Line 2 (IV / IO), Size, Time, Successful, By — No touch technique; Placed in emergency conditions; Flush

**Fluid and drug administration**: Drug bag codes

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:45 | |

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 | SGA successful | NCr successful | NTh successful

**Cardiac arrest, CPR, Defib, & ROSC**

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 | LAS CPR | Pre-LAS Defib | LAS Defib

Time started | Effective | Time of 1st LAS shock | Number of shocks | Paediatric electrodes used

Return of spontaneous respiration | Return Of Spontaneous Circulation | ROSC sustained to hospital

**Recognition Of Life Extinct**: Heart sounds absent; Apnoeic; Fixed dilated pupils; Asystolic rhythm strip; Confirmed dead at Hospital

Injury = X, Burns = ■, ? Fracture = #, Pain = ●

Transporting / Left scene | Pre-alert

Lifting and immobilisation | Arrive Hospital Destination

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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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

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**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 EN3.7.JQ
**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

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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

**Dated this 2a day of April 2018**

M. Rosetty 20 APR 2018

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 RM1

---

Dr H I Swedan
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1898
Fax No: 0208 527 8111

9th April 2016

**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
29 Claremont Road
London E17 6RJ
Tel 0208 527 1898

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

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DRAFT ORDER

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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.

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

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 23 May 2018 14:35
**To:** Lorraine Cordell
**Subject:** London Borough of Enfield v Simon Cordell- E00ED049 [SEC=OFFICIAL]
**Attachments:** LBE-SV-PRN-002_PR-ECCBS-LYB09571-IRC2020_4349_001.pdf; London Borough of Enfield v Cordell-E00ED049 [SEC=OFFICIAL] (6.07 MB)

**Importance:** High

Classification: OFFICIAL

Dear Ms Lorraine Cordell,

Please find attached an amended Order dated 14.5.2018 which gives the Claimant permission to serve the committal applications dated 05.02.2018 and 20.04.2018 and the application notice dated 11.05.2018 by email upon you. The order was amended by the Court under the slip rule.

The applications have already been served upon you on 14th May 2018 at 17.36pm (please see attached email) and as far as the Claimant is concerned personal service of all applications have now been effected upon Mr Simon Cordell.

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

Campaign

Facebook Follow us on Facebook Twitter Twitter Enfield http://www.enfield.gov.uk

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

London Borough of Enfield v Simon Cordell- E00ED049 [SEC=OFFICIAL]->LBE-SV-PRN-002_PR-ECCBS-LYB09571-IRC2020_4349_001.pdf

# 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.

ORDER AMENDED UNDER THE 'SLIP RULE'

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

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

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

Produced by:D. Humphreys
CJR065C

N24 General Form of Judgment or Order

**From:** Ludmilla Iyavoo [Ludmilla.Iyavoo@enfield.gov.uk]
**To:** Lorraine Cordell
**Sent:** 14 May 2018 17:35:53
**Subject:** London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL]
**Attachments:** Court Order made by the Edmonton County Court on 14.05.2018.pdf (50 KB); Pdf bundle of the application notice 11.05.2018.pdf (2368 KB); pdf version of application to dispense with service dated 14.05.2018.pdf (1296 KB); Application for committal dated 05.02.2018.pdf (1022 KB); Application for committal dated 20.04.2018.pdf (1310 KB);

Classification: OFFICIAL

Dear Ms Lorraine Cordell,

We have attempted service of our committal applications dated 05.02.2018 and 20.04.2018 upon Mr Simon Cordell and also attempted service of our application to amend our committal application in light of the incident which took place at Court on 01.05.2018 but Mr Simon Cordell refused to accept personal service of those documents.

In light of Mr Cordell's refusal to accept personal service, the threats of violence towards the neighbours and the fact that a hearing has been listed on 30.05.2018, we have decided to issue an ex parte application for service to be dispensed with. The application was considered by Deputy District Judge Genn in the Edmonton County Court who made the following order:

1) Permission to the Applicant is given to amend the application for committal
2) Permission is given pursuant to CPR 81.10(5)(b) to serve the amended application by email on you.

In light of the Court order made by the Court this morning, the attached applications are deemed served upon Mr Simon Cordell. Please note that your son is entitled to seek independent legal advice.

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

# 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

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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.

London Borough of Enfield v Simon Cordell- E00ED049 [SEC=OFFICIAL]->London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL] (6.07 MB).msg->Pdf bundle of the application notice 11.05.2018.pdf

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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | |

| If applicable | |
|---|---|
| Phone no. | 0208 379 8323 |
| Fax no. | |
| DX no. | 90615 Enfield 1 |
| Ref no. | LS/C/LI/157255 |

| | |
|---|---|
| E-mail address | |

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 E N 1 3 X A

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

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

**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 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.

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

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

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

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

**Dated this 20 day of April 2018**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutina 20 APR 2018 L. [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

---

236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

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

Activation details

Emergency

Original time: 09:08

## Patient's details

Last name: MARKWAN

First name: MATHIMAGAN

Date of birth: 28/02/1964 | Age: 54

Male [X] Female [ ] Race

NHS No.

Home address: S/L

Postcode: EN3 7JQ

Tel no.: 07861740939

Next of Kin: BAVATHY

Relationship: WIFE

Contact details: AS ABOVE

GP Name: DR SLOVEDEN

Address: [illegible]

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

FACIAL INJURY

POST ASSAULT

Incident time / onset of symptoms: Time 0900 | Date 15/03/18

### Airway

Clear [X]
Partially obstructed [ ]
Obstructed [ ]

### Breathing

Present [X]
Absent [ ]
Complete a sentence in one breath [X] Y N
Unable to assess [ ]

### Circulation

B.mucosa cyanosed Y [X]
Peripheral cyanosis Y [X]
Capillary refill > 2 sec Y [X]
Distal pulse [X] N

### Other

Sweating Y [X]
Vomiting Y [X]
Fitting Y [X]
Number of fits [ ] Mins
Burns [ ] %
Estimated blood loss

## Observations

| | | |
|---|---|---|
| Time | 09:00 | 10:10 |
| AVPU | A | A |
| Resp rate | 16 | 19 |
| Resp depth | R | R |
| % O2 sats | Air 99 / O2 | Air 99 / O2 |
| Peak flow | | |
| CO2 | | |
| Pulse rate | 105 | 104 |
| Pulse character | R | R |
| BP | 132/82 | 147/86 |
| Colour | PINK | PINK |
| BM | 9.2 | |
| Temp | 36.9 | |
| Pain 0-10 | 3 | 3 |
| Pupils size | R 3 L 3 | R 3 L 3 |
| Pupils reactive | R Y L Y | R Y L Y |
| GCS | E 4 V 5 M 6 = 15 | E 4 V 5 M 6 = 15 |
| | Total | Total |
| ECG rhythm | Initial rhythm | |

Allergies: NKDA

Known infectious

Past medical history: NIDDM, ACHOLESTEROL, HTN

Medication: METFORMIN

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 — Unequal smile or obvious weakness — Y N — Unable to assess [ ] — Affected side R
Arm weakness — One arm drifts down or falls — Y N — Affected side L
Speech — Word finding difficulties or slurred speech — Y N — N

Chest pain (cardiac in origin)
Shortness of breath
Other symptoms / pain (cardiac in origin)
T-LOC
Palpitations
Asymptomatic — N

## Cannulation

Line 1: IV / IO — Size — g — Time — Successful Y N — By — No touch technique — Placed in emergency conditions — Flush

Line 2: IV / IO — Size — g — Time — Successful Y N — By — No touch technique — Placed in emergency conditions — Flush — N

## Fluid and drug administration

Drug bag codes — N

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| P A R | PARACETAMOL | 1g | | OR | 09:16 | |

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 Y N By — ET size — Time
SGA successful Y N By — SGA size — Time
NCr — NCr successful Y N By — Time
NTh — NTh successful Y N By — Time — N

## Cardiac arrest, CPR, Defib, & ROSC

Arrest witnessed Y N — By other 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 Y N — Time started — Effective Y N — By

Pre-LAS Defib Y N — Time started — By

LAS CPR Y N — Time started — By

LAS Defib Y N — Time of 1st LAS shock — By — Number of shocks — Paediatric electrodes used Y N

Return of spontaneous respiration Y N — Time

Return Of Spontaneous Circulation Y N — Time

ROSC sustained to hospital Y N — N

## Recognition Of Life Extinct

Time

Heart sounds absent
Asystolic rhythm strip
Apnoeic
Fixed dilated pupils
Confirmed dead at Hospital — N

PC - FACIAL INJURY @ POST ASSAULT

HPC - PT WAS TAKING HIS DAUGHTER TO SCHOOL. NEIGHBOUR HAS [illegible] PT STOPPED HIS CAR AND GOT OUT. STARTED PUNCHING PT. PT PUNCHED IN FACE BY NEIGHBOUR. FELL TO THE GROUND. NEIGHBOUR PROCEEDED TO KICK HIM. LOOSE TOOTH INCISORS. GREW TO GP @ SIDE OF HEAD. CUTS TO RIGHT OF [illegible] EYE. [illegible]

PMH - SEE ABOVE. DH - SEE ABOVE. SOCIAL - PT [illegible] WITH NEIGHBOUR WITH COMPLETED [illegible] WITNESS TO VIOLENCE. OE - (1) CONSCIOUS IN FULL SENTENCES. [illegible] (2) PULSE [illegible] (3) [illegible] (4) PT HEART [illegible] PT OFFERED + REFUSED [illegible] ADVISED TO SEE GP RE LOOSE TEETH. LEFT IN CARE OF WIFE

Injury = X ? Fracture = # Burns = ■ Pain = ●

Transporting / Left scene | Pre-alert

Lifting and immobilisation

Arrive Hospital/Destination

Major Trauma

Additional forms completed

Ambulance Personnel

1 Hand Browning
2 Driver Thomas
3 Other
4 Other

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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

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EXHIBIT MM3

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**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 EN3.7.JQ
**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

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

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AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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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 EN3.7.JQ
**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

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

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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 neighbours 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

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

-ánd-

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
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

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.

London Borough of Enfield v Simon Cordell- E00ED049 [SEC=OFFICIAL]->London Borough of Enfield v Cordell- E00ED049 [SEC=OFFICIAL] (6.07 MB).msg->pdf version of application to dispense with service dated 14.05.2018.pdf

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 | |
|---|---|

**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..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
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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

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

Fire door
keep
locked
shut
109

109

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
SERVICES

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 (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 Mwabuisi 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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

# 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.

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 Nwabuisi must go to prison, he also stated to have stripped our computers without us knowing, he also added to have in his possession one of my colleagues' emails, named Miss Jeans. The Defendant further added to have the emails that witness protection had sent to him. I then proceeded to tell the Defendant that I was going to terminate the phone call and I put the phone down.

5. The Defendant telephoned me again at approximately 16.53 on an anonymous number and left a voice recording the contents of which are as follows:

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

conditions I'm in breach of, basically I've got Lemmy on recording he admits to doing certain things and I'm 100% sure he should 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**

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

**on 05th February 2018**

LONDON BOROUGH
OF ENFIELD

**Before me:**

**Signed** .....

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

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

ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Buncroft Avenue
Enfield
EN3 7JQ

***BY PERSONAL SERVICE***
***BY PROCESS SERVER***

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

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

Dear Mr Cordell

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

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

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

These documents are being served upon you personally.

Yours faithfully,

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.

# 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** |

**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.**

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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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 |

**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



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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**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutigan 20 APR 2018 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

---

236963321

London Ambulance Service NHS Trust

# Patient Report Form (LA4)

NHS CONFIDENTIAL

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

Activation details | Location | Incident location | Destination | Mileage | Crew

**Patient's details**

Last name | First name | Date of birth | Age | Male / Female | Race | NHS No.

Home address | Postcode | Tel no.

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 | Date

**Airway**: Clear / Partially obstructed / Obstructed

**Breathing**: Present / Absent / Complete a 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 | | |
| % $O_2$ sats | Air / $O_2$ | Air / $O_2$ |
| 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 (Unequal smile or obvious weakness) | Arm weakness (One arm drifts down or falls) | Speech (Word finding difficulties or slurred speech) | Unable to assess | Affected side

Chest pain (cardiac in origin) | Shortness of breath | Other symptoms / pain (cardiac in origin) | T-LOC | Palpitations | Asymptomatic

**Cannulation**: Line 1 (IV / IO) | Line 2 (IV / IO) | Size | Time | Successful | By | No touch technique | Placed in emergency conditions | Flush

**Fluid and drug administration**: Drug bag codes

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | PARACETAMOL | 1g | | OR | 09:45 | |

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 | SGA successful | NCr | NCr successful | NTh | NTh successful

**Cardiac arrest, CPR, Defib, & ROSC**: Arrest witnessed (By other / By crew) | Cause of cardiac arrest (Cardiac / Trauma / Respiratory / Other) | Initial arrest rhythm (VF / VT / Asystole / PEA) | On scene / During removal / In Ambulance | Pre-LAS CPR | LAS CPR | LAS Defib | Pre-LAS Defib | Number of shocks | Paediatric electrodes used | Return of spontaneous respiration | Return Of Spontaneous Circulation | ROSC sustained to hospital

**Recognition Of Life Extinct**: Heart sounds absent | Asystolic rhythm strip | Apnoeic | Confirmed dead at Hospital | Fixed dilated pupils

Injury = X Burns = ■ ? Fracture = # Pain = ●

Transporting / Left scene | Pre-alert

Lifting and immobilisation | Arrive Hospital Destination

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<br>67-69 Palmerston Road<br>Walthamstow<br>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.

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 EN3.7.JQ
**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

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.

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

**Dated this 2a day of April 2018**

M. Rocety 20 APR 2018

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 RM1

---

Dr H I Swedan
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1898
Fax No: 0208 527 8111

9th April 2016

**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
29 Claremont Road
London E17 6RJ
Tel 0208 527 1898

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.

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

**From:** DPR Wholesalers <sales@dprwholesalers.com>

**Sent time:** 25/05/2018 08:56:06 AM

**To:** re_wired@ymail.com

**Subject:** DPR Wholesalers - Bank Holiday Opening Hours & Squishees

---

Privacy Policy Update
Opening Hours Changes
Squishees Available now!
Bank Holiday Opening Hours
Running for the Brain Tumour Charity

See the online version

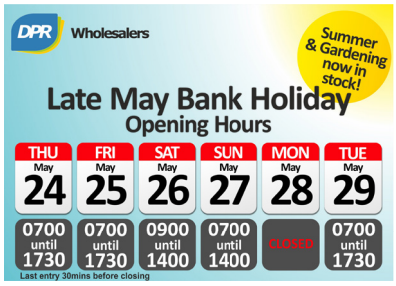
DPR Wholesalers 020 3583 5200
Sales@DPRWholesalers.com

## Late Bank Holiday Opening Hours and Squishees

### Late May Bank Holiday Opening Hours

We will be **closed** on Monday **28th May 2018**, whilst Dhiren runs the Vitality London 10,000 (See below for sponsorship details)

Our new opening hours will resume from Tuesday 29th May, more information can be found below.

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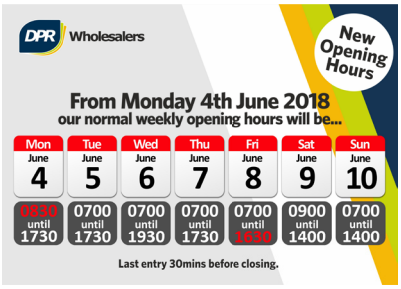


### Change of Opening Hours

From the **4th June 2018**, We will be changing our opening hours slightly.

On Mondays we will now be opening at **8:30am** instead of 7am and on Fridays we will be closing at **4:30pm** instead of 5:30pm. **As always last entry is 30mins before closing**

---

**Vitality London 10,000 for The Brain Tumour Charity**

Whilst the business might be closed, Dhiren will be working hard, pounding the streets of London on Monday 28th 2018. He'll be running in the Vitality London 10,000, raising money and awareness for The Brain Tumour Charity. A cause very dear to all our hearts at DPR Wholesalers.

If you are able to please donate to the charity fund.

**Unicorn & Food Squishees**

More Squishees available now, the latest craze is now available at DPR, We have 24 different assortments of Squishees and more arriving soon. Get yours quick before they run out!

Prices start at 75p!

**Privacy Policy Update**

You may have already heard about the GDPR (General Data Protection Regulation) by now that is coming into effect. We want to assure you that data privacy is of very high importance and we take it seriously, who we are as a business would not see it any other way.

We have updated our Privacy Notice to include greater clarity on how your data is used. If you would like to read it, find it HERE

You receive our emails because you are a customer and have full rights to object to receiving this.

Should wish to stop receiving informational emails all you have to do is to click on the **unsubscribe** link on the bottom of this email and we will stop sending you product offers, new releases, opening house changes and other marketing information.

For more offers, news and information, find us on Facebook, follow us on Twitter and also please visit our website www.DPRWholesalers.com.

**Sales@DPRWholesalers.com**
**020 3583 5200**

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Click here to unsubscribe

Sent by sendinblue

Sales@DPRWholesalers.com | 020 3583 5200

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 07/06/2018 12:01:09 AM |
| **To:** | Rewired Rewired <re_wired@ymail.com> |
| **Subject:** | Re: list |

The email has nothing in it

Sent from my iPhone

On 6 Jun 2018, at 21:34, Rewired Rewired <re_wired@ymail.com> wrote:

**From:** Chief Executive <Chief.Executive@enfield.gov.uk>
**Sent:** 06 December 2018 11:53
**To:** lorraine32@blueyonder.co.uk
**Cc:** complaintsandinformation
**Subject:** FW: Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ [SEC=OFFICIAL]
**Attachments:** On behalf of Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ.pdf

Classification: OFFICIAL

Dear Ms Cordell

Thank you for your email address to the Chief Executive. I am writing in acknowledgement and to advise you that a copy of your correspondence has been passed to the Complaints and Access to Information Team. A response will be sent to you direct on the issues raised.

Regards

**Heather Littler**
**Senior Admin Officer**
**Chief Executive's Unit**
**London Borough of Enfield**
**Civic Centre, Silver Street, Enfield, EN1 3XY**
**Tel: 020 8379 4037**
**Email: heather.littler@enfield.gov.uk**

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

---

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 05 December 2018 14:09
**To:** Chief Executive <Chief.Executive@enfield.gov.uk>; Sarah Cary <Sarah.Cary@enfield.gov.uk>; Jeremy Chambers <Jeremy.Chambers@enfield.gov.uk>; James Rolfe <James.Rolfe@enfield.gov.uk>; Tony Theodoulou <Tony.Theodoulou@enfield.gov.uk>; 'Alev Cazimoglu' <alev.cazimoglu@parliament.uk>
**Subject:** RE: Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ

To Whom It May Concern:

Please see attached letter regarding issues I have.

Regards

Classification: OFFICIAL

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Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities. Opinions expressed in this email are those of the individual and not necessarily those of the London Borough of Enfield. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient and receive it in error you must not copy, distribute or use the communication in any other way. All traffic handled by the Government Connect Secure Extranet may be subject to recording/and or monitoring in accordance with relevant legislation.

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.

- **Complaint 05/12/2018**

On behalf of Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ

I am writing this email due to issues I have regarding a member of staff who works for Enfield Council by the name off Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator,

Since 2016 when Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator started working for Enfield Council he has been working on investigations relating to my son Mr. Simon Cordell.

In this time not once has Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator, come to see my son's side to the alleged allegations regarding what the neighbours have put in about my son.

Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator has taken one side to these said alleged allegations without no investigations,' Mr Lemmy Nwabuisi it seem has taken one side to everything that has been said and that is the side of the neighbours, Mr Lemmy Nwabuisi has been told many times we have information which would proof my son had not done things which have been stated by the neighbours

Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator knows my son does not leave the flat he was told this, and also told that if he wanted to attend a meeting with my son he could do so with police there to have a meeting to hear my son's side, he has never got back to me regarding having a meeting at my son's home because he never wanted to, which I am sure if someone is a vulnerable person where was the duty of care where has it ever been for my son?

I believe Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator just through to himself that my son is in the wrong he is a vulnerable person I will put pressure on him and get him out without even thinking there is 2 side to anything. And just blamed my son without even talking to him this is how it has been since Mr Lemmy

Nwabuisi the Anti-Social Behaviour Coordinator starting working for Enfield Council.

I also feel Mr Lemmy Nwabuisi has taken information and not relayed it back correctly many times regarding my son's health even to the courts. Information is being passed and obtained relating to my son which should never have been passed to 3rd parties or used, how can this be allowed. There are many other points and failings which have been allowed to happen and this needs to stop. I will be drafting up a full complaint of failings and submitting it but this will take a while to draft up as I have got to go back some years.

Mr Lemmy Nwabuisi also had my son arrested on the 09/01/2018 and even through we asked many times, even my own son's solicitors could not understand why he was the person still investigating my son. When his case was part of the court actions being taken against my son by Enfield Council this is against the law that someone is investigating something within there own case and it beaches many other things.

At this point in time I want Mr Lemmy Nwabuisi taken off dealing with anything to do with my son or related to him, I feel he has not done acted correctly and feel he has not investigated anything which would prove my son has done nothing wrong and only wanted to blame him for everything, I have asked this before and heard nothing back regarding this. But it has got to the point in time that this needs to happen.

Could someone please get back to me as soon as possible regarding this?

Regards

Lorraine Cordell

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 15/06/2018 04:39:15 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | RE: check this is pls |
| **Attachments:** | Court-Letter-15th June 2018.pdf |

can you check the attached documents I want to send the court and say if it ok to send it please.

it has to be short and to the point as Enfield council have not followed orders from the court

15th June 2018
Case Ref: E00ED049

Attention of Judge Dias

I am writing this letter regarding the above case ref: E00ED049 and the hearing that took place on the 30th May 2018.

As stated Mr Cordell did not attend court on this day due to him being unwell, this was explained to the court when we asked for the case to have an adjournment due to Mr Cordell being unwell.

A list of details were spoken about and at the end of the hearing you asked the barrister for the claimant to write the details down email them to you and you would then sign them off.

I have been waiting for the court order to be sent and as of today's date 15th June 2018 I have not had anything sent to me via the claimant.

In this time since the hearing on the 30th June 2018 I have called the court 3 times and been told there was nothing on the system and it can take up to two weeks. Today however I spoke to Paul and was told the order was sent out on the 05th June 2018 which the claimant was meant to send to me which they have not, I would say that the claimants would have had this order by now and can not understand why they have not sent it as they were the ones that put the application in on the 14th May 2018 asking the court to make the order that everything is sent to me. Which I still need to make an application to the court to be able to get this removed, I do not believe the court should have accepted a without notice application from the claimants to the court regarding having all documents served on me without me being there.

At this point of time I am not aware of anything that was due to take place and the claimants have not had any contact with me at all.

I need the order from the court so an application can be put to the court regarding many issues.

There are many issues I feel that happened in court on the 30th June 2018, but due to the claimant barrister stating in court that I was not allowed to speak on behalf of Mr Cordell I was not allowed to say the information was misleading which was stated in court. As you stated it was helpful me being there as you could ask things to me, but I still am very unsure as to why an adjournment was not granted due to Mr Cordell being unwell as this was not stated in court. It just seemed the claimant barrister in fact was saying I was not telling the truth that Mr Cordell was unwell and you just seemed to accept that, and the hearing carried on.

I would also like to be able to pick up from the court the 3 bundles I handed in with my application of the 29th May 2018 which was not heard by the court as I will need the 3 bundles so that I am able to make a court application.

But as of today's date 15th June 2018 I have had no information to the order that claimant barrister done for the court and sent to the court and was signed off by you so have no idea what is going on.

Regards

Lorraine Cordell

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 20 June 2018 17:46
**To:** 'Kiran Johal'
**Subject:** Re: Simon Cordell
**Attachments:** Court Order made by the Edmonton County Court on 14.05.2018.pdf; Court-Letter-dated-09-02-2018.pdf; Court-Order-Date-Changed.pdf; Edmonton-Court-Letter-12-06-2018.pdf; legal-aid-crm14-signed.pdf; Lorraine Cordell's WS-001.pdf; ESA-Comfirmed-Letter-08-03-2018.pdf

Dear Kiran

Please see attached documents for Simon Cordell, please let me know if you need anything else,

Could you write to the court and ask for an adjournment and let me know please he is next due in court on the 26/06/2018, I hope the crim 14 has been signed in the right place.

The last order is dated 12/06/2016 and I only got this yesterday from the court as the council has not sent me anything as of today's date.

What I will do is over the next few days I will try and write some form of write up so you can understand better what the council is ding to him.

Lorraine

# 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** | 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).

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

Dated 5 February 2018

# Claim Form (CPR Part 8)

| | |
|---|---|
| In the | Edmonton County Court |
| Claim no. | E00ED049 |
| Fee Account no. | 007 9 006 |
| Help with Fees - Ref no. (if applicable) | HWF - - |

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

THE COUNTY COURT

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 | - 9 JAN 2018 |

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. E00ED049

## 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 | Claim No. |
|---|---|
| EDMONTON COUNTY COURT | E00ED049 |
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>MR SIMON CORDELL | |
| Fee Account no. 0079006 | |

Notes on completion

Tick which boxes apply and specify the legislation where appropriate

(1)Enter the full name of the person making the application

2)Enter the full name of the person the injunction is to be directed to

(3)Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.

(4)Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').

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

☐ By application in pending proceedings

☑ Under Statutory provision _Part 1 ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014_____

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

Seal THE COUNTY COURT

This application raises issues under the Human Rights Act 1998 ☐ Yes ☑ No

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

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

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

**2. TETHER HIS DOMESTIC DOG IN PUBLIC.**

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

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

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

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

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

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.



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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

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 12 June 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant**<br>**Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant**<br>**Ref** |

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

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.

3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.

4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.

5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.

6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.

8. Costs reserved.

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

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

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

If your case does settle prior to the hearing date please notify the court in writing.
Dated 5 June 2018

Reset This Page | Reset Form (All Pages)

Re: Simon Cordell->legal-aid-crm14-signed.pdf

# Application for Legal Aid in Criminal Proceedings

Form **CRM14**

Legal Aid Agency

## Please use the Guidance

**If you do not complete the form correctly, we will return it.**
You will find Guidance to help you fill in the form correctly, at: www.justice.gov.uk/forms/legal-aid-agency/criminal-forms/applications
If you need more help or advice, please contact a solicitor.

MAAT Reference (for official use)

## For the Legal Representative's use

If the case is an **Appeal to the Crown Court** and there is no change in circumstances, answer **1** and then go to question **23**.

**Case type**

- ☐ Summary
- ☐ Committal for sentence
- ☐ Either way
- ☐ Appeal to Crown Court
- ☐ Indictable
- ☐ Trial now in Crown Court
- ☐ Appeal to Crown Court and no changes

**The court hearing the case**

**Priority case**

- ☐ Custody
- ☐ Vulnerable
- ☐ Youth
- ☐ Late application in the Crown Court for trial

Date of trial

## About you: 1

**1**

GUIDANCE

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title

Your forenames or other names (in BLOCK LETTERS)

Your surname or family name (in BLOCK LETTERS)

Your date of birth

National Insurance Number and ARC Number: give one of these only.

National Insurance Number

Application Registration Card (ARC) Number

☐ This is a new application.

☐ This application relates to a change of financial circumstances.

## Contacting you

**2**

**Do you have a usual home address?**

☐ **No** ☐ **Yes** → Your usual home address

Postcode

**3**

✓ 'Your solicitor's address only, if you are of 'No Fixed Abode', or not at your usual address because you are on bail or remand.

**To what address should we write to you?**

☐ Your usual home address (the address in 2)

☐ Your solicitor's address (see the side note)

☐ This address

Postcode

**4**

**Your email address**



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**5**

**Your telephone number (landline)**

**Mobile phone number**

**Work phone number**

## About you: 2

**6**

✓ one box and if it is 'someone else's home', give your relationship to that person

**Your usual home address is:**

☐ a Tenancy (rented) ☐ Temporary ☐ Your parent's home (you live with them)

☐ Someone else's home → Your relationship

Owned by: ☐ You ☐ Your partner ☐ You and your partner, jointly

**7**

**Are you under 18 years old?**

☐ **No** ☐ **Yes** → Are you charged with an adult?

☐ **No**: Go to **23** ☐ **Yes**: Go to **23**

**8**

GUIDANCE

**Do you have a partner?**

☐ **No**: Go to **9** ☐ **Yes**: Go to **10**

**9**

✓ one box

GUIDANCE

**You are:**

☐ Single: Go to **14** ☐ Widowed: Go to **14**

☐ Divorced or have dissolved a civil partnership: Go to **14**

☐ Separated → Date of separation?

Go to **14**

**10**

✓ one box

**You and your partner are:**

☐ Married or in a Civil Partnership ☐ Cohabiting or living together

## About your partner

**11**

GUIDANCE

National Insurance Number and ARC Number: give one of these only.

**Your partner's details**

Mr Mrs Miss Ms Other title

Your forenames or other names (in BLOCK LETTERS)

Surname or family name (in BLOCK LETTERS)

Date of birth

National Insurance Number

Application Registration Card (ARC) Number

**12**

If you ✓ **Yes**, and your partner is a victim, prosecution witness, or co-defendant with a conflict of interest, do not give your partner's details for questions **13** to **22**.

**Is your partner a victim, prosecution witness or a co-defendant in the case for which you require legal aid?**

☐ **No** ☐ **Yes** → ☐ Victim: Go to **14**

☐ Prosecution witness: Go to **14**

☐ Co-defendant → Does your partner have a conflict of interest?

☐ **No**: Go to **13** ☐ **Yes**: Go to **14**


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**13** **Is your partner's usual home address different from yours (the address at question 2)?**

☐ **No** ☐ **Yes** → Your partner's usual home address

Postcode

## Your income and your partner's income

**14** **Do you or your partner receive any of the benefits listed here?**

Guidance
In this form, if you answer Yes to any question which asks about you or your partner, and you can answer Yes for both of you, give details for you and your partner, not for one of you only.

☐ **No** ☐ **Yes** →

| | **You** | **Your Partner** |
|---|---|---|
| Income Support | ☐ Go to **23** | ☐ Go to **23** |
| Income-Related Employment and Support Allowance (ESA) | ☐ Go to **23** | ☐ Go to **23** |
| Income-Based Jobseeker's Allowance (JSA) | ☐ When did you last sign on? Go to **23** | ☐ When did you last sign on? Go to **23** |
| Guarantee State Pension Credit | ☐ Go to **23** | ☐ Go to **23** |

**15** **Do you or your partner, together, in a year have a total income from all sources before tax or any other deduction, of more than £12, 475 (£239.90 a week)?**

Guidance

☐ **No**: Go to **16** ☐ **Yes** → You will need to **complete form CRM15**: Go to **23**

**16** **Sources of income for you and your partner. Please give details in the table:**

Evidence

Guidance about:
- Employment
- Total of other benefits
- Other source of income

**For all parts of this question**:
- If you do not receive income from a source, put **NIL** after the '£'.
- After '**every**' put either: week, 2 weeks, 4 weeks, month, **or** year.

| | **You** | **Your Partner** |
|---|---|---|
| Employment (wage or salary) | £ every ☐ Before tax ☐ After tax | £ every ☐ Before tax ☐ After tax |
| Child Benefit | £ every | £ every |
| Working Tax Credits and Child Tax credits | £ every | £ every |
| Universal Credit | £ every | £ every |
| Total of other benefits | £ every | £ every |
| Maintenance income | £ every | £ every |
| Pensions | £ every | £ every |
| Any other source of income such as:<br>- a student grant or loan<br>- board or rent from a family member, lodger or tenant, or rent from a property<br>- financial support from friends and family | £ every<br>Source: | £ every<br>Source: |

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**17** Are you or your partner self-employed, in a business partnership, or either a company director or a shareholder in a private company?

GUIDANCE

☐ No ☐ Yes → You will need to **complete form CRM15**: Go to **23**

**18** Do you or your partner have any income, savings or assets which are under a restraint order or a freezing order?

☐ No ☐ Yes → You will need to **complete form CRM15**: Go to **23**

**19** Are you charged with a Summary offence, only?

GUIDANCE

☐ No ☐ Yes: Go to **22**

**20** Do you or your partner own or part-own any land or property of any kind, including **your own home**, in the United Kingdom or overseas?

☐ No ☐ Yes → You will need to **complete form CRM15**: Go to **23**

**21** Do you or your partner have any savings or investments, in the United Kingdom or overseas?

GUIDANCE

☐ No ☐ Yes → You will need to **complete form CRM15**: Go to **23**

**22** Do your answers to the previous questions tell us that you have no income from any of the sources which we have asked about?

☐ No ☐ Yes → How do you and your partner pay your bills and daily expenses?

## Information for the Interests of Justice test

**23** What charges have been brought against you?

GUIDANCE

Describe the charge briefly: for instance, 'Assault on a neighbour'.

| | Charge | Date of offence |
|---|---|---|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |

**24** The type of offence with which you are charged

GUIDANCE

✓one box only. If you are charged with two or more offences, ✓the most serious.

☐ Class A: Homicide and related grave offences

☐ Class B: Offences involving serious violence or damage, and serious drugs offences

☐ Class C: Lesser offences involving violence or damage, and less serious drugs offences

☐ Class D: Sexual offences and offences against children →

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- ☐ Class E: Burglary etc
- ☐ Class F: Other offences of dishonesty (specified offences and offences where the value is £30,000 or less)
- ☐ Class G: Other offences of dishonesty (specified offences and offences where the value involved exceeds £30,000 but does not exceed £100,000)
- ☐ Class H: Miscellaneous other offences
- ☐ Class I: Offences against public justice and similar offences
- ☐ Class J: Serious sexual offences
- ☐ Class K: Other offences of dishonesty (high value: if the value involved exceeds £100,000)

**25** **Do you have any co-defendants in this case?**

☐ **No**: Go to **27** ☐ **Yes** → Their names

**26** **Is there any reason why you and your co-defendants cannot be represented by the same solicitor?**

☐ **No** ☐ **Yes** → The reason(s)

**27** **Are there any other criminal cases or charges against you or your partner which are still in progress?**

☐ **No** ☐ **Yes** →

| | **You** | **Your Partner** |
|---|---|---|
| The charges | | |
| The Court hearing the case | | |
| Date of the next hearing | | |

**28** **Which Court is hearing the case for which you need legal aid?**

| The Court hearing the case | Date of the hearing |
|---|---|
| | |

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**29**

**Why do you want legal aid?**

GUIDANCE

1 to 9 are possible reasons.

**We suggest you choose one or more reasons with the help of a solicitor.**

For each reason you choose, say why you have chosen it.

Mention any evidence that supports your choice of a reason.

If you need more space to answer, please use a separate sheet of paper and put your full name, date of birth and 'Question 29' at the top of the sheet. Please make sure you show which part of the question (1 to 10) your writing refers to.

1 It is likely that I will lose my liberty if any matter in the proceedings is decided against me.

2 I have been given a sentence that is suspended or non-custodial. If I break this, the court may be able to deal with me for the original offence.

3 It is likely that I will lose my livelihood.

4 It is likely that I will suffer serious damage to my reputation.

5 A substantial question of law may be involved (whether arising from legislation, judicial authority or other source of law).

6 I may not be able to understand the court proceedings or present my own case.

7 Witnesses may need to be traced or interviewed on my behalf.

8 The proceedings may involve expert cross-examination of a prosecution witness (whether an expert or not).

9 It is in the interests of another person (such as the person making a complaint or other witness) that I am represented.

10 Any other reason

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## Legal representation

**30**

**The solicitor who you want to act for you**

GUIDANCE

**You must tell the solicitor that you have said in this form that you want them to act for you.**

Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other title ☐

Solicitor's initials, surname or family name (in BLOCK LETTERS)

Name and address of the solicitor's firm

Postcode

Telephone (land line)

Mobile phone

Document Exchange (DX)

Fax

email address

**31**

**Declaration by the legal representative**

✓ 1 or 2

If you choose 2, ✓ one of the two other options to show whether you have been instructed by a firm with an LAA contract, or by a solicitor employed by the LAA. Examples of an LAA contract are the 2010 Standard Crime Contract or an Individual Case Contract.

1 ☐ I represent the applicant. I confirm that I am authorised to provide representation under a contract issued by the Legal Aid Agency (LAA).

2 ☐ I represent the applicant. I confirm that I have been instructed to provide representation by:

☐ a firm which holds a contract issued by the Legal Aid Agency (LAA).

☐ a solicitor employed by the Legal Aid Agency (LAA) in the Public Defender Service who is authorised to provide representation.

Signed

Date

Provider's LAA Account Number

Full name (in BLOCK LETTERS)

## About the information which you have provided and its protection

**32**

GUIDANCE

The guidance explains how we protect and use the information which you provide in our forms or in other ways.

- The information which you give when you answer this question (which continues on page 8), will be treated in the strictest confidence and will not affect our decision on this application.
- We, or HM Courts and Tribunals Service, may use the information on this form and on forms CRM15 and CRM15C, for statistical monitoring or research. The information we publish will not identify you or anyone else. We will process the information according to the Data Protection Act 1998 and other legal requirements.

1 **Are you male or female?**

☐ Male ☐ Female ☐ I prefer not to say

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**2** ✓ one box in the table to show the best definition of your disability.

**The Equality Act 2010 defines disability as**: 'A physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'.

**3** ✓ one box in the table of ethnic groups.

**2** **Do you consider that you have a disability?**

☐ **No** ☐ **Yes** → The best definition is:

| | | |
|---|---|---|
| ☐ Mental health condition | ☐ Mobility impairment | ☐ Other |
| ☐ Learning disability or difficulty | ☐ Long-standing physical illness or health condition | ☐ I prefer not to say |
| ☐ Hearing impaired | ☐ Visually impaired | |
| ☐ Deaf | ☐ Blind | |

**3** **Which of the options in the table best describes you?**

| **White** | **Mixed** | **Asian or Asian British** | **Black or Black British** | |
|---|---|---|---|---|
| ☐ British | ☐ White and Black Caribbean | ☐ Indian | ☐ Black Caribbean | ☐ Chinese |
| ☐ Irish | ☐ White and Black African | ☐ Pakistani | ☐ Black African | ☐ Gypsy or Traveller |
| ☐ White other | ☐ White and Asian | ☐ Bangladeshi | ☐ Black other | ☐ Other |
| | ☐ Mixed other | ☐ Asian other | | ☐ I prefer not to say |

## Evidence to support the information which you have given

**33** **Have you been directed to complete a form CRM15 (see questions 15, 17, 18, 20 and 21)?**

☐ **No** ☐ **Yes** → If you have a partner, now go to **38**. If not, go to **39**.

**34** **Has a court remanded you in custody?**

☐ **No**: Go to **36** ☐ **Yes**: Go to **35**

**35** **Will your case be heard in a magistrates' court?**

☐ **No** ☐ **Yes** → If you have a partner, now go to **38**. If not, go to **39**.

**36** **Are you employed?**

☐ **No** ☐ **Yes** →

- **If your case will be heard in a magistrates' court, or it is a committal for sentence or appeal to the Crown Court**
  We need a copy of your wage slip or salary advice. You must provide it with this form: see the guidance about evidence.

- **If your case will be heard in the Crown Court**
  We need a copy of your wage slip or salary advice. You must provide it with this form or within 14 days of the date of your application: see the guidance about evidence.

(!) EVIDENCE

(!) EVIDENCE

**37** If you have a partner, now go to **38**. If you do not have a partner, go to **39**.

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## Declaration by your partner

**38**

GUIDANCE
If your partner is not able to sign this declaration, you must give the reason at the end of question **39**.

**I declare that** this form and any form CRM15 and CRM15C is a true statement of all my financial circumstances to the best of my knowledge and belief. I agree to the Legal Aid Agency and HM Courts & Tribunals Service, or my partner's solicitor, checking the information I have given, with the Department for Work and Pensions, HM Revenue and Customs or other people and organisations. I authorise those people and organisations to provide the information for which the Legal Aid Agency, HM Courts and Tribunals Service or my partner's solicitor may ask.

I have read the **Notice of Fraud** at the end of question **39**.

Signed

Date

Full name (in BLOCK LETTERS)

## Declaration by you

**39**

When you read this declaration, keep in mind that some parts of it may not apply to you because the declaration is designed to cover several types of court case.

**I apply for** the right to representation for the purposes of criminal proceedings under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

**I declare that** this form and any form CRM15 and CRM15C is a true statement of my financial circumstances and those of my partner to the best of my knowledge and belief. I understand that this form must be fully completed before a Representation Order can be issued. I understand that if I tell you anything that is not true on this form or the documents I send with it, or leave anything out:

- I may be prosecuted for fraud. I understand that if I am convicted, I may be sent to prison or pay a fine.
- My legal aid may be stopped and I may be asked to pay back my costs in full to the Legal Aid Agency.
- If my case is in the Crown Court, the Legal Aid Agency may change the amount of the contribution which I must pay.

**Crown Court** I understand that in Crown Court proceedings the information I have given in this form will be used to determine whether I am eligible for legal aid and, if so, whether I am liable to contribute to the costs of my defence under an Income Contribution Order during my case, or if I am convicted, under a Final Contribution Order at the end of my case, or both.

I understand that if I am ordered to pay towards my legal aid under an Income Contribution Order, or if I am convicted and ordered to pay under a Final Contribution Order, but fail to pay as an Order instructs me, interest may be charged or enforcement proceedings may be brought against me, or both.

I understand that I may have to pay the costs of the enforcement proceedings in addition to the payments required under the Contribution Order, and that the enforcement proceedings could result in a charge being placed on my home.

**Evidence** I agree to provide, when asked, further details and evidence of my finances and those of my partner, to the Legal Aid Agency, its agents, or HM Courts & Tribunals Service to help them decide whether an Order should be made and its terms.

**Changes** I agree to tell the Legal Aid Agency or HM Courts & Tribunals Service if my income or capital or those of my partner, change. These changes include the sale of property, change of address, change in employment and change in capital. →

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It is important that you understand that by signing this declaration you agree to the Legal Aid Agency, the courts, or your solicitor, contacting your partner to check the information that you have given in this form, and in forms CRM15 and CRM15C, if you complete them.

**Enquiries**

I authorise such enquiries as are considered necessary to enable the Legal Aid Agency, its agents, HM Courts & Tribunals Service, or my solicitor to find out my income and capital, and those of my partner. This includes my consent for parties such as my bank, building society, the Department for Work and Pensions, the Driver and Vehicle Licensing Agency or HM Revenue and Customs to provide information to assist the Legal Aid Agency, it's agents or HM Courts & Tribunals Service with their enquiries.

I consent to the Legal Aid Agency or my solicitor contacting my partner for information and evidence about my partner's means. This includes circumstances where my partner is unable to sign or complete the form.

I understand that if the information which my partner provides is incorrect, or if my partner refuses to provide information, then: if my case is in the magistrates' court, my legal aid may be withdrawn or, if my case is in the Crown Court, I may be liable to sanctions. I understand that the sanctions may result in me paying towards the cost of my legal aid or, if I already pay, paying more towards the cost of my legal aid, or paying my legal aid costs in full.

**Ending legal aid**

I understand that I must tell my solicitor and write to the court if I no longer want public representation. I understand that if I decline representation I may be liable for costs incurred to the date when my solicitor and the court receive my letter.

**Data sharing**

I agree that, if I am convicted, the information in this form will be used by HMCTS or designated officer to determine the appropriate level of any financial penalty ordered against me, and for its collection and enforcement.

**Notice on fraud**

If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering.

Further details explaining how the information held by fraud prevention agencies may be used can be found in the 'Fair Processing Notice', available on the Legal Aid Agency website at: **www.justice.gov.uk/legal-aid/make-an-application**

Signed

Date

Full name (in BLOCK LETTERS)

If your partner has not signed the declaration at **38**, please explain:

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## Official use

**Interests of Justice test**

*Consider all the available details of all the charges, against the Interests of Justice criteria.*

*Mention issues here which you considered when you decided the application. Include information given orally.*

I have performed the Interests of Justice test for case number:

☐ The application is **passed** ☐ The application is **refused.** My reason(s):

Signed | Name of the appropriate officer | Date

/ /

**Financial eligibility for**

Magistrates' Court ☐ Passed ☐ Refused

Crown Court ☐ Refused: Ineligible

☐ Granted: No income contribution

☐ Granted: Contribution of **£**

Signed | Name of the appropriate officer | Date

/ /

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**IN THE COUNTY COURT AT EDMONTON**

**CASE REF.: E00ED049**

**BETWEEN:**

**LONDON BOROUGH OF ENFIELD**
**(Claimant)**

**and**

**SIMON CORDELL**
**(Defendant)**

**HEARING DATE: 1 MAY 2018 at 10.00 am**

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**WITNESS STATEMENT OF LORRAINE CORDELL**

---

I am Lorraine Cordell and am the mother of the Defendant, Simon Cordell. I make this statement on behalf of Simon, due to his current state of health and what is contained in this statement is drawn from facts known to me and facts alluded to me by Simon and others named within the statement:

1. I am making this statement due to confusion concerning the case number E00ED049.

2. On 9 August 2017, the Claimant was granted an interim injunction order ("the interim order") under case reference D02ED073 against Simon Cordell. The interim order was disputed, due to the fact the Claimant did not comply with the court's directions. The interim order was subsequently discharged and struck out by the court on 17 November 2017.

3. On 9 January 2018, the Claimant attempted to get the interim order reinstated under case reference D02ED073, but this was refused by the judge hearing the attempt to reinstate the interim order. On that same day, the Claimant filed a new application for the issue of the same interim order which had been discharged and struck-out previously and whose reinstatement had been refused earlier in the day. This new application was allocated the case reference E00ED049.

4. The Claimant has stated the interim order of 9 January 2018 was served on Simon on 10 January 2018 and was served on him personally. This is disputed.

5. On 5 February 2018, Simon and I attended the court where a judge voiced concerns as to whether the interim order had, in fact, been served correctly, the fact the Claimant had failed to file an Affidavit of Service with the court and, also, that

the application made by the Claimant and supporting evidence and other documents had not been seen by Simon. This resulted in an order being made that:-

1. The Claimant filed and served an Affidavit of Service by 4pm on 9 February 2018;

2. The Claimant serve on Simon Cordell its application of 5 February 2018, by First Class Post, by 4pm on 9 February 2018;

3. The matter be listed for further consideration of the interim order of 9 January 2018 and the Claimant's application of 5 February 2018 on 30 May 2018 at 2pm with a time estimate of one hour;

4. The Defendant's address for service is 109, Burncroft Avenue, Enfield EN3 7JQ.

6. Simon has received the new application and within the bundle of documents is a Statement of Affidavit of Service, which is disputed as to whether the order was served correctly.

7. Within the statement of Affidavit of Service, which is made by Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB, it is stated, by Andy Philippou:-

"1. That I am over sixteen years of age.

2. That I did on Wednesday 10 January 2018 at approximately 10.20am attend the offices of VLS Solicitors, Gibson House, 800, High Street, Tottenham, London N17 0DH in order to meet with the Defendant's solicitor. That I did at approximately 10.30am meet and personally serve Suzanne Ozdemir (Receptionist) of VLS Solicitors with the following:

An Injunction Order date 9 January 2018 with Notice of Hearing on OS/02no18 at 2pm
A General Form of Judgement or Order dated 9 January 2018
A Power of Arrest dated 9 January 2018
An N244 Application Notice
A Statement of Lemmy Nwabusi dated 8 January 2018, with exhibits
A Court Order
A Statement of Ludmilla Iyavoo dated 3 January 2018, with exhibits

3. That I did on the same date at approximately 11.30am and in the absence of a response from the Defendant's address of 109, Burncroft Avenue, Enfield, Middlesex EN3 7JQ post through the letterbox of 109, Burncroft Avenue, Enfield, Middlesex EN3 7JQ copies of the aforementioned documents in a sealed plastic wallet for the attention of the Defendant.

4. That I did on the same date having had notification from the Claimant's Solicitor of the Defendant's arrest the previous evening

attend at Wood Green Police Station in order to meet and personally serve the Defendant with the aforementioned documents. That I did after having had to wait post interview and having the matter referred to the Duty Sergeant by Officer Tahir Razzaq; meet and serve the above-named defendant with the aforementioned documentation in the presence of five officers in the doorway of holding cell 9.

5. That at the time of service the aforementioned defendant admitted his identity as Simon Cordell, namely, an adult male of mixed race, possibly in his mid 20s, approximately 5'10" tall and slim build.

6. 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 anything which I know to be false or did not believe to be true"

8. As stated, this is a new interim order dated 9 January 2018. The question arises as to why the Claimant has served the order to a solicitor who, in fact, was not dealing with and knew nothing about the Claimant's application and are not, in fact, representing Simon in this new case.

9. It is averred that posting an order through someone's door, knowing it is required, by law, to be personally served on a defendant, does not constitute proper service and that the order has not been correctly or properly served.

10. It is also averred that the police allowing Andy Philippou into the custody suite at the police station where Simon was being held in a cell and then allowing him to attempt to personally serve the order on him whilst he was in police custody was unlawful. Andy Philippou has also stated he has personally served Simon with the documents, listed in Item 7, in the cell and that Simon gave his name.

11. Andy Philippou is mistaken. As Simon stated to the judge at the hearing on 5 February 2018, he would not allow Andy Philippou to serve the documents on him whilst he was in police custody, even though five police officers came into the cell with him. Simon stood by the CCTV camera within the cell with his hands over his ears and started shouting so he could not hear what was being said. Due to Simon doing this, the police officers were forced to close the cell door and ask Andy Philippou to leave the police station. The documents were not served on Simon at the police station on that day which will be confirmed by the CCTV within the cell and the footage has been requested from the police.

12. There is also the fact the police had told Simon they were going to allow Andy Philippou to try and serve the documents on him at the police station. Simon's mother and solicitor were also told this. Simon told the police he would not allow them to let it happen. His solicitor also informed the police Simon would not let it happen. Simon's mother spoke to the officer in charge of the police station at that time and told him that she was of the understanding it was unlawful for the police to allow a process server involved in a civil matter into the police station for the purposes of serving civil process on someone in custody. As such, the police were getting involved in a civil matter over which Simon would have no control as he was classed as a person in custody and the police, effectively, had total control over him. As such, the interim order should only be served on him, personally, at his home

address or place of business or work. The officer in charge said he would talk to the Custody Officer and let her know what he said. When he asked the Custody Officer, he told the officer in charge he was going to allow this. This was passed to myself and Simon's solicitor. We both pointed out the actions of the police in this respect were unlawful and that Simon had the right to refuse service of the documents personally.

13. At this point in time, I have made a Subject Access Request (SAR) to the police for CCTV footage of Simon whilst he was in custody on 9 January 2018 and 10 January 2018. Simon's mother sent the SAR to the police under the ambit of Section 7, Data Protection Act 1998 on 14 February 2018 after Simon received the documents the judge at Edmonton County Court ordered the Claimant to serve by post on 5 February 2018. The police have 40 calendar days from their receipt of the SAR in which to comply with it. The statutory 40-day time-limit expired on 25 March 2018, in time for the hearing listed for 30 May 2018. All emails sent to the police are included with this letter. As of today's date, 30 April 2018, no documents, CCTV footage, etc., requested in the SAR have been received from the police and Simon's mother has been forced to contact the Information Commissioner's Office (ICO) regarding the police's non-compliance and further emails have been sent to the police as a result.

14. Simon disputes the interim order was served on him personally at the police station. The statement of Andy Philippou contains claims which are not borne out by what he says happened. His statement is, at best, unreliable. Its tendering as evidence, by the Claimant, at the hearing is objected to and the court is asked to take note of this and, if the court sees fits, not admit Andy Philippou's statement into evidence.

15. The claims made by the Claimant in the interim order are disputed. Since 2014, Simon has been left in his home with no help from the Claimant, even thought the Claimant is aware Simon is a vulnerable adult, and despite many telephone calls and emails, as well as complaints to the Claimant, by Simon, the Claimant has, apparently, seen fit not to address Simon's concerns and to ignore him, preferring to take notice of his neighbours. Due to vexatious allegations and complaints being made to the Claimant by Simon's neighbours, he has been forced to install CCTV in every room in his home in order that his movements are recorded and which are then available to rebut the vexatious allegations and complaints being made by neighbours. To say Simon's life has been made difficult by his neighbours' actions and the actions and inaction of the Claimant, he is, effectively, a prisoner in his own home and it is apparent he is being used as a scapegoat for everything which goes wrong within the block of flats his home is located within.

16. There are many emails which evidence Simon asked the Claimant for help with regard to the treatment he is being subjected to and, despite inviting the Claimant to attend his home and view the CCTV footage obtained by the system installed in his home, the Claimant has refused to do so and has refused to receive complaints from Simon. Not only this, the Claimant has told Simon to attend their offices to report his concerns to them, but the Claimant is aware of the fact Simon does not cope well when outside and has been told to bring the police with them to view CCTV footage if they are that concerned about Simon's general actions, but the Claimant has no hesitation in attending neighbours' homes at the block of flats when they make complaints or allegations against Simon.

17. It is apparent Simon has made many pleas for help to the Claimant, including telephone calls and emails, before the complaints and allegations started to be made against him. He has, effectively, had to cope with this on his own, despite asking the Claimant for help. However, as soon as a complaint is made by a neighbour, the Claimant acts upon it. There appears to be no logical or lawful reason for this behaviour by the Claimant.

18. Simon has made many calls to the police for which he holds all CAD numbers, begging them for help, only to be told they won't get involved, but as soon as the neighbours put a complaint in, the police are there to arrest Simon. However, when the police are shown CCTV footage which shows them Simon has not left his home and what neighbours have alleged is untrue, they withdraw and say they will “talk to the neighbours”.

19. The abuse to which Simon is being subjected is ongoing and the Claimant will not take details of reports of abuse from Simon or do anything to help him, despite them knowing he is vulnerable. The Claimant has told him he can only have contact with the acting solicitors. Until 20 April 2018, calls were made to myself and Lemmy Nwasbuisi of London Borough of Enfield (“the Claimant”) by the police in an attempt to resolve issues. Police Constable YE310 Anthony (“PC Anthony”) has spent a lot of time speaking to me about the issues involved and what will be included in the statement I am writing for the court. PC Anthony has alluded to me the police have received over 200 calls for help from Simon relating to abuse from neighbours. However, PC Anthony has disclosed that Lemmy Nwabuisi has alluded to him the Claimant is involved in this in order they can justify seeking possession of Simon's home. Not only is it clear the Claimant is taking what can be described as a one-sided view of the matter with many untruths being alluded to them by Simon's neighbours, the Claimant has apparently chosen not to listen to anything Simon or Lorraine has to say. PC Anthony has voiced concerns about this and made no secret of the fact he considers what the Claimant is doing in respect of Simon to be wrong.

20. The abuse by neighbours towards Simon and failure by the Claimant to address this has had a significant and negative impact on Simon's health. So much so, that he has had to ask me to write this statement for the court.

21. It is not certain whether the order dated 9 January 2018 is effective or not. However, when a call was made to the police in the course of the last few days, the police stated they do not believe the order has been served correctly and, consequently, it is not effective, but it will be for the court to decide whether or not the order is effective.

22. On 25 April 2018, Simon received some documents from the court regarding an application for commital proceedings dated 24 April 2018. This is to commit Simon to prison for allegedly breaching the interim order dated 9 January 2018. A hearing is listed for 1 May 2018 at 10am. It is not clear how the Claimant has been able to make this application for commital proceedings when there is a question as to whether the interim order was served correctly, if at all, with a date set for hearing of 30 May 2018 of which the Claimant would be aware.

23. The alleged facts contained in the application by the Claimant for commital, dated 24 April 2018, are disputed. What Mr and Mrs Mathiyalagan have claimed in their

witness statements and the veracity of what they say in those statements is in question as it was they who assaulted Simon with a metal pole, not what they claim in the statements.

24. At this point in time, on 25 April 2018, I have changed the SAR to the police of 14 February 2018 to a request under Section 35, Data Protection Act 1998, requesting full details of the service of the interim order (including CCTV footage of the cell in which Andy Philippou claims he served the interim order and accompanying documents on Simon personally) and full information regarding the assault on Simon has been requested. I have also sent emails to the officer in charge of the case and am awaiting a reply. I refer the court to the emails to the police and emails specifically dealing with the request under Section 35, Data Protection Act 1998.

25. The reason the court has not been contacted sooner regarding the requests for data is that I am awaiting notification as to whether the request in time for the hearing on 30 May 2018 and if the request did not arrive by the beginning of May 2018, to seek an order from the court to require the police to release the requested data to me. The request under Section 35, Data Protection Act 1998 was submitted to the police on 25 April 2018 when I received the documents for the application for commital proceedings dated 24 April 2018. The police have confirmed, by email, they are processing the request.

26. It is averred that the information from the police will confirm the veracity and reliability of what Mr and Mrs Mathiyalagan say in their witness statements is in question and, accordingly, should not be admitted into evidence.

27. I have also asked, in my email to the police officer in charge of the assault case, to make time so the police can study the witness statements Mr and Mrs Mathiyalagan have made in support of the application for commital proceedings, dated 24 April 2018 and laid before the court. It is averred the veracity and reliability of the claims made by Mr and Mrs Mathiyalagan in their witness statements that Simon breached the interim order is in question and, accordingly, no credence or weight should be placed on their claims.

28. It is averred the Claimant's applications for the interim order and commital proceedings are both vexatious and totally without merit. The Claimant has failed to properly investigate and address Simon's concerns, if at all, knowing he is a vulnerable adult and has been informed by Simon of the abuse he is being subjected to by his neighbours on many occasions, but has chosen to accept the unsubstantiated and questionable claims of Simon's neighbours to the exclusion of Simon's right to have his concerns heard and addressed.

29. The conditions of the interim order are draconian by their very nature and any reasonable person in possession of all relevant information would consider them to be not only totally lacking in any logic and fairness whatsoever, but a direct attack on Simon's human rights under the European Convention on Human Rights (ECHR) and the Human Rights Act 1998 (HRA).

30. It is averred Simon's Convention rights have been breached as follows:-

    a. Article 3 – Prohibition of Torture, Inhuman or Degrading Treatment

The fact Simon is, effectively, a prisoner in his own home, due to the fact he is subjected to abuse by neighbours and the Claimant has repeatedly failed to properly investigate and address, if at all, Simon's concerns, given he is a vulnerable adult, it is averred the Claimant's actions in causing this situation to develop through its inaction amounts to degrading treatment;

b. Article 8 – Respect for Family and Private Life

Simon has a right to respect for his privacy, to peaceful enjoyment of his home, to play and take an active part in the community and be able to freely come and go from his home. By effectively making him a prisoner in his own home through its failure to investigate and address the abuse Simon is being subjected to by his neighbours, the Claimant has breached its obligations to respect his Convention right to family and private life;

c. Article 14 – Prohibition of Discrimination

Simon is a single man of mixed race and has a number of health issues which affect his ability to lead a normal everyday life. The Claimant has demonstrated no lawful reason or justification for treating Simon differently from his neighbours when he complains about abuse to which he is subjected, namely, the Claimant ignores his concerns, and acts on what are vexatious complaints against Simon from his neighbours. It is averred the Claimant's behaviour towards Simon in this respect is discriminatory and breaches his Convention rights under Article 14.

31. It should be noted that the Claimant is a public authority for the purposes of the Human Rights Act 1998. Section 6(1) of the Act states:-

> "it is unlawful for a public authority to act in a way which is incompatible with a person's Convention rights."

It is averred the Claimant's behaviour towards Simon is incompatible with his Convention rights under the Articles referred to above.

32. Simon has made no secret of the fact he is fearful of his neighbours making vexatious complaints against him to the Claimant when he ventures out of his flat to place domestic refuse in the bins provided by the Claimant.

33. Simon has been a tenant of the Claimant since 2006, meaning he is a secure tenant, and is entitled to peaceful enjoyment of his tenancy without interference from the Claimant. However, the manner in which the Claimant has treated him indicates the Claimant is breaching its landlord covenants by allowing other tenants to harass Simon, in that they are making vexatious allegations and complaints against him to the police and the Claimant. However, it is Lemmy Nwasbuisi's disclosure to PC Anthony which is of concern and indicates the Claimant is attempting to evict Simon from his home without lawful reason and at all costs without consideration for Simon's legal and statutory rights under Housing Law. Any reasonable person in possession of all relevant information would consider the Claimant's actions in this respect to be unlawful, if not, illegal. Section 1, Protection from Eviction Act 1977, in particular, falls to mind.

34. The situation that currently exists where Simon is concerned is that he is now afraid to come out of his flat in case a neighbour makes a vexatious complaint against him and the police turn up on his doorstep to arrest him, only to leave having viewed CCTV footage showing they have been called out on the basis of what is, effectively, a hoax call.

35. On 15 March 2018, after being assaulted by Mr and Mrs Mathiyalagan, Simon was taken to the police stattion. During an interview at the police station, one of the police officers conducting the interview spoke to me about the interim order and commented the conditions of the interim order are a breach of Simon's human rights. I told them I was aware of this. However, the same police officer then explained to me that under the conditions within the interim order, Simon was effectively prevented from defending himself against physical attack. The police officer expressed they were shocked a court had allowed such conditions to be granted. This was stated, by the police officer, in my presence and hearing and also that of Simon's solicitor and another police officer who was present in the interview room.

36. It is my genuinely-held belief the information requested from the police under the terms of Section 35, Data Protection Act 1998 will confirm the Claimant's application for the interim order and commital to prison are vexatious and totally without merit.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed:..... Date:.....

MR SIMON PAUL CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

jobcentreplus

Department for
Work and Pensions

ESA Merthyr Tydfil Post Handling
Site B Wolverhampton WV99 2FN

www.gov.uk

Telephone: 0800 169 0310 Text
phone: 0800 169 0314
Date: 08/03/2018

If you get in touch with us, tell us
this reference number:
JH653811D

Dear MR SIMON PAUL CORDELL,

Thank you for your request for information.

The details are as follows:-

You were awarded Employment Support Allowance Contributory; Employment Support Allowance Income Related

Claim start date 19/09/17

Claim termination date LIVE CLAIM
At a weekly rate of £125.55

Paid up to:

Any other information: IN SUPPORT GROUP ON ESA

For any further enquiries please contact us on the above number.

Benefit Centre Manager

Part of the Department for Work and Pensions

INVESTOR IN PEOPLE

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 21 June 2018 17:40
**To:** Lorraine Cordell
**Subject:** LBE v Cordell - bundle [SEC=OFFICIAL]
**Attachments:** LBE v Cordell Bundle Part 1.pdf; LBE v Cordell Bundle Part 2.pdf

Classification: OFFICIAL

Dear Ms Cordell,

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

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

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

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**IN THE EDMONTON COUNTY COURT** **CLAIM NO: E00ED049**

**BETWEEN:**

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

**-and-**

**MR.SIMON CORDELL**

**Defendant**

---

**BUNDLE FOR THE HEARING OF 26.06.2018**

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| 18. Application notice dated 11.08.2018 seeking permission to amend the committal application dated 20.04.2018 | 11.05.2018 | 116B-119 |
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ENFIELD Council

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

**Edmonton County Court**

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

Dear Sirs

**Re: The London Borough of Enfield v Cordell**

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

1. Claim form for an injunction (Part 8).
2. Form N16 A
3. Draft Order
4. Witness Statement of Mr 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.

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# Application for Injunction
## (General Form)

| Name of court<br><br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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**

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.



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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

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IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

---

**IMPORTANT PENAL NOTICE**

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

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

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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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

7

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.

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2. I make this Witness Statement in support of the Claimant's application for committal as the Defendant is in breach of the Injunction Order with Power of Arrest made against him In the County Court at Edmonton on 9th August 2017.

3. The Defendant's abusive behaviour towards my family and I stopped for some time after the Claimant obtained the Injunction against him although he continued to make general comments towards us whenever he sees me or my wife entering or leaving the block.

4. On 11th November 2017 between 11:30am and 12pm, my wife was at home when the Defendant came up to our front door, opened the letterbox and peeped through it to see who was inside our flat. He started swearing and shouting abuse and banging on the door as soon as he saw my wife. He then ran down stairs when my wife went to get her mobile phone to record the incident. My wife telephoned the police and reported the incident, CAD No. 3230 of 11/11/17. The police attended about two hours later, went and spoke to the Defendant and came informed my wife that he denied coming to our front door.

5. On 2nd January 2018 at 6:30pm, my wife was inside our flat trying to assemble a cupboard that we bought from Ikea. Our three-year-old daughter and my cousin who was asleep at the time were also in the flat. Suddenly my wife heard someone banging on our front door and she went to the door with her phone and overheard the Defendant shouting that there was noise coming from our flat. My wife told him that she was trying to assemble a cupboard but he called her a liar and accused her of deliberately banging on the floor. The Defendant then stood outside our front door for more than twenty minutes swearing and shouting abuse at my wife.

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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.

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Signed M. Mathiyalagan

Name: Mr Markandu Mathiyalagan

Dated this 05 January 2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

---

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

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

**I WILL SAY AS FOLLOWS**

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

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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

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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

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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

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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

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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.

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**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

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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 LN1

---

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

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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 | 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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>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

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the Claimant as an in-house lawyer and have been so employed since September 2016. I have had the main conduct of this claim.

2. I am making this witness support in support of the Claimant's application notice dated 03rd January 2018, seeking to set aside the orders made by the Court respectively on 13th December 2017 and 02nd January 2017.

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**Backgrounds facts**

3. This matter was allocated to the Claimant's Legal Services department in August 2017, following many complaints received from some of the Claimant's employees and residents living in the same block as the Defendant. The Claimant's anti-social behaviour team instructed our legal services to issue an application for an injunction under the Anti- Social Behaviour, Crime and Policing Act 2014.

4. An ex-parte application was made and the Court made an interim injunction order against the Defendant on 09th August 2017. The matter was re-listed for a return hearing on 21st August 2017 but adjourned to 25th September 2017 where the Defendant attended with his legal representative. The Defendant indicated that it wished to defend the claim and some directions order was made.

5. The parties were ordered to file their directions questionnaire by 23rd October 2017, however this deadline was overlooked by me and the Court made an order on 06th November 2017 asking the Claimant to file a completed directions questionnaire by 4pm on 17th November 2017. A copy of the Order can be found under exhibit LI1.

6. On 17th November 2017 at 11:59, I sent an email to the Court on the following address: enquiries@edmonton.countycourt.gsi.gov.uk, with a copy of the Claimant's directions questionnaire. The Defendant's solicitors were also copied in to this email. A copy of this email is attached in exhibit LI2.

7. Just before filing the directions questionnaire with the Court, I contacted the Defendant's solicitors on 16th November 2017, Mr Emmanuel Onwusiri of VLS Solicitors, with a suggested draft directions order. However he responded by saying that it was not necessary to agree directions in the proposed form. He was therefore fully aware of the fact that I was about to file the Claimant's directions questionnaire. A copy of my email correspondence to Mr Onwusiri can be found in exhibit LI3.

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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.

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

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

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

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**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**

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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 1

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

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## General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

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

Produced by:Ms M Tucker
CJR065C

N24 General Form of Judgment or Order

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 2

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

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**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

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

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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>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

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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 3

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

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## Ludmilla Iyavoo

**From:** emmanuel <emmanuel@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,



42

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.

44

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

45

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBITS LI 5

---

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

46

**Ludmilla Iyavoo**

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

**Categories:** Egress Switch: Unclassified

Dear Emmanuel,

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

Kind regards

Milla

----Original Message----
From: emmanuel [mailto:emmanuel@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



47

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBITS LI 6

---

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

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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



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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 7

---

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

SO

# General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

03 JAN 2018

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

Produced by:Adrian B
CJR065C

N24 General Form of Judgment or Order

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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

27 DEC 2017

Family Law Advanced

SM

Children Law

CONTRACTED WITH LEGAL AID AGENCY

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

Priv. Consel 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<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br><br>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.

55

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

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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 LN3

---

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

57

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

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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

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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*

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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
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

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

SM

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.

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# 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

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 (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 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*

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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 / 2018 Name of Judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

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

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

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

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

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

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

Name of Claimant
THE LONDON BOROUGH OF ENFIELD

Claimant's address
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

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

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

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

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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

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

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.

2. A power of arrest is attached to this new paragraph.

3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.

4. Dispense with personal service of this Order on the Defendant.

5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

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

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

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

IT IS ORDERED

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

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

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

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

Dated

75

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

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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

3. **Background:**

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

4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

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

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

**I WILL SAY AS FOLLOWS**

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

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

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.

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

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

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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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...

Dated this 05th day of February 2018

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.

3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy 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

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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

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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

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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 Nwabulsi 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** [signature]

**on 05th February 2018**

**Before me:**

**Signed** [signature] Ms R Shah.

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,

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.

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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<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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

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

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

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

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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.

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

Produced by:Darren Civil
CJR105

N16 General Form of injunction for interlocutory application or originating application

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**AND IT IS FURTHER ORDERED THAT**

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

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

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

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

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

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

8. Costs in the case.

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

**NOTICE OF FURTHER HEARING.**

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

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

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

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

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N110A

# Power of arrest

| Name of 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.

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

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

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

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

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

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

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

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

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7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.

8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.

9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.

10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.

11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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**Incident 01 March 2018**

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

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

**Incident 26/02/2018**

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

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

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

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

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

**Dated this 20 day of April 2018**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutugin 20 APR 2018 L. [illegible]

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

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

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EXHIBIT MM1

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236963321

London Ambulance Service NHS

# 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

At scene | Visited | Phoned | Do not | Letter

Mental Health Team / CPN / AMHP

Contact details

Name of H.V. / Primary Cater

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**

Buccosa cyanosis | 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 | Air |
| 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

Chest pain | Shortness of breath | Other symptoms / pain | T-LOC | Palpitations | Asymptomatic

**Cannulation**

Line 1 | Line 2

No touch technique | Placed in emergency conditions | Flush

**Fluid and drug administration**

Drug bag under

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| FAR | | | | | | |

Total Controlled Drug amount wasted | Signed | Witnessed

**Airway and Respiratory management**

Maintenance: Postural | Head tilt | Jaw thrust

Clearance: Suction | Manual

Airway adjuncts: OP | NP | ET | SGA

ET successful | SGA successful | NCr successful | NTh successful

**Cardiac arrest, CPR, Defib, & ROSC**

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 | Pre-LAS Defib

LAS CPR | LAS Defib

Time of 1st LAS shock | Number of shocks | Paediatric electrodes used

Return of spontaneous respiration | Return Of Spontaneous Circulation | ROSC sustained to hospital

**Recognition Of Life Extinct**

Heart sounds absent | Apnoeic | Fixed dilated pupils | Asystolic rhythm strip | Confirmed dead at Hospital

Injury = X | Burns = ■ | T 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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

---

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**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 EN3.7.JQ
**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.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.

4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.

5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.

6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.

7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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

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

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

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that 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 2a day of April 2018

M. Rosetty 20 APR 2018

LONDON BOROUGH
OF FINSBURY

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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

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EXHIBIT RM1

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Dr H I Sweden
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1488
Fax No: 0208 527 8111

9th April 2016

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Nelley Road, Walthamstow, E17 7QD → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07961740938

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
27 Claremont Road
London E17 6RJ
Tel 0208 527 1488

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

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

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

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

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

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018.

IT IS ORDERED

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

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

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

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

Dated

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# Notice of Hearing of Application

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

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | 1st Claimant<br>Ref LS/C/L1/155584 |
| MR SIMON CORDELL | 1st Defendant<br>Ref |

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

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

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

**IT IS ORDERED THAT:**

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

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

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

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

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

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

Produced by:S DEMETRIOU
CJR027

N244A Notice of Hearing of Application

~~323~~
116A

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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

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

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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N244

# Application notice

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

| Name of court | 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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | |

| 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 fri~~end)

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 fri~~end)

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

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

London Borough of Enfield
Legal Services
PO BOX 50
Enfield

Postcode E N 1 3 X A

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

| | |
|---|---|
| E-mail address | Ludmilla.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

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

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

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

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

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

---

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

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

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

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

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

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

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

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and [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.

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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.

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**Incident 01 March 2018**

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

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

**Incident 26/02/2018**

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

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

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

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

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

**Dated this 20 day of April 2018**

M. Malyutigen 20 APR 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

L. [illegible]

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

EXHIBIT MM1

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236963321

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

Telephone

Next of Kin

Relationship

Contact details

GP Name

Address

Attended: 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 a 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 | |
| % $O_2$ sats | Air / $O_2$ — Air / $O_2$ |
| 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 (Unequal 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

Airway adjunct: OP, NP, ET, SGA

Clearance: Suction, Manual

ET successful — By — ET size — Time

SGA successful — By — SGA size — Time

NCI — NCI 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 — Ethnicity — 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

Fixed dilated pupils

Confirmed dead at Hospital

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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

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**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

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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

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AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 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.

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

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

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

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

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

**Dated this day of April 2018**

.....

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

---

EXHIBIT RM1

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**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**

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Yours sincerely

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

Dr H I Swedan

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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

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Before District Judge sitting at the Edmonton County Court.

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

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

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

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

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

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

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

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

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

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

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

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

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

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

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

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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

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

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

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

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'LM1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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

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

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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ENFIELD Connected

ENFIELD Council

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

**Edmonton County Court**

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

Dear Sirs

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

Please find enclose the following documents:

1. Application notice (N244) seeking leave from the Court to dispense with personal service of the committal applications dated 05.02.2018, 20.04.2018 and application notice dated 11.05.2018, pursuant to CPR 81.10(5).

2. Witness statement of Mr Nwabuisi and Ms Kaur Geddes dated 10.05.2018

3. Witness statement of attempted service of Mr Andy Philippou, process server.

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

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

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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

www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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

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N244

# Application notice

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

| Name of court | 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 EN1 3XA

| 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.

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

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

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

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

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

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

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

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

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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

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

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'LM1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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

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

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:

a) A Letter from the Claimant Solicitor dated 11 May 2018
b) An Application Notice dated 11 May 2018
c) An Application Notice marked 'Amended Application Notice'
d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
f) An amended Draft Order
g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit

3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope 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

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

11/05/2018

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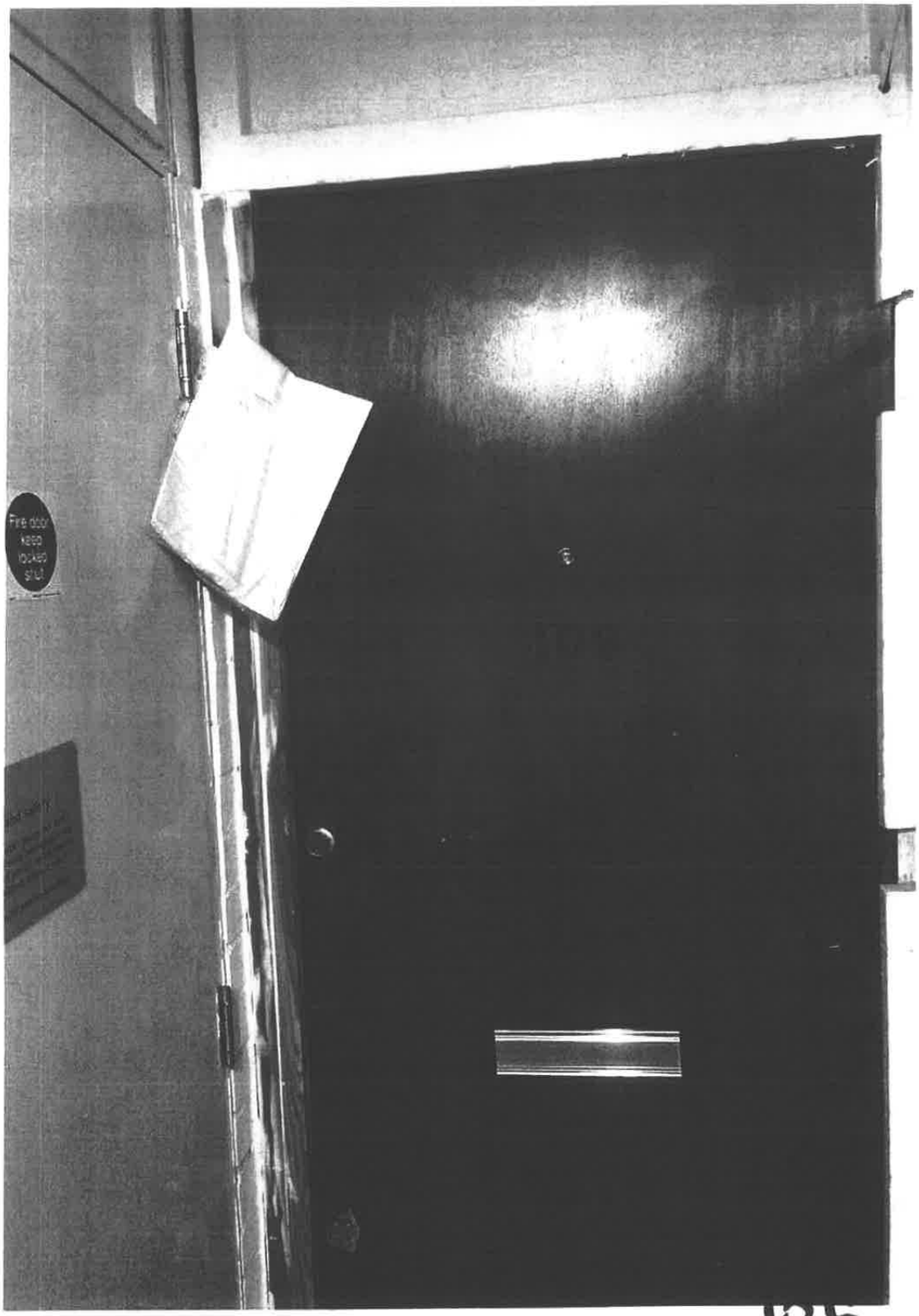


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# General Form of Judgment or Order

| 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 COUNTY COURT

| | |
|---|---|
| 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

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

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

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LBE v Cordell - bundle [SEC=OFFICIAL]->LBE v Cordell Bundle Part 2.pdf

Defendant's conduct we would seek permission to have service of the application dispensed with. .

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

**Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.**

**We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.**

Yours faithfully,

Lumilla Iyavoo
Lawyer
For the Director of Law and Governance

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## General Form of Judgment or Order

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

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **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.

ORDER AMENDED UNDER THE 'SLIP RULE'

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

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

## 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.

ORDER AMENDED UNDER THE 'SLIP RULE'

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

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon ~~Mrs~~ Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

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

Produced by:D. Humphreys
CJR065C

N24 General Form of Judgment or Order

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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 12 June 2018 |

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

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

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.

3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.

4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.

5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.

6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.

8. Costs reserved.

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

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

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

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

Dated 5 June 2018

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ENFIELD Connected

ENFIELD Council

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

E-mail :
Phone : 0208379 6470
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref :
Date : 08 August 2017

The Court Manager
Edmonton County Court

**BY HAND**

Dear Sirs,

**Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL**
**APPLICATION FOR WITHOUT NOTICE INJUNCTION**
**ANTI-SOCIAL AND CRIME AND POLICING ACT 2014**

We write further to the above matter.

We enclose 3 copies of our application for an injunction.

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,

Ludmilla Iyavoo
for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources
and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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Website: www.enfield.gov.uk

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# Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

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

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

SEAL

Defendant(s)
MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim *(see also overleaf)*

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

MR SIMON CORDELL must:

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

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

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

Defendant's name and address

| | £ |
|---|---|
| Court fee | 308.00 |
| Legal representative's costs | TBA |
| Issue date | |

For further details of the courts www.gov.uk/find-court-tribunal.
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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~~) (if signing on behalf of firm or company)
(Legal representative's solicitor)

**delete as appropriate*

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

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

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# Application for Injunction
## (General Form)

| Name of court<br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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 ACT 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. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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

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

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

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

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.


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IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

---

**IMPORTANT PENAL NOTICE**

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

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

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

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WITNESS STATEMENT OF MR JOHN IRVING

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I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

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

**I WILL SAY AS FOLLOWS**

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.

2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

**Background**

3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.

4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.

5. The Defendant lives in Flat 109 and in conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasing agitated by the raised voices and approaches towards Mr Gray. I could

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see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR NEVILLE GRAY

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

**Background**

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.

4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints where made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant's still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.

5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non- existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.

7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.

8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.

9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

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one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....
Name: Mr Neville Gray

Dated this01 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.

4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.

5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

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all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6th August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.

7. On 8th August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.

8. On 27th September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.

9. On 28th September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.

10. On 8th December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

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11. On 11th December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.

12. On 23rd December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23rd December 2016.

13. On 26th December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.

14. On 3rd January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

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15. On 21st January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.

16. On 31st January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.

17. On 5th May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.

18. On 12th May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.

19. On 1st June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

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20. On 9th June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.

21. On 16th June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.

22. On 18th June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.

23. On 23rd June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what

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was happening, the Defendant went back into his flat. We then called the police, they attended and we explained what happened. The police then went and knocked on the Defendant's door but he refused to let them in.

24. On 28th June 2017 at 11:45am, the Defendant confronted my wife outside the main entrance door as she was going to pick up our daughter from school and demanded to talk to her. My wife told him that she cannot stop to speak with him as she was on her way to collect her daughter from school but the Defendant ran after my wife, stood in front of her and started to shout at her. The Defendant told my wife that he knows all our personal details including our full names, date of birth and bank details. The Defendant demanded that we should pay him some money and that my wife should tell me to come and talk to him. The Defendant also accused my wife of making noises inside our flat.

25. On 30th June 2017 at 11:45am, the Defendant confronted my wife as she was leaving the block to go and pick up our daughter from school and accused her of slamming the door. My wife denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

26. On 2nd July 2017 at 5:18pm, my family and I was going out to visit some friends and as we were about to exit the block, the Defendant popped his head out of his front door and asked me when I was going to hand over the money to him. I told him that I was not going to give him any money and that he should go and work so that he could earn some money. As we left the block, the Defendant came running after us and was shouting abuse and swearing at me and said to me that I should pay him some money if I want him to leave me and my family alone. The Defendant also said to me that he has all our personal details including phone numbers, date of birth

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and bank details and that I must pay him to have them back. I told him that I will not pay him and to do whatever he likes with the details.

27. The constant verbal abuse, swearing, intimidation and aggressive behaviour from the Defendant towards my family and I have made it difficult for us to live in our own home. The fear of not knowing when we will be confronted with vile and aggressive behaviour as my wife and I go out or return to our home has caused us severe stress and anxiety. My wife is afraid of leaving our flat on her own due to fear that the Defendant will confront and shout abuse at her. We are having to tip-toe inside our flat for fear of being accused of making noise even though we live two floors above the Defendant. The Defendant has caused us immense hardship by vandalising my property and although I cannot prove it, I am certain that the Defendant was responsible for slashing my car tyres, damaging my meter cupboard and removing my electricity fuse several times and restricting water flow to my flat. Also, I no longer park my car outside my block in Burncroft Avenue because of the car being vandalized. I now park a few streets away, about ten or fifteen minutes from my home instead of outside my block which is about a minute from my flat. I do not see why we should have to live this way.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....M. Mathiyalagan.....

Name: Mr Markandu Mathiyalagan

Dated this 02 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of George Quinton
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR GEORGE QUINTON

I, Mr George Quinton, of 113 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

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

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located the next floor above the Defendant's. I have lived at this property since the 2nd May 2016.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problems that I have encountered with this tenant have been a regular occurrence since the commencement of my tenancy. The Defendant would come to my flat three or four times a week, on occasion this would occur more frequently whereby he would extend this harassment to not only myself but to my visitors also often following them as they would leave the building. He would often play loud music after which he would become very argumentative and bang on my door accusing me and my visitors of maliciously making loud noises to annoy him.

4. The Defendant would often make threats to me and on one particular occasion the Defendant said to me, 'he is on a curfew for 12 days but he would come 'after me' once this is over'.

5. The Defendant had also made accusations claiming that the noises I was allegedly causing had resulted in the sudden death of his child.

6. On another occasion on the 9th October 2016, the Defendant came to my flat banging on the door and when I answered immediately started shouting at me. He then went downstairs and about ten minutes later he approached my moped which was parked outside the building and started smashing it with a wooden stick. The damage that caused was to my vehicle was significant and prevented me from using it for some time and caused me to lose my job through lack of transport which was a requirement of my employment. The damage to the motorcycle was damage to tyres, the side panels, the headlights both front and rear along

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with both the breaks and the mirrors. The matter was reported to the Police who attended and arrested the Defendant. A crime reference number was obtained relating to this incident and I will be happy to provide this at the hearing when I attend. I also have a recording of conversation ~~between the Defendant and I, where he admitted to~~ have caused damages to my moped. The recording will be provided at the hearing.

7. A further incident occurred with the Defendant around January 2017 whereby he came to my front door and started shouting and complaining about noise and that he was being wrongfully accused by the Police and accused myself and other tenants of 'being out to get him'. I asked him to leave but he refused to do this so I then left my flat to stay at my friends as the Defendants behaviour had scared me. When I returned to the property a couple of days later, superglue had been inserted into the front entrance door lock preventing me from gaining access, this also caused the key to break.

8. This was reported to the council and an order was required to gain entry to my property. This was recorded under works order reference number 1814013/1.

9. Due to the erratic and abusive behaviour of this tenant I have been forced to flee my property because I feel scared and uncomfortable and I have not returned since. As a result of this I have also fallen into arrears, I am now facing homelessness.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....G Quinton.....

Name: Mr George Quinton

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Dated this 7th day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 1
4. Exhibit No LN1
5. Dated 7 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to other residents and their visitors on Burncroft Avenue.

3. The Defendant is a secure tenant of the Claimant at 109 Burncroft Avenue, Enfield, Middlesex, EN3 7JQ. His tenancy commenced on 14th August 2006. I hereby attach a bundle of documents relating to this case as exhibit number **LN1**. A copy of the Defendant's tenancy agreement and terms and conditions are hereby attached at pages 1-24.

4. The reports concerning the Defendant's alleged anti-social behaviour towards his neighbours was first brought to my attention in October 2016 when a case involving the Defendant and one of his neighbours was referred to me for investigation. The Defendant was reported to have caused frequent acts of harassment and anti-social behaviour against an elderly neighbour. The Defendant was arrested by the Police and bailed to a different address. The matter was referred to the Highbury Corner Magistrates' Court on 05 October 2016 where a first hearing took place. The Defendant pleaded not guilty and the trial was fixed for 17 November 2016. However, the trial did not proceed due to insufficient support as the elderly tenant was unable to attend Court due to health reasons. A copy of a letter from the Magistrate Court is attached to this statement at pages 25-26.

5. The Defendant was previously known to the Claimant and an anti-social behaviour order was made on 4 August 2015 by the Magistrates Court to prevent him from knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice Order Act 1994. The order was made for a duration of 5 years. A copy of the Order is at page 27 of the exhibit bundle.

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6. On 6th August 2016, the Defendant threatened and shouted abuse at Mr and Mrs Mathiyalagan tenants of 117 Burncroft Avenue. He aggressively demanded money from him and threatened to beat him up. The Defendant also repeatedly swore at Mr Mathiyalagan's wife, called her a 'witch' and tried to stop the Mr Mathiyalagan from going up the stairs to his flat by standing in front of him and blocking his advance by placing his hands on the staircase railings. Mr Mathiyalagan has already provided a witness statement in support these proceedings to confirm that this incident happened. A file note of this report is exhibited at pages 28-30 of the exhibit bundle **LN1**.

7. On 8th August 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his front door, shouted abuse at him and his wife and accused them of making noise. Mr Mathiyalagan reported to us that he believes that the Defendant used a screw driver to damage the lock on his meter cupboard and removed the fuse box thereby cutting off their electricity supply. Mr Mathiyalagan reported this incident to the police and was given reference number CAD 7934/August 2016. A file note of this report is exhibited at pages 28-30 of the exhibit bundle.

8. On 27th September 2016, Mr Mathiyalagan reported that the Defendant confronted him as he returned to his flat with his wife and young daughter and threatened and swore at him and demanded money from him. A file note of the report is on pages 28-30 of the bundle.

9. On 28th September 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his door and threatened and shouted abuse and swear words at him and his wife. The Defendant also aggressively demanded money from Mr Mathiyalagan. A file of the report is at pages 28-30 of the exhibit bundle.

10. On 11th November 2016, my former colleague, Sarah Fletcher interviewed an elderly resident who wished to remain anonymous. He said that the Defendant approached him as he came out of his flat and started to shout abuse, swear at him and threatened to burn down the elderly neighbour's flat. The report

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continued that sometime around mid-September 2016, one of the Defendant's neighbours reported that the Defendant confronted him outside his block as he was going to the local park and started to shout abuse and threats at him and said to him "I can get you over at the park, I know you go for a walk". This incident led to his arrest and to the matter being referred to the Magistrates Court. A file note of the report is exhibited on page 31 of the exhibit bundle **LN1**.

11. I had meetings with Mr George Quinton, one of the Defendant's neighbours on 16th December 2016 and 11th January 2017. He reported that he was experiencing problems with the Defendant's behaviour, and that on 4th October 2016, the Defendant aggressively banged on his ceiling and accused him of making noise. The Defendant then went to the neighbour's flat upstairs and started kicking and banging on the front door and was swearing and shouting at him. The Defendant later went downstairs, dragged the neighbour's motorbike from where it was parked and started to hit it with a piece of wood. A file note of the report is at pages 32-34 of the exhibit bundle.

12. On 22nd November 2016, during a telephone conversation with my former colleague Ms Sarah Fletcher, the Defendant was heard saying to his mother, who was present with him, 'I'm gonna do her over, I'm gonna take her job just for fun' referring to Ms Fletcher. A file note of the incident is at page 34A of the exhibit bundle.

13. I hereby attach a case history detailing incidents of reports from Mr Mathiyalagan about the abuse, threats and persistent intimidation by the Defendant. The case history is at pages 35 to 40 of the exhibit bundle **LN1**. It shows that Mr Mathiyalagan reported incidents too numerous to set out in this statement about abuse, threats, attempts to extort money and intimidation by the Defendant. Examples are that the Defendant banged on his front door while his wife was alone at home with their young daughter and shouted abuse at his wife and asked her to turn off the bathroom taps. He also removed his electricity fuse thereby

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cutting off their power supply. Mr Mathiyalagan reported the incident to the police and was given CAD 5753/23 December 2016. A file note of this incident is at page 37 of the exhibit bundle.

14. Other examples of aggressive and anti-social behaviour reported by Mr Mathiyalagan were that on 21st January 2017, the Defendant aggressively banged on his door, swore and shouted abuse and threats at him and his family and accused them of making noise.

15. On 9th June 2017, the Defendant attacked Mr Mathiyalagan's cousin in the communal hallway as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his mobile phone from him as he tried to record the incident.

16. On 16th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was exiting the main entrance at 11:55am and said to her that he had her bank and personal details. He also reported that the Defendant told his wife that he wanted her and her husband to pay him some money.

17. On 23rd June 2017, the Defendant came out of his flat with his dog and attacked Mr Mathiyalagan's cousin as he returned from work at 11:35pm. He reported that the Defendant punched his cousin twice on the chest, tried to push him out of the block and snatched his mobile phone as he tried to record the incident.

18. On 28th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was leaving the block at 11:45am, swore at her, shouted abuse and accused her of making noise inside her flat. He said to her that he knows all her personal details and that of her husband including their full names, date of birth, phone numbers and bank details. The Defendant demanded that they pay him some money and asked her to tell Mr Mathiyalagan to come and see him.

19. On 2nd July 2017, Mr Mathiyalagan reported that the Defendant confronted him with his dog barking and without a lead as he was going out with his family at

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5:18pm and asked him when he was going to hand over the money. He also reported that as they left the block, the Defendant ran after them swearing and shouting abuse and demanded that he must pay him money if he wants him to leave him alone. The Defendant also said to him that he has all their personal details. A report of the incident is at page 40 of the case history.

20. Case history notes exhibited at pages 41-46 show reports of similar aggressive and intimidating behaviour displayed to Mr Mathiyalagan was being experienced by another tenant who wishes to remain anonymous because of fear of reprisal from the Defendant.

21. Similarly, further case notes exhibited at pages 47-52 show that another tenant who wishes to remain anonymous was being subjected to the Defendant's anti-social behaviour. She had to be moved from the block because of the harassment from the Defendant and because she suffered from mental health problems and was particularly vulnerable and unable to deal with the threats and harassment from the Defendant.

22. On 7th February 2017, the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve low water pressure issues affecting the flat. The Defendant informed the leaseholder that there were problems between him and his tenants but did not give specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in their flat and that they were trying to fix the problem. The Defendant said to the leaseholder, "you will not resolve the problem as I am restricting their water supply". The leaseholder later asked the Defendant to increase the water pressure and the Defendant stated "I cannot do anything at the moment, I will sort it out later". A report of this incident is at page 55 of the exhibit bundle.

23. On 24th February 2017, the Claimants officers Sarah Fletcher and Steve Kirk attended the Defendant's property following reports of low water pressure in the

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flats above his. While inside his flat they noticed that the Defendant have installed a metal security gate inside his front door. It also appeared that the Defendant may have removed the wall between his kitchen and living room thereby creating an open plan living space. A copy of the file note is pages 56-57 of the exhibit bundle.

24. On 8th May 2017, the Claimant's officers, Ms Fletcher, a Neighbourhood officer who has since left the Council and Mr Steve Stirk, a Surveyor visited the Defendant's block of flats following reports of low water pressure to flats 109, 113 and 117 Burncroft Avenue. While the Claimant's officers were outside flat 113, the Defendant came up to them and started to complain about his perceived victimization by his neighbours, the police and the council. While the Defendant was talking to the officers, Mr Mathiyalagan came down the stairs and the Defendant said to him, "I'm going to the police station now with my evidence about you and I'm going to ruin your life". A file note of this report is exhibited at page 58 of the exhibit bundle and an email from Steve Stirk is at page 59.

25. On 14th May 2017, yet another neighbour who wishes to remain anonymous reported that the Defendant aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The neighbour stated that the Defendant later followed her to her car as she was leaving the block shouting abuse and wanting to know where she was going. The neighbour also reported that the Defendant allowed his dog to roam freely in the communal area of the block without a lead. A file note of the report is at page 60 of the exhibit bundle **LN1**.

26. On 28th May 2017, the Defendant was issued with a first instance Harassment letter by the police following allegations of harassment and threatening behaviour made to the police by his neighbour. A copy of the letter and the PC's statement are at pages 61-62 of the exhibit bundle **LN1**.

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27. On 12th July 2017, Mr Neville Gray, the Claimants repairs surveyor attended the Defendant's flat to investigate reports of low water pressure to the flats above the Defendant's flat but the Defendant refused him access. Mr Neville Gray attended the Defendant's flat again at about 5:39pm following reports from the leaseholder of flat 117 Burncroft House that the water supply had stopped completely, but the Defendant also refused him access. The Defendant later shouted abuse and swear words at Mr Gray and would not allow him to approach his car. Mr Gray has provided a witness statement in relation to this incident.

28. The Defendant is in breach of the following conditions of his tenancy agreement;

i. Condition 10 – "You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."
ii. Condition 21 – "You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police".
iii. Condition 31 – "You must take care not to cause damage to your property or the property of your neighbours".
iv. Condition 33 – "You must keep the inside of your property clean and in reasonable decorative order".
v. Condition 34 – "You must not use the property in any way that may cause a health and safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)"
vi. Condition 53 – "You must keep the inside of the property, the fixtures and fittings and glass in the property in good repair during the tenancy"

29. I have corresponded with the Defendant regarding the reports of anti-social behaviour made against him by his neighbours and invited him to meetings with his mother Lorraine Cordell but he declined to attend. Letters were sent to him on 29th November 2016 inviting him for a meeting on 6th December 2016, 31st

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January 2017 inviting him for a meeting on 9th February 2017, 16th February 2017 for a meeting on 22 February 2016 and 16th March 2017 for a meeting on 22nd March 2017. These letters are exhibited at pages 63-70 of the exhibit bundle.

30. I have enquired with the Mental Health Team whether the Defendant is currently known to the team and was informed that he is no longer under their care.

31. The Claimant's operatives have had difficulties in accessing the Defendant's flat to inspect the state of the property and the unauthorised works and modifications which the Defendant is purported to have carried out without a written consent from the Claimant. The Claimant has also been unable to check whether the Defendant is restricting water supply/pressure to the properties above his since December 2016. The Defendant has admitted to restricting the water supply but has refused to allow the Claimant's maintenance operatives access to his property to investigate and rectify the problem.

32. The Defendant has intimidated the residents in the entire block and because of his behaviour, we have received numerous complaints from residents, requests to be transferred from the block and we have had to move a vulnerable tenant from the block.

33. I have made attempts to engage with the Defendant but he has not been cooperative and has continuously displayed abusive and threatening behaviour towards the Claimant's members of staff and his neighbours. A Notice of Seeking Possession has been served on him and possession action is being considered. However, in the meantime, this injunction is required to ensure that the other residents are not subjected to further intimidation and harassment by the Defendant. This application is being made without notice because if the Defendant were given notice, he would intimidate the witnesses in an attempt to prevent the order being made.

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Statement of Truth

I believe the facts in this Witness Statement are true.

Signed .....

Dated this 8th day of August 2017

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1. On behalf of the Claimant:
2. Lemmy Nwabuisi
3. Statement No 1
4. Exhibit: LN1
5. Dated 8th August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendants

EXHIBIT

This is the Exhibit LN1 referred to in the witness statement of Lemmy Nwabuisi dated 8th August 2017.

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# Tenancy agreement

When signed, this document becomes a legal agreement between you, the tenant(s), and the London Borough of Enfield. You should not sign this agreement unless you agree to keep all the conditions written in it. You must ensure that you have read it properly and have asked for further explanation where necessary so that you do fully understand it.

This tenancy agreement is between the London Borough of Enfield and the tenants detailed below:

| tenant | date of birth | family | date of birth |
|---|---|---|---|
| SIMON CORDELL | 26/1/84 | | |

The London Borough of Enfield lets the property detailed below:

address 109 PARKCROFT AVENUE
ENFIELD
EN3 7JR

| | | | | | |
|---|---|---|---|---|---|
| net rent | £ 62.64 | caretaking | £ 2.47 | concierge | £ — |
| water rates | £ 3.76 | grounds maintenance | £ 0.66 | other | £ — |
| heating charge | £ — | cctv | £ — | TOTAL RENT | £ 65.13 |

This is an ~~introductory~~/secure tenancy with effect from Monday 14 (date) Aug (month) 06 (year)

This introductory tenancy will automatically become a secure tenancy on N/A unless we have started proceedings for possession

If you or anyone on your behalf has given false information to enable you to get this tenancy, we will take action to recover possession of the property.

If you break any of the conditions of your tenancy, we can take action to force you to meet the conditions or we can ask the court for permission to evict you.

I/We agree that I/we have had adequate time to read, understand and seek advice on the information and conditions in this document. I was/We were given details of where I/we could get this advice. I/We agree to keep to the conditions of this tenancy agreement.

| | | | |
|---|---|---|---|
| signed | tenant SIMON PAUL CORDELL | date 11/8/06 |
| signed | tenant | date |
| signed | tenant | date |
| signed | VERONICA BENT on behalf of the London Borough of Enfield | date 11/8/06 |

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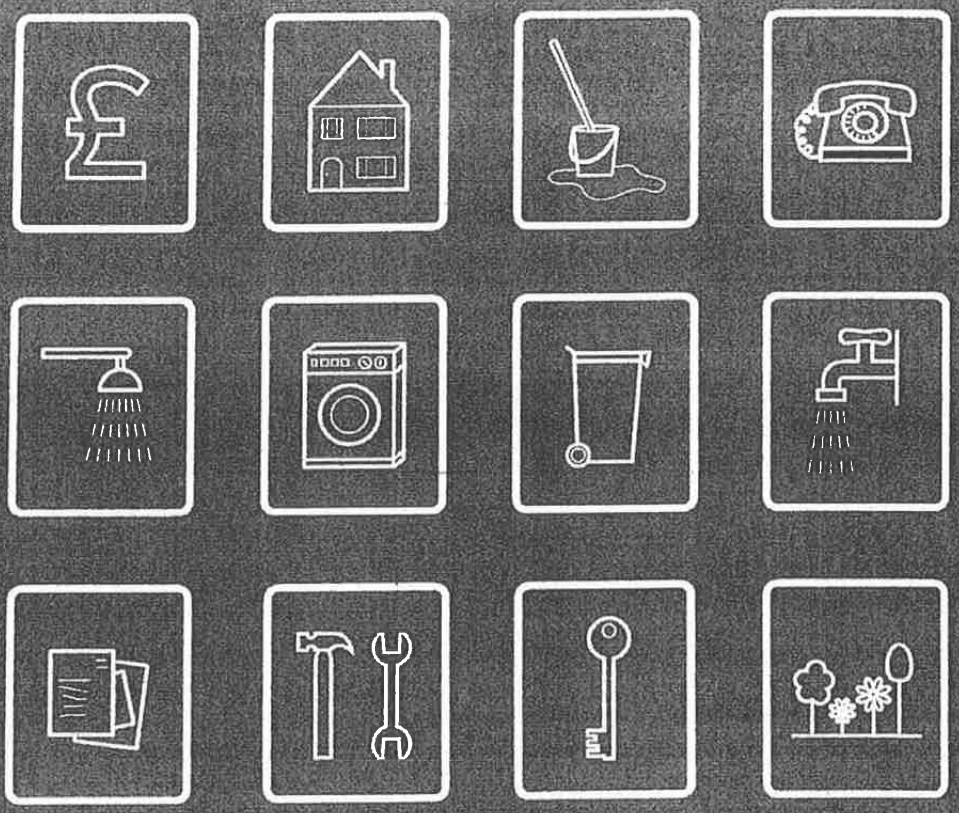
# Tenancy Agreement



www.enfield.gov.uk

ENFIELD Council

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Section 1

# General terms

**This is your Tenancy Agreement. It is a legally binding document which sets out your rights and responsibilities as one of our tenants.**

**It is an important legal document and should be kept in a safe place.**

**Conditions of Tenancy are marked in red text as they are important, and you must comply with them.**

**If you break any of these tenancy conditions we may have to take legal action against you in the courts. This could lead to you losing your home.**

**For further explanation of anything contained in this document, please see the fact sheets on our website.**

**Where 'you' is used in this agreement, it means you, all members of your household and any visitors to your property.**

**Where 'we' or 'us' is used in this agreement it means Enfield Council or any agent acting on its behalf.**

## 1.1 Interpretation

Unless the contrary is stated or implied, the rights and obligations set out in this agreement are intended to replicate the rights and obligations established by statute, for example, the Housing Act 1985, Part IV. The contrary may be implied where, for example, rights and obligations are set out in the contract that either are not addressed by statute or where the statute gives the council discretion.

## 1.2 What this agreement means

By signing the Tenancy Agreement you are entering into a legal contract with us to keep to all the conditions of your tenancy set out in this document.

This agreement is for both introductory and secure tenancies. If your tenancy is an introductory one, you do not have all the rights that you will have when your tenancy is secure. The section below, under the heading 'Introductory tenancies', outlines the rights you do have as an introductory tenant. Whether you are an introductory or a secure tenant, all the conditions will apply.

In this agreement, 'you' always means you, the tenant, or - in the case of joint tenancies - any or all of the joint tenants. Sometimes 'you' will include members of your household and visitors to your home. In this agreement, 'we' or 'us' means the London Borough of Enfield and its agents or representatives.

## 1.3 Personal information and photographs

### Fair Processing Notice

We collect and process personal information to allow us to allocate homes and manage and improve services. This may involve sharing your personal data with other organisations that are contracted to carry out services on our behalf. This includes services provided to you such as repairs but also services delivered to us such as fraud detection provided by credit reference agencies. These organisations are obliged to keep your personal details secure. When we share information, we will draw up an agreement with the organisation that we need to share the information with. This is so that both sides understand why the information is being passed on, and what it can be used for.



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We may pass on certain personal information to other organisations (such as local authorities, the courts or the police) where this is requested or we have a legal requirement to do so such as during a criminal investigation, a court case or to report benefit fraud.

**Condition 1. By signing this agreement you agree that we can use the personal information you give us in accordance with the Data Protection Act 1998 for the purpose of detecting and preventing fraud.**

**Condition 2. By signing the Tenancy Agreement you agree to us taking a photograph of you at the beginning of your tenancy, and in the future, whether at your home or at our offices. This is for the purpose of detecting and preventing fraud. We will keep a copy of your photograph with our records.**

## 1.4 Tenancy verification

**Condition 3. By signing this agreement, you agree to provide us with up to date details of you and your household when requested, such as during a tenancy audit interview, at your home. You will agree to our officers inspecting your home to comply with health and safety requirements. If you refuse to comply with this or any reasonable request, we may take legal action which could lead to eviction and you may also incur court costs.**

## 1.5 Introductory tenancies

All new Enfield tenants will be introductory tenants unless you were already a secure tenant of a local authority or an assured tenant of a registered provider at a previous property.

**An introductory tenancy will last for a trial period of 12 months.** Under the Housing Act 2004, we can extend the introductory tenancy period for a further 6 months if there has been a breach of the tenancy conditions in the probationary period.

If, during your introductory tenancy, you break any of the tenancy conditions, or if you made a false or misleading statement to obtain the tenancy, we may take action to end your tenancy by serving you a Notice of Possession Proceedings.

If you do not break any of the tenancy conditions during this time, you will automatically become a 'secure tenant' after a 12 month period.

**As an introductory tenant, you do NOT have all the rights of a secure tenant.** You do not have the right to:

- buy the property
- exchange the property with another tenant
- vote for a change to a new landlord
- take in lodgers
- sublet all or part of your home
- make any alterations or improvements.

If you break any of the conditions during your introductory tenancy, we may take legal action to end your tenancy.

## 1.6 Secure tenancies

If you are a secure tenant, you have the legal right to live in the property for which you hold the tenancy.

We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. We may take formal action if you break any of the tenancy conditions. We cannot evict you from the property unless we can prove grounds to do so in a court and the court grants an order for possession. As a secure tenant you will enjoy a number of rights not available to introductory tenants.

## 1.7 Sheltered accommodation

Some of our flats are designated as sheltered accommodation. Sheltered accommodation is intended for the over 60s and people with support needs and is considered unsuitable for families with children. If you live in one of these flats, you may be covered by some different local conditions due to the type of accommodation you are occupying.



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## 1.8 Making a complaint

If we fail in any of our responsibilities, you have the right to make a complaint through our complaints system, which has the following stages:

**Stage 0** – if you contact us to report something you are unhappy about and we can resolve the issue simply within 2 working days, we will record your dissatisfaction and handle the matter as Stage 0.

If the matter is unresolved, you may request that a formal Stage 1 complaint is logged.

**Stage 1** – your complaint will be investigated by a senior manager from the team where the alleged service failure occurred. They will respond within 10 working days.

**Stage 2** – your complaint will be reviewed by the Executive Management Team, who will aim to reply within 10 working days

**Stage 3** – The Chief Executive of Enfield Council will arrange for your complaint to be independently reviewed by a senior officer in Enfield Council who does not work for Enfield Homes. They will write to you with a decision within 30 working days of receiving your complaint.

We hope our complaints procedure will help us to sort out, with you, any problems you may have with the way our services are provided, but if you are still not satisfied you have further options:

From 1st April 2013 the Localism Act 2011 provides that the tenants of housing associations, local authorities and ALMOs will be able to ask for their complaints to be considered by a 'designated' person when all stages of their landlord's internal complaints procedure are finished.

A designated person can be an MP, local Councillor or a Tenant Panel. If you want more information on who they are and how you can contact them, please contact us directly on **freephone 0800 40 80 160** or email us at **info@enfieldhomes.org**

When the Housing Ombudsman receives a complaint that has gone through all stages of the landlord's internal complaints procedure, they will always ask if it has then been referred to a designated person and if a tenant is clear that they do not want to make use of that opportunity for local resolution (if it is more than 8 weeks from the end of the landlord's complaints process) the Housing Ombudsman will consider the case.

The Housing Ombudsman Service can be contacted at:

81 Aldwych
London WC2B 4HN

Telephone 0300 111 3000

Fax 020 7831 1942

Email info@housing-ombudsman.org.uk

## 1.9 Taking legal action against the council

If you think we have not met our obligations as stated in this agreement, you have the right to take legal action against us. You must obtain your own independent legal advice.

## 1.10 Serving legal notices on the council

If you wish to serve any Notice on us, you should send it as described in the section 'Ending your tenancy' on page 16.



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Section 2

# Your conditions of tenancy

### 2.1 Rent

We can change your rent and other charges at any time. We have to give you 28 days' written notice of any change in your rent and the change must start on a Monday but we can change your water and other charges at any time.

The notice will specify the revised net rent and other charges. This notice may be left at or posted to your property.

Our usual practice is to increase the rent and other charges no more than once a year in April although this does not preclude a change in rent or other charges at any other time in the year when necessary.

### 2.1.1 Failure to pay

**Condition 4. You must pay your total rent – which includes any charges on the property, for example water rates and service charges for amenities – in full on or before the date the payment is due.**

If you fail to pay your rent and/or charges, the council may take legal action to recover the debt or ask the court to grant us possession of the property. This could lead to you being evicted.

**Condition 5. You must tell us if you are unable to pay your rent in full or on time, and you must make an agreement to pay any rent arrears.**

We will treat your payments as rent due before we credit them to any other charges.

If you owe rent or any other charges for a previous tenancy, we may require you to pay these through your current rent account.

### 2.1.2 Miscellaneous recharges

**Condition 6. You must pay the cost of any items or works which are not our responsibility and for general damage to and misuse of the property. Examples are broken glass due to damage caused by you, a member of your household, or visitors to your household, the replacement of lost keys or fobs or the reinstatement of unauthorised alterations.**

### 2.1.3 Liability of joint tenants

**Condition 7. If you are a joint tenant, you are responsible for all the rent and other charges when they are due.**

In a joint tenancy, each tenant has full responsibility for paying the rent and any other charges due on the property.

If one of you leaves the property without ending the tenancy, or does not pay the rent and the account goes into arrears, each joint tenant will continue to be responsible for the rent and any arrears on the account.

If you have a joint tenancy, the tenancy ends for both joint tenants if you or the other joint tenant serves a valid Notice to Quit on us.

If you serve a Notice to Quit on us, it is valid if it is in writing and served at least 4 weeks before the date of termination. The day of termination must always be a Sunday. This must be signed and dated by you.

**Condition 8. If you or another joint tenant is intending to leave, or has left the property, you must inform us in writing.**

If you are a joint tenant with your partner and your relationship breaks down, we may inform you about where you can get independent legal advice on your rights.



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## 2.2 Conduct and behaviour

**Condition 9. You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere else within Enfield borough.**

### 2.2.1 Anti-social behaviour, nuisance and noise disturbance

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action, we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.**

Examples of this sort of behaviour include but are not limited to:

- playing loud music including noisy parties and congregations
- unreasonable noise caused by inadequate insulation and/or soundproofing of any type of flooring
- noisy DIY at unsocial hours
- loud arguments and/or fighting
- offensive and/or disruptive drunkenness
- dumping rubbish and furniture
- fly tipping
- slamming doors
- allowing your dog(s) to bark persistently and/or cause a mess
- not keeping your pet(s) under control
- playing ball games close to people's homes
- disruptive and/or intimidating loitering
- spraying or writing graffiti
- skateboarding and cycling on footpaths and balconies
- damaging or vandalising any council property
- setting fires
- riding motorbikes, mopeds, quad bikes anywhere other than on the road
- installing or using equipment such as aerials to operate illegal radio broadcasts from your own or any other council property or shared roof
- extensive repairing of cars and/or other motorised vehicles on estate roads or parking areas
- obstructing any shared areas, doorways or exits
- throwing items from balconies or windows
- feeding pigeons, squirrels, foxes, wild birds or any other non-domesticated animal
- jamming communal doors open
- letting people into communal blocks who do not have a right to be there.

If you are suffering abuse or annoyance, you should report the matter to us.

**Condition 11. You must not install any audio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from, without first consulting us.**

**Condition 12. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with written specification of the proposed works prior to installation.**

We would strongly advise that, in flats, you fit carpets. Do not remove existing carpets. You should not install tiling, hardwood or laminate-type flooring because fitting these may increase the way noise travels between floors and through walls. So if it disturbs your neighbours, we may consider it to be a nuisance and a breach of the conditions.

**Condition 13. You must not carry out household tasks using machinery such as a washing machine, tumble dryer, dishwasher or vacuum cleaner between the hours of 10pm – 7am.**



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### 2.2.2 Domestic abuse

**Condition 14. You must not cause any member of your household to leave your home because of domestic abuse. If you do, we will take action against you. This may result in your home being repossessed.**

**Condition 15. If you abuse or mistreat a child or, as a result of any such abuse or mistreatment, a child is endangered or taken into care, we may seek possession of your home and evict you.**

### 2.2.3 Harassment and hate crime

**Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.**

Examples of harassment include:

- using or threatening to use violence towards any person including our staff
- unprovoked physical assaults
- stalking, including cyber stalking
- domestic violence and abuse
- verbal abuse
- threatening or abusive behaviour
- threatening or abusive letters, telephone calls or text messages
- writing threatening, abusive, insulting or hate motivated graffiti
- racist comments and/or abuse
- damage to property or threats to damage property
- making false complaints about someone.
- abusing and/or bullying people through social media such as Facebook, Twitter, Instagram and text messaging.

### 2.2.4 Gang activity

**Condition 17. You must not be involved in gang related activity or violence. This includes using or threatening to use violence, or verbally assaulting other people residing in the locality, so that they leave the property.**

If you or other members of your household who are identified as being involved in, or potentially involved in, gang activity co-operate with us and/or our partner agencies, we will take this into account when considering tenancy enforcement action.

### 2.2.5 Criminal activity

**Condition 18. You must not use the property or locality for criminal, immoral or illegal purposes, such as dealing in illegal drugs or substances or prostitution and/or human trafficking. If you are convicted of such an offence, in your home, locality or anywhere else within Enfield borough, this will be a breach of your tenancy conditions.**

In particular, you must not use your home or any communal area, or anywhere else in Enfield borough, in connection with:

- selling, using, storing, manufacturing or growing of illegal drugs
- storing or handling stolen goods
- keeping illegal or unlicensed guns or weapons within the property with an illegal intent
- dealing in illegal pornography
- theft
- burglary
- criminal damage
- committing an offence during a riot
- cyber crime
- public order offences.



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**Condition 19. You must not use the communal area, any neighbouring areas or any garage or pram shed for any illegal purpose including, but not limited to:**

- **arson or attempted arson**
- **interference with security and safety equipment**
- **wilful damage to shared areas or facilities, including sheds**
- **breaking windows or doors or writing graffiti**
- **using weapons such as guns and/or knives**
- **using pets or dogs as a weapon**
- **using and/or dealing drugs.**

You will be responsible for the cost of renewing any door that has been damaged following any forced entry by the Police and reclaiming the cost from the Police.

**Condition 20. You must not keep any firearm, shot gun, or air rifle in your property without all the necessary certification required by law and without our written permission.**

### 2.2.6 Other unacceptable behaviour

**Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.**

If you fail to keep this tenancy condition, we will support our officers if they refuse to interview you, visit you, or speak to you on the telephone. We may also refuse you entry to our offices and take legal action against you.

## 2.3 Use of premises

**Condition 22. You must live in your property and use it as your only or main home.**

If you are to be away from your home for a continuous period of more than a month, you should inform us. If you do not do so, we may think that the property has been abandoned and take action to recover possession of it. You must tell us how and where you can be contacted in case of an emergency.

If you move out of your property and allow someone else to live there, you will no longer be a secure tenant. We will take action to recover possession of the property by serving a Notice to Quit.

**Condition 23. You must not allow your home to become overcrowded by other people living or staying there. You will not receive priority to transfer to larger accommodation under our Allocations Scheme if you do so.**

**Condition 24. You must notify us in writing, within 14 days, of any change, compared to those listed on your Tenancy Agreement, in the people who are living in your home. The notification must give:**

- **the person's full name, gender and date of birth**
- **the date of the change and**
- **whether s/he moved in or out of your home.**

**Condition 25. You are allowed to take in lodgers but must notify us in writing as required by Condition 24.**

Introductory tenants are not allowed to take in lodgers.

**Condition 26. You must not sublet or give up the whole of your property. If you do this, your secure tenancy may end. You may only sub-let part of your property with our prior written permission.**

**Condition 27. You can only assign your tenancy under certain circumstances which are described on page 19. You must have our written permission to do so.**

**Condition 28. You must not carry on or advertise any trade or business at your premises without our written permission and the necessary legal or planning requirements.**

This Tenancy Agreement only gives you the right to use your property as a private residence. If we give written permission for you to use your property for business purposes, you must still meet any necessary legal or planning requirements for your business use. If your business causes nuisance or annoyance to neighbours or local residents, we can withdraw our permission.



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**Condition 29. It is your responsibility to pay for all gas and electricity used in your property, directly to the appropriate gas and electricity company unless you live in a block where the heating is communal and the landlord charges you directly for this as a service charge.**

## 2.4 Sheltered accommodation

**Condition 30. If you live in sheltered accommodation, you must seek your Sheltered Estate Manager's permission if anyone is moving in with you for more than a few days.**

This should not be a permanent arrangement. However, your Sheltered Estate Manager may inform you of other housing options that may be more suitable for you.

## 2.5 Home contents insurance

Enfield Council is responsible for insuring the building and structure of your home but not the contents.

The council's building insurance does not cover contents insurance for your possessions. **You are responsible for insuring your home contents.** We are not responsible for loss or damage to your belongings including that caused by other residents.

## 2.6 Looking after your home

**Condition 31. You must take care not to cause damage to your property or the property of your neighbours.**

You should have any washing machine or dishwasher, electric or gas cooker, professionally installed. You must not use any of these if you know or suspect them to be faulty. If we send an electrician to check the electrical circuit and s/he finds that your appliance is faulty, we may recharge you the cost of the circuit check.

Refer to our website for advice on how to check if you have a faulty appliance. (See Appendix 3 for website details.)

**Condition 32. You must not neglect your property and let it fall into disrepair. This includes individual gardens as well as shared access pathways and steps in houses. Tenants of flats and maisonettes are expected to report defects to communal areas; for example, defective floor tiles.**

**Condition 33. You must keep the inside of your property clean and in reasonable decorative order.**

**Condition 34. You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).**

You must take reasonable steps to secure your property, for example, lock windows and doors when you go out.

It is your responsibility to decorate your home when it is needed.

**Condition 35. If your property suffers from condensation or damp, you must inform our Customer Services Team and follow any reasonable advice given to you.**

To help prevent condensation, you should:

- wipe dry the insides of windows
- open the windows and close the doors of any room used for hanging wet clothes
- not overcrowd any rooms with furniture or possessions.

## 2.7 Shared areas (communal)

**Condition 36. You must not cause an obstruction in any shared area, including balconies, garage and shed areas. You must co-operate with us to help keep shared areas clean and tidy.**

Everyone living in a block of flats or maisonettes is responsible for cleaning the landing area outside their flat.

Condition 37. You must NOT:

- store or leave any personal belongings such as flower pots, children's buggies, bicycles, boots and shoes in shared areas
- leave your rubbish in shared areas
- use inflatables (or other paddling/swimming pools, trampolines, bouncy castles) in shared areas such as communal gardens without our prior written permission. In deciding whether to grant permission, you will need to demonstrate that you have the necessary public liability insurance cover and that adult supervision will be provided at all times
- install swings and/or slides in communal areas
- use barbeques on balconies or in communal areas
- use a shared walkway/balcony/staircase to hang out washing
- store any items within communal area cupboards, communal loft spaces, intake, water tanks and communication equipment cupboards, other than allocated pram sheds
- adopt for sole use any communal area or land; for example landing, balcony, garden area, shared drying room, communal loft space. This also includes extending any existing individual garden.
- cut down, top, lop, uproot, damage or destroy any tree, shrub, plant or hedge on communal land
- store re-chargeable motorised vehicles without our express consent to do so
- use extension leads to charge/use any appliances on or within communal areas
- throw anything inappropriate down the communal rubbish chute; for example wood, bricks and children's buggies.

We reserve the right to remove any items that are placed in shared areas without permission and dispose of them, as well as repairing any damage arising from misuse of those areas, and recharge the cost to the tenant responsible where known.

Condition 38. You must co-operate fully with any measures we take to protect the security of your home and others' homes and you must keep all shared doors closed (for example: fire doors on landings).

Condition 39. You and/or anyone living with you or visiting you must not interfere with any equipment for detecting or for putting out fires in shared areas.

Condition 40. You must not install a gate leading on to shared footpaths and communal balconies without our prior written permission.

Condition 41. You must not erect any structure on communal land. This includes fencing off communal land.

Condition 42. You must not swap sheds with another resident without getting our prior written permission.

Not all flats are allocated with a shed. We reserve the right to take back the shed if it is swapped without permission or misused.

We will not be responsible for the loss or damage to any items stored in your shed. You will need to cover this on your own home contents insurance.

Condition 43. You must not use any shed for sleeping accommodation.

## 2.8 Improvements and alterations

Condition 44. You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.

Condition 45. You will be responsible for maintaining and/or repairing any alterations or improvements that you have carried out to your home.

Condition 46. You must not make any alterations to any gas appliance or installation in your home (including any gas and electric meter and any other associated pipe work or equipment or lighting installations).



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If you wish work to be carried out on such appliances or installations you must obtain our prior written permission before any work is carried out. Any such work may only be carried out by a suitably qualified Gas Safety Registered contractor. Failure to do so may have fatal results and we will regard it as a serious breach of your tenancy.

**Condition 47. If you carry out any works without our permission and we incur costs for reinstatement works, we will recharge you for the cost of those works.**

## 2.9 Right to Improve (secure tenants only)

There are certain improvements for which you can claim compensation when you notify us that you are going to leave the property. We will be able to give you details of the improvements that qualify and the conditions that must be met under the Right to Improve scheme. **You must seek our written permission before carrying out any works under the Right to Improve scheme.**

**Condition 48. You must obtain written permission from us before you erect, or arrange to have erected, any radio, television aerials, dishes, cameras/videos or any other electronic receiving equipment.**

This is to prevent damage to the external fabric of the building as well as public safety considerations. Permission will not be unreasonably withheld for houses.

**Condition 49. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with a specification of the proposed works prior to installation.**

## 2.10 Repairs and access to your property

**Condition 50. You must not cause damage to any of our fixtures and fittings, in your home or communal areas, deliberately or through misuse or negligence. You must not allow your visitors to do so.**

If you do cause damage, or allow your visitors to do so, you will be responsible for repairing, renewing or replacing the damaged item. If you do not make good the damage caused, we may, carry out the work and charge you for it.

**Condition 51. You must get our written permission before you remove or replace any of OUR fixtures and fittings.**

**Condition 52. You are responsible for repairing and maintaining any fixtures and fittings YOU install.**

We are only responsible for maintaining our fixtures and fittings. If you move, you must remove any fixtures or fittings that you have installed and put the property back the way it was at the start of your tenancy. If you remove your fixtures and fittings and do not replace them to our satisfaction, we will carry out the necessary work and charge you for it.

**Condition 53. You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.**

**Condition 54. You must report promptly any disrepair or defect where we are responsible for putting it right.**

When you sign for your tenancy we will give you information about our website which shows you which repairs are our responsibility and which repairs are your responsibility. It tells you how long repairs will take and gives advice about items in your home that might need repair and what information you should give when you report a repair to us.

**Condition 55. You must carry out any necessary minor repairs to your home.**

**Condition 56. You must not carry out noisy repairs/improvements such as drilling, sanding and loud hammering at the following times:**

**weekdays 6pm – 8am**

**and weekend times as follows:**

**Saturday 5pm – Sunday 9am**

**Sunday 4pm – Monday 8am**



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**Condition 57. You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.**

**Condition 58. You must allow our employees, representatives and contractors into your property to carry out repairs, servicing, inspections, or other works, where we consider it necessary.**

**Condition 59. You must allow our employees, representatives and contractors into your property if we need to carry out work to an adjoining property, and there is no other reasonable means of access (examples of such works are, but not limited to, scaffolding, access to boundary walls, roofing, tree works).**

If we need to carry out any work to your property, we will give you adequate notice of the date and the reason. If you refuse us access, or we are unable to gain access, we will apply to the court for permission to gain entry to carry out the works.

If the court gives us permission, you will be responsible for the court costs and any additional costs that result from us not being able to gain access to your property.

If you live in a flat or maisonette we may need to carry out work or repairs on your block for which we will require access to a number of properties. If we need to come into your property, we will give you adequate notice of the date and the reason. If, on that date, we are unable to gain access to your property, we will force entry under certain circumstances. Those circumstances would be where:

- essential works could not be carried out unless all tenants give access on the date given
- other tenants would be caused extreme inconvenience or distress
- we would have to pay additional costs
- damage is being caused to communal parts; for example, service ducts.

The circumstances would be those that could result in a fire hazard, gas leak or flooding.

Our usual practice is to give at least 24 hours' written notice that we need to access your property. In case of an emergency or when urgent health and safety repairs are required, we may have to enter your property without giving notice and, if necessary, force entry.

If we need to carry out work to the outside of your block, we will ask you to remove objects from your individual balcony. If you refuse to remove them and your refusal means that we are unable to complete the planned work, we will move the objects and may dispose of them.

If we require access to your home and you prevent us from entering, and this causes further damage to your property or to another, we may charge you for any repairs that then become necessary.

You should always ask contractors or workers for official identification before you let them into your property. If they do not have proof of identity, you can refuse to allow them into your home.

## 2.11 Fences

**Condition 60. You are responsible for keeping dividing fences in good repair and not causing any willful damage to fencing.**

We will only repair or replace boundary fences and gates where the fence separates your garden from a public right of way; for example, a road or alleyway. We will not necessarily replace any such fencing in a similar style or material as the previous one.

## 2.12 Temporary vacation of property

**Condition 61. Where we consider it necessary to carry out repairs, improvements or other works which cannot be carried out with you and members of your household living in the property, we will we will try to re-house you temporarily in a suitable alternative property. If you are moved to an alternative property, you must return to the original property once the works have been completed.**

## 2.13 Gas safety

**Condition 62. You must allow our employees or contractors access to your home to carry out a gas safety inspection.**



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Condition 63. You must ensure that you have sufficient credit on the gas and electric meters to enable the checks to be carried out.

We will give you written notice unless it is an emergency. If you do not let us in, we may take legal action to make you let us in or to allow us to force entry to your home. We may recover any reasonable costs from you associated with such action.

## 2.14 Health and safety

Condition 64. You must not do anything in or outside your home that may cause a danger to anyone in your home or in the locality including:

- throwing anything through or out of the windows or your home, balconies or roof or sweeping and/or wash offensive material on to the premises below
- placing anything on a window ledge, balcony or roof that could be a danger to anyone living in or visiting your home or in the locality
- causing a blockage to the drains and pipes, gutters and channels in or about the property by spilling or pouring in shared areas, oil, petrol, cooking oil, fat and oil based paint or other chemical substances or pouring the same down any drains or gullies
- altering the fire rating of your property by removing walls, doors and door closers
- removing external doors and replacing them with doors which do not comply with fire regulations
- propping open any communal fire doors
- storing items inappropriately in a way that may cause a health and safety hazard or encourage vermin and/or pests
- installing metal grilles to windows and external doors which may cause a fire escape hazard
- storing items, waste and personal possessions, which prevent the use of a room or space within the property.

Condition 65. You must provide a safe environment for staff and contractors visiting your home including not smoking in the same room where a member of staff or a contractor is working immediately before and during the visit.

Condition 66. If your property is fitted with a smoke detector, and/or a carbon monoxide alarm, you must keep it in working order by replacing batteries and reporting when there is a defect.

Condition 67. You must not keep or store dangerous, offensive or flammable materials or appliances at your home, or in communal areas, apart from those that may reasonably be needed for general household or medical use.

Condition 68. You must not use portable heaters that burn oil, paraffin, gas or other combustible materials without our written permission.

Condition 69. You must not interfere with the electric or gas supply.

Condition 70. You must not interfere with any equipment for detecting or putting out fires.

Condition 71. You must not use any shed/ pram shed/ garage/outbuilding in a way which causes a hazard, such as by storing flammable material.

Condition 72. You must not leave drug paraphernalia in any area where others might come into contact with them.

Condition 73. You must dispose of any hazardous waste safely and hygienically.

This will include such items as syringes, nappies and sanitary and incontinence pads, batteries and household appliances.

Condition 74. You must not allow children on to balconies, or any other area which could prove dangerous, without responsible adult supervision.

Condition 75. You must not allow anyone into shared areas of the block unless you know that they have a right to be there or allow anyone to follow you through a controlled door without permission.



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## 2.15 Pet(s) and animal(s)

**Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.**

If you live in a flat, maisonette or house with direct access to a private garden, you may be allowed to have more than one pet. You will need our written permission.

If you live in sheltered accommodation, you are required to nominate a friend or relative to take responsibility for your pet if you are taken into hospital or otherwise unable to look after it.

Pets must be kept in appropriate enclosures which are adequate for their needs and from which they cannot escape and with regard to their well-being.

**Condition 77. You must inform us of details of pet(s) (and working dogs for example; guide or hearing dogs) before they are brought into the household.**

**Condition 78. Dogs, other than guide or hearing dogs, are not allowed in play areas.**

**Condition 79. You must always keep your dog(s) on a lead in communal areas and on our land.**

**Condition 80. You must ensure your dog(s) does/do not foul communal areas, estate roads or our land, including play areas. Dog faeces must be disposed of hygienically such as in dog waste bins.**

**Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we will take action and give written notice asking you to remove it/them from your home.**

Condition 82. You must not:

(a) breed any pet or animal at your home

(b) encourage wild animals or wild birds, including pigeons, by feeding them. The feeding of wild birds is permitted providing that the food is contained in a suitable bird feeder.

(c) allow any animal droppings to build up in your garden and/or balcony and you must keep these areas free from pigeon droppings.

## 2.16 Gardens

**Condition 83. You must keep your garden (including any remote garden) well maintained at all times.**

You are responsible for maintaining all parts of your garden; including pathways, grass, sheds, plants, bushes, hedges and trees (including any of these that were present when your tenancy started as well as anything you have installed or planted yourself).

We reserve the right to take back possession of any remote garden which is not maintained.

**Condition 84. You must keep hedges, trees and shrubs at a manageable height. They should not hang over a public right of way, cause an obstruction or a nuisance to neighbouring properties.**

**Condition 85. You must not plant climbing plants for example; ivy, against the building which might damage the fabric of the building. You must also remove self-seeding climbing plants and self-set trees. We reserve the right to recharge for the cost of removal of any such vegetation and any associated structural repairs.**

**Condition 86. You must keep any garden and path clean tidy and free from obstruction. You should not leave rubbish or large items such as unwanted furniture, white goods and mattresses in your garden for an unreasonable period of time. (That is, longer than the council's refuse collection cycle).**

**Condition 87. You must obtain our prior written permission if you wish to plant a tree, cut one down, put up or take down and replace any fence or wall. If you install your own fence or wall, then you will be responsible for its maintenance.**



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**Condition 88. You must not erect a greenhouse, garage, car port, shed, garden pond or summer house at your home without getting our prior written permission. You will be responsible for maintaining any structures that you erect. You will be responsible for obtaining any necessary Planning or Building Control permissions.**

**Condition 89. You must not attach to any part of your property, including to external walls, fences or other structures, any barbed wire, broken glass or other material which is likely to cause personal injury to anyone.**

If we decide that tree management works are required to any tree in your garden, subject to any Tree Preservation Orders, we will advise you of what you must do. If you fail to comply with our request, we will carry out any necessary works and recharge you for the cost.

## 2.17 Vehicles and parking

**Condition 90. You must not park any vehicle that is untaxed or is unroadworthy on any part of your estate or housing land.**

We do not accept liability for any vehicle, fittings/components, or any contents of any vehicle parked on the estate.

We may remove and destroy any illegally parked, abandoned, dangerous or unroadworthy vehicle and charge the owner for our costs. This also applies to any vehicle not displaying a valid tax disc or a valid parking permit where one is needed.

**Condition 91. You must not park caravans, boats, trailers, burger vans, or vehicles used for business purposes on the estate or road next to your house without our written permission.**

**Condition 92. You must park legally and considerately and make sure that you do not cause any obstruction or nuisance or annoyance. This includes obstructing access for emergency vehicles, access to garages, refuse stores and grounds maintenance access points.**

We will not be responsible for damage to your vehicle if we or the emergency services have to remove it.

**Condition 93. You must not carry out repairs, other than minor routine servicing, to your vehicle on the estate or on any roads in the locality.**

**Condition 94. You must not leave a vehicle in a state of disrepair, or any parts of vehicles on the estate or on any roads in the locality.**

**Condition 95. You must not park SORN (Statutory Off Road Notification) vehicles on our land, including blocks/estate land, other than in your own drive/garden (in the case of a house). You can only keep SORN vehicles in your private garden/drive with prior written agreement from us for no longer than 12 months. We reserve the right to remove vehicles after 12 months after giving you 28 days written notice.**

**Condition 96. You must not build a garage, hard-standing or driveway without obtaining our prior written permission. You will also need Planning permission, Building Control approval and /or Highways approval. If you wish to install a dropped kerb, you must contact the Highways Department to obtain the relevant permission.**

**Condition 97. You must not park or permit visitors to park or drive on common grassed areas, verges (hard standing or grassed) or pavements outside or leading to your home. We reserve the right to recharge for costs arising from repair of any damage caused.**

**Condition 98. You must not use any communal land for the purpose of buying or selling vehicles, or repairing vehicles as part of a business enterprise.**

**Condition 99. You must not keep mopeds or motorbikes inside your home, in internal or external sheds, or in indoor communal areas, for example, landings, stairs, entrance and any internal area used by tenants.**

This could put others at risk and any such vehicle found in internal communal areas will be removed.



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## 2.18 Ending your tenancy

**Condition 100. You must give at least 4 weeks' notice in writing if you are going to end your tenancy. If we offer you a transfer, we will set the date for termination. If you do not give proper notice, your tenancy will not end and you will continue to be responsible for the rent, service charges and any other payments due in respect of your tenancy.**

The 4 weeks' notice must end on a Sunday.

If you are unable to give 4 weeks' notice, we may accept surrender of your tenancy earlier unless you are a joint tenant seeking to terminate it without the consent of the other joint tenant(s). As soon as you know you are leaving, you must contact us to discuss what you must do on surrender.

You can give notice to end your tenancy by writing to the address below:

Enfield Council
c/o Enfield Homes
The Edmonton Centre
36-44 South Mall
London N9 0TN

This is the address to which any Notices served on us should be sent.

Whether you or we end the tenancy the following conditions apply:

**Condition 101. You must return all keys, including all main door entry controlled system keys or fobs, for the property to us at the above address by 12 noon on the Monday of the week you leave.**

**Condition 102. You must pay the rent and any other charges up to the date that your tenancy ends.**

If you owe us money when you leave, you must make arrangements to repay the debt. If you do not, or if you make an agreement but do not keep to it, we may refuse to grant you another council tenancy. We will take legal action to recover the debt.

**Condition 103. You must not leave anyone living in your home when your tenancy ends.**

If there are people living in the property when your tenancy has ended, we will take action to evict them and charge you for the cost of the action. We may also charge you use and occupation charges for the property until the person is removed.

**Condition 104. You must leave your property and garden in good repair and clean and tidy, with all fixtures and fittings in the same condition when you move out as they were at the start of the tenancy except for fair wear and tear.**

We will charge you the cost of repairing any damage, installing missing or damaged fixtures and fittings and the cost of any cleaning that is necessary.

**Condition 105. You must remove all rubbish, personal effects, including fitted carpets or other floor coverings and furniture from inside the property and garden, and any of your belongings or rubbish from communal areas. For further details see our website for advice and our Clean and Clear policy.**

**We cannot store tenants' belongings left on the premises after the tenancy has been terminated and the keys have been returned to us because the cost and conditions of insuring against loss and damage would be complicated and unreasonably expensive.**

Therefore, we will get rid of any items that are left at the end of the tenancy and charge you the cost of removal. If we do not know your forwarding address, we will put the debt into an account in your name and pursue the debt.

When you leave your home, it is your responsibility to ensure that we have your forwarding address in writing.

**Condition 106. You may not be granted another council tenancy if you:**

- **are evicted from this council tenancy**
- **abandon this property and do not return the keys**
- **owe rent on this or a previous property**
- **leave this property in a poor condition and fail to pay for repair and replacement.**

If you need advice on ending your tenancy, please discuss this with us.



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Section 3

# Our responsibilities

### 3.1 Repairs and maintenance

We will keep in good repair the structure and outside of your property, including drains, gutters and external pipes. This will not apply if the damage is caused deliberately or through misuse of the property by you, your household or visitors.

We will keep in good repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, heating and hot water. This will not apply if the damage is caused deliberately or through misuse of the installations by you, your household or visitors.

Our responsibility for repairing the internal structure of your property and the above installations only begins when we are told that a repair is needed.

If we are aware of damage that was caused by you which you refuse to repair, if it is dangerous to others, we will carry out the repair. We will charge you the cost of any work that is necessary to remove the danger.

The repairs part of our website will tell you our policy on repairs, and sets out which repairs are our responsibility and which are your responsibility.

We will keep in good repair all communal areas and amenities.

We are responsible for making sure that communal and external areas are in a reasonable condition, even when we are not told that a repair is needed.

We will carry out an annual gas safety inspection and an annual service of our gas appliances.

### 3.2 Right to Repair

We will pay you compensation if certain urgent repairs are not carried out within specified time limits decided by law.

This is the Right to Repair scheme and the details of the repairs that qualify for this, and the time scales, are on our website.

### 3.3 Major Works Improvements

We will seek and consider the views of all affected tenants on any proposed major repair and improvement scheme.

### 3.4 Consultation and information

We will consult you about important changes to the way in which the Housing Service is managed, particularly those relating to your tenancy.

We will provide you with information about our performance, how the Housing Service is paid for and how your money is spent. Performance information is available on our website.

We will make sure that any information about you is held in a way that complies with the Data Protection Acts.

We keep information about you that we need, to provide you with a service. Such information will be confidential and we will use it only for the purpose for which it was obtained, and will keep it as accurate and as up to date as possible. This information is held on computer and manual records, and you have the right; provided certain conditions are met, to see it.

### 3.5 Quiet enjoyment

We will not interfere with your quiet enjoyment of the property as long as you, your household and any visitors to your property, keep to the conditions of this Tenancy Agreement. If we need to gain access to your property in an emergency, we have the right to do so without giving you notice. If we have to force entry, we will make sure that your property is secured before we leave.

We have a legal responsibility to allow you, as long as you pay your rent and keep all other tenancy conditions, to live peaceably and without any interference from us or anyone acting on our behalf.



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If we need to come into your home, we will give you a minimum of 24 hours' notice wherever we can. However, there are situations where we might have to gain immediate access. If in such a situation, we could not gain access, we have the right to force entry into your property.

The situations where we have this right include those where we believe:

- that water or sewage flowing into another property is from your home
- there is a gas leak in your property
- there is an animal in distress in your property
- our assistance is urgently needed in your property.

### 3.6 Conduct and behaviour

We will work with you to keep your estates and locality safe and free from anti-social behaviour and behaviour which causes a nuisance and/or distress to residents.

If a tenant or a member of their household or their visitor behaves towards you in a way that causes you nuisance or annoyance, we will tell you what action you can take against the person who is breaking the conditions and explain what we can do to help you.

Our statement of policies and procedures on tackling anti-social behaviour is available on our website or by request to an officer.

### 3.7 Equality and diversity

We will act fairly in all matters connected with your tenancy and will not unlawfully discriminate against you or disadvantage anyone on the grounds of age, religious belief or faith, disability, ethnicity, gender, gender reassignment or sexual orientation.

### 3.8 Courtesy

Our officers and anyone acting on our behalf will treat you with courtesy and respect.

If any of our officers or representatives fails to do this, you can make a complaint through our complaints system.

### 3.9 Transfers

We will consider any application you make for a transfer to another property in line with our Allocations Scheme.

The offer of a new tenancy within this borough will depend on the urgency of your housing need compared with the needs of other transfer applicants and also on the accommodation available. If you have enough priority to qualify for an offer, you may be eligible to bid for vacant council or housing association homes advertised on our bidding system (see Enfield Council's website at the housing pages at **www.enfield.gov.uk** for more information).

### 3.10 Variation of tenancy conditions

If we want to change or vary any conditions of your tenancy, we will send you a notice:

- telling you that we are going to serve a Notice of Variation
- explaining what the changes are and their effect
- inviting you to comment on the proposed changes within a given time.

We will consider your comments before we decide whether to go ahead with the changes. When we serve the Notice of Variation it will:

- give details of the changes
- say when the changes begin
- be served at least 4 weeks before the date of the change.

### 3.11 Right to succeed

When you die your tenancy will pass to your husband, wife or civil partner or cohabitee of more than 12 months' duration if they were living with you at the time of your death. This is called 'succession'. If you do not have a husband, wife, civil partner or cohabitee of more than 12 months' duration, the tenancy can pass on to a member of your family if they had been living with you continuously for the 12 months before your death. If a joint tenant dies, the tenancy will pass to the other joint tenant and this will count as a succession. The law only allows one right of succession.



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If you are a sheltered housing tenant, your spouse, civil partner or cohabitee of more than 12 months' duration will succeed to the tenancy as long as they were living in the property as their only or main home with you at the time of your death. If you do not have a spouse living with you, the tenancy could pass to a partner or family member as long as they are eligible for sheltered housing and were living with you for at least 12 months before you die. Failing this, we may consider granting a tenancy of another suitable property.

### 3.12 Right to assign

If you are a secure tenant or an introductory tenant, you can under certain circumstances, assign (legally transfer) your tenancy.

If you are a secure tenant or an introductory tenant, the law allows you to assign your tenancy to a person who would have been able to succeed to your tenancy if you had died immediately before assigning it. This means that, if you are a sole tenant, you can assign your tenancy to your spouse, civil partner, or to a family member, including cohabitee, or same-sex partner who has been residing with you for 12 months at the time of assignment. If you are a joint tenant you cannot assign the tenancy to another family member if they are not the other existing joint tenant. Effecting an assignment means that there will no further right to succession upon the death of the tenant to whom the tenancy has been assigned.

If you are a secure tenant, you have the right, provided certain conditions are met, to assign your tenancy by exchanging with one of our tenants or the tenant of another local authority or a housing association.

This right of mutual exchange does not apply to introductory tenants.

The court has the right to assign a secure or introductory tenancy on the breakdown of a marriage or relationship.

If you are a joint tenant and your relationship has broken down and you wish to transfer the tenancy into your sole name, we will ask you to obtain a court order from the County Court.

You must not assign your tenancy unless you have our written permission to assign your tenancy.

If we have begun court action against you for any breach of the Tenancy Agreement, or any other matter such as an injunction, we will refuse your request for a mutual exchange.

### 3.13 Right to Buy

Existing secure tenants will normally have the Right to Buy the freehold or leasehold of your home after they have been a tenant for 5 years.

You cannot buy your property during your introductory tenancy, but your period of introductory tenancy will count towards the 5 years.

If you are a sheltered housing tenant, under the Housing Act 1985, you do not have the right to buy your home.

If you have been guilty of anti-social behaviour, we can apply to court to request an order suspending your right to buy for a period that the court may specify.

You will not have the Right to Buy if we have obtained a suspended Possession Order against you.

### 3.14 Right to manage

This allows tenants' organisations to take over the management of their homes and to run services that we would normally be responsible for such as rent collection and the repairs service. A tenants' organisation is eligible for the right to manage if it can show that it represents the views of all its members and does what they ask of it.

### 3.15 If we end your tenancy

We may terminate your tenancy by leaving at your property, a Notice of Seeking Possession or a Notice to Quit or any Notice required by law.

All notices we leave in connection with your tenancy, including any Notice of Seeking Possession or Notice to Quit or other similar Notice, will be treated as properly served and received by you if left at the tenancy address, addressed to you.



251 20

This means that if we leave a Notice to Quit or a Notice of Seeking Possession addressed to you at your tenancy address, even if you are not living there, the court will recognise this as legal service of the notice.

If we serve a Notice of Seeking Possession on you, or any legal notice, the notice will contain reasons for our actions.

### 3.16 Housing related support

If you are an Enfield sheltered housing tenant, you may receive certain support services from the council, such as a daily visit from your Sheltered Housing Officer, in exchange for an extra charge added to your rent.

### 3.17 Welfare Benefit Reform

Through the Welfare Reform Act, the government has introduced new rules for the receipt of welfare benefits. For further information, and to see if you are affected, please contact us.

### 3.18 Prevention of Social Housing Fraud

The Prevention of Social Housing Fraud Act 2013 has been introduced which makes it a criminal offence to fraudulently sub-let social housing. The offences are punishable by a prison sentence, a large fine and/or an order for the repayment of any profits earned.



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Section 4

# Appendices

**This section does not constitute part of your terms and conditions.**

## Appendix 1
## Explanation of words used in this agreement

**Abandon**
When a tenant leaves their home without surrendering the tenancy, either by notifying us or ending the tenancy formally by serving a notice of termination on us.

**Anti-social behaviour**
Behaviour causing, or likely to cause, nuisance, annoyance, harassment, alarm or distress to anyone.

**Assign**
To transfer the tenancy during the tenant's lifetime.

**Breach**
To break or to fail to keep the conditions of the Tenancy Agreement, such as paying rent.

**Civil partner**
A person of the same-sex with whom you have registered your relationship as a civil partnership as from 5 December 2005.

**Direct access**
This means you have a front, side or back door that leads straight into your private garden.

**Domestic abuse**
Domestic abuse can be in the form of abuse including threatening behaviour, violence or abuse (physical, sexual, financial, psychological and emotional) between people who are, or were in an intimate relationship or close family relationship regardless of gender or sexuality (this includes forced marriages). Domestic abuse can be against anyone of any age and any background.

**Fraud**
When someone gives false or misleading information or takes action in order to get something which they would not otherwise be entitled to; for example, money, welfare benefits or a tenancy.

**Fixtures and fittings**
All appliances and furnishings in a property, including installations for supplying or using gas, electric and water.

**Garden**
The outside space which is let with your dwelling and is for the sole use of you and members of your household.

**Harassment**
To keep doing something to someone which they find annoying or upsetting. Harassment need not necessarily be abusive or violent.

**Insurance**
Liability cover provided by a company to protect goods and belongings in the event of damage.

**Joint tenant**
If more than one person has signed the Tenancy Agreement, then 'you' mean the joint tenants together and individually. Joint tenants have a shared interest in the property for the whole period of the tenancy. You are jointly and individually liable to pay the charges and for all the obligations under the tenancy.

**Locality**
The area in which you live including the estate you live on, the streets and all other areas around your home and the neighbourhood.

**Lodger**
Someone who pays to share your home with you but does not have an exclusive right to any part of it. A lodger would often pay rent that includes a payment for other things such as meals and/or cleaning.

**Members of your household**
Any person living at your property, either permanently or temporarily, even if their permanent address is elsewhere. This includes all members of your family living at the property, any relatives, friends or other lodgers staying with you and any sub-tenants of your property.

**Mutual exchange**
Exchanging your tenancy with another person by mutual agreement when permitted.

**Negligence**
When you fail to do something that it is your responsibility to do.

**Neighbour**
Includes anyone living in the area local to your home, including other tenants, people who own their own homes and local businesses.

**Notice of Seeking Possession**
This is a legal notification served on a secure tenant as the first stage before starting court action.

**Notice of Possession Proceedings**
This is a legal notification served on an introductory tenant as the first stage before starting court action.

**Notice to Quit**
This is a legal notification, usually of 28 days, served on a tenant to formally end the tenancy where security of tenure has been lost. Alternatively, it is also legal notification from a tenant that they will be giving up the tenancy.

**Nuisance**
Something that causes annoyance and/or distress.

**Overcrowding**
This is when a property has too many people occupying it.

**Partner**
Husband or wife or a cohabitee, including same-sex partner, who lives with you in a long-term or stable relationship.

**Permission (or consent)**
Where, in this agreement, it says that you must ask for permission or consent to do something, you must put your request in writing. This can be by letter or email. You must receive written permission from us before doing whatever it is that requires our consent.

**People residing in the locality**
All people living or staying, temporarily or permanently, in any part of the estate or locality in any type of property, whether rented or owned.

**Possession**
This is when the council takes back vacant use of a property by serving notice and taking court action. A Possession Order can be suspended on terms or take effect immediately.

**Property**
The dwelling, garden, yards, sheds and any other space which this Tenancy Agreement makes available for the sole use of you and your household.

**Relative**
Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step-relatives and adopted children. This includes relatives by marriage.

**Remote gardens**
Some flats are allocated with individual gardens which are separated from the main dwelling by things such as footpaths or drying areas.

**Representative**
Someone who is acting on our behalf.

**Shared areas (communal)**
The parts of the building or estate which all tenants and leaseholders can use, for example, halls, landings, foyers, stairways, landings, lifts, bin stores, shared gardens, landscaped areas, car parks and any other area accessible to more than one household.

**Sheltered housing**
Accommodation targeted for people over 60 years of age. However, people under 60 with support needs will also be considered.

**Spouse**
The person you are legally married to, including a registered civil partner.



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**Statutorily**
By means of the written law.

**Statutory Off Road Notification (SORN)**
A notice that declares a vehicle's status to the authorities when it is kept off the road and is on private land. The notice must be applied for from the Driver and Vehicle Licencing Authority (DVLA).

**Sub-let**
Giving another person (lodger who pays you money) the right to live in part of your home with our agreement. You will be in breach of the Tenancy Agreement if you sub-let the whole of your property.

**Succession**
The transfer of a tenancy on the death of a tenant.

**Surrender**
An unwritten agreement between the landlord and the tenant or joint tenant(s) to bring the tenancy to an end. The tenant surrenders by taking steps that can be interpreted as giving up their tenancy, such as emptying their property and giving up their keys.

**Unroadworthy**
This describes a vehicle which is designed to be used on a road but which is either untaxed and/or has, or appears to have a fault or faults which would, to common knowledge, make it unsuitable or unsafe for use on the public highway.

**Unsociable hours**
Late evenings, night time and weekends when people are relaxing or sleeping.

**Visitors**
Anybody who visits you or any member of your household at your property and is allowed by you, or any member of your household, to come into the property.

**Welfare Benefit Reform**
Changes in the way welfare benefits are being assessed and dealt with. These changes are taking place in stages between 2012 and 2014.

**Written permission**
A letter from us allowing you to do something. If the permission includes conditions that must be met, and you do not carry out these conditions, this means the permission is automatically withdrawn as if it had never been given.

## Appendix 2

### Role and responsibilities of officers dealing with your tenancy

Income Officers are responsible for collecting rent.

Tenancy Management Officers are responsible for dealing with tenancy audits, successions, assignments, changes in tenancy and mutual exchange visits.

Anti-Social Behaviour Officers deal with reports of anti-social behaviour, neighbour disputes, hate crime and domestic abuse.

Estate Quality Monitoring Officers deal with any issues maintaining the estate environment, estate parking and communal repairs.

Customer Services Officers are the first point of contact when you telephone or visit us. They raise repairs and will direct your enquiries to the appropriate team.

Community Engagement Officers deal with resident associations and resident involvement.

Communal Services deal with caretaking and grounds maintenance on estates.

The Sheltered Housing Service provides supported accommodation for older residents and people with support needs.

(0208345 1157
Police office Enfield Town)

0208 221 4131
774131

774124
774083

Mr [redacted]
[redacted] Burncroft Avenue
Enfield
EN3 7JQ

Witness Care Unit
Holborn Police Station
10 Lambs Conduit Street
Holborn
London WC1N 3NR

0208 247 7530
10am - 2pm Mon-Fri

7th October 2016

Dear Mr [redacted]

**Case Against Simon Cordell**
**Unique Reference Number 01YE0355816**

I am writing to confirm that you are required to attend court to give your evidence.

At the hearing on 5th October, 2016 at Highbury Corner Magistrates Court, Simon Cordell pleaded "not guilty" to the following offences:

1 Use threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence
2 Criminal damage to property valued under £5000

The defendant is on bail with the following conditions: not to contact you or attend your address and to reside at a designated address known to police. If you witness the defendant breaking these conditions, call 101 or in an emergency, 999 immediately.

A trial has been arranged to take place at HIGHBURY CORNER MAGISTRATES COURT at 13:30 p.m. on 17/11/2016. On arrival, please make your way to WITNESS SERVICE and you wait in their suite which is separate to the public and read through your statement. Please collect a blue claim form to claim any expenses of loss of earnings.

If you do not attend a WITNESS SUMMONS may be issued to enforce your attendance.

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Please confirm if you wish for your contact details to be passed onto the Witness Service. They offer support to victims and witnesses, on the day you attend court and they can arrange for you to visit the court, before the day of the trial, so that you can have a look around. If you would like to visit the court please contact the Witness Service on **0300 332 1000**

Thank you for your assistance as a witness, as giving evidence is very important and your help is greatly appreciated.

Yours sincerely

Thomas Jones
Witness Care Officer

**What you should do now**

- Please call WITNESS CARE to confirm that you will be attending.
- Please attend HIGHBURY CORNER MAGISTRATES court at 13:30 p.m. on 17/11/2016
- For further information about being a witness, visit: http://www.justice.gov.uk/victims-and-witnesses/working-with-victims-witnesses

257 26

Highbury Corner Magistrates' Court
Code 2572
North London Admin Centre
PO BOX 52' 3 Lon n N7 1AF
Telephone 020 7506 310( ax 0870 739 5768

Mr Simon CORDELL
109 Burncroft Avenue
Enfield
Middlesex
EN3 7JQ

Case number: **011402490741**
Born: 26 January 1981

# Anti-social behaviour order on application

## Order

You must not

**a. Attend a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994;**
**b. Be concerned in the organisation of a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994**
**c. Knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice and Public Order Act 1994;**
**d. Enter or remain in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation or Local Authority**
**e. Enter or remain on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and**
**f. Engage in any licensable activity in an unlicensed premises**
**For the sake of clarity, nothing in this order prevents the Defendant from assisting, preparing for or engaging in licensed licensable activities**

This order lasts for **5 years**.

## Warning

If you do not obey any part of this order you will commit an offence and may be fined or sent to prison for up to five years.

Signed DOJ

**J.Vantyghem**

Date: 4 August 2015

***Justices' Clerk***

ENFIELD Council

**ASB Interview Record**

| Name Of Interviewer(s) | Name Of Interviewee(s) |
|---|---|
| Sarah Fletcher | Mr Markandu Mathiyalagan. |
| **Date Of Interview** | **Reason for Interview** |
| 11-11-16 | ASB Complaint. |

| Start Time | End Time | Location |
|---|---|---|
| 10:05am | 11:15am | Green Towers meeting rm. |

**Interview Details**

Resides at 117 Burncroft Avenue - placed by Waltham Forest District Council (temp. accommodation) → has lived there for 2.5 yrs.
Household: Mr + Mrs Mathiyalagan + 7 yr old daughter.

Complaint re: Mr Cordell, 109 Burncroft Avenue
Have been experiencing issues for about 18 months:
Mr Mathiyalagan was approached by Mr Cordell asking him to write a letter of support in relation to a problem he was having with the lady who used to live at 113 Burncroft Avenue. Mr Mathiyalagan told Mr Cordell that he did not wish to get involved as he had no problems with the lady that lived at 113 (this lady moved out earlier this year).
Since then, Mr Cordell has made living in this block difficult for Mr Mathiyalagan's family.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16 SARAH FLETCHER | M. Mathiyalagan 11.11.16 MATHIYALAGAN MARKANDU |

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ENFIELD Council

**Interview Details**

Incidents include:

- Threatening / intimidating behaviour – aggressively demanding money (6-8-16 6pm) (27-9-16 11.45pm) (28-9-16 5.30pm)
- Constantly going on about noise – this is unjustified as family to be quiet / daughter toddling / no carpet / [illegible] → No complaints from 113 (new resident since summer 2016: young man)
- Tyres slashed on car (all 4):
- Living in fear → wife + child (When Mr Mathiyalakan goes to work (Haddesdon), they are frightened to stay at home so accompany him and stay in car)
- Damaged fuse box resulting in no electricity (8-8-16)

⇒ Suspect that Mr Cordell uses drugs / possible mental health issues.

⇒ Has a big dog that he brings out with him when he approaches

⇒ Has put a camera on his door (facing communal dr)

- Physically threatened with a piece of wood.

o Have reported all of the issues to the police

o Have tried to report the problem to Waltham Forest District Council (Jabin, Kehinde, Ibrahim?)

↳ temp. accommodation team:

Tues 16-10-16 Ibrahim | 020 8496 5503 / 5501 / 5502.

Fri 12-8-16 Kehinde

↳ Advised to contact Enfield Council about Mr Cordell.

o Have written to MP.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16<br>SARAH FLETCHER | 11-11-16 [signature]<br>MATAIYALAKAN MARKANDU |

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ENFIELD Council

**Action Plan**

**To be agreed and signed for before the end of the interview**

| Action Point | Actioned By Who? | Target Date |
|---|---|---|
| ◦ Copies of records kept / relevant documentation taken | SF | 11-11-16 |
| ◦ Contact Edmonton Police / Safer neighbourhood team | SF | 18-11-16 |
| ◦ Contact Waltham Forest District Council | SF | 18-11-16 |
| ◦ Incident log sheets provided | SF | 11-11-16 |
| ◦ Incident log sheets to be completed until end of Nov - returned to SF. | MM | 7-12-16 |
| ◦ Advised to contact police 101 or 999 if necessary. | MM | – |
| ◦ Contact neighbours to ascertain whether they are experiencing any issues | SF | 25-11-16 |
| ◦ Mr Cordell to be contacted | SF | 25-11-16 |
| | | |
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| | | |
| | | |
| | | |

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16<br>SARAH FLETCHER | 11-11-16 [signature]<br>MAZAIYA LAUN MARKAN DU. |

261 30

Time Not : 4/11/16

Home visit conducted on Friday 4th Nov 16. And emotional support was provided. At the time [redacted] was having problems remembering the timeline of dates pertaining to incidents. [redacted] said he was quite friendly with Simon Cordell – leading up to current events – and was somewhat perplexed as the sudden change in the attitude of the accused.

[redacted] and alleged other residents felt the problem could have something to do with a resident named [redacted]. [redacted] has since moved – [redacted] made reference to Simon Cordell boasting in having something to do with her departure..

[redacted] was trying to recall events and said it could have been in the month of July, – when Simone Cordell shouted abuse and swore at him and threatened to burn his flat down – Mr [redacted] did not call the housing or police to report the threat. His friend, another resident who did not want his name mentioned, said that it was it was on 6th July. Mr [redacted] could not quite remember when the second incident occurred but said that it was around mid-September. Simon Cordell approached Mr [redacted] outside his flat, when Mr [redacted] was on his way to the fields – and threatened him. A lady called Karen also a resident of Burncroft witness the threat and asked Mr Cordell to the leave the viw alone. With encouragement from other residents – Mr [redacted] called the police a few days after the threat to make a report.

Mr [redacted] said the police a lot of police some with riot gear – entered his flat with officers posted to the front and rear of the building. They managed to coax Mr Cordell out of his flat and arrested him.

The case has since been heard in court and Simone Cordell pleaded not guilty. He has been bailed with conditions – to stay away from Mr [redacted] and also not to enter the Burncroft area.

Mr [redacted] is required to stand witness in court on the 17th Nov 2016. However, Mr [redacted] is feeling quite anxious and feels there may be reprisals to him giving evidence. I asked Mr [redacted] if he would like me to attend the hearing in support he said yes he would not mind. I also visited another resident Christine – to get her account of things.

Action

- Contact the witness service and arrange a pre-court trial visit and other assistance.
- Possibly arrange transportation on the day of the hearing – and for the pre-court trial visit

Any other assistance/support we can provide Mr [redacted] with.

Jean Barton

ASB Victim Support

262 31

# CASE HISTORY

## Case17753 George Quinton
## NEIGHBOUR Active ,Phone call with Victim

### Involved Persons

**CLIENT (VICTIM) George Quinton,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17753 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | 113 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07708934948 |
| **Gender** | Male |
| **DOB** | 21/12/1995 |
| **Age band** | 18-24 |
| **Ethnic origin** | Other |
| **Appearance** | Male,20 yrs old,Other, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed,



263 32

| | |
|---|---|
| **Notes about this person** | intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**05/10/2016 : Threats and intimidation , Date reported : 06/10/2016**

Threats and intimidation (General)
Perpetrator has been harassing complainant for a while in relation to alleged noise nuisance. Yesterday evening the perpetrator was banging on the ceiling (the complainant lives above perpetrator) and then came upstairs and tried to kick the door in. He was very aggressive, shouting through the door. He then went outside, dragged the complainants motorcycle from its parking space and started smashing it up. The police were called and the perpetrator was arrested.

## Referral Details

**06/10/2016 :**

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|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 :**

Social worker for George Quinton (complainant) is Blossom Nation (Triangle Hse) 07947 406 733

**10/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**19/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**08/11/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**21/11/2016 : 21/11/2016 : 28/11/2016 : 29/11/2016 :**

Copy of letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 :**

Letter of complaint received from Mr Cordell's mother, copy attached.

**16/12/2016 : 11/01/2017 :**

I met with Mr Quinton today at the Civic Centre to discuss his complaints against Mr Simon Cordell. Mr Quinton stated that the problems started soon after he moved into the block in April 2016. He

stated that soon after he moved into his flat, he went round to SC's flat to introduce himself. After he introduced himself, SC said to him that there is some kind of war going on between him and other neighbours. SC also told him that he's got a load of issues with the police and that he was trying to sue them because he felt that they were treating him unfairly. He told SC that he was a musician and that he does not want anything to do with his issues.
Straight after he moved in, SC will come up to his flat at least once a week to shout at him and complain about loud banging from his flat and knocking pipes. SC would accuse him of making noise on purpose to wind him up and he will always explain to him that it is not true, that he does not make any banging noises inside his flat and that he cannot explain why the pipes were making knocking noises.
Mr Quinton stated that on 4/10/16, he was sleeping when SC started to bang on his ceiling but he ignored him. SC then came up and started kicking at his door and he still ignored him. SC then went downstairs, dragged Mr Quinton's motorbike from where he parked it, threw it on the ground and started to hit it with what he believed to be a mop pole, he is not sure how many times he hit it. He then called the police and they came and took him away, CAD No. 3309/4 Oct. 2016.
On 11/12/16, SC came up to his flat 3 times to shout abuse and complain about noise from his flat. Mr Quinton explained that the first time, he was running a bath when SC came and knocked on the door to complain about knocking pipes. He did not open the door and he shouted abuse at him and his friends and called them homophobic names. He later came back again to bang on his door and shout further abuse. He also made threatened him and his exact words are 'I'm off curfew in 12 days, when I'm, I am coming for you', he shouted further abuse and walked off. Mr Quinton stated that he is not sure why he came back the second time but he assumed that it was because of the pipes again. He later came back again the third time and this time he opened the door because he has had enough. SC complained about noise from his flat and he told him that he was not making any noise. SC then went on to tell him that he has been away for a long time and that his family was coming to look after his dog. He asked SC if he knew anything about his bike and SC replied 'You know what, I'm a grown man I'm not gonna lie, it was me that smashed your bike and I was gutted that the stick broke and I couldn't smash it up more'. He then asked SC about his tyres which was punctured with a knife and he denied cutting them. He then explained to SC that the knocking pipes has nothing to do with him and that he does not bang or make deliberate noise and he advised SC to play his music over the noise if it happens again as there is nothing he can do about the pipes and the noise as it is the nature of the building. SC said cool, fair enough and walked off and as he walked off, he turned round and gave him a dirty look.
About a week later, 2 of his friends left his flat and a short while later he heard SC running out of the front door. Soon after one of his friends called and told him that they have just had a confrontation with SC in the street. His friend informed him that SC ran up to them in the street and confronted his friend Jazz about the knocking pipe noises from his flat. Jazz told SC that it has nothing to do with him. SC then head-butted Jazz and as Jazz fell on the floor, SC jumped on top of him and started to punch him. His other friend Jevon who was with Jazz at the time pulled SC off Jazz and held him until 2 Turkish men came and separated them.
Mr Quinton stated that the police did not contact him to update him on what action was taken against SC regarding his smashed bike. He stated that he has recording of SC admitting to smashing up his bike and played the recording to me. Although it was very faint but you could make out what sounded like SC talking about smashing the bike. He stated that he wants to sue SC for criminal damage, he also wants to take out a restraining order against him and possibly an injunction.
He stated that his friends Simon Cocks (07393285528), Julian Jackson (07387277163) and Jazz Bramble (07375651241) are willing to provide witness statements and will attend court to give evidence on his behalf. He also wants us to find out why what action the police took regarding his smashed bike.

**08/02/2017 :**

I did an announced visit to Mr Quinton at 113 Burncroft Avenue following recent email from Mrs Cordell concerning noise disturbances from the flat as a result of wooden flooring but there was no response. I then telephoned Mr Quinton and left a voice message for him.

**07/03/2017 : 27/07/2017 :**

I telephoned Mr Quinton for updates on any recent incidents and he stated that there has been none as he has been staying at his flat. He stated that he has been staying with friends and family and only goes back to his flat to check his letters.
He stated that he will give a witness statement and will attend court if required to do so.

Telephone call received from Mr Cordell 22.11.16

I received a call from Simon Cordell of 109 Burncroft Avenue at approx. 1.20pm. The call was transferred by the customer services team informing me that Mr Cordell wished to discuss his housing options/how to move. I took the call – he sounded agitated and said that he had a few things that he wished to discuss with me. He said he was calling in response to a letter that I had sent him requesting the removal of a CCTV camera that he had installed on the inner communal/fire door on the ground floor of the block. He informed me that he would not be removing the camera as he believed he was legally allowed to have the camera as the communal area was his. I explained that he was in breach of his tenancy conditions as permission had not been sought or granted for the installation and he could not install anything in the communal area as this belonged to the Council. He maintained that his neighbour in another block had a camera and had taken the Council to court about it and won the case. I responded that I could not comment about other cases but my position remains as per the letter I sent: That the camera was in breach of tenancy conditions, was invasive to the privacy of other residents in the block as it points at the outer communal door and should be removed by Friday 25th November or the Council will remove it and charge him for the cost of doing so. He then said that the camera was fake so it didn't need to be removed. I responded that it did still need to be removed. His voice was raised throughout the exchange and I had to ask him to calm down and lower his voice more than once. He then said that he wanted to move on to finding out about moving to another address. He proceeded to give me a full history of his experiences with the police and previous housing management and alleged that 'Jackie', who had previously lived above him and 'Stan', his immediate neighbour on the ground floor, had victimised him over a long period of time and that he had done nothing wrong. This history was very full and it was difficult to get a word in because he was so worked up so I let him relay the information to me as it seemed like he wanted to get it off of his chest. He was very derogatory about the police and previous housing staff who had signed a request for an asbo application against him. I told him that I could not comment about previous action taken. He then came on to more recent events and stated that there had been an incident between him and another resident where she had shouted at him out of her window because of him starting up a scrambler bike in his garden. He maintained that he was courteous during the exchange but the police came and arrested him because she told them that he had threatened to kill her and that he had been put in the mental hospital, had won his case in court and was able to go home as of today. He said that he wanted me to give him 'points' so that he could move. I explained that his best means of moving would be through a mutual exchange but he was adamant that he did not want to do this and wanted to be moved in the same way that he moved into this property 11yrs ago by being given points. I explained that a transfer was unlikely based on what he had told me so far but that I could look into the position for him. He said a lot about his perceived victimisation by his neighbours and expressed that he felt that I should I have a duty to protect him. I explained that I had a responsibility to all residents living at Burncroft Avenue and took the opportunity to mention that I had received some reports about anti-social behaviour by him that I would need to discuss with him but suggested that we leave that for today. He then put his mother on the line (she had been trying to interject throughout the conversation) who said she wanted to know why I had not responded to her messages to call her. I apologised for this and explained that I have been very busy but that I needed to know whether we had written permission from Mr Cordell for us to speak to her – she said that there was a written note recorded on our files in 2015. Mr Cordell asked her what I was asking her and when she replied that I was querying permission I clearly heard Mr Cordell say angrily and aggressively "I'm gonna do her over" and then "I'm gonna take her job just for fun". I informed Mrs Cordell that I had overheard these remarks and that I was ending the call. She said that her son had now left the room and she was talking to me. I repeated that I would be ending the call and that she should put what she wanted to say in writing to me.

Sarah Fletcher
Neighbourhood Officer

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# CASE HISTORY

## Case17834 Markandu Mathiyalakan Burncroft Avenue 117 EN3 7j GENERAL Active ,Phone call with Victi

### Involved Persons

**CLIENT (VICTIM) Mr Markandu Mathiyalakan,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17834 |
| **Incidents in which Person is involved** | INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) |
| **Current address** | 117 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07891740939 |
| **Gender** | Male |
| **Ethnic origin** | Unknown |
| **Appearance** | Male,Unknown, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his



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|---|---|
| **Notes about this person** | movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**06/08/2016 : Threats and intimidation , Date reported : 17/10/2016**

Threats and intimidation (General)
Letter received from complainant via MEQ alleging that another resident who is drug addicted has been aggressively demanding money, making threats and exhibiting threatening behaviour towards him/his wife. Complainant requesting action be taken against Waltham Forest District Council and the police. (Complainant is living in a leasehold property - accommodation provided by Waltham Forest?). Perpetrator identified as living on ground floor but door number not specified.

## Referral Details

**17/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**17/10/2016 : Contact Complainant , 17/10/2016 : Contact Complainant ,**

**17/10/2016 : Contact Complainant ,**
We discussed the complaint; confirmed that the perpetrator was Simon Cordell at 109 Burncroft Avenue; confirmed that complainant is housed in temporary accommodation by Waltham Forest District Council and has been trying to report issues to them and police; Issues have been going on for some time and include: intimidating/threatening behaviour, aggressive demands/threats for money, tyres slashed, swearing/name calling etc.

**20/10/2016 :**
Response sent to Members Enquiry - no prior reports received from Complainant - may have been reporting to Waltham Forest District Council? Contact information requested for complainant in order to investigate further.
Contact number subsequently provided.

**26/10/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**01/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**02/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**11/11/2016 : Interview Complainant,**

I interviewed the Complainant. He reported that the issues have been on going for about 18 months (He, his wife and daughter have lived at Burncroft Avenue in temporary accommodation provided by Waltham Forest DC for 2.5yrs). Please see attached notes of interview - The complainant is really frightened for his family - Mr Cordell is very aggressive and has previously kicked him in the nose/face and threatened to hit him with a piece of wood; his wife is so scared that she accompanies him to work and waits in the car with their daughter for his shifts.

**28/11/2016 :**

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 : 06/12/2016 : 07/12/2016 : 08/12/2016 . 12/12/2016**

Mr Mathiyalagan telephoned to report that Simon Cordell aggressively banged on his front door and accused them of making noise. He stated that he also shouted abuse and threats and swore at them.

**22/12/2016 : 10/01/2017 : 13/01/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report incidents that happened over the Christmas and New Year period. Mr Mathiyalagan stated the following,

23/12/16 at about 3.43pm - Mr Cordell banged on his front door while door while his wife was at home alone with their young daughter and shouted abuse at her and asked her to go to the bathroom and turn off the tap. He also removed their electricity fuse thereby cutting off power supply. He stated that the incident was reported to the police, CAD 5753/23 December 2016 and they were advised to contact the council.

26/12/16 at about 12.30pm - Mr Mathiyalagan stated that he and his family was going out and that as they got to the first floor, he saw Mr Cordell running up the stairs towards them with a towel tied round his waist. He stated that Mr Cordell started shouting abuse at them and accused them of tampering with his water supply and stopping the water. He stated that he tried to explain to him that there may be a problem with the water supply to the whole block as they also have the same problem with their water supply but Mr Cordell will not listen and continued to accuse them of tampering with his water supply. He and his wife told him to please go away and leave them alone but he continued to swear and shout abuse at them. They then walked away.

3/1/17 at 10.47pm - Mr Mathiyalagan stated that Mr Cordell followed him and his family up the stairs as they returned from a family outing and was shouting at them about deliberately banging on the pipes and making noise. He also stated that the person sleeping on his sofa was banging on the floor, talked about saving him from getting beaten up by local youths, stated that he caught him and his wife making noise inside their bathroom, called him 'a lying cunt' and asked him to swear on his baby's life that he was not banging.

Mr Mathiyalagan stated that the constant harassment from Mr Cordell is making it difficult for them to continue living at Burncroft Avenue and wanted to know if I can contact Waltham Forest to see if they can rehouse them. I promised to speak to Waltham Forest and explain to them that they are victims of anti-social behaviour and to see if they rehouse them.

**16/01/2017 : 16/01/2017 : 23/01/2017 :**

Mr Mathiyalagan telephoned today to report an incident that happened at 6.21pm on Saturday 21/1/17 when Mr Cordell aggressively banged on his front door, swore and shouted abuse and threats at him and his wife and accused them of making noise. He stated that there was no noise in his flat at the time and that Mr Cordell is just picking on them. He stated that they were fed up of being picked on and wanted to know what the council is doing to stop Mr Cordell from harassing them. I informed him that I will discuss his reports with Mr Cordell and will ask him to stop knocking on his door and to report any noise disturbances to the council to deal with.

**01/02/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today, 1/2/17 to report an incident that incident that occurred yesterday 31/1/17. Mrs Mathiyalagan stated that at about 6.30pm, she was inside her flat with her two and a half year old daughter when Mr Cordell aggressively banged on her front door while she was feeding her baby and shouted abuse and threats at her and accused her of making noise. Mrs Mathiyalagan denied making noise at the time and stated that she does not know why Mr Cordell accused her making noise.

She stated that she is terrified of moving around inside her flat for fear of being accused of making noise. I asked whether she recorded the incident and she said she did not. She also stated that she did not report the incident to the police as it only lasted for a few minutes. I advised her to log any further incident and to call the police if she feels threatened.

**06/02/2017 : 08/02/2017 :**

I visited Mr Mathiyalagan at 117 Burncroft Avenue today to look at the flooring following email from Mrs Cordell concerning noise as a result of wood flooring in the flat. I noticed that there is laminate flooring in the whole flat and ceramic tiles in the kitchen. Mr Mathiyalagan stated that the flooring was already in the flat when they moved in. He stated that they do not make noise deliberately and that any noise from his flat is household noise. He also stated that as far as he is aware that the person living below them have not complained of noise and that he will be the one that will be affected if there is excessive noises from his flat. He also stated that he has asked the man if they are causing noise disturbances and he said they are not. He also requested that Mr Cordell should contact the council if he is being disturbed by noise from his flat instead of harassing him and his family by banging on his front door, shouting abuse at him and his wife, threatening them and confronting them when they come into the block.

I informed him that laminate flooring can generate some noise and to be mindful of his neighbours while walking around inside his flat.

I then went and knocked at flat 113 but there was no response.

**17/02/2017 :**

Telephone call from Mr Cordell regarding the letter sent to him to attend the Civic Centre on 22/2/17 to discuss the on going reports of harassment, verbal abuse and threatening behaviour made against him by his neighbours. File note of the telephone conversation attached.

**21/02/2017 : 21/02/2017 : Contact Complainant ,**

Follow on action from

**20/03/2017 :**

I visited 109 Burncroft Avenue on 17/3/17 to hand deliver to post a letter through Mr Cordell's door and as I got into my car to drive off after posting the letter, Mr Cordell ran after me shouting and screaming abuse. I did not stop to speak to him and he ran after me until I turned left into Green Street. As he was running after my car, he was shouting at people passing by to stop the car.

By the time I returned to the office, Mr Cordell had telephoned me several times. I telephoned him back and he wanted to know whether I was the person that posted a letter through his letterbox and I said yes. He asked why I did not stop when he ran after me and I told him that I had another visit and did not have the time to stop and talk to him. He stated that he will not attend the meeting at the Civic Centre or any of the council and that I should come to his flat. I offered to have the meeting at a neutral venue like the local library or even at his mother's house but he refused and shouted to shout abuse and accuse me of taking sides with his neighbours. He denied doing the things that he is accused of doing and stated that he is the victim and that the council have refused to deal with his complaints against his neighbours. He stated that he has been suffering noise disturbances from his neighbours since he moved into his flat and that the council have refused to deal with it. He alleged that the council is conniving with the police to victimise him and threatened to put in a complaint against me. He continued shouting abuse and will not let me say a word. I then advised him that I will have to terminate the conversation as we were getting no where.

**05/05/2017 :**

Mr Mathiyalagan telephoned me to report that Mr Cordell went to his flat while he was at work and his wife was at home with his cousin and daughter and started to bang on his door and shout abuse and threats. He stated that he was at work and was scared for his wife and daughter. I advised him to call the police.

**08/05/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened this morning as he was leaving the block to go to work. He stated that as he walked down the stairs, he saw Me Cordell talking to 2 council officials and as he walked past, Mr Cordell threatened him by shouting that he was going to ruin his life and that he was going to the police with evidence about him. He stated that he did not respond.

**12/05/2017 :**

Find attached my file notes related to Sarah Fletcher's (Neighbourhood Officer) visits to Burncroft Avenue and encounters with Mr Cordell.

**15/05/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report that Mr Cordell has started to regularly harass them again. They complained that Mr Cordell now comes to bang on their front door and shout and scream abuse and threats every other day. He stated that the latest incident happened at 12pm on 12/5/17 when Simon came and started banging on his door aggressively while his wife was at home with his daughter and cousin and was telling his wife to open the door. He stated that Simon knew that he was at work and that his wife was probably alone at home with his daughter. Mr Mathiyalagan stated that he is scared for his and his family's safety and wants something done urgently to keep them safe from Mr Cordell. They pleaded with me to speak to Waltham Forest to find alternative accommodation for them as it is no longer safe for them to continue living in Burncroft Avenue. I took the contact details of the property manager at Waltham Forest and called and left a message for him to call me back. The details are Mr Osmani, tel. 02084965503 and his manager is Taylor tel. 02084965496, also 02084965502/5506.

**02/06/2017 :**

Mr Mathiyalagan telephoned to report that he was at work yesterday, 1/6/17 when his wife called him to complain that Mr Simon Cordell and two other males came and banged on his front door for about 1 or 2 minutes. He stated that his wife and daughter were alone in the flat at the time and that they were very frightened as a result of the loud banging on his front door. I advised him to call the police if Simon bangs on his door again.

**12/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened late night on Friday 9/6/17 between Mr Cordell and his cousin. Mr Mathiyalagan stated that his cousin returned from work late at night and as he opened the front door, Mr Cordell came out of his flat and confronted him. He stated that as his cousin brought out his phone to record the incident, Mr Cordell snatched from phone from him. A struggle ensued as his cousin tried to get his phone back from Mr Cordell from Mr Cordell and Mr Cordell attacked his cousin, grabbed him round the neck and also injured him on the arm causing his arm to bleed. He stated that his cousin managed to get his phone back from Mr Cordell and came up to his flat and told him what happened. He then called the police and they attended within 10 minutes. They explained what happened to the police and they went to Mr Cordell's flat to speak to him but he refused to let them in. Mr Mathiyalagan also stated that the dog was barking throughout.

**19/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened today at 11.55am as his wife was going to pick their daughter from school. He stated that Simon confronted her outside the communal entrance door and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him. He also stated that another incident happened on Friday 16/6/17 at 11.55am when Simon confronted his wife as was going to pick their daughter from school and accused her of making noise. He stated that Simon also told his wife that he has their bank account and personal details and that she should tell him to pay him money.

**26/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that occurred on Friday 23/6/17. He stated that his cousin returned from work at 11.35pm and as he entered the block, Simon Cordell came out of his flat with his dog swearing and shouting abuse at his cousin and attacked him by punching him twice on the chest. He stated that SC tried to push his cousin out of the block and snatched his cousin's mobile phone as he tried to record the incident but he managed to get the phone back from him. He stated that SC's dog was also barking loudly and was not on a lead. Mr M stated that his wife overheard the commotion and woke him up and as they came down the stairs shouting at his cousin and asking what was going on, SC went back to his flat. They called the police and when the police came, they explained what happened. The police then went and knocked on SC's door to talk to him but he refused to let them in. He stated that his cousin did not provoke SC in any way and did not do anything to cause SC to attack him.

**03/07/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today to report further incidents with Simon Cordell and gave me a DVD recording of another incident. Mr Mathiyalagan stated that on 28/6/17 at 11.45am, Simon confronted his wife at the main entrance door as she was going to pick up their daughter from school and demanded to talk to her. His wife told him that she cannot stop to talk to him as she was on her way to collect her daughter from school but he insisted on talking to her. He stated that Simon ran after her, stood in front of her, accused her of making noise inside their flat and started shouting at her and said to her that he knows all their personal details including their full

names, dates of birth and bank details. He also demanded money and told his wife to tell him to come and talk to him.
He stated that the second incident happened on 30/6/17 at 11.45am when Simon confronted his wife as she was leaving the block and accused her of slamming the door. He then called his a liar when she denied slamming the door and proceeded to shout abuse at her. Mr Mathiyalagan also stated that on 2/7/17, he and his family was going out to visit some friends at about 5.18pm and as they were about to exit the block, Simon popped his head out of his door and asked him when he was going to hand over the money. He told him that he was not going to give him any money and that he should go and work so that he can earn some money. He stated that as they left the block, Simon came running after them shouting and swearing at him and said to him that he should pay him money if he wants him to leave him and his family alone. He stated that Simon also said to him that he has all of their personal details including phone numbers, full names, date of birth and bank details and that he must pay him some money to have them back. He stated that he told Simon that he will not pay him any money and to do whatever he likes with the details. He stated that he does not know how Simon came across their personal details, if he has them. He stated that his wife lost her phone some weeks ago and that it is possible that he may accessed their details from the phone if he has it because his wife stored their personal details on her phone.

**13/07/2017 : 19/07/2017 :**

NOSP served on Mr Cordell today at 4.05pm with Enfield Highway DWOs, copy attached.

**27/07/2017 :**

I telephoned Mr Mathiyalagan for updates on any recent incidents and he stated that there has been none. He also confirmed that he is willing to give a signed witness statement and will attend court to give if required to do so.

**08/08/2017 :**

# CASE HISTORY

**Case17818 [redacted] Burncroft Avenue [redacted] EN3 7JQ**
**GENERAL Active ,Phone call with Victim**

## Involved Persons

**CLIENT (VICTIM)** [redacted]

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17818 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted] Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07870655010 |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell** [redacted]

| | |
|---|---|
| **Relationship to Cases** | [redacted] Client (Accused) in CASE 16[redacted] Client (Accused) in CASE 17753 Client (Accused) in CASE 17818 [redacted] in CASE 17834 Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General) Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General) [redacted] Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] threats [redacted] Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 [redacted] |
| **Ethnic origin** | White/Black Caribbean |
| [redacted] | Home [redacted] eborah Andrews flat. Attendees Dawn Allen TMO and OPN [redacted] Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, |



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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. S[redacted] his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pend[redacted]ter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a le[redacted]ming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

Male,36 yrs old,White/Black Caribbean,

[redacted]

## History

**06/07/2016 : Making threats, Date reported : [redacted]**

Making threats

[redacted]

The defendant using threatening/abusive/insulting words and behaviour with intent to cause fear - provoke unlawful violence [redacted]

**31/10/2016 :**

From: [redacted]
Sent: 31 October 2016 18:09
To: Kaunchita Maudhub
Subject: Contact phone number for [redacted]

Hi Kaunchita,

This is the contact phone number for [redacted]

[redacted]

As stated, [redacted]

If I can be of further assistance, please do not hesitate to call me.

Thanks for your help.

Regards,

John Bates

**03/11/2016 :**

From: Kaunchita Maudhub
Sent: 03 November 2016 10:13
To: Jean Barton
Subject: FW: Contact phone number for M[redacted]

Dear Jean,

We received a phone call from a M[redacted] on behalf of his friend M[redacted]. He explained that Mr [redacted] and having to attend court to give evidence against a male named simon cordell who verbally abused him. We are aware of simon cordell as Steve/Pat obtained an ASBO against him for illegal raves etc. I believe he is also a council tenant (I need to check)

Could you initially contact [redacted] – obtain his address and the reasons he is going to court. Also ascertain what support he needs. It is not an open case as such but depending on your findings we may be able to assist.

Many Thanks

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Regeneration & Environment
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

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

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## Referral Details

**03/11/2016 :**

**Organisation making referral** Community Safety Unit

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## History

**03/11/2016 :**

On request I contacted the viw explained the reason for my call – Mr [redacted] did have some reservations about going to court. Therefore I have arranged to conduct a home visit scheduled for Friday 4th Nov 16 at 2:30 pm then we discuss the matter further.

**03/11/2016 :**

Research conducted on Northgate – shows that Sarah Fletcher is the housing officer. I spoke to Sarah who is aware of issues with Simon Cordell and the action against him – however, she said she needs to gather more information as she has had a member's enquiry from Waltham Forest. As to our viw Mr [redacted] she has not had any complaints or court action. Therefore it is possible that the legal proceeding has been taken by the police.

**04/11/2016 :**

Phone call made to the Witness Service from the victims home – to possible arrange a pre-court trial visit to no avail.

**04/11/2016 : 04/11/2016 : 07/11/2016 :**

From: lee.martinez@wsncc.citizensadvice.org.uk [mailto:lee.martinez@wsncc.citizensadvice.org.uk]
On Behalf Of Contact Centre
Sent: 07 November 2016 16:48
To: Jean Barton
Subject: 01YE0355816

Hi Jean,

Our Outreach manager will be getting in touch with Stanley to see what support they can put in place.

Kind regards,

Lee

National Contact Centre Team



275 43

Witness Service
Citizens Advice
0300 332 1000
contactcentre@citizensadvice.org.uk

**07/11/2016 :**

I spoke to Sabran Witness Service Highbury & Islington court she advised pre-court trial visit are no longer arranged directly by them. I will have to go through Citizens Advice national contact centre. I she gave me a number however, I was getting no response on the number given 0208 733 6422. I also called 101 and was given another number 0208 733 5480 – again a voice recording with no one to take the call. I contacted the call centre again and was given another number with on digit difference to the previous 0208 733 6423 Clair Lockwood. A voice recording again I therefore left a message requesting a call back.

**08/11/2016 :**

I tried calling the Witness Care Unit again at Holborn station to no avail – I then got a call back from police Holborn asking if I had tried to contact them – I was then put through to Thomas Jones Witness Care Officer – from this point the communicative lines was open for progress. Tom also said the oic is DC Campbell attached to Edmonton Police station. And that he will email him to contact the viw to re-assure him.

**08/11/2016 : 08/11/2016 :**

mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 08 November 2016 11:16
To: Jean Barton
Subject: R v CORDELL - WITNESS CARE OFFICERS CONTACT DETAILS

Dear Jean,

As promised.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden.
MetSec Code: Not Protectively Marked
ƒÂ Please consider the environment - Do you really need to print this email?

**14/11/2016 :**

From: Jean Barton [mailto:Jean.Barton@enfield.gov.uk]
Sent: 14 November 2016 11:37
To: Jones Thomas - Met Prosecutions
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Greetings Thomas,

As to our pending court hearing on Thursday for Stanley – have the CPS replied to your email regarding their decision for a taxi?

Regards
Jean

**14/11/2016 :**

From: Jones Thomas - Met Prosecutions
Sent: 14 November 2016 11:48
To: 'Jean Barton'
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Good Morning Jean,

They have acknowledged a taxi is required, although [redacted] have a reminder set for tomorrow and Wednesday to check it has been finalised. I will upd[redacted]ou as soon as CPS contacts Witness Care.

[redacted]

Kind regards,

Thomas.

**15/11/2016 :**

From: Thomas.Jones@met.pnn.police.uk [mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 15 November 2016 11:56
To: Jean Barton
Subject: R v CORDELL - UPADTE from WITNESS CARE

Hello Jean,

CPS has not confirmed the taxi yet. I have a close eye on the case, with a view that we have till tomorrow – 16:00hrs - to obtain this information. As soon as CPS responds I will contact you.

Regards,

Thomas.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden

**16/11/2016 :**

I received a call from Thomas Jones – Witness Care he advised that the CPS have dropped the case of [redacted] v Cordell. Reason – Not enough evidence to provide a realistic prospect of any conviction. In further discussion Thomas said DC Campbell was of ill – has now returned; however, he said he will contact Mr [redacted] in relation to the current position of the matter. I asked Tom if the CPS will be writing to Mr [redacted] directly – he said they should to advise accordingly. Tips given to report further incidents and keep records.

**16/11/2016 : 16/11/2016 : 16/11/2016 :**

Visited [redacted] (flat [redacted] Burncroft Avenue) and [redacted] (flat [redacted]) [redacted] stated that she witnessed the September when Mr Cordell threatened Mr [redacted] She stated that she was with her neighbour [redacted] when they heard Mr Cordell shouting and as they came out to see what was happening, she saw Mr Cordell shouting at Mr [redacted] She alleged that he was shouting abuse and threats and that Karen told him to leave Mr [redacted] alone, that he is an old man. Mr Cordell then started shouting abuse and threats at [redacted] stated that she is not prepared to give a statement and that she will not keep incident logs.
We then met with [redacted] outside the block. She stated that she and [redacted] witnessed the incident that happened in September. She stated that Mr Cordell was shouting abuse and threats at Mr [redacted] and that she told him to leave Mr [redacted] alone as he is an old man and that Mr Cordell then turned against her and started threatening her. She stated that she is not afraid of him when she is on her own, that her only concern is that she is looking after 2 very vulnerable children and she will not be able to defend herself and them if Mr Cordell was to attack her when she is with them. She is happy to make a statement and will log any further incidents.

**17/11/2016 :**

Visited Mr [redacted] and [redacted] to hand deliver incident diaries.

**28/11/2016 :**

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**07/12/2016 : 09/12/2016 : 14/12/2016 : 09/01/2017 : 10/01/2017 : 10/01/2017 :**

Joint home visit conducted with Lemmy. Mr [redacted] said that he has had no further problems from Simone Cordell however, he was aware of altercations between Simone Cordell and other residents in the block. Mr [redacted] said he will still maintain his own logs and call the police and the council if necessary. The camera directly outside of Simone Cordell flat has been removed however, we notice that there was a camera in the communal area pointed toward the staircase – we need to find out who the camera belongs to.

**21/02/2017 : 06/03/2017 : 15/03/2017 :**

[redacted]

# CASE HISTORY

**Case16175 [redacted]**
**GENERAL Active ,Phone call with Perpetrator**

## Involved Persons

**CLIENT (VICTIM) Ms Deborah Andrews,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in ASB Case 16175 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted]ncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | [redacted] |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 [redacted] |
| **Incidents In which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | [redacted] Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to [redacted]s flat. Attendees [redacted] TMO and CPN Bola Quadri Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed,

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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

---

## History

**23/09/2015 :**

Sent: 23 September 2015 15:07
To: Carmel Naessens; Loretta Walsh
Cc: Charles Elkington; Dawn Allen
Subject: Burncroft Avenue, Enfield, EN3 7JQ [SEC=PROTECT]
Importance: High

Classification: PROTECT
New case

VICTIM
Ms
Burncroft Avenue ENFIELD EN3 7JQ
29 / 07 / 1973
02083500628

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Ms also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

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[redacted] also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by Dawn that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her,. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

**23/09/2015 : Contact Complainant ,**
Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by her presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

**23/09/2015 : Update Complainant ,**
Follow on action from Contact Complainant

**23/09/2015 : Letter - sent,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Email - sent,**

Classification: PROTECT
Hi Mark,

On second thoughts, could you contact her on her landline instead and speak to her directly please? Her number is [redacted]

Thank you for your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

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The recent event which took place a week ago: She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by [redacted] that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in [redacted] and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her . Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

Thank you

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

**23/09/2015 :**

INTERVIEW NOTES FOR [redacted]

VICTIM
[redacted]
[redacted] Burncroft Avenue ENFIELD EN3 7JQ
[redacted]

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to M[redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worke[redacted] she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

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Tenancy Management
Enfield Council

Classification: PROTECT
Good morning Mark,

Thank you for the information, yes she suffers from mental health and his behaviour continues to exacerbate her condition. I will appreciate if you visit him sooner than later and also pop round to [redacted] to reassure her.

Thank you for all your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team [redacted]
Tenancy Management
Enfield Council [redacted]

From: Mark.Tilley2@met.pnn.police.uk [mailto:Mark.Tilley2@met.pnn.police.uk]
Sent: 18 September 2015 17:23
To: Dolly Ogunseye
Subject: [redacted] Burncroft Avenue, Enfield, Middlesex, EN3 7JQ [redacted] [SEC=PROTECT]

Hi Dolly,

Myself and Nick attended [redacted] a while ago and spoke to the [redacted] a while ago when she originally called Police. At the time she didn't want us to speak to her neighbour as things had got better. The lady handed us a letter about what had happened but none of it made any sense.

We believe she was suffering from mental health issues. On another occasion we popped round to see her and she wouldn't come and speak to us so instead she spoke through her letterbox to us. The male at 109 - Simon Cordell who is causing the problems is very well known to Police and is also very anti Police. I know some Officers went round and spoke to him and things seemed to get better. After that we have had no further calls from the lady a[redacted]

We will try and get round to see her when were back on duty on Monday.

Kind Regards

Classification: PROTECT
Good afternoon Mark,

Could you kindly assist with this query please. Following reports of ASB by the above tenant, my colleague and I visited her this morning and were alarmed by the nature of her complaints. She has in the past few months being constantly harassed, intimidated, bullied, stalked and threatened to kill by her neighbour at 109.

As a result of his behaviour, she has become too scared to leave her flat for fear of what may happen to her. She is a vulnerable tenant who requires support from services. However, the unsettling behaviour exhibited by number 109, has hindered her from attending her appointments and exacerbated her condition. At the moment, she feels very disorientated / agitated and will like the harassment to stop.

She advised that she had reported this to the police a few times but, wasn't taken seriously. [redacted]

I will appreciate if you could stop over at [redacted] to reassure her that the matter is being dealt with and also to stop by 109 and advise him that you are aware of what is going on and the repercussions should it continue.

Thank you for your support and assistance

Dolly Ogunseye
Anti-Social Behaviour Officer

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Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

## Referral Details

**23/09/2015 :**

**[redacted]rganisation making referral** Housing Anti-Social Behaviour Response Team

## History

**23/09/2015 : Threats and intimidation , Date reported : 23/09/2015**

Threats and intimidation (General)
Home visit to [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to [redacted] ments pending the time this matter is resolved. [redacted]

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed [redacted] she had a leak from her overf[redacted] a few months ago which has since been repaired but, the damage alleged had occurred.

**23/09/2015 : Agree an Action Plan with the Complainant,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Action Plan to Complainant ,** [redacted]
Follow on action from Agree an Action Plan with the

**23/09/2015 : Contact Perpetrator ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : Action Plan Reviewed ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : 23/09/2015 : 24/09/2015 : Email - sent,**
RE Re SOVA Alert - D.A - 1009639

Classification: PROTECT
Dear Susan,

Thank you for your email. Please note that as from Monday 28th September 2015, all high level cases of anti-social behaviour will be transferred to the Council's Community Safety Unit.

In light of the above, [redacted] case has been identified as one of many cases involved in this process. You will shortly hear from an officer within the Community Safety Unit advising you of the name of the officer that will be dealing with [redacted] case.
[redacted]

Kind regards

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

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**Lemmy Nwabuisi**

**From:** John Irving <irvingjohn15@gmail.com>
**Sent:** 07 February 2017 14:42
**To:** Lemmy Nwabuisi
**Subject:** Re: Low water pressure to 117 Burncroft Avenue [SEC=OFFICIAL]

Ref: 117 Burncroft Ave, Enfield, EN3 7JQ
low water pressure - harassment by tenant at 109
Thurs 26/01/17 - While in attendance at 117 Burncroft, where we were attempting to resolve a low water pressure issue, we were approached by the tenant of 109 Burncroft the ground floor flat. He stated that there were problems between him and the tenants of 117 without going into specific details. I was with a private plumber who was looking at the low water pressure problem at 117. We explained the problem to the tenant from 109 who stated 'you will not solve the problem as I am restricting their water supply!' obviously both myself and the plumber were shocked at this statement. Despite thorough investigation to the low water pressure problem we were unable to increase the pressure. However, before leaving the site I knocked at 109 asking whether he would increase their pressure, he stated 'I cannot do anything at the moment I will sort it out later!'. Despite the attendance of Thames Water (twice), the agents plumber, my plumber and various sub contractors from Enfield Homes this matter remains unresolved.

John Irving
Owner/Landlord
117 Burncroft Avenue
[redacted]

On 30 January 2017 at 11:05, Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk> wrote:

Classification: OFFICIAL

Dear Mr Irving,

As discussed, could please email me details of the conversation you had with the tenant at 109 Burncroft Avenue as this will be used in evidence should we refer this matter to court.

Kind Regards

Lemmy Nwabuisi

Anti-Social Behaviour Team

Community Safety Unit

Environmental & Community Safety

B Block North

1

55
285

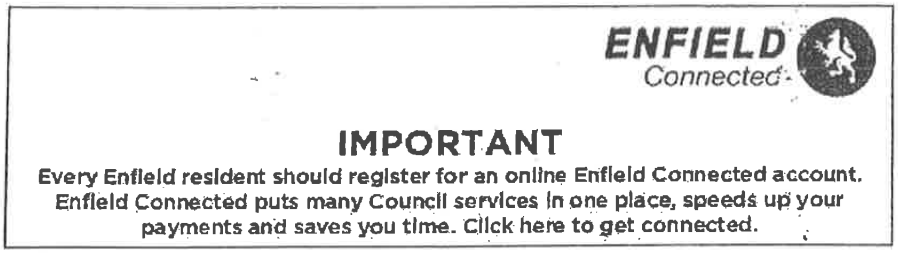
Civic Centre

Enfield

EN1 3XA

Tel: 020 8379 5354

Classification: OFFICIAL

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File note 24/2/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Following reports of continued low water pressure/supply to 117 Burncroft Avenue (second floor) despite information from Thames Water indicating that they had attended and that supply to the block 109-119 Burncroft Avenue was of a sufficient bar pressure, I tried to coordinate access to all flats on the right-hand side of the block potentially affected by the issue: 109, 113 and 117.

I wrote and hand delivered letters to all 3 of the properties requesting access for the Council Surveyor to visit and assess the water pressure in each on Friday 24th February 2017 between 10am and 12pm.

I spoke by telephone with Mr Irving, the leaseholder of 117, who had instigated the water pressure complaint who agreed that he would attend and give access.

I spoke by telephone with Mr George Quinton, the tenant of 113, who agreed that he would give access.

I spoke by telephone with Lorraine Cordell, mother of Simon Cordell, the tenant of 109 who said that no one was available to give access.

I attended with Steve Stirk, surveyor, on Friday 24th February 2017 at 10am. We were given access to 117 and Steve Stirk investigated the water pressure to the taps in the kitchen and bathroom.

We were unable to gain access to 113 as the tenant was not home – I called and left voicemail messages for the tenant but did not get any further response.

Steve Stirk suggested that we knock at 109 just on the off chance that someone was home. Mr Simon Cordell answered the door and, once Steve Stirk had explained that we were investigating the low water pressure/supply issue to the block, he allowed us into the property.

While Steve Stirk checked the water pressure in the kitchen, I introduced myself to Mr Cordell. He then became quite agitated and proceeded to regale me with the same issues that he had relayed to me during our previous telephone conversation including issues about his neighbours, the police and the Council conspiring to ruin his life as well as his work arranging community music events. He did not give me much of an opportunity to respond and kept talking over me when I tried to do so. Steve Stirk then went and checked the bathroom taps which he discovered were all already open (water running in wash basin; water running in bath which was full and going down overflow). We then thanked Mr Cordell for his time and left the property.

Outcome: It is unclear whether Mr Cordell running all of the taps constantly is linked to the issue of low water pressure as he is on the ground floor and 117 is 2 floors up (we had been unable to check the pressure in 113). Steve Stirk to liaise again with Thames Water about the issue and to consider separation of the water supply to the ground floor flat.

287 58

**I made some observations whilst in Mr Cordell's property, 109 Burncroft Avenue which are of some concern:**

There is a security gate installed on the inside of the front door.

There were 3 large 'industrial' matrix type printers in the property (1 in the hallway and 2 in the living room)

Mr Cordell talked about running 'events'

A non-standard kitchen ie. a wall seemed to have been removed between the kitchen and the living room creating an open plan effect: No fire door

Much of the property was taken up by the printers, boxes and folders – possible hoarding (6)?

Dog faeces in private back garden

Sarah Fletcher

Neighbourhood Officer

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File note 9/5/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Further to ongoing issues related to water pressure/supply to the block at 109 – 119 Burncroft Avenue particularly to the right hand supply affecting 109, 113 and 117, I visited the block on Monday 8th May 2017 at 11am with Steve Stirk, Surveyor, and an MCP locksmith.

The purpose of the visit was to gain access to 113 Burncroft Avenue to assess the water pressure/supply to this property. Several attempts had been made previously to do this but the tenant was not there to give access so a 'forced' entry was made and the locks subsequently changed (the tenant had been notified previously that we would be taking this action if he did not provide access).

We entered the property so that Steve Stirk could test the water taps in the kitchen and bathroom. There was no flooring laid except for a rug in the living room (the kitchen was accessed through here) and the floorboards made a significant amount of noise as we stepped on them.

The resident from the property underneath, Mr Simon Cordell, heard us in the property and came upstairs. Steve Stirk and I were outside the property at this point as the locksmith started to undertake the work to install new locks on to the door (he was inside the hallway).

Mr Cordell proceeded to 'rant' at Steve Stirk and myself about his perceived victimisation by his neighbours. He was very agitated and loud – recounting his experience with the police, previous housing management, a previous partner, a previous neighbour and allegations of anti-social behaviour made against him.

Steve Stirk tried to explain that we were there to deal with a specific issue and that this was not the time or place to address these concerns. Mr Cordell did not want to listen and became fixated on Steve Stirk being 'dismissive' towards him (Mr Cordell's words). He went on at length about his upstairs neighbours, both past and present on first and second floors, 'banging' hammers deliberately above his head.

He continued to go on, in his agitated state, about how he had been treated by the police and previous housing managers who had promised him that they would re-lay the floor of flat 113 but had not done so. At this point the resident from 117, Mr Mathiyalakan Markandu, came down the stairs on his way out of the building. As he came down past us Mr Cordell focussed his attention on him and said to him: 'I'm going to the police station now with my evidence about you and I'm going to ruin your life'. Mr Mathiyalakan Markandu did not respond and proceeded to walk past and go down the stairs and out of the building.

Both Steve Stirk and I commented to Mr Cordell that the way he had behaved was threatening in nature and was not acceptable. Mr Cordell responded 'it's not a threat it's a fact'. He then continued to repeat his history with the police and previous housing management.

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I asked Mr Cordell to calm down and tried to explain that some of these issues could have been addressed by attending the meeting that Lemmy Nwabusi in the CSU team had tried to convene with him. He said that he was not prepared to attend such a meeting but wanted to speak to me, his housing officer, now. I explained that, as Steve Stirk had already said, that we could not address his issues there and then. I suggested that a meeting could be convened with both the CSU and neighbourhood teams to look at some of the issues with Mr Cordell. He indicated that he would be willing to do this if we came to his home to do so.

Sarah Fletcher

Neighbourhood officer

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**Lemmy Nwabuisi**

**From:** Steve Stirk .
**Sent:** 10 May 2017 08:42
**To:** Lemmy Nwabuisi
**Subject:** 109 , BURNCROFT AVENUE, ENFIELD, EN3 7JQ

Further to my conversation today please note the following
I carried out a joint with Sarah back in January regarding low water pressure to 117
While on location the following was noted

Kitchen internal wall has been partly removed
3 large industrial type printers found with assorted inks and cleaning liquids
Internal gate installed to front door
While all these items could be used in normal day to day interests the tenant made claims he was actively involved in planning and conduction events and the equipment was used to produce marketing leaflets and posters

This Monday we has reason to attend 113 to carry out a full lock change given accusation from the tenant that his lock had been glued so was unable to gain access the tenant claim the damaged was caused by 109, (this cannot be confirmed) as the tenant did not attend both Sarah and myself did go in and while there was confronted by the tenant from 109, the tenant for about twenty minutes would not leave us alone and became increasingly aggressive despite attempt to explain to him that we had not come to see him or indeed were able to comment of any of his accusations on how Enfield had ruin his lie were putting him in danger by leaving him in his flat, during this confrontation the tenant from 117 passed through the passage and the tenant from 109 stated he was going to ruin his life and generally became more irate towards the tenant .
It is clear that we are unable to allow this to continue as the body posture from 117 was defensive and did not wish to reply or get into any form of conversation with this tenant
Given that two member of staff were present and the confrontational attitude towards not only us but the other resident I believe we need to action this event to try and stop any further escalation from this tenant

Lastly I would recommend that we need full access to 109 to assess what is the true cause of the low water pressure to the flats above given the items found in the flat as well these need to be removed as does the internal gate please advise so I can carry out a full inspection as this is a complaint from the lease holder as they have very little water flow in the flat above and given the nature of the conditions and life style of 109 we are unable to show if he has caused the issue, on a housing point the internal wall that has been partly removed needs to be put back as it is a breach of fire regs

**Steve Stirk**
**Maintenance Surveyor**
**Technical Services, Repairs and Maintenance**
**Enfield Council**
**Edmonton Centre**
**N9 0TN**

**Tel: 020 8375 8023**
**Tel: 0800 40 80 160**
**Email:** steve.stirk@enfield.gov.uk
**Web:** www.enfield.gov.uk

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



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FILE NOTE 1/6/17

I telephoned Miss [redacted] to discuss her complaints against Mr Cordell and agree an action plan. Miss [redacted] stated that she has lived in the block since April 2015 and that the problems with Mr Cordell started about a year ago. She stated that he bangs on her door when she is sleeping at night and also follows her to her car asking her where is going or where she is coming from. She alleged that on 14th May 2017 Mr Cordell came and aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise inside her flat. She stated that she does not make noise and that her flat is on the opposite side of Mr Cordell flat and therefore he should not hear any noise from her flat. She stated that Mr Cordell came up to her face in a very aggressive and intimidating manner to accuse her of coming into his flat to attack him and asking her why she comes into his flat. She denied going into flat and stated that he does everything to try and intimidate her.

She also complained that she feels scared every time she is going out or returning to her flat as Mr Cordell allows his dog to run freely inside the block.

She stated that Mr Cordell has banged on her door about 4 times in the past 2 months. She also alleged that he has followed her to her car twice in the past 1 month accusing her of coming into his flat to attack him and also kept asking her where she was going or coming from. She alleged that on one occasion, Mr Cordell stood in front of her car and will not let her drive away. She stated that he has been verbally aggressive and intimidating but has not been physically aggressive towards her. She stated that she suffers from mental illness and that this has exacerbated her problems and that she no longer feels safe living in her property. She stated that she has asked her neighbourhood officer to rehouse her as a result of the harassment from Mr Cordell. She stated that she is unable to complete incident diaries as a result of her illness but will telephone to report any further incidences. She stated that she has reported the matter to the police several times and believes that they are dealing with it. She stated that she has been staying with friends and family as she no longer feels safe to stay in her property on her own.

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RESTRICTED

Form 9993

METROPOLITAN POLICE Working together for a safer London

# Prevention of Harassment Letter
## (Police Copy)

To:
Name: SIMON CORDELL Date of birth: 26/01/81
Address: 109, BURNCROFT AVENUE
ENFIELD,
Postcode: EN3 7JQ

**An allegation of harassment has been made against you:**

**Details of alleged conduct** (specific actions that are cause for complaint):

Following a female whilst she is alone, and with her partner to their vehicle, asking why they are causing noise and attacking him inside of his home address causing the person harrassment and distress.

**HARASSMENT IS A CRIMINAL OFFENCE** under the Protection from Harassment Act 1997.

*"A person must not pursue a course of conduct which amounts to harassment of another and which he/she knows, or ought to know, amounts to harassment of the other."*

Harassment can take many forms and examples can include: wilful damage to property, assault, unwarranted verbal or physical threats, abusive communication or repeated attempts to talk to or approach a person who is opposed to this.

It is important that you understand that should you commit any act or acts either directly or indirectly that amount to harassment, you may be liable to arrest and prosecution. A copy of this letter which has been served on you will be retained by police but will not be disclosed now to the alleged victim. However a copy could be disclosed in any subsequent criminal proceedings against you as proof that police have spoken to you about this allegation. This does not in any way constitute a criminal record and will only be referred to should further allegations of harassment be received.

Signature of recipient of form: Refused to Sign
**(This is not an admission or acceptance of the allegation)**

Officer issuing: PC SERGISON 415YE
(Rank, surname, warrant number, station attached, contact telephone number)

**POLICE USE ONLY**

CRIS REPORT NUMBER: 5210999/17
CRIMINT LOG NUMBER: YERT0004 11569
Date and time of issue: 28/05/17 14:02HRS

**Exhibit No.:** SIS
**Description:** One (1) Allegation of Harassment Warning Letter Form 9993
**Date:** 28/05/17
**I identify this exhibit as that referred to in my statement.**
**Signature:** 415YE

Retention period: 7years
MP 130/10

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RESTRICTED (when complete) MG11C

# WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: PC SERGISON 415YE

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: SCOTT SERGISON 415YE Date: 28/05/2017

On SUNDAY 28 MAY 2017 I was on duty in uniform call sign YE801 with PC 446YE. I attended 109, BURNCROFT AVENUE EN3 7JQ. This is the home address of SIMMON CORDELL 26/01/1981. I attended the address to issue a first issue harassment letter to SIMON CORDELL cris number 5210999/17 refers. At 1402hrs I knocked on the front door where SIMON CORDELL refused to answer the door to police. I explained the reason for the Harassment letter. SIMON CORDELL prevented me from posting the letter into the letter box, and as such I slid the letter under the front door.

SVS

Witness Signature: ..... 62

Signature Witnessed by Signature: SCOTT SERGISON 415YE



99/12 RESTRICTED (when complete)

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7 [illegible]

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date : 29 November 2016

Dear Mr Cordell,

**Re: Reports of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

The reports include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation and making threats towards your neighbours. It is also alleged that on 4th October 2016, you banged on your ceiling and you later started to bang and kick at your neighbour's door. It is alleged that you were very aggressive and was shouting through your neighbour's door and that you then proceeded to drag his motorbike from where it was parked and started to smash it up.

It is also alleged that your dogs are left by themselves all day and night barking and causing noise disturbances to your neighbours. Your neighbours have also alleged that you have installed a CCTV in the communal area with the camera pointing towards the main entrance to the block thereby making them to feel very uncomfortable when entering and leaving the block. Your neighbours have alleged that this is an invasion of their privacy.

If these allegations are true, they are in breach of the following terms and conditions of your Tenancy Agreement:

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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**2.2.1 Anti-social behaviour, nuisance and noise disturbance.**

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, rate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10.** You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

**Condition 11.** You must install any radio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from without first consulting us.

**2.2.3 Harassment and hate crime.**

**Condition 16.** You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

**2.2.6 Other unacceptable behaviour**

**Condition 21.** You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the police.

**2.15 Pet(s) and animal(s)**

**Condition 76.** You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit, hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

**Condition 81.** If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we

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will take action and give written notice asking you to remove it/them from your home.

It is very important that we meet with you to discuss these very serious allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Tuesday, 6th December 2016 to discuss this matter. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 31 January 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th November 2016 regarding these reports and invited you to meet with me at the Civic Centre on 6th December 2016 to discuss the allegations made against you, copy attached. I received a letter from your mother dated 24th November 2016 in which she stated that she does not believe that it is justified to hold the meeting before your formal complaint and subject access request is dealt with. I understand these have now been dealt with.

The Enfield Council, Community Safety Unit, Anti-Social Behaviour Team have continued to receive various allegations from your neighbours against you concerning alleged nuisance and anti-social behaviour towards them. The allegations include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation, making threats towards your neighbours and tampering with the electricity and water supply to their flat.

These are very serious breach of tenancy conditions and it is very important that we meet with you to discuss these allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Thursday, 9th February

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Enc:

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 16 February 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

As requested, I sent an email to you on 10th February 2017 with details of the allegations made against you. We now need to meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2.30pm on Wednesday, 22nd February 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail: lemmy.nwabuisi@enfield.gov.uk
My Ref:
Your Ref:
Date: 16 March 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th December 2016 to arrange to meet with you on 6th December 2016 to discuss these reports but you cancelled the meeting. I wrote to you again on 31st January 2017 to arrange to meet with you on 9th February 2017, you also cancelled the meeting. I then wrote to you again on 16th February 2017 to arrange to meet with you on 22nd February 2017 and again you cancelled the meeting. I have enclosed all three letters for your information.

It is unfortunate that you have repeatedly refused to meet with us to discuss this matter and look at ways to resolve the problems between you and your neighbours. The allegations made against you by your neighbours, if true, are very serious breaches of your tenancy conditions. It is important that we meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 3pm on Wednesday, 22nd March 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you.

**Ian Davis**
**Director – Regeneration & Environment**
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY.

Website: www.enfield.gov.uk

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Please note that if you fail to attend or call to rearrange this meeting, then we will have no option but to serve a notice of seeking possession against your tenancy without further warning. The council may also take further tenancy enforcement and/or legal action against you if further substantiated allegations are made against you.

Kind Regards

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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**Our ref:** VLS/EO/H/CORDELL/17
**Your ref:** LSC/C/L1/157255
**Date:** 22 September 2017

VLS SOLICITORS

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

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Email: info@vlssolicitors.com
**www.vlssolicitors.com**

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

By Fax no: 020 83796492

Dear Sirs,

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

We act for the Defendant in the above case and enclose herewith:

1. our duly completed notice of change of legal representative and
2. Defence

Yours faithfully,

VLS Solicitors

Family Law Advanced

SM

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**

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg. No. 8572584, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority. (SRA No.627688)

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Claim no: D02ED073

IN THE COUNTY COURT AT EDMONTON

BETWEEN

THE LONDON BOROUGH OF ENFIELD Claimant

AND

MR SIMON CORDELL Defendant

---

## DEFENCE STATEMENT OF SIMMON CORDELL

---

1. Defendant admits paragraph 3 of the witness statement of Mr Lemmy Nwabuisi dated 7 August 2017.

2. Paragraph 4 of the witness statement is denied in so far as it relates to acts of harassment and antisocial behaviour but admits that he was charged at Highbury Corner Magistrates Court but was discharged.

3. Defendant denies paragraphs 6 to 25 of the witness statement and Claimant is put to proof.

4. Paragraph 27 of the witness statement is denied. Defendant avers that he has always granted access to the Claimant and its contractors upon being given reasonable notice.

5. Defendant denies paragraphs 28 to 33 of the witness statement and the Claimant is put to strict proof

6. Defendant avers that he suffers from mental health problems and is under the care of the mental health team which the Claimant has always been aware of and in breach of its duty under section 15 and 149 of the Equality Act 2010. Defendant has on several occasions complained to the Claimant about noise and other antisocial behaviour by the tenants of 113 and 117 but Claimant

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failed or refused to investigate and/or take any action which there was no possible reason other than the Defendant's mental health problems.

7. The Defendant respectfully requests the court to discharge the injunction dated 8 August 2017.

**Statement of Truth**

Defendant believes the facts stated in this Defence are true.

I am authorised by the Defendant to sign this statement.

Sign:
Name: EMMANUEL ONWUEGBUZIE
Date: 22/9/17

VLS Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH

Ref: VLS/EO/H/CORDELL/17

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# Notice of change of legal representative

| In the COUNTY COURT AT EDMONTON | Claim No. D01ED073 |
|---|---|
| Name of Claimant *(including ref.)* LONDON BOROUGH OF ENFIELD REF: LS/C/L1/157255 | |
| Name of Defendant MR SIMON CORDELL | |

**Note:**
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☐ my legal representative *(insert name and address)*

has ceased to act for me and I shall now be acting in person.

B ☑ we *(insert name of legal representative)*

VLS SOLICITORS

have been instructed to act on behalf of the ~~claimant~~ (defendant) in this claim

~~in place of *(insert name and address of previous legal representative)*.~~

C ☑ ~~I~~ (we) have served notice of this change on every party to the claim (~~and on the former legal representative~~).

Address to which documents about this claim should be sent (including any reference)

| | If applicable | |
|---|---|---|
| VLS SOLICITORS<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br>Postcode N17 0DH | Telephone no. | 020 8808 7999 |
| | Fax no. | 020 8808 1999 |
| | DX no. | 36209 EDMONTON EXCHANGE |
| | Your ref. | VLS/EO/H/CORDELL/17 |

| E-mail | info@vlssolicitors.com |
|---|---|

**Signed** [signature]
(Claimant)(Defendant)('s legal representative)
(Litigation friend)

**Position or office held** SOLICITOR
If signing on behalf of firm or company

**Date** 22/09/2017

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.

N434 Notice of change of solicitor (04.14)

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# Injunction Order

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

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Claimant** (including ref.) | London Borough Of Enfield LS/C/LI/157255 |
| **Defendant** (including ref.) | Mr Simon Cordell |

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

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

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

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

**Upon** hearing Solicitor for the Claimant on without notice application,

**IT IS ORDERED THAT:**

1. The Defendant, Mr. Simon Cordell permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. The Defendant, Mr. Simon Cordell keep his dog on a lead in communal areas outside his property.
3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. This order shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the court.

9. **Matter be listed for a further hearing at 10:00AM on 21 August 2017 at the County Court at Edmonton,** 59 Fore Street, London, N18 2TN with a time estimate of 30 minutes.
10. Costs in the case.

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

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

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

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

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

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

**Dated** 9 August 2017

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N110A

# Power of arrest

| Name of court | Claim No. |
|---|---|
| County Court at Edmonton | D02ED073 |

**Claimant's name** (including ref.)
The Mayor and Burgesses of The London Borough of Enfield (LS/C/LI/157255)

**Defendant's name** (including ref.)
Mr. Simon Cordell

Name of defendant
Mr. Simon Cordell

Defendant's address
109 Burncroft Avenue
Enfield
London
EN3 7JQ

Seal

Date order made 9 / 8 / 2017 Name of judge Deputy District Judge Harris

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)
The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)
See attached

**This power of arrest was ordered on** 9 / 8 / 2017 **and expires on the** 8 / 8 / 2018

**Note to Arresting Officer**

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

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

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

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

Name of Claimant
The Mayor and Burgesses of The London Borough of Enfield

Claimant's address
PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA

Claimant's phone number
0208 3796438


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3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.

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Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

STATEMENT OF TERENCE CONWAY

I, Terence Conway, of Global Investigation Services, Process Server acting under the direction of The London Borough of Enfield, Legal Services Department, P.O Box 50, Civic Centre, Silver Street, Enfield EN1 3XA, solicitors for the above-named Claimant, and say as follows:

1. That I am over sixteen years of age.

2. That I did on Thursday 10th August 2017 at approximately 10.15am attend at the address supplied of 109 Burncroft Avenue Enfield EN3 7JQ, and, in the presence of PSO Sam Lowe and two Police Constables with 'collar numbers' 343YE, 417YE and 7142YE respectively, I did meet and personally serve the above named Defendant with the following: a Cover Letter from the claimant's solicitor dated 9th August 2017, an Injunction Order dated 9th August 2017 giving Notice of Hearing for 21st August 2017 at 10.00am at the Edmonton County Court, an N110A Power of Arrest, a Claim Form CPR Part 8, an Acknowledgement of Service Form with Notes for the Defendant, an Application for an Injunction, a Witness Statement of John Irving, a

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Witness Statement of Markandu Mathiyalagam, a Witness Statement of Neville Grey, a Witness Statement of George Quinton and a Witness Statement of Lemmy Nwabuisi with Exhibits.

3. That there is now produced and shown to be marked 'A' a bundle containing true copies of the said documents so served by me as aforesaid.

4. That, at the time of service, the Defendant freely identified himself to me as SIMON CORDELL and was recognised as being the Defendant by the attending PSO Sam Lowe, who has had dealings with the Defendant on previous occasions.

5. That, furthermore, when I asked the Defendant if he was able to read and understand the Injunction I had served upon him, he replied that he had difficulty reading. That, therefore, I did read out all the terms of the Injunction Order to the Defendant, emphasising the need for compliance to these terms with the Power of Arrest being applied to terms 3 -6 inclusive, should they be breached. I further advised the Defendant that the Hearing for this matter was set for the 21st August 2017 at 10.00am at the Edmonton County Court.

I Terence Conway confirm the contents of this Statement to be true to the best of my knowledge

.....

Dated 10th August 2017

312

Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

EXHIBIT 'A'

This is the exhibit marked 'A' as referred to in the Statement of Terence Conway
Dated 10th August 2017

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

LONDON BOROUGH
OF ENFIELD
RECEIVED
02 OCT 2017
LEGAL SERVICES

314

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 29 September 2017 |

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

**Before** Employment Judge Taylor sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**Upon** hearing the Solicitor for the Claimant and the Solicitor for the Defendant,

**And upon** the Defendant's application to discharge the interim injunction,

**IT IS ORDERED THAT:**

1. The Claimant do file a Reply to Defence, if so advised by 9 October 2017.
2. The parties do file a Directions Questionnaire by 23 October 2017.
3. The interim order for injunction and power of arrest shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the Court.
4. Costs in the case.

**Dated** 25 September 2017

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

N24 General Form of Judgment or Order

Produced by:Adrian B
CJR065C

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# General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

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

N24 General Form of Judgment or Order

Produced by:Ms M Tucker
CM065C

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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
LEGAL

L_BLANK
317

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 22 June 2018 09:36
**To:** 'Trishna Kerai'
**Subject:** FW: LBE v Cordell - bundle [SEC=OFFICIAL]
**Attachments:** LBE v Cordell Bundle Part 1.pdf; LBE v Cordell Bundle Part 2.pdf

Dear Trishna Kerai

Please see attached documents that were sent from Enfield Council yesterday the 21/06/2018, sent to my email at 17:40 which I did not see till this morning.

They say they have put a hard copy in the post to me as of yet nothing has come.

They have not done anything of the order of 12/06/2018 we have had no dates for Simon to go see any doctors, yet on the order it states everything was meant to be done by the 13/06/2018, but yet the court order is dated the 12/06/2018

The only reason I got the order is I called the court 3 times 2 of them times I was told nothing was on the system and that it can take 2 weeks for us to get the order, the last call on the 15/06/2018 on the I spoke with Paul a member of court staff he said he did not know why I did not have the order and sent it in the post to me so I got that on the 19/06/2018 and I called Kiran.

I said to Kiran I will do a write-up over the next few days and send it to give a sort of time line things happened.

Regards

Lorraine

---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 21 June 2018 17:40
**To:** Lorraine Cordell
**Subject:** LBE v Cordell - bundle [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Ms Cordell,

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

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

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

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

Classification: OFFICIAL

Campaign

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Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities. Opinions expressed in this email are those of the individual and not necessarily those of the London Borough of Enfield. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient and receive it in error you must not copy, distribute or use the communication in any other way. All traffic handled by the Government Connect Secure Extranet may be subject to recording/and or monitoring in accordance with relevant legislation.

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.

FW: LBE v Cordell - bundle [SEC=OFFICIAL]->LBE v Cordell Bundle Part 1.pdf

**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**

---

| TITLE OF DOCUMENT | DATE | PAGE NUMBERS |
|---|---|---|
| A. CLAIM FORM AND PLEADINGS | | |
| 1. Claim form (PART 8) | 09.01.2018 | 1-3 |
| 2. Application for an injunction (General Form) with Draft Order | 09.01.2018 | 4-7 |
| 3. Second Witness Statement of Markandu Mathiyalagan | 05.01.2018 | 8-11 |
| 4. Witness Statement of Lemmy Nwabuisi | 08.01.2018 | 12-59 |
| 5. Injunction Order | 09.01.2018 | 60-61 |
| 6. Power of Arrest | 09.01.2018 | 62 |
| 7. Letter from VLS Solicitors | 09.02.2018 | 64 |
| B. APPLICATION FOR COMMITTAL DATED 05.02.2018 | | |
| 8. Court order | 09.02.2018 | 66 |
| 9. Application notice | 05.02.2018 | 67-73 |
| 10. Draft Order | Undated | 74-75 |
| 11. Witness Statement of Mr Lemmy Nwabuisi | 02.02.2018 | 76-78 |
| 12. Witness Statement of Ms Kaunchita Maudhub | 05.02.2018 | 79-82 |
| 13. Affidavit of Kaunchita Maudhub | 05.02.2018 | 83-87 |
| C. APPLICATION FOR COMMITTAL DATED 20.04.2018 | | |
| 14. Application notice | 11.05.2018 | 88-96 |
| 15. Affidavit of Mr Markandu Mathiyalagan | 20.04.2018 | 97-108 |
| 16.Affidavit of Mrs Revathy Mathiyalagan | 20.04.2018 | 108-113 |
| 17. Draft Order | Undated | 114-115 |
| 18. Notice of hearing of application | 24.4.2018 | 116 A |
| D. APPLICATION NOTICE DATED 11.05.2018 SEEKING PERMISSION TO AMEND THE COMMITTAL APPLICATIONS DATED 20.04.2018 | | |
| | | |

| | | |
|---|---|---|
| 18. Application notice dated 11.08.2018 seeking permission to amend the committal application dated 20.04.2018 | 11.05.2018 | 116B-119 |
| 19. Amended application notice dated 20.04.2018 | 11.05.2018 | 120-142 |
| 20. Witness statement of Mr Lemmy Nwabuisi | 10.05.2018 | 143-148 |
| 21. witness statement of Andy Philippou, process server | 08.05.2018 | 149-151 |
| 22. Witness statement of Balbinder Kaur Geddes | 10.05.2018 | 152-159 |
| **E. APPLICATION NOTICE DATED 14.05.2018 SEEKING LEAVE FROM THE COURT TO DISPENSE WITH SERVICE OF THE COMMITTAL APPLICATIONS DATED 05.02.2018, 20.04.2018 AND APPLICATION NOTICE DATED 11.05.2018** | | |
| 23. Application notice with supported documents | 14.05.2018 | 160-181 |
| 24. witness statement of Andy Philippou | 11.05.2018 | 182-186 |
| 25. Order from the Edmonton County Court | 14.05.2018 | 187-188 |
| 26. Claimant's letter to the Edmonton County Court | 15.05.2018 | 189-190 |
| 27. Amended order from the Edmonton County Court | 14.05.2018 | 191-192 |
| **F. OTHER COURT ORDERS** | | |
| 28. Order from the Edmonton County Court | 12.06.2018 | 193-195 |
| **G. FIRST APPLICATION FOR AN INJUNCTION DATED 09.08.2017** | | |
| **27. Claim form, application for an injunction and statements** | **09.09.2017** | 196-303 |
| 28. Defence statement | 22.09.2017 | 304-306 |
| 29. Injunction Order | 09.08.2017 | 307-308 |
| 30. Power of Arrest | 09.08.2017 | 309-310 |
| 31. Statement of Terence Conway, process server | 10.08.2017 | 311-313 |
| 32. Order from Edmonton County Court | 29.09.2017 | 314-315 |
| 33. Order from Edmonton County Court | 09.11.2017 | 316 |
| 34. Order from Edmonton County Court | 13.12.2017 | 317 |

ENFIELD Connected

ENFIELD Council

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

**Edmonton County Court**

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

Dear Sirs

**Re: The London Borough of Enfield v Cordell**

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

1. Claim form for an injunction (Part 8).
2. Form N16 A
3. Draft Order
4. Witness Statement of Mr 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.

3

# Application for Injunction
## (General Form)

| Name of court<br><br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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[illegible]NG ACT 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**

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.


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4

**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

5

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)**

6

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

7

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

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SECOND WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this Witness Statement in support of the Claimant's application for committal as the Defendant is in breach of the Injunction Order with Power of Arrest made against him In the County Court at Edmonton on 9th August 2017.

3. The Defendant's abusive behaviour towards my family and I stopped for some time after the Claimant obtained the Injunction against him although he continued to make general comments towards us whenever he sees me or my wife entering or leaving the block.

4. On 11th November 2017 between 11:30am and 12pm, my wife was at home when the Defendant came up to our front door, opened the letterbox and peeped through it to see who was inside our flat. He started swearing and shouting abuse and banging on the door as soon as he saw my wife. He then ran down stairs when my wife went to get her mobile phone to record the incident. My wife telephoned the police and reported the incident, CAD No. 3230 of 11/11/17. The police attended about two hours later, went and spoke to the Defendant and came informed my wife that he denied coming to our front door.

5. On 2nd January 2018 at 6:30pm, my wife was inside our flat trying to assemble a cupboard that we bought from Ikea. Our three-year-old daughter and my cousin who was asleep at the time were also in the flat. Suddenly my wife heard someone banging on our front door and she went to the door with her phone and overheard the Defendant shouting that there was noise coming from our flat. My wife told him that she was trying to assemble a cupboard but he called her a liar and accused her of deliberately banging on the floor. The Defendant then stood outside our front door for more than twenty minutes swearing and shouting abuse at my wife.

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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.

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Signed M. Mathiyalagan

Name: Mr Markandu Mathiyalagan

Dated this 05 January 2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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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

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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

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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

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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

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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

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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.

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**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

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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 LN1

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

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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 | 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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>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**

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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.

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**Backgrounds facts**

3. This matter was allocated to the Claimant's Legal Services department in August 2017, following many complaints received from some of the Claimant's employees and residents living in the same block as the Defendant. The Claimant's anti-social behaviour team instructed our legal services to issue an application for an injunction under the Anti- Social Behaviour, Crime and Policing Act 2014.

4. An ex-parte application was made and the Court made an interim injunction order against the Defendant on 09th August 2017. The matter was re-listed for a return hearing on 21st August 2017 but adjourned to 25th September 2017 where the Defendant attended with his legal representative. The Defendant indicated that it wished to defend the claim and some directions order was made.

5. The parties were ordered to file their directions questionnaire by 23rd October 2017, however this deadline was overlooked by me and the Court made an order on 06th November 2017 asking the Claimant to file a completed directions questionnaire by 4pm on 17th November 2017. A copy of the Order can be found under exhibit LI1.

6. On 17th November 2017 at 11:59, I sent an email to the Court on the following address: enquiries@edmonton.countycourt.gsi.gov.uk, with a copy of the Claimant's directions questionnaire. The Defendant's solicitors were also copied in to this email. A copy of this email is attached in exhibit LI2.

7. Just before filing the directions questionnaire with the Court, I contacted the Defendant's solicitors on 16th November 2017, Mr Emmanuel Onwusiri of VLS Solicitors, with a suggested draft directions order. However he responded by saying that it was not necessary to agree directions in the proposed form. He was therefore fully aware of the fact that I was about to file the Claimant's directions questionnaire. A copy of my email correspondence to Mr Onwusiri can be found in exhibit LI3.

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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.

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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.

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**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**

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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 1

---

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

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## General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

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

Produced by:Ms M Tucker
CJR065C

N24 General Form of Judgment or Order

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 2

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

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**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

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

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.

## 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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>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

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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 3

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

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**Ludmilla Iyavoo**

**From:** emmanuel <emmanuel@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,



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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

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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.

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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

45

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

EXHIBITS LI 5

---

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

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**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



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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 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



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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 7

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

SO

# General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

03 JAN 2018

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

Produced by:Adrian B
CJR065C

N24 General Form of Judgment or Order

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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

27 DEC 2017

Family Law Advanced

SM

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

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg No 8572594, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority (SRA No.527648)

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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<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br><br>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.

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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

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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 LN3

---

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

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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

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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

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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*

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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
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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

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.

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# 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

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 (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 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*

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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 / 2018 Name of Judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

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

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

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

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

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

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

Name of Claimant
THE LONDON BOROUGH OF ENFIELD

Claimant's address
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

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

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

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

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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

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

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.

2. A power of arrest is attached to this new paragraph.

3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.

4. Dispense with personal service of this Order on the Defendant.

5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

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

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

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

IT IS ORDERED

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

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

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

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

Dated

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

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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

3. **Background:**

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

4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

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

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

**I WILL SAY AS FOLLOWS**

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

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

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.

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

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

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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.

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...

Dated this 05th day of February 2018

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.

3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy 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

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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

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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

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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 Nwabulsi 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** [signature]

**on 05th February 2018**

**Before me:**

**Signed** [signature] Ms R Shah.

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,

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.

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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

| | |
|---|---|
| London Borough of Enfield<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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

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

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

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

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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.

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

Produced by:Darren Civil
CJR105

N16 General Form of injunction for interlocutory application or originating application

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**AND IT IS FURTHER ORDERED THAT**

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

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

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

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

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

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

8. Costs in the case.

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

**NOTICE OF FURTHER HEARING.**

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

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

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

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

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N110A

# Power of arrest

| Name of 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.

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

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

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

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

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

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

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

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

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7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.

8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.

9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.

10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.

11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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**Incident 01 March 2018**

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

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

**Incident 26/02/2018**

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

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

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

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

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

**Dated this 20 day of April 2018**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutugin 20 APR 2018 L. [illegible]

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

LONDON BOROUGH
OF ENFIELD

102

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

EXHIBIT MM1

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236963321

London Ambulance Service NHS

# 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

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**

Bimucosa cyanosis | 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 | Air |
| 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

Chest pain | Shortness of breath | Other symptoms / pain | T-LOC | Palpitations | Asymptomatic

**Cannulation**

Line 1 | Line 2

No touch technique | Placed in emergency conditions | Flush

**Fluid and drug administration**

Drug bag under

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| FAR | | | | | | |

Total Controlled Drug amount wasted | Signed | Witnessed

**Airway and Respiratory management**

Maintenance: Postural | Head tilt | Jaw thrust

Clearance: Suction | Manual

Airway adjuncts: OP | NP | ET | SGA

ET successful | SGA successful | NCr successful | NTh successful

**Cardiac arrest, CPR, Defib, & ROSC**

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 | Pre-LAS Defib

LAS CPR | LAS Defib

Time of 1st LAS shock | Number of shocks | Paediatric electrodes used

Return of spontaneous respiration | Return Of Spontaneous Circulation | ROSC sustained to hospital

**Recognition Of Life Extinct**

Heart sounds absent | Apnoeic | Fixed dilated pupils | Asystolic rhythm strip | Confirmed dead at Hospital

Injury = X | Burns = ■ | T 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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

---

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**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 EN3.7.JQ
**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.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.

4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.

5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.

6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.

7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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

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

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

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that 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 2a day of April 2018

M. Rosetty 20 APR 2018

LONDON BOROUGH
OF FINSBURY

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

---

EXHIBIT RM1

---

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Dr H I Sweden
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1488
Fax No: 0208 527 8111

9th April 2016

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Nelley Road, Walthamstow, E17 7QD → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07861740938

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
27 Claremont Road
London E17 6RJ
Tel 0208 527 1488

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

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

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

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

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

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018.

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).

(3) 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.

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

Dated

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# Notice of Hearing of Application

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

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | 1st Claimant<br>Ref LS/C/L1/155584 |
| MR SIMON CORDELL | 1st Defendant<br>Ref |

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

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

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

**IT IS ORDERED THAT:**

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

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

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

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

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

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

Produced by:S DEMETRIOU
CJR027

N244A Notice of Hearing of Application

~~323~~
116A

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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

116B

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

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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N244

# Application notice

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

| Name of court | 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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | |

| 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 fri~~end)

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 fri~~end)

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

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

London Borough of Enfield
Legal Services
PO BOX 50
Enfield

Postcode E N 1 3 X A

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

| | |
|---|---|
| E-mail address | Ludmilla.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

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

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

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

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

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

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AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

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

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

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

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

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

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

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and [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.

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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.

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**Incident 01 March 2018**

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

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

**Incident 26/02/2018**

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

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

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

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

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

**Dated this 20 day of April 2018**

M. Malyutigen 20 APR 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

L. [illegible]

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

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EXHIBIT MM1

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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

Tel no.

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 a sentence in one breath

Unable to assess

**Circulation**

Bmucosa cyanosed

Peripheral cyanosis

Capillary refill > 2 sec

Distal pulse

**Other**

Sweating

Vomiting

Fitting

Number of fits | Mins

Burns | %

Estimated blood loss

**Observations**

| | | |
|---|---|---|
| Time | | |
| AVPU | | |
| Resp rate | | |
| Resp depth | | |
| % $O_2$ sats | Air / $O_2$ | Air / $O_2$ |
| 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 — Unequal 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 — g — Time — Successful — By — No touch technique — Placed in emergency conditions — Flush

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

**Fluid and drug administration**

Drug bag codes

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| PAR | | | | | | |

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, Traumal, 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

**Recognition Of Life Extinct** — Time

Heart sounds absent | Asystolic rhythm strip

Apnoeic | Confirmed dead at Hospital

Fixed dilated pupils

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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

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EXHIBIT MM3

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**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

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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

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 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.

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

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

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

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

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

**Dated this day of April 2018**

.....

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

---

EXHIBIT RM1

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**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
28 Claremont Road
London E17 5RJ
Tel 0208 527 1888

Dr H I Swedan

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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

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Before District Judge sitting at the Edmonton County Court.

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

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

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

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

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

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

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

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

---

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

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

**I WILL SAY AS FOLLOWS**

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

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

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

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

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

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

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

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

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

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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

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

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

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

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'LM1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

---

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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

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

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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ENFIELD Connected

ENFIELD Council

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

**Edmonton County Court**

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

Dear Sirs

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

Please find enclose the following documents:

1. Application notice (N244) seeking leave from the Court to dispense with personal service of the committal applications dated 05.02.2018, 20.04.2018 and application notice dated 11.05.2018, pursuant to CPR 81.10(5).

2. Witness statement of Mr Nwabuisi and Ms Kaur Geddes dated 10.05.2018

3. Witness statement of attempted service of Mr Andy Philippou, process server.

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

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

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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

**www.enfield.gov.uk**

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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

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N244

# Application notice

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

| Name of court | Claim no. |
|---|---|
| Edmonton County Court | E00ED049 |
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| 0079006 | HWF-[ ]-[ ] |
| **Warrant no.** (if applicable) | |
| **Claimant's name** (including ref.) The London Borough of Enfield (LS/C/LI/157255) | |
| **Defendant's name** (including ref.) Mr Simon Cordell | |
| **Date** | 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 EN1 3XA

| 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.

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

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

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

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

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

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

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

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

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

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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

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

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

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

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**EXHIBIT 'LM1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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

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

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

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

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

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

And

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

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

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

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

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

08/05/2018

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

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

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:

a) A Letter from the Claimant Solicitor dated 11 May 2018
b) An Application Notice dated 11 May 2018
c) An Application Notice marked 'Amended Application Notice'
d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
f) An amended Draft Order
g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit

3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope 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

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

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

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

Signed:

11/05/2018

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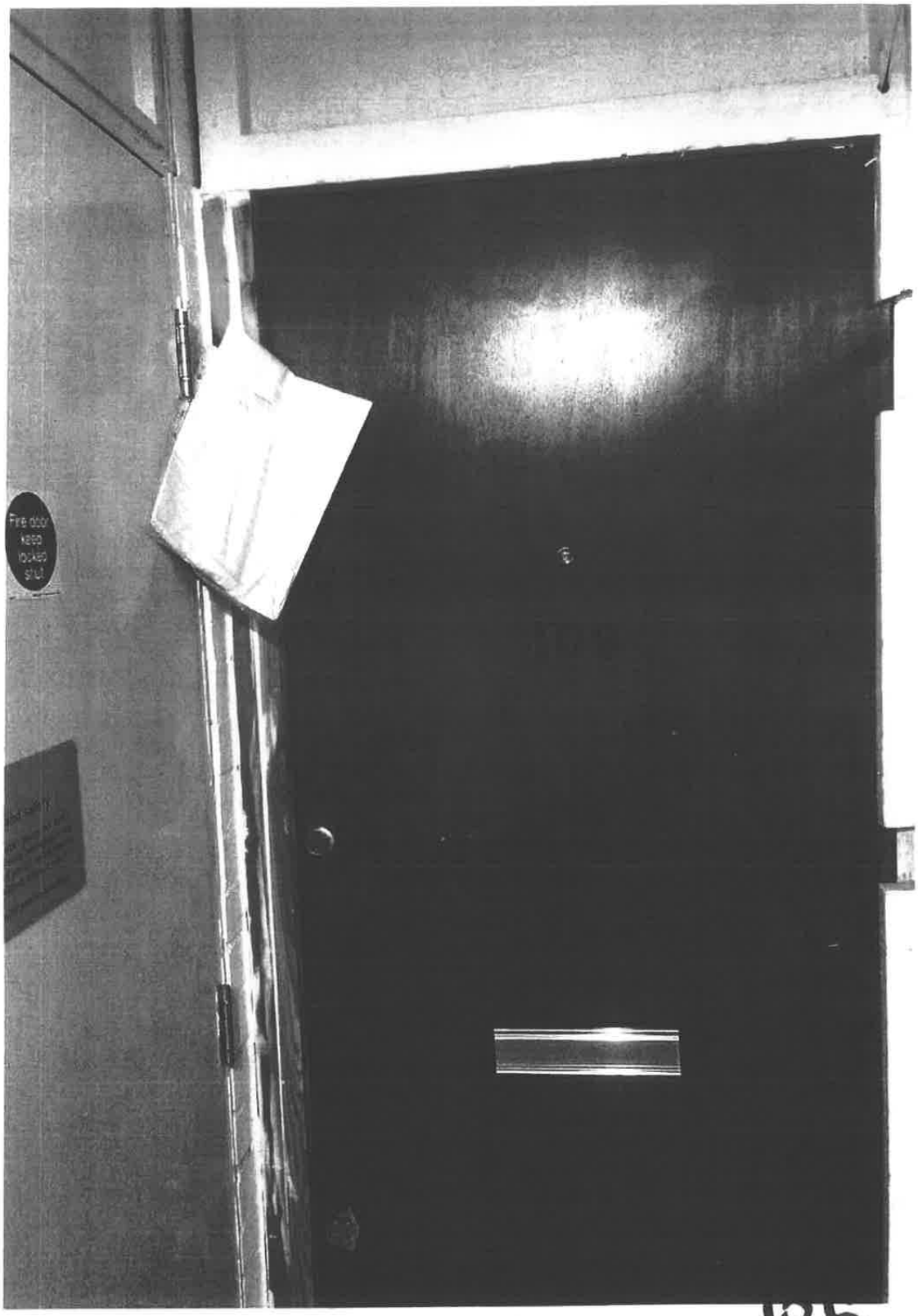


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# General Form of Judgment or Order

| 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 COUNTY COURT

| | |
|---|---|
| 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

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

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

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Defendant's conduct we would seek permission to have service of the application dispensed with. .

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

**Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.**

**We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.**

Yours faithfully,

Lumilla Iyavoo
Lawyer
For the Director of Law and Governance

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## General Form of Judgment or Order

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

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **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.

ORDER AMENDED UNDER THE 'SLIP RULE'

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

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

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

Produced by:D. Humphreys
CJR065C

N24 General Form of Judgment or Order

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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.

ORDER AMENDED UNDER THE 'SLIP RULE'

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

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

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

N24 General Form of Judgment or Order

Produced by:D. Humphreys
CJR065C

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Bal

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 12 June 2018 |

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

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

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.

3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.

4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.

5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.

6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.

8. Costs reserved.

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

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

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

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

Dated 5 June 2018

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ENFIELD Connected

ENFIELD Council

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

E-mail :
Phone : 0208379 6470
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref :
Date : 08 August 2017

The Court Manager
Edmonton County Court

**BY HAND**

Dear Sirs,

**Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL**
**APPLICATION FOR WITHOUT NOTICE INJUNCTION**
**ANTI-SOCIAL AND CRIME AND POLICING ACT 2014**

We write further to the above matter.

We enclose 3 copies of our application for an injunction.

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,

Ludmilla Iyavoo
for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources
and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

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Website: www.enfield.gov.uk

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# Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

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

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

SEAL

Defendant(s)
MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim *(see also overleaf)*

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

MR SIMON CORDELL must:

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

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

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

Defendant's name and address

| | £ |
|---|---|
| Court fee | 308.00 |
| Legal representative's costs | TBA |
| Issue date | |

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.



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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~~) (if signing on behalf of firm or company)
(Legal representative's solicitor)

**delete as appropriate*

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

Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

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# Application for Injunction
## (General Form)

| Name of court<br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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[illegible]NG ACT 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. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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

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

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

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

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.


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IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

---

**IMPORTANT PENAL NOTICE**

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

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

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

WITNESS STATEMENT OF MR JOHN IRVING

---

I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

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

**I WILL SAY AS FOLLOWS**

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.

2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

**Background**

3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.

4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.

5. The Defendant lives in Flat 109 and in conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasing agitated by the raised voices and approaches towards Mr Gray. I could

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see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR NEVILLE GRAY

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

**Background**

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.

4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints where made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant's still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.

5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non- existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.

7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.

8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.

9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

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one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....
Name: Mr Neville Gray

Dated this01 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

---

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

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

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.

4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.

5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

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all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6th August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.

7. On 8th August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.

8. On 27th September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.

9. On 28th September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.

10. On 8th December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

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11. On 11th December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.

12. On 23rd December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23rd December 2016.

13. On 26th December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.

14. On 3rd January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

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15. On 21st January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.

16. On 31st January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.

17. On 5th May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.

18. On 12th May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.

19. On 1st June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

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20. On 9th June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.

21. On 16th June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.

22. On 18th June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.

23. On 23rd June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what

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was happening, the Defendant went back into his flat. We then called the police, they attended and we explained what happened. The police then went and knocked on the Defendant's door but he refused to let them in.

24. On 28th June 2017 at 11:45am, the Defendant confronted my wife outside the main entrance door as she was going to pick up our daughter from school and demanded to talk to her. My wife told him that she cannot stop to speak with him as she was on her way to collect her daughter from school but the Defendant ran after my wife, stood in front of her and started to shout at her. The Defendant told my wife that he knows all our personal details including our full names, date of birth and bank details. The Defendant demanded that we should pay him some money and that my wife should tell me to come and talk to him. The Defendant also accused my wife of making noises inside our flat.

25. On 30th June 2017 at 11:45am, the Defendant confronted my wife as she was leaving the block to go and pick up our daughter from school and accused her of slamming the door. My wife denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

26. On 2nd July 2017 at 5:18pm, my family and I was going out to visit some friends and as we were about to exit the block, the Defendant popped his head out of his front door and asked me when I was going to hand over the money to him. I told him that I was not going to give him any money and that he should go and work so that he could earn some money. As we left the block, the Defendant came running after us and was shouting abuse and swearing at me and said to me that I should pay him some money if I want him to leave me and my family alone. The Defendant also said to me that he has all our personal details including phone numbers, date of birth

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and bank details and that I must pay him to have them back. I told him that I will not pay him and to do whatever he likes with the details.

27. The constant verbal abuse, swearing, intimidation and aggressive behaviour from the Defendant towards my family and I have made it difficult for us to live in our own home. The fear of not knowing when we will be confronted with vile and aggressive behaviour as my wife and I go out or return to our home has caused us severe stress and anxiety. My wife is afraid of leaving our flat on her own due to fear that the Defendant will confront and shout abuse at her. We are having to tip-toe inside our flat for fear of being accused of making noise even though we live two floors above the Defendant. The Defendant has caused us immense hardship by vandalising my property and although I cannot prove it, I am certain that the Defendant was responsible for slashing my car tyres, damaging my meter cupboard and removing my electricity fuse several times and restricting water flow to my flat. Also, I no longer park my car outside my block in Burncroft Avenue because of the car being vandalized. I now park a few streets away, about ten or fifteen minutes from my home instead of outside my block which is about a minute from my flat. I do not see why we should have to live this way.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....M. Mathiyalagan.....

Name: Mr Markandu Mathiyalagan

Dated this 02 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of George Quinton
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR GEORGE QUINTON

I, Mr George Quinton, of 113 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

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

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located the next floor above the Defendant's. I have lived at this property since the 2nd May 2016.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problems that I have encountered with this tenant have been a regular occurrence since the commencement of my tenancy. The Defendant would come to my flat three or four times a week, on occasion this would occur more frequently whereby he would extend this harassment to not only myself but to my visitors also often following them as they would leave the building. He would often play loud music after which he would become very argumentative and bang on my door accusing me and my visitors of maliciously making loud noises to annoy him.

4. The Defendant would often make threats to me and on one particular occasion the Defendant said to me, 'he is on a curfew for 12 days but he would come 'after me' once this is over'.

5. The Defendant had also made accusations claiming that the noises I was allegedly causing had resulted in the sudden death of his child.

6. On another occasion on the 9th October 2016, the Defendant came to my flat banging on the door and when I answered immediately started shouting at me. He then went downstairs and about ten minutes later he approached my moped which was parked outside the building and started smashing it with a wooden stick. The damage that caused was to my vehicle was significant and prevented me from using it for some time and caused me to lose my job through lack of transport which was a requirement of my employment. The damage to the motorcycle was damage to tyres, the side panels, the headlights both front and rear along

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with both the breaks and the mirrors. The matter was reported to the Police who attended and arrested the Defendant. A crime reference number was obtained relating to this incident and I will be happy to provide this at the hearing when I attend. I also have a recording of conversation ~~between the Defendant and I, where he admitted to~~ have caused damages to my moped. The recording will be provided at the hearing.

7. A further incident occurred with the Defendant around January 2017 whereby he came to my front door and started shouting and complaining about noise and that he was being wrongfully accused by the Police and accused myself and other tenants of 'being out to get him'. I asked him to leave but he refused to do this so I then left my flat to stay at my friends as the Defendants behaviour had scared me. When I returned to the property a couple of days later, superglue had been inserted into the front entrance door lock preventing me from gaining access, this also caused the key to break.

8. This was reported to the council and an order was required to gain entry to my property. This was recorded under works order reference number 1814013/1.

9. Due to the erratic and abusive behaviour of this tenant I have been forced to flee my property because I feel scared and uncomfortable and I have not returned since. As a result of this I have also fallen into arrears, I am now facing homelessness.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....G Quinton.....

Name: Mr George Quinton

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Dated this 7th day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 1
4. Exhibit No LN1
5. Dated 7 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to other residents and their visitors on Burncroft Avenue.

3. The Defendant is a secure tenant of the Claimant at 109 Burncroft Avenue, Enfield, Middlesex, EN3 7JQ. His tenancy commenced on 14th August 2006. I hereby attach a bundle of documents relating to this case as exhibit number **LN1**. A copy of the Defendant's tenancy agreement and terms and conditions are hereby attached at pages 1-24.

4. The reports concerning the Defendant's alleged anti-social behaviour towards his neighbours was first brought to my attention in October 2016 when a case involving the Defendant and one of his neighbours was referred to me for investigation. The Defendant was reported to have caused frequent acts of harassment and anti-social behaviour against an elderly neighbour. The Defendant was arrested by the Police and bailed to a different address. The matter was referred to the Highbury Corner Magistrates' Court on 05 October 2016 where a first hearing took place. The Defendant pleaded not guilty and the trial was fixed for 17 November 2016. However, the trial did not proceed due to insufficient support as the elderly tenant was unable to attend Court due to health reasons. A copy of a letter from the Magistrate Court is attached to this statement at pages 25-26.

5. The Defendant was previously known to the Claimant and an anti-social behaviour order was made on 4 August 2015 by the Magistrates Court to prevent him from knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice Order Act 1994. The order was made for a duration of 5 years. A copy of the Order is at page 27 of the exhibit bundle.

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6. On 6th August 2016, the Defendant threatened and shouted abuse at Mr and Mrs Mathiyalagan tenants of 117 Burncroft Avenue. He aggressively demanded money from him and threatened to beat him up. The Defendant also repeatedly swore at Mr Mathiyalagan's wife, called her a 'witch' and tried to stop the Mr Mathiyalagan from going up the stairs to his flat by standing in front of him and blocking his advance by placing his hands on the staircase railings. Mr Mathiyalagan has already provided a witness statement in support these proceedings to confirm that this incident happened. A file note of this report is exhibited at pages 28-30 of the exhibit bundle **LN1**.

7. On 8th August 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his front door, shouted abuse at him and his wife and accused them of making noise. Mr Mathiyalagan reported to us that he believes that the Defendant used a screw driver to damage the lock on his meter cupboard and removed the fuse box thereby cutting off their electricity supply. Mr Mathiyalagan reported this incident to the police and was given reference number CAD 7934/August 2016. A file note of this report is exhibited at pages 28-30 of the exhibit bundle.

8. On 27th September 2016, Mr Mathiyalagan reported that the Defendant confronted him as he returned to his flat with his wife and young daughter and threatened and swore at him and demanded money from him. A file note of the report is on pages 28-30 of the bundle.

9. On 28th September 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his door and threatened and shouted abuse and swear words at him and his wife. The Defendant also aggressively demanded money from Mr Mathiyalagan. A file of the report is at pages 28-30 of the exhibit bundle.

10. On 11th November 2016, my former colleague, Sarah Fletcher interviewed an elderly resident who wished to remain anonymous. He said that the Defendant approached him as he came out of his flat and started to shout abuse, swear at him and threatened to burn down the elderly neighbour's flat. The report

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continued that sometime around mid-September 2016, one of the Defendant's neighbours reported that the Defendant confronted him outside his block as he was going to the local park and started to shout abuse and threats at him and said to him "I can get you over at the park, I know you go for a walk". This incident led to his arrest and to the matter being referred to the Magistrates Court. A file note of the report is exhibited on page 31 of the exhibit bundle **LN1**.

11. I had meetings with Mr George Quinton, one of the Defendant's neighbours on 16th December 2016 and 11th January 2017. He reported that he was experiencing problems with the Defendant's behaviour, and that on 4th October 2016, the Defendant aggressively banged on his ceiling and accused him of making noise. The Defendant then went to the neighbour's flat upstairs and started kicking and banging on the front door and was swearing and shouting at him. The Defendant later went downstairs, dragged the neighbour's motorbike from where it was parked and started to hit it with a piece of wood. A file note of the report is at pages 32-34 of the exhibit bundle.

12. On 22nd November 2016, during a telephone conversation with my former colleague Ms Sarah Fletcher, the Defendant was heard saying to his mother, who was present with him, 'I'm gonna do her over, I'm gonna take her job just for fun' referring to Ms Fletcher. A file note of the incident is at page 34A of the exhibit bundle.

13. I hereby attach a case history detailing incidents of reports from Mr Mathiyalagan about the abuse, threats and persistent intimidation by the Defendant. The case history is at pages 35 to 40 of the exhibit bundle **LN1**. It shows that Mr Mathiyalagan reported incidents too numerous to set out in this statement about abuse, threats, attempts to extort money and intimidation by the Defendant. Examples are that the Defendant banged on his front door while his wife was alone at home with their young daughter and shouted abuse at his wife and asked her to turn off the bathroom taps. He also removed his electricity fuse thereby

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cutting off their power supply. Mr Mathiyalagan reported the incident to the police and was given CAD 5753/23 December 2016. A file note of this incident is at page 37 of the exhibit bundle.

14. Other examples of aggressive and anti-social behaviour reported by Mr Mathiyalagan were that on 21st January 2017, the Defendant aggressively banged on his door, swore and shouted abuse and threats at him and his family and accused them of making noise.

15. On 9th June 2017, the Defendant attacked Mr Mathiyalagan's cousin in the communal hallway as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his mobile phone from him as he tried to record the incident.

16. On 16th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was exiting the main entrance at 11:55am and said to her that he had her bank and personal details. He also reported that the Defendant told his wife that he wanted her and her husband to pay him some money.

17. On 23rd June 2017, the Defendant came out of his flat with his dog and attacked Mr Mathiyalagan's cousin as he returned from work at 11:35pm. He reported that the Defendant punched his cousin twice on the chest, tried to push him out of the block and snatched his mobile phone as he tried to record the incident.

18. On 28th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was leaving the block at 11:45am, swore at her, shouted abuse and accused her of making noise inside her flat. He said to her that he knows all her personal details and that of her husband including their full names, date of birth, phone numbers and bank details. The Defendant demanded that they pay him some money and asked her to tell Mr Mathiyalagan to come and see him.

19. On 2nd July 2017, Mr Mathiyalagan reported that the Defendant confronted him with his dog barking and without a lead as he was going out with his family at

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5:18pm and asked him when he was going to hand over the money. He also reported that as they left the block, the Defendant ran after them swearing and shouting abuse and demanded that he must pay him money if he wants him to leave him alone. The Defendant also said to him that he has all their personal details. A report of the incident is at page 40 of the case history.

20. Case history notes exhibited at pages 41-46 show reports of similar aggressive and intimidating behaviour displayed to Mr Mathiyalagan was being experienced by another tenant who wishes to remain anonymous because of fear of reprisal from the Defendant.

21. Similarly, further case notes exhibited at pages 47-52 show that another tenant who wishes to remain anonymous was being subjected to the Defendant's anti-social behaviour. She had to be moved from the block because of the harassment from the Defendant and because she suffered from mental health problems and was particularly vulnerable and unable to deal with the threats and harassment from the Defendant.

22. On 7th February 2017, the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve low water pressure issues affecting the flat. The Defendant informed the leaseholder that there were problems between him and his tenants but did not give specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in their flat and that they were trying to fix the problem. The Defendant said to the leaseholder, "you will not resolve the problem as I am restricting their water supply". The leaseholder later asked the Defendant to increase the water pressure and the Defendant stated "I cannot do anything at the moment, I will sort it out later". A report of this incident is at page 55 of the exhibit bundle.

23. On 24th February 2017, the Claimants officers Sarah Fletcher and Steve Kirk attended the Defendant's property following reports of low water pressure in the

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flats above his. While inside his flat they noticed that the Defendant have installed a metal security gate inside his front door. It also appeared that the Defendant may have removed the wall between his kitchen and living room thereby creating an open plan living space. A copy of the file note is pages 56-57 of the exhibit bundle.

24. On 8th May 2017, the Claimant's officers, Ms Fletcher, a Neighbourhood officer who has since left the Council and Mr Steve Stirk, a Surveyor visited the Defendant's block of flats following reports of low water pressure to flats 109, 113 and 117 Burncroft Avenue. While the Claimant's officers were outside flat 113, the Defendant came up to them and started to complain about his perceived victimization by his neighbours, the police and the council. While the Defendant was talking to the officers, Mr Mathiyalagan came down the stairs and the Defendant said to him, "I'm going to the police station now with my evidence about you and I'm going to ruin your life". A file note of this report is exhibited at page 58 of the exhibit bundle and an email from Steve Stirk is at page 59.

25. On 14th May 2017, yet another neighbour who wishes to remain anonymous reported that the Defendant aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The neighbour stated that the Defendant later followed her to her car as she was leaving the block shouting abuse and wanting to know where she was going. The neighbour also reported that the Defendant allowed his dog to roam freely in the communal area of the block without a lead. A file note of the report is at page 60 of the exhibit bundle **LN1**.

26. On 28th May 2017, the Defendant was issued with a first instance Harassment letter by the police following allegations of harassment and threatening behaviour made to the police by his neighbour. A copy of the letter and the PC's statement are at pages 61-62 of the exhibit bundle **LN1**.

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27. On 12th July 2017, Mr Neville Gray, the Claimants repairs surveyor attended the Defendant's flat to investigate reports of low water pressure to the flats above the Defendant's flat but the Defendant refused him access. Mr Neville Gray attended the Defendant's flat again at about 5:39pm following reports from the leaseholder of flat 117 Burncroft House that the water supply had stopped completely, but the Defendant also refused him access. The Defendant later shouted abuse and swear words at Mr Gray and would not allow him to approach his car. Mr Gray has provided a witness statement in relation to this incident.

28. The Defendant is in breach of the following conditions of his tenancy agreement;

i. Condition 10 – "You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."
ii. Condition 21 – "You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police".
iii. Condition 31 – "You must take care not to cause damage to your property or the property of your neighbours".
iv. Condition 33 – "You must keep the inside of your property clean and in reasonable decorative order".
v. Condition 34 – "You must not use the property in any way that may cause a health and safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)"
vi. Condition 53 – "You must keep the inside of the property, the fixtures and fittings and glass in the property in good repair during the tenancy"

29. I have corresponded with the Defendant regarding the reports of anti-social behaviour made against him by his neighbours and invited him to meetings with his mother Lorraine Cordell but he declined to attend. Letters were sent to him on 29th November 2016 inviting him for a meeting on 6th December 2016, 31st

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January 2017 inviting him for a meeting on 9th February 2017, 16th February 2017 for a meeting on 22 February 2016 and 16th March 2017 for a meeting on 22nd March 2017. These letters are exhibited at pages 63-70 of the exhibit bundle.

30. I have enquired with the Mental Health Team whether the Defendant is currently known to the team and was informed that he is no longer under their care.

31. The Claimant's operatives have had difficulties in accessing the Defendant's flat to inspect the state of the property and the unauthorised works and modifications which the Defendant is purported to have carried out without a written consent from the Claimant. The Claimant has also been unable to check whether the Defendant is restricting water supply/pressure to the properties above his since December 2016. The Defendant has admitted to restricting the water supply but has refused to allow the Claimant's maintenance operatives access to his property to investigate and rectify the problem.

32. The Defendant has intimidated the residents in the entire block and because of his behaviour, we have received numerous complaints from residents, requests to be transferred from the block and we have had to move a vulnerable tenant from the block.

33. I have made attempts to engage with the Defendant but he has not been cooperative and has continuously displayed abusive and threatening behaviour towards the Claimant's members of staff and his neighbours. A Notice of Seeking Possession has been served on him and possession action is being considered. However, in the meantime, this injunction is required to ensure that the other residents are not subjected to further intimidation and harassment by the Defendant. This application is being made without notice because if the Defendant were given notice, he would intimidate the witnesses in an attempt to prevent the order being made.

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Statement of Truth

I believe the facts in this Witness Statement are true.

Signed .....

Dated this 8th day of August 2017

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1. On behalf of the Claimant:
2. Lemmy Nwabuisi
3. Statement No 1
4. Exhibit: LN1
5. Dated 8th August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendants

EXHIBIT

This is the Exhibit LN1 referred to in the witness statement of Lemmy Nwabuisi dated 8th August 2017.

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497630

# Tenancy agreement

When signed, this document becomes a legal agreement between you, the tenant(s), and the London Borough of Enfield. You should not sign this agreement unless you agree to keep all the conditions written in it. You must ensure that you have read it properly and have asked for further explanation where necessary so that you do fully understand it.

This tenancy agreement is between the London Borough of Enfield and the tenants detailed below:

| tenant | date of birth | family | date of birth |
|---|---|---|---|
| SIMON CORDELL | 26/1/84 | | |

The London Borough of Enfield lets the property detailed below:

address 109 PARKCROFT AVENUE
ENFIELD
EN3 7JR

| | | | | | |
|---|---|---|---|---|---|
| net rent | £ 62.64 | caretaking | £ 2.47 | concierge | £ — |
| water rates | £ 3.76 | grounds maintenance | £ 0.66 | other | £ — |
| heating charge | £ — | cctv | £ — | TOTAL RENT | £ 65.13 |

This is an ~~introductory~~/secure tenancy with effect from Monday 14 (date) Aug (month) 06 (year)

This introductory tenancy will automatically become a secure tenancy on N/A unless we have started proceedings for possession

If you or anyone on your behalf has given false information to enable you to get this tenancy, we will take action to recover possession of the property.

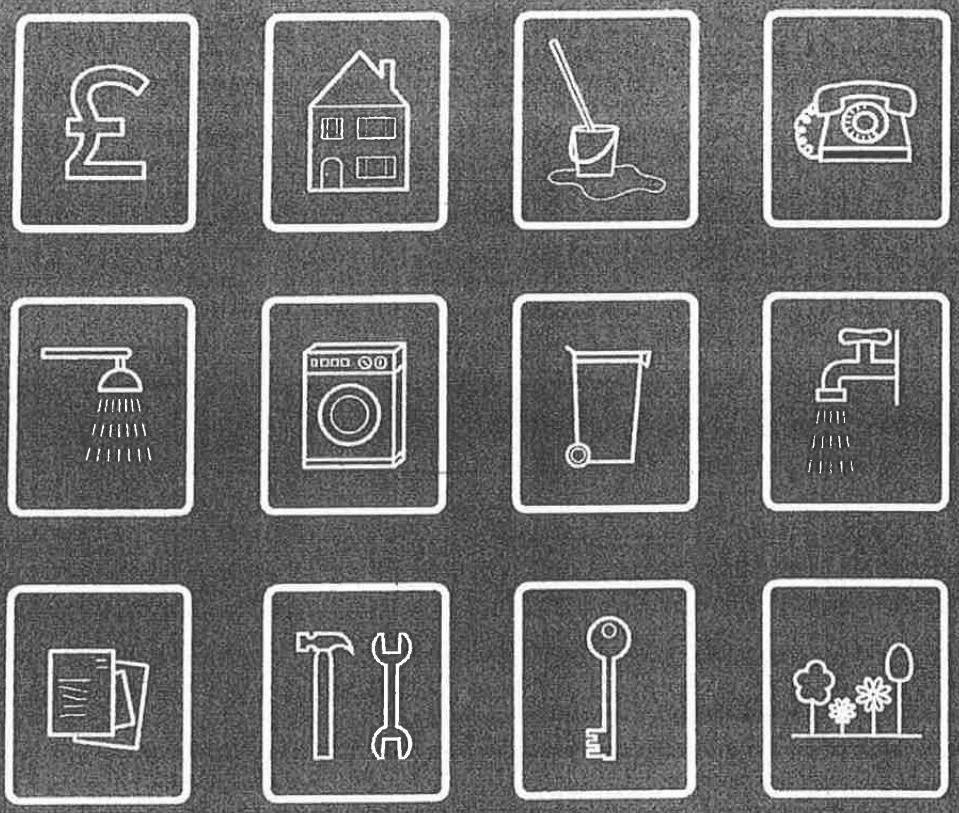
If you break any of the conditions of your tenancy, we can take action to force you to meet the conditions or we can ask the court for permission to evict you.

I/We agree that I/we have had adequate time to read, understand and seek advice on the information and conditions in this document. I was/We were given details of where I/we could get this advice. I/We agree to keep to the conditions of this tenancy agreement.

| | | | |
|---|---|---|---|
| signed | tenant Simon Paul Cordell | date 11/8/06 |
| signed | tenant | date |
| signed | tenant | date |
| signed | Verity Bent on behalf of the London Borough of Enfield | date 4/8/06 |

231 01 April 2006

# Tenancy Agreement



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ENFIELD Council

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Section 1

# General terms

**This is your Tenancy Agreement. It is a legally binding document which sets out your rights and responsibilities as one of our tenants.**

**It is an important legal document and should be kept in a safe place.**

**Conditions of Tenancy are marked in red text as they are important, and you must comply with them.**

**If you break any of these tenancy conditions we may have to take legal action against you in the courts. This could lead to you losing your home.**

**For further explanation of anything contained in this document, please see the fact sheets on our website.**

**Where 'you' is used in this agreement, it means you, all members of your household and any visitors to your property.**

**Where 'we' or 'us' is used in this agreement it means Enfield Council or any agent acting on its behalf.**

## 1.1 Interpretation

Unless the contrary is stated or implied, the rights and obligations set out in this agreement are intended to replicate the rights and obligations established by statute, for example, the Housing Act 1985, Part IV. The contrary may be implied where, for example, rights and obligations are set out in the contract that either are not addressed by statute or where the statute gives the council discretion.

## 1.2 What this agreement means

By signing the Tenancy Agreement you are entering into a legal contract with us to keep to all the conditions of your tenancy set out in this document.

This agreement is for both introductory and secure tenancies. If your tenancy is an introductory one, you do not have all the rights that you will have when your tenancy is secure. The section below, under the heading 'Introductory tenancies', outlines the rights you do have as an introductory tenant. Whether you are an introductory or a secure tenant, all the conditions will apply.

In this agreement, 'you' always means you, the tenant, or - in the case of joint tenancies - any or all of the joint tenants. Sometimes 'you' will include members of your household and visitors to your home. In this agreement, 'we' or 'us' means the London Borough of Enfield and its agents or representatives.

## 1.3 Personal information and photographs

### Fair Processing Notice

We collect and process personal information to allow us to allocate homes and manage and improve services. This may involve sharing your personal data with other organisations that are contracted to carry out services on our behalf. This includes services provided to you such as repairs but also services delivered to us such as fraud detection provided by credit reference agencies. These organisations are obliged to keep your personal details secure. When we share information, we will draw up an agreement with the organisation that we need to share the information with. This is so that both sides understand why the information is being passed on, and what it can be used for.



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We may pass on certain personal information to other organisations (such as local authorities, the courts or the police) where this is requested or we have a legal requirement to do so such as during a criminal investigation, a court case or to report benefit fraud.

**Condition 1. By signing this agreement you agree that we can use the personal information you give us in accordance with the Data Protection Act 1998 for the purpose of detecting and preventing fraud.**

**Condition 2. By signing the Tenancy Agreement you agree to us taking a photograph of you at the beginning of your tenancy, and in the future, whether at your home or at our offices. This is for the purpose of detecting and preventing fraud. We will keep a copy of your photograph with our records.**

## 1.4 Tenancy verification

**Condition 3. By signing this agreement, you agree to provide us with up to date details of you and your household when requested, such as during a tenancy audit interview, at your home. You will agree to our officers inspecting your home to comply with health and safety requirements. If you refuse to comply with this or any reasonable request, we may take legal action which could lead to eviction and you may also incur court costs.**

## 1.5 Introductory tenancies

All new Enfield tenants will be introductory tenants unless you were already a secure tenant of a local authority or an assured tenant of a registered provider at a previous property.

**An introductory tenancy will last for a trial period of 12 months.** Under the Housing Act 2004, we can extend the introductory tenancy period for a further 6 months if there has been a breach of the tenancy conditions in the probationary period.

If, during your introductory tenancy, you break any of the tenancy conditions, or if you made a false or misleading statement to obtain the tenancy, we may take action to end your tenancy by serving you a Notice of Possession Proceedings.

If you do not break any of the tenancy conditions during this time, you will automatically become a 'secure tenant' after a 12 month period.

**As an introductory tenant, you do NOT have all the rights of a secure tenant.** You do not have the right to:

- buy the property
- exchange the property with another tenant
- vote for a change to a new landlord
- take in lodgers
- sublet all or part of your home
- make any alterations or improvements.

If you break any of the conditions during your introductory tenancy, we may take legal action to end your tenancy.

## 1.6 Secure tenancies

If you are a secure tenant, you have the legal right to live in the property for which you hold the tenancy.

We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. We may take formal action if you break any of the tenancy conditions. We cannot evict you from the property unless we can prove grounds to do so in a court and the court grants an order for possession. As a secure tenant you will enjoy a number of rights not available to introductory tenants.

## 1.7 Sheltered accommodation

Some of our flats are designated as sheltered accommodation. Sheltered accommodation is intended for the over 60s and people with support needs and is considered unsuitable for families with children. If you live in one of these flats, you may be covered by some different local conditions due to the type of accommodation you are occupying.



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## 1.8 Making a complaint

If we fail in any of our responsibilities, you have the right to make a complaint through our complaints system, which has the following stages:

**Stage 0** – if you contact us to report something you are unhappy about and we can resolve the issue simply within 2 working days, we will record your dissatisfaction and handle the matter as Stage 0.

If the matter is unresolved, you may request that a formal Stage 1 complaint is logged.

**Stage 1** – your complaint will be investigated by a senior manager from the team where the alleged service failure occurred. They will respond within 10 working days.

**Stage 2** – your complaint will be reviewed by the Executive Management Team, who will aim to reply within 10 working days

**Stage 3** – The Chief Executive of Enfield Council will arrange for your complaint to be independently reviewed by a senior officer in Enfield Council who does not work for Enfield Homes. They will write to you with a decision within 30 working days of receiving your complaint.

We hope our complaints procedure will help us to sort out, with you, any problems you may have with the way our services are provided, but if you are still not satisfied you have further options:

From 1st April 2013 the Localism Act 2011 provides that the tenants of housing associations, local authorities and ALMOs will be able to ask for their complaints to be considered by a 'designated' person when all stages of their landlord's internal complaints procedure are finished.

A designated person can be an MP, local Councillor or a Tenant Panel. If you want more information on who they are and how you can contact them, please contact us directly on **freephone 0800 40 80 160** or email us at **info@enfieldhomes.org**

When the Housing Ombudsman receives a complaint that has gone through all stages of the landlord's internal complaints procedure, they will always ask if it has then been referred to a designated person and if a tenant is clear that they do not want to make use of that opportunity for local resolution (if it is more than 8 weeks from the end of the landlord's complaints process) the Housing Ombudsman will consider the case.

The Housing Ombudsman Service can be contacted at:

81 Aldwych
London WC2B 4HN

Telephone 0300 111 3000

Fax 020 7831 1942

Email info@housing-ombudsman.org.uk

## 1.9 Taking legal action against the council

If you think we have not met our obligations as stated in this agreement, you have the right to take legal action against us. You must obtain your own independent legal advice.

## 1.10 Serving legal notices on the council

If you wish to serve any Notice on us, you should send it as described in the section 'Ending your tenancy' on page 16.



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Section 2

# Your conditions of tenancy

## 2.1 Rent

We can change your rent and other charges at any time. We have to give you 28 days' written notice of any change in your rent and the change must start on a Monday but we can change your water and other charges at any time.

The notice will specify the revised net rent and other charges. This notice may be left at or posted to your property.

Our usual practice is to increase the rent and other charges no more than once a year in April although this does not preclude a change in rent or other charges at any other time in the year when necessary.

### 2.1.1 Failure to pay

**Condition 4. You must pay your total rent – which includes any charges on the property, for example water rates and service charges for amenities – in full on or before the date the payment is due.**

If you fail to pay your rent and/or charges, the council may take legal action to recover the debt or ask the court to grant us possession of the property. This could lead to you being evicted.

**Condition 5. You must tell us if you are unable to pay your rent in full or on time, and you must make an agreement to pay any rent arrears.**

We will treat your payments as rent due before we credit them to any other charges.

If you owe rent or any other charges for a previous tenancy, we may require you to pay these through your current rent account.

### 2.1.2 Miscellaneous recharges

**Condition 6. You must pay the cost of any items or works which are not our responsibility and for general damage to and misuse of the property. Examples are broken glass due to damage caused by you, a member of your household, or visitors to your household, the replacement of lost keys or fobs or the reinstatement of unauthorised alterations.**

### 2.1.3 Liability of joint tenants

**Condition 7. If you are a joint tenant, you are responsible for all the rent and other charges when they are due.**

In a joint tenancy, each tenant has full responsibility for paying the rent and any other charges due on the property.

If one of you leaves the property without ending the tenancy, or does not pay the rent and the account goes into arrears, each joint tenant will continue to be responsible for the rent and any arrears on the account.

If you have a joint tenancy, the tenancy ends for both joint tenants if you or the other joint tenant serves a valid Notice to Quit on us.

If you serve a Notice to Quit on us, it is valid if it is in writing and served at least 4 weeks before the date of termination. The day of termination must always be a Sunday. This must be signed and dated by you.

**Condition 8. If you or another joint tenant is intending to leave, or has left the property, you must inform us in writing.**

If you are a joint tenant with your partner and your relationship breaks down, we may inform you about where you can get independent legal advice on your rights.



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## 2.2 Conduct and behaviour

**Condition 9. You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere else within Enfield borough.**

### 2.2.1 Anti-social behaviour, nuisance and noise disturbance

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action, we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.**

Examples of this sort of behaviour include but are not limited to:

- playing loud music including noisy parties and congregations
- unreasonable noise caused by inadequate insulation and/or soundproofing of any type of flooring
- noisy DIY at unsocial hours
- loud arguments and/or fighting
- offensive and/or disruptive drunkenness
- dumping rubbish and furniture
- fly tipping
- slamming doors
- allowing your dog(s) to bark persistently and/or cause a mess
- not keeping your pet(s) under control
- playing ball games close to people's homes
- disruptive and/or intimidating loitering
- spraying or writing graffiti
- skateboarding and cycling on footpaths and balconies
- damaging or vandalising any council property
- setting fires
- riding motorbikes, mopeds, quad bikes anywhere other than on the road
- installing or using equipment such as aerials to operate illegal radio broadcasts from your own or any other council property or shared roof
- extensive repairing of cars and/or other motorised vehicles on estate roads or parking areas
- obstructing any shared areas, doorways or exits
- throwing items from balconies or windows
- feeding pigeons, squirrels, foxes, wild birds or any other non-domesticated animal
- jamming communal doors open
- letting people into communal blocks who do not have a right to be there.

If you are suffering abuse or annoyance, you should report the matter to us.

**Condition 11. You must not install any audio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from, without first consulting us.**

**Condition 12. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with written specification of the proposed works prior to installation.**

We would strongly advise that, in flats, you fit carpets. Do not remove existing carpets. You should not install tiling, hardwood or laminate-type flooring because fitting these may increase the way noise travels between floors and through walls. So if it disturbs your neighbours, we may consider it to be a nuisance and a breach of the conditions.

**Condition 13. You must not carry out household tasks using machinery such as a washing machine, tumble dryer, dishwasher or vacuum cleaner between the hours of 10pm – 7am.**



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### 2.2.2 Domestic abuse

**Condition 14. You must not cause any member of your household to leave your home because of domestic abuse. If you do, we will take action against you. This may result in your home being repossessed.**

**Condition 15. If you abuse or mistreat a child or, as a result of any such abuse or mistreatment, a child is endangered or taken into care, we may seek possession of your home and evict you.**

### 2.2.3 Harassment and hate crime

**Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.**

Examples of harassment include:

- using or threatening to use violence towards any person including our staff
- unprovoked physical assaults
- stalking, including cyber stalking
- domestic violence and abuse
- verbal abuse
- threatening or abusive behaviour
- threatening or abusive letters, telephone calls or text messages
- writing threatening, abusive, insulting or hate motivated graffiti
- racist comments and/or abuse
- damage to property or threats to damage property
- making false complaints about someone.
- abusing and/or bullying people through social media such as Facebook, Twitter, Instagram and text messaging.

### 2.2.4 Gang activity

**Condition 17. You must not be involved in gang related activity or violence. This includes using or threatening to use violence, or verbally assaulting other people residing in the locality, so that they leave the property.**

If you or other members of your household who are identified as being involved in, or potentially involved in, gang activity co-operate with us and/or our partner agencies, we will take this into account when considering tenancy enforcement action.

### 2.2.5 Criminal activity

**Condition 18. You must not use the property or locality for criminal, immoral or illegal purposes, such as dealing in illegal drugs or substances or prostitution and/or human trafficking. If you are convicted of such an offence, in your home, locality or anywhere else within Enfield borough, this will be a breach of your tenancy conditions.**

In particular, you must not use your home or any communal area, or anywhere else in Enfield borough, in connection with:

- selling, using, storing, manufacturing or growing of illegal drugs
- storing or handling stolen goods
- keeping illegal or unlicensed guns or weapons within the property with an illegal intent
- dealing in illegal pornography
- theft
- burglary
- criminal damage
- committing an offence during a riot
- cyber crime
- public order offences.



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**Condition 19. You must not use the communal area, any neighbouring areas or any garage or pram shed for any illegal purpose including, but not limited to:**

- **arson or attempted arson**
- **interference with security and safety equipment**
- **wilful damage to shared areas or facilities, including sheds**
- **breaking windows or doors or writing graffiti**
- **using weapons such as guns and/or knives**
- **using pets or dogs as a weapon**
- **using and/or dealing drugs.**

You will be responsible for the cost of renewing any door that has been damaged following any forced entry by the Police and reclaiming the cost from the Police.

**Condition 20. You must not keep any firearm, shot gun, or air rifle in your property without all the necessary certification required by law and without our written permission.**

### 2.2.6 Other unacceptable behaviour

**Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.**

If you fail to keep this tenancy condition, we will support our officers if they refuse to interview you, visit you, or speak to you on the telephone. We may also refuse you entry to our offices and take legal action against you.

## 2.3 Use of premises

**Condition 22. You must live in your property and use it as your only or main home.**

If you are to be away from your home for a continuous period of more than a month, you should inform us. If you do not do so, we may think that the property has been abandoned and take action to recover possession of it. You must tell us how and where you can be contacted in case of an emergency.

If you move out of your property and allow someone else to live there, you will no longer be a secure tenant. We will take action to recover possession of the property by serving a Notice to Quit.

**Condition 23. You must not allow your home to become overcrowded by other people living or staying there. You will not receive priority to transfer to larger accommodation under our Allocations Scheme if you do so.**

**Condition 24. You must notify us in writing, within 14 days, of any change, compared to those listed on your Tenancy Agreement, in the people who are living in your home. The notification must give:**

- **the person's full name, gender and date of birth**
- **the date of the change and**
- **whether s/he moved in or out of your home.**

**Condition 25. You are allowed to take in lodgers but must notify us in writing as required by Condition 24.**

Introductory tenants are not allowed to take in lodgers.

**Condition 26. You must not sublet or give up the whole of your property. If you do this, your secure tenancy may end. You may only sub-let part of your property with our prior written permission.**

**Condition 27. You can only assign your tenancy under certain circumstances which are described on page 19. You must have our written permission to do so.**

**Condition 28. You must not carry on or advertise any trade or business at your premises without our written permission and the necessary legal or planning requirements.**

This Tenancy Agreement only gives you the right to use your property as a private residence. If we give written permission for you to use your property for business purposes, you must still meet any necessary legal or planning requirements for your business use. If your business causes nuisance or annoyance to neighbours or local residents, we can withdraw our permission.



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**Condition 29. It is your responsibility to pay for all gas and electricity used in your property, directly to the appropriate gas and electricity company unless you live in a block where the heating is communal and the landlord charges you directly for this as a service charge.**

## 2.4 Sheltered accommodation

**Condition 30. If you live in sheltered accommodation, you must seek your Sheltered Estate Manager's permission if anyone is moving in with you for more than a few days.**

This should not be a permanent arrangement. However, your Sheltered Estate Manager may inform you of other housing options that may be more suitable for you.

## 2.5 Home contents insurance

Enfield Council is responsible for insuring the building and structure of your home but not the contents.

The council's building insurance does not cover contents insurance for your possessions. **You are responsible for insuring your home contents.** We are not responsible for loss or damage to your belongings including that caused by other residents.

## 2.6 Looking after your home

**Condition 31. You must take care not to cause damage to your property or the property of your neighbours.**

You should have any washing machine or dishwasher, electric or gas cooker, professionally installed. You must not use any of these if you know or suspect them to be faulty. If we send an electrician to check the electrical circuit and s/he finds that your appliance is faulty, we may recharge you the cost of the circuit check.

Refer to our website for advice on how to check if you have a faulty appliance. (See Appendix 3 for website details.)

**Condition 32. You must not neglect your property and let it fall into disrepair. This includes individual gardens as well as shared access pathways and steps in houses. Tenants of flats and maisonettes are expected to report defects to communal areas; for example, defective floor tiles.**

**Condition 33. You must keep the inside of your property clean and in reasonable decorative order.**

**Condition 34. You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).**

You must take reasonable steps to secure your property, for example, lock windows and doors when you go out.

It is your responsibility to decorate your home when it is needed.

**Condition 35. If your property suffers from condensation or damp, you must inform our Customer Services Team and follow any reasonable advice given to you.**

To help prevent condensation, you should:

- wipe dry the insides of windows
- open the windows and close the doors of any room used for hanging wet clothes
- not overcrowd any rooms with furniture or possessions.

## 2.7 Shared areas (communal)

**Condition 36. You must not cause an obstruction in any shared area, including balconies, garage and shed areas. You must co-operate with us to help keep shared areas clean and tidy.**

Everyone living in a block of flats or maisonettes is responsible for cleaning the landing area outside their flat.

Condition 37. You must NOT:

- store or leave any personal belongings such as flower pots, children's buggies, bicycles, boots and shoes in shared areas
- leave your rubbish in shared areas
- use inflatables (or other paddling/swimming pools, trampolines, bouncy castles) in shared areas such as communal gardens without our prior written permission. In deciding whether to grant permission, you will need to demonstrate that you have the necessary public liability insurance cover and that adult supervision will be provided at all times
- install swings and/or slides in communal areas
- use barbeques on balconies or in communal areas
- use a shared walkway/balcony/staircase to hang out washing
- store any items within communal area cupboards, communal loft spaces, intake, water tanks and communication equipment cupboards, other than allocated pram sheds
- adopt for sole use any communal area or land; for example landing, balcony, garden area, shared drying room, communal loft space. This also includes extending any existing individual garden.
- cut down, top, lop, uproot, damage or destroy any tree, shrub, plant or hedge on communal land
- store re-chargeable motorised vehicles without our express consent to do so
- use extension leads to charge/use any appliances on or within communal areas
- throw anything inappropriate down the communal rubbish chute; for example wood, bricks and children's buggies.

We reserve the right to remove any items that are placed in shared areas without permission and dispose of them, as well as repairing any damage arising from misuse of those areas, and recharge the cost to the tenant responsible where known.

Condition 38. You must co-operate fully with any measures we take to protect the security of your home and others' homes and you must keep all shared doors closed (for example: fire doors on landings).

Condition 39. You and/or anyone living with you or visiting you must not interfere with any equipment for detecting or for putting out fires in shared areas.

Condition 40. You must not install a gate leading on to shared footpaths and communal balconies without our prior written permission.

Condition 41. You must not erect any structure on communal land. This includes fencing off communal land.

Condition 42. You must not swap sheds with another resident without getting our prior written permission.

Not all flats are allocated with a shed. We reserve the right to take back the shed if it is swapped without permission or misused.

We will not be responsible for the loss or damage to any items stored in your shed. You will need to cover this on your own home contents insurance.

Condition 43. You must not use any shed for sleeping accommodation.

## 2.8 Improvements and alterations

Condition 44. You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.

Condition 45. You will be responsible for maintaining and/or repairing any alterations or improvements that you have carried out to your home.

Condition 46. You must not make any alterations to any gas appliance or installation in your home (including any gas and electric meter and any other associated pipe work or equipment or lighting installations).



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If you wish work to be carried out on such appliances or installations you must obtain our prior written permission before any work is carried out. Any such work may only be carried out by a suitably qualified Gas Safety Registered contractor. Failure to do so may have fatal results and we will regard it as a serious breach of your tenancy.

**Condition 47. If you carry out any works without our permission and we incur costs for reinstatement works, we will recharge you for the cost of those works.**

## 2.9 Right to Improve (secure tenants only)

There are certain improvements for which you can claim compensation when you notify us that you are going to leave the property. We will be able to give you details of the improvements that qualify and the conditions that must be met under the Right to Improve scheme. **You must seek our written permission before carrying out any works under the Right to Improve scheme.**

**Condition 48. You must obtain written permission from us before you erect, or arrange to have erected, any radio, television aerials, dishes, cameras/videos or any other electronic receiving equipment.**

This is to prevent damage to the external fabric of the building as well as public safety considerations. Permission will not be unreasonably withheld for houses.

**Condition 49. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with a specification of the proposed works prior to installation.**

## 2.10 Repairs and access to your property

**Condition 50. You must not cause damage to any of our fixtures and fittings, in your home or communal areas, deliberately or through misuse or negligence. You must not allow your visitors to do so.**

If you do cause damage, or allow your visitors to do so, you will be responsible for repairing, renewing or replacing the damaged item. If you do not make good the damage caused, we may, carry out the work and charge you for it.

**Condition 51. You must get our written permission before you remove or replace any of OUR fixtures and fittings.**

**Condition 52. You are responsible for repairing and maintaining any fixtures and fittings YOU install.**

We are only responsible for maintaining our fixtures and fittings. If you move, you must remove any fixtures or fittings that you have installed and put the property back the way it was at the start of your tenancy. If you remove your fixtures and fittings and do not replace them to our satisfaction, we will carry out the necessary work and charge you for it.

**Condition 53. You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.**

**Condition 54. You must report promptly any disrepair or defect where we are responsible for putting it right.**

When you sign for your tenancy we will give you information about our website which shows you which repairs are our responsibility and which repairs are your responsibility. It tells you how long repairs will take and gives advice about items in your home that might need repair and what information you should give when you report a repair to us.

**Condition 55. You must carry out any necessary minor repairs to your home.**

**Condition 56. You must not carry out noisy repairs/improvements such as drilling, sanding and loud hammering at the following times:**

**weekdays 6pm – 8am**

**and weekend times as follows:**

**Saturday 5pm – Sunday 9am**

**Sunday 4pm – Monday 8am**



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**Condition 57. You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.**

**Condition 58. You must allow our employees, representatives and contractors into your property to carry out repairs, servicing, inspections, or other works, where we consider it necessary.**

**Condition 59. You must allow our employees, representatives and contractors into your property if we need to carry out work to an adjoining property, and there is no other reasonable means of access (examples of such works are, but not limited to, scaffolding, access to boundary walls, roofing, tree works).**

If we need to carry out any work to your property, we will give you adequate notice of the date and the reason. If you refuse us access, or we are unable to gain access, we will apply to the court for permission to gain entry to carry out the works.

If the court gives us permission, you will be responsible for the court costs and any additional costs that result from us not being able to gain access to your property.

If you live in a flat or maisonette we may need to carry out work or repairs on your block for which we will require access to a number of properties. If we need to come into your property, we will give you adequate notice of the date and the reason. If, on that date, we are unable to gain access to your property, we will force entry under certain circumstances. Those circumstances would be where:

- essential works could not be carried out unless all tenants give access on the date given
- other tenants would be caused extreme inconvenience or distress
- we would have to pay additional costs
- damage is being caused to communal parts; for example, service ducts.

The circumstances would be those that could result in a fire hazard, gas leak or flooding.

Our usual practice is to give at least 24 hours' written notice that we need to access your property. In case of an emergency or when urgent health and safety repairs are required, we may have to enter your property without giving notice and, if necessary, force entry.

If we need to carry out work to the outside of your block, we will ask you to remove objects from your individual balcony. If you refuse to remove them and your refusal means that we are unable to complete the planned work, we will move the objects and may dispose of them.

If we require access to your home and you prevent us from entering, and this causes further damage to your property or to another, we may charge you for any repairs that then become necessary.

You should always ask contractors or workers for official identification before you let them into your property. If they do not have proof of identity, you can refuse to allow them into your home.

## 2.11 Fences

**Condition 60. You are responsible for keeping dividing fences in good repair and not causing any willful damage to fencing.**

We will only repair or replace boundary fences and gates where the fence separates your garden from a public right of way; for example, a road or alleyway. We will not necessarily replace any such fencing in a similar style or material as the previous one.

## 2.12 Temporary vacation of property

**Condition 61. Where we consider it necessary to carry out repairs, improvements or other works which cannot be carried out with you and members of your household living in the property, we will we will try to re-house you temporarily in a suitable alternative property. If you are moved to an alternative property, you must return to the original property once the works have been completed.**

## 2.13 Gas safety

**Condition 62. You must allow our employees or contractors access to your home to carry out a gas safety inspection.**



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Condition 63. You must ensure that you have sufficient credit on the gas and electric meters to enable the checks to be carried out.

We will give you written notice unless it is an emergency. If you do not let us in, we may take legal action to make you let us in or to allow us to force entry to your home. We may recover any reasonable costs from you associated with such action.

## 2.14 Health and safety

Condition 64. You must not do anything in or outside your home that may cause a danger to anyone in your home or in the locality including:

- throwing anything through or out of the windows or your home, balconies or roof or sweeping and/or wash offensive material on to the premises below
- placing anything on a window ledge, balcony or roof that could be a danger to anyone living in or visiting your home or in the locality
- causing a blockage to the drains and pipes, gutters and channels in or about the property by spilling or pouring in shared areas, oil, petrol, cooking oil, fat and oil based paint or other chemical substances or pouring the same down any drains or gullies
- altering the fire rating of your property by removing walls, doors and door closers
- removing external doors and replacing them with doors which do not comply with fire regulations
- propping open any communal fire doors
- storing items inappropriately in a way that may cause a health and safety hazard or encourage vermin and/or pests
- installing metal grilles to windows and external doors which may cause a fire escape hazard
- storing items, waste and personal possessions, which prevent the use of a room or space within the property.

Condition 65. You must provide a safe environment for staff and contractors visiting your home including not smoking in the same room where a member of staff or a contractor is working immediately before and during the visit.

Condition 66. If your property is fitted with a smoke detector, and/or a carbon monoxide alarm, you must keep it in working order by replacing batteries and reporting when there is a defect.

Condition 67. You must not keep or store dangerous, offensive or flammable materials or appliances at your home, or in communal areas, apart from those that may reasonably be needed for general household or medical use.

Condition 68. You must not use portable heaters that burn oil, paraffin, gas or other combustible materials without our written permission.

Condition 69. You must not interfere with the electric or gas supply.

Condition 70. You must not interfere with any equipment for detecting or putting out fires.

Condition 71. You must not use any shed/ pram shed/ garage/outbuilding in a way which causes a hazard, such as by storing flammable material.

Condition 72. You must not leave drug paraphernalia in any area where others might come into contact with them.

Condition 73. You must dispose of any hazardous waste safely and hygienically.

This will include such items as syringes, nappies and sanitary and incontinence pads, batteries and household appliances.

Condition 74. You must not allow children on to balconies, or any other area which could prove dangerous, without responsible adult supervision.

Condition 75. You must not allow anyone into shared areas of the block unless you know that they have a right to be there or allow anyone to follow you through a controlled door without permission.



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## 2.15 Pet(s) and animal(s)

**Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.**

If you live in a flat, maisonette or house with direct access to a private garden, you may be allowed to have more than one pet. You will need our written permission.

If you live in sheltered accommodation, you are required to nominate a friend or relative to take responsibility for your pet if you are taken into hospital or otherwise unable to look after it.

Pets must be kept in appropriate enclosures which are adequate for their needs and from which they cannot escape and with regard to their well-being.

**Condition 77. You must inform us of details of pet(s) (and working dogs for example; guide or hearing dogs) before they are brought into the household.**

**Condition 78. Dogs, other than guide or hearing dogs, are not allowed in play areas.**

**Condition 79. You must always keep your dog(s) on a lead in communal areas and on our land.**

**Condition 80. You must ensure your dog(s) does/do not foul communal areas, estate roads or our land, including play areas. Dog faeces must be disposed of hygienically such as in dog waste bins.**

**Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we will take action and give written notice asking you to remove it/them from your home.**

Condition 82. You must not:

(a) breed any pet or animal at your home

(b) encourage wild animals or wild birds, including pigeons, by feeding them. The feeding of wild birds is permitted providing that the food is contained in a suitable bird feeder.

(c) allow any animal droppings to build up in your garden and/or balcony and you must keep these areas free from pigeon droppings.

## 2.16 Gardens

**Condition 83. You must keep your garden (including any remote garden) well maintained at all times.**

You are responsible for maintaining all parts of your garden; including pathways, grass, sheds, plants, bushes, hedges and trees (including any of these that were present when your tenancy started as well as anything you have installed or planted yourself).

We reserve the right to take back possession of any remote garden which is not maintained.

**Condition 84. You must keep hedges, trees and shrubs at a manageable height. They should not hang over a public right of way, cause an obstruction or a nuisance to neighbouring properties.**

**Condition 85. You must not plant climbing plants for example; ivy, against the building which might damage the fabric of the building. You must also remove self-seeding climbing plants and self-set trees. We reserve the right to recharge for the cost of removal of any such vegetation and any associated structural repairs.**

**Condition 86. You must keep any garden and path clean tidy and free from obstruction. You should not leave rubbish or large items such as unwanted furniture, white goods and mattresses in your garden for an unreasonable period of time. (That is, longer than the council's refuse collection cycle).**

**Condition 87. You must obtain our prior written permission if you wish to plant a tree, cut one down, put up or take down and replace any fence or wall. If you install your own fence or wall, then you will be responsible for its maintenance.**



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**Condition 88. You must not erect a greenhouse, garage, car port, shed, garden pond or summer house at your home without getting our prior written permission. You will be responsible for maintaining any structures that you erect. You will be responsible for obtaining any necessary Planning or Building Control permissions.**

**Condition 89. You must not attach to any part of your property, including to external walls, fences or other structures, any barbed wire, broken glass or other material which is likely to cause personal injury to anyone.**

If we decide that tree management works are required to any tree in your garden, subject to any Tree Preservation Orders, we will advise you of what you must do. If you fail to comply with our request, we will carry out any necessary works and recharge you for the cost.

## 2.17 Vehicles and parking

**Condition 90. You must not park any vehicle that is untaxed or is unroadworthy on any part of your estate or housing land.**

We do not accept liability for any vehicle, fittings/components, or any contents of any vehicle parked on the estate.

We may remove and destroy any illegally parked, abandoned, dangerous or unroadworthy vehicle and charge the owner for our costs. This also applies to any vehicle not displaying a valid tax disc or a valid parking permit where one is needed.

**Condition 91. You must not park caravans, boats, trailers, burger vans, or vehicles used for business purposes on the estate or road next to your house without our written permission.**

**Condition 92. You must park legally and considerately and make sure that you do not cause any obstruction or nuisance or annoyance. This includes obstructing access for emergency vehicles, access to garages, refuse stores and grounds maintenance access points.**

We will not be responsible for damage to your vehicle if we or the emergency services have to remove it.

**Condition 93. You must not carry out repairs, other than minor routine servicing, to your vehicle on the estate or on any roads in the locality.**

**Condition 94. You must not leave a vehicle in a state of disrepair, or any parts of vehicles on the estate or on any roads in the locality.**

**Condition 95. You must not park SORN (Statutory Off Road Notification) vehicles on our land, including blocks/estate land, other than in your own drive/garden (in the case of a house). You can only keep SORN vehicles in your private garden/drive with prior written agreement from us for no longer than 12 months. We reserve the right to remove vehicles after 12 months after giving you 28 days written notice.**

**Condition 96. You must not build a garage, hard-standing or driveway without obtaining our prior written permission. You will also need Planning permission, Building Control approval and /or Highways approval. If you wish to install a dropped kerb, you must contact the Highways Department to obtain the relevant permission.**

**Condition 97. You must not park or permit visitors to park or drive on common grassed areas, verges (hard standing or grassed) or pavements outside or leading to your home. We reserve the right to recharge for costs arising from repair of any damage caused.**

**Condition 98. You must not use any communal land for the purpose of buying or selling vehicles, or repairing vehicles as part of a business enterprise.**

**Condition 99. You must not keep mopeds or motorbikes inside your home, in internal or external sheds, or in indoor communal areas, for example, landings, stairs, entrance and any internal area used by tenants.**

This could put others at risk and any such vehicle found in internal communal areas will be removed.



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## 2.18 Ending your tenancy

**Condition 100. You must give at least 4 weeks' notice in writing if you are going to end your tenancy. If we offer you a transfer, we will set the date for termination. If you do not give proper notice, your tenancy will not end and you will continue to be responsible for the rent, service charges and any other payments due in respect of your tenancy.**

The 4 weeks' notice must end on a Sunday.

If you are unable to give 4 weeks' notice, we may accept surrender of your tenancy earlier unless you are a joint tenant seeking to terminate it without the consent of the other joint tenant(s). As soon as you know you are leaving, you must contact us to discuss what you must do on surrender.

You can give notice to end your tenancy by writing to the address below:

Enfield Council
c/o Enfield Homes
The Edmonton Centre
36-44 South Mall
London N9 0TN

This is the address to which any Notices served on us should be sent.

Whether you or we end the tenancy the following conditions apply:

**Condition 101. You must return all keys, including all main door entry controlled system keys or fobs, for the property to us at the above address by 12 noon on the Monday of the week you leave.**

**Condition 102. You must pay the rent and any other charges up to the date that your tenancy ends.**

If you owe us money when you leave, you must make arrangements to repay the debt. If you do not, or if you make an agreement but do not keep to it, we may refuse to grant you another council tenancy. We will take legal action to recover the debt.

**Condition 103. You must not leave anyone living in your home when your tenancy ends.**

If there are people living in the property when your tenancy has ended, we will take action to evict them and charge you for the cost of the action. We may also charge you use and occupation charges for the property until the person is removed.

**Condition 104. You must leave your property and garden in good repair and clean and tidy, with all fixtures and fittings in the same condition when you move out as they were at the start of the tenancy except for fair wear and tear.**

We will charge you the cost of repairing any damage, installing missing or damaged fixtures and fittings and the cost of any cleaning that is necessary.

**Condition 105. You must remove all rubbish, personal effects, including fitted carpets or other floor coverings and furniture from inside the property and garden, and any of your belongings or rubbish from communal areas. For further details see our website for advice and our Clean and Clear policy.**

**We cannot store tenants' belongings left on the premises after the tenancy has been terminated and the keys have been returned to us because the cost and conditions of insuring against loss and damage would be complicated and unreasonably expensive.**

Therefore, we will get rid of any items that are left at the end of the tenancy and charge you the cost of removal. If we do not know your forwarding address, we will put the debt into an account in your name and pursue the debt.

When you leave your home, it is your responsibility to ensure that we have your forwarding address in writing.

**Condition 106. You may not be granted another council tenancy if you:**

- **are evicted from this council tenancy**
- **abandon this property and do not return the keys**
- **owe rent on this or a previous property**
- **leave this property in a poor condition and fail to pay for repair and replacement.**

If you need advice on ending your tenancy, please discuss this with us.



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Section 3

# Our responsibilities

### 3.1 Repairs and maintenance

We will keep in good repair the structure and outside of your property, including drains, gutters and external pipes. This will not apply if the damage is caused deliberately or through misuse of the property by you, your household or visitors.

We will keep in good repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, heating and hot water. This will not apply if the damage is caused deliberately or through misuse of the installations by you, your household or visitors.

Our responsibility for repairing the internal structure of your property and the above installations only begins when we are told that a repair is needed.

If we are aware of damage that was caused by you which you refuse to repair, if it is dangerous to others, we will carry out the repair. We will charge you the cost of any work that is necessary to remove the danger.

The repairs part of our website will tell you our policy on repairs, and sets out which repairs are our responsibility and which are your responsibility.

We will keep in good repair all communal areas and amenities.

We are responsible for making sure that communal and external areas are in a reasonable condition, even when we are not told that a repair is needed.

We will carry out an annual gas safety inspection and an annual service of our gas appliances.

### 3.2 Right to Repair

We will pay you compensation if certain urgent repairs are not carried out within specified time limits decided by law.

This is the Right to Repair scheme and the details of the repairs that qualify for this, and the time scales, are on our website.

### 3.3 Major Works Improvements

We will seek and consider the views of all affected tenants on any proposed major repair and improvement scheme.

### 3.4 Consultation and information

We will consult you about important changes to the way in which the Housing Service is managed, particularly those relating to your tenancy.

We will provide you with information about our performance, how the Housing Service is paid for and how your money is spent. Performance information is available on our website.

We will make sure that any information about you is held in a way that complies with the Data Protection Acts.

We keep information about you that we need, to provide you with a service. Such information will be confidential and we will use it only for the purpose for which it was obtained, and will keep it as accurate and as up to date as possible. This information is held on computer and manual records, and you have the right; provided certain conditions are met, to see it.

### 3.5 Quiet enjoyment

We will not interfere with your quiet enjoyment of the property as long as you, your household and any visitors to your property, keep to the conditions of this Tenancy Agreement. If we need to gain access to your property in an emergency, we have the right to do so without giving you notice. If we have to force entry, we will make sure that your property is secured before we leave.

We have a legal responsibility to allow you, as long as you pay your rent and keep all other tenancy conditions, to live peaceably and without any interference from us or anyone acting on our behalf.



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If we need to come into your home, we will give you a minimum of 24 hours' notice wherever we can. However, there are situations where we might have to gain immediate access. If in such a situation, we could not gain access, we have the right to force entry into your property.

The situations where we have this right include those where we believe:

- that water or sewage flowing into another property is from your home
- there is a gas leak in your property
- there is an animal in distress in your property
- our assistance is urgently needed in your property.

### 3.6 Conduct and behaviour

We will work with you to keep your estates and locality safe and free from anti-social behaviour and behaviour which causes a nuisance and/or distress to residents.

If a tenant or a member of their household or their visitor behaves towards you in a way that causes you nuisance or annoyance, we will tell you what action you can take against the person who is breaking the conditions and explain what we can do to help you.

Our statement of policies and procedures on tackling anti-social behaviour is available on our website or by request to an officer.

### 3.7 Equality and diversity

We will act fairly in all matters connected with your tenancy and will not unlawfully discriminate against you or disadvantage anyone on the grounds of age, religious belief or faith, disability, ethnicity, gender, gender reassignment or sexual orientation.

### 3.8 Courtesy

Our officers and anyone acting on our behalf will treat you with courtesy and respect.

If any of our officers or representatives fails to do this, you can make a complaint through our complaints system.

### 3.9 Transfers

We will consider any application you make for a transfer to another property in line with our Allocations Scheme.

The offer of a new tenancy within this borough will depend on the urgency of your housing need compared with the needs of other transfer applicants and also on the accommodation available. If you have enough priority to qualify for an offer, you may be eligible to bid for vacant council or housing association homes advertised on our bidding system (see Enfield Council's website at the housing pages at **www.enfield.gov.uk** for more information).

### 3.10 Variation of tenancy conditions

If we want to change or vary any conditions of your tenancy, we will send you a notice:

- telling you that we are going to serve a Notice of Variation
- explaining what the changes are and their effect
- inviting you to comment on the proposed changes within a given time.

We will consider your comments before we decide whether to go ahead with the changes. When we serve the Notice of Variation it will:

- give details of the changes
- say when the changes begin
- be served at least 4 weeks before the date of the change.

### 3.11 Right to succeed

When you die your tenancy will pass to your husband, wife or civil partner or cohabitee of more than 12 months' duration if they were living with you at the time of your death. This is called 'succession'. If you do not have a husband, wife, civil partner or cohabitee of more than 12 months' duration, the tenancy can pass on to a member of your family if they had been living with you continuously for the 12 months before your death. If a joint tenant dies, the tenancy will pass to the other joint tenant and this will count as a succession. The law only allows one right of succession.



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If you are a sheltered housing tenant, your spouse, civil partner or cohabitee of more than 12 months' duration will succeed to the tenancy as long as they were living in the property as their only or main home with you at the time of your death. If you do not have a spouse living with you, the tenancy could pass to a partner or family member as long as they are eligible for sheltered housing and were living with you for at least 12 months before you die. Failing this, we may consider granting a tenancy of another suitable property.

### 3.12 Right to assign

If you are a secure tenant or an introductory tenant, you can under certain circumstances, assign (legally transfer) your tenancy.

If you are a secure tenant or an introductory tenant, the law allows you to assign your tenancy to a person who would have been able to succeed to your tenancy if you had died immediately before assigning it. This means that, if you are a sole tenant, you can assign your tenancy to your spouse, civil partner, or to a family member, including cohabitee, or same-sex partner who has been residing with you for 12 months at the time of assignment. If you are a joint tenant you cannot assign the tenancy to another family member if they are not the other existing joint tenant. Effecting an assignment means that there will no further right to succession upon the death of the tenant to whom the tenancy has been assigned.

If you are a secure tenant, you have the right, provided certain conditions are met, to assign your tenancy by exchanging with one of our tenants or the tenant of another local authority or a housing association.

This right of mutual exchange does not apply to introductory tenants.

The court has the right to assign a secure or introductory tenancy on the breakdown of a marriage or relationship.

If you are a joint tenant and your relationship has broken down and you wish to transfer the tenancy into your sole name, we will ask you to obtain a court order from the County Court.

You must not assign your tenancy unless you have our written permission to assign your tenancy.

If we have begun court action against you for any breach of the Tenancy Agreement, or any other matter such as an injunction, we will refuse your request for a mutual exchange.

### 3.13 Right to Buy

Existing secure tenants will normally have the Right to Buy the freehold or leasehold of your home after they have been a tenant for 5 years.

You cannot buy your property during your introductory tenancy, but your period of introductory tenancy will count towards the 5 years.

If you are a sheltered housing tenant, under the Housing Act 1985, you do not have the right to buy your home.

If you have been guilty of anti-social behaviour, we can apply to court to request an order suspending your right to buy for a period that the court may specify.

You will not have the Right to Buy if we have obtained a suspended Possession Order against you.

### 3.14 Right to manage

This allows tenants' organisations to take over the management of their homes and to run services that we would normally be responsible for such as rent collection and the repairs service. A tenants' organisation is eligible for the right to manage if it can show that it represents the views of all its members and does what they ask of it.

### 3.15 If we end your tenancy

We may terminate your tenancy by leaving at your property, a Notice of Seeking Possession or a Notice to Quit or any Notice required by law.

All notices we leave in connection with your tenancy, including any Notice of Seeking Possession or Notice to Quit or other similar Notice, will be treated as properly served and received by you if left at the tenancy address, addressed to you.

This means that if we leave a Notice to Quit or a Notice of Seeking Possession addressed to you at your tenancy address, even if you are not living there, the court will recognise this as legal service of the notice.

If we serve a Notice of Seeking Possession on you, or any legal notice, the notice will contain reasons for our actions.

### 3.16 Housing related support

If you are an Enfield sheltered housing tenant, you may receive certain support services from the council, such as a daily visit from your Sheltered Housing Officer, in exchange for an extra charge added to your rent.

### 3.17 Welfare Benefit Reform

Through the Welfare Reform Act, the government has introduced new rules for the receipt of welfare benefits. For further information, and to see if you are affected, please contact us.

### 3.18 Prevention of Social Housing Fraud

The Prevention of Social Housing Fraud Act 2013 has been introduced which makes it a criminal offence to fraudulently sub-let social housing. The offences are punishable by a prison sentence, a large fine and/or an order for the repayment of any profits earned.



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Section 4

# Appendices

**This section does not constitute part of your terms and conditions.**

## Appendix 1
## Explanation of words used in this agreement

**Abandon**
When a tenant leaves their home without surrendering the tenancy, either by notifying us or ending the tenancy formally by serving a notice of termination on us.

**Anti-social behaviour**
Behaviour causing, or likely to cause, nuisance, annoyance, harassment, alarm or distress to anyone.

**Assign**
To transfer the tenancy during the tenant's lifetime.

**Breach**
To break or to fail to keep the conditions of the Tenancy Agreement, such as paying rent.

**Civil partner**
A person of the same-sex with whom you have registered your relationship as a civil partnership as from 5 December 2005.

**Direct access**
This means you have a front, side or back door that leads straight into your private garden.

**Domestic abuse**
Domestic abuse can be in the form of abuse including threatening behaviour, violence or abuse (physical, sexual, financial, psychological and emotional) between people who are, or were in an intimate relationship or close family relationship regardless of gender or sexuality (this includes forced marriages). Domestic abuse can be against anyone of any age and any background.

**Fraud**
When someone gives false or misleading information or takes action in order to get something which they would not otherwise be entitled to; for example, money, welfare benefits or a tenancy.

**Fixtures and fittings**
All appliances and furnishings in a property, including installations for supplying or using gas, electric and water.

**Garden**
The outside space which is let with your dwelling and is for the sole use of you and members of your household.

**Harassment**
To keep doing something to someone which they find annoying or upsetting. Harassment need not necessarily be abusive or violent.

**Insurance**
Liability cover provided by a company to protect goods and belongings in the event of damage.

**Joint tenant**
If more than one person has signed the Tenancy Agreement, then 'you' mean the joint tenants together and individually. Joint tenants have a shared interest in the property for the whole period of the tenancy. You are jointly and individually liable to pay the charges and for all the obligations under the tenancy.

**Locality**
The area in which you live including the estate you live on, the streets and all other areas around your home and the neighbourhood.

**Lodger**
Someone who pays to share your home with you but does not have an exclusive right to any part of it. A lodger would often pay rent that includes a payment for other things such as meals and/or cleaning.

**Members of your household**
Any person living at your property, either permanently or temporarily, even if their permanent address is elsewhere. This includes all members of your family living at the property, any relatives, friends or other lodgers staying with you and any sub-tenants of your property.

**Mutual exchange**
Exchanging your tenancy with another person by mutual agreement when permitted.

**Negligence**
When you fail to do something that it is your responsibility to do.

**Neighbour**
Includes anyone living in the area local to your home, including other tenants, people who own their own homes and local businesses.

**Notice of Seeking Possession**
This is a legal notification served on a secure tenant as the first stage before starting court action.

**Notice of Possession Proceedings**
This is a legal notification served on an introductory tenant as the first stage before starting court action.

**Notice to Quit**
This is a legal notification, usually of 28 days, served on a tenant to formally end the tenancy where security of tenure has been lost. Alternatively, it is also legal notification from a tenant that they will be giving up the tenancy.

**Nuisance**
Something that causes annoyance and/or distress.

**Overcrowding**
This is when a property has too many people occupying it.

**Partner**
Husband or wife or a cohabitee, including same-sex partner, who lives with you in a long-term or stable relationship.

**Permission (or consent)**
Where, in this agreement, it says that you must ask for permission or consent to do something, you must put your request in writing. This can be by letter or email. You must receive written permission from us before doing whatever it is that requires our consent.

**People residing in the locality**
All people living or staying, temporarily or permanently, in any part of the estate or locality in any type of property, whether rented or owned.

**Possession**
This is when the council takes back vacant use of a property by serving notice and taking court action. A Possession Order can be suspended on terms or take effect immediately.

**Property**
The dwelling, garden, yards, sheds and any other space which this Tenancy Agreement makes available for the sole use of you and your household.

**Relative**
Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step-relatives and adopted children. This includes relatives by marriage.

**Remote gardens**
Some flats are allocated with individual gardens which are separated from the main dwelling by things such as footpaths or drying areas.

**Representative**
Someone who is acting on our behalf.

**Shared areas (communal)**
The parts of the building or estate which all tenants and leaseholders can use, for example, halls, landings, foyers, stairways, landings, lifts, bin stores, shared gardens, landscaped areas, car parks and any other area accessible to more than one household.

**Sheltered housing**
Accommodation targeted for people over 60 years of age. However, people under 60 with support needs will also be considered.

**Spouse**
The person you are legally married to, including a registered civil partner.



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**Statutorily**
By means of the written law.

**Statutory Off Road Notification (SORN)**
A notice that declares a vehicle's status to the authorities when it is kept off the road and is on private land. The notice must be applied for from the Driver and Vehicle Licencing Authority (DVLA).

**Sub-let**
Giving another person (lodger who pays you money) the right to live in part of your home with our agreement. You will be in breach of the Tenancy Agreement if you sub-let the whole of your property.

**Succession**
The transfer of a tenancy on the death of a tenant.

**Surrender**
An unwritten agreement between the landlord and the tenant or joint tenant(s) to bring the tenancy to an end. The tenant surrenders by taking steps that can be interpreted as giving up their tenancy, such as emptying their property and giving up their keys.

**Unroadworthy**
This describes a vehicle which is designed to be used on a road but which is either untaxed and/or has, or appears to have a fault or faults which would, to common knowledge, make it unsuitable or unsafe for use on the public highway.

**Unsociable hours**
Late evenings, night time and weekends when people are relaxing or sleeping.

**Visitors**
Anybody who visits you or any member of your household at your property and is allowed by you, or any member of your household, to come into the property.

**Welfare Benefit Reform**
Changes in the way welfare benefits are being assessed and dealt with. These changes are taking place in stages between 2012 and 2014.

**Written permission**
A letter from us allowing you to do something. If the permission includes conditions that must be met, and you do not carry out these conditions, this means the permission is automatically withdrawn as if it had never been given.

## Appendix 2

### Role and responsibilities of officers dealing with your tenancy

Income Officers are responsible for collecting rent.

Tenancy Management Officers are responsible for dealing with tenancy audits, successions, assignments, changes in tenancy and mutual exchange visits.

Anti-Social Behaviour Officers deal with reports of anti-social behaviour, neighbour disputes, hate crime and domestic abuse.

Estate Quality Monitoring Officers deal with any issues maintaining the estate environment, estate parking and communal repairs.

Customer Services Officers are the first point of contact when you telephone or visit us. They raise repairs and will direct your enquiries to the appropriate team.

Community Engagement Officers deal with resident associations and resident involvement.

Communal Services deal with caretaking and grounds maintenance on estates.

The Sheltered Housing Service provides supported accommodation for older residents and people with support needs.

(0208345 1157
Police office Enfield Town)

0208 721 4131
774131

CJS CRIMINAL JUSTICE SYSTEM

774124
774083

The Prosecution Team

Mr [redacted]
[redacted] Burncroft Avenue
Enfield
EN3 7JQ

Witness Care Unit
Holborn Police Station
10 Lambs Conduit Street
Holborn
London WC1N 3NR

0208 247 7530
10am - 2pm Mon-Fri

7th October 2016

Dear Mr [redacted]

**Case Against Simon Cordell**
**Unique Reference Number 01YE0355816**

I am writing to confirm that you are required to attend court to give your evidence.

At the hearing on 5th October, 2016 at Highbury Corner Magistrates Court, Simon Cordell pleaded "not guilty" to the following offences:

1 Use threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence
2 Criminal damage to property valued under £5000

The defendant is on bail with the following conditions: not to contact you or attend your address and to reside at a designated address known to police. If you witness the defendant breaking these conditions, call 101 or in an emergency, 999 immediately.

A trial has been arranged to take place at HIGHBURY CORNER MAGISTRATES COURT at 13:30 p.m. on 17/11/2016. On arrival, please make your way to WITNESS SERVICE and you wait in their suite which is separate to the public and read through your statement. Please collect a blue claim form to claim any expenses of loss of earnings.

If you do not attend a WITNESS SUMMONS may be issued to enforce your attendance.

256 25

Please confirm if you wish for your contact details to be passed onto the Witness Service. They offer support to victims and witnesses, on the day you attend court and they can arrange for you to visit the court, before the day of the trial, so that you can have a look around. If you would like to visit the court please contact the Witness Service on **0300 332 1000**

Thank you for your assistance as a witness, as giving evidence is very important and your help is greatly appreciated.

Yours sincerely

Thomas Jones
Witness Care Officer

**What you should do now**

- Please call WITNESS CARE to confirm that you will be attending.
- Please attend HIGHBURY CORNER MAGISTRATES court at 13:30 p.m. on 17/11/2016
- For further information about being a witness, visit: http://www.justice.gov.uk/victims-and-witnesses/working-with-victims-witnesses

257 26

Highbury Corner Magistrates' Court
Code 2572
North London Admin Centre
PO BOX 52[illegible]3 Lon[illegible]n N7 1AF
Telephone 020 7506 3100 Fax 0870 739 5768

Mr Simon CORDELL
109 Burncroft Avenue
Enfield
Middlesex
EN3 7JQ

Case number: **011402490741**
Born: 26 January 1981

## Anti-social behaviour order on application

### Order
You must not

**a. Attend a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994;**
**b. Be concerned in the organisation of a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994**
**c. Knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice and Public Order Act 1994;**
**d. Enter or remain in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation or Local Authority**
**e. Enter or remain on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and**
**f. Engage in any licensable activity in an unlicensed premises**
**For the sake of clarity, nothing in this order prevents the Defendant from assisting, preparing for or engaging in licensed licensable activities**

This order lasts for **5 years**.

### Warning
If you do not obey any part of this order you will commit an offence and may be fined or sent to prison for up to five years.

DMDiyao
DDJ

**J.Vantyghem**

Date: 4 August 2015

***Justices' Clerk***

ENFIELD Council

**ASB Interview Record**

| Name Of Interviewer(s) | Name Of Interviewee(s) |
|---|---|
| Sarah Fletcher | Mr Markandu Mathiyalagan. |
| **Date Of Interview** | **Reason for Interview** |
| 11-11-16 | ASB Complaint. |

| Start Time | End Time | Location |
|---|---|---|
| 10:05am | 11:15am | Green Towers meeting rm. |

**Interview Details**

Resides at 117 Burncroft Avenue - placed by Waltham Forest District Council (temp. accommodation) → has lived there for 2.5 yrs.
Household: Mr + Mrs Mathiyalagan + 7 yr old daughter.

Complaint re: Mr Cordell, 109 Burncroft Avenue
Have been experiencing issues for about 18 months:
Mr Mathiyalagan was approached by Mr Cordell asking him to write a letter of support in relation to a problem he was having with the lady who used to live at 113 Burncroft Avenue. Mr Mathiyalagan told Mr Cordell that he did not wish to get involved as he had no problems with the lady that lived at 113 (this lady moved out earlier this year).
Since then, Mr Cordell has made living in this block difficult for Mr Mathiyalagan's family.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| Fletcher 11-11-16 SARAH FLETCHER | M. Mathiyalagan 11.11.16 MATHIYALAGAN MARKANDU |

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ENFIELD Council

**Interview Details**

Incidents include:

- Threatening / intimidating behaviour – aggressively demanding money (6-8-16 6pm) (27-9-16 11.45pm) (28-9-16 5.30pm)
- Constantly going on about noise – this is unjustified as family to be quiet / daughter toddling / no carpet / ... → No complaints from 113 (new resident since summer 2016: young man)
- Tyres slashed on car (all 4):
- Living in fear → wife + child (When Mr Mathiyalakan goes to work (Haddesdon), they are frightened to stay at home so accompany him and stay in car)
- Damaged fuse box resulting in no electricity (8-8-16)

⇒ Suspect that Mr Cordell uses drugs / possible mental health issues.

⇒ Has a big dog that he brings out with him when he approaches

⇒ Has put a camera on his door (facing communal dr)

- Physically threatened with a piece of wood.

o Have reported all of the issues to the police

o Have tried to report the problem to Waltham Forest District Council (Jabin, Kehinde, Ibrahim?)

↳ temp. accommodation team:

Tues 16-10-16 Ibrahim | 020 8496 5503 / 5501 / 5502.

Fri 12-8-16 Kehinde

↳ Advised to contact Enfield Council about Mr Cordell.

o Have written to MP.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16 SARAH FLETCHER | 11-11-16 [signature] MATAIYALAKAN MARKANDU |

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ENFIELD Council

**Action Plan**

**To be agreed and signed for before the end of the interview**

| Action Point | Actioned By Who? | Target Date |
|---|---|---|
| ◦ Copies of records kept / relevant documentation taken | SF | 11-11-16 |
| ◦ Contact Edmonton Police / Safer neighbourhood team | SF | 18-11-16 |
| ◦ Contact Waltham Forest District Council | SF | 18-11-16 |
| ◦ Incident log sheets provided | SF | 11-11-16 |
| ◦ Incident log sheets to be completed until end of Nov - returned to SF. | MM | 7-12-16 |
| ◦ Advised to contact police 101 or 999 if necessary. | MM | – |
| ◦ Contact neighbours to ascertain whether they are experiencing any issues | SF | 25-11-16 |
| ◦ Mr Cordell to be contacted | SF | 25-11-16 |
| | | |
| | | |
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| | | |
| | | |
| | | |
| | | |

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16 SARAH FLETCHER | 11-11-16 [signature] MAZAIYA LAUN MARKAN DU. |

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Time Not : 4/11/16

Home visit conducted on Friday 4th Nov 16. And emotional support was provided. At the time [redacted] was having problems remembering the timeline of dates pertaining to incidents. [redacted] said he was quite friendly with Simon Cordell – leading up to current events – and was somewhat perplexed as the sudden change in the attitude of the accused.

[redacted] and alleged other residents felt the problem could have something to do with a resident named [redacted]. [redacted] has since moved – [redacted] made reference to Simon Cordell boasting in having something to do with her departure..

[redacted] was trying to recall events and said it could have been in the month of July, – when Simone Cordell shouted abuse and swore at him and threatened to burn his flat down – Mr [redacted] did not call the housing or police to report the threat. His friend, another resident who did not want his name mentioned, said that it was it was on 6th July. Mr [redacted] could not quite remember when the second incident occurred but said that it was around mid-September. Simon Cordell approached Mr [redacted] outside his flat, when Mr [redacted] was on his way to the fields – and threatened him. A lady called Karen also a resident of Burncroft witness the threat and asked Mr Cordell to the leave the viw alone. With encouragement from other residents – Mr [redacted] called the police a few days after the threat to make a report.

Mr [redacted] said the police a lot of police some with riot gear – entered his flat with officers posted to the front and rear of the building. They managed to coax Mr Cordell out of his flat and arrested him.

The case has since been heard in court and Simone Cordell pleaded not guilty. He has been bailed with conditions – to stay away from Mr [redacted] and also not to enter the Burncroft area.

Mr [redacted] is required to stand witness in court on the 17th Nov 2016. However, Mr [redacted] is feeling quite anxious and feels there may be reprisals to him giving evidence. I asked Mr [redacted] if he would like me to attend the hearing in support he said yes he would not mind. I also visited another resident Christine – to get her account of things.

Action

- Contact the witness service and arrange a pre-court trial visit and other assistance.
- Possibly arrange transportation on the day of the hearing – and for the pre-court trial visit

Any other assistance/support we can provide Mr [redacted] with.

Jean Barton

ASB Victim Support

262 31

# CASE HISTORY

## Case17753 George Quinton
## NEIGHBOUR Active ,Phone call with Victim

### Involved Persons

**CLIENT (VICTIM) George Quinton,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17753 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | 113 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07708934948 |
| **Gender** | Male |
| **DOB** | 21/12/1995 |
| **Age band** | 18-24 |
| **Ethnic origin** | Other |
| **Appearance** | Male,20 yrs old,Other, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed,

| | |
|---|---|
| **Notes about this person** | intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**05/10/2016 : Threats and intimidation , Date reported : 06/10/2016**

Threats and intimidation (General)
Perpetrator has been harassing complainant for a while in relation to alleged noise nuisance. Yesterday evening the perpetrator was banging on the ceiling (the complainant lives above perpetrator) and then came upstairs and tried to kick the door in. He was very aggressive, shouting through the door. He then went outside, dragged the complainants motorcycle from its parking space and started smashing it up. The police were called and the perpetrator was arrested.

## Referral Details

**06/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 :**

Social worker for George Quinton (complainant) is Blossom Nation (Triangle Hse) 07947 406 733

**10/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**19/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**08/11/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**21/11/2016 : 21/11/2016 : 28/11/2016 : 29/11/2016 :**

Copy of letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 :**

Letter of complaint received from Mr Cordell's mother, copy attached.

**16/12/2016 : 11/01/2017 :**

I met with Mr Quinton today at the Civic Centre to discuss his complaints against Mr Simon Cordell. Mr Quinton stated that the problems started soon after he moved into the block in April 2016. He

stated that soon after he moved into his flat, he went round to SC's flat to introduce himself. After he introduced himself, SC said to him that there is some kind of war going on between him and other neighbours. SC also told him that he's got a load of issues with the police and that he was trying to sue them because he felt that they were treating him unfairly. He told SC that he was a musician and that he does not want anything to do with his issues.
Straight after he moved in, SC will come up to his flat at least once a week to shout at him and complain about loud banging from his flat and knocking pipes. SC would accuse him of making noise on purpose to wind him up and he will always explain to him that it is not true, that he does not make any banging noises inside his flat and that he cannot explain why the pipes were making knocking noises.
Mr Quinton stated that on 4/10/16, he was sleeping when SC started to bang on his ceiling but he ignored him. SC then came up and started kicking at his door and he still ignored him. SC then went downstairs, dragged Mr Quinton's motorbike from where he parked it, threw it on the ground and started to hit it with what he believed to be a mop pole, he is not sure how many times he hit it. He then called the police and they came and took him away, CAD No. 3309/4 Oct. 2016.
On 11/12/16, SC came up to his flat 3 times to shout abuse and complain about noise from his flat. Mr Quinton explained that the first time, he was running a bath when SC came and knocked on the door to complain about knocking pipes. He did not open the door and he shouted abuse at him and his friends and called them homophobic names. He later came back again to bang on his door and shout further abuse. He also made threatened him and his exact words are 'I'm off curfew in 12 days, when I'm, I am coming for you', he shouted further abuse and walked off. Mr Quinton stated that he is not sure why he came back the second time but he assumed that it was because of the pipes again. He later came back again the third time and this time he opened the door because he has had enough. SC complained about noise from his flat and he told him that he was not making any noise. SC then went on to tell him that he has been away for a long time and that his family was coming to look after his dog. He asked SC if he knew anything about his bike and SC replied 'You know what, I'm a grown man I'm not gonna lie, it was me that smashed your bike and I was gutted that the stick broke and I couldn't smash it up more'. He then asked SC about his tyres which was punctured with a knife and he denied cutting them. He then explained to SC that the knocking pipes has nothing to do with him and that he does not bang or make deliberate noise and he advised SC to play his music over the noise if it happens again as there is nothing he can do about the pipes and the noise as it is the nature of the building. SC said cool, fair enough and walked off and as he walked off, he turned round and gave him a dirty look.
About a week later, 2 of his friends left his flat and a short while later he heard SC running out of the front door. Soon after one of his friends called and told him that they have just had a confrontation with SC in the street. His friend informed him that SC ran up to them in the street and confronted his friend Jazz about the knocking pipe noises from his flat. Jazz told SC that it has nothing to do with him. SC then head-butted Jazz and as Jazz fell on the floor, SC jumped on top of him and started to punch him. His other friend Jevon who was with Jazz at the time pulled SC off Jazz and held him until 2 Turkish men came and separated them.
Mr Quinton stated that the police did not contact him to update him on what action was taken against SC regarding his smashed bike. He stated that he has recording of SC admitting to smashing up his bike and played the recording to me. Although it was very faint but you could make out what sounded like SC talking about smashing the bike. He stated that he wants to sue SC for criminal damage, he also wants to take out a restraining order against him and possibly an injunction.
He stated that his friends Simon Cocks (07393285528), Julian Jackson (07387277163) and Jazz Bramble (07375651241) are willing to provide witness statements and will attend court to give evidence on his behalf. He also wants us to find out why what action the police took regarding his smashed bike.

**08/02/2017 :**

I did an announced visit to Mr Quinton at 113 Burncroft Avenue following recent email from Mrs Cordell concerning noise disturbances from the flat as a result of wooden flooring but there was no response. I then telephoned Mr Quinton and left a voice message for him.

**07/03/2017 : 27/07/2017 :**

I telephoned Mr Quinton for updates on any recent incidents and he stated that there has been none as he has been staying at his flat. He stated that he has been staying with friends and family and only goes back to his flat to check his letters.
He stated that he will give a witness statement and will attend court if required to do so.

Telephone call received from Mr Cordell 22.11.16

I received a call from Simon Cordell of 109 Burncroft Avenue at approx. 1.20pm. The call was transferred by the customer services team informing me that Mr Cordell wished to discuss his housing options/how to move. I took the call – he sounded agitated and said that he had a few things that he wished to discuss with me. He said he was calling in response to a letter that I had sent him requesting the removal of a CCTV camera that he had installed on the inner communal/fire door on the ground floor of the block. He informed me that he would not be removing the camera as he believed he was legally allowed to have the camera as the communal area was his. I explained that he was in breach of his tenancy conditions as permission had not been sought or granted for the installation and he could not install anything in the communal area as this belonged to the Council. He maintained that his neighbour in another block had a camera and had taken the Council to court about it and won the case. I responded that I could not comment about other cases but my position remains as per the letter I sent: That the camera was in breach of tenancy conditions, was invasive to the privacy of other residents in the block as it points at the outer communal door and should be removed by Friday 25th November or the Council will remove it and charge him for the cost of doing so. He then said that the camera was fake so it didn't need to be removed. I responded that it did still need to be removed. His voice was raised throughout the exchange and I had to ask him to calm down and lower his voice more than once. He then said that he wanted to move on to finding out about moving to another address. He proceeded to give me a full history of his experiences with the police and previous housing management and alleged that 'Jackie', who had previously lived above him and 'Stan', his immediate neighbour on the ground floor, had victimised him over a long period of time and that he had done nothing wrong. This history was very full and it was difficult to get a word in because he was so worked up so I let him relay the information to me as it seemed like he wanted to get it off of his chest. He was very derogatory about the police and previous housing staff who had signed a request for an asbo application against him. I told him that I could not comment about previous action taken. He then came on to more recent events and stated that there had been an incident between him and another resident where she had shouted at him out of her window because of him starting up a scrambler bike in his garden. He maintained that he was courteous during the exchange but the police came and arrested him because she told them that he had threatened to kill her and that he had been put in the mental hospital, had won his case in court and was able to go home as of today. He said that he wanted me to give him 'points' so that he could move. I explained that his best means of moving would be through a mutual exchange but he was adamant that he did not want to do this and wanted to be moved in the same way that he moved into this property 11yrs ago by being given points. I explained that a transfer was unlikely based on what he had told me so far but that I could look into the position for him. He said a lot about his perceived victimisation by his neighbours and expressed that he felt that I should I have a duty to protect him. I explained that I had a responsibility to all residents living at Burncroft Avenue and took the opportunity to mention that I had received some reports about anti-social behaviour by him that I would need to discuss with him but suggested that we leave that for today. He then put his mother on the line (she had been trying to interject throughout the conversation) who said she wanted to know why I had not responded to her messages to call her. I apologised for this and explained that I have been very busy but that I needed to know whether we had written permission from Mr Cordell for us to speak to her – she said that there was a written note recorded on our files in 2015. Mr Cordell asked her what I was asking her and when she replied that I was querying permission I clearly heard Mr Cordell say angrily and aggressively "I'm gonna do her over" and then "I'm gonna take her job just for fun". I informed Mrs Cordell that I had overheard these remarks and that I was ending the call. She said that her son had now left the room and she was talking to me. I repeated that I would be ending the call and that she should put what she wanted to say in writing to me.

Sarah Fletcher
Neighbourhood Officer

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# CASE HISTORY

**Case17834 Markandu Mathiyalakan Burncroft Avenue 117 EN3 7j**
**GENERAL Active ,Phone call with Victi**

## Involved Persons

**CLIENT (VICTIM) Mr Markandu Mathiyalakan,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17834 |
| **Incidents in which Person is involved** | INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) |
| **Current address** | 117 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07891740939 |
| **Gender** | Male |
| **Ethnic origin** | Unknown |
| **Appearance** | Male,Unknown, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his



267 35

| | |
|---|---|
| **Notes about this person** | movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**06/08/2016 : Threats and intimidation , Date reported : 17/10/2016**

Threats and intimidation (General)
Letter received from complainant via MEQ alleging that another resident who is drug addicted has been aggressively demanding money, making threats and exhibiting threatening behaviour towards him/his wife. Complainant requesting action be taken against Waltham Forest District Council and the police. (Complainant is living in a leasehold property - accommodation provided by Waltham Forest?). Perpetrator identified as living on ground floor but door number not specified.

## Referral Details

**17/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**17/10/2016 : Contact Complainant , 17/10/2016 : Contact Complainant ,**

**17/10/2016 : Contact Complainant ,**
We discussed the complaint; confirmed that the perpetrator was Simon Cordell at 109 Burncroft Avenue; confirmed that complainant is housed in temporary accommodation by Waltham Forest District Council and has been trying to report issues to them and police; Issues have been going on for some time and include: intimidating/threatening behaviour, aggressive demands/threats for money, tyres slashed, swearing/name calling etc.

**20/10/2016 :**
Response sent to Members Enquiry - no prior reports received from Complainant - may have been reporting to Waltham Forest District Council? Contact information requested for complainant in order to investigate further.
Contact number subsequently provided.

**26/10/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**01/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**02/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**11/11/2016 : Interview Complainant,**

I interviewed the Complainant. He reported that the issues have been on going for about 18 months (He, his wife and daughter have lived at Burncroft Avenue in temporary accommodation provided by Waltham Forest DC for 2.5yrs). Please see attached notes of interview - The complainant is really frightened for his family - Mr Cordell is very aggressive and has previously kicked him in the nose/face and threatened to hit him with a piece of wood; his wife is so scared that she accompanies him to work and waits in the car with their daughter for his shifts.

**28/11/2016 :**

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 : 06/12/2016 : 07/12/2016 : 08/12/2016 . 12/12/2016**

Mr Mathiyalagan telephoned to report that Simon Cordell aggressively banged on his front door and accused them of making noise. He stated that he also shouted abuse and threats and swore at them.

**22/12/2016 : 10/01/2017 : 13/01/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report incidents that happened over the Christmas and New Year period. Mr Mathiyalagan stated the following,

23/12/16 at about 3.43pm - Mr Cordell banged on his front door while door while his wife was at home alone with their young daughter and shouted abuse at her and asked her to go to the bathroom and turn off the tap. He also removed their electricity fuse thereby cutting off power supply. He stated that the incident was reported to the police, CAD 5753/23 December 2016 and they were advised to contact the council.

26/12/16 at about 12.30pm - Mr Mathiyalagan stated that he and his family was going out and that as they got to the first floor, he saw Mr Cordell running up the stairs towards them with a towel tied round his waist. He stated that Mr Cordell started shouting abuse at them and accused them of tampering with his water supply and stopping the water. He stated that he tried to explain to him that there may be a problem with the water supply to the whole block as they also have the same problem with their water supply but Mr Cordell will not listen and continued to accuse them of tampering with his water supply. He and his wife told him to please go away and leave them alone but he continued to swear and shout abuse at them. They then walked away.

3/1/17 at 10.47pm - Mr Mathiyalagan stated that Mr Cordell followed him and his family up the stairs as they returned from a family outing and was shouting at them about deliberately banging on the pipes and making noise. He also stated that the person sleeping on his sofa was banging on the floor, talked about saving him from getting beaten up by local youths, stated that he caught him and his wife making noise inside their bathroom, called him 'a lying cunt' and asked him to swear on his baby's life that he was not banging.

Mr Mathiyalagan stated that the constant harassment from Mr Cordell is making it difficult for them to continue living at Burncroft Avenue and wanted to know if I can contact Waltham Forest to see if they can rehouse them. I promised to speak to Waltham Forest and explain to them that they are victims of anti-social behaviour and to see if they rehouse them.

**16/01/2017 : 16/01/2017 : 23/01/2017 :**

Mr Mathiyalagan telephoned today to report an incident that happened at 6.21pm on Saturday 21/1/17 when Mr Cordell aggressively banged on his front door, swore and shouted abuse and threats at him and his wife and accused them of making noise. He stated that there was no noise in his flat at the time and that Mr Cordell is just picking on them. He stated that they were fed up of being picked on and wanted to know what the council is doing to stop Mr Cordell from harassing them. I informed him that I will discuss his reports with Mr Cordell and will ask him to stop knocking on his door and to report any noise disturbances to the council to deal with.

**01/02/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today, 1/2/17 to report an incident that incident that occurred yesterday 31/1/17. Mrs Mathiyalagan stated that at about 6.30pm, she was inside her flat with her two and a half year old daughter when Mr Cordell aggressively banged on her front door while she was feeding her baby and shouted abuse and threats at her and accused her of making noise. Mrs Mathiyalagan denied making noise at the time and stated that she does not know why Mr Cordell accused her making noise.

She stated that she is terrified of moving around inside her flat for fear of being accused of making noise. I asked whether she recorded the incident and she said she did not. She also stated that she did not report the incident to the police as it only lasted for a few minutes. I advised her to log any further incident and to call the police if she feels threatened.

**06/02/2017 : 08/02/2017 :**

I visited Mr Mathiyalagan at 117 Burncroft Avenue today to look at the flooring following email from Mrs Cordell concerning noise as a result of wood flooring in the flat. I noticed that there is laminate flooring in the whole flat and ceramic tiles in the kitchen. Mr Mathiyalagan stated that the flooring was already in the flat when they moved in. He stated that they do not make noise deliberately and that any noise from his flat is household noise. He also stated that as far as he is aware that the person living below them have not complained of noise and that he will be the one that will be affected if there is excessive noises from his flat. He also stated that he has asked the man if they are causing noise disturbances and he said they are not. He also requested that Mr Cordell should contact the council if he is being disturbed by noise from his flat instead of harassing him and his family by banging on his front door, shouting abuse at him and his wife, threatening them and confronting them when they come into the block.

I informed him that laminate flooring can generate some noise and to be mindful of his neighbours while walking around inside his flat.

I then went and knocked at flat 113 but there was no response.

**17/02/2017 :**

Telephone call from Mr Cordell regarding the letter sent to him to attend the Civic Centre on 22/2/17 to discuss the on going reports of harassment, verbal abuse and threatening behaviour made against him by his neighbours. File note of the telephone conversation attached.

**21/02/2017 : 21/02/2017 : Contact Complainant ,**

Follow on action from

**20/03/2017 :**

I visited 109 Burncroft Avenue on 17/3/17 to hand deliver to post a letter through Mr Cordell's door and as I got into my car to drive off after posting the letter, Mr Cordell ran after me shouting and screaming abuse. I did not stop to speak to him and he ran after me until I turned left into Green Street. As he was running after my car, he was shouting at people passing by to stop the car.

By the time I returned to the office, Mr Cordell had telephoned me several times. I telephoned him back and he wanted to know whether I was the person that posted a letter through his letterbox and I said yes. He asked why I did not stop when he ran after me and I told him that I had another visit and did not have the time to stop and talk to him. He stated that he will not attend the meeting at the Civic Centre or any of the council and that I should come to his flat. I offered to have the meeting at a neutral venue like the local library or even at his mother's house but he refused and shouted to shout abuse and accuse me of taking sides with his neighbours. He denied doing the things that he is accused of doing and stated that he is the victim and that the council have refused to deal with his complaints against his neighbours. He stated that he has been suffering noise disturbances from his neighbours since he moved into his flat and that the council have refused to deal with it. He alleged that the council is conniving with the police to victimise him and threatened to put in a complaint against me. He continued shouting abuse and will not let me say a word. I then advised him that I will have to terminate the conversation as we were getting no where.

**05/05/2017 :**

Mr Mathiyalagan telephoned me to report that Mr Cordell went to his flat while he was at work and his wife was at home with his cousin and daughter and started to bang on his door and shout abuse and threats. He stated that he was at work and was scared for his wife and daughter. I advised him to call the police.

**08/05/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened this morning as he was leaving the block to go to work. He stated that as he walked down the stairs, he saw Me Cordell talking to 2 council officials and as he walked past, Mr Cordell threatened him by shouting that he was going to ruin his life and that he was going to the police with evidence about him. He stated that he did not respond.

**12/05/2017 :**

Find attached my file notes related to Sarah Fletcher's (Neighbourhood Officer) visits to Burncroft Avenue and encounters with Mr Cordell.

**15/05/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report that Mr Cordell has started to regularly harass them again. They complained that Mr Cordell now comes to bang on their front door and shout and scream abuse and threats every other day. He stated that the latest incident happened at 12pm on 12/5/17 when Simon came and started banging on his door aggressively while his wife was at home with his daughter and cousin and was telling his wife to open the door. He stated that Simon knew that he was at work and that his wife was probably alone at home with his daughter. Mr Mathiyalagan stated that he is scared for his and his family's safety and wants something done urgently to keep them safe from Mr Cordell. They pleaded with me to speak to Waltham Forest to find alternative accommodation for them as it is no longer safe for them to continue living in Burncroft Avenue. I took the contact details of the property manager at Waltham Forest and called and left a message for him to call me back. The details are Mr Osmani, tel. 02084965503 and his manager is Taylor tel. 02084965496, also 02084965502/5506.

**02/06/2017 :**

Mr Mathiyalagan telephoned to report that he was at work yesterday, 1/6/17 when his wife called him to complain that Mr Simon Cordell and two other males came and banged on his front door for about 1 or 2 minutes. He stated that his wife and daughter were alone in the flat at the time and that they were very frightened as a result of the loud banging on his front door. I advised him to call the police if Simon bangs on his door again.

**12/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened late night on Friday 9/6/17 between Mr Cordell and his cousin. Mr Mathiyalagan stated that his cousin returned from work late at night and as he opened the front door, Mr Cordell came out of his flat and confronted him. He stated that as his cousin brought out his phone to record the incident, Mr Cordell snatched from phone from him. A struggle ensued as his cousin tried to get his phone back from Mr Cordell from Mr Cordell and Mr Cordell attacked his cousin, grabbed him round the neck and also injured him on the arm causing his arm to bleed. He stated that his cousin managed to get his phone back from Mr Cordell and came up to his flat and told him what happened. He then called the police and they attended within 10 minutes. They explained what happened to the police and they went to Mr Cordell's flat to speak to him but he refused to let them in. Mr Mathiyalagan also stated that the dog was barking throughout.

**19/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened today at 11.55am as his wife was going to pick their daughter from school. He stated that Simon confronted her outside the communal entrance door and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him. He also stated that another incident happened on Friday 16/6/17 at 11.55am when Simon confronted his wife as was going to pick their daughter from school and accused her of making noise. He stated that Simon also told his wife that he has their bank account and personal details and that she should tell him to pay him money.

**26/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that occurred on Friday 23/6/17. He stated that his cousin returned from work at 11.35pm and as he entered the block, Simon Cordell came out of his flat with his dog swearing and shouting abuse at his cousin and attacked him by punching him twice on the chest. He stated that SC tried to push his cousin out of the block and snatched his cousin's mobile phone as he tried to record the incident but he managed to get the phone back from him. He stated that SC's dog was also barking loudly and was not on a lead. Mr M stated that his wife overheard the commotion and woke him up and as they came down the stairs shouting at his cousin and asking what was going on, SC went back to his flat. They called the police and when the police came, they explained what happened. The police then went and knocked on SC's door to talk to him but he refused to let them in. He stated that his cousin did not provoke SC in any way and did not do anything to cause SC to attack him.

**03/07/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today to report further incidents with Simon Cordell and gave me a DVD recording of another incident. Mr Mathiyalagan stated that on 28/6/17 at 11.45am, Simon confronted his wife at the main entrance door as she was going to pick up their daughter from school and demanded to talk to her. His wife told him that she cannot stop to talk to him as she was on her way to collect her daughter from school but he insisted on talking to her. He stated that Simon ran after her, stood in front of her, accused her of making noise inside their flat and started shouting at her and said to her that he knows all their personal details including their full

names, dates of birth and bank details. He also demanded money and told his wife to tell him to come and talk to him.
He stated that the second incident happened on 30/6/17 at 11.45am when Simon confronted his wife as she was leaving the block and accused her of slamming the door. He then called his a liar when she denied slamming the door and proceeded to shout abuse at her. Mr Mathiyalagan also stated that on 2/7/17, he and his family was going out to visit some friends at about 5.18pm and as they were about to exit the block, Simon popped his head out of his door and asked him when he was going to hand over the money. He told him that he was not going to give him any money and that he should go and work so that he can earn some money. He stated that as they left the block, Simon came running after them shouting and swearing at him and said to him that he should pay him money if he wants him to leave him and his family alone. He stated that Simon also said to him that he has all of their personal details including phone numbers, full names, date of birth and bank details and that he must pay him some money to have them back. He stated that he told Simon that he will not pay him any money and to do whatever he likes with the details. He stated that he does not know how Simon came across their personal details, if he has them. He stated that his wife lost her phone some weeks ago and that it is possible that he may accessed their details from the phone if he has it because his wife stored their personal details on her phone.

**13/07/2017 : 19/07/2017 :**

NOSP served on Mr Cordell today at 4.05pm with Enfield Highway DWOs, copy attached.

**27/07/2017 :**

I telephoned Mr Mathiyalagan for updates on any recent incidents and he stated that there has been none. He also confirmed that he is willing to give a signed witness statement and will attend court to give if required to do so.

**08/08/2017 :**

# CASE HISTORY

**Case17818 [redacted] Burncroft Avenue [redacted] EN3 7JQ**
**GENERAL Active ,Phone call with Victim**

## Involved Persons

**CLIENT (VICTIM)** [redacted]

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17818 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted] Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07870655010 |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell** [redacted]

| | |
|---|---|
| **Relationship to Cases** | [redacted] Client (Accused) in CASE 16[redacted] Client (Accused) in CASE 17753 Client (Accused) in CASE 17818 [redacted] in CASE 17834 Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General) Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General) [redacted] Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] threats [redacted] Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 [redacted] |
| **Ethnic origin** | White/Black Caribbean |
| [redacted] | Home [redacted] eborah Andrews flat. Attendees Dawn Allen TMO and OPN [redacted] Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, |

**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. S[redacted] his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pend[redacted]ter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a le[redacted]ming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

Male,36 yrs old,White/Black Caribbean,

[redacted]

## History

**06/07/2016 : Making threats, Date reported : [redacted]**

Making threats

[redacted]

The defendant using threatening/abusive/insulting words and behaviour with intent to cause fear - provoke unlawful violence [redacted]

**31/10/2016 :**

From: [redacted]
Sent: 31 October 2016 18:09
To: Kaunchita Maudhub
Subject: Contact phone number for [redacted]

Hi Kaunchita,

This is the contact phone number for [redacted]

[redacted]

As stated, [redacted]

If I can be of further assistance, please do not hesitate to call me.

Thanks for your help.

Regards,

John Bates

**03/11/2016 :**

From: Kaunchita Maudhub
Sent: 03 November 2016 10:13
To: Jean Barton
Subject: FW: Contact phone number for M[redacted]

Dear Jean,

We received a phone call from a M[redacted] on behalf of his friend M[redacted]. He explained that Mr [redacted] and having to attend court to give evidence against a male named simon cordell who verbally abused him. We are aware of simon cordell as Steve/Pat obtained an ASBO against him for illegal raves etc. I believe he is also a council tenant (I need to check)

Could you initially contact [redacted] – obtain his address and the reasons he is going to court. Also ascertain what support he needs. It is not an open case as such but depending on your findings we may be able to assist.

Many Thanks

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Regeneration & Environment
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

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

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## Referral Details

**03/11/2016 :**

| | |
|---|---|
| **Organisation making referral** | Community Safety Unit |

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## History

**03/11/2016 :**

On request I contacted the viw explained the reason for my call – Mr [redacted] did have some reservations about going to court. Therefore I have arranged to conduct a home visit scheduled for Friday 4th Nov 16 at 2:30 pm then we discuss the matter further.

**03/11/2016 :**

Research conducted on Northgate – shows that Sarah Fletcher is the housing officer. I spoke to Sarah who is aware of issues with Simon Cordell and the action against him – however, she said she needs to gather more information as she has had a member's enquiry from Waltham Forest. As to our viw Mr [redacted] she has not had any complaints or court action. Therefore it is possible that the legal proceeding has been taken by the police.

**04/11/2016 :**

Phone call made to the Witness Service from the victims home – to possible arrange a pre-court trial visit to no avail.

**04/11/2016 : 04/11/2016 : 07/11/2016 :**

From: lee.martinez@wsncc.citizensadvice.org.uk [mailto:lee.martinez@wsncc.citizensadvice.org.uk]
On Behalf Of Contact Centre
Sent: 07 November 2016 16:48
To: Jean Barton
Subject: 01YE0355816

Hi Jean,

Our Outreach manager will be getting in touch with Stanley to see what support they can put in place.

Kind regards,

Lee

National Contact Centre Team

Witness Service
Citizens Advice
0300 332 1000
contactcentre@citizensadvice.org.uk

**07/11/2016 :**

I spoke to Sabran Witness Service Highbury & Islington court she advised pre-court trial visit are no longer arranged directly by them. I will have to go through Citizens Advice national contact centre. I she gave me a number however, I was getting no response on the number given 0208 733 6422. I also called 101 and was given another number 0208 733 5480 – again a voice recording with no one to take the call. I contacted the call centre again and was given another number with on digit difference to the previous 0208 733 6423 Clair Lockwood. A voice recording again I therefore left a message requesting a call back.

**08/11/2016 :**

I tried calling the Witness Care Unit again at Holborn station to no avail – I then got a call back from police Holborn asking if I had tried to contact them – I was then put through to Thomas Jones Witness Care Officer – from this point the communicative lines was open for progress. Tom also said the oic is DC Campbell attached to Edmonton Police station. And that he will email him to contact the viw to re-assure him.

**08/11/2016 : 08/11/2016 :**

mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 08 November 2016 11:16
To: Jean Barton
Subject: R v CORDELL - WITNESS CARE OFFICERS CONTACT DETAILS

Dear Jean,

As promised.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden.
MetSec Code: Not Protectively Marked
ƒÀ Please consider the environment - Do you really need to print this email?

**14/11/2016 :**

From: Jean Barton [mailto:Jean.Barton@enfield.gov.uk]
Sent: 14 November 2016 11:37
To: Jones Thomas - Met Prosecutions
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Greetings Thomas,

As to our pending court hearing on Thursday for Stanley – have the CPS replied to your email regarding their decision for a taxi?

Regards
Jean

**14/11/2016 :**

From: Jones Thomas - Met Prosecutions
Sent: 14 November 2016 11:48
To: 'Jean Barton'
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Good Morning Jean,

They have acknowledged a taxi is required, although I have a reminder set for tomorrow and Wednesday to check it has been finalised. I will update you as soon as CPS contacts Witness Care.

Kind regards,

Thomas.

**15/11/2016 :**
From: Thomas.Jones@met.pnn.police.uk [mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 15 November 2016 11:56
To: Jean Barton
Subject: R v CORDELL - UPADTE from WITNESS CARE

Hello Jean,

CPS has not confirmed the taxi yet. I have a close eye on the case, with a view that we have till tomorrow – 16:00hrs - to obtain this information. As soon as CPS responds I will contact you.

Regards,

Thomas.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden

**16/11/2016 :**
I received a call from Thomas Jones – Witness Care he advised that the CPS have dropped the case of v Cordell. Reason – Not enough evidence to provide a realistic prospect of any conviction. In further discussion Thomas said DC Campbell was of ill – has now returned; however, he said he will contact Mr in relation to the current position of the matter. I asked Tom if the CPS will be writing to Mr directly – he said they should to advise accordingly. Tips given to report further incidents and keep records.

**16/11/2016 : 16/11/2016 : 16/11/2016 :**
Visited (flat Burncroft Avenue) and (flat stated that she witnessed the September when Mr Cordell threatened Mr She stated that she was with her neighbour when they heard Mr Cordell shouting and as they came out to see what was happening, she saw Mr Cordell shouting at Mr She alleged that he was shouting abuse and threats and that Karen told him to leave Mr alone, that he is an old man. Mr Cordell then started shouting abuse and threats at stated that she is not prepared to give a statement and that she will not keep incident logs.
We then met with outside the block. She stated that she and witnessed the incident that happened in September. She stated that Mr Cordell was shouting abuse and threats at Mr and that she told him to leave Mr alone as he is an old man and that Mr Cordell then turned against her and started threatening her. She stated that she is not afraid of him when she is on her own, that her only concern is that she is looking after 2 very vulnerable children and she will not be able to defend herself and them if Mr Cordell was to attack her when she is with them. She is happy to make a statement and will log any further incidents.

**17/11/2016 :**
Visited Mr and to hand deliver incident diaries.

**28/11/2016 :**
Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**07/12/2016 : 09/12/2016 : 14/12/2016 : 09/01/2017 : 10/01/2017 : 10/01/2017 :**

Joint home visit conducted with Lemmy. Mr [redacted] said that he has had no further problems from Simone Cordell however, he was aware of altercations between Simone Cordell and other residents in the block. Mr [redacted] said he will still maintain his own logs and call the police and the council if necessary. The camera directly outside of Simone Cordell flat has been removed however, we notice that there was a camera in the communal area pointed toward the staircase – we need to find out who the camera belongs to.

**21/02/2017 : 06/03/2017 : 15/03/2017 :**

[redacted]

# CASE HISTORY

**Case16175 [redacted]**
**GENERAL Active ,Phone call with Perpetrator**

## Involved Persons

**CLIENT (VICTIM) Ms Deborah Andrews,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in ASB Case 16175 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted]ncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | [redacted] |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 [redacted] |
| **Incidents In which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | [redacted]Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to [redacted]s flat. Attendees [redacted] TMO and CPN Bola Quadri Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed,

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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

## History

**23/09/2015 :**

Sent: 23 September 2015 15:07
To: Carmel Naessens; Loretta Walsh
Cc: Charles Elkington; Dawn Allen
Subject: Burncroft Avenue, Enfield, EN3 7JQ [SEC=PROTECT]
Importance: High

Classification: PROTECT
New case

VICTIM
Ms
Burncroft Avenue ENFIELD EN3 7JQ
29 / 07 / 1973
02083500628

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Ms also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

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[redacted] also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by Dawn that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her,. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

**23/09/2015 : Contact Complainant ,**
Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

**23/09/2015 : Update Complainant ,**
Follow on action from Contact Complainant

**23/09/2015 : Letter - sent,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Email - sent,**

Classification: PROTECT
Hi Mark,

On second thoughts, could you contact her on her landline instead and speak to her directly please? Her number is [redacted]

Thank you for your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

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The recent event which took place a week ago: She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by [redacted] that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in [redacted] and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her . Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

Thank you

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

**23/09/2015 :**

INTERVIEW NOTES FOR [redacted]

VICTIM
[redacted]
[redacted] Burncroft Avenue ENFIELD EN3 7JQ
[redacted]

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to M[redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worke[redacted] she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

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Tenancy Management
Enfield Council

Classification: PROTECT
Good morning Mark,

Thank you for the information, yes she suffers from mental health and his behaviour continues to exacerbate her condition. I will appreciate if you visit him sooner than later and also pop round to [redacted] to reassure her.

Thank you for all your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team [redacted]
Tenancy Management
Enfield Council [redacted]

From: Mark.Tilley2@met.pnn.police.uk [mailto:Mark.Tilley2@met.pnn.police.uk]
Sent: 18 September 2015 17:23
To: Dolly Ogunseye
Subject: [redacted] Burncroft Avenue, Enfield, Middlesex, EN3 7JQ [redacted] [SEC=PROTECT]

Hi Dolly,

Myself and Nick attended [redacted] a while ago and spoke to the [redacted] a while ago when she originally called Police. At the time she didn't want us to speak to her neighbour as things had got better. The lady handed us a letter about what had happened but none of it made any sense.

We believe she was suffering from mental health issues. On another occasion we popped round to see her and she wouldn't come and speak to us so instead she spoke through her letterbox to us. The male at 109 - Simon Cordell who is causing the problems is very well known to Police and is also very anti Police. I know some Officers went round and spoke to him and things seemed to get better. After that we have had no further calls from the lady a[redacted]

We will try and get round to see her when were back on duty on Monday.

Kind Regards

Classification: PROTECT
Good afternoon Mark,

Could you kindly assist with this query please. Following reports of ASB by the above tenant, my colleague and I visited her this morning and were alarmed by the nature of her complaints. She has in the past few months being constantly harassed, intimidated, bullied, stalked and threatened to kill by her neighbour at 109.

As a result of his behaviour, she has become too scared to leave her flat for fear of what may happen to her. She is a vulnerable tenant who requires support from services. However, the unsettling behaviour exhibited by number 109, has hindered her from attending her appointments and exacerbated her condition. At the moment, she feels very disorientated / agitated and will like the harassment to stop.

She advised that she had reported this to the police a few times but, wasn't taken seriously. [redacted]

I will appreciate if you could stop over at [redacted] to reassure her that the matter is being dealt with and also to stop by 109 and advise him that you are aware of what is going on and the repercussions should it continue.

Thank you for your support and assistance

Dolly Ogunseye
Anti-Social Behaviour Officer

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Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

## Referral Details

**23/09/2015 :**

**[redacted]rganisation making referral** Housing Anti-Social Behaviour Response Team

## History

**23/09/2015 : Threats and intimidation , Date reported : 23/09/2015**

Threats and intimidation (General)
Home visit to [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to [redacted] ments pending the time this matter is resolved. [redacted]

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed [redacted] she had a leak from her over[redacted] a few months ago which has since been repaired but, the damage alleged had occurred.

**23/09/2015 : Agree an Action Plan with the Complainant,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Action Plan to Complainant ,** [redacted]
Follow on action from Agree an Action Plan with the

**23/09/2015 : Contact Perpetrator ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : Action Plan Reviewed ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : 23/09/2015 : 24/09/2015 : Email - sent,**
RE Re SOVA Alert - D.A - 1009639

Classification: PROTECT
Dear Susan,

Thank you for your email. Please note that as from Monday 28th September 2015, all high level cases of anti-social behaviour will be transferred to the Council's Community Safety Unit.

In light of the above, [redacted] case has been identified as one of many cases involved in this process. You will shortly hear from an officer within the Community Safety Unit advising you of the name of the officer that will be dealing with [redacted] case.
[redacted]

Kind regards

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

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**Lemmy Nwabuisi**

**From:** John Irving <irvingjohn15@gmail.com>
**Sent:** 07 February 2017 14:42
**To:** Lemmy Nwabuisi
**Subject:** Re: Low water pressure to 117 Burncroft Avenue [SEC=OFFICIAL]

Ref: 117 Burncroft Ave, Enfield, EN3 7JQ
low water pressure - harassment by tenant at 109
Thurs 26/01/17 - While in attendance at 117 Burncroft, where we were attempting to resolve a low water pressure issue, we were approached by the tenant of 109 Burncroft the ground floor flat. He stated that there were problems between him and the tenants of 117 without going into specific details. I was with a private plumber who was looking at the low water pressure problem at 117. We explained the problem to the tenant from 109 who stated 'you will not solve the problem as I am restricting their water supply!' obviously both myself and the plumber were shocked at this statement. Despite thorough investigation to the low water pressure problem we were unable to increase the pressure. However, before leaving the site I knocked at 109 asking whether he would increase their pressure, he stated 'I cannot do anything at the moment I will sort it out later!'. Despite the attendance of Thames Water (twice), the agents plumber, my plumber and various sub contractors from Enfield Homes this matter remains unresolved.

John Irving
Owner/Landlord
117 Burncroft Avenue
[redacted]

On 30 January 2017 at 11:05, Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk> wrote:

Classification: OFFICIAL

Dear Mr Irving,

As discussed, could please email me details of the conversation you had with the tenant at 109 Burncroft Avenue as this will be used in evidence should we refer this matter to court.

Kind Regards

Lemmy Nwabuisi

Anti-Social Behaviour Team

Community Safety Unit

Environmental & Community Safety

B Block North

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Civic Centre

Enfield

EN1 3XA

Tel: 020 8379 5354

Classification: OFFICIAL

ENFIELD Connected

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

File note 24/2/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Following reports of continued low water pressure/supply to 117 Burncroft Avenue (second floor) despite information from Thames Water indicating that they had attended and that supply to the block 109-119 Burncroft Avenue was of a sufficient bar pressure, I tried to coordinate access to all flats on the right-hand side of the block potentially affected by the issue: 109, 113 and 117.

I wrote and hand delivered letters to all 3 of the properties requesting access for the Council Surveyor to visit and assess the water pressure in each on Friday 24th February 2017 between 10am and 12pm.

I spoke by telephone with Mr Irving, the leaseholder of 117, who had instigated the water pressure complaint who agreed that he would attend and give access.

I spoke by telephone with Mr George Quinton, the tenant of 113, who agreed that he would give access.

I spoke by telephone with Lorraine Cordell, mother of Simon Cordell, the tenant of 109 who said that no one was available to give access.

I attended with Steve Stirk, surveyor, on Friday 24th February 2017 at 10am. We were given access to 117 and Steve Stirk investigated the water pressure to the taps in the kitchen and bathroom.

We were unable to gain access to 113 as the tenant was not home – I called and left voicemail messages for the tenant but did not get any further response.

Steve Stirk suggested that we knock at 109 just on the off chance that someone was home. Mr Simon Cordell answered the door and, once Steve Stirk had explained that we were investigating the low water pressure/supply issue to the block, he allowed us into the property.

While Steve Stirk checked the water pressure in the kitchen, I introduced myself to Mr Cordell. He then became quite agitated and proceeded to regale me with the same issues that he had relayed to me during our previous telephone conversation including issues about his neighbours, the police and the Council conspiring to ruin his life as well as his work arranging community music events. He did not give me much of an opportunity to respond and kept talking over me when I tried to do so. Steve Stirk then went and checked the bathroom taps which he discovered were all already open (water running in wash basin; water running in bath which was full and going down overflow). We then thanked Mr Cordell for his time and left the property.

Outcome: It is unclear whether Mr Cordell running all of the taps constantly is linked to the issue of low water pressure as he is on the ground floor and 117 is 2 floors up (we had been unable to check the pressure in 113). Steve Stirk to liaise again with Thames Water about the issue and to consider separation of the water supply to the ground floor flat.

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**I made some observations whilst in Mr Cordell's property, 109 Burncroft Avenue which are of some concern:**

There is a security gate installed on the inside of the front door.

There were 3 large 'industrial' matrix type printers in the property (1 in the hallway and 2 in the living room)

Mr Cordell talked about running 'events'

A non-standard kitchen ie. a wall seemed to have been removed between the kitchen and the living room creating an open plan effect: No fire door

Much of the property was taken up by the printers, boxes and folders – possible hoarding (6)?

Dog faeces in private back garden

Sarah Fletcher

Neighbourhood Officer

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File note 9/5/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Further to ongoing issues related to water pressure/supply to the block at 109 – 119 Burncroft Avenue particularly to the right hand supply affecting 109, 113 and 117, I visited the block on Monday 8th May 2017 at 11am with Steve Stirk, Surveyor, and an MCP locksmith.

The purpose of the visit was to gain access to 113 Burncroft Avenue to assess the water pressure/supply to this property. Several attempts had been made previously to do this but the tenant was not there to give access so a 'forced' entry was made and the locks subsequently changed (the tenant had been notified previously that we would be taking this action if he did not provide access).

We entered the property so that Steve Stirk could test the water taps in the kitchen and bathroom. There was no flooring laid except for a rug in the living room (the kitchen was accessed through here) and the floorboards made a significant amount of noise as we stepped on them.

The resident from the property underneath, Mr Simon Cordell, heard us in the property and came upstairs. Steve Stirk and I were outside the property at this point as the locksmith started to undertake the work to install new locks on to the door (he was inside the hallway).

Mr Cordell proceeded to 'rant' at Steve Stirk and myself about his perceived victimisation by his neighbours. He was very agitated and loud – recounting his experience with the police, previous housing management, a previous partner, a previous neighbour and allegations of anti-social behaviour made against him.

Steve Stirk tried to explain that we were there to deal with a specific issue and that this was not the time or place to address these concerns. Mr Cordell did not want to listen and became fixated on Steve Stirk being 'dismissive' towards him (Mr Cordell's words). He went on at length about his upstairs neighbours, both past and present on first and second floors, 'banging' hammers deliberately above his head.

He continued to go on, in his agitated state, about how he had been treated by the police and previous housing managers who had promised him that they would re-lay the floor of flat 113 but had not done so. At this point the resident from 117, Mr Mathiyalakan Markandu, came down the stairs on his way out of the building. As he came down past us Mr Cordell focussed his attention on him and said to him: 'I'm going to the police station now with my evidence about you and I'm going to ruin your life'. Mr Mathiyalakan Markandu did not respond and proceeded to walk past and go down the stairs and out of the building.

Both Steve Stirk and I commented to Mr Cordell that the way he had behaved was threatening in nature and was not acceptable. Mr Cordell responded 'it's not a threat it's a fact'. He then continued to repeat his history with the police and previous housing management.

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I asked Mr Cordell to calm down and tried to explain that some of these issues could have been addressed by attending the meeting that Lemmy Nwabusi in the CSU team had tried to convene with him. He said that he was not prepared to attend such a meeting but wanted to speak to me, his housing officer, now. I explained that, as Steve Stirk had already said, that we could not address his issues there and then. I suggested that a meeting could be convened with both the CSU and neighbourhood teams to look at some of the issues with Mr Cordell. He indicated that he would be willing to do this if we came to his home to do so.

Sarah Fletcher

Neighbourhood officer

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**Lemmy Nwabuisi**

**From:** Steve Stirk .
**Sent:** 10 May 2017 08:42
**To:** Lemmy Nwabuisi
**Subject:** 109 , BURNCROFT AVENUE, ENFIELD, EN3 7JQ

Further to my conversation today please note the following
I carried out a joint with Sarah back in January regarding low water pressure to 117
While on location the following was noted

Kitchen internal wall has been partly removed
3 large industrial type printers found with assorted inks and cleaning liquids
Internal gate installed to front door
While all these items could be used in normal day to day interests the tenant made claims he was actively involved in planning and conduction events and the equipment was used to produce marketing leaflets and posters

This Monday we has reason to attend 113 to carry out a full lock change given accusation from the tenant that his lock had been glued so was unable to gain access the tenant claim the damaged was caused by 109, (this cannot be confirmed) as the tenant did not attend both Sarah and myself did go in and while there was confronted by the tenant from 109, the tenant for about twenty minutes would not leave us alone and became increasingly aggressive despite attempt to explain to him that we had not come to see him or indeed were able to comment of any of his accusations on how Enfield had ruin his lie were putting him in danger by leaving him in his flat, during this confrontation the tenant from 117 passed through the passage and the tenant from 109 stated he was going to ruin his life and generally became more irate towards the tenant .
It is clear that we are unable to allow this to continue as the body posture from 117 was defensive and did not wish to reply or get into any form of conversation with this tenant
Given that two member of staff were present and the confrontational attitude towards not only us but the other resident I believe we need to action this event to try and stop any further escalation from this tenant

Lastly I would recommend that we need full access to 109 to assess what is the true cause of the low water pressure to the flats above given the items found in the flat as well these need to be removed as does the internal gate please advise so I can carry out a full inspection as this is a complaint from the lease holder as they have very little water flow in the flat above and given the nature of the conditions and life style of 109 we are unable to show if he has caused the issue, on a housing point the internal wall that has been partly removed needs to be put back as it is a breach of fire regs

**Steve Stirk**
**Maintenance Surveyor**
**Technical Services, Repairs and Maintenance**
**Enfield Council**
**Edmonton Centre**
**N9 0TN**

**Tel: 020 8375 8023**
**Tel: 0800 40 80 160**
**Email:** steve.stirk@enfield.gov.uk
**Web:** www.enfield.gov.uk

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

FILE NOTE 1/6/17

I telephoned Miss [redacted] to discuss her complaints against Mr Cordell and agree an action plan. Miss [redacted] stated that she has lived in the block since April 2015 and that the problems with Mr Cordell started about a year ago. She stated that he bangs on her door when she is sleeping at night and also follows her to her car asking her where is going or where she is coming from. She alleged that on 14th May 2017 Mr Cordell came and aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise inside her flat. She stated that she does not make noise and that her flat is on the opposite side of Mr Cordell flat and therefore he should not hear any noise from her flat. She stated that Mr Cordell came up to her face in a very aggressive and intimidating manner to accuse her of coming into his flat to attack him and asking her why she comes into his flat. She denied going into flat and stated that he does everything to try and intimidate her.

She also complained that she feels scared every time she is going out or returning to her flat as Mr Cordell allows his dog to run freely inside the block.

She stated that Mr Cordell has banged on her door about 4 times in the past 2 months. She also alleged that he has followed her to her car twice in the past 1 month accusing her of coming into his flat to attack him and also kept asking her where she was going or coming from. She alleged that on one occasion, Mr Cordell stood in front of her car and will not let her drive away. She stated that he has been verbally aggressive and intimidating but has not been physically aggressive towards her. She stated that she suffers from mental illness and that this has exacerbated her problems and that she no longer feels safe living in her property. She stated that she has asked her neighbourhood officer to rehouse her as a result of the harassment from Mr Cordell. She stated that she is unable to complete incident diaries as a result of her illness but will telephone to report any further incidences. She stated that she has reported the matter to the police several times and believes that they are dealing with it. She stated that she has been staying with friends and family as she no longer feels safe to stay in her property on her own.

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RESTRICTED

Form 9993

METROPOLITAN POLICE Working together for a safer London

# Prevention of Harassment Letter
## (Police Copy)

To:
Name: SIMON CORDELL Date of birth: 26/01/81
Address: 109, BURNCROFT AVENUE
ENFIELD,
Postcode: EN3 7JQ

**An allegation of harassment has been made against you:**

**Details of alleged conduct** (specific actions that are cause for complaint):

Following a female whilst she is alone, and with her partner to their vehicle, asking why they are causing noise and attacking him inside of his home address causing the person harrassment and distress.

**HARASSMENT IS A CRIMINAL OFFENCE** under the Protection from Harassment Act 1997.

*"A person must not pursue a course of conduct which amounts to harassment of another and which he/she knows, or ought to know, amounts to harassment of the other."*

Harassment can take many forms and examples can include: wilful damage to property, assault, unwarranted verbal or physical threats, abusive communication or repeated attempts to talk to or approach a person who is opposed to this.

It is important that you understand that should you commit any act or acts either directly or indirectly that amount to harassment, you may be liable to arrest and prosecution. A copy of this letter which has been served on you will be retained by police but will not be disclosed now to the alleged victim. However a copy could be disclosed in any subsequent criminal proceedings against you as proof that police have spoken to you about this allegation. This does not in any way constitute a criminal record and will only be referred to should further allegations of harassment be received.

Signature of recipient of form: Refused to Sign
**(This is not an admission or acceptance of the allegation)**

Officer issuing: PC SERGISON 415YE
(Rank, surname, warrant number, station attached, contact telephone number)

**POLICE USE ONLY**

CRIS REPORT NUMBER: 5210999/17
CRIMINT LOG NUMBER: YERT0004 11569
Date and time of issue: 28/05/17 14:02HRS

**Exhibit No.:** SIS
**Description:** One (1) Allegation of Harassment Warning Letter Form 9993
**Date:** 28/05/17
**I identify this exhibit as that referred to in my statement.**
**Signature:** 415YE

Retention period: 7years
MP 130/10

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RESTRICTED (when complete) MG11C

# WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: PC SERGISON 415YE

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Scott Sergison 415YE Date: 28/05/2017

On SUNDAY 28 MAY 2017 I was on duty in uniform call sign YE801 with PC 446YE. I attended 109, BURNCROFT AVENUE EN3 7JQ. This is the home address of SIMMON CORDELL 26/01/1981. I attended the address to issue a first issue harassment letter to SIMON CORDELL cris number 5210999/17 refers. At 1402hrs I knocked on the front door where SIMON CORDELL refused to answer the door to police. I explained the reason for the Harassment letter. SIMON CORDELL prevented me from posting the letter into the letter box, and as such I slid the letter under the front door.

SVS

Witness Signature: 62

Signature Witnessed by Signature: Scott Sergison 415YE



99/12 RESTRICTED (when complete)

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7 [illegible]

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date : 29 November 2016

Dear Mr Cordell,

**Re: Reports of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

The reports include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation and making threats towards your neighbours. It is also alleged that on 4th October 2016, you banged on your ceiling and you later started to bang and kick at your neighbour's door. It is alleged that you were very aggressive and was shouting through your neighbour's door and that you then proceeded to drag his motorbike from where it was parked and started to smash it up.

It is also alleged that your dogs are left by themselves all day and night barking and causing noise disturbances to your neighbours. Your neighbours have also alleged that you have installed a CCTV in the communal area with the camera pointing towards the main entrance to the block thereby making them to feel very uncomfortable when entering and leaving the block. Your neighbours have alleged that this is an invasion of their privacy.

If these allegations are true, they are in breach of the following terms and conditions of your Tenancy Agreement:

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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**2.2.1 Anti-social behaviour, nuisance and noise disturbance.**

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, rate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10.** You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

**Condition 11.** You must install any radio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from without first consulting us.

**2.2.3 Harassment and hate crime.**

**Condition 16.** You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

**2.2.6 Other unacceptable behaviour**

**Condition 21.** You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the police.

**2.15 Pet(s) and animal(s)**

**Condition 76.** You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit, hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

**Condition 81.** If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we

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will take action and give written notice asking you to remove it/them from your home.

It is very important that we meet with you to discuss these very serious allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Tuesday, 6th December 2016 to discuss this matter. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 31 January 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th November 2016 regarding these reports and invited you to meet with me at the Civic Centre on 6th December 2016 to discuss the allegations made against you, copy attached. I received a letter from your mother dated 24th November 2016 in which she stated that she does not believe that it is justified to hold the meeting before your formal complaint and subject access request is dealt with. I understand these have now been dealt with.

The Enfield Council, Community Safety Unit, Anti-Social Behaviour Team have continued to receive various allegations from your neighbours against you concerning alleged nuisance and anti-social behaviour towards them. The allegations include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation, making threats towards your neighbours and tampering with the electricity and water supply to their flat.

These are very serious breach of tenancy conditions and it is very important that we meet with you to discuss these allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Thursday, 9th February

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Enc:

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 16 February 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

As requested, I sent an email to you on 10th February 2017 with details of the allegations made against you. We now need to meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2.30pm on Wednesday, 22nd February 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail: lemmy.nwabuisi@enfield.gov.uk
My Ref:
Your Ref:
Date: 16 March 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th December 2016 to arrange to meet with you on 6th December 2016 to discuss these reports but you cancelled the meeting. I wrote to you again on 31st January 2017 to arrange to meet with you on 9th February 2017, you also cancelled the meeting. I then wrote to you again on 16th February 2017 to arrange to meet with you on 22nd February 2017 and again you cancelled the meeting. I have enclosed all three letters for your information.

It is unfortunate that you have repeatedly refused to meet with us to discuss this matter and look at ways to resolve the problems between you and your neighbours. The allegations made against you by your neighbours, if true, are very serious breaches of your tenancy conditions. It is important that we meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 3pm on Wednesday, 22nd March 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you.

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY.

Website: www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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Please note that if you fail to attend or call to rearrange this meeting, then we will have no option but to serve a notice of seeking possession against your tenancy without further warning. The council may also take further tenancy enforcement and/or legal action against you if further substantiated allegations are made against you.

Kind Regards

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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**Our ref:** VLS/EO/H/CORDELL/17
**Your ref:** LSC/C/L1/157255
**Date:** 22 September 2017

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

By Fax no: 020 83796492

Dear Sirs,

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

We act for the Defendant in the above case and enclose herewith:

1. our duly completed notice of change of legal representative and
2. Defence

Yours faithfully,

VLS Solicitors

Family Law Advanced

SM

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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Claim no: D02ED073

IN THE COUNTY COURT AT EDMONTON

BETWEEN

THE LONDON BOROUGH OF ENFIELD Claimant

AND

MR SIMON CORDELL Defendant

---

## DEFENCE STATEMENT OF SIMMON CORDELL

---

1. Defendant admits paragraph 3 of the witness statement of Mr Lemmy Nwabuisi dated 7 August 2017.

2. Paragraph 4 of the witness statement is denied in so far as it relates to acts of harassment and antisocial behaviour but admits that he was charged at Highbury Corner Magistrates Court but was discharged.

3. Defendant denies paragraphs 6 to 25 of the witness statement and Claimant is put to proof.

4. Paragraph 27 of the witness statement is denied. Defendant avers that he has always granted access to the Claimant and its contractors upon being given reasonable notice.

5. Defendant denies paragraphs 28 to 33 of the witness statement and the Claimant is put to strict proof

6. Defendant avers that he suffers from mental health problems and is under the care of the mental health team which the Claimant has always been aware of and in breach of its duty under section 15 and 149 of the Equality Act 2010. Defendant has on several occasions complained to the Claimant about noise and other antisocial behaviour by the tenants of 113 and 117 but Claimant

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failed or refused to investigate and/or take any action which there was no possible reason other than the Defendant's mental health problems.

7. The Defendant respectfully requests the court to discharge the injunction dated 8 August 2017.

**Statement of Truth**

Defendant believes the facts stated in this Defence are true.

I am authorised by the Defendant to sign this statement.

Sign:
Name: EMMANUEL ONWUEGBUZIE
Date: 22/9/17

VLS Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH

Ref: VLS/EO/H/CORDELL/17

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# Notice of change of legal representative

| In the COUNTY COURT AT EDMONTON | Claim No. D01ED073 |
|---|---|
| Name of Claimant *(including ref.)* LONDON BOROUGH OF ENFIELD REF: LS/C/L1/157255 | |
| Name of Defendant MR SIMON CORDELL | |

**Note:**
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☐ my legal representative *(insert name and address)*

has ceased to act for me and I shall now be acting in person.

B ☑ we *(insert name of legal representative)*

VLS SOLICITORS

have been instructed to act on behalf of the ~~claimant~~ (defendant) in this claim

~~in place of *(insert name and address of previous legal representative)*.~~

C ☑ ~~I~~ (we) have served notice of this change on every party to the claim (~~and on the former legal representative~~).

Address to which documents about this claim should be sent (including any reference)

| | If applicable | |
|---|---|---|
| VLS SOLICITORS<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br>Postcode N17 0DH | Telephone no. | 020 8808 7999 |
| | Fax no. | 020 8808 1999 |
| | DX no. | 36209 EDMONTON EXCHANGE |
| | Your ref. | VLS/EO/H/CORDELL/17 |

| E-mail | info@vlssolicitors.com |
|---|---|

**Signed** [signature]
(Claimant)(Defendant)('s legal representative)
(Litigation friend)

**Position or office held** SOLICITOR
If signing on behalf of firm or company

**Date** 22/09/2017

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.

N434 Notice of change of solicitor (04.14)

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# Injunction Order

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

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Claimant** (including ref.) | London Borough Of Enfield LS/C/LI/157255 |
| **Defendant** (including ref.) | Mr Simon Cordell |

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

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

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

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

**Upon** hearing Solicitor for the Claimant on without notice application,

**IT IS ORDERED THAT:**

1. The Defendant, Mr. Simon Cordell permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. The Defendant, Mr. Simon Cordell keep his dog on a lead in communal areas outside his property.
3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. This order shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the court.

9. **Matter be listed for a further hearing at 10:00AM on 21 August 2017 at the County Court at Edmonton,** 59 Fore Street, London, N18 2TN with a time estimate of 30 minutes.
10. Costs in the case.

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

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

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

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

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

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

**Dated** 9 August 2017

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N110A

# Power of arrest

| Name of court | Claim No. |
|---|---|
| County Court at Edmonton | D02ED073 |

**Claimant's name** (including ref.)
The Mayor and Burgesses of The London Borough of Enfield (LS/C/LI/157255)

**Defendant's name** (including ref.)
Mr. Simon Cordell

Name of defendant
Mr. Simon Cordell

Defendant's address
109 Burncroft Avenue
Enfield
London
EN3 7JQ

Seal

Date order made 9 / 8 / 2017 Name of judge Deputy District Judge Harris

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)
The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)
See attached

**This power of arrest was ordered on** 9 / 8 / 2017 **and expires on the** 8 / 8 / 2018

**Note to Arresting Officer**

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

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

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

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

Name of Claimant
The Mayor and Burgesses of The London Borough of Enfield

Claimant's address
PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA

Claimant's phone number
0208 3796438



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3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.

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Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

---

STATEMENT OF TERENCE CONWAY

---

I, Terence Conway, of Global Investigation Services, Process Server acting under the direction of The London Borough of Enfield, Legal Services Department, P.O Box 50, Civic Centre, Silver Street, Enfield EN1 3XA, solicitors for the above-named Claimant, and say as follows:

1. That I am over sixteen years of age.

2. That I did on Thursday 10th August 2017 at approximately 10.15am attend at the address supplied of 109 Burncroft Avenue Enfield EN3 7JQ, and, in the presence of PSO Sam Lowe and two Police Constables with 'collar numbers' 343YE, 417YE and 7142YE respectively, I did meet and personally serve the above named Defendant with the following: a Cover Letter from the claimant's solicitor dated 9th August 2017, an Injunction Order dated 9th August 2017 giving Notice of Hearing for 21st August 2017 at 10.00am at the Edmonton County Court, an N110A Power of Arrest, a Claim Form CPR Part 8, an Acknowledgement of Service Form with Notes for the Defendant, an Application for an Injunction, a Witness Statement of John Irving, a

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Witness Statement of Markandu Mathiyalagam, a Witness Statement of Neville Grey, a Witness Statement of George Quinton and a Witness Statement of Lemmy Nwabuisi with Exhibits.

3. That there is now produced and shown to be marked 'A' a bundle containing true copies of the said documents so served by me as aforesaid.

4. That, at the time of service, the Defendant freely identified himself to me as SIMON CORDELL and was recognised as being the Defendant by the attending PSO Sam Lowe, who has had dealings with the Defendant on previous occasions.

5. That, furthermore, when I asked the Defendant if he was able to read and understand the Injunction I had served upon him, he replied that he had difficulty reading. That, therefore, I did read out all the terms of the Injunction Order to the Defendant, emphasising the need for compliance to these terms with the Power of Arrest being applied to terms 3 -6 inclusive, should they be breached. I further advised the Defendant that the Hearing for this matter was set for the 21st August 2017 at 10.00am at the Edmonton County Court.

I Terence Conway confirm the contents of this Statement to be true to the best of my knowledge

.....

Dated 10th August 2017

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Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

EXHIBIT 'A'

This is the exhibit marked 'A' as referred to in the Statement of Terence Conway
Dated 10th August 2017

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

LONDON BOROUGH
OF ENFIELD
RECEIVED
02 OCT 2017
LEGAL SERVICES

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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 29 September 2017 |

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

**Before** Employment Judge Taylor sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**Upon** hearing the Solicitor for the Claimant and the Solicitor for the Defendant,

**And upon** the Defendant's application to discharge the interim injunction,

**IT IS ORDERED THAT:**

1. The Claimant do file a Reply to Defence, if so advised by 9 October 2017.
2. The parties do file a Directions Questionnaire by 23 October 2017.
3. The interim order for injunction and power of arrest shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the Court.
4. Costs in the case.

**Dated** 25 September 2017

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

N24 General Form of Judgment or Order

Produced by:Adrian B
CJR065C

315

# 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

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

N24 General Form of Judgment or Order

Produced by:Ms M Tucker
CM065C

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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
LEGAL

L_BLANK
317

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

Simon here

Sent from my iPhone

Begin forwarded message:

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

Classification: OFFICIAL

Dear Ms Cordell,

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

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

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

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

Classification: OFFICIAL

Campaign

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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.

**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**

---

| TITLE OF DOCUMENT | DATE | PAGE NUMBERS |
|---|---|---|
| A. CLAIM FORM AND PLEADINGS | | |
| 1. Claim form (PART 8) | 09.01.2018 | 1-3 |
| 2. Application for an injunction (General Form) with Draft Order | 09.01.2018 | 4-7 |
| 3. Second Witness Statement of Markandu Mathiyalagan | 05.01.2018 | 8-11 |
| 4. Witness Statement of Lemmy Nwabuisi | 08.01.2018 | 12-59 |
| 5. Injunction Order | 09.01.2018 | 60-61 |
| 6. Power of Arrest | 09.01.2018 | 62 |
| 7. Letter from VLS Solicitors | 09.02.2018 | 64 |
| B. APPLICATION FOR COMMITTAL DATED 05.02.2018 | | |
| 8. Court order | 09.02.2018 | 66 |
| 9. Application notice | 05.02.2018 | 67-73 |
| 10. Draft Order | Undated | 74-75 |
| 11. Witness Statement of Mr Lemmy Nwabuisi | 02.02.2018 | 76-78 |
| 12. Witness Statement of Ms Kaunchita Maudhub | 05.02.2018 | 79-82 |
| 13. Affidavit of Kaunchita Maudhub | 05.02.2018 | 83-87 |
| C. APPLICATION FOR COMMITTAL DATED 20.04.2018 | | |
| 14. Application notice | 11.05.2018 | 88-96 |
| 15. Affidavit of Mr Markandu Mathiyalagan | 20.04.2018 | 97-108 |
| 16.Affidavit of Mrs Revathy Mathiyalagan | 20.04.2018 | 108-113 |
| 17. Draft Order | Undated | 114-115 |
| 18. Notice of hearing of application | 24.4.2018 | 116 A |
| D. APPLICATION NOTICE DATED 11.05.2018 SEEKING PERMISSION TO AMEND THE COMMITTAL APPLICATIONS DATED 20.04.2018 | | |
| | | |

| | | |
|---|---|---|
| 18. Application notice dated 11.08.2018 seeking permission to amend the committal application dated 20.04.2018 | 11.05.2018 | 116B-119 |
| 19. Amended application notice dated 20.04.2018 | 11.05.2018 | 120-142 |
| 20. Witness statement of Mr Lemmy Nwabuisi | 10.05.2018 | 143-148 |
| 21. witness statement of Andy Philippou, process server | 08.05.2018 | 149-151 |
| 22. Witness statement of Balbinder Kaur Geddes | 10.05.2018 | 152-159 |
| **E. APPLICATION NOTICE DATED 14.05.2018 SEEKING LEAVE FROM THE COURT TO DISPENSE WITH SERVICE OF THE COMMITTAL APPLICATIONS DATED 05.02.2018, 20.04.2018 AND APPLICATION NOTICE DATED 11.05.2018** | | |
| 23. Application notice with supported documents | 14.05.2018 | 160-181 |
| 24. witness statement of Andy Philippou | 11.05.2018 | 182-186 |
| 25. Order from the Edmonton County Court | 14.05.2018 | 187-188 |
| 26. Claimant's letter to the Edmonton County Court | 15.05.2018 | 189-190 |
| 27. Amended order from the Edmonton County Court | 14.05.2018 | 191-192 |
| **F. OTHER COURT ORDERS** | | |
| 28. Order from the Edmonton County Court | 12.06.2018 | 193-195 |
| **G. FIRST APPLICATION FOR AN INJUNCTION DATED 09.08.2017** | | |
| **27. Claim form, application for an injunction and statements** | **09.09.2017** | 196-303 |
| 28. Defence statement | 22.09.2017 | 304-306 |
| 29. Injunction Order | 09.08.2017 | 307-308 |
| 30. Power of Arrest | 09.08.2017 | 309-310 |
| 31. Statement of Terence Conway, process server | 10.08.2017 | 311-313 |
| 32. Order from Edmonton County Court | 29.09.2017 | 314-315 |
| 33. Order from Edmonton County Court | 09.11.2017 | 316 |
| 34. Order from Edmonton County Court | 13.12.2017 | 317 |

ENFIELD Connected

ENFIELD Council

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

**Edmonton County Court**

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

Dear Sirs

**Re: The London Borough of Enfield v Cordell**

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

1. Claim form for an injunction (Part 8).
2. Form N16 A
3. Draft Order
4. Witness Statement of Mr 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

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# 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.

3

# Application for Injunction
## (General Form)

| Name of court<br><br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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 ACT 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

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IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

---

**IMPORTANT PENAL NOTICE**

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

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

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

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

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

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

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

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

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

8. Costs in the case

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

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

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

**I WILL SAY AS FOLLOWS**

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

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2. I make this Witness Statement in support of the Claimant's application for committal as the Defendant is in breach of the Injunction Order with Power of Arrest made against him In the County Court at Edmonton on 9th August 2017.

3. The Defendant's abusive behaviour towards my family and I stopped for some time after the Claimant obtained the Injunction against him although he continued to make general comments towards us whenever he sees me or my wife entering or leaving the block.

4. On 11th November 2017 between 11:30am and 12pm, my wife was at home when the Defendant came up to our front door, opened the letterbox and peeped through it to see who was inside our flat. He started swearing and shouting abuse and banging on the door as soon as he saw my wife. He then ran down stairs when my wife went to get her mobile phone to record the incident. My wife telephoned the police and reported the incident, CAD No. 3230 of 11/11/17. The police attended about two hours later, went and spoke to the Defendant and came informed my wife that he denied coming to our front door.

5. On 2nd January 2018 at 6:30pm, my wife was inside our flat trying to assemble a cupboard that we bought from Ikea. Our three-year-old daughter and my cousin who was asleep at the time were also in the flat. Suddenly my wife heard someone banging on our front door and she went to the door with her phone and overheard the Defendant shouting that there was noise coming from our flat. My wife told him that she was trying to assemble a cupboard but he called her a liar and accused her of deliberately banging on the floor. The Defendant then stood outside our front door for more than twenty minutes swearing and shouting abuse at my wife.

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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.

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Signed M. Mathiyalagan

Name: Mr Markandu Mathiyalagan

Dated this 05 January 2018

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

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

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

**I WILL SAY AS FOLLOWS**

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

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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

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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

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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

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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

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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.

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**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

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LBE v Cordell Bundle Part 1.pdf

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

EXHIBIT LN1

---

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

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LBE v Cordell Bundle Part 1.pdf

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.

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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 | 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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LBE v Cordell Bundle Part 1.pdf

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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>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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LBE v Cordell Bundle Part 1.pdf

**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

23

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

---

WITNESS STATEMENT OF MS LUDMILLA IYAVOO

---

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

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

**I WILL SAY AS FOLLOWS**

1. I am employed by the Claimant as an in-house lawyer and have been so employed since September 2016. I have had the main conduct of this claim.

2. I am making this witness support in support of the Claimant's application notice dated 03rd January 2018, seeking to set aside the orders made by the Court respectively on 13th December 2017 and 02nd January 2017.

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**Backgrounds facts**

3. This matter was allocated to the Claimant's Legal Services department in August 2017, following many complaints received from some of the Claimant's employees and residents living in the same block as the Defendant. The Claimant's anti-social behaviour team instructed our legal services to issue an application for an injunction under the Anti- Social Behaviour, Crime and Policing Act 2014.

4. An ex-parte application was made and the Court made an interim injunction order against the Defendant on 09th August 2017. The matter was re-listed for a return hearing on 21st August 2017 but adjourned to 25th September 2017 where the Defendant attended with his legal representative. The Defendant indicated that it wished to defend the claim and some directions order was made.

5. The parties were ordered to file their directions questionnaire by 23rd October 2017, however this deadline was overlooked by me and the Court made an order on 06th November 2017 asking the Claimant to file a completed directions questionnaire by 4pm on 17th November 2017. A copy of the Order can be found under exhibit LI1.

6. On 17th November 2017 at 11:59, I sent an email to the Court on the following address: enquiries@edmonton.countycourt.gsi.gov.uk, with a copy of the Claimant's directions questionnaire. The Defendant's solicitors were also copied in to this email. A copy of this email is attached in exhibit LI2.

7. Just before filing the directions questionnaire with the Court, I contacted the Defendant's solicitors on 16th November 2017, Mr Emmanuel Onwusiri of VLS Solicitors, with a suggested draft directions order. However he responded by saying that it was not necessary to agree directions in the proposed form. He was therefore fully aware of the fact that I was about to file the Claimant's directions questionnaire. A copy of my email correspondence to Mr Onwusiri can be found in exhibit LI3.

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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.

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

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

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

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**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**

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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 1

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

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## General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | 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

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

Produced by:Ms M Tucker
CJR065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 1.pdf

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.

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## 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

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

Classification: OFFICIAL

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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LBE v Cordell Bundle Part 1.pdf

## 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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LBE v Cordell Bundle Part 1.pdf

## 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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>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

40

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.

41

## 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,



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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.

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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

45

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

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 5

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

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**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



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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 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



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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 7

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

SO

# General Form of Judgment or Order

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

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

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

Produced by:Adrian B
CJR065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 1.pdf

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

27 DEC 2017

Family Law Advanced

SM

Children Law

CONTRACTED WITH LEGAL AID AGENCY

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

Priv. Counsel 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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LBE v Cordell Bundle Part 1.pdf

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<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br><br>Postcode N17 0DH | If applicable<br>Phone no. 020 8808 7999<br>Fax no. 020 8808 1999<br>DX no. 36209 EDMONTON EXCHANGE<br>Ref no. VLS/EO/H/CORDELL/17 |

E-mail address info@vlssolicitors.com



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LBE v Cordell Bundle Part 1.pdf

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.

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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

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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 LN3

---

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

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LBE v Cordell Bundle Part 1.pdf

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

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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

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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*

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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

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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

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.

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# 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

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

N24 General Form of Judgment or Order

Produced by:A ABIODUN
CJR065C

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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 (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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LBE v Cordell Bundle Part 1.pdf

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 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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LBE v Cordell Bundle Part 1.pdf

# 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.

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

N16 General Form of injunction for interlocutory application or originating application

Produced by:Darren Civil
CJR105

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**AND IT IS FURTHER ORDERED THAT**

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

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

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

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

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

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

8. Costs in the case.

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

**NOTICE OF FURTHER HEARING.**

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

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

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information*

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N110A

# Power of arrest

| Name of 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 / 2018 Name of Judge EMPLOYMENT JUDGE TAYLOR

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

Please see attached sheet

**This power of arrest was ordered on** 9 / 1 / 2018 **and expires on the** 9 / 1 / 2019

**Note to Arresting Officer**

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant
THE LONDON BOROUGH OF ENFIELD

Claimant's address
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN1 3XA

Claimant's phone number



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**POWER OF ARREST ( CONT )**

1. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

2. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

3. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

Upon considering the Claimant's application notice dated 04th February 2018 seeking permission from the Court to vary the terms of the interim injunction order made by District Judge Taylor on 09th January 2018, it is ordered that the following paragraph be added to the injunction order :

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.

2. A power of arrest is attached to this new paragraph.

3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.

4. Dispense with personal service of this Order on the Defendant.

5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09th January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees.

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09th January 2018 [paragraphs 3-6] of the order dated 09th January 2018 by harassing, intimidating and making threats to one of the Claimant's employees on 24th January 2018, by telephoning her on two occasions and making threats, accusations and comments on other employees.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

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(5) that the costs of the Claimant [summarily assessed in the sum of £ 900.00] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy
3. Dated 02nd February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Behaviour Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to my role in investigating allegations of verbal abuse, threats, harassment and intimidation made against the Defendant by his neighbours.

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2. I make this Witness Statement in support of the Claimant's application to vary the interim injunction order of 09th January 2018. This is my second statement in the above proceedings.

3. **Background:**

   On 9th January 2018 at about 12:18pm, the Defendant telephoned me and accused me of killing his baby. He accused me of forging documents to get an Anti-Social Behaviour Order (ASBO) against him thereby making him a prisoner inside his own home and that this is now personal between us. He stated that he knows where I live in Enfield and that me and my family are not safe from him. He also stated that he has watched me leave the office and have followed me home, that he can 'get me' any time he likes and that I should watch my back.

4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 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.

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6. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However, the interim injunction order is limited to the area of Burncroft Avenue, Enfield, EN3 and not necessary to my personal address or work place. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and my family and would like the order to be varied to exclude the Defendant or his associates from approaching me at my work and home address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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1. Made on behalf of the Claimant
2. First Witness Statement of Kaunchita Maudhub
3. Dated 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street, Enfield, Middx EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers. My involvement with the Defendant was due to my

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supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.

3. On 09th January 2018, in a telephone message left by Simon Cordell (the Defendant) for Lemmy Nwabuisi, the Defendant referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. It would therefore appear that Mr Cordell has identified my personal home address and stated that he knows where I live. The contents of the voicemail are as follows:

' You killed my baby, it's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers fucking computers. You don't know Lemmy I've stripped you computers not through Daniel Ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know kanichiwa's I know fucking rob leak owns 15 million pounds more and kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal

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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.

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5. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However the interim injunction order is limited to the area of Burncroft Avenue, EN3 and not necessary to me personally and my workplace. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and would like the order to be varied to exclude the Defendant from approaching me directly at my personal address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...

Dated this 05th day of February 2018

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LBE v Cordell Bundle Part 1.pdf

1. Made on behalf of the Claimant
2. First affidavit of Kaunchita Maudhub
3. Sworn on 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub, of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street do solemnly and sincerely affirm that the content of this affidavit is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers and Co-Ordinators. My involvement with the Defendant was due to my supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.

3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy 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

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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

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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

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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 Nwabulsi 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** [signature]

**on 05th February 2018**

**Before me:**

**Signed** [signature] Ms R Shah.

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,

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.

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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

| | |
|---|---|
| London Borough of Enfield<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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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LBE v Cordell Bundle Part 1.pdf

**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

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him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

10. The Claimant is therefore bringing an application for the Defendant's committal.

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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.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:Darren Civil
CJR105

N16 General Form of injunction for interlocutory application or originating application

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**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until** 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information*

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N110A

# Power of arrest

| Name of 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.

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

   *a. Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

   *b. Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

   *c. Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

   *d. Clause 7: A power of arrest is attached to the above paragraphs.*

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self- defence to stop him. Some neighbours 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.

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7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.

8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.

9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.

10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.

11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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**Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

**Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

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Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in **exhibit MM3.**

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

**Dated this 20 day of April 2018**

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

M. Malyutugin 20 APR 2018 L. [illegible]

EDMONTON COUNTY COURT
59 FORE STREET, EDMONTON
LONDON N18 2TN

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

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EXHIBIT MM1

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236963321

London Ambulance Service NHS

# 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

At scene | Visited | Phoned | Do not | Letter

Mental Health Team / CPN / AMHP

Contact details

Name of H.V. / Primary Cater

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**

Bmucosa cyanosis | 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 | $O_2$ |
| 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

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 | Flush

Line 2 IV IO | Size | Time | Successful | By | No touch technique | Placed in emergency conditions | Flush

**Fluid and drug administration**

Drug bag index

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| FAR | | | | | | |

Total Controlled Drug amount wasted | Signed | Witnessed

**Airway and Respiratory management**

Maintenance: Postural | Head tilt | 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**

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

**Recognition Of Life Extinct**

Heart sounds absent | Asystolic rhythm strip | Apnoeic | Fixed dilated pupils | Confirmed dead at Hospital

Injury = X | Burns = ■ | T 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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

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EXHIBIT MM3

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**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 EN3.7.JQ
**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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LBE v Cordell Bundle Part 1.pdf

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.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.

4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.

5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.

6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.

7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under exhibit RM1.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 28 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that 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 2a day of April 2018

M. Rosetty 20 APR 2018

LONDON BOROUGH
OF ENFIELD

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LBE v Cordell Bundle Part 1.pdf

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

EXHIBIT RM1

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Dr H I Sweden
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1488
Fax No: 0208 527 8111

9th April 2016

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Nolley Road, Walthamstow, E17 7QD → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07961740938

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
27 Claremont Road
London E17 6RJ
Tel 0208 527 1488

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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# Notice of Hearing of Application

| In the County Court at Edmonton | |
|---|---|
| Claim Number | E00ED049 |
| Date | 24 April 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | 1st Claimant Ref LS/C/L1/155584 |
| MR SIMON CORDELL | 1st Defendant Ref |

**Before District Judge Lethem sitting at the County Court at Edmonton, 59 Fore Street, Upper Edmonton, London, N18 2TN**

**UPON HEARING Solicitor for the Claimant and the Defendant having no notice**

**AND UPON READING the Witness Statement of Mr Markandu Mathiyalagan dated 20th April 2018**

**IT IS ORDERED THAT:**

**1. The hearing of the Claimant's application for (see copy attached) will take place at 10:00 am on the 1 May 2018 at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.**

**Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.**

**Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.**

**The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.**

**If your case does settle prior to the hearing date please notify the court in writing.**

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by:S DEMETRIOU
CJR027

N244A Notice of Hearing of Application

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LBE v Cordell Bundle Part 1.pdf

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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

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If you need this document in another language or format contact the service using the details above.

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

| Name of court | 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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | |

| 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<br>Edmonton County Court | Claim no.<br>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.)<br>The London Borough of Enfield (LS/C/LI/157255) | |
| Defendant's name (including ref.)<br>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 fri~~end)

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 fri~~end)

Position or office held Solicitor
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield
Legal Services
PO BOX 50
Enfield

Postcode E N 1 3 X A

| If applicable | |
|---|---|
| Phone no. | 0208 379 8323 |
| Fax no. | |
| DX no. | 906015 Enfield 1 |
| Ref no. | LS/C/LI/157255 |

| | |
|---|---|
| E-mail address | Ludmilla.Iyavoo@enfield.gov.uk |



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LBE v Cordell Bundle Part 1.pdf

**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

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him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

**10.** The Claimant is therefore bringing an application for the Defendant's committal.

11. An additional breach of the injunction occurred within and outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and mr Mathiyalagan. These threats were made in front of Employment Judge Taylor, two security guards and other members of staff

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

---

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

   *a. Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

   *b. Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

   *c. Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

   *d. Clause 7: A power of arrest is attached to the above paragraphs.*

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and [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.

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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.

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**Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

**Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

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Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in **exhibit MM3.**

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

**Dated this 20 day of April 2018**

M. Malyutigen 20 APR 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

L. [illegible]

EDMONTON COUNTY COURT
[illegible]

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

EXHIBIT MM1

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LBE v Cordell Bundle Part 1.pdf

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

Tel no.

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 a sentence in one breath

Unable to assess

**Circulation**

Bmucosa cyanosed

Peripheral cyanosis

Capillary refill > 2 sec

Distal pulse

**Other**

Sweating

Vomiting

Fitting

Number of fits | Mins

Burns | %

Estimated blood loss

**Observations**

| | | |
|---|---|---|
| Time | | |
| AVPU | | |
| Resp rate | | |
| Resp depth | | |
| % $O_2$ sats | Air / $O_2$ | Air / $O_2$ |
| 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 — Unequal 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 — No 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 | Name | 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, Traumal, 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

**Recognition Of Life Extinct** — Time

Heart sounds absent | Asystolic rhythm strip

Apnoeic | Confirmed dead at Hospital

Fixed dilated pupils

Injury = X, Burns = ■, Fracture = #, Pain = ●

Transporting / Left scene | Pre-alert

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LBE v Cordell Bundle Part 1.pdf

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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

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EXHIBIT MM3

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**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

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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

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AFFIDAVIT OF MRS REVATHY MATHIYALAGAN

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I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 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.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under **exhibit RM1**.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that he injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.

11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

**Dated this day of April 2018**

.....

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

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EXHIBIT RM1

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LBE v Cordell Bundle Part 1.pdf

**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
28 Claremont Road
London E17 5RJ
Tel 0208 527 1888

Dr H I Swedan

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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

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DRAFT ORDER

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Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.

- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018. But also by shouting abuse, swearing and making threats to two employees of the Claimant and one of his 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.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

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Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD, Claimant

-and-

MR SIMON CORDELL Defendant

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**EXHIBIT 'LM1'**

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LBE v Cordell Bundle Part 1.pdf

Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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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.

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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) |
| 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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LBE v Cordell Bundle Part 1.pdf

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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | If applicable<br>Phone no. 0208 379 8323<br>Fax no.<br>DX no. 90615 Enfield 1<br>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.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

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Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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LBE v Cordell Bundle Part 1.pdf

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'LM1'**

---

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LBE v Cordell Bundle Part 1.pdf

Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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LBE v Cordell Bundle Part 1.pdf

1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

---

I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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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

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**EXHIBIT 'BKG1'**

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:

a) A Letter from the Claimant Solicitor dated 11 May 2018
b) An Application Notice dated 11 May 2018
c) An Application Notice marked 'Amended Application Notice'
d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
f) An amended Draft Order
g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit

3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope 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

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

11/05/2018

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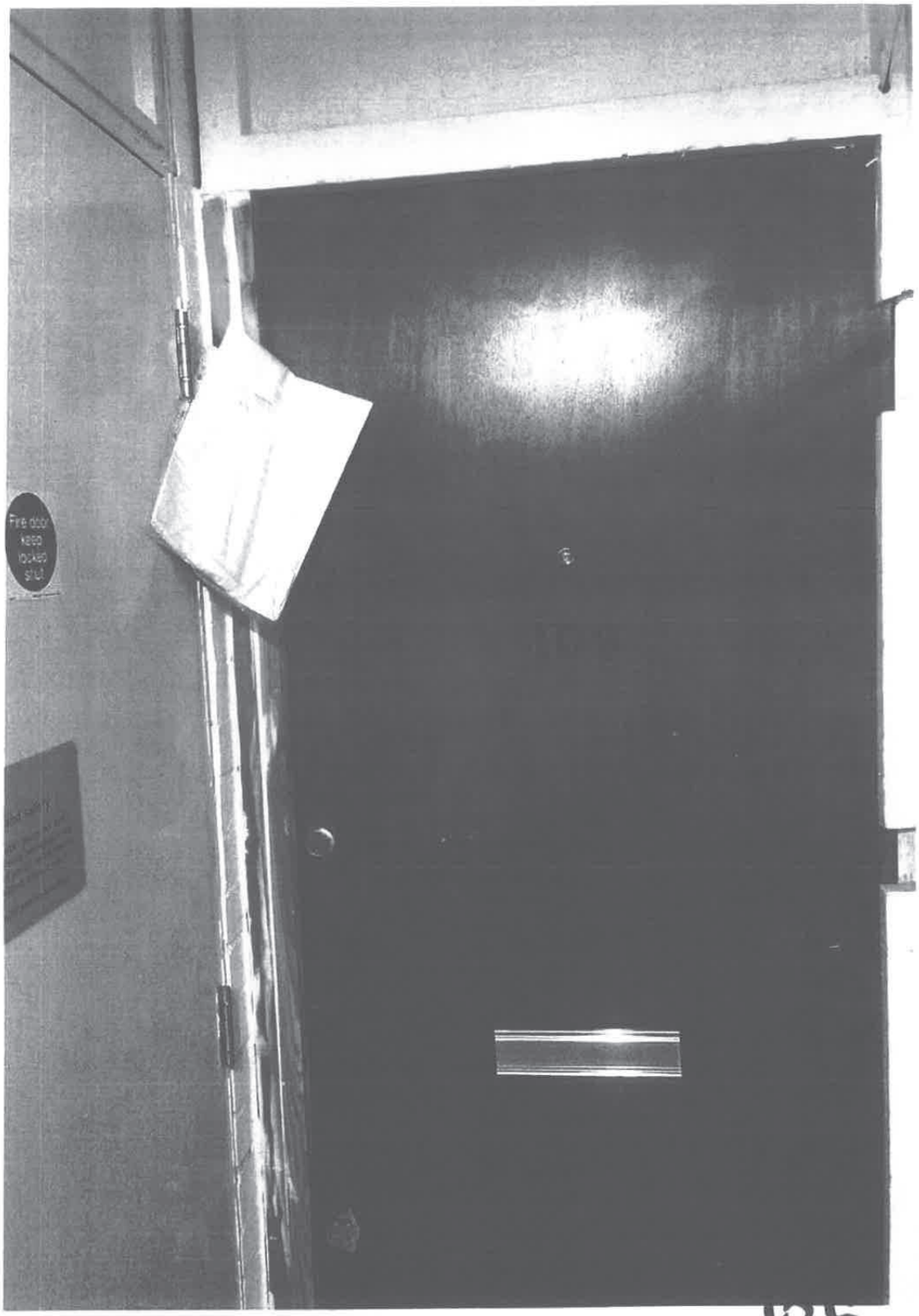


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LBE v Cordell Bundle Part 1.pdf

# 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 |

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

**IT IS ORDERED THAT**

1. Permission to Applicant to amend the application for committal.

2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:D. Humphreys
CIR065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 1.pdf

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

Jeremy Chambers
Director of Law & Governance
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
www.enfield.gov.uk

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Defendant's conduct we would seek permission to have service of the application dispensed with. .

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

**Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.**

**We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.**

Yours faithfully,

Lumilla Iyavoo
Lawyer
For the Director of Law and Governance

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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 14 May 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **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.

ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:D. Humphreys
CJR065C

N24 General Form of Judgment or Order

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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.

ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 12 June 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant** **Ref** |

Before District Judge Dias sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.

3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.

4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.

5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.

6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.

8. Costs reserved.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

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Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

Dated 5 June 2018

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ENFIELD Council

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

E-mail :
Phone : 0208379 6470
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref :
Date : 08 August 2017

The Court Manager
Edmonton County Court

**BY HAND**

Dear Sirs,

**Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL**
**APPLICATION FOR WITHOUT NOTICE INJUNCTION**
**ANTI-SOCIAL AND CRIME AND POLICING ACT 2014**

We write further to the above matter.

We enclose 3 copies of our application for an injunction.

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,

Ludmilla Iyavoo
for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

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# Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

Help with Fees - Ref no. (if applicable) H W F - -

Claimant
THE LONDON BOROUGH OF ENFIELD
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

SEAL

Defendant(s)
MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim *(see also overleaf)*

The Claimant seeks an injunction against the Defendant on the following terms:

MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Defendant's name and address

| | £ |
|---|---|
| Court fee | 308.00 |
| Legal representative's costs | TBA |
| Issue date | |

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.



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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.

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# Application for Injunction
## (General Form)

| Name of court<br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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[illegible]NG ACT 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. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

**The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person) (4)**

**3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.**

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.


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LBE v Cordell Bundle Part 2.pdf

IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

---

**IMPORTANT PENAL NOTICE**

**If you do not obey this Order you will be guilty of contempt of court and you may be sent to prison**

**If you, Mr Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.**

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

**The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)**

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1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

WITNESS STATEMENT OF MR JOHN IRVING

I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.

2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

**Background**

3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.

4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.

5. The Defendant lives in Flat 109 and in conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasing agitated by the raised voices and approaches towards Mr Gray. I could

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see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR NEVILLE GRAY

I, Mr Neville Gray, of PO BOX 50, Civic Centre, Silver Street, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

**Background**

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.

4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints where made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant's still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.

5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non- existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.

7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.

8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.

9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

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one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....
Name: Mr Neville Gray

Dated this01 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.

4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.

5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

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all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6th August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.

7. On 8th August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.

8. On 27th September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.

9. On 28th September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.

10. On 8th December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

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11. On 11th December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.

12. On 23rd December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23rd December 2016.

13. On 26th December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.

14. On 3rd January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

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15. On 21st January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.

16. On 31st January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.

17. On 5th May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.

18. On 12th May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.

19. On 1st June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

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20. On 9th June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.

21. On 16th June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.

22. On 18th June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.

23. On 23rd June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what

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was happening, the Defendant went back into his flat. We then called the police, they attended and we explained what happened. The police then went and knocked on the Defendant's door but he refused to let them in.

24. On 28th June 2017 at 11:45am, the Defendant confronted my wife outside the main entrance door as she was going to pick up our daughter from school and demanded to talk to her. My wife told him that she cannot stop to speak with him as she was on her way to collect her daughter from school but the Defendant ran after my wife, stood in front of her and started to shout at her. The Defendant told my wife that he knows all our personal details including our full names, date of birth and bank details. The Defendant demanded that we should pay him some money and that my wife should tell me to come and talk to him. The Defendant also accused my wife of making noises inside our flat.

25. On 30th June 2017 at 11:45am, the Defendant confronted my wife as she was leaving the block to go and pick up our daughter from school and accused her of slamming the door. My wife denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

26. On 2nd July 2017 at 5:18pm, my family and I was going out to visit some friends and as we were about to exit the block, the Defendant popped his head out of his front door and asked me when I was going to hand over the money to him. I told him that I was not going to give him any money and that he should go and work so that he could earn some money. As we left the block, the Defendant came running after us and was shouting abuse and swearing at me and said to me that I should pay him some money if I want him to leave me and my family alone. The Defendant also said to me that he has all our personal details including phone numbers, date of birth

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and bank details and that I must pay him to have them back. I told him that I will not pay him and to do whatever he likes with the details.

27. The constant verbal abuse, swearing, intimidation and aggressive behaviour from the Defendant towards my family and I have made it difficult for us to live in our own home. The fear of not knowing when we will be confronted with vile and aggressive behaviour as my wife and I go out or return to our home has caused us severe stress and anxiety. My wife is afraid of leaving our flat on her own due to fear that the Defendant will confront and shout abuse at her. We are having to tip-toe inside our flat for fear of being accused of making noise even though we live two floors above the Defendant. The Defendant has caused us immense hardship by vandalising my property and although I cannot prove it, I am certain that the Defendant was responsible for slashing my car tyres, damaging my meter cupboard and removing my electricity fuse several times and restricting water flow to my flat. Also, I no longer park my car outside my block in Burncroft Avenue because of the car being vandalized. I now park a few streets away, about ten or fifteen minutes from my home instead of outside my block which is about a minute from my flat. I do not see why we should have to live this way.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....M. Mathiyalagan.....

Name: Mr Markandu Mathiyalagan

Dated this 02 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of George Quinton
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR GEORGE QUINTON

I, Mr George Quinton, of 113 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located the next floor above the Defendant's. I have lived at this property since the 2nd May 2016.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problems that I have encountered with this tenant have been a regular occurrence since the commencement of my tenancy. The Defendant would come to my flat three or four times a week, on occasion this would occur more frequently whereby he would extend this harassment to not only myself but to my visitors also often following them as they would leave the building. He would often play loud music after which he would become very argumentative and bang on my door accusing me and my visitors of maliciously making loud noises to annoy him.

4. The Defendant would often make threats to me and on one particular occasion the Defendant said to me, 'he is on a curfew for 12 days but he would come 'after me' once this is over'.

5. The Defendant had also made accusations claiming that the noises I was allegedly causing had resulted in the sudden death of his child.

6. On another occasion on the 9th October 2016, the Defendant came to my flat banging on the door and when I answered immediately started shouting at me. He then went downstairs and about ten minutes later he approached my moped which was parked outside the building and started smashing it with a wooden stick. The damage that caused was to my vehicle was significant and prevented me from using it for some time and caused me to lose my job through lack of transport which was a requirement of my employment. The damage to the motorcycle was damage to tyres, the side panels, the headlights both front and rear along

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with both the breaks and the mirrors. The matter was reported to the Police who attended and arrested the Defendant. A crime reference number was obtained relating to this incident and I will be happy to provide this at the hearing when I attend. I also have a recording of conversation ~~between the Defendant and I, where he admitted to~~ have caused damages to my moped. The recording will be provided at the hearing.

7. A further incident occurred with the Defendant around January 2017 whereby he came to my front door and started shouting and complaining about noise and that he was being wrongfully accused by the Police and accused myself and other tenants of 'being out to get him'. I asked him to leave but he refused to do this so I then left my flat to stay at my friends as the Defendants behaviour had scared me. When I returned to the property a couple of days later, superglue had been inserted into the front entrance door lock preventing me from gaining access, this also caused the key to break.

8. This was reported to the council and an order was required to gain entry to my property. This was recorded under works order reference number 1814013/1.

9. Due to the erratic and abusive behaviour of this tenant I have been forced to flee my property because I feel scared and uncomfortable and I have not returned since. As a result of this I have also fallen into arrears, I am now facing homelessness.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....G Quinton.....

Name: Mr George Quinton

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Dated this 7th day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 1
4. Exhibit No LN1
5. Dated 7 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to other residents and their visitors on Burncroft Avenue.

3. The Defendant is a secure tenant of the Claimant at 109 Burncroft Avenue, Enfield, Middlesex, EN3 7JQ. His tenancy commenced on 14th August 2006. I hereby attach a bundle of documents relating to this case as exhibit number **LN1**. A copy of the Defendant's tenancy agreement and terms and conditions are hereby attached at pages 1-24.

4. The reports concerning the Defendant's alleged anti-social behaviour towards his neighbours was first brought to my attention in October 2016 when a case involving the Defendant and one of his neighbours was referred to me for investigation. The Defendant was reported to have caused frequent acts of harassment and anti-social behaviour against an elderly neighbour. The Defendant was arrested by the Police and bailed to a different address. The matter was referred to the Highbury Corner Magistrates' Court on 05 October 2016 where a first hearing took place. The Defendant pleaded not guilty and the trial was fixed for 17 November 2016. However, the trial did not proceed due to insufficient support as the elderly tenant was unable to attend Court due to health reasons. A copy of a letter from the Magistrate Court is attached to this statement at pages 25-26.

5. The Defendant was previously known to the Claimant and an anti-social behaviour order was made on 4 August 2015 by the Magistrates Court to prevent him from knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice Order Act 1994. The order was made for a duration of 5 years. A copy of the Order is at page 27 of the exhibit bundle.

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6. On 6th August 2016, the Defendant threatened and shouted abuse at Mr and Mrs Mathiyalagan tenants of 117 Burncroft Avenue. He aggressively demanded money from him and threatened to beat him up. The Defendant also repeatedly swore at Mr Mathiyalagan's wife, called her a 'witch' and tried to stop the Mr Mathiyalagan from going up the stairs to his flat by standing in front of him and blocking his advance by placing his hands on the staircase railings. Mr Mathiyalagan has already provided a witness statement in support these proceedings to confirm that this incident happened. A file note of this report is exhibited at pages 28-30 of the exhibit bundle **LN1**.

7. On 8th August 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his front door, shouted abuse at him and his wife and accused them of making noise. Mr Mathiyalagan reported to us that he believes that the Defendant used a screw driver to damage the lock on his meter cupboard and removed the fuse box thereby cutting off their electricity supply. Mr Mathiyalagan reported this incident to the police and was given reference number CAD 7934/August 2016. A file note of this report is exhibited at pages 28-30 of the exhibit bundle.

8. On 27th September 2016, Mr Mathiyalagan reported that the Defendant confronted him as he returned to his flat with his wife and young daughter and threatened and swore at him and demanded money from him. A file note of the report is on pages 28-30 of the bundle.

9. On 28th September 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his door and threatened and shouted abuse and swear words at him and his wife. The Defendant also aggressively demanded money from Mr Mathiyalagan. A file of the report is at pages 28-30 of the exhibit bundle.

10. On 11th November 2016, my former colleague, Sarah Fletcher interviewed an elderly resident who wished to remain anonymous. He said that the Defendant approached him as he came out of his flat and started to shout abuse, swear at him and threatened to burn down the elderly neighbour's flat. The report

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continued that sometime around mid-September 2016, one of the Defendant's neighbours reported that the Defendant confronted him outside his block as he was going to the local park and started to shout abuse and threats at him and said to him "I can get you over at the park, I know you go for a walk". This incident led to his arrest and to the matter being referred to the Magistrates Court. A file note of the report is exhibited on page 31 of the exhibit bundle **LN1**.

11. I had meetings with Mr George Quinton, one of the Defendant's neighbours on 16th December 2016 and 11th January 2017. He reported that he was experiencing problems with the Defendant's behaviour, and that on 4th October 2016, the Defendant aggressively banged on his ceiling and accused him of making noise. The Defendant then went to the neighbour's flat upstairs and started kicking and banging on the front door and was swearing and shouting at him. The Defendant later went downstairs, dragged the neighbour's motorbike from where it was parked and started to hit it with a piece of wood. A file note of the report is at pages 32-34 of the exhibit bundle.

12. On 22nd November 2016, during a telephone conversation with my former colleague Ms Sarah Fletcher, the Defendant was heard saying to his mother, who was present with him, 'I'm gonna do her over, I'm gonna take her job just for fun' referring to Ms Fletcher. A file note of the incident is at page 34A of the exhibit bundle.

13. I hereby attach a case history detailing incidents of reports from Mr Mathiyalagan about the abuse, threats and persistent intimidation by the Defendant. The case history is at pages 35 to 40 of the exhibit bundle **LN1**. It shows that Mr Mathiyalagan reported incidents too numerous to set out in this statement about abuse, threats, attempts to extort money and intimidation by the Defendant. Examples are that the Defendant banged on his front door while his wife was alone at home with their young daughter and shouted abuse at his wife and asked her to turn off the bathroom taps. He also removed his electricity fuse thereby

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cutting off their power supply. Mr Mathiyalagan reported the incident to the police and was given CAD 5753/23 December 2016. A file note of this incident is at page 37 of the exhibit bundle.

14. Other examples of aggressive and anti-social behaviour reported by Mr Mathiyalagan were that on 21st January 2017, the Defendant aggressively banged on his door, swore and shouted abuse and threats at him and his family and accused them of making noise.

15. On 9th June 2017, the Defendant attacked Mr Mathiyalagan's cousin in the communal hallway as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his mobile phone from him as he tried to record the incident.

16. On 16th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was exiting the main entrance at 11:55am and said to her that he had her bank and personal details. He also reported that the Defendant told his wife that he wanted her and her husband to pay him some money.

17. On 23rd June 2017, the Defendant came out of his flat with his dog and attacked Mr Mathiyalagan's cousin as he returned from work at 11:35pm. He reported that the Defendant punched his cousin twice on the chest, tried to push him out of the block and snatched his mobile phone as he tried to record the incident.

18. On 28th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was leaving the block at 11:45am, swore at her, shouted abuse and accused her of making noise inside her flat. He said to her that he knows all her personal details and that of her husband including their full names, date of birth, phone numbers and bank details. The Defendant demanded that they pay him some money and asked her to tell Mr Mathiyalagan to come and see him.

19. On 2nd July 2017, Mr Mathiyalagan reported that the Defendant confronted him with his dog barking and without a lead as he was going out with his family at

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5:18pm and asked him when he was going to hand over the money. He also reported that as they left the block, the Defendant ran after them swearing and shouting abuse and demanded that he must pay him money if he wants him to leave him alone. The Defendant also said to him that he has all their personal details. A report of the incident is at page 40 of the case history.

20. Case history notes exhibited at pages 41-46 show reports of similar aggressive and intimidating behaviour displayed to Mr Mathiyalagan was being experienced by another tenant who wishes to remain anonymous because of fear of reprisal from the Defendant.

21. Similarly, further case notes exhibited at pages 47-52 show that another tenant who wishes to remain anonymous was being subjected to the Defendant's anti-social behaviour. She had to be moved from the block because of the harassment from the Defendant and because she suffered from mental health problems and was particularly vulnerable and unable to deal with the threats and harassment from the Defendant.

22. On 7th February 2017, the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve low water pressure issues affecting the flat. The Defendant informed the leaseholder that there were problems between him and his tenants but did not give specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in their flat and that they were trying to fix the problem. The Defendant said to the leaseholder, "you will not resolve the problem as I am restricting their water supply". The leaseholder later asked the Defendant to increase the water pressure and the Defendant stated "I cannot do anything at the moment, I will sort it out later". A report of this incident is at page 55 of the exhibit bundle.

23. On 24th February 2017, the Claimants officers Sarah Fletcher and Steve Kirk attended the Defendant's property following reports of low water pressure in the

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flats above his. While inside his flat they noticed that the Defendant have installed a metal security gate inside his front door. It also appeared that the Defendant may have removed the wall between his kitchen and living room thereby creating an open plan living space. A copy of the file note is pages 56-57 of the exhibit bundle.

24. On 8th May 2017, the Claimant's officers, Ms Fletcher, a Neighbourhood officer who has since left the Council and Mr Steve Stirk, a Surveyor visited the Defendant's block of flats following reports of low water pressure to flats 109, 113 and 117 Burncroft Avenue. While the Claimant's officers were outside flat 113, the Defendant came up to them and started to complain about his perceived victimization by his neighbours, the police and the council. While the Defendant was talking to the officers, Mr Mathiyalagan came down the stairs and the Defendant said to him, "I'm going to the police station now with my evidence about you and I'm going to ruin your life". A file note of this report is exhibited at page 58 of the exhibit bundle and an email from Steve Stirk is at page 59.

25. On 14th May 2017, yet another neighbour who wishes to remain anonymous reported that the Defendant aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The neighbour stated that the Defendant later followed her to her car as she was leaving the block shouting abuse and wanting to know where she was going. The neighbour also reported that the Defendant allowed his dog to roam freely in the communal area of the block without a lead. A file note of the report is at page 60 of the exhibit bundle **LN1**.

26. On 28th May 2017, the Defendant was issued with a first instance Harassment letter by the police following allegations of harassment and threatening behaviour made to the police by his neighbour. A copy of the letter and the PC's statement are at pages 61-62 of the exhibit bundle **LN1**.

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27. On 12th July 2017, Mr Neville Gray, the Claimants repairs surveyor attended the Defendant's flat to investigate reports of low water pressure to the flats above the Defendant's flat but the Defendant refused him access. Mr Neville Gray attended the Defendant's flat again at about 5:39pm following reports from the leaseholder of flat 117 Burncroft House that the water supply had stopped completely, but the Defendant also refused him access. The Defendant later shouted abuse and swear words at Mr Gray and would not allow him to approach his car. Mr Gray has provided a witness statement in relation to this incident.

28. The Defendant is in breach of the following conditions of his tenancy agreement;

i. Condition 10 – "You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."
ii. Condition 21 – "You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police".
iii. Condition 31 – "You must take care not to cause damage to your property or the property of your neighbours".
iv. Condition 33 – "You must keep the inside of your property clean and in reasonable decorative order".
v. Condition 34 – "You must not use the property in any way that may cause a health and safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)"
vi. Condition 53 – "You must keep the inside of the property, the fixtures and fittings and glass in the property in good repair during the tenancy"

29. I have corresponded with the Defendant regarding the reports of anti-social behaviour made against him by his neighbours and invited him to meetings with his mother Lorraine Cordell but he declined to attend. Letters were sent to him on 29th November 2016 inviting him for a meeting on 6th December 2016, 31st

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January 2017 inviting him for a meeting on 9th February 2017, 16th February 2017 for a meeting on 22 February 2016 and 16th March 2017 for a meeting on 22nd March 2017. These letters are exhibited at pages 63-70 of the exhibit bundle.

30. I have enquired with the Mental Health Team whether the Defendant is currently known to the team and was informed that he is no longer under their care.

31. The Claimant's operatives have had difficulties in accessing the Defendant's flat to inspect the state of the property and the unauthorised works and modifications which the Defendant is purported to have carried out without a written consent from the Claimant. The Claimant has also been unable to check whether the Defendant is restricting water supply/pressure to the properties above his since December 2016. The Defendant has admitted to restricting the water supply but has refused to allow the Claimant's maintenance operatives access to his property to investigate and rectify the problem.

32. The Defendant has intimidated the residents in the entire block and because of his behaviour, we have received numerous complaints from residents, requests to be transferred from the block and we have had to move a vulnerable tenant from the block.

33. I have made attempts to engage with the Defendant but he has not been cooperative and has continuously displayed abusive and threatening behaviour towards the Claimant's members of staff and his neighbours. A Notice of Seeking Possession has been served on him and possession action is being considered. However, in the meantime, this injunction is required to ensure that the other residents are not subjected to further intimidation and harassment by the Defendant. This application is being made without notice because if the Defendant were given notice, he would intimidate the witnesses in an attempt to prevent the order being made.

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Statement of Truth

I believe the facts in this Witness Statement are true.

Signed .....

Dated this 8th day of August 2017

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1. On behalf of the Claimant:
2. Lemmy Nwabuisi
3. Statement No 1
4. Exhibit: LN1
5. Dated 8th August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendants

EXHIBIT

This is the Exhibit LN1 referred to in the witness statement of Lemmy Nwabuisi dated 8th August 2017.

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# Tenancy agreement

When signed, this document becomes a legal agreement between you, the tenant(s), and the London Borough of Enfield. You should not sign this agreement unless you agree to keep all the conditions written in it. You must ensure that you have read it properly and have asked for further explanation where necessary so that you do fully understand it.

This tenancy agreement is between the London Borough of Enfield and the tenants detailed below:

| tenant | date of birth | family | date of birth |
|---|---|---|---|
| Simon Cordell | 26/1/84 | | |

The London Borough of Enfield lets the property detailed below:

address 109 Burncroft Avenue
Enfield
A/G Middx EN3 7JR.

| | | | | | |
|---|---|---|---|---|---|
| net rent | £ 62.04 | caretaking | £ 2.47 | concierge | £ — |
| water rates | £ 3.76 | grounds maintenance | £ 0.66 | other | £ — |
| heating charge | £ — | cctv | £ — | TOTAL RENT | £ 69.13 |

This is an ~~introductory~~/secure tenancy with effect from Monday 14th (date) Aug (month) 06 (year)
N/A

This introductory tenancy will automatically become a secure tenancy on unless we have started proceedings for possession

If you or anyone on your behalf has given false information to enable you to get this tenancy, we will take action to recover possession of the property.

If you break any of the conditions of your tenancy, we can take action to force you to meet the conditions or we can ask the court for permission to evict you.

I/We agree that I/we have had adequate time to read, understand and seek advice on the information and conditions in this document. I was/We were given details of where I/we could get this advice. I/We agree to keep to the conditions of this tenancy agreement.

| | | |
|---|---|---|
| signed [signature] | tenant Simon Paul Cordell | date 11/8/06 |
| signed | tenant | date |
| signed | tenant | date |
| signed [signature] | Verelyn Bent on behalf of the London Borough of Enfield | date 11/8/06 |

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April 2006

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# Tenancy Agreement

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ENFIELD Council

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Section 1

# General terms

**This is your Tenancy Agreement. It is a legally binding document which sets out your rights and responsibilities as one of our tenants.**

**It is an important legal document and should be kept in a safe place.**

**Conditions of Tenancy are marked in red text as they are important, and you must comply with them.**

**If you break any of these tenancy conditions we may have to take legal action against you in the courts. This could lead to you losing your home.**

**For further explanation of anything contained in this document, please see the fact sheets on our website.**

**Where 'you' is used in this agreement, it means you, all members of your household and any visitors to your property.**

**Where 'we' or 'us' is used in this agreement it means Enfield Council or any agent acting on its behalf.**

## 1.1 Interpretation

Unless the contrary is stated or implied, the rights and obligations set out in this agreement are intended to replicate the rights and obligations established by statute, for example, the Housing Act 1985, Part IV. The contrary may be implied where, for example, rights and obligations are set out in the contract that either are not addressed by statute or where the statute gives the council discretion.

## 1.2 What this agreement means

By signing the Tenancy Agreement you are entering into a legal contract with us to keep to all the conditions of your tenancy set out in this document.

This agreement is for both introductory and secure tenancies. If your tenancy is an introductory one, you do not have all the rights that you will have when your tenancy is secure. The section below, under the heading 'Introductory tenancies', outlines the rights you do have as an introductory tenant. Whether you are an introductory or a secure tenant, all the conditions will apply.

In this agreement, 'you' always means you, the tenant, or - in the case of joint tenancies - any or all of the joint tenants. Sometimes 'you' will include members of your household and visitors to your home. In this agreement, 'we' or 'us' means the London Borough of Enfield and its agents or representatives.

## 1.3 Personal information and photographs

### Fair Processing Notice

We collect and process personal information to allow us to allocate homes and manage and improve services. This may involve sharing your personal data with other organisations that are contracted to carry out services on our behalf. This includes services provided to you such as repairs but also services delivered to us such as fraud detection provided by credit reference agencies. These organisations are obliged to keep your personal details secure. When we share information, we will draw up an agreement with the organisation that we need to share the information with. This is so that both sides understand why the information is being passed on, and what it can be used for.



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We may pass on certain personal information to other organisations (such as local authorities, the courts or the police) where this is requested or we have a legal requirement to do so such as during a criminal investigation, a court case or to report benefit fraud.

**Condition 1. By signing this agreement you agree that we can use the personal information you give us in accordance with the Data Protection Act 1998 for the purpose of detecting and preventing fraud.**

**Condition 2. By signing the Tenancy Agreement you agree to us taking a photograph of you at the beginning of your tenancy, and in the future, whether at your home or at our offices. This is for the purpose of detecting and preventing fraud. We will keep a copy of your photograph with our records.**

## 1.4 Tenancy verification

**Condition 3. By signing this agreement, you agree to provide us with up to date details of you and your household when requested, such as during a tenancy audit interview, at your home. You will agree to our officers inspecting your home to comply with health and safety requirements. If you refuse to comply with this or any reasonable request, we may take legal action which could lead to eviction and you may also incur court costs.**

## 1.5 Introductory tenancies

All new Enfield tenants will be introductory tenants unless you were already a secure tenant of a local authority or an assured tenant of a registered provider at a previous property.

**An introductory tenancy will last for a trial period of 12 months.** Under the Housing Act 2004, we can extend the introductory tenancy period for a further 6 months if there has been a breach of the tenancy conditions in the probationary period.

If, during your introductory tenancy, you break any of the tenancy conditions, or if you made a false or misleading statement to obtain the tenancy, we may take action to end your tenancy by serving you a Notice of Possession Proceedings.

If you do not break any of the tenancy conditions during this time, you will automatically become a 'secure tenant' after a 12 month period.

**As an introductory tenant, you do NOT have all the rights of a secure tenant.** You do not have the right to:

- buy the property
- exchange the property with another tenant
- vote for a change to a new landlord
- take in lodgers
- sublet all or part of your home
- make any alterations or improvements.

If you break any of the conditions during your introductory tenancy, we may take legal action to end your tenancy.

## 1.6 Secure tenancies

If you are a secure tenant, you have the legal right to live in the property for which you hold the tenancy.

We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. We may take formal action if you break any of the tenancy conditions. We cannot evict you from the property unless we can prove grounds to do so in a court and the court grants an order for possession. As a secure tenant you will enjoy a number of rights not available to introductory tenants.

## 1.7 Sheltered accommodation

Some of our flats are designated as sheltered accommodation. Sheltered accommodation is intended for the over 60s and people with support needs and is considered unsuitable for families with children. If you live in one of these flats, you may be covered by some different local conditions due to the type of accommodation you are occupying.



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## 1.8 Making a complaint

If we fail in any of our responsibilities, you have the right to make a complaint through our complaints system, which has the following stages:

**Stage 0** – if you contact us to report something you are unhappy about and we can resolve the issue simply within 2 working days, we will record your dissatisfaction and handle the matter as Stage 0.

If the matter is unresolved, you may request that a formal Stage 1 complaint is logged.

**Stage 1** – your complaint will be investigated by a senior manager from the team where the alleged service failure occurred. They will respond within 10 working days.

**Stage 2** – your complaint will be reviewed by the Executive Management Team, who will aim to reply within 10 working days

**Stage 3** – The Chief Executive of Enfield Council will arrange for your complaint to be independently reviewed by a senior officer in Enfield Council who does not work for Enfield Homes. They will write to you with a decision within 30 working days of receiving your complaint.

We hope our complaints procedure will help us to sort out, with you, any problems you may have with the way our services are provided, but if you are still not satisfied you have further options:

From 1st April 2013 the Localism Act 2011 provides that the tenants of housing associations, local authorities and ALMOs will be able to ask for their complaints to be considered by a 'designated' person when all stages of their landlord's internal complaints procedure are finished.

A designated person can be an MP, local Councillor or a Tenant Panel. If you want more information on who they are and how you can contact them, please contact us directly on **freephone 0800 40 80 160** or email us at **info@enfieldhomes.org**

When the Housing Ombudsman receives a complaint that has gone through all stages of the landlord's internal complaints procedure, they will always ask if it has then been referred to a designated person and if a tenant is clear that they do not want to make use of that opportunity for local resolution (if it is more than 8 weeks from the end of the landlord's complaints process) the Housing Ombudsman will consider the case.

The Housing Ombudsman Service can be contacted at:

81 Aldwych
London WC2B 4HN

Telephone 0300 111 3000

Fax 020 7831 1942

Email info@housing-ombudsman.org.uk

## 1.9 Taking legal action against the council

If you think we have not met our obligations as stated in this agreement, you have the right to take legal action against us. You must obtain your own independent legal advice.

## 1.10 Serving legal notices on the council

If you wish to serve any Notice on us, you should send it as described in the section 'Ending your tenancy' on page 16.



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Section 2

# Your conditions of tenancy

## 2.1 Rent

We can change your rent and other charges at any time. We have to give you 28 days' written notice of any change in your rent and the change must start on a Monday but we can change your water and other charges at any time.

The notice will specify the revised net rent and other charges. This notice may be left at or posted to your property.

Our usual practice is to increase the rent and other charges no more than once a year in April although this does not preclude a change in rent or other charges at any other time in the year when necessary.

### 2.1.1 Failure to pay

**Condition 4. You must pay your total rent – which includes any charges on the property, for example water rates and service charges for amenities – in full on or before the date the payment is due.**

If you fail to pay your rent and/or charges, the council may take legal action to recover the debt or ask the court to grant us possession of the property. This could lead to you being evicted.

**Condition 5. You must tell us if you are unable to pay your rent in full or on time, and you must make an agreement to pay any rent arrears.**

We will treat your payments as rent due before we credit them to any other charges.

If you owe rent or any other charges for a previous tenancy, we may require you to pay these through your current rent account.

### 2.1.2 Miscellaneous recharges

**Condition 6. You must pay the cost of any items or works which are not our responsibility and for general damage to and misuse of the property. Examples are broken glass due to damage caused by you, a member of your household, or visitors to your household, the replacement of lost keys or fobs or the reinstatement of unauthorised alterations.**

### 2.1.3 Liability of joint tenants

**Condition 7. If you are a joint tenant, you are responsible for all the rent and other charges when they are due.**

In a joint tenancy, each tenant has full responsibility for paying the rent and any other charges due on the property.

If one of you leaves the property without ending the tenancy, or does not pay the rent and the account goes into arrears, each joint tenant will continue to be responsible for the rent and any arrears on the account.

If you have a joint tenancy, the tenancy ends for both joint tenants if you or the other joint tenant serves a valid Notice to Quit on us.

If you serve a Notice to Quit on us, it is valid if it is in writing and served at least 4 weeks before the date of termination. The day of termination must always be a Sunday. This must be signed and dated by you.

**Condition 8. If you or another joint tenant is intending to leave, or has left the property, you must inform us in writing.**

If you are a joint tenant with your partner and your relationship breaks down, we may inform you about where you can get independent legal advice on your rights.



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## 2.2 Conduct and behaviour

**Condition 9. You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere else within Enfield borough.**

### 2.2.1 Anti-social behaviour, nuisance and noise disturbance

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action, we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.**

Examples of this sort of behaviour include but are not limited to:

- playing loud music including noisy parties and congregations
- unreasonable noise caused by inadequate insulation and/or soundproofing of any type of flooring
- noisy DIY at unsocial hours
- loud arguments and/or fighting
- offensive and/or disruptive drunkenness
- dumping rubbish and furniture
- fly tipping
- slamming doors
- allowing your dog(s) to bark persistently and/or cause a mess
- not keeping your pet(s) under control
- playing ball games close to people's homes
- disruptive and/or intimidating loitering
- spraying or writing graffiti
- skateboarding and cycling on footpaths and balconies
- damaging or vandalising any council property
- setting fires
- riding motorbikes, mopeds, quad bikes anywhere other than on the road
- installing or using equipment such as aerials to operate illegal radio broadcasts from your own or any other council property or shared roof
- extensive repairing of cars and/or other motorised vehicles on estate roads or parking areas
- obstructing any shared areas, doorways or exits
- throwing items from balconies or windows
- feeding pigeons, squirrels, foxes, wild birds or any other non-domesticated animal
- jamming communal doors open
- letting people into communal blocks who do not have a right to be there.

If you are suffering abuse or annoyance, you should report the matter to us.

**Condition 11. You must not install any audio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from, without first consulting us.**

**Condition 12. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with written specification of the proposed works prior to installation.**

We would strongly advise that, in flats, you fit carpets. Do not remove existing carpets. You should not install tiling, hardwood or laminate-type flooring because fitting these may increase the way noise travels between floors and through walls. So if it disturbs your neighbours, we may consider it to be a nuisance and a breach of the conditions.

**Condition 13. You must not carry out household tasks using machinery such as a washing machine, tumble dryer, dishwasher or vacuum cleaner between the hours of 10pm – 7am.**



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### 2.2.2 Domestic abuse

**Condition 14. You must not cause any member of your household to leave your home because of domestic abuse. If you do, we will take action against you. This may result in your home being repossessed.**

**Condition 15. If you abuse or mistreat a child or, as a result of any such abuse or mistreatment, a child is endangered or taken into care, we may seek possession of your home and evict you.**

### 2.2.3 Harassment and hate crime

**Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.**

Examples of harassment include:

- using or threatening to use violence towards any person including our staff
- unprovoked physical assaults
- stalking, including cyber stalking
- domestic violence and abuse
- verbal abuse
- threatening or abusive behaviour
- threatening or abusive letters, telephone calls or text messages
- writing threatening, abusive, insulting or hate motivated graffiti
- racist comments and/or abuse
- damage to property or threats to damage property
- making false complaints about someone.
- abusing and/or bullying people through social media such as Facebook, Twitter, Instagram and text messaging.

### 2.2.4 Gang activity

**Condition 17. You must not be involved in gang related activity or violence. This includes using or threatening to use violence, or verbally assaulting other people residing in the locality, so that they leave the property.**

If you or other members of your household who are identified as being involved in, or potentially involved in, gang activity co-operate with us and/or our partner agencies, we will take this into account when considering tenancy enforcement action.

### 2.2.5 Criminal activity

**Condition 18. You must not use the property or locality for criminal, immoral or illegal purposes, such as dealing in illegal drugs or substances or prostitution and/or human trafficking. If you are convicted of such an offence, in your home, locality or anywhere else within Enfield borough, this will be a breach of your tenancy conditions.**

In particular, you must not use your home or any communal area, or anywhere else in Enfield borough, in connection with:

- selling, using, storing, manufacturing or growing of illegal drugs
- storing or handling stolen goods
- keeping illegal or unlicensed guns or weapons within the property with an illegal intent
- dealing in illegal pornography
- theft
- burglary
- criminal damage
- committing an offence during a riot
- cyber crime
- public order offences.



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**Condition 19. You must not use the communal area, any neighbouring areas or any garage or pram shed for any illegal purpose including, but not limited to:**

- **arson or attempted arson**
- **interference with security and safety equipment**
- **wilful damage to shared areas or facilities, including sheds**
- **breaking windows or doors or writing graffiti**
- **using weapons such as guns and/or knives**
- **using pets or dogs as a weapon**
- **using and/or dealing drugs.**

You will be responsible for the cost of renewing any door that has been damaged following any forced entry by the Police and reclaiming the cost from the Police.

**Condition 20. You must not keep any firearm, shot gun, or air rifle in your property without all the necessary certification required by law and without our written permission.**

### 2.2.6 Other unacceptable behaviour

**Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.**

If you fail to keep this tenancy condition, we will support our officers if they refuse to interview you, visit you, or speak to you on the telephone. We may also refuse you entry to our offices and take legal action against you.

## 2.3 Use of premises

**Condition 22. You must live in your property and use it as your only or main home.**

If you are to be away from your home for a continuous period of more than a month, you should inform us. If you do not do so, we may think that the property has been abandoned and take action to recover possession of it. You must tell us how and where you can be contacted in case of an emergency.

If you move out of your property and allow someone else to live there, you will no longer be a secure tenant. We will take action to recover possession of the property by serving a Notice to Quit.

**Condition 23. You must not allow your home to become overcrowded by other people living or staying there. You will not receive priority to transfer to larger accommodation under our Allocations Scheme if you do so.**

**Condition 24. You must notify us in writing, within 14 days, of any change, compared to those listed on your Tenancy Agreement, in the people who are living in your home. The notification must give:**

- **the person's full name, gender and date of birth**
- **the date of the change and**
- **whether s/he moved in or out of your home.**

**Condition 25. You are allowed to take in lodgers but must notify us in writing as required by Condition 24.**

Introductory tenants are not allowed to take in lodgers.

**Condition 26. You must not sublet or give up the whole of your property. If you do this, your secure tenancy may end. You may only sub-let part of your property with our prior written permission.**

**Condition 27. You can only assign your tenancy under certain circumstances which are described on page 19. You must have our written permission to do so.**

**Condition 28. You must not carry on or advertise any trade or business at your premises without our written permission and the necessary legal or planning requirements.**

This Tenancy Agreement only gives you the right to use your property as a private residence. If we give written permission for you to use your property for business purposes, you must still meet any necessary legal or planning requirements for your business use. If your business causes nuisance or annoyance to neighbours or local residents, we can withdraw our permission.



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**Condition 29. It is your responsibility to pay for all gas and electricity used in your property, directly to the appropriate gas and electricity company unless you live in a block where the heating is communal and the landlord charges you directly for this as a service charge.**

## 2.4 Sheltered accommodation

**Condition 30. If you live in sheltered accommodation, you must seek your Sheltered Estate Manager's permission if anyone is moving in with you for more than a few days.**

This should not be a permanent arrangement. However, your Sheltered Estate Manager may inform you of other housing options that may be more suitable for you.

## 2.5 Home contents insurance

Enfield Council is responsible for insuring the building and structure of your home but not the contents.

The council's building insurance does not cover contents insurance for your possessions. **You are responsible for insuring your home contents.** We are not responsible for loss or damage to your belongings including that caused by other residents.

## 2.6 Looking after your home

**Condition 31. You must take care not to cause damage to your property or the property of your neighbours.**

You should have any washing machine or dishwasher, electric or gas cooker, professionally installed. You must not use any of these if you know or suspect them to be faulty. If we send an electrician to check the electrical circuit and s/he finds that your appliance is faulty, we may recharge you the cost of the circuit check.

Refer to our website for advice on how to check if you have a faulty appliance. (See Appendix 3 for website details.)

**Condition 32. You must not neglect your property and let it fall into disrepair. This includes individual gardens as well as shared access pathways and steps in houses. Tenants of flats and maisonettes are expected to report defects to communal areas; for example, defective floor tiles.**

**Condition 33. You must keep the inside of your property clean and in reasonable decorative order.**

**Condition 34. You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).**

You must take reasonable steps to secure your property, for example, lock windows and doors when you go out.

It is your responsibility to decorate your home when it is needed.

**Condition 35. If your property suffers from condensation or damp, you must inform our Customer Services Team and follow any reasonable advice given to you.**

To help prevent condensation, you should:

- wipe dry the insides of windows
- open the windows and close the doors of any room used for hanging wet clothes
- not overcrowd any rooms with furniture or possessions.

## 2.7 Shared areas (communal)

**Condition 36. You must not cause an obstruction in any shared area, including balconies, garage and shed areas. You must co-operate with us to help keep shared areas clean and tidy.**

Everyone living in a block of flats or maisonettes is responsible for cleaning the landing area outside their flat.

Condition 37. You must NOT:

- store or leave any personal belongings such as flower pots, children's buggies, bicycles, boots and shoes in shared areas
- leave your rubbish in shared areas
- use inflatables (or other paddling/swimming pools, trampolines, bouncy castles) in shared areas such as communal gardens without our prior written permission. In deciding whether to grant permission, you will need to demonstrate that you have the necessary public liability insurance cover and that adult supervision will be provided at all times
- install swings and/or slides in communal areas
- use barbeques on balconies or in communal areas
- use a shared walkway/balcony/staircase to hang out washing
- store any items within communal area cupboards, communal loft spaces, intake, water tanks and communication equipment cupboards, other than allocated pram sheds
- adopt for sole use any communal area or land; for example landing, balcony, garden area, shared drying room, communal loft space. This also includes extending any existing individual garden.
- cut down, top, lop, uproot, damage or destroy any tree, shrub, plant or hedge on communal land
- store re-chargeable motorised vehicles without our express consent to do so
- use extension leads to charge/use any appliances on or within communal areas
- throw anything inappropriate down the communal rubbish chute; for example wood, bricks and children's buggies.

We reserve the right to remove any items that are placed in shared areas without permission and dispose of them, as well as repairing any damage arising from misuse of those areas, and recharge the cost to the tenant responsible where known.

Condition 38. You must co-operate fully with any measures we take to protect the security of your home and others' homes and you must keep all shared doors closed (for example: fire doors on landings).

Condition 39. You and/or anyone living with you or visiting you must not interfere with any equipment for detecting or for putting out fires in shared areas.

Condition 40. You must not install a gate leading on to shared footpaths and communal balconies without our prior written permission.

Condition 41. You must not erect any structure on communal land. This includes fencing off communal land.

Condition 42. You must not swap sheds with another resident without getting our prior written permission.

Not all flats are allocated with a shed. We reserve the right to take back the shed if it is swapped without permission or misused.

We will not be responsible for the loss or damage to any items stored in your shed. You will need to cover this on your own home contents insurance.

Condition 43. You must not use any shed for sleeping accommodation.

## 2.8 Improvements and alterations

Condition 44. You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.

Condition 45. You will be responsible for maintaining and/or repairing any alterations or improvements that you have carried out to your home.

Condition 46. You must not make any alterations to any gas appliance or installation in your home (including any gas and electric meter and any other associated pipe work or equipment or lighting installations).



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If you wish work to be carried out on such appliances or installations you must obtain our prior written permission before any work is carried out. Any such work may only be carried out by a suitably qualified Gas Safety Registered contractor. Failure to do so may have fatal results and we will regard it as a serious breach of your tenancy.

**Condition 47. If you carry out any works without our permission and we incur costs for reinstatement works, we will recharge you for the cost of those works.**

## 2.9 Right to Improve (secure tenants only)

There are certain improvements for which you can claim compensation when you notify us that you are going to leave the property. We will be able to give you details of the improvements that qualify and the conditions that must be met under the Right to Improve scheme. **You must seek our written permission before carrying out any works under the Right to Improve scheme.**

**Condition 48. You must obtain written permission from us before you erect, or arrange to have erected, any radio, television aerials, dishes, cameras/videos or any other electronic receiving equipment.**

This is to prevent damage to the external fabric of the building as well as public safety considerations. Permission will not be unreasonably withheld for houses.

**Condition 49. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with a specification of the proposed works prior to installation.**

## 2.10 Repairs and access to your property

**Condition 50. You must not cause damage to any of our fixtures and fittings, in your home or communal areas, deliberately or through misuse or negligence. You must not allow your visitors to do so.**

If you do cause damage, or allow your visitors to do so, you will be responsible for repairing, renewing or replacing the damaged item. If you do not make good the damage caused, we may, carry out the work and charge you for it.

**Condition 51. You must get our written permission before you remove or replace any of OUR fixtures and fittings.**

**Condition 52. You are responsible for repairing and maintaining any fixtures and fittings YOU install.**

We are only responsible for maintaining our fixtures and fittings. If you move, you must remove any fixtures or fittings that you have installed and put the property back the way it was at the start of your tenancy. If you remove your fixtures and fittings and do not replace them to our satisfaction, we will carry out the necessary work and charge you for it.

**Condition 53. You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.**

**Condition 54. You must report promptly any disrepair or defect where we are responsible for putting it right.**

When you sign for your tenancy we will give you information about our website which shows you which repairs are our responsibility and which repairs are your responsibility. It tells you how long repairs will take and gives advice about items in your home that might need repair and what information you should give when you report a repair to us.

**Condition 55. You must carry out any necessary minor repairs to your home.**

**Condition 56. You must not carry out noisy repairs/improvements such as drilling, sanding and loud hammering at the following times:**

**weekdays 6pm – 8am**

**and weekend times as follows:**

**Saturday 5pm – Sunday 9am**

**Sunday 4pm – Monday 8am**



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**Condition 57. You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.**

**Condition 58. You must allow our employees, representatives and contractors into your property to carry out repairs, servicing, inspections, or other works, where we consider it necessary.**

**Condition 59. You must allow our employees, representatives and contractors into your property if we need to carry out work to an adjoining property, and there is no other reasonable means of access (examples of such works are, but not limited to, scaffolding, access to boundary walls, roofing, tree works).**

If we need to carry out any work to your property, we will give you adequate notice of the date and the reason. If you refuse us access, or we are unable to gain access, we will apply to the court for permission to gain entry to carry out the works.

If the court gives us permission, you will be responsible for the court costs and any additional costs that result from us not being able to gain access to your property.

If you live in a flat or maisonette we may need to carry out work or repairs on your block for which we will require access to a number of properties. If we need to come into your property, we will give you adequate notice of the date and the reason. If, on that date, we are unable to gain access to your property, we will force entry under certain circumstances. Those circumstances would be where:

- essential works could not be carried out unless all tenants give access on the date given
- other tenants would be caused extreme inconvenience or distress
- we would have to pay additional costs
- damage is being caused to communal parts; for example, service ducts.

The circumstances would be those that could result in a fire hazard, gas leak or flooding.

Our usual practice is to give at least 24 hours' written notice that we need to access your property. In case of an emergency or when urgent health and safety repairs are required, we may have to enter your property without giving notice and, if necessary, force entry.

If we need to carry out work to the outside of your block, we will ask you to remove objects from your individual balcony. If you refuse to remove them and your refusal means that we are unable to complete the planned work, we will move the objects and may dispose of them.

If we require access to your home and you prevent us from entering, and this causes further damage to your property or to another, we may charge you for any repairs that then become necessary.

You should always ask contractors or workers for official identification before you let them into your property. If they do not have proof of identity, you can refuse to allow them into your home.

## 2.11 Fences

**Condition 60. You are responsible for keeping dividing fences in good repair and not causing any willful damage to fencing.**

We will only repair or replace boundary fences and gates where the fence separates your garden from a public right of way; for example, a road or alleyway. We will not necessarily replace any such fencing in a similar style or material as the previous one.

## 2.12 Temporary vacation of property

**Condition 61. Where we consider it necessary to carry out repairs, improvements or other works which cannot be carried out with you and members of your household living in the property, we will we will try to re-house you temporarily in a suitable alternative property. If you are moved to an alternative property, you must return to the original property once the works have been completed.**

## 2.13 Gas safety

**Condition 62. You must allow our employees or contractors access to your home to carry out a gas safety inspection.**



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Condition 63. You must ensure that you have sufficient credit on the gas and electric meters to enable the checks to be carried out.

We will give you written notice unless it is an emergency. If you do not let us in, we may take legal action to make you let us in or to allow us to force entry to your home. We may recover any reasonable costs from you associated with such action.

## 2.14 Health and safety

Condition 64. You must not do anything in or outside your home that may cause a danger to anyone in your home or in the locality including:

- throwing anything through or out of the windows or your home, balconies or roof or sweeping and/or wash offensive material on to the premises below
- placing anything on a window ledge, balcony or roof that could be a danger to anyone living in or visiting your home or in the locality
- causing a blockage to the drains and pipes, gutters and channels in or about the property by spilling or pouring in shared areas, oil, petrol, cooking oil, fat and oil based paint or other chemical substances or pouring the same down any drains or gullies
- altering the fire rating of your property by removing walls, doors and door closers
- removing external doors and replacing them with doors which do not comply with fire regulations
- propping open any communal fire doors
- storing items inappropriately in a way that may cause a health and safety hazard or encourage vermin and/or pests
- installing metal grilles to windows and external doors which may cause a fire escape hazard
- storing items, waste and personal possessions, which prevent the use of a room or space within the property.

Condition 65. You must provide a safe environment for staff and contractors visiting your home including not smoking in the same room where a member of staff or a contractor is working immediately before and during the visit.

Condition 66. If your property is fitted with a smoke detector, and/or a carbon monoxide alarm, you must keep it in working order by replacing batteries and reporting when there is a defect.

Condition 67. You must not keep or store dangerous, offensive or flammable materials or appliances at your home, or in communal areas, apart from those that may reasonably be needed for general household or medical use.

Condition 68. You must not use portable heaters that burn oil, paraffin, gas or other combustible materials without our written permission.

Condition 69. You must not interfere with the electric or gas supply.

Condition 70. You must not interfere with any equipment for detecting or putting out fires.

Condition 71. You must not use any shed/ pram shed/ garage/outbuilding in a way which causes a hazard, such as by storing flammable material.

Condition 72. You must not leave drug paraphernalia in any area where others might come into contact with them.

Condition 73. You must dispose of any hazardous waste safely and hygienically.

This will include such items as syringes, nappies and sanitary and incontinence pads, batteries and household appliances.

Condition 74. You must not allow children on to balconies, or any other area which could prove dangerous, without responsible adult supervision.

Condition 75. You must not allow anyone into shared areas of the block unless you know that they have a right to be there or allow anyone to follow you through a controlled door without permission.



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## 2.15 Pet(s) and animal(s)

**Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.**

If you live in a flat, maisonette or house with direct access to a private garden, you may be allowed to have more than one pet. You will need our written permission.

If you live in sheltered accommodation, you are required to nominate a friend or relative to take responsibility for your pet if you are taken into hospital or otherwise unable to look after it.

Pets must be kept in appropriate enclosures which are adequate for their needs and from which they cannot escape and with regard to their well-being.

**Condition 77. You must inform us of details of pet(s) (and working dogs for example; guide or hearing dogs) before they are brought into the household.**

**Condition 78. Dogs, other than guide or hearing dogs, are not allowed in play areas.**

**Condition 79. You must always keep your dog(s) on a lead in communal areas and on our land.**

**Condition 80. You must ensure your dog(s) does/do not foul communal areas, estate roads or our land, including play areas. Dog faeces must be disposed of hygienically such as in dog waste bins.**

**Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we will take action and give written notice asking you to remove it/them from your home.**

Condition 82. You must not:

(a) breed any pet or animal at your home

(b) encourage wild animals or wild birds, including pigeons, by feeding them. The feeding of wild birds is permitted providing that the food is contained in a suitable bird feeder.

(c) allow any animal droppings to build up in your garden and/or balcony and you must keep these areas free from pigeon droppings.

## 2.16 Gardens

**Condition 83. You must keep your garden (including any remote garden) well maintained at all times.**

You are responsible for maintaining all parts of your garden; including pathways, grass, sheds, plants, bushes, hedges and trees (including any of these that were present when your tenancy started as well as anything you have installed or planted yourself).

We reserve the right to take back possession of any remote garden which is not maintained.

**Condition 84. You must keep hedges, trees and shrubs at a manageable height. They should not hang over a public right of way, cause an obstruction or a nuisance to neighbouring properties.**

**Condition 85. You must not plant climbing plants for example; ivy, against the building which might damage the fabric of the building. You must also remove self-seeding climbing plants and self-set trees. We reserve the right to recharge for the cost of removal of any such vegetation and any associated structural repairs.**

**Condition 86. You must keep any garden and path clean tidy and free from obstruction. You should not leave rubbish or large items such as unwanted furniture, white goods and mattresses in your garden for an unreasonable period of time. (That is, longer than the council's refuse collection cycle).**

**Condition 87. You must obtain our prior written permission if you wish to plant a tree, cut one down, put up or take down and replace any fence or wall. If you install your own fence or wall, then you will be responsible for its maintenance.**



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**Condition 88. You must not erect a greenhouse, garage, car port, shed, garden pond or summer house at your home without getting our prior written permission. You will be responsible for maintaining any structures that you erect. You will be responsible for obtaining any necessary Planning or Building Control permissions.**

**Condition 89. You must not attach to any part of your property, including to external walls, fences or other structures, any barbed wire, broken glass or other material which is likely to cause personal injury to anyone.**

If we decide that tree management works are required to any tree in your garden, subject to any Tree Preservation Orders, we will advise you of what you must do. If you fail to comply with our request, we will carry out any necessary works and recharge you for the cost.

## 2.17 Vehicles and parking

**Condition 90. You must not park any vehicle that is untaxed or is unroadworthy on any part of your estate or housing land.**

We do not accept liability for any vehicle, fittings/components, or any contents of any vehicle parked on the estate.

We may remove and destroy any illegally parked, abandoned, dangerous or unroadworthy vehicle and charge the owner for our costs. This also applies to any vehicle not displaying a valid tax disc or a valid parking permit where one is needed.

**Condition 91. You must not park caravans, boats, trailers, burger vans, or vehicles used for business purposes on the estate or road next to your house without our written permission.**

**Condition 92. You must park legally and considerately and make sure that you do not cause any obstruction or nuisance or annoyance. This includes obstructing access for emergency vehicles, access to garages, refuse stores and grounds maintenance access points.**

We will not be responsible for damage to your vehicle if we or the emergency services have to remove it.

**Condition 93. You must not carry out repairs, other than minor routine servicing, to your vehicle on the estate or on any roads in the locality.**

**Condition 94. You must not leave a vehicle in a state of disrepair, or any parts of vehicles on the estate or on any roads in the locality.**

**Condition 95. You must not park SORN (Statutory Off Road Notification) vehicles on our land, including blocks/estate land, other than in your own drive/garden (in the case of a house). You can only keep SORN vehicles in your private garden/drive with prior written agreement from us for no longer than 12 months. We reserve the right to remove vehicles after 12 months after giving you 28 days written notice.**

**Condition 96. You must not build a garage, hard-standing or driveway without obtaining our prior written permission. You will also need Planning permission, Building Control approval and /or Highways approval. If you wish to install a dropped kerb, you must contact the Highways Department to obtain the relevant permission.**

**Condition 97. You must not park or permit visitors to park or drive on common grassed areas, verges (hard standing or grassed) or pavements outside or leading to your home. We reserve the right to recharge for costs arising from repair of any damage caused.**

**Condition 98. You must not use any communal land for the purpose of buying or selling vehicles, or repairing vehicles as part of a business enterprise.**

**Condition 99. You must not keep mopeds or motorbikes inside your home, in internal or external sheds, or in indoor communal areas, for example, landings, stairs, entrance and any internal area used by tenants.**

This could put others at risk and any such vehicle found in internal communal areas will be removed.

## 2.18 Ending your tenancy

**Condition 100. You must give at least 4 weeks' notice in writing if you are going to end your tenancy. If we offer you a transfer, we will set the date for termination. If you do not give proper notice, your tenancy will not end and you will continue to be responsible for the rent, service charges and any other payments due in respect of your tenancy.**

The 4 weeks' notice must end on a Sunday.

If you are unable to give 4 weeks' notice, we may accept surrender of your tenancy earlier unless you are a joint tenant seeking to terminate it without the consent of the other joint tenant(s). As soon as you know you are leaving, you must contact us to discuss what you must do on surrender.

You can give notice to end your tenancy by writing to the address below:

Enfield Council
c/o Enfield Homes
The Edmonton Centre
36-44 South Mall
London N9 0TN

This is the address to which any Notices served on us should be sent.

Whether you or we end the tenancy the following conditions apply:

**Condition 101. You must return all keys, including all main door entry controlled system keys or fobs, for the property to us at the above address by 12 noon on the Monday of the week you leave.**

**Condition 102. You must pay the rent and any other charges up to the date that your tenancy ends.**

If you owe us money when you leave, you must make arrangements to repay the debt. If you do not, or if you make an agreement but do not keep to it, we may refuse to grant you another council tenancy. We will take legal action to recover the debt.

**Condition 103. You must not leave anyone living in your home when your tenancy ends.**

If there are people living in the property when your tenancy has ended, we will take action to evict them and charge you for the cost of the action. We may also charge you use and occupation charges for the property until the person is removed.

**Condition 104. You must leave your property and garden in good repair and clean and tidy, with all fixtures and fittings in the same condition when you move out as they were at the start of the tenancy except for fair wear and tear.**

We will charge you the cost of repairing any damage, installing missing or damaged fixtures and fittings and the cost of any cleaning that is necessary.

**Condition 105. You must remove all rubbish, personal effects, including fitted carpets or other floor coverings and furniture from inside the property and garden, and any of your belongings or rubbish from communal areas. For further details see our website for advice and our Clean and Clear policy.**

**We cannot store tenants' belongings left on the premises after the tenancy has been terminated and the keys have been returned to us because the cost and conditions of insuring against loss and damage would be complicated and unreasonably expensive.**

Therefore, we will get rid of any items that are left at the end of the tenancy and charge you the cost of removal. If we do not know your forwarding address, we will put the debt into an account in your name and pursue the debt.

When you leave your home, it is your responsibility to ensure that we have your forwarding address in writing.

**Condition 106. You may not be granted another council tenancy if you:**

- **are evicted from this council tenancy**
- **abandon this property and do not return the keys**
- **owe rent on this or a previous property**
- **leave this property in a poor condition and fail to pay for repair and replacement.**

If you need advice on ending your tenancy, please discuss this with us.



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Section 3

# Our responsibilities

## 3.1 Repairs and maintenance

We will keep in good repair the structure and outside of your property, including drains, gutters and external pipes. This will not apply if the damage is caused deliberately or through misuse of the property by you, your household or visitors.

We will keep in good repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, heating and hot water. This will not apply if the damage is caused deliberately or through misuse of the installations by you, your household or visitors.

Our responsibility for repairing the internal structure of your property and the above installations only begins when we are told that a repair is needed.

If we are aware of damage that was caused by you which you refuse to repair, if it is dangerous to others, we will carry out the repair. We will charge you the cost of any work that is necessary to remove the danger.

The repairs part of our website will tell you our policy on repairs, and sets out which repairs are our responsibility and which are your responsibility.

We will keep in good repair all communal areas and amenities.

We are responsible for making sure that communal and external areas are in a reasonable condition, even when we are not told that a repair is needed.

We will carry out an annual gas safety inspection and an annual service of our gas appliances.

## 3.2 Right to Repair

We will pay you compensation if certain urgent repairs are not carried out within specified time limits decided by law.

This is the Right to Repair scheme and the details of the repairs that qualify for this, and the time scales, are on our website.

## 3.3 Major Works Improvements

We will seek and consider the views of all affected tenants on any proposed major repair and improvement scheme.

## 3.4 Consultation and information

We will consult you about important changes to the way in which the Housing Service is managed, particularly those relating to your tenancy.

We will provide you with information about our performance, how the Housing Service is paid for and how your money is spent. Performance information is available on our website.

We will make sure that any information about you is held in a way that complies with the Data Protection Acts.

We keep information about you that we need, to provide you with a service. Such information will be confidential and we will use it only for the purpose for which it was obtained, and will keep it as accurate and as up to date as possible. This information is held on computer and manual records, and you have the right; provided certain conditions are met, to see it.

## 3.5 Quiet enjoyment

We will not interfere with your quiet enjoyment of the property as long as you, your household and any visitors to your property, keep to the conditions of this Tenancy Agreement. If we need to gain access to your property in an emergency, we have the right to do so without giving you notice. If we have to force entry, we will make sure that your property is secured before we leave.

We have a legal responsibility to allow you, as long as you pay your rent and keep all other tenancy conditions, to live peaceably and without any interference from us or anyone acting on our behalf.



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If we need to come into your home, we will give you a minimum of 24 hours' notice wherever we can. However, there are situations where we might have to gain immediate access. If in such a situation, we could not gain access, we have the right to force entry into your property.

The situations where we have this right include those where we believe:

- that water or sewage flowing into another property is from your home
- there is a gas leak in your property
- there is an animal in distress in your property
- our assistance is urgently needed in your property.

### 3.6 Conduct and behaviour

We will work with you to keep your estates and locality safe and free from anti-social behaviour and behaviour which causes a nuisance and/or distress to residents.

If a tenant or a member of their household or their visitor behaves towards you in a way that causes you nuisance or annoyance, we will tell you what action you can take against the person who is breaking the conditions and explain what we can do to help you.

Our statement of policies and procedures on tackling anti-social behaviour is available on our website or by request to an officer.

### 3.7 Equality and diversity

We will act fairly in all matters connected with your tenancy and will not unlawfully discriminate against you or disadvantage anyone on the grounds of age, religious belief or faith, disability, ethnicity, gender, gender reassignment or sexual orientation.

### 3.8 Courtesy

Our officers and anyone acting on our behalf will treat you with courtesy and respect.

If any of our officers or representatives fails to do this, you can make a complaint through our complaints system.

### 3.9 Transfers

We will consider any application you make for a transfer to another property in line with our Allocations Scheme.

The offer of a new tenancy within this borough will depend on the urgency of your housing need compared with the needs of other transfer applicants and also on the accommodation available. If you have enough priority to qualify for an offer, you may be eligible to bid for vacant council or housing association homes advertised on our bidding system (see Enfield Council's website at the housing pages at **www.enfield.gov.uk** for more information).

### 3.10 Variation of tenancy conditions

If we want to change or vary any conditions of your tenancy, we will send you a notice:

- telling you that we are going to serve a Notice of Variation
- explaining what the changes are and their effect
- inviting you to comment on the proposed changes within a given time.

We will consider your comments before we decide whether to go ahead with the changes. When we serve the Notice of Variation it will:

- give details of the changes
- say when the changes begin
- be served at least 4 weeks before the date of the change.

### 3.11 Right to succeed

When you die your tenancy will pass to your husband, wife or civil partner or cohabitee of more than 12 months' duration if they were living with you at the time of your death. This is called 'succession'. If you do not have a husband, wife, civil partner or cohabitee of more than 12 months' duration, the tenancy can pass on to a member of your family if they had been living with you continuously for the 12 months before your death. If a joint tenant dies, the tenancy will pass to the other joint tenant and this will count as a succession. The law only allows one right of succession.



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If you are a sheltered housing tenant, your spouse, civil partner or cohabitee of more than 12 months' duration will succeed to the tenancy as long as they were living in the property as their only or main home with you at the time of your death. If you do not have a spouse living with you, the tenancy could pass to a partner or family member as long as they are eligible for sheltered housing and were living with you for at least 12 months before you die. Failing this, we may consider granting a tenancy of another suitable property.

### 3.12 Right to assign

If you are a secure tenant or an introductory tenant, you can under certain circumstances, assign (legally transfer) your tenancy.

If you are a secure tenant or an introductory tenant, the law allows you to assign your tenancy to a person who would have been able to succeed to your tenancy if you had died immediately before assigning it. This means that, if you are a sole tenant, you can assign your tenancy to your spouse, civil partner, or to a family member, including cohabitee, or same-sex partner who has been residing with you for 12 months at the time of assignment. If you are a joint tenant you cannot assign the tenancy to another family member if they are not the other existing joint tenant. Effecting an assignment means that there will no further right to succession upon the death of the tenant to whom the tenancy has been assigned.

If you are a secure tenant, you have the right, provided certain conditions are met, to assign your tenancy by exchanging with one of our tenants or the tenant of another local authority or a housing association.

This right of mutual exchange does not apply to introductory tenants.

The court has the right to assign a secure or introductory tenancy on the breakdown of a marriage or relationship.

If you are a joint tenant and your relationship has broken down and you wish to transfer the tenancy into your sole name, we will ask you to obtain a court order from the County Court.

You must not assign your tenancy unless you have our written permission to assign your tenancy.

If we have begun court action against you for any breach of the Tenancy Agreement, or any other matter such as an injunction, we will refuse your request for a mutual exchange.

### 3.13 Right to Buy

Existing secure tenants will normally have the Right to Buy the freehold or leasehold of your home after they have been a tenant for 5 years.

You cannot buy your property during your introductory tenancy, but your period of introductory tenancy will count towards the 5 years.

If you are a sheltered housing tenant, under the Housing Act 1985, you do not have the right to buy your home.

If you have been guilty of anti-social behaviour, we can apply to court to request an order suspending your right to buy for a period that the court may specify.

You will not have the Right to Buy if we have obtained a suspended Possession Order against you.

### 3.14 Right to manage

This allows tenants' organisations to take over the management of their homes and to run services that we would normally be responsible for such as rent collection and the repairs service. A tenants' organisation is eligible for the right to manage if it can show that it represents the views of all its members and does what they ask of it.

### 3.15 If we end your tenancy

We may terminate your tenancy by leaving at your property, a Notice of Seeking Possession or a Notice to Quit or any Notice required by law.

All notices we leave in connection with your tenancy, including any Notice of Seeking Possession or Notice to Quit or other similar Notice, will be treated as properly served and received by you if left at the tenancy address, addressed to you.

This means that if we leave a Notice to Quit or a Notice of Seeking Possession addressed to you at your tenancy address, even if you are not living there, the court will recognise this as legal service of the notice.

If we serve a Notice of Seeking Possession on you, or any legal notice, the notice will contain reasons for our actions.

### 3.16 Housing related support

If you are an Enfield sheltered housing tenant, you may receive certain support services from the council, such as a daily visit from your Sheltered Housing Officer, in exchange for an extra charge added to your rent.

### 3.17 Welfare Benefit Reform

Through the Welfare Reform Act, the government has introduced new rules for the receipt of welfare benefits. For further information, and to see if you are affected, please contact us.

### 3.18 Prevention of Social Housing Fraud

The Prevention of Social Housing Fraud Act 2013 has been introduced which makes it a criminal offence to fraudulently sub-let social housing. The offences are punishable by a prison sentence, a large fine and/or an order for the repayment of any profits earned.



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Section 4

# Appendices

**This section does not constitute part of your terms and conditions.**

## Appendix 1
## Explanation of words used in this agreement

**Abandon**
When a tenant leaves their home without surrendering the tenancy, either by notifying us or ending the tenancy formally by serving a notice of termination on us.

**Anti-social behaviour**
Behaviour causing, or likely to cause, nuisance, annoyance, harassment, alarm or distress to anyone.

**Assign**
To transfer the tenancy during the tenant's lifetime.

**Breach**
To break or to fail to keep the conditions of the Tenancy Agreement, such as paying rent.

**Civil partner**
A person of the same-sex with whom you have registered your relationship as a civil partnership as from 5 December 2005.

**Direct access**
This means you have a front, side or back door that leads straight into your private garden.

**Domestic abuse**
Domestic abuse can be in the form of abuse including threatening behaviour, violence or abuse (physical, sexual, financial, psychological and emotional) between people who are, or were in an intimate relationship or close family relationship regardless of gender or sexuality (this includes forced marriages). Domestic abuse can be against anyone of any age and any background.

**Fraud**
When someone gives false or misleading information or takes action in order to get something which they would not otherwise be entitled to; for example, money, welfare benefits or a tenancy.

**Fixtures and fittings**
All appliances and furnishings in a property, including installations for supplying or using gas, electric and water.

**Garden**
The outside space which is let with your dwelling and is for the sole use of you and members of your household.

**Harassment**
To keep doing something to someone which they find annoying or upsetting. Harassment need not necessarily be abusive or violent.

**Insurance**
Liability cover provided by a company to protect goods and belongings in the event of damage.

**Joint tenant**
If more than one person has signed the Tenancy Agreement, then 'you' mean the joint tenants together and individually. Joint tenants have a shared interest in the property for the whole period of the tenancy. You are jointly and individually liable to pay the charges and for all the obligations under the tenancy.

**Locality**
The area in which you live including the estate you live on, the streets and all other areas around your home and the neighbourhood.

**Lodger**
Someone who pays to share your home with you but does not have an exclusive right to any part of it. A lodger would often pay rent that includes a payment for other things such as meals and/or cleaning.

**Members of your household**
Any person living at your property, either permanently or temporarily, even if their permanent address is elsewhere. This includes all members of your family living at the property, any relatives, friends or other lodgers staying with you and any sub-tenants of your property.

**Mutual exchange**
Exchanging your tenancy with another person by mutual agreement when permitted.

**Negligence**
When you fail to do something that it is your responsibility to do.

**Neighbour**
Includes anyone living in the area local to your home, including other tenants, people who own their own homes and local businesses.

**Notice of Seeking Possession**
This is a legal notification served on a secure tenant as the first stage before starting court action.

**Notice of Possession Proceedings**
This is a legal notification served on an introductory tenant as the first stage before starting court action.

**Notice to Quit**
This is a legal notification, usually of 28 days, served on a tenant to formally end the tenancy where security of tenure has been lost. Alternatively, it is also legal notification from a tenant that they will be giving up the tenancy.

**Nuisance**
Something that causes annoyance and/or distress.

**Overcrowding**
This is when a property has too many people occupying it.

**Partner**
Husband or wife or a cohabitee, including same-sex partner, who lives with you in a long-term or stable relationship.

**Permission (or consent)**
Where, in this agreement, it says that you must ask for permission or consent to do something, you must put your request in writing. This can be by letter or email. You must receive written permission from us before doing whatever it is that requires our consent.

**People residing in the locality**
All people living or staying, temporarily or permanently, in any part of the estate or locality in any type of property, whether rented or owned.

**Possession**
This is when the council takes back vacant use of a property by serving notice and taking court action. A Possession Order can be suspended on terms or take effect immediately.

**Property**
The dwelling, garden, yards, sheds and any other space which this Tenancy Agreement makes available for the sole use of you and your household.

**Relative**
Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step-relatives and adopted children. This includes relatives by marriage.

**Remote gardens**
Some flats are allocated with individual gardens which are separated from the main dwelling by things such as footpaths or drying areas.

**Representative**
Someone who is acting on our behalf.

**Shared areas (communal)**
The parts of the building or estate which all tenants and leaseholders can use, for example, halls, landings, foyers, stairways, landings, lifts, bin stores, shared gardens, landscaped areas, car parks and any other area accessible to more than one household.

**Sheltered housing**
Accommodation targeted for people over 60 years of age. However, people under 60 with support needs will also be considered.

**Spouse**
The person you are legally married to, including a registered civil partner.



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**Statutorily**
By means of the written law.

**Statutory Off Road Notification (SORN)**
A notice that declares a vehicle's status to the authorities when it is kept off the road and is on private land. The notice must be applied for from the Driver and Vehicle Licencing Authority (DVLA).

**Sub-let**
Giving another person (lodger who pays you money) the right to live in part of your home with our agreement. You will be in breach of the Tenancy Agreement if you sub-let the whole of your property.

**Succession**
The transfer of a tenancy on the death of a tenant.

**Surrender**
An unwritten agreement between the landlord and the tenant or joint tenant(s) to bring the tenancy to an end. The tenant surrenders by taking steps that can be interpreted as giving up their tenancy, such as emptying their property and giving up their keys.

**Unroadworthy**
This describes a vehicle which is designed to be used on a road but which is either untaxed and/or has, or appears to have a fault or faults which would, to common knowledge, make it unsuitable or unsafe for use on the public highway.

**Unsociable hours**
Late evenings, night time and weekends when people are relaxing or sleeping.

**Visitors**
Anybody who visits you or any member of your household at your property and is allowed by you, or any member of your household, to come into the property.

**Welfare Benefit Reform**
Changes in the way welfare benefits are being assessed and dealt with. These changes are taking place in stages between 2012 and 2014.

**Written permission**
A letter from us allowing you to do something. If the permission includes conditions that must be met, and you do not carry out these conditions, this means the permission is automatically withdrawn as if it had never been given.

## Appendix 2

### Role and responsibilities of officers dealing with your tenancy

Income Officers are responsible for collecting rent.

Tenancy Management Officers are responsible for dealing with tenancy audits, successions, assignments, changes in tenancy and mutual exchange visits.

Anti-Social Behaviour Officers deal with reports of anti-social behaviour, neighbour disputes, hate crime and domestic abuse.

Estate Quality Monitoring Officers deal with any issues maintaining the estate environment, estate parking and communal repairs.

Customer Services Officers are the first point of contact when you telephone or visit us. They raise repairs and will direct your enquiries to the appropriate team.

Community Engagement Officers deal with resident associations and resident involvement.

Communal Services deal with caretaking and grounds maintenance on estates.

The Sheltered Housing Service provides supported accommodation for older residents and people with support needs.

(0208 345 1157
Police office Enfield Town)

0208 221 4131
774131

CJS CRIMINAL JUSTICE SYSTEM

774124
774083

The Prosecution Team

Mr [redacted]
[redacted] Burncroft Avenue
Enfield
EN3 7JQ

Witness Care Unit
Holborn Police Station
10 Lambs Conduit Street
Holborn
London WC1N 3NR

0208 247 7530
10am - 2pm Mon-Fri

7th October 2016

Dear Mr [redacted]

**Case Against Simon Cordell**
**Unique Reference Number 01YE0355816**

I am writing to confirm that you are required to attend court to give your evidence.

At the hearing on 5th October, 2016 at Highbury Corner Magistrates Court, Simon Cordell pleaded "not guilty" to the following offences:

1 Use threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence
2 Criminal damage to property valued under £5000

The defendant is on bail with the following conditions: not to contact you or attend your address and to reside at a designated address known to police. If you witness the defendant breaking these conditions, call 101 or in an emergency, 999 immediately.

A trial has been arranged to take place at HIGHBURY CORNER MAGISTRATES COURT at 13:30 p.m. on 17/11/2016. On arrival, please make your way to WITNESS SERVICE and you wait in their suite which is separate to the public and read through your statement. Please collect a blue claim form to claim any expenses of loss of earnings.

If you do not attend a WITNESS SUMMONS may be issued to enforce your attendance.

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Please confirm if you wish for your contact details to be passed onto the Witness Service. They offer support to victims and witnesses, on the day you attend court and they can arrange for you to visit the court, before the day of the trial, so that you can have a look around. If you would like to visit the court please contact the Witness Service on **0300 332 1000**

Thank you for your assistance as a witness, as giving evidence is very important and your help is greatly appreciated.

Yours sincerely

Thomas Jones
Witness Care Officer

**What you should do now**

- Please call WITNESS CARE to confirm that you will be attending.
- Please attend HIGHBURY CORNER MAGISTRATES court at 13:30 p.m. on 17/11/2016
- For further information about being a witness, visit: http://www.justice.gov.uk/victims-and-witnesses/working-with-victims-witnesses

257 26

Highbury Corner Magistrates' Court
Code 2572
North London Admin Centre
PO BOX 52' 3 Lon n N7 1AF
Telephone 020 7506 310( ax 0870 739 5768

Mr Simon CORDELL
109 Burncroft Avenue
Enfield
Middlesex
EN3 7JQ

Case number: **011402490741**
Born: 26 January 1981

## Anti-social behaviour order on application

### Order
You must not

**a. Attend a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994;**
**b. Be concerned in the organisation of a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994**
**c. Knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice and Public Order Act 1994;**
**d. Enter or remain in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation or Local Authority**
**e. Enter or remain on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and**
**f. Engage in any licensable activity in an unlicensed premises**
**For the sake of clarity, nothing in this order prevents the Defendant from assisting, preparing for or engaging in licensed licensable activities**

This order lasts for **5 years**.

### Warning
If you do not obey any part of this order you will commit an offence and may be fined or sent to prison for up to five years.

Signed
DOJ

**J.Vantyghem**
***Justices' Clerk***

Date: 4 August 2015

ENFIELD Council

**ASB Interview Record**

| Name Of Interviewer(s) | Name Of Interviewee(s) |
|---|---|
| Sarah Fletcher | Mr Markandu Mathiyalagan. |
| **Date Of Interview** | **Reason for Interview** |
| 11-11-16 | ASB Complaint. |

| Start Time | End Time | Location |
|---|---|---|
| 10:05am | 11:15am | Green Towers meeting rm. |

**Interview Details**

Resides at 117 Burncroft Avenue – placed by Waltham Forest District Council (temp. accommodation) → has lived there for 2.5 yrs.
Household: Mr + Mrs Mathiyalagan + 7 yr old daughter.

Complaint re: Mr Cordell, 109 Burncroft Avenue
Have been experiencing issues for about 18 months:
Mr Mathiyalagan was approached by Mr Cordell asking him to write a letter of support in relation to a problem he was having with the lady who used to live at 113 Burncroft Avenue. Mr Mathiyalagan told Mr Cordell that he did not wish to get involved as he had no problems with the lady that lived at 113 (this lady moved out earlier this year).
Since then, Mr Cordell has made living in this block difficult for Mr Mathiyalagan's family.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| Fletcher 11-11-16 SARAH FLETCHER | M. Mathiyalagan 11.11.16 MATHIYALAGAN MARKANDU |

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ENFIELD Council

**Interview Details**

Incidents include:

- Threatening / intimidating behaviour – aggressively demanding money (6-8-16 6pm) (27-9-16 11.45pm) (28-9-16 5.30pm)
- Constantly going on about noise – this is unjustified as family to be quiet / daughter toddling / no carpet / ... → No complaints from 113 (new resident since summer 2016: young man)
- Tyres slashed on car (all 4):
- Living in fear → wife + child (When Mr Mathiyalakan goes to work (Haddesdon), they are frightened to stay at home so accompany him and stay in car)
- Damaged fuse box resulting in no electricity (8-8-16)

⇒ Suspect that Mr Cordell uses drugs / possible mental health issues.

⇒ Has a big dog that he brings out with him when he approaches

⇒ Has put a camera on his door (facing communal dr)

- Physically threatened with a piece of wood.

o Have reported all of the issues to the police

o Have tried to report the problem to Waltham Forest District Council (Jabin, Kehinde, Ibrahim?)

↳ temp. accommodation team:

Tues 16-10-16 Ibrahim | 020 8496 5503 / 5501 / 5502.

Fri 12-8-16 Kehinde

↳ Advised to contact Enfield Council about Mr Cordell.

o Have written to MP.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16 SARAH FLETCHER | 11-11-16 [signature] MATHIYALAKAN MARKANDU |

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LBE v Cordell Bundle Part 2.pdf

1436

ENFIELD Council

**Action Plan**

**To be agreed and signed for before the end of the interview**

| Action Point | Actioned By Who? | Target Date |
|---|---|---|
| ◦ Copies of records kept / relevant documentation taken | SF | 11-11-16 |
| ◦ Contact Edmonton Police / Safer neighbourhood team | SF | 18-11-16 |
| ◦ Contact Waltham Forest District Council | SF | 18-11-16 |
| ◦ Incident log sheets provided | SF | 11-11-16 |
| ◦ Incident log sheets to be completed until end of Nov - returned to SF. | MM | 7-12-16 |
| ◦ Advised to contact police 101 or 999 if necessary. | MM | – |
| ◦ Contact neighbours to ascertain whether they are experiencing any issues | SF | 25-11-16 |
| ◦ Mr Cordell to be contacted | SF | 25-11-16 |
| | | |
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| | | |
| | | |

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16<br>SARAH FLETCHER | 11-11-16 [signature]<br>MAZAIYA LAUN MARKAN DU. |

261 30

LBE v Cordell Bundle Part 2.pdf

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The Not : 4/11/16

Home visit conducted on Friday 4th Nov 16. And emotional support was provided. At the time [redacted] was having problems remembering the timeline of dates pertaining to incidents. [redacted] said he was quite friendly with Simon Cordell – leading up to current events – and was somewhat perplexed as the sudden change in the attitude of the accused.

[redacted] and alleged other residents felt the problem could have something to do with a resident named [redacted]. [redacted] has since moved – [redacted] made reference to Simon Cordell boasting in having something to do with her departure..

[redacted] was trying to recall events and said it could have been in the month of July, – when Simone Cordell shouted abuse and swore at him and threatened to burn his flat down – Mr [redacted] did not call the housing or police to report the threat. His friend, another resident who did not want his name mentioned, said that it was it was on 6th July. Mr [redacted] could not quite remember when the second incident occurred but said that it was around mid-September. Simon Cordell approached Mr [redacted] outside his flat, when Mr [redacted] was on his way to the fields – and threatened him. A lady called Karen also a resident of Burncroft witness the threat and asked Mr Cordell to the leave the viw alone. With encouragement from other residents – Mr [redacted] called the police a few days after the threat to make a report.

Mr [redacted] said the police a lot of police some with riot gear – entered his flat with officers posted to the front and rear of the building. They managed to coax Mr Cordell out of his flat and arrested him.

The case has since been heard in court and Simone Cordell pleaded not guilty. He has been bailed with conditions – to stay away from Mr [redacted] and also not to enter the Burncroft area.

Mr [redacted] is required to stand witness in court on the 17th Nov 2016. However, Mr [redacted] is feeling quite anxious and feels there may be reprisals to him giving evidence. I asked Mr [redacted] if he would like me to attend the hearing in support he said yes he would not mind. I also visited another resident Christine – to get her account of things.

Action

- Contact the witness service and arrange a pre-court trial visit and other assistance.
- Possibly arrange transportation on the day of the hearing – and for the pre-court trial visit

Any other assistance/support we can provide Mr [redacted] with.

Jean Barton

ASB Victim Support

262 31

# CASE HISTORY

## Case17753 George Quinton
## NEIGHBOUR Active ,Phone call with Victim

### Involved Persons

**CLIENT (VICTIM) George Quinton,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17753 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | 113 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07708934948 |
| **Gender** | Male |
| **DOB** | 21/12/1995 |
| **Age band** | 18-24 |
| **Ethnic origin** | Other |
| **Appearance** | Male,20 yrs old,Other, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed,



263 32

| | |
|---|---|
| **Notes about this person** | intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**05/10/2016 : Threats and intimidation , Date reported : 06/10/2016**

Threats and intimidation (General)
Perpetrator has been harassing complainant for a while in relation to alleged noise nuisance. Yesterday evening the perpetrator was banging on the ceiling (the complainant lives above perpetrator) and then came upstairs and tried to kick the door in. He was very aggressive, shouting through the door. He then went outside, dragged the complainants motorcycle from its parking space and started smashing it up. The police were called and the perpetrator was arrested.

## Referral Details

**06/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 :**

Social worker for George Quinton (complainant) is Blossom Nation (Triangle Hse) 07947 406 733

**10/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**19/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**08/11/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**21/11/2016 : 21/11/2016 : 28/11/2016 : 29/11/2016 :**

Copy of letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 :**

Letter of complaint received from Mr Cordell's mother, copy attached.

**16/12/2016 : 11/01/2017 :**

I met with Mr Quinton today at the Civic Centre to discuss his complaints against Mr Simon Cordell. Mr Quinton stated that the problems started soon after he moved into the block in April 2016. He

stated that soon after he moved into his flat, he went round to SC's flat to introduce himself. After he introduced himself, SC said to him that there is some kind of war going on between him and other neighbours. SC also told him that he's got a load of issues with the police and that he was trying to sue them because he felt that they were treating him unfairly. He told SC that he was a musician and that he does not want anything to do with his issues.
Straight after he moved in, SC will come up to his flat at least once a week to shout at him and complain about loud banging from his flat and knocking pipes. SC would accuse him of making noise on purpose to wind him up and he will always explain to him that it is not true, that he does not make any banging noises inside his flat and that he cannot explain why the pipes were making knocking noises.
Mr Quinton stated that on 4/10/16, he was sleeping when SC started to bang on his ceiling but he ignored him. SC then came up and started kicking at his door and he still ignored him. SC then went downstairs, dragged Mr Quinton's motorbike from where he parked it, threw it on the ground and started to hit it with what he believed to be a mop pole, he is not sure how many times he hit it. He then called the police and they came and took him away, CAD No. 3309/4 Oct. 2016.
On 11/12/16, SC came up to his flat 3 times to shout abuse and complain about noise from his flat. Mr Quinton explained that the first time, he was running a bath when SC came and knocked on the door to complain about knocking pipes. He did not open the door and he shouted abuse at him and his friends and called them homophobic names. He later came back again to bang on his door and shout further abuse. He also made threatened him and his exact words are 'I'm off curfew in 12 days, when I'm, I am coming for you', he shouted further abuse and walked off. Mr Quinton stated that he is not sure why he came back the second time but he assumed that it was because of the pipes again. He later came back again the third time and this time he opened the door because he has had enough. SC complained about noise from his flat and he told him that he was not making any noise. SC then went on to tell him that he has been away for a long time and that his family was coming to look after his dog. He asked SC if he knew anything about his bike and SC replied 'You know what, I'm a grown man I'm not gonna lie, it was me that smashed your bike and I was gutted that the stick broke and I couldn't smash it up more'. He then asked SC about his tyres which was punctured with a knife and he denied cutting them. He then explained to SC that the knocking pipes has nothing to do with him and that he does not bang or make deliberate noise and he advised SC to play his music over the noise if it happens again as there is nothing he can do about the pipes and the noise as it is the nature of the building. SC said cool, fair enough and walked off and as he walked off, he turned round and gave him a dirty look.
About a week later, 2 of his friends left his flat and a short while later he heard SC running out of the front door. Soon after one of his friends called and told him that they have just had a confrontation with SC in the street. His friend informed him that SC ran up to them in the street and confronted his friend Jazz about the knocking pipe noises from his flat. Jazz told SC that it has nothing to do with him. SC then head-butted Jazz and as Jazz fell on the floor, SC jumped on top of him and started to punch him. His other friend Jevon who was with Jazz at the time pulled SC off Jazz and held him until 2 Turkish men came and separated them.
Mr Quinton stated that the police did not contact him to update him on what action was taken against SC regarding his smashed bike. He stated that he has recording of SC admitting to smashing up his bike and played the recording to me. Although it was very faint but you could make out what sounded like SC talking about smashing the bike. He stated that he wants to sue SC for criminal damage, he also wants to take out a restraining order against him and possibly an injunction.
He stated that his friends Simon Cocks (07393285528), Julian Jackson (07387277163) and Jazz Bramble (07375651241) are willing to provide witness statements and will attend court to give evidence on his behalf. He also wants us to find out why what action the police took regarding his smashed bike.

**08/02/2017 :**

I did an announced visit to Mr Quinton at 113 Burncroft Avenue following recent email from Mrs Cordell concerning noise disturbances from the flat as a result of wooden flooring but there was no response. I then telephoned Mr Quinton and left a voice message for him.

**07/03/2017 : 27/07/2017 :**

I telephoned Mr Quinton for updates on any recent incidents and he stated that there has been none as he has been staying at his flat. He stated that he has been staying with friends and family and only goes back to his flat to check his letters.
He stated that he will give a witness statement and will attend court if required to do so.

Telephone call received from Mr Cordell 22.11.16

I received a call from Simon Cordell of 109 Burncroft Avenue at approx. 1.20pm. The call was transferred by the customer services team informing me that Mr Cordell wished to discuss his housing options/how to move. I took the call – he sounded agitated and said that he had a few things that he wished to discuss with me. He said he was calling in response to a letter that I had sent him requesting the removal of a CCTV camera that he had installed on the inner communal/fire door on the ground floor of the block. He informed me that he would not be removing the camera as he believed he was legally allowed to have the camera as the communal area was his. I explained that he was in breach of his tenancy conditions as permission had not been sought or granted for the installation and he could not install anything in the communal area as this belonged to the Council. He maintained that his neighbour in another block had a camera and had taken the Council to court about it and won the case. I responded that I could not comment about other cases but my position remains as per the letter I sent: That the camera was in breach of tenancy conditions, was invasive to the privacy of other residents in the block as it points at the outer communal door and should be removed by Friday 25th November or the Council will remove it and charge him for the cost of doing so. He then said that the camera was fake so it didn't need to be removed. I responded that it did still need to be removed. His voice was raised throughout the exchange and I had to ask him to calm down and lower his voice more than once. He then said that he wanted to move on to finding out about moving to another address. He proceeded to give me a full history of his experiences with the police and previous housing management and alleged that 'Jackie', who had previously lived above him and 'Stan', his immediate neighbour on the ground floor, had victimised him over a long period of time and that he had done nothing wrong. This history was very full and it was difficult to get a word in because he was so worked up so I let him relay the information to me as it seemed like he wanted to get it off of his chest. He was very derogatory about the police and previous housing staff who had signed a request for an asbo application against him. I told him that I could not comment about previous action taken. He then came on to more recent events and stated that there had been an incident between him and another resident where she had shouted at him out of her window because of him starting up a scrambler bike in his garden. He maintained that he was courteous during the exchange but the police came and arrested him because she told them that he had threatened to kill her and that he had been put in the mental hospital, had won his case in court and was able to go home as of today. He said that he wanted me to give him 'points' so that he could move. I explained that his best means of moving would be through a mutual exchange but he was adamant that he did not want to do this and wanted to be moved in the same way that he moved into this property 11yrs ago by being given points. I explained that a transfer was unlikely based on what he had told me so far but that I could look into the position for him. He said a lot about his perceived victimisation by his neighbours and expressed that he felt that I should I have a duty to protect him. I explained that I had a responsibility to all residents living at Burncroft Avenue and took the opportunity to mention that I had received some reports about anti-social behaviour by him that I would need to discuss with him but suggested that we leave that for today. He then put his mother on the line (she had been trying to interject throughout the conversation) who said she wanted to know why I had not responded to her messages to call her. I apologised for this and explained that I have been very busy but that I needed to know whether we had written permission from Mr Cordell for us to speak to her – she said that there was a written note recorded on our files in 2015. Mr Cordell asked her what I was asking her and when she replied that I was querying permission I clearly heard Mr Cordell say angrily and aggressively "I'm gonna do her over" and then "I'm gonna take her job just for fun". I informed Mrs Cordell that I had overheard these remarks and that I was ending the call. She said that her son had now left the room and she was talking to me. I repeated that I would be ending the call and that she should put what she wanted to say in writing to me.

Sarah Fletcher
Neighbourhood Officer

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# CASE HISTORY

## Case17834 Markandu Mathiyalakan Burncroft Avenue 117 EN3 7j GENERAL Active ,Phone call with Victi

### Involved Persons

**CLIENT (VICTIM) Mr Markandu Mathiyalakan,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17834 |
| **Incidents in which Person is involved** | INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) |
| **Current address** | 117 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07891740939 |
| **Gender** | Male |
| **Ethnic origin** | Unknown |
| **Appearance** | Male,Unknown, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his



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|---|---|
| **Notes about this person** | movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**06/08/2016 : Threats and intimidation , Date reported : 17/10/2016**

Threats and intimidation (General)
Letter received from complainant via MEQ alleging that another resident who is drug addicted has been aggressively demanding money, making threats and exhibiting threatening behaviour towards him/his wife. Complainant requesting action be taken against Waltham Forest District Council and the police. (Complainant is living in a leasehold property - accommodation provided by Waltham Forest?). Perpetrator identified as living on ground floor but door number not specified.

## Referral Details

**17/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**17/10/2016 : Contact Complainant , 17/10/2016 : Contact Complainant ,**

**17/10/2016 : Contact Complainant ,**
We discussed the complaint; confirmed that the perpetrator was Simon Cordell at 109 Burncroft Avenue; confirmed that complainant is housed in temporary accommodation by Waltham Forest District Council and has been trying to report issues to them and police; Issues have been going on for some time and include: intimidating/threatening behaviour, aggressive demands/threats for money, tyres slashed, swearing/name calling etc.

**20/10/2016 :**
Response sent to Members Enquiry - no prior reports received from Complainant - may have been reporting to Waltham Forest District Council? Contact information requested for complainant in order to investigate further.
Contact number subsequently provided.

**26/10/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**01/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**02/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**11/11/2016 : Interview Complainant,**

I interviewed the Complainant. He reported that the issues have been on going for about 18 months (He, his wife and daughter have lived at Burncroft Avenue in temporary accommodation provided by Waltham Forest DC for 2.5yrs). Please see attached notes of interview - The complainant is really frightened for his family - Mr Cordell is very aggressive and has previously kicked him in the nose/face and threatened to hit him with a piece of wood; his wife is so scared that she accompanies him to work and waits in the car with their daughter for his shifts.

**28/11/2016 :**

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 : 06/12/2016 : 07/12/2016 : 08/12/2016 . 12/12/2016**

Mr Mathiyalagan telephoned to report that Simon Cordell aggressively banged on his front door and accused them of making noise. He stated that he also shouted abuse and threats and swore at them.

**22/12/2016 : 10/01/2017 : 13/01/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report incidents that happened over the Christmas and New Year period. Mr Mathiyalagan stated the following,

23/12/16 at about 3.43pm - Mr Cordell banged on his front door while door while his wife was at home alone with their young daughter and shouted abuse at her and asked her to go to the bathroom and turn off the tap. He also removed their electricity fuse thereby cutting off power supply. He stated that the incident was reported to the police, CAD 5753/23 December 2016 and they were advised to contact the council.

26/12/16 at about 12.30pm - Mr Mathiyalagan stated that he and his family was going out and that as they got to the first floor, he saw Mr Cordell running up the stairs towards them with a towel tied round his waist. He stated that Mr Cordell started shouting abuse at them and accused them of tampering with his water supply and stopping the water. He stated that he tried to explain to him that there may be a problem with the water supply to the whole block as they also have the same problem with their water supply but Mr Cordell will not listen and continued to accuse them of tampering with his water supply. He and his wife told him to please go away and leave them alone but he continued to swear and shout abuse at them. They then walked away.

3/1/17 at 10.47pm - Mr Mathiyalagan stated that Mr Cordell followed him and his family up the stairs as they returned from a family outing and was shouting at them about deliberately banging on the pipes and making noise. He also stated that the person sleeping on his sofa was banging on the floor, talked about saving him from getting beaten up by local youths, stated that he caught him and his wife making noise inside their bathroom, called him 'a lying cunt' and asked him to swear on his baby's life that he was not banging.

Mr Mathiyalagan stated that the constant harassment from Mr Cordell is making it difficult for them to continue living at Burncroft Avenue and wanted to know if I can contact Waltham Forest to see if they can rehouse them. I promised to speak to Waltham Forest and explain to them that they are victims of anti-social behaviour and to see if they rehouse them.

**16/01/2017 : 16/01/2017 : 23/01/2017 :**

Mr Mathiyalagan telephoned today to report an incident that happened at 6.21pm on Saturday 21/1/17 when Mr Cordell aggressively banged on his front door, swore and shouted abuse and threats at him and his wife and accused them of making noise. He stated that there was no noise in his flat at the time and that Mr Cordell is just picking on them. He stated that they were fed up of being picked on and wanted to know what the council is doing to stop Mr Cordell from harassing them. I informed him that I will discuss his reports with Mr Cordell and will ask him to stop knocking on his door and to report any noise disturbances to the council to deal with.

**01/02/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today, 1/2/17 to report an incident that incident that occurred yesterday 31/1/17. Mrs Mathiyalagan stated that at about 6.30pm, she was inside her flat with her two and a half year old daughter when Mr Cordell aggressively banged on her front door while she was feeding her baby and shouted abuse and threats at her and accused her of making noise. Mrs Mathiyalagan denied making noise at the time and stated that she does not know why Mr Cordell accused her making noise.

She stated that she is terrified of moving around inside her flat for fear of being accused of making noise. I asked whether she recorded the incident and she said she did not. She also stated that she did not report the incident to the police as it only lasted for a few minutes. I advised her to log any further incident and to call the police if she feels threatened.

**06/02/2017 : 08/02/2017 :**

I visited Mr Mathiyalagan at 117 Burncroft Avenue today to look at the flooring following email from Mrs Cordell concerning noise as a result of wood flooring in the flat. I noticed that there is laminate flooring in the whole flat and ceramic tiles in the kitchen. Mr Mathiyalagan stated that the flooring was already in the flat when they moved in. He stated that they do not make noise deliberately and that any noise from his flat is household noise. He also stated that as far as he is aware that the person living below them have not complained of noise and that he will be the one that will be affected if there is excessive noises from his flat. He also stated that he has asked the man if they are causing noise disturbances and he said they are not. He also requested that Mr Cordell should contact the council if he is being disturbed by noise from his flat instead of harassing him and his family by banging on his front door, shouting abuse at him and his wife, threatening them and confronting them when they come into the block.

I informed him that laminate flooring can generate some noise and to be mindful of his neighbours while walking around inside his flat.

I then went and knocked at flat 113 but there was no response.

**17/02/2017 :**

Telephone call from Mr Cordell regarding the letter sent to him to attend the Civic Centre on 22/2/17 to discuss the on going reports of harassment, verbal abuse and threatening behaviour made against him by his neighbours. File note of the telephone conversation attached.

**21/02/2017 : 21/02/2017 : Contact Complainant ,**

Follow on action from

**20/03/2017 :**

I visited 109 Burncroft Avenue on 17/3/17 to hand deliver to post a letter through Mr Cordell's door and as I got into my car to drive off after posting the letter, Mr Cordell ran after me shouting and screaming abuse. I did not stop to speak to him and he ran after me until I turned left into Green Street. As he was running after my car, he was shouting at people passing by to stop the car.

By the time I returned to the office, Mr Cordell had telephoned me several times. I telephoned him back and he wanted to know whether I was the person that posted a letter through his letterbox and I said yes. He asked why I did not stop when he ran after me and I told him that I had another visit and did not have the time to stop and talk to him. He stated that he will not attend the meeting at the Civic Centre or any of the council and that I should come to his flat. I offered to have the meeting at a neutral venue like the local library or even at his mother's house but he refused and shouted to shout abuse and accuse me of taking sides with his neighbours. He denied doing the things that he is accused of doing and stated that he is the victim and that the council have refused to deal with his complaints against his neighbours. He stated that he has been suffering noise disturbances from his neighbours since he moved into his flat and that the council have refused to deal with it. He alleged that the council is conniving with the police to victimise him and threatened to put in a complaint against me. He continued shouting abuse and will not let me say a word. I then advised him that I will have to terminate the conversation as we were getting no where.

**05/05/2017 :**

Mr Mathiyalagan telephoned me to report that Mr Cordell went to his flat while he was at work and his wife was at home with his cousin and daughter and started to bang on his door and shout abuse and threats. He stated that he was at work and was scared for his wife and daughter. I advised him to call the police.

**08/05/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened this morning as he was leaving the block to go to work. He stated that as he walked down the stairs, he saw Me Cordell talking to 2 council officials and as he walked past, Mr Cordell threatened him by shouting that he was going to ruin his life and that he was going to the police with evidence about him. He stated that he did not respond.

**12/05/2017 :**

Find attached my file notes related to Sarah Fletcher's (Neighbourhood Officer) visits to Burncroft Avenue and encounters with Mr Cordell.

**15/05/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report that Mr Cordell has started to regularly harass them again. They complained that Mr Cordell now comes to bang on their front door and shout and scream abuse and threats every other day. He stated that the latest incident happened at 12pm on 12/5/17 when Simon came and started banging on his door aggressively while his wife was at home with his daughter and cousin and was telling his wife to open the door. He stated that Simon knew that he was at work and that his wife was probably alone at home with his daughter. Mr Mathiyalagan stated that he is scared for his and his family's safety and wants something done urgently to keep them safe from Mr Cordell. They pleaded with me to speak to Waltham Forest to find alternative accommodation for them as it is no longer safe for them to continue living in Burncroft Avenue. I took the contact details of the property manager at Waltham Forest and called and left a message for him to call me back. The details are Mr Osmani, tel. 02084965503 and his manager is Taylor tel. 02084965496, also 02084965502/5506.

**02/06/2017 :**

Mr Mathiyalagan telephoned to report that he was at work yesterday, 1/6/17 when his wife called him to complain that Mr Simon Cordell and two other males came and banged on his front door for about 1 or 2 minutes. He stated that his wife and daughter were alone in the flat at the time and that they were very frightened as a result of the loud banging on his front door. I advised him to call the police if Simon bangs on his door again.

**12/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened late night on Friday 9/6/17 between Mr Cordell and his cousin. Mr Mathiyalagan stated that his cousin returned from work late at night and as he opened the front door, Mr Cordell came out of his flat and confronted him. He stated that as his cousin brought out his phone to record the incident, Mr Cordell snatched from phone from him. A struggle ensued as his cousin tried to get his phone back from Mr Cordell from Mr Cordell and Mr Cordell attacked his cousin, grabbed him round the neck and also injured him on the arm causing his arm to bleed. He stated that his cousin managed to get his phone back from Mr Cordell and came up to his flat and told him what happened. He then called the police and they attended within 10 minutes. They explained what happened to the police and they went to Mr Cordell's flat to speak to him but he refused to let them in. Mr Mathiyalagan also stated that the dog was barking throughout.

**19/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened today at 11.55am as his wife was going to pick their daughter from school. He stated that Simon confronted her outside the communal entrance door and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him. He also stated that another incident happened on Friday 16/6/17 at 11.55am when Simon confronted his wife as was going to pick their daughter from school and accused her of making noise. He stated that Simon also told his wife that he has their bank account and personal details and that she should tell him to pay him money.

**26/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that occurred on Friday 23/6/17. He stated that his cousin returned from work at 11.35pm and as he entered the block, Simon Cordell came out of his flat with his dog swearing and shouting abuse at his cousin and attacked him by punching him twice on the chest. He stated that SC tried to push his cousin out of the block and snatched his cousin's mobile phone as he tried to record the incident but he managed to get the phone back from him. He stated that SC's dog was also barking loudly and was not on a lead. Mr M stated that his wife overheard the commotion and woke him up and as they came down the stairs shouting at his cousin and asking what was going on, SC went back to his flat. They called the police and when the police came, they explained what happened. The police then went and knocked on SC's door to talk to him but he refused to let them in. He stated that his cousin did not provoke SC in any way and did not do anything to cause SC to attack him.

**03/07/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today to report further incidents with Simon Cordell and gave me a DVD recording of another incident. Mr Mathiyalagan stated that on 28/6/17 at 11.45am, Simon confronted his wife at the main entrance door as she was going to pick up their daughter from school and demanded to talk to her. His wife told him that she cannot stop to talk to him as she was on her way to collect her daughter from school but he insisted on talking to her. He stated that Simon ran after her, stood in front of her, accused her of making noise inside their flat and started shouting at her and said to her that he knows all their personal details including their full



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names, dates of birth and bank details. He also demanded money and told his wife to tell him to come and talk to him.
He stated that the second incident happened on 30/6/17 at 11.45am when Simon confronted his wife as she was leaving the block and accused her of slamming the door. He then called his a liar when she denied slamming the door and proceeded to shout abuse at her. Mr Mathiyalagan also stated that on 2/7/17, he and his family was going out to visit some friends at about 5.18pm and as they were about to exit the block, Simon popped his head out of his door and asked him when he was going to hand over the money. He told him that he was not going to give him any money and that he should go and work so that he can earn some money. He stated that as they left the block, Simon came running after them shouting and swearing at him and said to him that he should pay him money if he wants him to leave him and his family alone. He stated that Simon also said to him that he has all of their personal details including phone numbers, full names, date of birth and bank details and that he must pay him some money to have them back. He stated that he told Simon that he will not pay him any money and to do whatever he likes with the details. He stated that he does not know how Simon came across their personal details, if he has them. He stated that his wife lost her phone some weeks ago and that it is possible that he may accessed their details from the phone if he has it because his wife stored their personal details on her phone.

**13/07/2017 : 19/07/2017 :**

NOSP served on Mr Cordell today at 4.05pm with Enfield Highway DWOs, copy attached.

**27/07/2017 :**

I telephoned Mr Mathiyalagan for updates on any recent incidents and he stated that there has been none. He also confirmed that he is willing to give a signed witness statement and will attend court to give if required to do so.

**08/08/2017 :**

# CASE HISTORY

**Case17818 [redacted] Burncroft Avenue [redacted] EN3 7JQ**
**GENERAL Active ,Phone call with Victim**

## Involved Persons

**CLIENT (VICTIM)** [redacted]

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17818 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted] Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07870655010 |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell** [redacted]

| | |
|---|---|
| **Relationship to Cases** | [redacted] Client (Accused) in CASE 16[redacted]<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>[redacted] in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General) [redacted]<br>Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] threats [redacted]<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 [redacted] |
| **Ethnic origin** | White/Black Caribbean |
| [redacted] | Home [redacted] eborah Andrews flat. Attendees Dawn Allen TMO and OPN [redacted] Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, |



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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. S[redacted] his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pend[redacted]ter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a le[redacted]ming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

Male,36 yrs old,White/Black Caribbean,

[redacted]

## History

**06/07/2016 : Making threats, Date reported : [redacted]**

Making threats

[redacted]

The defendant using threatening/abusive/insulting words and behaviour with intent to cause fear - provoke unlawful violence [redacted]

**31/10/2016 :**

From: [redacted]
Sent: 31 October 2016 18:09
To: Kaunchita Maudhub
Subject: Contact phone number for [redacted]

Hi Kaunchita,

This is the contact phone number for [redacted]

[redacted]

As stated, [redacted]

If I can be of further assistance, please do not hesitate to call me.

Thanks for your help.

Regards,

John Bates

**03/11/2016 :**

From: Kaunchita Maudhub
Sent: 03 November 2016 10:13
To: Jean Barton
Subject: FW: Contact phone number for M[redacted]

Dear Jean,

We received a phone call from a M[redacted] on behalf of his friend M[redacted]. He explained that Mr [redacted] and having to attend court to give evidence against a male named simon cordell who verbally abused him. We are aware of simon cordell as Steve/Pat obtained an ASBO against him for illegal raves etc. I believe he is also a council tenant (I need to check)

Could you initially contact [redacted] – obtain his address and the reasons he is going to court. Also ascertain what support he needs. It is not an open case as such but depending on your findings we may be able to assist.

Many Thanks

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Regeneration & Environment
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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## Referral Details

**03/11/2016 :**

**Organisation making referral** Community Safety Unit

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## History

**03/11/2016 :**

On request I contacted the viw explained the reason for my call – Mr [redacted] did have some reservations about going to court. Therefore I have arranged to conduct a home visit scheduled for Friday 4th Nov 16 at 2:30 pm then we discuss the matter further.

**03/11/2016 :**

Research conducted on Northgate – shows that Sarah Fletcher is the housing officer. I spoke to Sarah who is aware of issues with Simon Cordell and the action against him – however, she said she needs to gather more information as she has had a member's enquiry from Waltham Forest. As to our viw Mr [redacted] she has not had any complaints or court action. Therefore it is possible that the legal proceeding has been taken by the police.

**04/11/2016 :**

Phone call made to the Witness Service from the victims home – to possible arrange a pre-court trial visit to no avail.

**04/11/2016 : 04/11/2016 : 07/11/2016 :**

From: lee.martinez@wsncc.citizensadvice.org.uk [mailto:lee.martinez@wsncc.citizensadvice.org.uk]
On Behalf Of Contact Centre
Sent: 07 November 2016 16:48
To: Jean Barton
Subject: 01YE0355816

Hi Jean,

Our Outreach manager will be getting in touch with Stanley to see what support they can put in place.

Kind regards,

Lee

National Contact Centre Team



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LBE v Cordell Bundle Part 2.pdf

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Witness Service
Citizens Advice
0300 332 1000
contactcentre@citizensadvice.org.uk

**07/11/2016 :**

I spoke to Sabran Witness Service Highbury & Islington court she advised pre-court trial visit are no longer arranged directly by them. I will have to go through Citizens Advice national contact centre. I she gave me a number however, I was getting no response on the number given 0208 733 6422. I also called 101 and was given another number 0208 733 5480 – again a voice recording with no one to take the call. I contacted the call centre again and was given another number with on digit difference to the previous 0208 733 6423 Clair Lockwood. A voice recording again I therefore left a message requesting a call back.

**08/11/2016 :**

I tried calling the Witness Care Unit again at Holborn station to no avail – I then got a call back from police Holborn asking if I had tried to contact them – I was then put through to Thomas Jones Witness Care Officer – from this point the communicative lines was open for progress. Tom also said the oic is DC Campbell attached to Edmonton Police station. And that he will email him to contact the viw to re-assure him.

**08/11/2016 : 08/11/2016 :**

mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 08 November 2016 11:16
To: Jean Barton
Subject: R v CORDELL - WITNESS CARE OFFICERS CONTACT DETAILS

Dear Jean,

As promised.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden.
MetSec Code: Not Protectively Marked
ƒÂ Please consider the environment - Do you really need to print this email?

**14/11/2016 :**

From: Jean Barton [mailto:Jean.Barton@enfield.gov.uk]
Sent: 14 November 2016 11:37
To: Jones Thomas - Met Prosecutions
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Greetings Thomas,

As to our pending court hearing on Thursday for Stanley – have the CPS replied to your email regarding their decision for a taxi?

Regards
Jean

**14/11/2016 :**

From: Jones Thomas - Met Prosecutions
Sent: 14 November 2016 11:48
To: 'Jean Barton'
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Good Morning Jean,

They have acknowledged a taxi is required, although I have a reminder set for tomorrow and Wednesday to check it has been finalised. I will update you as soon as CPS contacts Witness Care.

Kind regards,

Thomas.

**15/11/2016 :**
From: Thomas.Jones@met.pnn.police.uk [mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 15 November 2016 11:56
To: Jean Barton
Subject: R v CORDELL - UPADTE from WITNESS CARE

Hello Jean,

CPS has not confirmed the taxi yet. I have a close eye on the case, with a view that we have till tomorrow – 16:00hrs - to obtain this information. As soon as CPS responds I will contact you.

Regards,

Thomas.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden

**16/11/2016 :**
I received a call from Thomas Jones – Witness Care he advised that the CPS have dropped the case of v Cordell. Reason – Not enough evidence to provide a realistic prospect of any conviction. In further discussion Thomas said DC Campbell was of ill – has now returned; however, he said he will contact Mr in relation to the current position of the matter. I asked Tom if the CPS will be writing to Mr directly – he said they should to advise accordingly. Tips given to report further incidents and keep records.

**16/11/2016 : 16/11/2016 : 16/11/2016 :**
Visited (flat Burncroft Avenue) and (flat stated that she witnessed the September when Mr Cordell threatened Mr She stated that she was with her neighbour when they heard Mr Cordell shouting and as they came out to see what was happening, she saw Mr Cordell shouting at Mr She alleged that he was shouting abuse and threats and that Karen told him to leave Mr alone, that he is an old man. Mr Cordell then started shouting abuse and threats at stated that she is not prepared to give a statement and that she will not keep incident logs.
We then met with outside the block. She stated that she and witnessed the incident that happened in September. She stated that Mr Cordell was shouting abuse and threats at Mr and that she told him to leave Mr alone as he is an old man and that Mr Cordell then turned against her and started threatening her. She stated that she is not afraid of him when she is on her own, that her only concern is that she is looking after 2 very vulnerable children and she will not be able to defend herself and them if Mr Cordell was to attack her when she is with them. She is happy to make a statement and will log any further incidents.

**17/11/2016 :**
Visited Mr and to hand deliver incident diaries.

**28/11/2016 :**
Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.



LBE v Cordell Bundle Part 2.pdf

**07/12/2016 : 09/12/2016 : 14/12/2016 : 09/01/2017 : 10/01/2017 : 10/01/2017 :**

Joint home visit conducted with Lemmy. Mr [redacted] said that he has had no further problems from Simone Cordell however, he was aware of altercations between Simone Cordell and other residents in the block. Mr [redacted] said he will still maintain his own logs and call the police and the council if necessary. The camera directly outside of Simone Cordell flat has been removed however, we notice that there was a camera in the communal area pointed toward the staircase – we need to find out who the camera belongs to.

**21/02/2017 : 06/03/2017 : 15/03/2017 :**

[redacted]

# CASE HISTORY

**Case16175 [redacted]**
**GENERAL Active ,Phone call with Perpetrator**

## Involved Persons

**CLIENT (VICTIM) Ms Deborah Andrews,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in ASB Case 16175 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted]ncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | [redacted] |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 [redacted] |
| **Incidents In which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | [redacted]Burncroft Avenue,Enfield,EN3 7JQ [redacted] |
| **Main phone** | [redacted] |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to [redacted]s flat. Attendees [redacted] TMO and CPN Bola Quadri Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed,

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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

---

## History

**23/09/2015 :**

Sent: 23 September 2015 15:07
To: Carmel Naessens; Loretta Walsh
Cc: Charles Elkington; Dawn Allen
Subject: Burncroft Avenue,Enfield,EN3 7JQ [SEC=PROTECT]
Importance: High

Classification: PROTECT
New case

VICTIM
Ms
Burncroft Avenue ENFIELD EN3 7JQ
29 / 07 / 1973
02083500628

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Ms also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

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[redacted] also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by Dawn that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her,. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

**23/09/2015 : Contact Complainant ,**
Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

**23/09/2015 : Update Complainant ,**
Follow on action from Contact Complainant

**23/09/2015 : Letter - sent,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Email - sent,**

Classification: PROTECT
Hi Mark,

On second thoughts, could you contact her on her landline instead and speak to her directly please? Her number is [redacted]

Thank you for your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

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The recent event which took place a week ago: She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by [redacted] that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in [redacted] and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her . Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

Thank you

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

**23/09/2015 :**

INTERVIEW NOTES FOR [redacted]

VICTIM
[redacted]
[redacted] Burncroft Avenue ENFIELD EN3 7JQ
[redacted]

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to M[redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worke[redacted] she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

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Tenancy Management
Enfield Council

Classification: PROTECT
Good morning Mark,

Thank you for the information, yes she suffers from mental health and his behaviour continues to exacerbate her condition. I will appreciate if you visit him sooner than later and also pop round to [redacted] to reassure her.

Thank you for all your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team [redacted]
Tenancy Management
Enfield Council [redacted]

From: Mark.Tilley2@met.pnn.police.uk [mailto:Mark.Tilley2@met.pnn.police.uk]
Sent: 18 September 2015 17:23
To: Dolly Ogunseye
Subject: [redacted] Burncroft Avenue, Enfield, Middlesex, EN3 7JQ [redacted] [SEC=PROTECT]

Hi Dolly,

Myself and Nick attended [redacted] a while ago and spoke to the [redacted] a while ago when she originally called Police. At the time she didn't want us to speak to her neighbour as things had got better. The lady handed us a letter about what had happened but none of it made any sense.

We believe she was suffering from mental health issues. On another occasion we popped round to see her and she wouldn't come and speak to us so instead she spoke through her letterbox to us. The male at 109 - Simon Cordell who is causing the problems is very well known to Police and is also very anti Police. I know some Officers went round and spoke to him and things seemed to get better. After that we have had no further calls from the lady a[redacted]

We will try and get round to see her when were back on duty on Monday.

Kind Regards

Classification: PROTECT
Good afternoon Mark,

Could you kindly assist with this query please. Following reports of ASB by the above tenant, my colleague and I visited her this morning and were alarmed by the nature of her complaints. She has in the past few months being constantly harassed, intimidated, bullied, stalked and threatened to kill by her neighbour at 109.

As a result of his behaviour, she has become too scared to leave her flat for fear of what may happen to her. She is a vulnerable tenant who requires support from services. However, the unsettling behaviour exhibited by number 109, has hindered her from attending her appointments and exacerbated her condition. At the moment, she feels very disorientated / agitated and will like the harassment to stop.

She advised that she had reported this to the police a few times but, wasn't taken seriously. [redacted]

I will appreciate if you could stop over at [redacted] to reassure her that the matter is being dealt with and also to stop by 109 and advise him that you are aware of what is going on and the repercussions should it continue.

Thank you for your support and assistance

Dolly Ogunseye
Anti-Social Behaviour Officer

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Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

## Referral Details

**23/09/2015 :**

**[redacted]rganisation making referral** Housing Anti-Social Behaviour Response Team

## History

**23/09/2015 : Threats and intimidation , Date reported : 23/09/2015**

Threats and intimidation (General)
Home visit to [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to [redacted] ments pending the time this matter is resolved. [redacted]

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed [redacted] she had a leak from her overf[redacted] a few months ago which has since been repaired but, the damage alleged had occurred.

**23/09/2015 : Agree an Action Plan with the Complainant,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Action Plan to Complainant ,** [redacted]
Follow on action from Agree an Action Plan with the

**23/09/2015 : Contact Perpetrator ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : Action Plan Reviewed ,**
Follow on action from Agree an Action Plan with the

**23/09/2015 : 23/09/2015 : 24/09/2015 : Email - sent,**
RE Re SOVA Alert - D.A - 1009639

Classification: PROTECT
Dear Susan,

Thank you for your email. Please note that as from Monday 28th September 2015, all high level cases of anti-social behaviour will be transferred to the Council's Community Safety Unit.

In light of the above, [redacted] case has been identified as one of many cases involved in this process. You will shortly hear from an officer within the Community Safety Unit advising you of the name of the officer that will be dealing with [redacted] case.
[redacted]

Kind regards

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

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**Lemmy Nwabuisi**

**From:** John Irving <irvingjohn15@gmail.com>
**Sent:** 07 February 2017 14:42
**To:** Lemmy Nwabuisi
**Subject:** Re: Low water pressure to 117 Burncroft Avenue [SEC=OFFICIAL]

Ref: 117 Burncroft Ave, Enfield, EN3 7JQ
low water pressure - harassment by tenant at 109
Thurs 26/01/17 - While in attendance at 117 Burncroft, where we were attempting to resolve a low water pressure issue, we were approached by the tenant of 109 Burncroft the ground floor flat. He stated that there were problems between him and the tenants of 117 without going into specific details. I was with a private plumber who was looking at the low water pressure problem at 117. We explained the problem to the tenant from 109 who stated 'you will not solve the problem as I am restricting their water supply!' obviously both myself and the plumber were shocked at this statement. Despite thorough investigation to the low water pressure problem we were unable to increase the pressure. However, before leaving the site I knocked at 109 asking whether he would increase their pressure, he stated 'I cannot do anything at the moment I will sort it out later!'. Despite the attendance of Thames Water (twice), the agents plumber, my plumber and various sub contractors from Enfield Homes this matter remains unresolved.

John Irving
Owner/Landlord
117 Burncroft Avenue
[redacted]

On 30 January 2017 at 11:05, Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk> wrote:

Classification: OFFICIAL

Dear Mr Irving,

As discussed, could please email me details of the conversation you had with the tenant at 109 Burncroft Avenue as this will be used in evidence should we refer this matter to court.

Kind Regards

Lemmy Nwabuisi

Anti-Social Behaviour Team

Community Safety Unit

Environmental & Community Safety

B Block North



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285

Civic Centre

Enfield

EN1 3XA

Tel: 020 8379 5354

Classification: OFFICIAL

ENFIELD Connected

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This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.

File note 24/2/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Following reports of continued low water pressure/supply to 117 Burncroft Avenue (second floor) despite information from Thames Water indicating that they had attended and that supply to the block 109-119 Burncroft Avenue was of a sufficient bar pressure, I tried to coordinate access to all flats on the right-hand side of the block potentially affected by the issue: 109, 113 and 117.

I wrote and hand delivered letters to all 3 of the properties requesting access for the Council Surveyor to visit and assess the water pressure in each on Friday 24th February 2017 between 10am and 12pm.

I spoke by telephone with Mr Irving, the leaseholder of 117, who had instigated the water pressure complaint who agreed that he would attend and give access.

I spoke by telephone with Mr George Quinton, the tenant of 113, who agreed that he would give access.

I spoke by telephone with Lorraine Cordell, mother of Simon Cordell, the tenant of 109 who said that no one was available to give access.

I attended with Steve Stirk, surveyor, on Friday 24th February 2017 at 10am. We were given access to 117 and Steve Stirk investigated the water pressure to the taps in the kitchen and bathroom.

We were unable to gain access to 113 as the tenant was not home – I called and left voicemail messages for the tenant but did not get any further response.

Steve Stirk suggested that we knock at 109 just on the off chance that someone was home. Mr Simon Cordell answered the door and, once Steve Stirk had explained that we were investigating the low water pressure/supply issue to the block, he allowed us into the property.

While Steve Stirk checked the water pressure in the kitchen, I introduced myself to Mr Cordell. He then became quite agitated and proceeded to regale me with the same issues that he had relayed to me during our previous telephone conversation including issues about his neighbours, the police and the Council conspiring to ruin his life as well as his work arranging community music events. He did not give me much of an opportunity to respond and kept talking over me when I tried to do so. Steve Stirk then went and checked the bathroom taps which he discovered were all already open (water running in wash basin; water running in bath which was full and going down overflow). We then thanked Mr Cordell for his time and left the property.

Outcome: It is unclear whether Mr Cordell running all of the taps constantly is linked to the issue of low water pressure as he is on the ground floor and 117 is 2 floors up (we had been unable to check the pressure in 113). Steve Stirk to liaise again with Thames Water about the issue and to consider separation of the water supply to the ground floor flat.

287 58

**I made some observations whilst in Mr Cordell's property, 109 Burncroft Avenue which are of some concern:**

There is a security gate installed on the inside of the front door.

There were 3 large 'industrial' matrix type printers in the property (1 in the hallway and 2 in the living room)

Mr Cordell talked about running 'events'

A non-standard kitchen ie. a wall seemed to have been removed between the kitchen and the living room creating an open plan effect: No fire door

Much of the property was taken up by the printers, boxes and folders – possible hoarding (6)?

Dog faeces in private back garden

Sarah Fletcher

Neighbourhood Officer

288 57

File note 9/5/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Further to ongoing issues related to water pressure/supply to the block at 109 – 119 Burncroft Avenue particularly to the right hand supply affecting 109, 113 and 117, I visited the block on Monday 8th May 2017 at 11am with Steve Stirk, Surveyor, and an MCP locksmith.

The purpose of the visit was to gain access to 113 Burncroft Avenue to assess the water pressure/supply to this property. Several attempts had been made previously to do this but the tenant was not there to give access so a 'forced' entry was made and the locks subsequently changed (the tenant had been notified previously that we would be taking this action if he did not provide access).

We entered the property so that Steve Stirk could test the water taps in the kitchen and bathroom. There was no flooring laid except for a rug in the living room (the kitchen was accessed through here) and the floorboards made a significant amount of noise as we stepped on them.

The resident from the property underneath, Mr Simon Cordell, heard us in the property and came upstairs. Steve Stirk and I were outside the property at this point as the locksmith started to undertake the work to install new locks on to the door (he was inside the hallway).

Mr Cordell proceeded to 'rant' at Steve Stirk and myself about his perceived victimisation by his neighbours. He was very agitated and loud – recounting his experience with the police, previous housing management, a previous partner, a previous neighbour and allegations of anti-social behaviour made against him.

Steve Stirk tried to explain that we were there to deal with a specific issue and that this was not the time or place to address these concerns. Mr Cordell did not want to listen and became fixated on Steve Stirk being 'dismissive' towards him (Mr Cordell's words). He went on at length about his upstairs neighbours, both past and present on first and second floors, 'banging' hammers deliberately above his head.

He continued to go on, in his agitated state, about how he had been treated by the police and previous housing managers who had promised him that they would re-lay the floor of flat 113 but had not done so. At this point the resident from 117, Mr Mathiyalakan Markandu, came down the stairs on his way out of the building. As he came down past us Mr Cordell focussed his attention on him and said to him: 'I'm going to the police station now with my evidence about you and I'm going to ruin your life'. Mr Mathiyalakan Markandu did not respond and proceeded to walk past and go down the stairs and out of the building.

Both Steve Stirk and I commented to Mr Cordell that the way he had behaved was threatening in nature and was not acceptable. Mr Cordell responded 'it's not a threat it's a fact'. He then continued to repeat his history with the police and previous housing management.

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I asked Mr Cordell to calm down and tried to explain that some of these issues could have been addressed by attending the meeting that Lemmy Nwabusi in the CSU team had tried to convene with him. He said that he was not prepared to attend such a meeting but wanted to speak to me, his housing officer, now. I explained that, as Steve Stirk had already said, that we could not address his issues there and then. I suggested that a meeting could be convened with both the CSU and neighbourhood teams to look at some of the issues with Mr Cordell. He indicated that he would be willing to do this if we came to his home to do so.

Sarah Fletcher

Neighbourhood officer

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## Lemmy Nwabuisi

**From:** Steve Stirk
**Sent:** 10 May 2017 08:42
**To:** Lemmy Nwabuisi
**Subject:** 109 , BURNCROFT AVENUE, ENFIELD, EN3 7JQ

Further to my conversation today please note the following
I carried out a joint with Sarah back in January regarding low water pressure to 117
While on location the following was noted

Kitchen internal wall has been partly removed
3 large industrial type printers found with assorted inks and cleaning liquids
Internal gate installed to front door
While all these items could be used in normal day to day interests the tenant made claims he was actively involved in planning and conduction events and the equipment was used to produce marketing leaflets and posters

This Monday we has reason to attend 113 to carry out a full lock change given accusation from the tenant that his lock had been glued so was unable to gain access the tenant claim the damaged was caused by 109, (this cannot be confirmed) as the tenant did not attend both Sarah and myself did go in and while there was confronted by the tenant from 109, the tenant for about twenty minutes would not leave us alone and became increasingly aggressive despite attempt to explain to him that we had not come to see him or indeed were able to comment of any of his accusations on how Enfield had ruin his lie were putting him in danger by leaving him in his flat, during this confrontation the tenant from 117 passed through the passage and the tenant from 109 stated he was going to ruin his life and generally became more irate towards the tenant .
It is clear that we are unable to allow this to continue as the body posture from 117 was defensive and did not wish to reply or get into any form of conversation with this tenant
Given that two member of staff were present and the confrontational attitude towards not only us but the other resident I believe we need to action this event to try and stop any further escalation from this tenant

Lastly I would recommend that we need full access to 109 to assess what is the true cause of the low water pressure to the flats above given the items found in the flat as well these need to be removed as does the internal gate please advise so I can carry out a full inspection as this is a complaint from the lease holder as they have very little water flow in the flat above and given the nature of the conditions and life style of 109 we are unable to show if he has caused the issue, on a housing point the internal wall that has been partly removed needs to be put back as it is a breach of fire regs

**Steve Stirk**
**Maintenance Surveyor**
**Technical Services, Repairs and Maintenance**
**Enfield Council**
**Edmonton Centre**
**N9 0TN**

**Tel: 020 8375 8023**
**Tel: 0800 40 80 160**
**Email:** steve.stirk@enfield.gov.uk
**Web:** www.enfield.gov.uk

**"Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities".**

FILE NOTE 1/6/17

I telephoned Miss [redacted] to discuss her complaints against Mr Cordell and agree an action plan. Miss [redacted] stated that she has lived in the block since April 2015 and that the problems with Mr Cordell started about a year ago. She stated that he bangs on her door when she is sleeping at night and also follows her to her car asking her where is going or where she is coming from. She alleged that on 14th May 2017 Mr Cordell came and aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise inside her flat. She stated that she does not make noise and that her flat is on the opposite side of Mr Cordell flat and therefore he should not hear any noise from her flat. She stated that Mr Cordell came up to her face in a very aggressive and intimidating manner to accuse her of coming into his flat to attack him and asking her why she comes into his flat. She denied going into flat and stated that he does everything to try and intimidate her.

She also complained that she feels scared every time she is going out or returning to her flat as Mr Cordell allows his dog to run freely inside the block.

She stated that Mr Cordell has banged on her door about 4 times in the past 2 months. She also alleged that he has followed her to her car twice in the past 1 month accusing her of coming into his flat to attack him and also kept asking her where she was going or coming from. She alleged that on one occasion, Mr Cordell stood in front of her car and will not let her drive away. She stated that he has been verbally aggressive and intimidating but has not been physically aggressive towards her. She stated that she suffers from mental illness and that this has exacerbated her problems and that she no longer feels safe living in her property. She stated that she has asked her neighbourhood officer to rehouse her as a result of the harassment from Mr Cordell. She stated that she is unable to complete incident diaries as a result of her illness but will telephone to report any further incidences. She stated that she has reported the matter to the police several times and believes that they are dealing with it. She stated that she has been staying with friends and family as she no longer feels safe to stay in her property on her own.

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RESTRICTED

Form 9993

METROPOLITAN POLICE Working together for a safer London

# Prevention of Harassment Letter (Police Copy)

To:
Name: SIMON CORDELL Date of birth: 26/01/81
Address: 109, BURNCROFT AVENUE
ENFIELD,
Postcode: EN3 7JQ

**An allegation of harassment has been made against you:**

**Details of alleged conduct** (specific actions that are cause for complaint):

Following a female whilst she is alone, and with her partner to their vehicle, asking why they are causing noise and attacking him inside of his home address causing the person harrassment and distress.

**HARASSMENT IS A CRIMINAL OFFENCE** under the Protection from Harassment Act 1997.

*"A person must not pursue a course of conduct which amounts to harassment of another and which he/she knows, or ought to know, amounts to harassment of the other."*

Harassment can take many forms and examples can include: wilful damage to property, assault, unwarranted verbal or physical threats, abusive communication or repeated attempts to talk to or approach a person who is opposed to this.

It is important that you understand that should you commit any act or acts either directly or indirectly that amount to harassment, you may be liable to arrest and prosecution. A copy of this letter which has been served on you will be retained by police but will not be disclosed now to the alleged victim. However a copy could be disclosed in any subsequent criminal proceedings against you as proof that police have spoken to you about this allegation. This does not in any way constitute a criminal record and will only be referred to should further allegations of harassment be received.

Signature of recipient of form: Refused to Sign
**(This is not an admission or acceptance of the allegation)**

Officer issuing: PC SERGISON 415YE
(Rank, surname, warrant number, station attached, contact telephone number)

**POLICE USE ONLY**

CRIS REPORT NUMBER: 5210999/17
CRIMINT LOG NUMBER: YERT0041156 9
Date and time of issue: 28/05/17 14:02HRS

**Exhibit No.:** SIS
**Description:** One (1) Allegation of Harassment Warning Letter Form 9993
**Date:** 28/05/17
**I identify this exhibit as that referred to in my statement.**
**Signature:** 415YE

Retention period: 7years
MP 130/10

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RESTRICTED (when complete) MG11C

# WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: PC SERGISON 415YE

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Scott Sergison 415YE Date: 28/05/2017

On SUNDAY 28 MAY 2017 I was on duty in uniform call sign YE801 with PC 446YE. I attended 109, BURNCROFT AVENUE EN3 7JQ. This is the home address of SIMMON CORDELL 26/01/1981. I attended the address to issue a first issue harassment letter to SIMON CORDELL cris number 5210999/17 refers. At 1402hrs I knocked on the front door where SIMON CORDELL refused to answer the door to police. I explained the reason for the Harassment letter. SIMON CORDELL prevented me from posting the letter into the letter box, and as such I slid the letter under the front door.

SS

Witness Signature: 62

Signature Witnessed by Signature: Scott Sergison 415YE



99/12 RESTRICTED (when complete)

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7 [illegible]

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date : 29 November 2016

Dear Mr Cordell,

**Re: Reports of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

The reports include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation and making threats towards your neighbours. It is also alleged that on 4th October 2016, you banged on your ceiling and you later started to bang and kick at your neighbour's door. It is alleged that you were very aggressive and was shouting through your neighbour's door and that you then proceeded to drag his motorbike from where it was parked and started to smash it up.

It is also alleged that your dogs are left by themselves all day and night barking and causing noise disturbances to your neighbours. Your neighbours have also alleged that you have installed a CCTV in the communal area with the camera pointing towards the main entrance to the block thereby making them to feel very uncomfortable when entering and leaving the block. Your neighbours have alleged that this is an invasion of their privacy.

If these allegations are true, they are in breach of the following terms and conditions of your Tenancy Agreement:

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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**2.2.1 Anti-social behaviour, nuisance and noise disturbance.**

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, rate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10.** You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

**Condition 11.** You must install any radio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from without first consulting us.

**2.2.3 Harassment and hate crime.**

**Condition 16.** You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

**2.2.6 Other unacceptable behaviour**

**Condition 21.** You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the police.

**2.15 Pet(s) and animal(s)**

**Condition 76.** You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit, hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

**Condition 81.** If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we

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will take action and give written notice asking you to remove it/them from your home.

It is very important that we meet with you to discuss these very serious allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Tuesday, 6th December 2016 to discuss this matter. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 31 January 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th November 2016 regarding these reports and invited you to meet with me at the Civic Centre on 6th December 2016 to discuss the allegations made against you, copy attached. I received a letter from your mother dated 24th November 2016 in which she stated that she does not believe that it is justified to hold the meeting before your formal complaint and subject access request is dealt with. I understand these have now been dealt with.

The Enfield Council, Community Safety Unit, Anti-Social Behaviour Team have continued to receive various allegations from your neighbours against you concerning alleged nuisance and anti-social behaviour towards them. The allegations include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation, making threats towards your neighbours and tampering with the electricity and water supply to their flat.

These are very serious breach of tenancy conditions and it is very important that we meet with you to discuss these allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Thursday, 9th February

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Enc:

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 16 February 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

As requested, I sent an email to you on 10th February 2017 with details of the allegations made against you. We now need to meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2.30pm on Wednesday, 22nd February 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail: lemmy.nwabuisi@enfield.gov.uk
My Ref:
Your Ref:
Date: 16 March 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th December 2016 to arrange to meet with you on 6th December 2016 to discuss these reports but you cancelled the meeting. I wrote to you again on 31st January 2017 to arrange to meet with you on 9th February 2017, you also cancelled the meeting. I then wrote to you again on 16th February 2017 to arrange to meet with you on 22nd February 2017 and again you cancelled the meeting. I have enclosed all three letters for your information.

It is unfortunate that you have repeatedly refused to meet with us to discuss this matter and look at ways to resolve the problems between you and your neighbours. The allegations made against you by your neighbours, if true, are very serious breaches of your tenancy conditions. It is important that we meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 3pm on Wednesday, 22nd March 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you.

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY.
Website: www.enfield.gov.uk

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Please note that if you fail to attend or call to rearrange this meeting, then we will have no option but to serve a notice of seeking possession against your tenancy without further warning. The council may also take further tenancy enforcement and/or legal action against you if further substantiated allegations are made against you.

Kind Regards

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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**Our ref:** VLS/EO/H/CORDELL/17
**Your ref:** LSC/C/L1/157255
**Date:** 22 September 2017

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:**
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**DX:** 36209 Edmonton Exchange

Email: info@vlssolicitors.com
**www.vlssolicitors.com**

London Borough of Enfield
Legal Services
P O Box 50 Civic Centre
Silver Street
Enfield
EN1 3XA

By Fax no: 020 83796492

Dear Sirs,

**RE: LONDON BOROUGH OF ENFIELD v MR SIMON CORDELL**
**CLAIM NUMBER: D02ED073**

We act for the Defendant in the above case and enclose herewith:

1. our duly completed notice of change of legal representative and
2. Defence

Yours faithfully,

VLS Solicitors

Family Law Advanced

SM

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**

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg. No. 8572584, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority. (SRA No.627688)

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Claim no: D02ED073

IN THE COUNTY COURT AT EDMONTON

BETWEEN

THE LONDON BOROUGH OF ENFIELD Claimant

AND

MR SIMON CORDELL Defendant

---

## DEFENCE STATEMENT OF SIMMON CORDELL

---

1. Defendant admits paragraph 3 of the witness statement of Mr Lemmy Nwabuisi dated 7 August 2017.

2. Paragraph 4 of the witness statement is denied in so far as it relates to acts of harassment and antisocial behaviour but admits that he was charged at Highbury Corner Magistrates Court but was discharged.

3. Defendant denies paragraphs 6 to 25 of the witness statement and Claimant is put to proof.

4. Paragraph 27 of the witness statement is denied. Defendant avers that he has always granted access to the Claimant and its contractors upon being given reasonable notice.

5. Defendant denies paragraphs 28 to 33 of the witness statement and the Claimant is put to strict proof

6. Defendant avers that he suffers from mental health problems and is under the care of the mental health team which the Claimant has always been aware of and in breach of its duty under section 15 and 149 of the Equality Act 2010. Defendant has on several occasions complained to the Claimant about noise and other antisocial behaviour by the tenants of 113 and 117 but Claimant

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failed or refused to investigate and/or take any action which there was no possible reason other than the Defendant's mental health problems.

7. The Defendant respectfully requests the court to discharge the injunction dated 8 August 2017.

**Statement of Truth**

Defendant believes the facts stated in this Defence are true.

I am authorised by the Defendant to sign this statement.

Sign:
Name: EMMANUEL ONWUEGBUZIE
Date: 22/9/17

VLS Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH

Ref: VLS/EO/H/CORDELL/17

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# Notice of change of legal representative

| In the COUNTY COURT AT EDMONTON | Claim No. D01ED073 |
|---|---|
| Name of Claimant *(including ref.)* LONDON BOROUGH OF ENFIELD REF: LS/C/L1/157255 | |
| Name of Defendant MR SIMON CORDELL | |

**Note:**
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☐ my legal representative *(insert name and address)*

has ceased to act for me and I shall now be acting in person.

B ☑ we *(insert name of legal representative)*

VLS SOLICITORS

have been instructed to act on behalf of the ~~claimant~~ (defendant) in this claim

~~in place of *(insert name and address of previous legal representative)*~~.

C ☑ ~~I~~ (we) have served notice of this change on every party to the claim (~~and on the former legal representative~~).

Address to which documents about this claim should be sent (including any reference)

| | If applicable | |
|---|---|---|
| VLS SOLICITORS<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br>Postcode N17 0DH | Telephone no. | 020 8808 7999 |
| | Fax no. | 020 8808 1999 |
| | DX no. | 36209 EDMONTON EXCHANGE |
| | Your ref. | VLS/EO/H/CORDELL/17 |

| E-mail | info@vlssolicitors.com |
|---|---|

**Signed** (Claimant)(Defendant)('s legal representative) (Litigation friend)

**Position or office held** SOLICITOR
If signing on behalf of firm or company

**Date** 22/09/2017

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.

N434 Notice of change of solicitor (04.14)

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# Injunction Order

Between Mr Simon Cordell, Defendant
and London Borough Of Enfield, Claimant

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Claimant** (including ref.) | London Borough Of Enfield LS/C/LI/157255 |
| **Defendant** (including ref.) | Mr Simon Cordell |

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

**If you do not obey this order you will be guilty of contempt of court and you may be sent to prison**

If you, Mr. Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of Court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

**Before** Deputy District Judge Harris sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN,

**Upon** hearing Solicitor for the Claimant on without notice application,

**IT IS ORDERED THAT:**

1. The Defendant, Mr. Simon Cordell permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. The Defendant, Mr. Simon Cordell keep his dog on a lead in communal areas outside his property.
3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. This order shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the court.

9. **Matter be listed for a further hearing at 10:00AM on 21 August 2017 at the County Court at Edmonton,** 59 Fore Street, London, N18 2TN with a time estimate of 30 minutes.
10. Costs in the case.

You are entitled to apply to the court to reconsider the order before the day.

If your case does settle prior to the hearing date please notify the court in writing.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information.*

**Dated** 9 August 2017

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N110A

# Power of arrest

| Name of court | Claim No. |
|---|---|
| County Court at Edmonton | D02ED073 |

**Claimant's name** (including ref.)
The Mayor and Burgesses of The London Borough of Enfield (LS/C/LI/157255)

**Defendant's name** (including ref.)
Mr. Simon Cordell

Name of defendant
Mr. Simon Cordell

Defendant's address
109 Burncroft Avenue
Enfield
London
EN3 7JQ

Seal

Date order made 9 / 8 / 2 0 1 7 Name of judge Deputy District Judge Harris

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)
The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)
See attached

**This power of arrest was ordered on** 9 / 8 / 2 0 1 7 **and expires on the** 8 / 8 / 2 0 1 8

**Note to Arresting Officer**

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant
The Mayor and Burgesses of The London Borough of Enfield

Claimant's address
PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA

Claimant's phone number
0208 3796438


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309

LBE v Cordell Bundle Part 2.pdf

3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.

310

Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

STATEMENT OF TERENCE CONWAY

I, Terence Conway, of Global Investigation Services, Process Server acting under the direction of The London Borough of Enfield, Legal Services Department, P.O Box 50, Civic Centre, Silver Street, Enfield EN1 3XA, solicitors for the above-named Claimant, and say as follows:

1. That I am over sixteen years of age.

2. That I did on Thursday 10th August 2017 at approximately 10.15am attend at the address supplied of 109 Burncroft Avenue Enfield EN3 7JQ, and, in the presence of PSO Sam Lowe and two Police Constables with 'collar numbers' 343YE, 417YE and 7142YE respectively, I did meet and personally serve the above named Defendant with the following: a Cover Letter from the claimant's solicitor dated 9th August 2017, an Injunction Order dated 9th August 2017 giving Notice of Hearing for 21st August 2017 at 10.00am at the Edmonton County Court, an N110A Power of Arrest, a Claim Form CPR Part 8, an Acknowledgement of Service Form with Notes for the Defendant, an Application for an Injunction, a Witness Statement of John Irving, a

311

Witness Statement of Markandu Mathiyalagam, a Witness Statement of Neville Grey, a Witness Statement of George Quinton and a Witness Statement of Lemmy Nwabuisi with Exhibits.

3. That there is now produced and shown to be marked 'A' a bundle containing true copies of the said documents so served by me as aforesaid.

4. That, at the time of service, the Defendant freely identified himself to me as SIMON CORDELL and was recognised as being the Defendant by the attending PSO Sam Lowe, who has had dealings with the Defendant on previous occasions.

5. That, furthermore, when I asked the Defendant if he was able to read and understand the Injunction I had served upon him, he replied that he had difficulty reading. That, therefore, I did read out all the terms of the Injunction Order to the Defendant, emphasising the need for compliance to these terms with the Power of Arrest being applied to terms 3 -6 inclusive, should they be breached. I further advised the Defendant that the Hearing for this matter was set for the 21st August 2017 at 10.00am at the Edmonton County Court.

I Terence Conway confirm the contents of this Statement to be true to the best of my knowledge

.....

Dated 10th August 2017

312

Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

EXHIBIT 'A'

This is the exhibit marked 'A' as referred to in the Statement of Terence Conway
Dated 10th August 2017

313

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

LONDON BOROUGH
OF ENFIELD
RECEIVED
02 OCT 2017
LEGAL SERVICES

314

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 29 September 2017 |

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/LI/157255 |
| MR SIMON CORDELL | **1st Defendant** **Ref** |

**Before** Employment Judge Taylor sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**Upon** hearing the Solicitor for the Claimant and the Solicitor for the Defendant,

**And upon** the Defendant's application to discharge the interim injunction,

**IT IS ORDERED THAT:**

1. The Claimant do file a Reply to Defence, if so advised by 9 October 2017.
2. The parties do file a Directions Questionnaire by 23 October 2017.
3. The interim order for injunction and power of arrest shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the Court.
4. Costs in the case.

**Dated** 25 September 2017

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

N24 General Form of Judgment or Order

Produced by:Adrian B
CJR065C

315

## General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 9 November 2017 |

THE COUNTY COURT

| | |
|---|---|
| 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

LONDON ... OF EN... RECEIVED 13 NOV 2017 LEGAL SERVICES

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:Ms M Tucker
CI 065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 2.pdf

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
LEGAL

L_BLANK
317

**From:** cPanel Hosting <cpanelsupport@godaddy.com>
**Sent time:** 25/06/2018 12:50:58 PM
**To:** re_wired@ymail.com
**Subject:** Your website hosting is ready.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# Your hosting account is ready. It's time to build your website.

**Sign in to Your Hosting**

Your domain is associated with a different account or isn't registered with us. You must manually update its DNS to point to our hosting nameservers. **Learn more.**

## Building the site yourself? Upload your files.

1. If you have a lot of content, use your IP address, username and password to connect an FTP program.
2. If you prefer to upload individual files, look for **Files** > **File Manager** on your hosting dashboard. Browse your computer for files and upload them directly.

## Using WordPress?

Look for the WordPress icon in the **Building Tools** section of your dashboard.

If you have any questions or comments, our specially-trained hosting experts are standing by around the clock. Give them a call at 020 7084 1810.

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| | |
|---|---|
| **From:** | GoDaddy <donotreply@godaddy.com> |
| **Sent time:** | 25/06/2018 11:45:55 AM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Simon Cordell, thank you for your order. |

24/7 Support: 020 7084 1810

Simon Cordell — Customer Number: 37486337

Set my Support PIN

GoDaddy

# Thanks for your order, Simon.

Here's your confirmation for order number 1328802991. Review your receipt and get started using your products.

## Order Number: 1328802991

| Product | Quantity | Term | Price |
|---|---|---|---|
| Economy Linux Hosting with cPanel<br>Get Started | 1 Plan | 1 Year | £47.88 |
| Office 365 Starter Email<br>Get Started | 1 User | 1 Year | £0.00 |
| | Subtotal: | | £47.88 |
| | Tax: | | £9.58 |
| | Total: | | £57.46 |

View Full Receipt

Access All Products

NOTE: Your purchase includes enrollment in our automatic renewal service. This keeps your products up and running, automatically charging then-current renewal fees to your payment method on file, with no further action on your part. If you do not wish to continue automatic renewal service, you can cancel this product by visiting the Renewals and Billing page in your GoDaddy account.

**Enjoy 25%* off new products.**

Use promo code gdbb2228f in your cart when you order.

**Start Shopping**

## Activate your products today.

You have new products or services in your account waiting to be activated. You've paid for them – now put them to work.

**Get Started**

*Offer good towards new product purchases only and cannot be used on product renewals. Cannot be used in conjunction with any other offer, sale, discount or promotion. Not applicable to ICANN fees, taxes, transfers, premium domains, premium templates, cloud server plans, WP Premium Support services, any marketing or design services performed by our Professional Web Services team, gift cards or Trademark Holders/Priority Pre-registration or pre-registration fees. After the initial purchase term, discounted products will renew at the then-current renewal list price. Offer may be changed without notice.

Prices are current as of 25/06/2018 and may be changed without notice.

By using these products, you agree that you are bound by the Universal Terms of Service and Privacy Policy. Learn more about our Refund Policy.

Please do not reply to this email. Emails sent to this address will not be answered.

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**From:** GoDaddy <donotreply@godaddy.com>
**Sent time:** 25/06/2018 12:26:35 PM
**To:** re_wired@ymail.com
**Subject:** Your domain contact info was updated.

GoDaddy

24/7 Support: 020 7084 1810
Simon Cordell — Customer Number: 37486337

# We've made your requested update.

Your registrant or administrative contact details were changed for:

TOOSMOOTH.CO.UK

**Important:** If you can't sign in to your account or these changes were unauthorized, call our support team at 020 7084 1810.

Manage Your Domains

Please do not reply to this email. Emails sent to this address will not be answered.

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 25/06/2018 05:27:28 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | FW: LBE v Cordell - bundle [SEC=OFFICIAL] test |
| **Attachments:** | LBE v Cordell Bundle Part 1.pdf LBE v Cordell Bundle Part 2.pdf |

test

---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 21 June 2018 17:40
**To:** Lorraine Cordell
**Subject:** LBE v Cordell - bundle [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Ms Cordell,

Please find attached a copy of the hearingbundle, for your attention. A hardcopy has also been sent to you by Post.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

Classification: OFFICIAL

Campaign

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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.

Defendant's conduct we would seek permission to have service of the application dispensed with. .

The Judge read the application and the Claimant's witness statements and agreed that service could not be effected and as a result agreed to have all 3 applications served by email upon the Defendant's mother Ms Lorraine Cordell, pursuant to CPR 81.10(5)(b).

**Therefore what is missing from the Court order is an additional paragraph which gives the Claimant permission to serve BOTH committal applications (05.02.2018 and 20.04.2018) by email on Mrs Cordell. Such position was accepted by the Judge at the hearing but unfortunately is not reflected in the Court Order. This was requested in the application notice and agreed by the Judge, We would therefore like the order to be amended accordingly.**

**We would be grateful if this letter could be passed on to the Judge to have the order amended accordingly. Please note that the next hearing on this case is listed on 30 May 2018, 2pm and we would be grateful if the order could be amended as a matter of urgency.**

Yours faithfully,

Lumilla Iyavoo
Lawyer
For the Director of Law and Governance

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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 14 May 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **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.

ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:D. Humphreys
CJR065C

N24 General Form of Judgment or Order

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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<br>Ref LS/C/L1/155584 |
| MR SIMON CORDELL | 1st Defendant<br>Ref |

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

ORDER AMENDED UNDER THE 'SLIP RULE'

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi, and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

IT IS ORDERED THAT

1. Permission to the Applicant to amend the application for committal dated 20.04.2018.

2. Permission is given pursuant to CPR part 81.10 (5)(b) to serve the applications dated 05.02.2018 and 20.04.18, together with the application notice dated 11.05.2018 ~~the amended application~~ by email upon Mrs Lorraine Cordell, the Defendant's mother, because she has successfully brought previous proceedings to the Defendant's notice, she having received previous applications by this means.

Dated 14 May 2018

Bal

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 12 June 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant** **Ref** |

Before District Judge Dias sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**UPON** hearing Counsel for the Claimant and the Defendant not attending and upon hearing from the Defendant's mother and uncle

**AND UPON** the Defendant's mother and uncle informing the court that the Defendant has suffered historical mental health issues and was sectioned under the Mental Health Act 2005 in 2016

**AND UPON** the court having concerns regarding the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction

**AND UPON** the court being satisfied by reason of his attendance at the hearing on 05 February 2018 (subject to any issues regarding mental health) that the Defendant was aware of the terms of the interim injunction dated 09 January 2018 by at least 05 February 2018 and that it would be appropriate to dispense under CPR 81.8 with the need for personal service of the interim injunction from at 05 February 2018

**AND UPON** the interim injunction dated 9 January 2018 with attached Power of Arrest remaining in force

**AND UPON** the court being asked to address the safety of the witnesses pending the production of any report concerning mental health

**AND UPON** the court commenting that it would expect the police to arrest the Defendant under the power of arrest if there is reasonable cause to suspect that the Defendant has breached the interim injunction dated 09 January 2018

**AND UPON** the court not being satisfied that it is appropriate at present to exclude the Defendant from Burncroft Avenue, Enfield

**AND UPON** the court noting in respect of the committal proceedings that the Defendant may apply for criminal legal aid which is non means tested and is strongly advised to see independent legal advice

**AND UPON** the Defendant's mother confirming that she has evidence and will produce all relevant documentation (including documents from the occasion on which the Defendant was sectioned) and will file the same by 4pm 01 June 2018 by email enquiries@edmonton.countycourt.gsi.gov.uk

**IT IS ORDERED THAT**

1. By 4pm on 13 June 2018 the Defendant shall undergo medical assessment by the community mental health team at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

2. If the report indicates that the defendant lacks capacity then the Official Solicitor shall be invited to represent the Defendant.

3. In the event that the Defendant fails to engage with the community mental health team and that the Defendant's mother takes no steps as the Defendant's nearest relative to have the Defendant's mental health assessed then the Defendant shall be presumed to have capacity.

4. The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 13 June 2018.

5. The matter is re-listed urgently on 26th June 2018 at 10:00 a.m. with a time estimate of half a day with no other cases.

6. No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

7. This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's mother.

8. Costs reserved.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

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Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

If your case does settle prior to the hearing date please notify the court in writing.

Dated 5 June 2018

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ENFIELD Connected

ENFIELD Council

Please reply to : Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

E-mail :
Phone : 0208379 6470
DX : 90615 ENFIELD 1
Fax : 0208 379 6492
My Ref : LS/C/LI/157255
Your Ref :
Date : 08 August 2017

The Court Manager
Edmonton County Court

**BY HAND**

Dear Sirs,

**Re: LONDON BOROUGH OF ENFIELD v SIMON CORDELL**
**APPLICATION FOR WITHOUT NOTICE INJUNCTION**
**ANTI-SOCIAL AND CRIME AND POLICING ACT 2014**

We write further to the above matter.

We enclose 3 copies of our application for an injunction.

Please deduct the issue fee of £308 from our PBA Account number 0079006.

Thank you for your assistance.

Yours faithfully,

Ludmilla Iyavoo
for Assistant Director, Legal Services

James Rolfe
Director of Finance, Resources and Customer Services
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

Phone: 020 8379 1000
Website: www.enfield.gov.uk

If you need this document in another language or format call Customer Services on 020 8379 1000, or email enfield.council@enfield.gov.uk

# Claim Form (CPR Part 8)

In the

Claim no.

Fee Account no.

Help with Fees - Ref no. (if applicable) H W F - -

Claimant
THE LONDON BOROUGH OF ENFIELD
PO BOX 50
CIVIC CENTRE
SILVER STREET
ENFIELD
EN 1XA

SEAL

Defendant(s)
MR SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Does your claim include any issues under the Human Rights Act 1998? ☐ Yes ☑ No

Details of claim *(see also overleaf)*

The Claimant seeks an injunction against the Defendant on the following terms:

MR SIMON CORDELL must:

1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. Keep his dog on a lead in communal areas outside his property.

The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

Defendant's name and address

| | £ |
|---|---|
| Court fee | 308.00 |
| Legal representative's costs | TBA |
| Issue date | |

For further details of the courts www.gov.uk/find-court-tribunal.
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.



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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.

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# Application for Injunction
## (General Form)

| Name of court<br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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[illegible]NG ACT 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. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

**The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person) (4)**

**3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.**

**6. From using his pet dog to frighten, intimidate or threaten violence to the Claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.**

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.


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IN THE EDMONTON COUNTY COURT CLAIM NUMBER:

BETWEEN:

**THE MAYOR AND BURGESSES OF**

**THE LONDON BOROUGH OF ENFIELD**

**(CLAIMANT)**

**-AND-**

**MR SIMON CORDELL** **(DEFENDANT)**

---

**DRAFT ORDER**

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**IMPORTANT PENAL NOTICE**

**If you do not obey this Order you will be guilty of contempt of court and you may be sent to prison**

**If you, Mr Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.**

**Before Circuit/ District Judge .....**

**The Defendant MR SIMON CORDELL must:**

**1. Permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.**

**2. Keep his dog on a lead in communal areas outside his property.**

**The Defendant MR SIMON CORDELL be forbidden (whether by himself or by instructing or encouraging or permitting any other person)**

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1. Made on behalf of the Claimant
2. Witness Statement of John Irving
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

WITNESS STATEMENT OF MR JOHN IRVING

I, Mr John Irving, of 117 Burncroft Avenue, Enfield, EN3 7JQ (Leaseholder) make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the landlord of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. The flat is located just above the Defendant's. The Property is currently let to Mr Mathiyalakan and it is being occupied by him, wife and his children.

2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment

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and alarm to me, my tenants and other residents on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out checks on the Defendant's water pipes which are possibly affecting my tenant's water pressure and supply.

**Background**

3. In the evening of 12 July 2017, I met with one of the Council's in house legal surveyors, Mr Neville Gray with regards to an ongoing low water pressure issue. Mr Gray attended my property (Flat 117) at 11am on the day and agreed that the water pressure was not adequate. An attempt was made to gain access to the two flats immediately below, including the Defendant's but this was unsuccessful.

4. At approximately 17.00 hrs the same day I was contacted by the managing agent informing me that there was now no water at the flat. I contacted Mr Gray and we both decided to attend the Property out of hours. I arrived at the flat to discover that water had been totally cut off for approx. 30 minutes, but surprisingly shortly after our arrival a supply was resumed and with good pressure. This despite the fact that low pressure had been a continual problem since 27 December 2016. Thames Water and plumbers have attended my property on at least 5 occasions but could not find a reason for the low pressure.

5. The Defendant lives in Flat 109 and in conjunction with his mother/mediator, was contacted by Mr Neville Gray with the intention of inspecting his flat. However, this was declined by the Defendant. Although I was inside the block, (on the landing), I watched the discussion from the open window. It was obvious the Defendant was becoming increasing agitated by the raised voices and approaches towards Mr Gray. I could

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see that he was not comfortable with the situation, and he backed off. He seemed to be very vocal with an aggressive manner, which was intimidating; at this point Mr Gray called for the police to attend.

6. I wish to add that on a previous visit to the property on 26 January 2017, to resolve the low water pressure, the Defendant had informed me that he was restricting the supply and stated: 'you will not solve the problem as I am restricting their water supply'. This was mentioned to me in front of an independent witness, a plumber who was attending with me. As I was leaving my Property, I saw the Defendant in the communal hallway and asked whether he could reinstate the water pressure to my tenant's property, however he responded by saying 'I cannot do anything at the moment I will sort it out later'. This information has previously been reported to the Claimant.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Name: Mr John Irving

Dated this 28 day of July 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Neville Gray
3. Statement No. 1
4. Dated 01 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR NEVILLE GRAY

I, Mr Neville Gray, of PO BOX 50, Civic Centre, Silver Street, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an in-house legal disrepair surveyor and have been so employed since February 2014. My role consists of carrying out property inspections, diagnosis and the management of repairs to the councils entire housing stock along with dealing with and overseeing all disrepair claims.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to me, other Council Officers and residents near his property on Burncroft Avenue, Enfield, EN3 7JQ. The application also seeks access to the Defendant's Property to enable the Claimant to carry out routine and maintenance inspections.

**Background**

3. The Defendant is a secure tenant of Flat 109 Burncroft Avenue, Enfield EN3 7QJ.

4. I first visited this property in the morning of 12 July 2017 at 11.00 am after complaints where made from the tenants at Flat 117 regarding the low pressure of their water supply. I knocked on the Defendant's flat at 109 but there was initially no answer, I had noticed that the front entrance door to the property was unlocked and slightly open; I could also hear a dog barking which appeared very aggressive. I shouted through the open door and explained that I needed to come to his property and check the water tap but he refused to come to the door. The Defendant was shouting and swearing at me to go away. At that time I had immediately backed off and called the Claimant's call centre who then called his mother Ms Lorraine Cordell, on my behalf who then attended the Defendant's Property with her brother. The Defendant's still refused access and was extremely vocal and so that visit did not proceed but was re-scheduled for Thursday 13 July and then changed to Monday 17 July as his mother was not available.

5. On 12 July 2017 at 5.39pm, I received calls from both the Leaseholder and the Managing Agents of Flat 117 advising that their tenants' (Mr and Mrs Mathiyalakan) water supply had stopped completely. I also called the tenant of 113 (Mr Quinton) and he had agreed to meet me at his property. I then called Ms Cordell and expressed urgency of accessing his property

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also this evening to check his stop cock. It was agreed for her to meet me at the property along with the tenant of 113 and the Leaseholder of 117. I contacted one of the Claimant's housing managers, Mr Clive Green who expressed his concern of me attending out of hours but it was then agreed that I could attend but call him as soon as I arrived and at ten minute intervals.

6. On route to the property the Leaseholder of Flat 117 Mr John Irving called and said that their pressure was on and normal and was off for approximately 30 minutes. The pressure was poor that morning and became non- existent the same evening for 30 minutes without explanation and then returned to normal better than it had been since December 2016. This caused me concern as there was a strong suggestion that the Defendant was restricting pressure to the tenants of Flats 113 and 117 who have both confirmed the problems they have had and that the Defendant had said to them that he was controlling the water pressure previously.

7. Mr Quinton of Flat 113 said that he has not been at his property for 6 months as he is scared of the Defendant's violent conduct who had also banged and kicked on his front door previously.

8. The leaseholder of Flat 117 Mr John Irving also reported to me that the Defendant has been demanding money off of his tenant at 117 to the value of £500.

9. The Defendant refused access again in the evening on 12 July 2017 but when I was about to return to my car he came out and although he was initially reasonable, he then started shouting and swearing at me outside the main communal front entrance. I backed away and made my way to my car but he started following me continually showing aggression and using vile language, this must have been around 19.30pm. At that point I called

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one of my managers and advised that I required assistance. The Defendant's behaviour continued to worsen against me and so I called the Police as he would not allow me to approach my car. A police reference number was provided to me on the day 775912072017 CAD.

10. I awaited the Police and they spoke to the Defendant's mother Lorraine Cordell. The Defendant refused to come out or allow access. He wanted me to return on Monday of which I have now refused to do because of his threats and violence.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....
Name: Mr Neville Gray

Dated this01 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Markandu Mathiyalakan
3. Statement No. 1
4. Exhibits
5. Dated 02.08.2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and children. I have been house to this Property with my family on 11th September 2014 by Waltham Forest District Council. The Property was given to me as a temporary accommodation.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problem with the Defendant started a few months after we moved into the property, after the Defendant approached me asking me to write a letter of support in relation to a problem he was having with the lady that used to live at Flat 113 Burncroft Avenue. I refused to write the letter and told the Defendant that I do not want to get involved as I did not have any problems with the lady. Since then the Defendant has made living in this block difficult for me and my family. He has been very aggressive to my family and I and has continuously intimidated, threatened and harassed my wife, cousin and me.

4. The Defendant have repeatedly accused us of making noise inside our flat even though our flat is situated two floors above his and the person living directly below us have never complained to us about noise. He has shouted abuse at us, damaged our properties and aggressively demanded money from me. My family and I are constantly living in fear and my wife is frightened to stay at home and has had to accompany me to work on several occasions and stayed in the car with our young daughter until I finish work.

5. The Defendant has slashed my car tyres, damaged my fuse box and has physically threatened to hit me with a piece of wood. He has a big dog that he brings out with him without a lead when he approaches us and he has used the dog to intimidate us. He also allows the dog to bark and run freely inside the communal hallway and staircase without a lead. I have reported

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all the issues to the police and Waltham Forest, the local authority that placed me in the property but each time the police attends, the Defendant will lock himself inside his flat and will refuse to answer his door.

6. On 6th August 2016 at 6pm, the Defendant threatened and shouted abuse at me and my wife, he aggressively demanded money from me and threatened to beat me up. He repeatedly swore at my wife, called her a 'witch' and tried to stop me from going up the stairs to my flat by standing in front of me and placing his hands on the railings.

7. On 8th August 2016, the Defendant aggressively banged on my front door, shouted abuse at me and my wife and accused us of making noise. He then used a screw driver to damage the lock on my electric meter cupboard and removed the fuse box thereby cutting off our electricity supply. I reported the incident to the police and was given reference number CAD 7934/August 2016.

8. On 27th September 2016 at 11:45pm, I was confronted by the Defendant as I returned to my flat with my wife and young daughter and he threatened and swore at me and demanded money from me.

9. On 28th September 2016 at 5:30pm, the Defendant aggressively banged on my front door and threatened and shouted verbal abuse and swear words at me and my wife. He also aggressively demanded money from me.

10. On 8th December 2016, the Defendant aggressively banged on my front door while my wife was alone in our flat with our young daughter and accused her of making noise. He also shouted abuse and threats at her. The incident was reported to the police and I was given reference number 5227336/16.

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11. On 11th December 2016, the Defendant aggressively banged on my front door and accused us of making noise, he also shouted abuse and threats at me and my wife.

12. On 23rd December 2016 at 3:43pm, the Defendant banged on my front door while my wife was alone at home with our young daughter, he shouted abuse at her and asked her to go to the bathroom and turn off the taps. He also removed our electricity fuse thereby cutting off our power supply. I reported the incident to the police and was given reference number 5753/23rd December 2016.

13. On 26th December 2016 at about 12:30pm, my family and I was going out and as we got to the first floor, the Defendant came running up the stairs towards us with a towel round his waist and started to shout abuse at us and accused us of tampering with water and stopping the water supply to his flat. I tried to explain to him that we also have restricted water supply to our flat but he will not listen and continued to shout abuse at us and followed us until we left the block.

14. On 3rd January 2017 at 10:47pm, the Defendant confronted me, my wife and our two-year-old daughter as we returned from a family outing and followed us up the stairs and started to shout that we were deliberately banging on the water pipes and making noise. The Defendant also talked about saving me from being beaten up by some unknown persons, he stated that he caught my wife and I making noise inside my bathroom, called me a 'lying cunt' and asked me to swear on my baby's life that we were not banging. He continued to shout abuse and threats at us for about 15 minutes.

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15. On 21st January 2017 at 6:21pm, the Defendant aggressively banged on my front door, swore and shouted abuse and threats at us and accused us of making noise.

16. On 31st January 2017 at 6:10pm, the Defendant aggressively banged on my front door, shouted abuse and threats at us and accused us of banging on the floor. Later in the evening of the same day I discovered that all four tyres of my car which was parked outside the block have been slashed with a sharp object.

17. On 5th May 2017, I was walking out of the block when I saw the Defendant talking to two council officials and as I walked past them, the Defendant said to me that he will ruin my life and that he was going to present evidence to the police about my illegal activities. I did not respond or say anything to him.

18. On 12th May 2017 at about 12pm, my wife, was at home with my daughter and my cousin when the Defendant came up to my front door and started to bang and push aggressively on the door, shouting for my wife to open the door saying that he wanted to talk to her. The Defendant knew that I had gone to work and that my wife may be alone with our young daughter but he insisted on my wife opening the door for him while shouting abuse at her.

19. On 1st June 2017, I was at work when my wife telephoned me to complain that the Defendant and two other males came and banged on my front door for about two minutes. My wife was alone with our young daughter at the time and she was very frightened because of the loud banging on our front door.

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20. On 9th June 2017, my cousin returned from work late at night and as he opened the main communal door, the Defendant came out of his flat and started to shout abuse at him. As my cousin brought out his mobile phone to record the incident, the Defendant snatched the phone from him. A struggle ensued as my cousin tried to get his phone back from the Defendant. The Defendant then physically attacked my cousin; he grabbed my cousin round his arm and neck and injured his arm thereby causing it to bleed. My cousin managed to get his phone back and called the police. The police attended within 10 minutes and my cousin explained to them what happened and they went to speak to the Defendant but he refused to let them in.

21. On 16th June 2017 at 11:55am, the Defendant confronted my wife outside the main entrance door as she was going to pick our daughter from school and accused her of making noise. The Defendant also said to my wife that he has our bank account and personal details and that she should tell me to pay him money.

22. On 18th June 2017 at 11:55am, the Defendant confronted my wife outside the communal entrance door as she was going to pick our daughter from school and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him.

23. On 23rd June 2017, my cousin returned from work at 11:35pm and as he entered the block, the Defendant came out of his flat with his dog barking and without a lead and started to swear and shout abuse at my cousin. The Defendant then attacked my cousin by punching him twice on the chest and tried to push my cousin out of the block. The Defendant snatched my cousin's mobile phone as he tried to record the incident but he managed to get the phone back. My wife heard the commotion and woke me up and as we came out of my flat shouting at my cousin and wanting to know what

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was happening, the Defendant went back into his flat. We then called the police, they attended and we explained what happened. The police then went and knocked on the Defendant's door but he refused to let them in.

24. On 28th June 2017 at 11:45am, the Defendant confronted my wife outside the main entrance door as she was going to pick up our daughter from school and demanded to talk to her. My wife told him that she cannot stop to speak with him as she was on her way to collect her daughter from school but the Defendant ran after my wife, stood in front of her and started to shout at her. The Defendant told my wife that he knows all our personal details including our full names, date of birth and bank details. The Defendant demanded that we should pay him some money and that my wife should tell me to come and talk to him. The Defendant also accused my wife of making noises inside our flat.

25. On 30th June 2017 at 11:45am, the Defendant confronted my wife as she was leaving the block to go and pick up our daughter from school and accused her of slamming the door. My wife denied slamming the door and the Defendant called her a liar and proceeded to swear and shout abuse at her.

26. On 2nd July 2017 at 5:18pm, my family and I was going out to visit some friends and as we were about to exit the block, the Defendant popped his head out of his front door and asked me when I was going to hand over the money to him. I told him that I was not going to give him any money and that he should go and work so that he could earn some money. As we left the block, the Defendant came running after us and was shouting abuse and swearing at me and said to me that I should pay him some money if I want him to leave me and my family alone. The Defendant also said to me that he has all our personal details including phone numbers, date of birth

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and bank details and that I must pay him to have them back. I told him that I will not pay him and to do whatever he likes with the details.

27. The constant verbal abuse, swearing, intimidation and aggressive behaviour from the Defendant towards my family and I have made it difficult for us to live in our own home. The fear of not knowing when we will be confronted with vile and aggressive behaviour as my wife and I go out or return to our home has caused us severe stress and anxiety. My wife is afraid of leaving our flat on her own due to fear that the Defendant will confront and shout abuse at her. We are having to tip-toe inside our flat for fear of being accused of making noise even though we live two floors above the Defendant. The Defendant has caused us immense hardship by vandalising my property and although I cannot prove it, I am certain that the Defendant was responsible for slashing my car tyres, damaging my meter cupboard and removing my electricity fuse several times and restricting water flow to my flat. Also, I no longer park my car outside my block in Burncroft Avenue because of the car being vandalized. I now park a few streets away, about ten or fifteen minutes from my home instead of outside my block which is about a minute from my flat. I do not see why we should have to live this way.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....M. Mathiyalagan.....

Name: Mr Markandu Mathiyalagan

Dated this 02 day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of George Quinton
3. Statement No. 1
4.
5. Dated 28 July 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR GEORGE QUINTON

I, Mr George Quinton, of 113 Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 113 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located the next floor above the Defendant's. I have lived at this property since the 2nd May 2016.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment to me and other residents.

**BACKGROUND**

3. The problems that I have encountered with this tenant have been a regular occurrence since the commencement of my tenancy. The Defendant would come to my flat three or four times a week, on occasion this would occur more frequently whereby he would extend this harassment to not only myself but to my visitors also often following them as they would leave the building. He would often play loud music after which he would become very argumentative and bang on my door accusing me and my visitors of maliciously making loud noises to annoy him.

4. The Defendant would often make threats to me and on one particular occasion the Defendant said to me, 'he is on a curfew for 12 days but he would come 'after me' once this is over'.

5. The Defendant had also made accusations claiming that the noises I was allegedly causing had resulted in the sudden death of his child.

6. On another occasion on the 9th October 2016, the Defendant came to my flat banging on the door and when I answered immediately started shouting at me. He then went downstairs and about ten minutes later he approached my moped which was parked outside the building and started smashing it with a wooden stick. The damage that caused was to my vehicle was significant and prevented me from using it for some time and caused me to lose my job through lack of transport which was a requirement of my employment. The damage to the motorcycle was damage to tyres, the side panels, the headlights both front and rear along

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with both the breaks and the mirrors. The matter was reported to the Police who attended and arrested the Defendant. A crime reference number was obtained relating to this incident and I will be happy to provide this at the hearing when I attend. I also have a recording of conversation ~~between the Defendant and I, where he admitted to~~ have caused damages to my moped. The recording will be provided at the hearing.

7. A further incident occurred with the Defendant around January 2017 whereby he came to my front door and started shouting and complaining about noise and that he was being wrongfully accused by the Police and accused myself and other tenants of 'being out to get him'. I asked him to leave but he refused to do this so I then left my flat to stay at my friends as the Defendants behaviour had scared me. When I returned to the property a couple of days later, superglue had been inserted into the front entrance door lock preventing me from gaining access, this also caused the key to break.

8. This was reported to the council and an order was required to gain entry to my property. This was recorded under works order reference number 1814013/1.

9. Due to the erratic and abusive behaviour of this tenant I have been forced to flee my property because I feel scared and uncomfortable and I have not returned since. As a result of this I have also fallen into arrears, I am now facing homelessness.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....G Quinton.....

Name: Mr George Quinton

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Dated this 7th day of August 2017

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 1
4. Exhibit No LN1
5. Dated 7 August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. I make this Witness Statement in support of the Claimant's application for an injunction to stop the Defendant from causing intimidation, harassment and alarm to other residents and their visitors on Burncroft Avenue.

3. The Defendant is a secure tenant of the Claimant at 109 Burncroft Avenue, Enfield, Middlesex, EN3 7JQ. His tenancy commenced on 14th August 2006. I hereby attach a bundle of documents relating to this case as exhibit number **LN1**. A copy of the Defendant's tenancy agreement and terms and conditions are hereby attached at pages 1-24.

4. The reports concerning the Defendant's alleged anti-social behaviour towards his neighbours was first brought to my attention in October 2016 when a case involving the Defendant and one of his neighbours was referred to me for investigation. The Defendant was reported to have caused frequent acts of harassment and anti-social behaviour against an elderly neighbour. The Defendant was arrested by the Police and bailed to a different address. The matter was referred to the Highbury Corner Magistrates' Court on 05 October 2016 where a first hearing took place. The Defendant pleaded not guilty and the trial was fixed for 17 November 2016. However, the trial did not proceed due to insufficient support as the elderly tenant was unable to attend Court due to health reasons. A copy of a letter from the Magistrate Court is attached to this statement at pages 25-26.

5. The Defendant was previously known to the Claimant and an anti-social behaviour order was made on 4 August 2015 by the Magistrates Court to prevent him from knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice Order Act 1994. The order was made for a duration of 5 years. A copy of the Order is at page 27 of the exhibit bundle.

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6. On 6th August 2016, the Defendant threatened and shouted abuse at Mr and Mrs Mathiyalagan tenants of 117 Burncroft Avenue. He aggressively demanded money from him and threatened to beat him up. The Defendant also repeatedly swore at Mr Mathiyalagan's wife, called her a 'witch' and tried to stop the Mr Mathiyalagan from going up the stairs to his flat by standing in front of him and blocking his advance by placing his hands on the staircase railings. Mr Mathiyalagan has already provided a witness statement in support these proceedings to confirm that this incident happened. A file note of this report is exhibited at pages 28-30 of the exhibit bundle **LN1**.

7. On 8th August 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his front door, shouted abuse at him and his wife and accused them of making noise. Mr Mathiyalagan reported to us that he believes that the Defendant used a screw driver to damage the lock on his meter cupboard and removed the fuse box thereby cutting off their electricity supply. Mr Mathiyalagan reported this incident to the police and was given reference number CAD 7934/August 2016. A file note of this report is exhibited at pages 28-30 of the exhibit bundle.

8. On 27th September 2016, Mr Mathiyalagan reported that the Defendant confronted him as he returned to his flat with his wife and young daughter and threatened and swore at him and demanded money from him. A file note of the report is on pages 28-30 of the bundle.

9. On 28th September 2016, Mr Mathiyalagan reported that the Defendant aggressively banged on his door and threatened and shouted abuse and swear words at him and his wife. The Defendant also aggressively demanded money from Mr Mathiyalagan. A file of the report is at pages 28-30 of the exhibit bundle.

10. On 11th November 2016, my former colleague, Sarah Fletcher interviewed an elderly resident who wished to remain anonymous. He said that the Defendant approached him as he came out of his flat and started to shout abuse, swear at him and threatened to burn down the elderly neighbour's flat. The report

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continued that sometime around mid-September 2016, one of the Defendant's neighbours reported that the Defendant confronted him outside his block as he was going to the local park and started to shout abuse and threats at him and said to him "I can get you over at the park, I know you go for a walk". This incident led to his arrest and to the matter being referred to the Magistrates Court. A file note of the report is exhibited on page 31 of the exhibit bundle **LN1**.

11. I had meetings with Mr George Quinton, one of the Defendant's neighbours on 16th December 2016 and 11th January 2017. He reported that he was experiencing problems with the Defendant's behaviour, and that on 4th October 2016, the Defendant aggressively banged on his ceiling and accused him of making noise. The Defendant then went to the neighbour's flat upstairs and started kicking and banging on the front door and was swearing and shouting at him. The Defendant later went downstairs, dragged the neighbour's motorbike from where it was parked and started to hit it with a piece of wood. A file note of the report is at pages 32-34 of the exhibit bundle.

12. On 22nd November 2016, during a telephone conversation with my former colleague Ms Sarah Fletcher, the Defendant was heard saying to his mother, who was present with him, 'I'm gonna do her over, I'm gonna take her job just for fun' referring to Ms Fletcher. A file note of the incident is at page 34A of the exhibit bundle.

13. I hereby attach a case history detailing incidents of reports from Mr Mathiyalagan about the abuse, threats and persistent intimidation by the Defendant. The case history is at pages 35 to 40 of the exhibit bundle **LN1**. It shows that Mr Mathiyalagan reported incidents too numerous to set out in this statement about abuse, threats, attempts to extort money and intimidation by the Defendant. Examples are that the Defendant banged on his front door while his wife was alone at home with their young daughter and shouted abuse at his wife and asked her to turn off the bathroom taps. He also removed his electricity fuse thereby

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cutting off their power supply. Mr Mathiyalagan reported the incident to the police and was given CAD 5753/23 December 2016. A file note of this incident is at page 37 of the exhibit bundle.

14. Other examples of aggressive and anti-social behaviour reported by Mr Mathiyalagan were that on 21st January 2017, the Defendant aggressively banged on his door, swore and shouted abuse and threats at him and his family and accused them of making noise.

15. On 9th June 2017, the Defendant attacked Mr Mathiyalagan's cousin in the communal hallway as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. The Defendant also snatched his mobile phone from him as he tried to record the incident.

16. On 16th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was exiting the main entrance at 11:55am and said to her that he had her bank and personal details. He also reported that the Defendant told his wife that he wanted her and her husband to pay him some money.

17. On 23rd June 2017, the Defendant came out of his flat with his dog and attacked Mr Mathiyalagan's cousin as he returned from work at 11:35pm. He reported that the Defendant punched his cousin twice on the chest, tried to push him out of the block and snatched his mobile phone as he tried to record the incident.

18. On 28th June 2017, the Defendant confronted Mr Mathiyalagan's wife as she was leaving the block at 11:45am, swore at her, shouted abuse and accused her of making noise inside her flat. He said to her that he knows all her personal details and that of her husband including their full names, date of birth, phone numbers and bank details. The Defendant demanded that they pay him some money and asked her to tell Mr Mathiyalagan to come and see him.

19. On 2nd July 2017, Mr Mathiyalagan reported that the Defendant confronted him with his dog barking and without a lead as he was going out with his family at

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5:18pm and asked him when he was going to hand over the money. He also reported that as they left the block, the Defendant ran after them swearing and shouting abuse and demanded that he must pay him money if he wants him to leave him alone. The Defendant also said to him that he has all their personal details. A report of the incident is at page 40 of the case history.

20. Case history notes exhibited at pages 41-46 show reports of similar aggressive and intimidating behaviour displayed to Mr Mathiyalagan was being experienced by another tenant who wishes to remain anonymous because of fear of reprisal from the Defendant.

21. Similarly, further case notes exhibited at pages 47-52 show that another tenant who wishes to remain anonymous was being subjected to the Defendant's anti-social behaviour. She had to be moved from the block because of the harassment from the Defendant and because she suffered from mental health problems and was particularly vulnerable and unable to deal with the threats and harassment from the Defendant.

22. On 7th February 2017, the Defendant approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve low water pressure issues affecting the flat. The Defendant informed the leaseholder that there were problems between him and his tenants but did not give specific details. The leaseholder explained to the Defendant that his tenants were experiencing low water pressure in their flat and that they were trying to fix the problem. The Defendant said to the leaseholder, "you will not resolve the problem as I am restricting their water supply". The leaseholder later asked the Defendant to increase the water pressure and the Defendant stated "I cannot do anything at the moment, I will sort it out later". A report of this incident is at page 55 of the exhibit bundle.

23. On 24th February 2017, the Claimants officers Sarah Fletcher and Steve Kirk attended the Defendant's property following reports of low water pressure in the

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flats above his. While inside his flat they noticed that the Defendant have installed a metal security gate inside his front door. It also appeared that the Defendant may have removed the wall between his kitchen and living room thereby creating an open plan living space. A copy of the file note is pages 56-57 of the exhibit bundle.

24. On 8th May 2017, the Claimant's officers, Ms Fletcher, a Neighbourhood officer who has since left the Council and Mr Steve Stirk, a Surveyor visited the Defendant's block of flats following reports of low water pressure to flats 109, 113 and 117 Burncroft Avenue. While the Claimant's officers were outside flat 113, the Defendant came up to them and started to complain about his perceived victimization by his neighbours, the police and the council. While the Defendant was talking to the officers, Mr Mathiyalagan came down the stairs and the Defendant said to him, "I'm going to the police station now with my evidence about you and I'm going to ruin your life". A file note of this report is exhibited at page 58 of the exhibit bundle and an email from Steve Stirk is at page 59.

25. On 14th May 2017, yet another neighbour who wishes to remain anonymous reported that the Defendant aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise and coming into his flat to attack him. The neighbour stated that the Defendant later followed her to her car as she was leaving the block shouting abuse and wanting to know where she was going. The neighbour also reported that the Defendant allowed his dog to roam freely in the communal area of the block without a lead. A file note of the report is at page 60 of the exhibit bundle **LN1**.

26. On 28th May 2017, the Defendant was issued with a first instance Harassment letter by the police following allegations of harassment and threatening behaviour made to the police by his neighbour. A copy of the letter and the PC's statement are at pages 61-62 of the exhibit bundle **LN1**.

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27. On 12th July 2017, Mr Neville Gray, the Claimants repairs surveyor attended the Defendant's flat to investigate reports of low water pressure to the flats above the Defendant's flat but the Defendant refused him access. Mr Neville Gray attended the Defendant's flat again at about 5:39pm following reports from the leaseholder of flat 117 Burncroft House that the water supply had stopped completely, but the Defendant also refused him access. The Defendant later shouted abuse and swear words at Mr Gray and would not allow him to approach his car. Mr Gray has provided a witness statement in relation to this incident.

28. The Defendant is in breach of the following conditions of his tenancy agreement;

i. Condition 10 – "You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."
ii. Condition 21 – "You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police".
iii. Condition 31 – "You must take care not to cause damage to your property or the property of your neighbours".
iv. Condition 33 – "You must keep the inside of your property clean and in reasonable decorative order".
v. Condition 34 – "You must not use the property in any way that may cause a health and safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)"
vi. Condition 53 – "You must keep the inside of the property, the fixtures and fittings and glass in the property in good repair during the tenancy"

29. I have corresponded with the Defendant regarding the reports of anti-social behaviour made against him by his neighbours and invited him to meetings with his mother Lorraine Cordell but he declined to attend. Letters were sent to him on 29th November 2016 inviting him for a meeting on 6th December 2016, 31st

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January 2017 inviting him for a meeting on 9th February 2017, 16th February 2017 for a meeting on 22 February 2016 and 16th March 2017 for a meeting on 22nd March 2017. These letters are exhibited at pages 63-70 of the exhibit bundle.

30. I have enquired with the Mental Health Team whether the Defendant is currently known to the team and was informed that he is no longer under their care.

31. The Claimant's operatives have had difficulties in accessing the Defendant's flat to inspect the state of the property and the unauthorised works and modifications which the Defendant is purported to have carried out without a written consent from the Claimant. The Claimant has also been unable to check whether the Defendant is restricting water supply/pressure to the properties above his since December 2016. The Defendant has admitted to restricting the water supply but has refused to allow the Claimant's maintenance operatives access to his property to investigate and rectify the problem.

32. The Defendant has intimidated the residents in the entire block and because of his behaviour, we have received numerous complaints from residents, requests to be transferred from the block and we have had to move a vulnerable tenant from the block.

33. I have made attempts to engage with the Defendant but he has not been cooperative and has continuously displayed abusive and threatening behaviour towards the Claimant's members of staff and his neighbours. A Notice of Seeking Possession has been served on him and possession action is being considered. However, in the meantime, this injunction is required to ensure that the other residents are not subjected to further intimidation and harassment by the Defendant. This application is being made without notice because if the Defendant were given notice, he would intimidate the witnesses in an attempt to prevent the order being made.

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Statement of Truth

I believe the facts in this Witness Statement are true.

Signed .....

Dated this 8th day of August 2017

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1. On behalf of the Claimant:
2. Lemmy Nwabuisi
3. Statement No 1
4. Exhibit: LN1
5. Dated 8th August 2017

IN THE EDMONTON COUNTY COURT CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendants

EXHIBIT

This is the Exhibit LN1 referred to in the witness statement of Lemmy Nwabuisi dated 8th August 2017.

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H97630

# Tenancy agreement

When signed, this document becomes a legal agreement between you, the tenant(s), and the London Borough of Enfield. You should not sign this agreement unless you agree to keep all the conditions written in it. You must ensure that you have read it properly and have asked for further explanation where necessary so that you do fully understand it.

This tenancy agreement is between the London Borough of Enfield and the tenants detailed below:

| tenant | date of birth | family | date of birth |
|---|---|---|---|
| SIMON CORDELL | 26/1/84 | | |

The London Borough of Enfield lets the property detailed below:

address 109 PARKCROFT AVENUE
ENFIELD
EN3 7JR

| | | | | | |
|---|---|---|---|---|---|
| net rent | £ 60.64 | caretaking | £ 2.47 | concierge | £ — |
| water rates | £ 3.76 | grounds maintenance | £ 0.66 | other | £ — |
| heating charge | £ — | cctv | £ — | TOTAL RENT | £ 65.13 |

This is an ~~introductory~~/secure tenancy with effect from Monday 14 (date) Aug (month) 06 (year)

This introductory tenancy will automatically become a secure tenancy on N/A unless we have started proceedings for possession

If you or anyone on your behalf has given false information to enable you to get this tenancy, we will take action to recover possession of the property.

If you break any of the conditions of your tenancy, we can take action to force you to meet the conditions or we can ask the court for permission to evict you.

I/We agree that I/we have had adequate time to read, understand and seek advice on the information and conditions in this document. I was/We were given details of where I/we could get this advice. I/We agree to keep to the conditions of this tenancy agreement.

| | | | |
|---|---|---|---|
| signed | tenant SIMON PAUL CORDELL | date 11/8/06 |
| signed | tenant | date |
| signed | tenant | date |
| signed | VERNON BENT on behalf of the London Borough of Enfield | date 4/8/06 |

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April 2006

# Tenancy Agreement

www.enfield.gov.uk

ENFIELD Council

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LBE v Corbell Bundle Part 2.pdf

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Section 1

# General terms

**This is your Tenancy Agreement. It is a legally binding document which sets out your rights and responsibilities as one of our tenants.**

**It is an important legal document and should be kept in a safe place.**

**Conditions of Tenancy are marked in red text as they are important, and you must comply with them.**

**If you break any of these tenancy conditions we may have to take legal action against you in the courts. This could lead to you losing your home.**

**For further explanation of anything contained in this document, please see the fact sheets on our website.**

**Where 'you' is used in this agreement, it means you, all members of your household and any visitors to your property.**

**Where 'we' or 'us' is used in this agreement it means Enfield Council or any agent acting on its behalf.**

## 1.1 Interpretation

Unless the contrary is stated or implied, the rights and obligations set out in this agreement are intended to replicate the rights and obligations established by statute, for example, the Housing Act 1985, Part IV. The contrary may be implied where, for example, rights and obligations are set out in the contract that either are not addressed by statute or where the statute gives the council discretion.

## 1.2 What this agreement means

By signing the Tenancy Agreement you are entering into a legal contract with us to keep to all the conditions of your tenancy set out in this document.

This agreement is for both introductory and secure tenancies. If your tenancy is an introductory one, you do not have all the rights that you will have when your tenancy is secure. The section below, under the heading 'Introductory tenancies', outlines the rights you do have as an introductory tenant. Whether you are an introductory or a secure tenant, all the conditions will apply.

In this agreement, 'you' always means you, the tenant, or - in the case of joint tenancies - any or all of the joint tenants. Sometimes 'you' will include members of your household and visitors to your home. In this agreement, 'we' or 'us' means the London Borough of Enfield and its agents or representatives.

## 1.3 Personal information and photographs

### Fair Processing Notice

We collect and process personal information to allow us to allocate homes and manage and improve services. This may involve sharing your personal data with other organisations that are contracted to carry out services on our behalf. This includes services provided to you such as repairs but also services delivered to us such as fraud detection provided by credit reference agencies. These organisations are obliged to keep your personal details secure. When we share information, we will draw up an agreement with the organisation that we need to share the information with. This is so that both sides understand why the information is being passed on, and what it can be used for.



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We may pass on certain personal information to other organisations (such as local authorities, the courts or the police) where this is requested or we have a legal requirement to do so such as during a criminal investigation, a court case or to report benefit fraud.

**Condition 1. By signing this agreement you agree that we can use the personal information you give us in accordance with the Data Protection Act 1998 for the purpose of detecting and preventing fraud.**

**Condition 2. By signing the Tenancy Agreement you agree to us taking a photograph of you at the beginning of your tenancy, and in the future, whether at your home or at our offices. This is for the purpose of detecting and preventing fraud. We will keep a copy of your photograph with our records.**

## 1.4 Tenancy verification

**Condition 3. By signing this agreement, you agree to provide us with up to date details of you and your household when requested, such as during a tenancy audit interview, at your home. You will agree to our officers inspecting your home to comply with health and safety requirements. If you refuse to comply with this or any reasonable request, we may take legal action which could lead to eviction and you may also incur court costs.**

## 1.5 Introductory tenancies

All new Enfield tenants will be introductory tenants unless you were already a secure tenant of a local authority or an assured tenant of a registered provider at a previous property.

**An introductory tenancy will last for a trial period of 12 months.** Under the Housing Act 2004, we can extend the introductory tenancy period for a further 6 months if there has been a breach of the tenancy conditions in the probationary period.

If, during your introductory tenancy, you break any of the tenancy conditions, or if you made a false or misleading statement to obtain the tenancy, we may take action to end your tenancy by serving you a Notice of Possession Proceedings.

If you do not break any of the tenancy conditions during this time, you will automatically become a 'secure tenant' after a 12 month period.

**As an introductory tenant, you do NOT have all the rights of a secure tenant.** You do not have the right to:

- buy the property
- exchange the property with another tenant
- vote for a change to a new landlord
- take in lodgers
- sublet all or part of your home
- make any alterations or improvements.

If you break any of the conditions during your introductory tenancy, we may take legal action to end your tenancy.

## 1.6 Secure tenancies

If you are a secure tenant, you have the legal right to live in the property for which you hold the tenancy.

We will not interfere with this right unless we have to take action because of reasons given in the Housing Act 1985 or any future law. We may take formal action if you break any of the tenancy conditions. We cannot evict you from the property unless we can prove grounds to do so in a court and the court grants an order for possession. As a secure tenant you will enjoy a number of rights not available to introductory tenants.

## 1.7 Sheltered accommodation

Some of our flats are designated as sheltered accommodation. Sheltered accommodation is intended for the over 60s and people with support needs and is considered unsuitable for families with children. If you live in one of these flats, you may be covered by some different local conditions due to the type of accommodation you are occupying.



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## 1.8 Making a complaint

If we fail in any of our responsibilities, you have the right to make a complaint through our complaints system, which has the following stages:

**Stage 0** – if you contact us to report something you are unhappy about and we can resolve the issue simply within 2 working days, we will record your dissatisfaction and handle the matter as Stage 0.

If the matter is unresolved, you may request that a formal Stage 1 complaint is logged.

**Stage 1** – your complaint will be investigated by a senior manager from the team where the alleged service failure occurred. They will respond within 10 working days.

**Stage 2** – your complaint will be reviewed by the Executive Management Team, who will aim to reply within 10 working days

**Stage 3** – The Chief Executive of Enfield Council will arrange for your complaint to be independently reviewed by a senior officer in Enfield Council who does not work for Enfield Homes. They will write to you with a decision within 30 working days of receiving your complaint.

We hope our complaints procedure will help us to sort out, with you, any problems you may have with the way our services are provided, but if you are still not satisfied you have further options:

From 1st April 2013 the Localism Act 2011 provides that the tenants of housing associations, local authorities and ALMOs will be able to ask for their complaints to be considered by a 'designated' person when all stages of their landlord's internal complaints procedure are finished.

A designated person can be an MP, local Councillor or a Tenant Panel. If you want more information on who they are and how you can contact them, please contact us directly on **freephone 0800 40 80 160** or email us at **info@enfieldhomes.org**

When the Housing Ombudsman receives a complaint that has gone through all stages of the landlord's internal complaints procedure, they will always ask if it has then been referred to a designated person and if a tenant is clear that they do not want to make use of that opportunity for local resolution (if it is more than 8 weeks from the end of the landlord's complaints process) the Housing Ombudsman will consider the case.

The Housing Ombudsman Service can be contacted at:

81 Aldwych
London WC2B 4HN

Telephone 0300 111 3000

Fax 020 7831 1942

Email info@housing-ombudsman.org.uk

## 1.9 Taking legal action against the council

If you think we have not met our obligations as stated in this agreement, you have the right to take legal action against us. You must obtain your own independent legal advice.

## 1.10 Serving legal notices on the council

If you wish to serve any Notice on us, you should send it as described in the section 'Ending your tenancy' on page 16.



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Section 2

# Your conditions of tenancy

## 2.1 Rent

We can change your rent and other charges at any time. We have to give you 28 days' written notice of any change in your rent and the change must start on a Monday but we can change your water and other charges at any time.

The notice will specify the revised net rent and other charges. This notice may be left at or posted to your property.

Our usual practice is to increase the rent and other charges no more than once a year in April although this does not preclude a change in rent or other charges at any other time in the year when necessary.

### 2.1.1 Failure to pay

**Condition 4. You must pay your total rent – which includes any charges on the property, for example water rates and service charges for amenities – in full on or before the date the payment is due.**

If you fail to pay your rent and/or charges, the council may take legal action to recover the debt or ask the court to grant us possession of the property. This could lead to you being evicted.

**Condition 5. You must tell us if you are unable to pay your rent in full or on time, and you must make an agreement to pay any rent arrears.**

We will treat your payments as rent due before we credit them to any other charges.

If you owe rent or any other charges for a previous tenancy, we may require you to pay these through your current rent account.

### 2.1.2 Miscellaneous recharges

**Condition 6. You must pay the cost of any items or works which are not our responsibility and for general damage to and misuse of the property. Examples are broken glass due to damage caused by you, a member of your household, or visitors to your household, the replacement of lost keys or fobs or the reinstatement of unauthorised alterations.**

### 2.1.3 Liability of joint tenants

**Condition 7. If you are a joint tenant, you are responsible for all the rent and other charges when they are due.**

In a joint tenancy, each tenant has full responsibility for paying the rent and any other charges due on the property.

If one of you leaves the property without ending the tenancy, or does not pay the rent and the account goes into arrears, each joint tenant will continue to be responsible for the rent and any arrears on the account.

If you have a joint tenancy, the tenancy ends for both joint tenants if you or the other joint tenant serves a valid Notice to Quit on us.

If you serve a Notice to Quit on us, it is valid if it is in writing and served at least 4 weeks before the date of termination. The day of termination must always be a Sunday. This must be signed and dated by you.

**Condition 8. If you or another joint tenant is intending to leave, or has left the property, you must inform us in writing.**

If you are a joint tenant with your partner and your relationship breaks down, we may inform you about where you can get independent legal advice on your rights.



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## 2.2 Conduct and behaviour

**Condition 9. You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere else within Enfield borough.**

### 2.2.1 Anti-social behaviour, nuisance and noise disturbance

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, hate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action, we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10. You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.**

Examples of this sort of behaviour include but are not limited to:

- playing loud music including noisy parties and congregations
- unreasonable noise caused by inadequate insulation and/or soundproofing of any type of flooring
- noisy DIY at unsocial hours
- loud arguments and/or fighting
- offensive and/or disruptive drunkenness
- dumping rubbish and furniture
- fly tipping
- slamming doors
- allowing your dog(s) to bark persistently and/or cause a mess
- not keeping your pet(s) under control
- playing ball games close to people's homes
- disruptive and/or intimidating loitering
- spraying or writing graffiti
- skateboarding and cycling on footpaths and balconies
- damaging or vandalising any council property
- setting fires
- riding motorbikes, mopeds, quad bikes anywhere other than on the road
- installing or using equipment such as aerials to operate illegal radio broadcasts from your own or any other council property or shared roof
- extensive repairing of cars and/or other motorised vehicles on estate roads or parking areas
- obstructing any shared areas, doorways or exits
- throwing items from balconies or windows
- feeding pigeons, squirrels, foxes, wild birds or any other non-domesticated animal
- jamming communal doors open
- letting people into communal blocks who do not have a right to be there.

If you are suffering abuse or annoyance, you should report the matter to us.

**Condition 11. You must not install any audio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from, without first consulting us.**

**Condition 12. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with written specification of the proposed works prior to installation.**

We would strongly advise that, in flats, you fit carpets. Do not remove existing carpets. You should not install tiling, hardwood or laminate-type flooring because fitting these may increase the way noise travels between floors and through walls. So if it disturbs your neighbours, we may consider it to be a nuisance and a breach of the conditions.

**Condition 13. You must not carry out household tasks using machinery such as a washing machine, tumble dryer, dishwasher or vacuum cleaner between the hours of 10pm – 7am.**



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### 2.2.2 Domestic abuse

**Condition 14. You must not cause any member of your household to leave your home because of domestic abuse. If you do, we will take action against you. This may result in your home being repossessed.**

**Condition 15. If you abuse or mistreat a child or, as a result of any such abuse or mistreatment, a child is endangered or taken into care, we may seek possession of your home and evict you.**

### 2.2.3 Harassment and hate crime

**Condition 16. You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.**

Examples of harassment include:

- using or threatening to use violence towards any person including our staff
- unprovoked physical assaults
- stalking, including cyber stalking
- domestic violence and abuse
- verbal abuse
- threatening or abusive behaviour
- threatening or abusive letters, telephone calls or text messages
- writing threatening, abusive, insulting or hate motivated graffiti
- racist comments and/or abuse
- damage to property or threats to damage property
- making false complaints about someone.
- abusing and/or bullying people through social media such as Facebook, Twitter, Instagram and text messaging.

### 2.2.4 Gang activity

**Condition 17. You must not be involved in gang related activity or violence. This includes using or threatening to use violence, or verbally assaulting other people residing in the locality, so that they leave the property.**

If you or other members of your household who are identified as being involved in, or potentially involved in, gang activity co-operate with us and/or our partner agencies, we will take this into account when considering tenancy enforcement action.

### 2.2.5 Criminal activity

**Condition 18. You must not use the property or locality for criminal, immoral or illegal purposes, such as dealing in illegal drugs or substances or prostitution and/or human trafficking. If you are convicted of such an offence, in your home, locality or anywhere else within Enfield borough, this will be a breach of your tenancy conditions.**

In particular, you must not use your home or any communal area, or anywhere else in Enfield borough, in connection with:

- selling, using, storing, manufacturing or growing of illegal drugs
- storing or handling stolen goods
- keeping illegal or unlicensed guns or weapons within the property with an illegal intent
- dealing in illegal pornography
- theft
- burglary
- criminal damage
- committing an offence during a riot
- cyber crime
- public order offences.



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**Condition 19. You must not use the communal area, any neighbouring areas or any garage or pram shed for any illegal purpose including, but not limited to:**

- **arson or attempted arson**
- **interference with security and safety equipment**
- **wilful damage to shared areas or facilities, including sheds**
- **breaking windows or doors or writing graffiti**
- **using weapons such as guns and/or knives**
- **using pets or dogs as a weapon**
- **using and/or dealing drugs.**

You will be responsible for the cost of renewing any door that has been damaged following any forced entry by the Police and reclaiming the cost from the Police.

**Condition 20. You must not keep any firearm, shot gun, or air rifle in your property without all the necessary certification required by law and without our written permission.**

### 2.2.6 Other unacceptable behaviour

**Condition 21. You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.**

If you fail to keep this tenancy condition, we will support our officers if they refuse to interview you, visit you, or speak to you on the telephone. We may also refuse you entry to our offices and take legal action against you.

## 2.3 Use of premises

**Condition 22. You must live in your property and use it as your only or main home.**

If you are to be away from your home for a continuous period of more than a month, you should inform us. If you do not do so, we may think that the property has been abandoned and take action to recover possession of it. You must tell us how and where you can be contacted in case of an emergency.

If you move out of your property and allow someone else to live there, you will no longer be a secure tenant. We will take action to recover possession of the property by serving a Notice to Quit.

**Condition 23. You must not allow your home to become overcrowded by other people living or staying there. You will not receive priority to transfer to larger accommodation under our Allocations Scheme if you do so.**

**Condition 24. You must notify us in writing, within 14 days, of any change, compared to those listed on your Tenancy Agreement, in the people who are living in your home. The notification must give:**

- **the person's full name, gender and date of birth**
- **the date of the change and**
- **whether s/he moved in or out of your home.**

**Condition 25. You are allowed to take in lodgers but must notify us in writing as required by Condition 24.**

Introductory tenants are not allowed to take in lodgers.

**Condition 26. You must not sublet or give up the whole of your property. If you do this, your secure tenancy may end. You may only sub-let part of your property with our prior written permission.**

**Condition 27. You can only assign your tenancy under certain circumstances which are described on page 19. You must have our written permission to do so.**

**Condition 28. You must not carry on or advertise any trade or business at your premises without our written permission and the necessary legal or planning requirements.**

This Tenancy Agreement only gives you the right to use your property as a private residence. If we give written permission for you to use your property for business purposes, you must still meet any necessary legal or planning requirements for your business use. If your business causes nuisance or annoyance to neighbours or local residents, we can withdraw our permission.



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**Condition 29. It is your responsibility to pay for all gas and electricity used in your property, directly to the appropriate gas and electricity company unless you live in a block where the heating is communal and the landlord charges you directly for this as a service charge.**

## 2.4 Sheltered accommodation

**Condition 30. If you live in sheltered accommodation, you must seek your Sheltered Estate Manager's permission if anyone is moving in with you for more than a few days.**

This should not be a permanent arrangement. However, your Sheltered Estate Manager may inform you of other housing options that may be more suitable for you.

## 2.5 Home contents insurance

Enfield Council is responsible for insuring the building and structure of your home but not the contents.

The council's building insurance does not cover contents insurance for your possessions. **You are responsible for insuring your home contents.** We are not responsible for loss or damage to your belongings including that caused by other residents.

## 2.6 Looking after your home

**Condition 31. You must take care not to cause damage to your property or the property of your neighbours.**

You should have any washing machine or dishwasher, electric or gas cooker, professionally installed. You must not use any of these if you know or suspect them to be faulty. If we send an electrician to check the electrical circuit and s/he finds that your appliance is faulty, we may recharge you the cost of the circuit check.

Refer to our website for advice on how to check if you have a faulty appliance. (See Appendix 3 for website details.)

**Condition 32. You must not neglect your property and let it fall into disrepair. This includes individual gardens as well as shared access pathways and steps in houses. Tenants of flats and maisonettes are expected to report defects to communal areas; for example, defective floor tiles.**

**Condition 33. You must keep the inside of your property clean and in reasonable decorative order.**

**Condition 34. You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).**

You must take reasonable steps to secure your property, for example, lock windows and doors when you go out.

It is your responsibility to decorate your home when it is needed.

**Condition 35. If your property suffers from condensation or damp, you must inform our Customer Services Team and follow any reasonable advice given to you.**

To help prevent condensation, you should:

- wipe dry the insides of windows
- open the windows and close the doors of any room used for hanging wet clothes
- not overcrowd any rooms with furniture or possessions.

## 2.7 Shared areas (communal)

**Condition 36. You must not cause an obstruction in any shared area, including balconies, garage and shed areas. You must co-operate with us to help keep shared areas clean and tidy.**

Everyone living in a block of flats or maisonettes is responsible for cleaning the landing area outside their flat.

Condition 37. You must NOT:

- store or leave any personal belongings such as flower pots, children's buggies, bicycles, boots and shoes in shared areas
- leave your rubbish in shared areas
- use inflatables (or other paddling/swimming pools, trampolines, bouncy castles) in shared areas such as communal gardens without our prior written permission. In deciding whether to grant permission, you will need to demonstrate that you have the necessary public liability insurance cover and that adult supervision will be provided at all times
- install swings and/or slides in communal areas
- use barbeques on balconies or in communal areas
- use a shared walkway/balcony/staircase to hang out washing
- store any items within communal area cupboards, communal loft spaces, intake, water tanks and communication equipment cupboards, other than allocated pram sheds
- adopt for sole use any communal area or land; for example landing, balcony, garden area, shared drying room, communal loft space. This also includes extending any existing individual garden.
- cut down, top, lop, uproot, damage or destroy any tree, shrub, plant or hedge on communal land
- store re-chargeable motorised vehicles without our express consent to do so
- use extension leads to charge/use any appliances on or within communal areas
- throw anything inappropriate down the communal rubbish chute; for example wood, bricks and children's buggies.

We reserve the right to remove any items that are placed in shared areas without permission and dispose of them, as well as repairing any damage arising from misuse of those areas, and recharge the cost to the tenant responsible where known.

Condition 38. You must co-operate fully with any measures we take to protect the security of your home and others' homes and you must keep all shared doors closed (for example: fire doors on landings).

Condition 39. You and/or anyone living with you or visiting you must not interfere with any equipment for detecting or for putting out fires in shared areas.

Condition 40. You must not install a gate leading on to shared footpaths and communal balconies without our prior written permission.

Condition 41. You must not erect any structure on communal land. This includes fencing off communal land.

Condition 42. You must not swap sheds with another resident without getting our prior written permission.

Not all flats are allocated with a shed. We reserve the right to take back the shed if it is swapped without permission or misused.

We will not be responsible for the loss or damage to any items stored in your shed. You will need to cover this on your own home contents insurance.

Condition 43. You must not use any shed for sleeping accommodation.

## 2.8 Improvements and alterations

Condition 44. You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.

Condition 45. You will be responsible for maintaining and/or repairing any alterations or improvements that you have carried out to your home.

Condition 46. You must not make any alterations to any gas appliance or installation in your home (including any gas and electric meter and any other associated pipe work or equipment or lighting installations).



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If you wish work to be carried out on such appliances or installations you must obtain our prior written permission before any work is carried out. Any such work may only be carried out by a suitably qualified Gas Safety Registered contractor. Failure to do so may have fatal results and we will regard it as a serious breach of your tenancy.

**Condition 47. If you carry out any works without our permission and we incur costs for reinstatement works, we will recharge you for the cost of those works.**

## 2.9 Right to Improve (secure tenants only)

There are certain improvements for which you can claim compensation when you notify us that you are going to leave the property. We will be able to give you details of the improvements that qualify and the conditions that must be met under the Right to Improve scheme. **You must seek our written permission before carrying out any works under the Right to Improve scheme.**

**Condition 48. You must obtain written permission from us before you erect, or arrange to have erected, any radio, television aerials, dishes, cameras/videos or any other electronic receiving equipment.**

This is to prevent damage to the external fabric of the building as well as public safety considerations. Permission will not be unreasonably withheld for houses.

**Condition 49. You must ask for our written permission to install hardwood, laminate or tiled flooring and provide us with a specification of the proposed works prior to installation.**

## 2.10 Repairs and access to your property

**Condition 50. You must not cause damage to any of our fixtures and fittings, in your home or communal areas, deliberately or through misuse or negligence. You must not allow your visitors to do so.**

If you do cause damage, or allow your visitors to do so, you will be responsible for repairing, renewing or replacing the damaged item. If you do not make good the damage caused, we may carry out the work and charge you for it.

**Condition 51. You must get our written permission before you remove or replace any of OUR fixtures and fittings.**

**Condition 52. You are responsible for repairing and maintaining any fixtures and fittings YOU install.**

We are only responsible for maintaining our fixtures and fittings. If you move, you must remove any fixtures or fittings that you have installed and put the property back the way it was at the start of your tenancy. If you remove your fixtures and fittings and do not replace them to our satisfaction, we will carry out the necessary work and charge you for it.

**Condition 53. You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.**

**Condition 54. You must report promptly any disrepair or defect where we are responsible for putting it right.**

When you sign for your tenancy we will give you information about our website which shows you which repairs are our responsibility and which repairs are your responsibility. It tells you how long repairs will take and gives advice about items in your home that might need repair and what information you should give when you report a repair to us.

**Condition 55. You must carry out any necessary minor repairs to your home.**

**Condition 56. You must not carry out noisy repairs/improvements such as drilling, sanding and loud hammering at the following times:**

**weekdays 6pm – 8am**

**and weekend times as follows:**

**Saturday 5pm – Sunday 9am**

**Sunday 4pm – Monday 8am**



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**Condition 57. You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.**

**Condition 58. You must allow our employees, representatives and contractors into your property to carry out repairs, servicing, inspections, or other works, where we consider it necessary.**

**Condition 59. You must allow our employees, representatives and contractors into your property if we need to carry out work to an adjoining property, and there is no other reasonable means of access (examples of such works are, but not limited to, scaffolding, access to boundary walls, roofing, tree works).**

If we need to carry out any work to your property, we will give you adequate notice of the date and the reason. If you refuse us access, or we are unable to gain access, we will apply to the court for permission to gain entry to carry out the works.

If the court gives us permission, you will be responsible for the court costs and any additional costs that result from us not being able to gain access to your property.

If you live in a flat or maisonette we may need to carry out work or repairs on your block for which we will require access to a number of properties. If we need to come into your property, we will give you adequate notice of the date and the reason. If, on that date, we are unable to gain access to your property, we will force entry under certain circumstances. Those circumstances would be where:

- essential works could not be carried out unless all tenants give access on the date given
- other tenants would be caused extreme inconvenience or distress
- we would have to pay additional costs
- damage is being caused to communal parts; for example, service ducts.

The circumstances would be those that could result in a fire hazard, gas leak or flooding.

Our usual practice is to give at least 24 hours' written notice that we need to access your property. In case of an emergency or when urgent health and safety repairs are required, we may have to enter your property without giving notice and, if necessary, force entry.

If we need to carry out work to the outside of your block, we will ask you to remove objects from your individual balcony. If you refuse to remove them and your refusal means that we are unable to complete the planned work, we will move the objects and may dispose of them.

If we require access to your home and you prevent us from entering, and this causes further damage to your property or to another, we may charge you for any repairs that then become necessary.

You should always ask contractors or workers for official identification before you let them into your property. If they do not have proof of identity, you can refuse to allow them into your home.

## 2.11 Fences

**Condition 60. You are responsible for keeping dividing fences in good repair and not causing any willful damage to fencing.**

We will only repair or replace boundary fences and gates where the fence separates your garden from a public right of way; for example, a road or alleyway. We will not necessarily replace any such fencing in a similar style or material as the previous one.

## 2.12 Temporary vacation of property

**Condition 61. Where we consider it necessary to carry out repairs, improvements or other works which cannot be carried out with you and members of your household living in the property, we will we will try to re-house you temporarily in a suitable alternative property. If you are moved to an alternative property, you must return to the original property once the works have been completed.**

## 2.13 Gas safety

**Condition 62. You must allow our employees or contractors access to your home to carry out a gas safety inspection.**



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Condition 63. You must ensure that you have sufficient credit on the gas and electric meters to enable the checks to be carried out.

We will give you written notice unless it is an emergency. If you do not let us in, we may take legal action to make you let us in or to allow us to force entry to your home. We may recover any reasonable costs from you associated with such action.

## 2.14 Health and safety

Condition 64. You must not do anything in or outside your home that may cause a danger to anyone in your home or in the locality including:

- throwing anything through or out of the windows or your home, balconies or roof or sweeping and/or wash offensive material on to the premises below
- placing anything on a window ledge, balcony or roof that could be a danger to anyone living in or visiting your home or in the locality
- causing a blockage to the drains and pipes, gutters and channels in or about the property by spilling or pouring in shared areas, oil, petrol, cooking oil, fat and oil based paint or other chemical substances or pouring the same down any drains or gullies
- altering the fire rating of your property by removing walls, doors and door closers
- removing external doors and replacing them with doors which do not comply with fire regulations
- propping open any communal fire doors
- storing items inappropriately in a way that may cause a health and safety hazard or encourage vermin and/or pests
- installing metal grilles to windows and external doors which may cause a fire escape hazard
- storing items, waste and personal possessions, which prevent the use of a room or space within the property.

Condition 65. You must provide a safe environment for staff and contractors visiting your home including not smoking in the same room where a member of staff or a contractor is working immediately before and during the visit.

Condition 66. If your property is fitted with a smoke detector, and/or a carbon monoxide alarm, you must keep it in working order by replacing batteries and reporting when there is a defect.

Condition 67. You must not keep or store dangerous, offensive or flammable materials or appliances at your home, or in communal areas, apart from those that may reasonably be needed for general household or medical use.

Condition 68. You must not use portable heaters that burn oil, paraffin, gas or other combustible materials without our written permission.

Condition 69. You must not interfere with the electric or gas supply.

Condition 70. You must not interfere with any equipment for detecting or putting out fires.

Condition 71. You must not use any shed/ pram shed/ garage/outbuilding in a way which causes a hazard, such as by storing flammable material.

Condition 72. You must not leave drug paraphernalia in any area where others might come into contact with them.

Condition 73. You must dispose of any hazardous waste safely and hygienically.

This will include such items as syringes, nappies and sanitary and incontinence pads, batteries and household appliances.

Condition 74. You must not allow children on to balconies, or any other area which could prove dangerous, without responsible adult supervision.

Condition 75. You must not allow anyone into shared areas of the block unless you know that they have a right to be there or allow anyone to follow you through a controlled door without permission.



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## 2.15 Pet(s) and animal(s)

**Condition 76. You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.**

If you live in a flat, maisonette or house with direct access to a private garden, you may be allowed to have more than one pet. You will need our written permission.

If you live in sheltered accommodation, you are required to nominate a friend or relative to take responsibility for your pet if you are taken into hospital or otherwise unable to look after it.

Pets must be kept in appropriate enclosures which are adequate for their needs and from which they cannot escape and with regard to their well-being.

**Condition 77. You must inform us of details of pet(s) (and working dogs for example; guide or hearing dogs) before they are brought into the household.**

**Condition 78. Dogs, other than guide or hearing dogs, are not allowed in play areas.**

**Condition 79. You must always keep your dog(s) on a lead in communal areas and on our land.**

**Condition 80. You must ensure your dog(s) does/do not foul communal areas, estate roads or our land, including play areas. Dog faeces must be disposed of hygienically such as in dog waste bins.**

**Condition 81. If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we will take action and give written notice asking you to remove it/them from your home.**

Condition 82. You must not:

(a) breed any pet or animal at your home

(b) encourage wild animals or wild birds, including pigeons, by feeding them. The feeding of wild birds is permitted providing that the food is contained in a suitable bird feeder.

(c) allow any animal droppings to build up in your garden and/or balcony and you must keep these areas free from pigeon droppings.

## 2.16 Gardens

**Condition 83. You must keep your garden (including any remote garden) well maintained at all times.**

You are responsible for maintaining all parts of your garden; including pathways, grass, sheds, plants, bushes, hedges and trees (including any of these that were present when your tenancy started as well as anything you have installed or planted yourself).

We reserve the right to take back possession of any remote garden which is not maintained.

**Condition 84. You must keep hedges, trees and shrubs at a manageable height. They should not hang over a public right of way, cause an obstruction or a nuisance to neighbouring properties.**

**Condition 85. You must not plant climbing plants for example; ivy, against the building which might damage the fabric of the building. You must also remove self-seeding climbing plants and self-set trees. We reserve the right to recharge for the cost of removal of any such vegetation and any associated structural repairs.**

**Condition 86. You must keep any garden and path clean tidy and free from obstruction. You should not leave rubbish or large items such as unwanted furniture, white goods and mattresses in your garden for an unreasonable period of time. (That is, longer than the council's refuse collection cycle).**

**Condition 87. You must obtain our prior written permission if you wish to plant a tree, cut one down, put up or take down and replace any fence or wall. If you install your own fence or wall, then you will be responsible for its maintenance.**



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**Condition 88. You must not erect a greenhouse, garage, car port, shed, garden pond or summer house at your home without getting our prior written permission. You will be responsible for maintaining any structures that you erect. You will be responsible for obtaining any necessary Planning or Building Control permissions.**

**Condition 89. You must not attach to any part of your property, including to external walls, fences or other structures, any barbed wire, broken glass or other material which is likely to cause personal injury to anyone.**

If we decide that tree management works are required to any tree in your garden, subject to any Tree Preservation Orders, we will advise you of what you must do. If you fail to comply with our request, we will carry out any necessary works and recharge you for the cost.

## 2.17 Vehicles and parking

**Condition 90. You must not park any vehicle that is untaxed or is unroadworthy on any part of your estate or housing land.**

We do not accept liability for any vehicle, fittings/components, or any contents of any vehicle parked on the estate.

We may remove and destroy any illegally parked, abandoned, dangerous or unroadworthy vehicle and charge the owner for our costs. This also applies to any vehicle not displaying a valid tax disc or a valid parking permit where one is needed.

**Condition 91. You must not park caravans, boats, trailers, burger vans, or vehicles used for business purposes on the estate or road next to your house without our written permission.**

**Condition 92. You must park legally and considerately and make sure that you do not cause any obstruction or nuisance or annoyance. This includes obstructing access for emergency vehicles, access to garages, refuse stores and grounds maintenance access points.**

We will not be responsible for damage to your vehicle if we or the emergency services have to remove it.

**Condition 93. You must not carry out repairs, other than minor routine servicing, to your vehicle on the estate or on any roads in the locality.**

**Condition 94. You must not leave a vehicle in a state of disrepair, or any parts of vehicles on the estate or on any roads in the locality.**

**Condition 95. You must not park SORN (Statutory Off Road Notification) vehicles on our land, including blocks/estate land, other than in your own drive/garden (in the case of a house). You can only keep SORN vehicles in your private garden/drive with prior written agreement from us for no longer than 12 months. We reserve the right to remove vehicles after 12 months after giving you 28 days written notice.**

**Condition 96. You must not build a garage, hard-standing or driveway without obtaining our prior written permission. You will also need Planning permission, Building Control approval and /or Highways approval. If you wish to install a dropped kerb, you must contact the Highways Department to obtain the relevant permission.**

**Condition 97. You must not park or permit visitors to park or drive on common grassed areas, verges (hard standing or grassed) or pavements outside or leading to your home. We reserve the right to recharge for costs arising from repair of any damage caused.**

**Condition 98. You must not use any communal land for the purpose of buying or selling vehicles, or repairing vehicles as part of a business enterprise.**

**Condition 99. You must not keep mopeds or motorbikes inside your home, in internal or external sheds, or in indoor communal areas, for example, landings, stairs, entrance and any internal area used by tenants.**

This could put others at risk and any such vehicle found in internal communal areas will be removed.



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## 2.18 Ending your tenancy

**Condition 100. You must give at least 4 weeks' notice in writing if you are going to end your tenancy. If we offer you a transfer, we will set the date for termination. If you do not give proper notice, your tenancy will not end and you will continue to be responsible for the rent, service charges and any other payments due in respect of your tenancy.**

The 4 weeks' notice must end on a Sunday.

If you are unable to give 4 weeks' notice, we may accept surrender of your tenancy earlier unless you are a joint tenant seeking to terminate it without the consent of the other joint tenant(s). As soon as you know you are leaving, you must contact us to discuss what you must do on surrender.

You can give notice to end your tenancy by writing to the address below:

Enfield Council
c/o Enfield Homes
The Edmonton Centre
36-44 South Mall
London N9 0TN

This is the address to which any Notices served on us should be sent.

Whether you or we end the tenancy the following conditions apply:

**Condition 101. You must return all keys, including all main door entry controlled system keys or fobs, for the property to us at the above address by 12 noon on the Monday of the week you leave.**

**Condition 102. You must pay the rent and any other charges up to the date that your tenancy ends.**

If you owe us money when you leave, you must make arrangements to repay the debt. If you do not, or if you make an agreement but do not keep to it, we may refuse to grant you another council tenancy. We will take legal action to recover the debt.

**Condition 103. You must not leave anyone living in your home when your tenancy ends.**

If there are people living in the property when your tenancy has ended, we will take action to evict them and charge you for the cost of the action. We may also charge you use and occupation charges for the property until the person is removed.

**Condition 104. You must leave your property and garden in good repair and clean and tidy, with all fixtures and fittings in the same condition when you move out as they were at the start of the tenancy except for fair wear and tear.**

We will charge you the cost of repairing any damage, installing missing or damaged fixtures and fittings and the cost of any cleaning that is necessary.

**Condition 105. You must remove all rubbish, personal effects, including fitted carpets or other floor coverings and furniture from inside the property and garden, and any of your belongings or rubbish from communal areas. For further details see our website for advice and our Clean and Clear policy.**

**We cannot store tenants' belongings left on the premises after the tenancy has been terminated and the keys have been returned to us because the cost and conditions of insuring against loss and damage would be complicated and unreasonably expensive.**

Therefore, we will get rid of any items that are left at the end of the tenancy and charge you the cost of removal. If we do not know your forwarding address, we will put the debt into an account in your name and pursue the debt.

When you leave your home, it is your responsibility to ensure that we have your forwarding address in writing.

**Condition 106. You may not be granted another council tenancy if you:**

- **are evicted from this council tenancy**
- **abandon this property and do not return the keys**
- **owe rent on this or a previous property**
- **leave this property in a poor condition and fail to pay for repair and replacement.**

If you need advice on ending your tenancy, please discuss this with us.



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Section 3

# Our responsibilities

### 3.1 Repairs and maintenance

We will keep in good repair the structure and outside of your property, including drains, gutters and external pipes. This will not apply if the damage is caused deliberately or through misuse of the property by you, your household or visitors.

We will keep in good repair and proper working order the installations in the property for the supply of water, gas, electricity, sanitation, heating and hot water. This will not apply if the damage is caused deliberately or through misuse of the installations by you, your household or visitors.

Our responsibility for repairing the internal structure of your property and the above installations only begins when we are told that a repair is needed.

If we are aware of damage that was caused by you which you refuse to repair, if it is dangerous to others, we will carry out the repair. We will charge you the cost of any work that is necessary to remove the danger.

The repairs part of our website will tell you our policy on repairs, and sets out which repairs are our responsibility and which are your responsibility.

We will keep in good repair all communal areas and amenities.

We are responsible for making sure that communal and external areas are in a reasonable condition, even when we are not told that a repair is needed.

We will carry out an annual gas safety inspection and an annual service of our gas appliances.

### 3.2 Right to Repair

We will pay you compensation if certain urgent repairs are not carried out within specified time limits decided by law.

This is the Right to Repair scheme and the details of the repairs that qualify for this, and the time scales, are on our website.

### 3.3 Major Works Improvements

We will seek and consider the views of all affected tenants on any proposed major repair and improvement scheme.

### 3.4 Consultation and information

We will consult you about important changes to the way in which the Housing Service is managed, particularly those relating to your tenancy.

We will provide you with information about our performance, how the Housing Service is paid for and how your money is spent. Performance information is available on our website.

We will make sure that any information about you is held in a way that complies with the Data Protection Acts.

We keep information about you that we need, to provide you with a service. Such information will be confidential and we will use it only for the purpose for which it was obtained, and will keep it as accurate and as up to date as possible. This information is held on computer and manual records, and you have the right; provided certain conditions are met, to see it.

### 3.5 Quiet enjoyment

We will not interfere with your quiet enjoyment of the property as long as you, your household and any visitors to your property, keep to the conditions of this Tenancy Agreement. If we need to gain access to your property in an emergency, we have the right to do so without giving you notice. If we have to force entry, we will make sure that your property is secured before we leave.

We have a legal responsibility to allow you, as long as you pay your rent and keep all other tenancy conditions, to live peaceably and without any interference from us or anyone acting on our behalf.



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If we need to come into your home, we will give you a minimum of 24 hours' notice wherever we can. However, there are situations where we might have to gain immediate access. If in such a situation, we could not gain access, we have the right to force entry into your property.

The situations where we have this right include those where we believe:

- that water or sewage flowing into another property is from your home
- there is a gas leak in your property
- there is an animal in distress in your property
- our assistance is urgently needed in your property.

### 3.6 Conduct and behaviour

We will work with you to keep your estates and locality safe and free from anti-social behaviour and behaviour which causes a nuisance and/or distress to residents.

If a tenant or a member of their household or their visitor behaves towards you in a way that causes you nuisance or annoyance, we will tell you what action you can take against the person who is breaking the conditions and explain what we can do to help you.

Our statement of policies and procedures on tackling anti-social behaviour is available on our website or by request to an officer.

### 3.7 Equality and diversity

We will act fairly in all matters connected with your tenancy and will not unlawfully discriminate against you or disadvantage anyone on the grounds of age, religious belief or faith, disability, ethnicity, gender, gender reassignment or sexual orientation.

### 3.8 Courtesy

Our officers and anyone acting on our behalf will treat you with courtesy and respect.

If any of our officers or representatives fails to do this, you can make a complaint through our complaints system.

### 3.9 Transfers

We will consider any application you make for a transfer to another property in line with our Allocations Scheme.

The offer of a new tenancy within this borough will depend on the urgency of your housing need compared with the needs of other transfer applicants and also on the accommodation available. If you have enough priority to qualify for an offer, you may be eligible to bid for vacant council or housing association homes advertised on our bidding system (see Enfield Council's website at the housing pages at **www.enfield.gov.uk** for more information).

### 3.10 Variation of tenancy conditions

If we want to change or vary any conditions of your tenancy, we will send you a notice:

- telling you that we are going to serve a Notice of Variation
- explaining what the changes are and their effect
- inviting you to comment on the proposed changes within a given time.

We will consider your comments before we decide whether to go ahead with the changes. When we serve the Notice of Variation it will:

- give details of the changes
- say when the changes begin
- be served at least 4 weeks before the date of the change.

### 3.11 Right to succeed

When you die your tenancy will pass to your husband, wife or civil partner or cohabitee of more than 12 months' duration if they were living with you at the time of your death. This is called 'succession'. If you do not have a husband, wife, civil partner or cohabitee of more than 12 months' duration, the tenancy can pass on to a member of your family if they had been living with you continuously for the 12 months before your death. If a joint tenant dies, the tenancy will pass to the other joint tenant and this will count as a succession. The law only allows one right of succession.



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If you are a sheltered housing tenant, your spouse, civil partner or cohabitee of more than 12 months' duration will succeed to the tenancy as long as they were living in the property as their only or main home with you at the time of your death. If you do not have a spouse living with you, the tenancy could pass to a partner or family member as long as they are eligible for sheltered housing and were living with you for at least 12 months before you die. Failing this, we may consider granting a tenancy of another suitable property.

### 3.12 Right to assign

If you are a secure tenant or an introductory tenant, you can under certain circumstances, assign (legally transfer) your tenancy.

If you are a secure tenant or an introductory tenant, the law allows you to assign your tenancy to a person who would have been able to succeed to your tenancy if you had died immediately before assigning it. This means that, if you are a sole tenant, you can assign your tenancy to your spouse, civil partner, or to a family member, including cohabitee, or same-sex partner who has been residing with you for 12 months at the time of assignment. If you are a joint tenant you cannot assign the tenancy to another family member if they are not the other existing joint tenant. Effecting an assignment means that there will no further right to succession upon the death of the tenant to whom the tenancy has been assigned.

If you are a secure tenant, you have the right, provided certain conditions are met, to assign your tenancy by exchanging with one of our tenants or the tenant of another local authority or a housing association.

This right of mutual exchange does not apply to introductory tenants.

The court has the right to assign a secure or introductory tenancy on the breakdown of a marriage or relationship.

If you are a joint tenant and your relationship has broken down and you wish to transfer the tenancy into your sole name, we will ask you to obtain a court order from the County Court.

You must not assign your tenancy unless you have our written permission to assign your tenancy.

If we have begun court action against you for any breach of the Tenancy Agreement, or any other matter such as an injunction, we will refuse your request for a mutual exchange.

### 3.13 Right to Buy

Existing secure tenants will normally have the Right to Buy the freehold or leasehold of your home after they have been a tenant for 5 years.

You cannot buy your property during your introductory tenancy, but your period of introductory tenancy will count towards the 5 years.

If you are a sheltered housing tenant, under the Housing Act 1985, you do not have the right to buy your home.

If you have been guilty of anti-social behaviour, we can apply to court to request an order suspending your right to buy for a period that the court may specify.

You will not have the Right to Buy if we have obtained a suspended Possession Order against you.

### 3.14 Right to manage

This allows tenants' organisations to take over the management of their homes and to run services that we would normally be responsible for such as rent collection and the repairs service. A tenants' organisation is eligible for the right to manage if it can show that it represents the views of all its members and does what they ask of it.

### 3.15 If we end your tenancy

We may terminate your tenancy by leaving at your property, a Notice of Seeking Possession or a Notice to Quit or any Notice required by law.

All notices we leave in connection with your tenancy, including any Notice of Seeking Possession or Notice to Quit or other similar Notice, will be treated as properly served and received by you if left at the tenancy address, addressed to you.



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This means that if we leave a Notice to Quit or a Notice of Seeking Possession addressed to you at your tenancy address, even if you are not living there, the court will recognise this as legal service of the notice.

If we serve a Notice of Seeking Possession on you, or any legal notice, the notice will contain reasons for our actions.

### 3.16 Housing related support

If you are an Enfield sheltered housing tenant, you may receive certain support services from the council, such as a daily visit from your Sheltered Housing Officer, in exchange for an extra charge added to your rent.

### 3.17 Welfare Benefit Reform

Through the Welfare Reform Act, the government has introduced new rules for the receipt of welfare benefits. For further information, and to see if you are affected, please contact us.

### 3.18 Prevention of Social Housing Fraud

The Prevention of Social Housing Fraud Act 2013 has been introduced which makes it a criminal offence to fraudulently sub-let social housing. The offences are punishable by a prison sentence, a large fine and/or an order for the repayment of any profits earned.



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Section 4

# Appendices

**This section does not constitute part of your terms and conditions.**

## Appendix 1
## Explanation of words used in this agreement

**Abandon**
When a tenant leaves their home without surrendering the tenancy, either by notifying us or ending the tenancy formally by serving a notice of termination on us.

**Anti-social behaviour**
Behaviour causing, or likely to cause, nuisance, annoyance, harassment, alarm or distress to anyone.

**Assign**
To transfer the tenancy during the tenant's lifetime.

**Breach**
To break or to fail to keep the conditions of the Tenancy Agreement, such as paying rent.

**Civil partner**
A person of the same-sex with whom you have registered your relationship as a civil partnership as from 5 December 2005.

**Direct access**
This means you have a front, side or back door that leads straight into your private garden.

**Domestic abuse**
Domestic abuse can be in the form of abuse including threatening behaviour, violence or abuse (physical, sexual, financial, psychological and emotional) between people who are, or were in an intimate relationship or close family relationship regardless of gender or sexuality (this includes forced marriages). Domestic abuse can be against anyone of any age and any background.

**Fraud**
When someone gives false or misleading information or takes action in order to get something which they would not otherwise be entitled to; for example, money, welfare benefits or a tenancy.

**Fixtures and fittings**
All appliances and furnishings in a property, including installations for supplying or using gas, electric and water.

**Garden**
The outside space which is let with your dwelling and is for the sole use of you and members of your household.

**Harassment**
To keep doing something to someone which they find annoying or upsetting. Harassment need not necessarily be abusive or violent.

**Insurance**
Liability cover provided by a company to protect goods and belongings in the event of damage.

**Joint tenant**
If more than one person has signed the Tenancy Agreement, then 'you' mean the joint tenants together and individually. Joint tenants have a shared interest in the property for the whole period of the tenancy. You are jointly and individually liable to pay the charges and for all the obligations under the tenancy.

**Locality**
The area in which you live including the estate you live on, the streets and all other areas around your home and the neighbourhood.

**Lodger**
Someone who pays to share your home with you but does not have an exclusive right to any part of it. A lodger would often pay rent that includes a payment for other things such as meals and/or cleaning.

**Members of your household**
Any person living at your property, either permanently or temporarily, even if their permanent address is elsewhere. This includes all members of your family living at the property, any relatives, friends or other lodgers staying with you and any sub-tenants of your property.

**Mutual exchange**
Exchanging your tenancy with another person by mutual agreement when permitted.

**Negligence**
When you fail to do something that it is your responsibility to do.

**Neighbour**
Includes anyone living in the area local to your home, including other tenants, people who own their own homes and local businesses.

**Notice of Seeking Possession**
This is a legal notification served on a secure tenant as the first stage before starting court action.

**Notice of Possession Proceedings**
This is a legal notification served on an introductory tenant as the first stage before starting court action.

**Notice to Quit**
This is a legal notification, usually of 28 days, served on a tenant to formally end the tenancy where security of tenure has been lost. Alternatively, it is also legal notification from a tenant that they will be giving up the tenancy.

**Nuisance**
Something that causes annoyance and/or distress.

**Overcrowding**
This is when a property has too many people occupying it.

**Partner**
Husband or wife or a cohabitee, including same-sex partner, who lives with you in a long-term or stable relationship.

**Permission (or consent)**
Where, in this agreement, it says that you must ask for permission or consent to do something, you must put your request in writing. This can be by letter or email. You must receive written permission from us before doing whatever it is that requires our consent.

**People residing in the locality**
All people living or staying, temporarily or permanently, in any part of the estate or locality in any type of property, whether rented or owned.

**Possession**
This is when the council takes back vacant use of a property by serving notice and taking court action. A Possession Order can be suspended on terms or take effect immediately.

**Property**
The dwelling, garden, yards, sheds and any other space which this Tenancy Agreement makes available for the sole use of you and your household.

**Relative**
Parents, children, grandparents, grandchildren, brothers, sisters, uncles, aunts, nephews, nieces, step-relatives and adopted children. This includes relatives by marriage.

**Remote gardens**
Some flats are allocated with individual gardens which are separated from the main dwelling by things such as footpaths or drying areas.

**Representative**
Someone who is acting on our behalf.

**Shared areas (communal)**
The parts of the building or estate which all tenants and leaseholders can use, for example, halls, landings, foyers, stairways, landings, lifts, bin stores, shared gardens, landscaped areas, car parks and any other area accessible to more than one household.

**Sheltered housing**
Accommodation targeted for people over 60 years of age. However, people under 60 with support needs will also be considered.

**Spouse**
The person you are legally married to, including a registered civil partner.



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**Statutorily**
By means of the written law.

**Statutory Off Road Notification (SORN)**
A notice that declares a vehicle's status to the authorities when it is kept off the road and is on private land. The notice must be applied for from the Driver and Vehicle Licencing Authority (DVLA).

**Sub-let**
Giving another person (lodger who pays you money) the right to live in part of your home with our agreement. You will be in breach of the Tenancy Agreement if you sub-let the whole of your property.

**Succession**
The transfer of a tenancy on the death of a tenant.

**Surrender**
An unwritten agreement between the landlord and the tenant or joint tenant(s) to bring the tenancy to an end. The tenant surrenders by taking steps that can be interpreted as giving up their tenancy, such as emptying their property and giving up their keys.

**Unroadworthy**
This describes a vehicle which is designed to be used on a road but which is either untaxed and/or has, or appears to have a fault or faults which would, to common knowledge, make it unsuitable or unsafe for use on the public highway.

**Unsociable hours**
Late evenings, night time and weekends when people are relaxing or sleeping.

**Visitors**
Anybody who visits you or any member of your household at your property and is allowed by you, or any member of your household, to come into the property.

**Welfare Benefit Reform**
Changes in the way welfare benefits are being assessed and dealt with. These changes are taking place in stages between 2012 and 2014.

**Written permission**
A letter from us allowing you to do something. If the permission includes conditions that must be met, and you do not carry out these conditions, this means the permission is automatically withdrawn as if it had never been given.

## Appendix 2

### Role and responsibilities of officers dealing with your tenancy

Income Officers are responsible for collecting rent.

Tenancy Management Officers are responsible for dealing with tenancy audits, successions, assignments, changes in tenancy and mutual exchange visits.

Anti-Social Behaviour Officers deal with reports of anti-social behaviour, neighbour disputes, hate crime and domestic abuse.

Estate Quality Monitoring Officers deal with any issues maintaining the estate environment, estate parking and communal repairs.

Customer Services Officers are the first point of contact when you telephone or visit us. They raise repairs and will direct your enquiries to the appropriate team.

Community Engagement Officers deal with resident associations and resident involvement.

Communal Services deal with caretaking and grounds maintenance on estates.

The Sheltered Housing Service provides supported accommodation for older residents and people with support needs.

(0208 345 1157
Police office Enfield Town)

0208 221 4131
774131

774124
774083

Mr [redacted]
[redacted] Burncroft Avenue
Enfield
EN3 7JQ

Witness Care Unit
Holborn Police Station
10 Lambs Conduit Street
Holborn
London WC1N 3NR

0208 247 7530
10am - 2pm Mon-Fri

7th October 2016

Dear Mr [redacted]

**Case Against Simon Cordell**
**Unique Reference Number 01YE0355816**

I am writing to confirm that you are required to attend court to give your evidence.

At the hearing on 5th October, 2016 at Highbury Corner Magistrates Court, Simon Cordell pleaded "not guilty" to the following offences:

1 Use threatening / abusive / insulting words / behaviour with intent to cause fear of / provoke unlawful violence
2 Criminal damage to property valued under £5000

The defendant is on bail with the following conditions: not to contact you or attend your address and to reside at a designated address known to police. If you witness the defendant breaking these conditions, call 101 or in an emergency, 999 immediately.

A trial has been arranged to take place at HIGHBURY CORNER MAGISTRATES COURT at 13:30 p.m. on 17/11/2016. On arrival, please make your way to WITNESS SERVICE and you wait in their suite which is separate to the public and read through your statement. Please collect a blue claim form to claim any expenses of loss of earnings.

If you do not attend a WITNESS SUMMONS may be issued to enforce your attendance.

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Please confirm if you wish for your contact details to be passed onto the Witness Service. They offer support to victims and witnesses, on the day you attend court and they can arrange for you to visit the court, before the day of the trial, so that you can have a look around. If you would like to visit the court please contact the Witness Service on **0300 332 1000**

Thank you for your assistance as a witness, as giving evidence is very important and your help is greatly appreciated.

Yours sincerely

Thomas Jones
Witness Care Officer

**What you should do now**

- Please call WITNESS CARE to confirm that you will be attending.
- Please attend HIGHBURY CORNER MAGISTRATES court at 13:30 p.m. on 17/11/2016
- For further information about being a witness, visit: http://www.justice.gov.uk/victims-and-witnesses/working-with-victims-witnesses

257 26

Highbury Corner Magistrates' Court
Code 2572
North London Admin Centre
PO BOX 52' 3 Lon n N7 1AF
Telephone 020 7506 310( ax 0870 739 5768

Mr Simon CORDELL
109 Burncroft Avenue
Enfield
Middlesex
EN3 7JQ

Case number: **011402490741**
Born: 26 January 1981

## Anti-social behaviour order on application

### Order
You must not

**a. Attend a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994;**
**b. Be concerned in the organisation of a rave as defined by s.63(1) of the Criminal Justice and Public Order Act 1994**
**c. Knowingly using or supplying property, personal or otherwise, for the use in a rave as defined in s.63(1) of the Criminal Justice and Public Order Act 1994;**
**d. Enter or remain in any disused or abandoned building unless invited to do so in writing by a registered charitable organisation or Local Authority**
**e. Enter or remain on non-residential private property on an industrial estate between the hours of 10pm and 7am without written permission from the owner and/or leaseholder of the property; and**
**f. Engage in any licensable activity in an unlicensed premises**
**For the sake of clarity, nothing in this order prevents the Defendant from assisting, preparing for or engaging in licensed licensable activities**

This order lasts for **5 years**.

### Warning
If you do not obey any part of this order you will commit an offence and may be fined or sent to prison for up to five years.

Signed DOJ

**J.Vantyghem**

Date: 4 August 2015

***Justices' Clerk***

ENFIELD Council

**ASB Interview Record**

| Name Of Interviewer(s) | Name Of Interviewee(s) |
|---|---|
| Sarah Fletcher | Mr Markandu Mathiyalagan. |
| **Date Of Interview** | **Reason for Interview** |
| 11-11-16 | ASB Complaint. |

| Start Time | End Time | Location |
|---|---|---|
| 10:05am | 11:15am | Green Towers meeting rm. |

**Interview Details**

Resides at 117 Burncroft Avenue - placed by Waltham Forest District Council (temp. accommodation) → has lived there for 2.5 yrs.
Household: Mr + Mrs Mathiyalagan + 7 yr old daughter.

Complaint re: Mr Cordell, 109 Burncroft Avenue
Have been experiencing issues for about 18 months:
Mr Mathiyalagan was approached by Mr Cordell asking him to write a letter of support in relation to a problem he was having with the lady who used to live at 113 Burncroft Avenue. Mr Mathiyalagan told Mr Cordell that he did not wish to get involved as he had no problems with the lady that lived at 113 (this lady moved out earlier this year).
Since then, Mr Cordell has made living in this block difficult for Mr Mathiyalagan's family.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| Fletcher 11-11-16 SARAH FLETCHER | M. Mathiyalagan 11.11.16 MATHIYALAGAN MARKANDU |

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**Interview Details**

Incidents include:

- Threatening / intimidating behaviour – aggressively demanding money (6-8-16 6pm) (27-9-16 11.45pm) (28-9-16 5.30pm)
- Constantly going on about noise – this is unjustified as family Mr Mathiyalakan, try to be quiet / daughter toddling / no carpet / ourplaugh → No complaints from 113 (new resident since summer 2016: young man)
- Tyres slashed on car (all 4):
- Living in fear → wife + child (When Mr Mathiyalakan goes to work (Haddesdon), they are frightened to stay at home so accompany him and stay in car)
- Damaged fuse box resulting in no electricity (8-8-16)

⇒ Suspect that Mr Cordell uses drugs / possible mental health issues.

⇒ Has a big dog that he brings out with him when he approaches

⇒ Has put a camera on his door (facing communal dr)

- Physically threatened with a piece of wood.

o Have reported all of the issues to the police

o Have tried to report the problem to Waltham Forest District Council (Jabin, Kehinde, Ibrahim?)

↳ temp. accommodation team:

Tues 16-10-16 Ibrahim | 020 8496 5503 / 5501 / 5502.

Fri 12-8-16 Kehinde

↳ Advised to contact Enfield Council about Mr Cordell.

o Have written to MP.

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16 SARAH FLETCHER | 11-11-16 [signature] MATHIYALAKAN MARKANDU |

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**Action Plan**

**To be agreed and signed for before the end of the interview**

| Action Point | Actioned By Who? | Target Date |
|---|---|---|
| ◦ Copies of records kept / relevant documentation taken | SF | 11-11-16 |
| ◦ Contact Edmonton Police / Safer neighbourhood team | SF | 18-11-16 |
| ◦ Contact Waltham Forest District Council | SF | 18-11-16 |
| ◦ Incident log sheets provided | SF | 11-11-16 |
| ◦ Incident log sheets to be completed until end of Nov - returned to SF. | MM | 7-12-16 |
| ◦ Advised to contact police 101 or 999 if necessary. | MM | – |
| ◦ Contact neighbours to ascertain whether they are experiencing any issues | SF | 25-11-16 |
| ◦ Mr Cordell to be contacted | SF | 25-11-16 |
| | | |
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| | | |
| | | |

| Signed, Printed And Dated (Interviewers) | Signed, Printed And Dated (Interviewees) |
|---|---|
| [signature] 11-11-16<br>SARAH FLETCHER | 11-11-16 [signature]<br>MAZAIYA LAUN MARKAN DUL. |

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The Not 4/11/16

Home visit conducted on Friday 4th Nov 16. And emotional support was provided. At the time [redacted] was having problems remembering the timeline of dates pertaining to incidents. [redacted] said he was quite friendly with Simon Cordell – leading up to current events – and was somewhat perplexed as the sudden change in the attitude of the accused.

[redacted] and alleged other residents felt the problem could have something to do with a resident named [redacted]. [redacted] has since moved – [redacted] made reference to Simon Cordell boasting in having something to do with her departure..

[redacted] was trying to recall events and said it could have been in the month of July, – when Simone Cordell shouted abuse and swore at him and threatened to burn his flat down – Mr [redacted] did not call the housing or police to report the threat. His friend, another resident who did not want his name mentioned, said that it was it was on 6th July. Mr [redacted] could not quite remember when the second incident occurred but said that it was around mid-September. Simon Cordell approached Mr [redacted] outside his flat, when Mr [redacted] was on his way to the fields – and threatened him. A lady called Karen also a resident of Burncroft witness the threat and asked Mr Cordell to the leave the viw alone. With encouragement from other residents – Mr [redacted] called the police a few days after the threat to make a report.

Mr [redacted] said the police a lot of police some with riot gear – entered his flat with officers posted to the front and rear of the building. They managed to coax Mr Cordell out of his flat and arrested him.

The case has since been heard in court and Simone Cordell pleaded not guilty. He has been bailed with conditions – to stay away from Mr [redacted] and also not to enter the Burncroft area.

Mr [redacted] is required to stand witness in court on the 17th Nov 2016. However, Mr [redacted] is feeling quite anxious and feels there may be reprisals to him giving evidence. I asked Mr [redacted] if he would like me to attend the hearing in support he said yes he would not mind. I also visited another resident Christine – to get her account of things.

Action

- Contact the witness service and arrange a pre-court trial visit and other assistance.
- Possibly arrange transportation on the day of the hearing – and for the pre-court trial visit

Any other assistance/support we can provide Mr [redacted] with.

Jean Barton

ASB Victim Support

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# CASE HISTORY

## Case17753 George Quinton
## NEIGHBOUR Active ,Phone call with Victim

### Involved Persons

**CLIENT (VICTIM) George Quinton,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17753 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | 113 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07708934948 |
| **Gender** | Male |
| **DOB** | 21/12/1995 |
| **Age band** | 18-24 |
| **Ethnic origin** | Other |
| **Appearance** | Male,20 yrs old,Other, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed,



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| | |
|---|---|
| **Notes about this person** | intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**05/10/2016 : Threats and intimidation , Date reported : 06/10/2016**

Threats and intimidation (General)
Perpetrator has been harassing complainant for a while in relation to alleged noise nuisance. Yesterday evening the perpetrator was banging on the ceiling (the complainant lives above perpetrator) and then came upstairs and tried to kick the door in. He was very aggressive, shouting through the door. He then went outside, dragged the complainants motorcycle from its parking space and started smashing it up. The police were called and the perpetrator was arrested.

## Referral Details

**06/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 : Contact Complainant , 06/10/2016 :**

Social worker for George Quinton (complainant) is Blossom Nation (Triangle Hse) 07947 406 733

**10/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**19/10/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**08/11/2016 : Update Complainant ,**

Follow on action from Contact Complainant

**21/11/2016 : 21/11/2016 : 28/11/2016 : 29/11/2016 :**

Copy of letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 :**

Letter of complaint received from Mr Cordell's mother, copy attached.

**16/12/2016 : 11/01/2017 :**

I met with Mr Quinton today at the Civic Centre to discuss his complaints against Mr Simon Cordell. Mr Quinton stated that the problems started soon after he moved into the block in April 2016. He



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stated that soon after he moved into his flat, he went round to SC's flat to introduce himself. After he introduced himself, SC said to him that there is some kind of war going on between him and other neighbours. SC also told him that he's got a load of issues with the police and that he was trying to sue them because he felt that they were treating him unfairly. He told SC that he was a musician and that he does not want anything to do with his issues.
Straight after he moved in, SC will come up to his flat at least once a week to shout at him and complain about loud banging from his flat and knocking pipes. SC would accuse him of making noise on purpose to wind him up and he will always explain to him that it is not true, that he does not make any banging noises inside his flat and that he cannot explain why the pipes were making knocking noises.
Mr Quinton stated that on 4/10/16, he was sleeping when SC started to bang on his ceiling but he ignored him. SC then came up and started kicking at his door and he still ignored him. SC then went downstairs, dragged Mr Quinton's motorbike from where he parked it, threw it on the ground and started to hit it with what he believed to be a mop pole, he is not sure how many times he hit it. He then called the police and they came and took him away, CAD No. 3309/4 Oct. 2016.
On 11/12/16, SC came up to his flat 3 times to shout abuse and complain about noise from his flat. Mr Quinton explained that the first time, he was running a bath when SC came and knocked on the door to complain about knocking pipes. He did not open the door and he shouted abuse at him and his friends and called them homophobic names. He later came back again to bang on his door and shout further abuse. He also made threatened him and his exact words are 'I'm off curfew in 12 days, when I'm, I am coming for you', he shouted further abuse and walked off. Mr Quinton stated that he is not sure why he came back the second time but he assumed that it was because of the pipes again. He later came back again the third time and this time he opened the door because he has had enough. SC complained about noise from his flat and he told him that he was not making any noise. SC then went on to tell him that he has been away for a long time and that his family was coming to look after his dog. He asked SC if he knew anything about his bike and SC replied 'You know what, I'm a grown man I'm not gonna lie, it was me that smashed your bike and I was gutted that the stick broke and I couldn't smash it up more'. He then asked SC about his tyres which was punctured with a knife and he denied cutting them. He then explained to SC that the knocking pipes has nothing to do with him and that he does not bang or make deliberate noise and he advised SC to play his music over the noise if it happens again as there is nothing he can do about the pipes and the noise as it is the nature of the building. SC said cool, fair enough and walked off and as he walked off, he turned round and gave him a dirty look.
About a week later, 2 of his friends left his flat and a short while later he heard SC running out of the front door. Soon after one of his friends called and told him that they have just had a confrontation with SC in the street. His friend informed him that SC ran up to them in the street and confronted his friend Jazz about the knocking pipe noises from his flat. Jazz told SC that it has nothing to do with him. SC then head-butted Jazz and as Jazz fell on the floor, SC jumped on top of him and started to punch him. His other friend Jevon who was with Jazz at the time pulled SC off Jazz and held him until 2 Turkish men came and separated them.
Mr Quinton stated that the police did not contact him to update him on what action was taken against SC regarding his smashed bike. He stated that he has recording of SC admitting to smashing up his bike and played the recording to me. Although it was very faint but you could make out what sounded like SC talking about smashing the bike. He stated that he wants to sue SC for criminal damage, he also wants to take out a restraining order against him and possibly an injunction.
He stated that his friends Simon Cocks (07393285528), Julian Jackson (07387277163) and Jazz Bramble (07375651241) are willing to provide witness statements and will attend court to give evidence on his behalf. He also wants us to find out why what action the police took regarding his smashed bike.

**08/02/2017 :**

I did an announced visit to Mr Quinton at 113 Burncroft Avenue following recent email from Mrs Cordell concerning noise disturbances from the flat as a result of wooden flooring but there was no response. I then telephoned Mr Quinton and left a voice message for him.

**07/03/2017 : 27/07/2017 :**

I telephoned Mr Quinton for updates on any recent incidents and he stated that there has been none as he has been staying at his flat. He stated that he has been staying with friends and family and only goes back to his flat to check his letters.
He stated that he will give a witness statement and will attend court if required to do so.

Telephone call received from Mr Cordell 22.11.16

I received a call from Simon Cordell of 109 Burncroft Avenue at approx. 1.20pm. The call was transferred by the customer services team informing me that Mr Cordell wished to discuss his housing options/how to move. I took the call – he sounded agitated and said that he had a few things that he wished to discuss with me. He said he was calling in response to a letter that I had sent him requesting the removal of a CCTV camera that he had installed on the inner communal/fire door on the ground floor of the block. He informed me that he would not be removing the camera as he believed he was legally allowed to have the camera as the communal area was his. I explained that he was in breach of his tenancy conditions as permission had not been sought or granted for the installation and he could not install anything in the communal area as this belonged to the Council. He maintained that his neighbour in another block had a camera and had taken the Council to court about it and won the case. I responded that I could not comment about other cases but my position remains as per the letter I sent: That the camera was in breach of tenancy conditions, was invasive to the privacy of other residents in the block as it points at the outer communal door and should be removed by Friday 25th November or the Council will remove it and charge him for the cost of doing so. He then said that the camera was fake so it didn't need to be removed. I responded that it did still need to be removed. His voice was raised throughout the exchange and I had to ask him to calm down and lower his voice more than once. He then said that he wanted to move on to finding out about moving to another address. He proceeded to give me a full history of his experiences with the police and previous housing management and alleged that 'Jackie', who had previously lived above him and 'Stan', his immediate neighbour on the ground floor, had victimised him over a long period of time and that he had done nothing wrong. This history was very full and it was difficult to get a word in because he was so worked up so I let him relay the information to me as it seemed like he wanted to get it off of his chest. He was very derogatory about the police and previous housing staff who had signed a request for an asbo application against him. I told him that I could not comment about previous action taken. He then came on to more recent events and stated that there had been an incident between him and another resident where she had shouted at him out of her window because of him starting up a scrambler bike in his garden. He maintained that he was courteous during the exchange but the police came and arrested him because she told them that he had threatened to kill her and that he had been put in the mental hospital, had won his case in court and was able to go home as of today. He said that he wanted me to give him 'points' so that he could move. I explained that his best means of moving would be through a mutual exchange but he was adamant that he did not want to do this and wanted to be moved in the same way that he moved into this property 11yrs ago by being given points. I explained that a transfer was unlikely based on what he had told me so far but that I could look into the position for him. He said a lot about his perceived victimisation by his neighbours and expressed that he felt that I should I have a duty to protect him. I explained that I had a responsibility to all residents living at Burncroft Avenue and took the opportunity to mention that I had received some reports about anti-social behaviour by him that I would need to discuss with him but suggested that we leave that for today. He then put his mother on the line (she had been trying to interject throughout the conversation) who said she wanted to know why I had not responded to her messages to call her. I apologised for this and explained that I have been very busy but that I needed to know whether we had written permission from Mr Cordell for us to speak to her – she said that there was a written note recorded on our files in 2015. Mr Cordell asked her what I was asking her and when she replied that I was querying permission I clearly heard Mr Cordell say angrily and aggressively "I'm gonna do her over" and then "I'm gonna take her job just for fun". I informed Mrs Cordell that I had overheard these remarks and that I was ending the call. She said that her son had now left the room and she was talking to me. I repeated that I would be ending the call and that she should put what she wanted to say in writing to me.

Sarah Fletcher
Neighbourhood Officer

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# CASE HISTORY

## Case17834 Markandu Mathiyalakan Burncroft Avenue 117 EN3 7j GENERAL Active ,Phone call with Victi

### Involved Persons

**CLIENT (VICTIM) Mr Markandu Mathiyalakan,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17834 |
| **Incidents in which Person is involved** | INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General) |
| **Current address** | 117 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07891740939 |
| **Gender** | Male |
| **Ethnic origin** | Unknown |
| **Appearance** | Male,Unknown, |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |

Home visit to Ms Deborah Andrews flat. Attendees Dawn Allen TMO and CPN Bola Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his



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| | |
|---|---|
| **Notes about this person** | movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred. |
| **Appearance** | Male,36 yrs old,White/Black Caribbean, |

## History

**06/08/2016 : Threats and intimidation , Date reported : 17/10/2016**

Threats and intimidation (General)
Letter received from complainant via MEQ alleging that another resident who is drug addicted has been aggressively demanding money, making threats and exhibiting threatening behaviour towards him/his wife. Complainant requesting action be taken against Waltham Forest District Council and the police. (Complainant is living in a leasehold property - accommodation provided by Waltham Forest?). Perpetrator identified as living on ground floor but door number not specified.

## Referral Details

**17/10/2016 :**

| | |
|---|---|
| **Organisation making referral** | Housing Anti-Social Behaviour Response Team |

## History

**17/10/2016 : Contact Complainant , 17/10/2016 : Contact Complainant ,**

**17/10/2016 : Contact Complainant ,**
We discussed the complaint; confirmed that the perpetrator was Simon Cordell at 109 Burncroft Avenue; confirmed that complainant is housed in temporary accommodation by Waltham Forest District Council and has been trying to report issues to them and police; Issues have been going on for some time and include: intimidating/threatening behaviour, aggressive demands/threats for money, tyres slashed, swearing/name calling etc.

**20/10/2016 :**
Response sent to Members Enquiry - no prior reports received from Complainant - may have been reporting to Waltham Forest District Council? Contact information requested for complainant in order to investigate further.
Contact number subsequently provided.

**26/10/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**01/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**02/11/2016 : Update Complainant ,**
Follow on action from Contact Complainant

**11/11/2016 : Interview Complainant,**

I interviewed the Complainant. He reported that the issues have been on going for about 18 months (He, his wife and daughter have lived at Burncroft Avenue in temporary accommodation provided by Waltham Forest DC for 2.5yrs). Please see attached notes of interview - The complainant is really frightened for his family - Mr Cordell is very aggressive and has previously kicked him in the nose/face and threatened to hit him with a piece of wood; his wife is so scared that she accompanies him to work and waits in the car with their daughter for his shifts.

**28/11/2016 :**

Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**06/12/2016 : 06/12/2016 : 07/12/2016 : 08/12/2016 . 12/12/2016**

Mr Mathiyalagan telephoned to report that Simon Cordell aggressively banged on his front door and accused them of making noise. He stated that he also shouted abuse and threats and swore at them.

**22/12/2016 : 10/01/2017 : 13/01/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report incidents that happened over the Christmas and New Year period. Mr Mathiyalagan stated the following,

23/12/16 at about 3.43pm - Mr Cordell banged on his front door while door while his wife was at home alone with their young daughter and shouted abuse at her and asked her to go to the bathroom and turn off the tap. He also removed their electricity fuse thereby cutting off power supply. He stated that the incident was reported to the police, CAD 5753/23 December 2016 and they were advised to contact the council.

26/12/16 at about 12.30pm - Mr Mathiyalagan stated that he and his family was going out and that as they got to the first floor, he saw Mr Cordell running up the stairs towards them with a towel tied round his waist. He stated that Mr Cordell started shouting abuse at them and accused them of tampering with his water supply and stopping the water. He stated that he tried to explain to him that there may be a problem with the water supply to the whole block as they also have the same problem with their water supply but Mr Cordell will not listen and continued to accuse them of tampering with his water supply. He and his wife told him to please go away and leave them alone but he continued to swear and shout abuse at them. They then walked away.

3/1/17 at 10.47pm - Mr Mathiyalagan stated that Mr Cordell followed him and his family up the stairs as they returned from a family outing and was shouting at them about deliberately banging on the pipes and making noise. He also stated that the person sleeping on his sofa was banging on the floor, talked about saving him from getting beaten up by local youths, stated that he caught him and his wife making noise inside their bathroom, called him 'a lying cunt' and asked him to swear on his baby's life that he was not banging.

Mr Mathiyalagan stated that the constant harassment from Mr Cordell is making it difficult for them to continue living at Burncroft Avenue and wanted to know if I can contact Waltham Forest to see if they can rehouse them. I promised to speak to Waltham Forest and explain to them that they are victims of anti-social behaviour and to see if they rehouse them.

**16/01/2017 : 16/01/2017 : 23/01/2017 :**

Mr Mathiyalagan telephoned today to report an incident that happened at 6.21pm on Saturday 21/1/17 when Mr Cordell aggressively banged on his front door, swore and shouted abuse and threats at him and his wife and accused them of making noise. He stated that there was no noise in his flat at the time and that Mr Cordell is just picking on them. He stated that they were fed up of being picked on and wanted to know what the council is doing to stop Mr Cordell from harassing them. I informed him that I will discuss his reports with Mr Cordell and will ask him to stop knocking on his door and to report any noise disturbances to the council to deal with.

**01/02/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today, 1/2/17 to report an incident that incident that occurred yesterday 31/1/17. Mrs Mathiyalagan stated that at about 6.30pm, she was inside her flat with her two and a half year old daughter when Mr Cordell aggressively banged on her front door while she was feeding her baby and shouted abuse and threats at her and accused her of making noise. Mrs Mathiyalagan denied making noise at the time and stated that she does not know why Mr Cordell accused her making noise.

She stated that she is terrified of moving around inside her flat for fear of being accused of making noise. I asked whether she recorded the incident and she said she did not. She also stated that she did not report the incident to the police as it only lasted for a few minutes. I advised her to log any further incident and to call the police if she feels threatened.

**06/02/2017 : 08/02/2017 :**

I visited Mr Mathiyalagan at 117 Burncroft Avenue today to look at the flooring following email from Mrs Cordell concerning noise as a result of wood flooring in the flat. I noticed that there is laminate flooring in the whole flat and ceramic tiles in the kitchen. Mr Mathiyalagan stated that the flooring was already in the flat when they moved in. He stated that they do not make noise deliberately and that any noise from his flat is household noise. He also stated that as far as he is aware that the person living below them have not complained of noise and that he will be the one that will be affected if there is excessive noises from his flat. He also stated that he has asked the man if they are causing noise disturbances and he said they are not. He also requested that Mr Cordell should contact the council if he is being disturbed by noise from his flat instead of harassing him and his family by banging on his front door, shouting abuse at him and his wife, threatening them and confronting them when they come into the block.

I informed him that laminate flooring can generate some noise and to be mindful of his neighbours while walking around inside his flat.

I then went and knocked at flat 113 but there was no response.

**17/02/2017 :**

Telephone call from Mr Cordell regarding the letter sent to him to attend the Civic Centre on 22/2/17 to discuss the on going reports of harassment, verbal abuse and threatening behaviour made against him by his neighbours. File note of the telephone conversation attached.

**21/02/2017 : 21/02/2017 : Contact Complainant ,**

Follow on action from

**20/03/2017 :**

I visited 109 Burncroft Avenue on 17/3/17 to hand deliver to post a letter through Mr Cordell's door and as I got into my car to drive off after posting the letter, Mr Cordell ran after me shouting and screaming abuse. I did not stop to speak to him and he ran after me until I turned left into Green Street. As he was running after my car, he was shouting at people passing by to stop the car.

By the time I returned to the office, Mr Cordell had telephoned me several times. I telephoned him back and he wanted to know whether I was the person that posted a letter through his letterbox and I said yes. He asked why I did not stop when he ran after me and I told him that I had another visit and did not have the time to stop and talk to him. He stated that he will not attend the meeting at the Civic Centre or any of the council and that I should come to his flat. I offered to have the meeting at a neutral venue like the local library or even at his mother's house but he refused and shouted to shout abuse and accuse me of taking sides with his neighbours. He denied doing the things that he is accused of doing and stated that he is the victim and that the council have refused to deal with his complaints against his neighbours. He stated that he has been suffering noise disturbances from his neighbours since he moved into his flat and that the council have refused to deal with it. He alleged that the council is conniving with the police to victimise him and threatened to put in a complaint against me. He continued shouting abuse and will not let me say a word. I then advised him that I will have to terminate the conversation as we were getting no where.

**05/05/2017 :**

Mr Mathiyalagan telephoned me to report that Mr Cordell went to his flat while he was at work and his wife was at home with his cousin and daughter and started to bang on his door and shout abuse and threats. He stated that he was at work and was scared for his wife and daughter. I advised him to call the police.

**08/05/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened this morning as he was leaving the block to go to work. He stated that as he walked down the stairs, he saw Me Cordell talking to 2 council officials and as he walked past, Mr Cordell threatened him by shouting that he was going to ruin his life and that he was going to the police with evidence about him. He stated that he did not respond.

**12/05/2017 :**

Find attached my file notes related to Sarah Fletcher's (Neighbourhood Officer) visits to Burncroft Avenue and encounters with Mr Cordell.

**15/05/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre to report that Mr Cordell has started to regularly harass them again. They complained that Mr Cordell now comes to bang on their front door and shout and scream abuse and threats every other day. He stated that the latest incident happened at 12pm on 12/5/17 when Simon came and started banging on his door aggressively while his wife was at home with his daughter and cousin and was telling his wife to open the door. He stated that Simon knew that he was at work and that his wife was probably alone at home with his daughter. Mr Mathiyalagan stated that he is scared for his and his family's safety and wants something done urgently to keep them safe from Mr Cordell. They pleaded with me to speak to Waltham Forest to find alternative accommodation for them as it is no longer safe for them to continue living in Burncroft Avenue. I took the contact details of the property manager at Waltham Forest and called and left a message for him to call me back. The details are Mr Osmani, tel. 02084965503 and his manager is Taylor tel. 02084965496, also 02084965502/5506.

**02/06/2017 :**

Mr Mathiyalagan telephoned to report that he was at work yesterday, 1/6/17 when his wife called him to complain that Mr Simon Cordell and two other males came and banged on his front door for about 1 or 2 minutes. He stated that his wife and daughter were alone in the flat at the time and that they were very frightened as a result of the loud banging on his front door. I advised him to call the police if Simon bangs on his door again.

**12/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened late night on Friday 9/6/17 between Mr Cordell and his cousin. Mr Mathiyalagan stated that his cousin returned from work late at night and as he opened the front door, Mr Cordell came out of his flat and confronted him. He stated that as his cousin brought out his phone to record the incident, Mr Cordell snatched from phone from him. A struggle ensued as his cousin tried to get his phone back from Mr Cordell from Mr Cordell and Mr Cordell attacked his cousin, grabbed him round the neck and also injured him on the arm causing his arm to bleed. He stated that his cousin managed to get his phone back from Mr Cordell and came up to his flat and told him what happened. He then called the police and they attended within 10 minutes. They explained what happened to the police and they went to Mr Cordell's flat to speak to him but he refused to let them in. Mr Mathiyalagan also stated that the dog was barking throughout.

**19/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that happened today at 11.55am as his wife was going to pick their daughter from school. He stated that Simon confronted her outside the communal entrance door and said to her that he knows what time she goes out and when she returns and to tell her husband that he wants to speak to him. He also stated that another incident happened on Friday 16/6/17 at 11.55am when Simon confronted his wife as was going to pick their daughter from school and accused her of making noise. He stated that Simon also told his wife that he has their bank account and personal details and that she should tell him to pay him money.

**26/06/2017 :**

Mr Mathiyalagan telephoned to report an incident that occurred on Friday 23/6/17. He stated that his cousin returned from work at 11.35pm and as he entered the block, Simon Cordell came out of his flat with his dog swearing and shouting abuse at his cousin and attacked him by punching him twice on the chest. He stated that SC tried to push his cousin out of the block and snatched his cousin's mobile phone as he tried to record the incident but he managed to get the phone back from him. He stated that SC's dog was also barking loudly and was not on a lead. Mr M stated that his wife overheard the commotion and woke him up and as they came down the stairs shouting at his cousin and asking what was going on, SC went back to his flat. They called the police and when the police came, they explained what happened. The police then went and knocked on SC's door to talk to him but he refused to let them in. He stated that his cousin did not provoke SC in any way and did not do anything to cause SC to attack him.

**03/07/2017 :**

Mr and Mrs Mathiyalagan attended the Civic Centre today to report further incidents with Simon Cordell and gave me a DVD recording of another incident. Mr Mathiyalagan stated that on 28/6/17 at 11.45am, Simon confronted his wife at the main entrance door as she was going to pick up their daughter from school and demanded to talk to her. His wife told him that she cannot stop to talk to him as she was on her way to collect her daughter from school but he insisted on talking to her. He stated that Simon ran after her, stood in front of her, accused her of making noise inside their flat and started shouting at her and said to her that he knows all their personal details including their full



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names, dates of birth and bank details. He also demanded money and told his wife to tell him to come and talk to him.
He stated that the second incident happened on 30/6/17 at 11.45am when Simon confronted his wife as she was leaving the block and accused her of slamming the door. He then called his a liar when she denied slamming the door and proceeded to shout abuse at her. Mr Mathiyalagan also stated that on 2/7/17, he and his family was going out to visit some friends at about 5.18pm and as they were about to exit the block, Simon popped his head out of his door and asked him when he was going to hand over the money. He told him that he was not going to give him any money and that he should go and work so that he can earn some money. He stated that as they left the block, Simon came running after them shouting and swearing at him and said to him that he should pay him money if he wants him to leave him and his family alone. He stated that Simon also said to him that he has all of their personal details including phone numbers, full names, date of birth and bank details and that he must pay him some money to have them back. He stated that he told Simon that he will not pay him any money and to do whatever he likes with the details. He stated that he does not know how Simon came across their personal details, if he has them. He stated that his wife lost her phone some weeks ago and that it is possible that he may accessed their details from the phone if he has it because his wife stored their personal details on her phone.

**13/07/2017 : 19/07/2017 :**

NOSP served on Mr Cordell today at 4.05pm with Enfield Highway DWOs, copy attached.

**27/07/2017 :**

I telephoned Mr Mathiyalagan for updates on any recent incidents and he stated that there has been none. He also confirmed that he is willing to give a signed witness statement and will attend court to give if required to do so.

**08/08/2017 :**

# CASE HISTORY

**Case17818 [redacted] Burncroft Avenue [redacted] EN3 7JQ**
**GENERAL Active ,Phone call with Victim**

## Involved Persons

**CLIENT (VICTIM)** [redacted]

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in CASE 17818 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted] Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 07870655010 |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell** [redacted]

| | |
|---|---|
| **Relationship to Cases** | [redacted] Client (Accused) in CASE 16[redacted]<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>[redacted] in CASE 17834<br>Client (Accused) in CASE 18169 |
| **Incidents in which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General) [redacted]<br>Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] threats [redacted]<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | 109 Burncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | 020 8245 7454 |
| **Gender** | Male |
| **DOB** | 26/01/1981 |
| **Age band** | 35-44 [redacted] |
| **Ethnic origin** | White/Black Caribbean |
| [redacted] | Home [redacted] eborah Andrews flat. Attendees Dawn Allen TMO and OPN [redacted] Quadri Home visit to Ms Andrews advised that her neighbour at number 109 has for the past few months harassed, |



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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. S[redacted] his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pend[redacted]ter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a le[redacted]ming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

Male,36 yrs old,White/Black Caribbean,

[redacted]

## History

**06/07/2016 : Making threats, Date reported : [redacted]**

Making threats

[redacted]

The defendant using threatening/abusive/insulting words and behaviour with intent to cause fear - provoke unlawful violence [redacted]

**31/10/2016 :**

From: [redacted]
Sent: 31 October 2016 18:09
To: Kaunchita Maudhub
Subject: Contact phone number for [redacted]

Hi Kaunchita,

This is the contact phone number for [redacted]

[redacted]

As stated, [redacted]

If I can be of further assistance, please do not hesitate to call me.

Thanks for your help.

Regards,

John Bates

**03/11/2016 :**

From: Kaunchita Maudhub
Sent: 03 November 2016 10:13
To: Jean Barton
Subject: FW: Contact phone number for M[redacted]

Dear Jean,

We received a phone call from a M[redacted] on behalf of his friend M[redacted]. He explained that Mr [redacted] and having to attend court to give evidence against a male named simon cordell who verbally abused him. We are aware of simon cordell as Steve/Pat obtained an ASBO against him for illegal raves etc. I believe he is also a council tenant (I need to check)

Could you initially contact [redacted] – obtain his address and the reasons he is going to court. Also ascertain what support he needs. It is not an open case as such but depending on your findings we may be able to assist.

Many Thanks

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Regeneration & Environment
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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## Referral Details

**03/11/2016 :**

**Organisation making referral** Community Safety Unit

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## History

**03/11/2016 :**

On request I contacted the viw explained the reason for my call – Mr [redacted] did have some reservations about going to court. Therefore I have arranged to conduct a home visit scheduled for Friday 4th Nov 16 at 2:30 pm then we discuss the matter further.

**03/11/2016 :**

Research conducted on Northgate – shows that Sarah Fletcher is the housing officer. I spoke to Sarah who is aware of issues with Simon Cordell and the action against him – however, she said she needs to gather more information as she has had a member's enquiry from Waltham Forest. As to our viw Mr [redacted] she has not had any complaints or court action. Therefore it is possible that the legal proceeding has been taken by the police.

**04/11/2016 :**

Phone call made to the Witness Service from the victims home – to possible arrange a pre-court trial visit to no avail.

**04/11/2016 : 04/11/2016 : 07/11/2016 :**

From: lee.martinez@wsncc.citizensadvice.org.uk [mailto:lee.martinez@wsncc.citizensadvice.org.uk]
On Behalf Of Contact Centre
Sent: 07 November 2016 16:48
To: Jean Barton
Subject: 01YE0355816

Hi Jean,

Our Outreach manager will be getting in touch with Stanley to see what support they can put in place.

Kind regards,

Lee

National Contact Centre Team



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LBE v Cordell Bundle Part 2.pdf

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Witness Service
Citizens Advice
0300 332 1000
contactcentre@citizensadvice.org.uk

**07/11/2016 :**

I spoke to Sabran Witness Service Highbury & Islington court she advised pre-court trial visit are no longer arranged directly by them. I will have to go through Citizens Advice national contact centre. I she gave me a number however, I was getting no response on the number given 0208 733 6422. I also called 101 and was given another number 0208 733 5480 – again a voice recording with no one to take the call. I contacted the call centre again and was given another number with on digit difference to the previous 0208 733 6423 Clair Lockwood. A voice recording again I therefore left a message requesting a call back.

**08/11/2016 :**

I tried calling the Witness Care Unit again at Holborn station to no avail – I then got a call back from police Holborn asking if I had tried to contact them – I was then put through to Thomas Jones Witness Care Officer – from this point the communicative lines was open for progress. Tom also said the oic is DC Campbell attached to Edmonton Police station. And that he will email him to contact the viw to re-assure him.

**08/11/2016 : 08/11/2016 :**

mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 08 November 2016 11:16
To: Jean Barton
Subject: R v CORDELL - WITNESS CARE OFFICERS CONTACT DETAILS

Dear Jean,

As promised.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden.
MetSec Code: Not Protectively Marked
ƒÂ Please consider the environment - Do you really need to print this email?

**14/11/2016 :**

From: Jean Barton [mailto:Jean.Barton@enfield.gov.uk]
Sent: 14 November 2016 11:37
To: Jones Thomas - Met Prosecutions
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE

Greetings Thomas,

As to our pending court hearing on Thursday for Stanley – have the CPS replied to your email regarding their decision for a taxi?

Regards
Jean

**14/11/2016 :**

From: Jones Thomas - Met Prosecutions
Sent: 14 November 2016 11:48
To: 'Jean Barton'
Subject: RE: R v CORDELL - UPADTE from WITNESS CARE



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LBE v Cordell Bundle Part 2.pdf

Good Morning Jean,

They have acknowledged a taxi is required, although I have a reminder set for tomorrow and Wednesday to check it has been finalised. I will update you as soon as CPS contacts Witness Care.

Kind regards,

Thomas.

**15/11/2016 :**
From: Thomas.Jones@met.pnn.police.uk [mailto:Thomas.Jones@met.pnn.police.uk]
Sent: 15 November 2016 11:56
To: Jean Barton
Subject: R v CORDELL - UPADTE from WITNESS CARE

Hello Jean,

CPS has not confirmed the taxi yet. I have a close eye on the case, with a view that we have till tomorrow – 16:00hrs - to obtain this information. As soon as CPS responds I will contact you.

Regards,

Thomas.

Thomas JONES | Witness Care Officer | Camden & Islington CJU I Holborn Police Station
Met Prosecutions Crime I MetPhone 746339 | Telephone 0208 733 6339 |Facsimile 746391 (0208 733 6391) | Email thomas.jones@met.police.uk
Camden Police - Reducing Crime, Serving Camden

**16/11/2016 :**
I received a call from Thomas Jones – Witness Care he advised that the CPS have dropped the case of v Cordell. Reason – Not enough evidence to provide a realistic prospect of any conviction. In further discussion Thomas said DC Campbell was of ill – has now returned; however, he said he will contact Mr in relation to the current position of the matter. I asked Tom if the CPS will be writing to Mr directly – he said they should to advise accordingly. Tips given to report further incidents and keep records.

**16/11/2016 : 16/11/2016 : 16/11/2016 :**
Visited (flat Burncroft Avenue) and (flat stated that she witnessed the September when Mr Cordell threatened Mr She stated that she was with her neighbour when they heard Mr Cordell shouting and as they came out to see what was happening, she saw Mr Cordell shouting at Mr She alleged that he was shouting abuse and threats and that Karen told him to leave Mr alone, that he is an old man. Mr Cordell then started shouting abuse and threats at stated that she is not prepared to give a statement and that she will not keep incident logs.
We then met with outside the block. She stated that she and witnessed the incident that happened in September. She stated that Mr Cordell was shouting abuse and threats at Mr and that she told him to leave Mr alone as he is an old man and that Mr Cordell then turned against her and started threatening her. She stated that she is not afraid of him when she is on her own, that her only concern is that she is looking after 2 very vulnerable children and she will not be able to defend herself and them if Mr Cordell was to attack her when she is with them. She is happy to make a statement and will log any further incidents.

**17/11/2016 :**
Visited Mr and to hand deliver incident diaries.

**28/11/2016 :**
Copy of the letter sent to Mr Cordell giving him until 25/11/16 to remove the CCTV he installed on the internal communal door attached.

**07/12/2016 : 09/12/2016 : 14/12/2016 : 09/01/2017 : 10/01/2017 : 10/01/2017 :**

Joint home visit conducted with Lemmy. Mr [redacted] said that he has had no further problems from Simone Cordell however, he was aware of altercations between Simone Cordell and other residents in the block. Mr [redacted] said he will still maintain his own logs and call the police and the council if necessary. The camera directly outside of Simone Cordell flat has been removed however, we notice that there was a camera in the communal area pointed toward the staircase – we need to find out who the camera belongs to.

**21/02/2017 : 06/03/2017 : 15/03/2017 :**

[redacted]

# CASE HISTORY

**Case16175 [redacted]**
**GENERAL Active ,Phone call with Perpetrator**

## Involved Persons

**CLIENT (VICTIM) Ms Deborah Andrews,**

| | |
|---|---|
| **Relationship to Cases** | Client (Victim) in ASB Case 16175 |
| **Incidents in which Person is involved** | Witness : |
| **Current address** | [redacted]ncroft Avenue,Enfield,EN3 7JQ |
| **Main phone** | [redacted] |
| **Gender** | [redacted] |
| **DOB** | [redacted] |
| **Age band** | [redacted] |
| **Ethnic origin** | [redacted] |
| **Appearance** | [redacted] |

**CLIENT (ACCUSED) Mr Simon Cordell,**

| | |
|---|---|
| **Relationship to Cases** | Client (Accused) in CASE 16175<br>Client (Accused) in CASE 17753<br>Client (Accused) in CASE 17818<br>Client (Accused) in CASE 17834<br>Client (Accused) in CASE 18169 [redacted] |
| **Incidents In which Person is involved** | Witness : COMPLAINT: NO SPECIFIC DATE - [redacted] Threats and intimidation (General)<br>Witness : INCIDENT: SINCE 05 Oct 16 - Threats and intimidation (General)<br>Witness : COMPLAINT: NO SPECIFIC DATE - Making threats<br>Witness : INCIDENT: SINCE 06 Aug 16 - Threats and intimidation (General)<br>Witness : |
| **Current address** | [redacted]Burncroft Avenue,Enfield,EN3 7JQ [redacted] |
| **Main phone** | [redacted] |
| **Gender** | Male |
| **DOB** | [redacted] |
| **Age band** | 35-44 |
| **Ethnic origin** | White/Black Caribbean |
| | Home visit to [redacted]s flat. Attendees [redacted] TMO and CPN Bola Quadri Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, |

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**Notes about this person**

intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved. She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

**Appearance**

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## History

**23/09/2015 :**

Sent: 23 September 2015 15:07
To: Carmel Naessens; Loretta Walsh
Cc: Charles Elkington; Dawn Allen
Subject: Burncroft Avenue,Enfield,EN3 7JQ [SEC=PROTECT]
Importance: High

Classification: PROTECT
New case

VICTIM
Ms
Burncroft Avenue ENFIELD EN3 7JQ
29 / 07 / 1973
02083500628

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

Ms also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

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[redacted] also recalled an incident when the perp spat in her face. It's been one issue after the other she advised

The recent event which took place a week ago. She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by Dawn that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in the flats and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her,. Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

**23/09/2015 : Contact Complainant ,**
Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to making home appointments pending the time this matter is resolved.

**23/09/2015 : Update Complainant ,**
Follow on action from Contact Complainant

**23/09/2015 : Letter - sent,**
ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Email - sent,**

Classification: PROTECT
Hi Mark,

On second thoughts, could you contact her on her landline instead and speak to her directly please? Her number is [redacted]

Thank you for your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

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The recent event which took place a week ago: She was on her way out to attend her appointment with her CPN when he apprehended her and threatened to kill her. She was pretty shaken from the incident that instead of attending her appointment, returned home immediately. She advised that she contacted the police but, wasn't taken seriously as they assumed she was drunk at the time of the call. She advised that she wasn't in the list drunk but, just the way she spoke due to her condition. She still wasn't taken seriously and had to abandon the call.

She found this very frustrating and advised that it was not the first time this would happen to her. Her CPN also confirmed her statement and expressed her dissatisfaction at the way she was treated.

[redacted] felt completely let down by the police and became frightful for her safety especially, as she knows the perpetrators has shells in his flat.

I observed in her flat that her floors were very creaky, I was made aware by [redacted] that most of the flats in the block are like that. Unfortunately, the creakiness exacerbates the noise level in [redacted] and cause more problems than usual.

I advised that I will contact the police to make further enquiries. I will also contact MHT to enquire if Mr Cordell is known to them. At some point the perpetrator will need to be interviewed and a warning letter issued on him. I will contact the repairs team and try to arrange a surveyor to visit her flat and see what assistance can be offered

I further advised that her case will be investigated and an officer will get back to her to discuss further with her . Her CPN and TMO will be kept informed of updates

Bola Quadri has already put in place a safe guard alert.

Thank you

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team

**23/09/2015 :**

INTERVIEW NOTES FOR [redacted]

VICTIM
[redacted]
[redacted] Burncroft Avenue ENFIELD EN3 7JQ
[redacted]

Perpetrator
Simone Cordell
109 Burncroft Avenue ENFIELD EN3 7JQ

Home visit to Ms [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to M[redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worke[redacted] she has now been subjected to making home appointments pending the time this matter is resolved.

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed that she had a leak from her overflow a few months ago which has since been repaired but, the damage alleged had occurred.

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Tenancy Management
Enfield Council

Classification: PROTECT
Good morning Mark,

Thank you for the information, yes she suffers from mental health and his behaviour continues to exacerbate her condition. I will appreciate if you visit him sooner than later and also pop round to [redacted] to reassure her.

Thank you for all your assistance

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team [redacted]
Tenancy Management
Enfield Council [redacted]

From: Mark.Tilley2@met.pnn.police.uk [mailto:Mark.Tilley2@met.pnn.police.uk]
Sent: 18 September 2015 17:23
To: Dolly Ogunseye
Subject: [redacted] Burncroft Avenue, Enfield, Middlesex, EN3 7JQ [redacted] [SEC=PROTECT]

Hi Dolly,

Myself and Nick attended [redacted] a while ago and spoke to the [redacted] a while ago when she originally called Police. At the time she didn't want us to speak to her neighbour as things had got better. The lady handed us a letter about what had happened but none of it made any sense.

We believe she was suffering from mental health issues. On another occasion we popped round to see her and she wouldn't come and speak to us so instead she spoke through her letterbox to us. The male at 109 - Simon Cordell who is causing the problems is very well known to Police and is also very anti Police. I know some Officers went round and spoke to him and things seemed to get better. After that we have had no further calls from the lady a[redacted]

We will try and get round to see her when were back on duty on Monday.

Kind Regards

Classification: PROTECT
Good afternoon Mark,

Could you kindly assist with this query please. Following reports of ASB by the above tenant, my colleague and I visited her this morning and were alarmed by the nature of her complaints. She has in the past few months being constantly harassed, intimidated, bullied, stalked and threatened to kill by her neighbour at 109.

As a result of his behaviour, she has become too scared to leave her flat for fear of what may happen to her. She is a vulnerable tenant who requires support from services. However, the unsettling behaviour exhibited by number 109, has hindered her from attending her appointments and exacerbated her condition. At the moment, she feels very disorientated / agitated and will like the harassment to stop.

She advised that she had reported this to the police a few times but, wasn't taken seriously.

I will appreciate if you could stop over at [redacted] to reassure her that the matter is being dealt with and also to stop by 109 and advise him that you are aware of what is going on and the repercussions should it continue.

Thank you for your support and assistance

Dolly Ogunseye
Anti-Social Behaviour Officer

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Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

## Referral Details

**23/09/2015 :**

**[redacted]rganisation making referral** Housing Anti-Social Behaviour Response Team

## History

**23/09/2015 : Threats and intimidation , Date reported : 23/09/2015**

Threats and intimidation (General)
Home visit to [redacted] flat. Attendees Dawn Allen TMO and CPN Bola Quadri

Home visit to [redacted] advised that her neighbour at number 109 has for the past few months harassed, intimidated, stalked her and made a life a complete misery. He continuously plays loud music, bangs on her ceiling and door alleging that she is monitoring his movements in his flat. She feels petrified by his presence and as a result refused to leave her flat for fear bumping into him on her way out. She has missed a few appointments with her social worker as a result, she has now been subjected to [redacted]ments pending the time this matter is resolved. [redacted]

She explained that they use to be acquaintance's before the relationship went sour. She believes the whole problem started when he claimed the decoration in his flat was damaged as a result of a leak coming from her flat. She confirmed [redacted] she had a leak from her overf[redacted] few months ago which has since been repaired but, the damage alleged had occurred.

**23/09/2015 : Agree an Action Plan with the Complainant,**

ACTION PLAN PROVIDED TO THE VICTIM AND A COPY FORWARDED TO HER CPN BOLA QUADRI

**23/09/2015 : Action Plan to Complainant ,** [redacted]

Follow on action from Agree an Action Plan with the

**23/09/2015 : Contact Perpetrator ,**

Follow on action from Agree an Action Plan with the

**23/09/2015 : Action Plan Reviewed ,**

Follow on action from Agree an Action Plan with the

**23/09/2015 : 23/09/2015 : 24/09/2015 : Email - sent,**

RE Re SOVA Alert - D.A - 1009639

Classification: PROTECT
Dear Susan,

Thank you for your email. Please note that as from Monday 28th September 2015, all high level cases of anti-social behaviour will be transferred to the Council's Community Safety Unit.

In light of the above, [redacted]ase has been identified as one of many cases involved in this process. You will shortly hear from an officer within the Community Safety Unit advising you of the name of the officer that will be dealing with [redacted]case.

Kind regards

Dolly Ogunseye
Anti-Social Behaviour Officer
Housing Anti-Social Behaviour Team
Tenancy Management
Enfield Council

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https://ecaseworks.net/ENFIELD/ViewSelected.asp?sViewData=747403,750[redacted]3/08/2017

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**Lemmy Nwabuisi**

From: John Irving <irvingjohn15@gmail.com>
Sent: 07 February 2017 14:42
To: Lemmy Nwabuisi
Subject: Re: Low water pressure to 117 Burncroft Avenue [SEC=OFFICIAL]

Ref: 117 Burncroft Ave, Enfield, EN3 7JQ
low water pressure - harassment by tenant at 109
Thurs 26/01/17 - While in attendance at 117 Burncroft, where we were attempting to resolve a low water pressure issue, we were approached by the tenant of 109 Burncroft the ground floor flat. He stated that there were problems between him and the tenants of 117 without going into specific details. I was with a private plumber who was looking at the low water pressure problem at 117. We explained the problem to the tenant from 109 who stated 'you will not solve the problem as I am restricting their water supply!' obviously both myself and the plumber were shocked at this statement. Despite thorough investigation to the low water pressure problem we were unable to increase the pressure. However, before leaving the site I knocked at 109 asking whether he would increase their pressure, he stated 'I cannot do anything at the moment I will sort it out later!'. Despite the attendance of Thames Water (twice), the agents plumber, my plumber and various sub contractors from Enfield Homes this matter remains unresolved.

John Irving
Owner/Landlord
117 Burncroft Avenue
[redacted]

On 30 January 2017 at 11:05, Lemmy Nwabuisi <Lemmy.NWABUISI@enfield.gov.uk> wrote:

Classification: OFFICIAL

Dear Mr Irving,

As discussed, could please email me details of the conversation you had with the tenant at 109 Burncroft Avenue as this will be used in evidence should we refer this matter to court.

Kind Regards

Lemmy Nwabuisi

Anti-Social Behaviour Team

Community Safety Unit

Environmental & Community Safety

B Block North



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285

Civic Centre

Enfield

EN1 3XA

Tel: 020 8379 5354

Classification: OFFICIAL

ENFIELD Connected

**IMPORTANT**

**Every Enfield resident should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time. Click here to get connected.**

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This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.

File note 24/2/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Following reports of continued low water pressure/supply to 117 Burncroft Avenue (second floor) despite information from Thames Water indicating that they had attended and that supply to the block 109-119 Burncroft Avenue was of a sufficient bar pressure, I tried to coordinate access to all flats on the right-hand side of the block potentially affected by the issue: 109, 113 and 117.

I wrote and hand delivered letters to all 3 of the properties requesting access for the Council Surveyor to visit and assess the water pressure in each on Friday 24th February 2017 between 10am and 12pm.

I spoke by telephone with Mr Irving, the leaseholder of 117, who had instigated the water pressure complaint who agreed that he would attend and give access.

I spoke by telephone with Mr George Quinton, the tenant of 113, who agreed that he would give access.

I spoke by telephone with Lorraine Cordell, mother of Simon Cordell, the tenant of 109 who said that no one was available to give access.

I attended with Steve Stirk, surveyor, on Friday 24th February 2017 at 10am. We were given access to 117 and Steve Stirk investigated the water pressure to the taps in the kitchen and bathroom.

We were unable to gain access to 113 as the tenant was not home – I called and left voicemail messages for the tenant but did not get any further response.

Steve Stirk suggested that we knock at 109 just on the off chance that someone was home. Mr Simon Cordell answered the door and, once Steve Stirk had explained that we were investigating the low water pressure/supply issue to the block, he allowed us into the property.

While Steve Stirk checked the water pressure in the kitchen, I introduced myself to Mr Cordell. He then became quite agitated and proceeded to regale me with the same issues that he had relayed to me during our previous telephone conversation including issues about his neighbours, the police and the Council conspiring to ruin his life as well as his work arranging community music events. He did not give me much of an opportunity to respond and kept talking over me when I tried to do so. Steve Stirk then went and checked the bathroom taps which he discovered were all already open (water running in wash basin; water running in bath which was full and going down overflow). We then thanked Mr Cordell for his time and left the property.

Outcome: It is unclear whether Mr Cordell running all of the taps constantly is linked to the issue of low water pressure as he is on the ground floor and 117 is 2 floors up (we had been unable to check the pressure in 113). Steve Stirk to liaise again with Thames Water about the issue and to consider separation of the water supply to the ground floor flat.

287 58

**I made some observations whilst in Mr Cordell's property, 109 Burncroft Avenue which are of some concern:**

There is a security gate installed on the inside of the front door.

There were 3 large 'industrial' matrix type printers in the property (1 in the hallway and 2 in the living room)

Mr Cordell talked about running 'events'

A non-standard kitchen ie. a wall seemed to have been removed between the kitchen and the living room creating an open plan effect: No fire door

Much of the property was taken up by the printers, boxes and folders – possible hoarding (6)?

Dog faeces in private back garden

Sarah Fletcher

Neighbourhood Officer

288 57

File note 9/5/17

Simon Cordell – 109 Burncroft Avenue, EN3 7JQ

Further to ongoing issues related to water pressure/supply to the block at 109 – 119 Burncroft Avenue particularly to the right hand supply affecting 109, 113 and 117, I visited the block on Monday 8th May 2017 at 11am with Steve Stirk, Surveyor, and an MCP locksmith.

The purpose of the visit was to gain access to 113 Burncroft Avenue to assess the water pressure/supply to this property. Several attempts had been made previously to do this but the tenant was not there to give access so a 'forced' entry was made and the locks subsequently changed (the tenant had been notified previously that we would be taking this action if he did not provide access).

We entered the property so that Steve Stirk could test the water taps in the kitchen and bathroom. There was no flooring laid except for a rug in the living room (the kitchen was accessed through here) and the floorboards made a significant amount of noise as we stepped on them.

The resident from the property underneath, Mr Simon Cordell, heard us in the property and came upstairs. Steve Stirk and I were outside the property at this point as the locksmith started to undertake the work to install new locks on to the door (he was inside the hallway).

Mr Cordell proceeded to 'rant' at Steve Stirk and myself about his perceived victimisation by his neighbours. He was very agitated and loud – recounting his experience with the police, previous housing management, a previous partner, a previous neighbour and allegations of anti-social behaviour made against him.

Steve Stirk tried to explain that we were there to deal with a specific issue and that this was not the time or place to address these concerns. Mr Cordell did not want to listen and became fixated on Steve Stirk being 'dismissive' towards him (Mr Cordell's words). He went on at length about his upstairs neighbours, both past and present on first and second floors, 'banging' hammers deliberately above his head.

He continued to go on, in his agitated state, about how he had been treated by the police and previous housing managers who had promised him that they would re-lay the floor of flat 113 but had not done so. At this point the resident from 117, Mr Mathiyalakan Markandu, came down the stairs on his way out of the building. As he came down past us Mr Cordell focussed his attention on him and said to him: 'I'm going to the police station now with my evidence about you and I'm going to ruin your life'. Mr Mathiyalakan Markandu did not respond and proceeded to walk past and go down the stairs and out of the building.

Both Steve Stirk and I commented to Mr Cordell that the way he had behaved was threatening in nature and was not acceptable. Mr Cordell responded 'it's not a threat it's a fact'. He then continued to repeat his history with the police and previous housing management.

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I asked Mr Cordell to calm down and tried to explain that some of these issues could have been addressed by attending the meeting that Lemmy Nwabusi in the CSU team had tried to convene with him. He said that he was not prepared to attend such a meeting but wanted to speak to me, his housing officer, now. I explained that, as Steve Stirk had already said, that we could not address his issues there and then. I suggested that a meeting could be convened with both the CSU and neighbourhood teams to look at some of the issues with Mr Cordell. He indicated that he would be willing to do this if we came to his home to do so.

Sarah Fletcher

Neighbourhood officer

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## Lemmy Nwabuisi

**From:** Steve Stirk
**Sent:** 10 May 2017 08:42
**To:** Lemmy Nwabuisi
**Subject:** 109 , BURNCROFT AVENUE, ENFIELD, EN3 7JQ

Further to my conversation today please note the following
I carried out a joint with Sarah back in January regarding low water pressure to 117
While on location the following was noted

Kitchen internal wall has been partly removed
3 large industrial type printers found with assorted inks and cleaning liquids
Internal gate installed to front door
While all these items could be used in normal day to day interests the tenant made claims he was actively involved in planning and conduction events and the equipment was used to produce marketing leaflets and posters

This Monday we has reason to attend 113 to carry out a full lock change given accusation from the tenant that his lock had been glued so was unable to gain access the tenant claim the damaged was caused by 109, (this cannot be confirmed) as the tenant did not attend both Sarah and myself did go in and while there was confronted by the tenant from 109, the tenant for about twenty minutes would not leave us alone and became increasingly aggressive despite attempt to explain to him that we had not come to see him or indeed were able to comment of any of his accusations on how Enfield had ruin his lie were putting him in danger by leaving him in his flat, during this confrontation the tenant from 117 passed through the passage and the tenant from 109 stated he was going to ruin his life and generally became more irate towards the tenant .
It is clear that we are unable to allow this to continue as the body posture from 117 was defensive and did not wish to reply or get into any form of conversation with this tenant
Given that two member of staff were present and the confrontational attitude towards not only us but the other resident I believe we need to action this event to try and stop any further escalation from this tenant

Lastly I would recommend that we need full access to 109 to assess what is the true cause of the low water pressure to the flats above given the items found in the flat as well these need to be removed as does the internal gate please advise so I can carry out a full inspection as this is a complaint from the lease holder as they have very little water flow in the flat above and given the nature of the conditions and life style of 109 we are unable to show if he has caused the issue, on a housing point the internal wall that has been partly removed needs to be put back as it is a breach of fire regs

**Steve Stirk**
**Maintenance Surveyor**
**Technical Services, Repairs and Maintenance**
**Enfield Council**
**Edmonton Centre**
**N9 0TN**

**Tel: 020 8375 8023**
**Tel: 0800 40 80 160**
**Email:** steve.stirk@enfield.gov.uk
**Web:** www.enfield.gov.uk

**"Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities".**

FILE NOTE 1/6/17

I telephoned Miss [redacted] to discuss her complaints against Mr Cordell and agree an action plan. Miss [redacted] stated that she has lived in the block since April 2015 and that the problems with Mr Cordell started about a year ago. She stated that he bangs on her door when she is sleeping at night and also follows her to her car asking her where is going or where she is coming from. She alleged that on 14th May 2017 Mr Cordell came and aggressively banged on her door, shouted abuse and threats at her and falsely accused her of making noise inside her flat. She stated that she does not make noise and that her flat is on the opposite side of Mr Cordell flat and therefore he should not hear any noise from her flat. She stated that Mr Cordell came up to her face in a very aggressive and intimidating manner to accuse her of coming into his flat to attack him and asking her why she comes into his flat. She denied going into flat and stated that he does everything to try and intimidate her.

She also complained that she feels scared every time she is going out or returning to her flat as Mr Cordell allows his dog to run freely inside the block.

She stated that Mr Cordell has banged on her door about 4 times in the past 2 months. She also alleged that he has followed her to her car twice in the past 1 month accusing her of coming into his flat to attack him and also kept asking her where she was going or coming from. She alleged that on one occasion, Mr Cordell stood in front of her car and will not let her drive away. She stated that he has been verbally aggressive and intimidating but has not been physically aggressive towards her. She stated that she suffers from mental illness and that this has exacerbated her problems and that she no longer feels safe living in her property. She stated that she has asked her neighbourhood officer to rehouse her as a result of the harassment from Mr Cordell. She stated that she is unable to complete incident diaries as a result of her illness but will telephone to report any further incidences. She stated that she has reported the matter to the police several times and believes that they are dealing with it. She stated that she has been staying with friends and family as she no longer feels safe to stay in her property on her own.

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RESTRICTED

Form 9993

METROPOLITAN POLICE Working together for a safer London

# Prevention of Harassment Letter
## (Police Copy)

To:
Name: SIMON CORDELL Date of birth: 26/01/81
Address: 109, BURNCROFT AVENUE
ENFIELD,
Postcode: EN3 7JQ

**An allegation of harassment has been made against you:**

**Details of alleged conduct** (specific actions that are cause for complaint):

Following a female whilst she is alone, and with her partner to their vehicle, asking why they are causing noise and attacking him inside of his home address causing the person harrassment and distress.

**HARASSMENT IS A CRIMINAL OFFENCE** under the Protection from Harassment Act 1997.

*"A person must not pursue a course of conduct which amounts to harassment of another and which he/she knows, or ought to know, amounts to harassment of the other."*

Harassment can take many forms and examples can include: wilful damage to property, assault, unwarranted verbal or physical threats, abusive communication or repeated attempts to talk to or approach a person who is opposed to this.

It is important that you understand that should you commit any act or acts either directly or indirectly that amount to harassment, you may be liable to arrest and prosecution. A copy of this letter which has been served on you will be retained by police but will not be disclosed now to the alleged victim. However a copy could be disclosed in any subsequent criminal proceedings against you as proof that police have spoken to you about this allegation. This does not in any way constitute a criminal record and will only be referred to should further allegations of harassment be received.

Signature of recipient of form: Refused to Sign
**(This is not an admission or acceptance of the allegation)**

Officer issuing: PC SERGISON 415YE
(Rank, surname, warrant number, station attached, contact telephone number)

**POLICE USE ONLY**

CRIS REPORT NUMBER: 5210999/17
CRIMINT LOG NUMBER: YERT0041156 9
Date and time of issue: 28/05/17 14:02HRS

Exhibit No.: SIS
Description: One (1) Allegation of Harassment Warning Letter Form 9993
Date: 28/05/17
I identify this exhibit as that referred to in my statement.
Signature: 415YE

Retention period: 7years
MP 130/10

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RESTRICTED (when complete) MG11C

# WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN

Statement of: PC SERGISON 415YE

Age if under 18: over 18 *(if over 18 insert 'over 18')* Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Scott Sergison 415YE Date: 28/05/2017

On SUNDAY 28 MAY 2017 I was on duty in uniform call sign YE801 with PC 446YE. I attended 109, BURNCROFT AVENUE EN3 7JQ. This is the home address of SIMMON CORDELL 26/01/1981. I attended the address to issue a first issue harassment letter to SIMON CORDELL cris number 5210999/17 refers. At 1402hrs I knocked on the front door where SIMON CORDELL refused to answer the door to police. I explained the reason for the Harassment letter. SIMON CORDELL prevented me from posting the letter into the letter box, and as such I slid the letter under the front door.

SS

Witness Signature: 62

Signature Witnessed by Signature: Scott Sergison 415YE



99/12 RESTRICTED (when complete)

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7 [illegible]

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date : 29 November 2016

Dear Mr Cordell,

**Re: Reports of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

The reports include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation and making threats towards your neighbours. It is also alleged that on 4th October 2016, you banged on your ceiling and you later started to bang and kick at your neighbour's door. It is alleged that you were very aggressive and was shouting through your neighbour's door and that you then proceeded to drag his motorbike from where it was parked and started to smash it up.

It is also alleged that your dogs are left by themselves all day and night barking and causing noise disturbances to your neighbours. Your neighbours have also alleged that you have installed a CCTV in the communal area with the camera pointing towards the main entrance to the block thereby making them to feel very uncomfortable when entering and leaving the block. Your neighbours have alleged that this is an invasion of their privacy.

If these allegations are true, they are in breach of the following terms and conditions of your Tenancy Agreement:

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

EQUALITY FRAMEWORK FOR LOCAL GOVERNMENT EXCELLENT

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**2.2.1 Anti-social behaviour, nuisance and noise disturbance.**

We will consider all legal remedies available to us to deal with anti-social behaviour, domestic abuse, harassment, rate crime, nuisance, gang activity and other criminal activity where this is supported by sufficient evidence.

If we take legal action we will ask the court to give us an order against you for the legal costs we have incurred.

**Condition 10.** You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social.

**Condition 11.** You must install any radio and/or video equipment or carry out any physical measures to respond to any nuisance or anti-social behaviour which you are suffering from without first consulting us.

**2.2.3 Harassment and hate crime.**

**Condition 16.** You must not harass or threaten to harass anyone because of their age, colour, culture, disability, ethnic origin, gender, gender reassignment, HIV status, nationality, race, religion, sexual orientation or for any reason.

**2.2.6 Other unacceptable behaviour**

**Condition 21.** You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the police.

**2.15 Pet(s) and animal(s)**

**Condition 76.** You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit, hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality.

**Condition 81.** If your pet(s) or animal(s) is/are causing a nuisance, annoyance or disturbance to others, or is/are being treated inappropriately or cruelly, we

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will take action and give written notice asking you to remove it/them from your home.

It is very important that we meet with you to discuss these very serious allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Tuesday, 6th December 2016 to discuss this matter. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 31 January 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th November 2016 regarding these reports and invited you to meet with me at the Civic Centre on 6th December 2016 to discuss the allegations made against you, copy attached. I received a letter from your mother dated 24th November 2016 in which she stated that she does not believe that it is justified to hold the meeting before your formal complaint and subject access request is dealt with. I understand these have now been dealt with.

The Enfield Council, Community Safety Unit, Anti-Social Behaviour Team have continued to receive various allegations from your neighbours against you concerning alleged nuisance and anti-social behaviour towards them. The allegations include using threatening, abusive and insulting words and language, aggressively demanding money, intimidation, making threats towards your neighbours and tampering with the electricity and water supply to their flat.

These are very serious breach of tenancy conditions and it is very important that we meet with you to discuss these allegations and give you the opportunity to respond to them. I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2pm on Thursday, 9th February

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Enc:

IMPORTANT – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to www.enfield.gov.uk/connected

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail : lemmy.nwabuisi@enfield.gov.uk
My Ref :
Your Ref :
Date: 16 February 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

As requested, I sent an email to you on 10th February 2017 with details of the allegations made against you. We now need to meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 2.30pm on Wednesday, 22nd February 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you. Please ask to see Mr Lemmy Nwabuisi from the ASB Team, Community Safety Unit at the reception when you get to the Civic Centre.

Yours Sincerely

Lemmy Nwabuisi
ASB Team

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY
Website: www.enfield.gov.uk

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ENFIELD Connected

ENFIELD Council

Mr Simon Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Please reply to: Lemmy Nwabuisi
Anti-Social Behaviour Team
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail: lemmy.nwabuisi@enfield.gov.uk
My Ref:
Your Ref:
Date: 16 March 2017

Dear Mr Cordell,

**Re: Allegations of Anti-Social Behaviour, Harassment, Intimidation and Threatening Behaviour**

I write with regards to reports of anti-social behaviour, intimidation, harassment and threatening behaviour made against you by your neighbours.

I wrote to you on 29th December 2016 to arrange to meet with you on 6th December 2016 to discuss these reports but you cancelled the meeting. I wrote to you again on 31st January 2017 to arrange to meet with you on 9th February 2017, you also cancelled the meeting. I then wrote to you again on 16th February 2017 to arrange to meet with you on 22nd February 2017 and again you cancelled the meeting. I have enclosed all three letters for your information.

It is unfortunate that you have repeatedly refused to meet with us to discuss this matter and look at ways to resolve the problems between you and your neighbours. The allegations made against you by your neighbours, if true, are very serious breaches of your tenancy conditions. It is important that we meet with you to discuss these allegations and give you the opportunity to respond to them.

I have therefore arranged for you to meet with me at the Civic Centre, Silver Street, Enfield, EN1 3XY at 3pm on Wednesday, 22nd March 2017 to discuss this matter. You should contact me on 02083795354 to rearrange the meeting if this date is not convenient for you.

Ian Davis
Director – Regeneration & Environment
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY.
Website: www.enfield.gov.uk

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Please note that if you fail to attend or call to rearrange this meeting, then we will have no option but to serve a notice of seeking possession against your tenancy without further warning. The council may also take further tenancy enforcement and/or legal action against you if further substantiated allegations are made against you.

Kind Regards

Yours Sincerely

Lemmy Nwabuisi
ASB Team

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

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**Our ref:** VLS/EO/H/CORDELL/17
**Your ref:** LSC/C/L1/157255
**Date:** 22 September 2017

VLS SOLICITORS

Gibson House, 800 High Road
Tottenham, London N17 0DH

**Tel:** +44(0)20 8808 7999
**Fax:**+44(0)20 8808 1999

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**DX:** 36209 Edmonton Exchange

Email: info@vlssolicitors.com
**www.vlssolicitors.com**

London Borough of Enfield
Legal Services
P O Box 50 Civic Centre
Silver Street
Enfield
EN1 3XA

By Fax no: 020 83796492

Dear Sirs,

**RE: LONDON BOROUGH OF ENFIELD v MR SIMON CORDELL**
**CLAIM NUMBER: D02ED073**

We act for the Defendant in the above case and enclose herewith:

1. our duly completed notice of change of legal representative and
2. Defence

Yours faithfully,

VLS Solicitors

Family Law Advanced

SM

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**

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg. No. 8572584, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority. (SRA No.627688)

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Claim no: D02ED073

IN THE COUNTY COURT AT EDMONTON

BETWEEN

THE LONDON BOROUGH OF ENFIELD Claimant

AND

MR SIMON CORDELL Defendant

---

## DEFENCE STATEMENT OF SIMMON CORDELL

---

1. Defendant admits paragraph 3 of the witness statement of Mr Lemmy Nwabuisi dated 7 August 2017.

2. Paragraph 4 of the witness statement is denied in so far as it relates to acts of harassment and antisocial behaviour but admits that he was charged at Highbury Corner Magistrates Court but was discharged.

3. Defendant denies paragraphs 6 to 25 of the witness statement and Claimant is put to proof.

4. Paragraph 27 of the witness statement is denied. Defendant avers that he has always granted access to the Claimant and its contractors upon being given reasonable notice.

5. Defendant denies paragraphs 28 to 33 of the witness statement and the Claimant is put to strict proof

6. Defendant avers that he suffers from mental health problems and is under the care of the mental health team which the Claimant has always been aware of and in breach of its duty under section 15 and 149 of the Equality Act 2010. Defendant has on several occasions complained to the Claimant about noise and other antisocial behaviour by the tenants of 113 and 117 but Claimant

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failed or refused to investigate and/or take any action which there was no possible reason other than the Defendant's mental health problems.

7. The Defendant respectfully requests the court to discharge the injunction dated 8 August 2017.

**Statement of Truth**

Defendant believes the facts stated in this Defence are true.

I am authorised by the Defendant to sign this statement.

Sign:
Name: EMMANUEL ONWUEGBUZIE
Date: 22/9/17

VLS Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH

Ref: VLS/EO/H/CORDELL/17

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# Notice of change of legal representative

| In the COUNTY COURT AT EDMONTON | Claim No. D01ED073 |
|---|---|
| Name of Claimant *(including ref.)* LONDON BOROUGH OF ENFIELD REF: LS/C/L1/157255 | |
| Name of Defendant MR SIMON CORDELL | |

**Note:**
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☐ my legal representative *(insert name and address)*

has ceased to act for me and I shall now be acting in person.

B ☑ we *(insert name of legal representative)*

VLS SOLICITORS

have been instructed to act on behalf of the ~~claimant~~ (defendant) in this claim

~~in place of *(insert name and address of previous legal representative)*~~.

C ☑ ~~I~~ (we) have served notice of this change on every party to the claim (~~and on the former legal representative~~).

Address to which documents about this claim should be sent (including any reference)

| | If applicable | |
|---|---|---|
| VLS SOLICITORS<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br>Postcode N17 0DH | Telephone no. | 020 8808 7999 |
| | Fax no. | 020 8808 1999 |
| | DX no. | 36209 EDMONTON EXCHANGE |
| | Your ref. | VLS/EO/H/CORDELL/17 |

| E-mail | info@vlssolicitors.com |
|---|---|

**Signed** [signature]
(Claimant)(Defendant)('s legal representative)
(Litigation friend)

**Position or office held** SOLICITOR
If signing on behalf of firm or company

**Date** 22/09/2017

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.

N434 Notice of change of solicitor (04.14)

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# Injunction Order

Between Mr Simon Cordell, Defendant
and London Borough Of Enfield, Claimant

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Claimant** (including ref.) | London Borough Of Enfield LS/C/LI/157255 |
| **Defendant** (including ref.) | Mr Simon Cordell |

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

**If you do not obey this order you will be guilty of contempt of court and you may be sent to prison**

If you, Mr. Simon Cordell (the Defendant) disobey this Order you will be guilty of contempt of Court and you may be sent to prison or fined or have your asset seized. You should read this Order carefully and are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

**Before** Deputy District Judge Harris sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN,

**Upon** hearing Solicitor for the Claimant on without notice application,

**IT IS ORDERED THAT:**

1. The Defendant, Mr. Simon Cordell permit the Claimant's employees and contractors access into 109 Burncroft Avenue, Enfield, EN3 7JQ to carry out routine maintenance inspections and necessary repairs within 48 hours of written notification.
2. The Defendant, Mr. Simon Cordell keep his dog on a lead in communal areas outside his property.
3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.
7. A power of arrest is attached to paragraphs 3 to 6 above.
8. This order shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the court.

9. **Matter be listed for a further hearing at 10:00AM on 21 August 2017 at the County Court at Edmonton,** 59 Fore Street, London, N18 2TN with a time estimate of 30 minutes.
10. Costs in the case.

You are entitled to apply to the court to reconsider the order before the day.

If your case does settle prior to the hearing date please notify the court in writing.

Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delays are unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court or adjourned to another date. Please contact the court for further information on the listing arrangements that may apply to your hearing.

Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.

The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information.*

**Dated** 9 August 2017

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N110A

# Power of arrest

| Name of court | Claim No. |
|---|---|
| County Court at Edmonton | D02ED073 |

**Claimant's name** (including ref.)
The Mayor and Burgesses of The London Borough of Enfield (LS/C/LI/157255)

**Defendant's name** (including ref.)
Mr. Simon Cordell

Name of defendant
Mr. Simon Cordell

Defendant's address
109 Burncroft Avenue
Enfield
London
EN3 7JQ

Seal

Date order made 9 / 8 / 2017 Name of judge Deputy District Judge Harris

**Order made under** (insert statutory provision) The Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)
The Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)
See attached

**This power of arrest was ordered on** 9 / 8 / 2017 **and expires on the** 8 / 8 / 2018

**Note to Arresting Officer**

Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:-

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant
The Mayor and Burgesses of The London Borough of Enfield

Claimant's address
PO Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA

Claimant's phone number
0208 3796438


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3. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. The Defendant, Mr. Simon Cordell be forbidden (whether by himself or by instructing or encouraging or permitting any other person) from using his pet dog to frighten, intimidate, or threaten violence to the Claimant's employees, tenants and visitors at Burncroft Avenue, Enfield.

310

Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

STATEMENT OF TERENCE CONWAY

I, Terence Conway, of Global Investigation Services, Process Server acting under the direction of The London Borough of Enfield, Legal Services Department, P.O Box 50, Civic Centre, Silver Street, Enfield EN1 3XA, solicitors for the above-named Claimant, and say as follows:

1. That I am over sixteen years of age.

2. That I did on Thursday 10th August 2017 at approximately 10.15am attend at the address supplied of 109 Burncroft Avenue Enfield EN3 7JQ, and, in the presence of PSO Sam Lowe and two Police Constables with 'collar numbers' 343YE, 417YE and 7142YE respectively, I did meet and personally serve the above named Defendant with the following: a Cover Letter from the claimant's solicitor dated 9th August 2017, an Injunction Order dated 9th August 2017 giving Notice of Hearing for 21st August 2017 at 10.00am at the Edmonton County Court, an N110A Power of Arrest, a Claim Form CPR Part 8, an Acknowledgement of Service Form with Notes for the Defendant, an Application for an Injunction, a Witness Statement of John Irving, a

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Witness Statement of Markandu Mathiyalagam, a Witness Statement of Neville Grey, a Witness Statement of George Quinton and a Witness Statement of Lemmy Nwabuisi with Exhibits.

3. That there is now produced and shown to be marked 'A' a bundle containing true copies of the said documents so served by me as aforesaid.

4. That, at the time of service, the Defendant freely identified himself to me as SIMON CORDELL and was recognised as being the Defendant by the attending PSO Sam Lowe, who has had dealings with the Defendant on previous occasions.

5. That, furthermore, when I asked the Defendant if he was able to read and understand the Injunction I had served upon him, he replied that he had difficulty reading. That, therefore, I did read out all the terms of the Injunction Order to the Defendant, emphasising the need for compliance to these terms with the Power of Arrest being applied to terms 3 -6 inclusive, should they be breached. I further advised the Defendant that the Hearing for this matter was set for the 21st August 2017 at 10.00am at the Edmonton County Court.

I Terence Conway confirm the contents of this Statement to be true to the best of my knowledge

.....

Dated 10th August 2017

312

Statement filed on behalf of the Claimant
Deponent: Terence Conway
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO: DO2ED073

THE LONDON BOROUGH OF ENFIELD
(LBE Ref: LS/C/LI/57255)

Claimant

And

MR SIMON CORDELL

Defendant

EXHIBIT 'A'

This is the exhibit marked 'A' as referred to in the Statement of Terence Conway
Dated 10th August 2017

313

London Borough Of Enfield
P O Box 50
Civic Centre
Silver Street
Enfield
EN1 3XA
90615 ENFIELD 1

LONDON BOROUGH
OF ENFIELD
RECEIVED
02 OCT 2017
LEGAL SERVICES

314

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 29 September 2017 |

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/LI/157255 |
| MR SIMON CORDELL | **1st Defendant** **Ref** |

**Before** Employment Judge Taylor sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**Upon** hearing the Solicitor for the Claimant and the Solicitor for the Defendant,

**And upon** the Defendant's application to discharge the interim injunction,

**IT IS ORDERED THAT:**

1. The Claimant do file a Reply to Defence, if so advised by 9 October 2017.
2. The parties do file a Directions Questionnaire by 23 October 2017.
3. The interim order for injunction and power of arrest shall remain in force until 8 August 2018 at 23:59 unless before then it is revoked by further order of the Court.
4. Costs in the case.

**Dated** 25 September 2017

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

N24 General Form of Judgment or Order

Produced by:Adrian B
CJR065C

315

## General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 9 November 2017 |

THE COUNTY COURT

| | |
|---|---|
| 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

LONDON ... OF EN... RECEIVED 13 NOV 2017 LEGAL SERVICES

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:Ms M Tucker
CI 065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 2.pdf

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
LEGAL

L_BLANK
317

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

---

| TITLE OF DOCUMENT | DATE | PAGE NUMBERS |
|---|---|---|
| A. CLAIM FORM AND PLEADINGS | | |
| 1. Claim form (PART 8) | 09.01.2018 | 1-3 |
| 2. Application for an injunction (General Form) with Draft Order | 09.01.2018 | 4-7 |
| 3. Second Witness Statement of Markandu Mathiyalagan | 05.01.2018 | 8-11 |
| 4. Witness Statement of Lemmy Nwabuisi | 08.01.2018 | 12-59 |
| 5. Injunction Order | 09.01.2018 | 60-61 |
| 6. Power of Arrest | 09.01.2018 | 62 |
| 7. Letter from VLS Solicitors | 09.02.2018 | 64 |
| B. APPLICATION FOR COMMITTAL DATED 05.02.2018 | | |
| 8. Court order | 09.02.2018 | 66 |
| 9. Application notice | 05.02.2018 | 67-73 |
| 10. Draft Order | Undated | 74-75 |
| 11. Witness Statement of Mr Lemmy Nwabuisi | 02.02.2018 | 76-78 |
| 12. Witness Statement of Ms Kaunchita Maudhub | 05.02.2018 | 79-82 |
| 13. Affidavit of Kaunchita Maudhub | 05.02.2018 | 83-87 |
| C. APPLICATION FOR COMMITTAL DATED 20.04.2018 | | |
| 14. Application notice | 11.05.2018 | 88-96 |
| 15. Affidavit of Mr Markandu Mathiyalagan | 20.04.2018 | 97-108 |
| 16.Affidavit of Mrs Revathy Mathiyalagan | 20.04.2018 | 108-113 |
| 17. Draft Order | Undated | 114-115 |
| 18. Notice of hearing of application | 24.4.2018 | 116 A |
| D. APPLICATION NOTICE DATED 11.05.2018 SEEKING PERMISSION TO AMEND THE COMMITTAL APPLICATIONS DATED 20.04.2018 | | |
| | | |

| | | |
|---|---|---|
| 18. Application notice dated 11.08.2018 seeking permission to amend the committal application dated 20.04.2018 | 11.05.2018 | 116B-119 |
| 19. Amended application notice dated 20.04.2018 | 11.05.2018 | 120-142 |
| 20. Witness statement of Mr Lemmy Nwabuisi | 10.05.2018 | 143-148 |
| 21. witness statement of Andy Philippou, process server | 08.05.2018 | 149-151 |
| 22. Witness statement of Balbinder Kaur Geddes | 10.05.2018 | 152-159 |
| **E. APPLICATION NOTICE DATED 14.05.2018 SEEKING LEAVE FROM THE COURT TO DISPENSE WITH SERVICE OF THE COMMITTAL APPLICATIONS DATED 05.02.2018, 20.04.2018 AND APPLICATION NOTICE DATED 11.05.2018** | | |
| 23. Application notice with supported documents | 14.05.2018 | 160-181 |
| 24. witness statement of Andy Philippou | 11.05.2018 | 182-186 |
| 25. Order from the Edmonton County Court | 14.05.2018 | 187-188 |
| 26. Claimant's letter to the Edmonton County Court | 15.05.2018 | 189-190 |
| 27. Amended order from the Edmonton County Court | 14.05.2018 | 191-192 |
| **F. OTHER COURT ORDERS** | | |
| 28. Order from the Edmonton County Court | 12.06.2018 | 193-195 |
| **G. FIRST APPLICATION FOR AN INJUNCTION DATED 09.08.2017** | | |
| **27. Claim form, application for an injunction and statements** | **09.09.2017** | 196-303 |
| 28. Defence statement | 22.09.2017 | 304-306 |
| 29. Injunction Order | 09.08.2017 | 307-308 |
| 30. Power of Arrest | 09.08.2017 | 309-310 |
| 31. Statement of Terence Conway, process server | 10.08.2017 | 311-313 |
| 32. Order from Edmonton County Court | 29.09.2017 | 314-315 |
| 33. Order from Edmonton County Court | 09.11.2017 | 316 |
| 34. Order from Edmonton County Court | 13.12.2017 | 317 |

ENFIELD Connected

ENFIELD Council

Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

**Edmonton County Court**

E-mail: Ludmilla.Iyavoo@enfield.gov.uk
Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 09 January, 2018

Dear Sirs

**Re: The London Borough of Enfield v Cordell**

Please find enclosed a new application for an ex parte application. We enclose herewith the following documents:

1. Claim form for an injunction (Part 8).
2. Form N16 A
3. Draft Order
4. Witness Statement of Mr 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.

3

LBE v Cordell Bundle Part 1.pdf

# Application for Injunction
## (General Form)

| Name of court<br><br>EDMONTON COUNTY COURT | Claim No. |
|---|---|
| Claimant's Name and Ref.<br>THE LONDON BOROUGH OF ENFIELD (LS/C/LI/157255) | |
| Defendant's Name and Ref.<br>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 ACT 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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4

**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

5

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)**

6

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

7

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.

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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.

10

Signed M. Mathiyalagan

Name: Mr Markandu Mathiyalagan

Dated this 05 January 2018

11

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

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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

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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

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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

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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

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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.

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**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

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LBE v Cordell Bundle Part 1.pdf

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

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EXHIBIT LN1

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This is the exhibit LN1 of the witness statement of Lemmy Nwabuisi dated 08th January 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: 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**

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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 | 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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LBE v Cordell Bundle Part 1.pdf

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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>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)**

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**COURT ORDER**

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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.

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**Backgrounds facts**

3. This matter was allocated to the Claimant's Legal Services department in August 2017, following many complaints received from some of the Claimant's employees and residents living in the same block as the Defendant. The Claimant's anti-social behaviour team instructed our legal services to issue an application for an injunction under the Anti- Social Behaviour, Crime and Policing Act 2014.

4. An ex-parte application was made and the Court made an interim injunction order against the Defendant on 09th August 2017. The matter was re-listed for a return hearing on 21st August 2017 but adjourned to 25th September 2017 where the Defendant attended with his legal representative. The Defendant indicated that it wished to defend the claim and some directions order was made.

5. The parties were ordered to file their directions questionnaire by 23rd October 2017, however this deadline was overlooked by me and the Court made an order on 06th November 2017 asking the Claimant to file a completed directions questionnaire by 4pm on 17th November 2017. A copy of the Order can be found under exhibit LI1.

6. On 17th November 2017 at 11:59, I sent an email to the Court on the following address: enquiries@edmonton.countycourt.gsi.gov.uk, with a copy of the Claimant's directions questionnaire. The Defendant's solicitors were also copied in to this email. A copy of this email is attached in exhibit LI2.

7. Just before filing the directions questionnaire with the Court, I contacted the Defendant's solicitors on 16th November 2017, Mr Emmanuel Onwusiri of VLS Solicitors, with a suggested draft directions order. However he responded by saying that it was not necessary to agree directions in the proposed form. He was therefore fully aware of the fact that I was about to file the Claimant's directions questionnaire. A copy of my email correspondence to Mr Onwusiri can be found in exhibit LI3.

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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.

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13. It was inappropriate for the Defendant's representatives to have made this application as he was fully aware of the fact that our directions questionnaire was duly filed at Court on 17th November 2017. He was copied in to all the correspondence sent to the Court. He was also advised by me that the Court must have made an error when it stated to have received the order on 20th November 2017 while clearly it received it electronically on 17th November 2017. I am of the view that the Defendant's representatives have taken advantage of the situation as when making this application he already knew of the fact that the Claimant's questionnaire was filed on 17th November 2017 and there could be a possibility of the Court reconsidering its decision of striking out the Claim. I find his conduct against the spirit of the Civil Procedures Rules which encourage parties to cooperate, communicate and try to resolve dispute out of Court. The Court order dated 02nd January 2018 could have been avoided had the Defendant acted with more fairness and this conduct has partly triggered the necessity to make this application notice which means that the Claimant is now incurring more costs.

14. I am also instructed that since the Court made the interim injunction order on 09th August 2017, the Defendant's anti-social behaviour has ceased towards the neighbours and no complaints have been received from them. I am therefore of the view that the residents and employees of the Claimant could be prejudiced if the Claim and interim injunction order were not reinstated.

15. As a result of the above, we would like the Court to set aside the orders made on 13th December 2017 and 02nd December 2018. The Claimant would also like the Claim and interim injunction to be reinstated and an order that the Defendant pays the Claimant's costs as his conduct has led to the necessity to make the present application.

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**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**

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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

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EXHIBITS LI 1

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This is the Exhibit LI 1 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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LBE v Cordell Bundle Part 1.pdf

## 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

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by:Ms M Tucker
CJR065C

N24 General Form of Judgment or Order

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1. Made on behalf of the Claimant
2. Ms Ludmilla Iyavoo
3. Statement No.1
4. Exhibits LI1-LI7
5. Dated 03.01.2018

IN THE EDMONTON COUNTY COURT CLAIM NO: D02ED073

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

MR SIMON CORDELL

Defendant

EXHIBITS LI 2

This is the Exhibit LI 2 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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## 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

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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

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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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LBE v Cordell Bundle Part 1.pdf

## 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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LBE v Cordell Bundle Part 1.pdf

## 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<br>Legal Services<br>PO BOX 50<br>Civic Centre<br>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

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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 3

This is the Exhibit LI 3 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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## Ludmilla Iyavoo

**From:** emmanuel <emmanuel@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,



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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.

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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

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This is the Exhibit LI 5 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

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## 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



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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 6

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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



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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 7

This is the Exhibit LI 7 referred to in the witness statement of Ludmilla Iyavoo dated 03 January 2018.

SO

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | D02ED073 |
| **Date** | 2 January 2018 |

| | |
|---|---|
| LONDON BOROUGH OF ENFIELD | **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

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by:Adrian B
CJR065C

N24 General Form of Judgment or Order

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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

Priv. 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<br>GIBSON HOUSE<br>800 HIGH ROAD<br>TOTTENHAM<br>LONDON<br><br>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.

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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

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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 LN3

---

This is the exhibit LN3 of the witness statement of Lemmy Nwabuisi dated 08th January 2018.

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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

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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

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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.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:Darren Civil
CJR105

N16 General Form of injunction for interlocutory application or originating application

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**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until** 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information*

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N110A

# Power of arrest

| Name of 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
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

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

SM

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

VLS Solicitors is a trading style of VLS Solicitors Ltd, a company registered in England & Wales with Reg. No. 8572584, having its registered address at Gibson House, 800 High Road, Tottenham London N17 0DH. It is authorised and regulated by the Solicitors Regulation Authority. (SRA No.627688)

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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.

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# 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

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:A ABIODUN
CJR065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 1.pdf

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 (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 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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LBE v Cordell Bundle Part 1.pdf

# 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.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

N16 General Form of injunction for interlocutory application or originating application

Produced by:Darren Civil
CJR105

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**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until** 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information*

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N110A

# Power of arrest

| Name of 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.

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

Upon considering the Claimant's application notice dated 04th February 2018 seeking permission from the Court to vary the terms of the interim injunction order made by District Judge Taylor on 09th January 2018, it is ordered that the following paragraph be added to the injunction order :

1. The Defendant Mr Cordell, should be forbidden (whether by himself or by instructing or encouraging or permitting any other person) to approach or threatening to approach the Claimant's employees at their place of work and personal home address.

2. A power of arrest is attached to this new paragraph.

3. This order along with the order made on 09th January 2018 and the Power of Arrest do remain in force until 4pm on 08th January 2019.

4. Dispense with personal service of this Order on the Defendant.

5. Costs in the case.

Dated Day of February 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

DRAFT ORDER

---

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09th January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person) from engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees.

AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09th January 2018 [paragraphs 3-6] of the order dated 09th January 2018 by harassing, intimidating and making threats to one of the Claimant's employees on 24th January 2018, by telephoning her on two occasions and making threats, accusations and comments on other employees.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

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(5) that the costs of the Claimant [summarily assessed in the sum of £ 900.00] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy
3. Dated 02nd February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO:

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Behaviour Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to my role in investigating allegations of verbal abuse, threats, harassment and intimidation made against the Defendant by his neighbours.

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2. I make this Witness Statement in support of the Claimant's application to vary the interim injunction order of 09th January 2018. This is my second statement in the above proceedings.

3. **Background:**

   On 9th January 2018 at about 12:18pm, the Defendant telephoned me and accused me of killing his baby. He accused me of forging documents to get an Anti-Social Behaviour Order (ASBO) against him thereby making him a prisoner inside his own home and that this is now personal between us. He stated that he knows where I live in Enfield and that me and my family are not safe from him. He also stated that he has watched me leave the office and have followed me home, that he can 'get me' any time he likes and that I should watch my back.

4. The Defendant telephoned me again about thirty minutes later and left a voice message for me. He again accused me of killing his baby, that I was biased against him and that I was a criminal. He mentioned one of my colleagues by name and stated that he knows that she has a flat in Winchmore Hill and that she lives in Edmonton. He stated that he has 'stripped' our computers and obtained personal information about us. He made references to my company accounts, the university I attended and the course I studied. He also stated that he knows where all our houses are and that we are not safe.

5. The matter was reported to the police, Crime Reference: 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.

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6. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However, the interim injunction order is limited to the area of Burncroft Avenue, Enfield, EN3 and not necessary to my personal address or work place. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and my family and would like the order to be varied to exclude the Defendant or his associates from approaching me at my work and home address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 2nd day of February 2018

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1. Made on behalf of the Claimant
2. First Witness Statement of Kaunchita Maudhub
3. Dated 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street, Enfield, Middx EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers. My involvement with the Defendant was due to my

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supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

2. I make this Witness Statement in support of the Claimant's application to vary the terms of the interim injunction order 09th January 2018.

3. On 09th January 2018, in a telephone message left by Simon Cordell (the Defendant) for Lemmy Nwabuisi, the Defendant referred to me as 'Kanichiwa' and stated that he knew I had a property in Winchmore Hill and that I lived in Edmonton. It would therefore appear that Mr Cordell has identified my personal home address and stated that he knows where I live. The contents of the voicemail are as follows:

' You killed my baby, it's a very simple thing you are biased Lemmy yeh, you went to Westminster you are supposed to be good at fucking litigation, you are a criminal, there are no signatures on the first ASBO and I am being held hostage in here, you can go into your offices. Pat and Steve say it in your release forms to each other and Kanichiwa and all your managers fucking computers. You don't know Lemmy I've stripped you computers not through Daniel Ellis, complaints, I went through the ombudsmen and they've stripped your computers Lemmy, I own your fucking computer and I know kanichiwa's I know fucking rob leak owns 15 million pounds more and kanichiwa's got a house up in Winchmore Hill under the expenses of the company she's got a house over in Edmonton I know where you all fucking live, yeh, I've fucking looked at all your expenses and your companies expenses and your passed companies, I've looked at everything to do with you all. I know Tracey Willis and her fucking loved ones and I know their houses, you all are, you lots are fucking biased you killed my baby and your avoiding disciplinary action this is fucking personal

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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.

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5. The interim injunction order which was made by the Court on 09th January 2018 excludes the Defendant from causing distress and harassment to the Claimant's employees. However the interim injunction order is limited to the area of Burncroft Avenue, EN3 and not necessary to me personally and my workplace. In view of the Defendant's past conduct I have concerns that he may attempt to harass me and would like the order to be varied to exclude the Defendant from approaching me directly at my personal address.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed...

Dated this 05th day of February 2018

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LBE v Cordell Bundle Part 1.pdf

1. Made on behalf of the Claimant
2. First affidavit of Kaunchita Maudhub
3. Sworn on 05th February 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MS KAUNCHITA MAUDHUB

I, Ms Kaunchita Maudhub, of London Borough of Enfield, Civic Centre, PO Box 50, Civic Centre, Silver Street do solemnly and sincerely affirm that the content of this affidavit is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Team Leader in the Community Safety Unit. I have held this employment since March 2016. My role as an ASB Team Leader consists of ensuring the effective management and co-ordination of the services within the Anti-social Behaviour Team, including line management of the ASB Officers and Co-Ordinators. My involvement with the Defendant was due to my supervision of the work being carried out by Lemmy Nwabuisi - ASB Co-Ordinator within my team. Mr Nwabuisi was managing the investigation of complaints of anti-social behaviour, threats and intimidation involving Mr Simon Cordell.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the Order made on 9th January 2018.

3. The Defendant was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. On 24th January 2018 the Defendant contacted me at work twice by telephone on an anonymous number. The first call was at approximately 16:50 and stated he was Simon Cordell. He said that Lemmy 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

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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

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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

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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 Nwabulsi 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** [signature]

**on 05th February 2018**

**Before me:**

**Signed** [signature]

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,

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.

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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

| | |
|---|---|
| London Borough of Enfield<br>Legal Services<br>PO BOX 50<br>Enfield<br><br>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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LBE v Cordell Bundle Part 1.pdf

**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

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him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

   *(1) This rule applies where a person is arrested pursuant to –*

   *(a) a power of arrest attached to a provision of an injunction; or*

   *(b) a warrant of arrest.*

   *(2) The judge before whom a person is brought following his arrest may –*

   *(a) deal with the matter; or*

   *(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

10. The Claimant is therefore bringing an application for the Defendant's committal.

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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.

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:Darren Civil
CJR105

N16 General Form of injunction for interlocutory application or originating application

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**AND IT IS FURTHER ORDERED THAT**

The defendant, Mr Simon Cordell, be forbidden ( whether by himself or by instructing or encouraging or permitting any other person ) ;

3. From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

4. From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment , alarm and distress to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

5. From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

6. From using his pet dog to frighten, intimidate or threaten violence to the claimant's employees, tenants and visitors of the block of flats at Burncroft Avenue, Enfield.

7. A power of arrest is attached to paragraphs 3 to 6 above.

8. Costs in the case.

**This order shall remain in force until** 8th January 2019 at 11:59 PM unless before then it is revoked by further order of the court

**NOTICE OF FURTHER HEARING.**

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Edmonton, 59 Fore Street, London, N18 2TN on 5th February 2018 at 2:00 PM

If you do not attend at the time shown the court may make an injunction order in your absence.

You are entitled to apply to the court to reconsider the order before the day.

*You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information*

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N110A

# Power of arrest

| Name of 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.

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

   *a. Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

   *b. Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

   *c. Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

   *d. Clause 7: A power of arrest is attached to the above paragraphs.*

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and punched me in the face and I fell backwards to the ground. The Defendant then sat on my chest and started to punch me repeatedly on the face. By this time, my wife and daughter were crying and my wife was screaming for neighbours to help but nobody came out. My wife tried to pull Mr Cordell off him as I was not able to defend myself but she could not. She then grabbed the piece of metal from my boot and hit the Defendant with it as self- defence to stop him. Some neighbours 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.

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7. The Defendant's mother Lorraine Cordell turned up as I was being attended to inside the ambulance and started to shout abuse at my wife and accused her of attacking her son.

8. The police took my mobile phone and my daughter's scooter that was inside my boot. The ambulance officers advised me to go to the dentist immediately to have my teeth attended to as two of my front tooth was broken and another two were wobbly. The ambulance carried out an assessment of my injuries. A written report of my injuries can be seen in **exhibit MM1**.

9. The police phoned me as I was driving to the dentist and asked me to return to the estate. I was then arrested for assaulting the D even though I never assaulted him but all I kept on doing was to defend myself. I was held in a cell overnight and bailed the next day.

10. As a result of the assault, I had to have 3 teeth removed and replaced with dentures. A written report from my dentist can be seen in **exhibit MM2**.

11. The Defendant was also arrested, interviewed on the same day but released. I don't understand how this could have happened, while I being a victim of his assault was kept in a cell overnight. The Anti-social behaviour team made enquiries to find out why the D. was not charged with breaching the terms of the injunction order and they were told that no charges were made on the basis that I had apparently provoked the Defendant. This is untrue as all I did on the day was to ignore him to take my daughter to school.

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**Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

**Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

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Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in **exhibit MM3.**

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

**Dated this 20 day of April 2018**

M. Malyutigas 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

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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

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EXHIBIT MM1

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LBE v Cordell Bundle Part 1.pdf

236963321

London Ambulance Service NHS

# 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

At scene | Visited | Phoned | Do not | Letter

Mental Health Team / CPN / AMHP

Contact details

Name of H.V. / Primary Cater

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**

Bimucosa cyanosis | 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 | Air |
| 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 | Chest pain | Other symptoms / pain | Palpitations | Asymptomatic | Shortness of breath | T-LOC

**Cannulation**

Line 1 IV IO | Size | Time | Successful | By | No 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 under

| Code | Name | Amount | Dose | Route | Time | By |
|---|---|---|---|---|---|---|
| FAR | | | | | | |

Total Controlled Drug amount wasted | Signed | Witnessed

**Airway and Respiratory management**

Maintenance: Postural | Head tilt | 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**

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

**Recognition Of Life Extinct**

Heart sounds absent | Asystolic rhythm strip | Apnoeic | Fixed dilated pupils | Confirmed dead at hospital

Injury = X | Burns = ■ | T 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

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EXHIBIT MM2

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LBE v Cordell Bundle Part 1.pdf

# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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

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EXHIBIT MM3

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**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 EN3.7.JQ
**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.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the Interim Injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 05 March 2018 and confirm the facts stated in my husband's affidavit dated 20 April 2018.

4. Mr Cordell harassed, abused and repeatedly punched my husband on his face, causing him to bleed and to break two of his teeth. I tried to stop him but he would not listen to me.

5. We contacted the police who arrested both Mr Cordell and my husband. My husband was kept by the police overnight while he was a victim of the assault. The police could see the facial injuries, bleedings and damages sustained to his face and teeth but decided to keep him at the police station while he was a victim of the assault. Surprisingly I heard that Mr Cordell was arrested, interviewed and released on the same day. The police decided not to charge him for some unknown reasons.

6. I believe that the Police decision was wrong, as there are clear evidence of assault, I was not interviewed while being a key witness to the incident. The Defendant should have been arrested and brought back to the Court following the breach of the Injunction order so it could decide on his arrest.

7. I fear for my family safety and feels that the Interim Injunction with the London Borough of Enfield obtained on 09 January 2018 is not providing me and my family protection as the police refuses to enforce the terms of the order despite clear evidence that Mr Cordell has breached the terms.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under exhibit RM1.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 28 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that 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 2a day of April 2018

M. Rosetty 20 APR 2018

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

EXHIBIT RM1

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Dr H I Sweden
Claremont Medical Centre
27 Claremont Road
Walthamstow
LONDON
E17 6RJ
Tel No: 0208 527 1455
Fax No: 0208 527 8111

9th April 2016

To Whom It May Concern:

RE: Revathy Mathiyalagan 26.07.1971
14 Nelley Road, Walthamstow, E17 7QD → 117 BURNCROFT AVN EN3 7JQ
Mobile No: 07961740938

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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

DRAFT ORDER

Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.
- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018.

IT IS ORDERED

(1) that for his contempt the Defendant stands committed to HM Prison (name of prison) for a period of (number of days or as may be) from the date of his apprehension.

(2) that for his contempt the Defendant pays to Her Majesty the Queen a fine of £ on or before (date payment due).

(5) that the costs of the Claimant [summarily assessed in the sum of £ 1,000] to be the subject of a detailed assessment be paid by the Defendant to the Claimant.

(6) that the contemnor has permission to apply to the Court to clear his contempt and ask for his release or discharge.

Dated

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# Notice of Hearing of Application

| In the County Court at Edmonton | |
|---|---|
| Claim Number | E00ED049 |
| Date | 24 April 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | 1st Claimant<br>Ref LS/C/L1/155584 |
| MR SIMON CORDELL | 1st Defendant<br>Ref |

**Before District Judge Lethem sitting at the County Court at Edmonton, 59 Fore Street, Upper Edmonton, London, N18 2TN**

**UPON HEARING Solicitor for the Claimant and the Defendant having no notice**

**AND UPON READING the Witness Statement of Mr Markandu Mathiyalagan dated 20th April 2018**

**IT IS ORDERED THAT:**

**1. The hearing of the Claimant's application for (see copy attached) will take place at 10:00 am on the 1 May 2018 at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.**

**Cases are listed in accordance with local hearing arrangements determined by the Judiciary and implemented by court staff. Every effort is made to ensure that hearings start either at the time specified or as soon as possible thereafter. However, listing practices or other factors may mean that delay is unavoidable. Furthermore, in some instances a case may be released to another judge, possibly at a different court. Please contact the court for further information on the listing arrangements that may apply to your hearing.**

**Your case has been listed at the same time as several other cases but you are required to attend Court at the time given in your notice, or earlier if you need to speak to your legal representative. When you arrive at Court you should report to an Usher who will tell you if the other party are in attendance. You may wish to consult with them before going into Court to attempt to clarify/resolve any outstanding issues.**

**The Judge will decide the order in which cases are called based on who is in attendance, the time estimate and other factors. Please ensure that the Usher is aware of your whereabouts at all times. If you are not in the court at the required time and your case is called it will be heard in your absence.**

**If your case does settle prior to the hearing date please notify the court in writing.**

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.

Produced by:S DEMETRIOU
CJR027

N244A Notice of Hearing of Application

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LBE v Cordell Bundle Part 1.pdf

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: 11 May, 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

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

116B

If you need this document in another language or format contact the service using the details above.

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

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N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

| Name of court | 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 EN1 3XA

| 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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LBE v Cordell Bundle Part 1.pdf

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 fri~~end)

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 fri~~end)

Position or office held Solicitor
(if signing on behalf of firm or company)

Applicant's address to which documents about this application should be sent

London Borough of Enfield
Legal Services
PO BOX 50
Enfield

Postcode E N 1 3 X A

| If applicable | |
|---|---|
| Phone no. | 0208 379 8323 |
| Fax no. | |
| DX no. | 906015 Enfield 1 |
| Ref no. | LS/C/LI/157255 |

| | |
|---|---|
| E-mail address | Ludmilla.Iyavoo@enfield.gov.uk |



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LBE v Cordell Bundle Part 1.pdf

**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

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him that she was not shouting and that she was inside her bathroom giving her daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to his wife and daughter and made them scared for their safety. His daughter started crying because of the commotion and loud banging. The Defendant left after his wife asked his cousin to call the police. Mr Mathiyalagan stated that he telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. He stated that he did so in the morning of Tuesday 06 March 2018.

7. On 26/02/2018, Mr Mathiyalagan stated that he returned from work at 11:30pm and went to the kitchen to get something to eat; his wife and daughter were already asleep. At about 11:45pm, while he was in the kitchen, he heard loud banging noises on his front door and rattling noises on his letterbox. He thought that his cousin had returned from work and was knocking on the door to be let in, he went to the door and spoke in his language but there was no response. He then opened the door and saw the Defendant standing outside his front door. As soon as the Defendant saw him, he ran away. The matter was referred to the police but no actions took place.

8. It is submitted that the Defendant should have been arrested, kept on remand and brought back to the County Court pursuant to CPR 65.47 which states as follows:

*(1) This rule applies where a person is arrested pursuant to –*

*(a) a power of arrest attached to a provision of an injunction; or*

*(b) a warrant of arrest.*

*(2) The judge before whom a person is brought following his arrest may –*

*(a) deal with the matter; or*

*(b) adjourn the proceedings.*

9. The Police are aware of the injunction order as they have been served with a copy of the same. However they have failed to enforce the terms of the interim injunction.

**10.** The Claimant is therefore bringing an application for the Defendant's committal.

11. An additional breach of the injunction occurred within and outside the Edmonton County Court premises on 01/05/2018 from around 10.25 am onwards where the Defendant shouted abuse, swear and made threats to two employees of the Claimant and mr Mathiyalagan. These threats were made in front of Employment Judge Taylor, two security guards and other members of staff

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1. Made on behalf of the Claimant
2. Witness Statement of Markantu Mathiyalagan
3. Dated 20 April 2018

IN THE EDMONTON COUNTY COURT

CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

---

AFFIDAVIT OF MR MARKANDU MATHIYALAGAN

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I, Mr Markandu Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above the Defendant's. I live there with my wife and a child I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11/09/2018. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09th January 2018.

3. The Defendant, Mr Simon Cordell was served personally on 10th January 2018 while he was in custody at the Wood Green Police Station. The documents were served personally by the process server.

4. The terms of the interim injunction order granted by the Edmonton County Court attaching a power of arrest states the following:

   *a. Clause 3: from engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.*

   *b. Clause 4: From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.*

   *c. Clause 5: From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.*

   *d. Clause 7: A power of arrest is attached to the above paragraphs.*

5. The following incidents/ breaches of the interim injunction order took place on the following days:

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**Incident of 15 March 2018**

On Thursday, 15th March 2018, my wife and I took our 3-year-old daughter to school and as we came out of the block, we saw the Defendant standing outside the main entrance to Block 109-117 Burncroft Avenue. As we walked towards my car, the Defendant followed us swearing and shouting abuse at us. I could not remember the Defendant's exact words but there were lots of swearing words like 'fucking family, fucking bastards' and lots of 'bad words'. As we got in his car, the Defendant walked back towards the block. As I went to drive out, I saw the Defendant standing by the main door to the block and videoing me and my family with his mobile phone and swearing and shouting abuse at us. I got out of his car, brought out my mobile phone and started to video the Defendant who continued swearing. I stopped videoing Mr Cordell and turned to get back inside my car but the Defendant pushed me to the ground from behind. The Defendant sat on top of me and started to punch me on the face and repeatedly banged my head on the ground. After a while, I managed to push him off.

6. I then went to my car to get something to defend myself and picked a piece of metal from my boot but I decided against using it, the Defendant rushed at me again and [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.

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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.

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**Incident 01 March 2018**

12. My wife was inside the bathroom giving our daughter a shower while my cousin was in the living room, I was at work. At about 11am, the Defendant came to our front door and started rattling the letterbox and knocking loudly on the door. My wife went to the door and asked who it was and the Defendant replied 'why are you shouting'. My wife told him that she was not shouting and that she was inside her bathroom giving our daughter a shower. She asked him why he came to her front door, that he was not allowed to be there but the Defendant ignored her and continued to bang and kick on the door. This went on for about 5 to 10 minutes and caused a great deal of distress to my wife and daughter and made them scared for their safety. My daughter started crying because of the commotion and loud banging. The Defendant left after my wife asked his cousin to call the police.

13. We telephoned the police on 101 to report the incident and was asked to go and make a statement at Edmonton police station. I did so in the morning of Tuesday 06 March 2018.

**Incident 26/02/2018**

14. I returned from work at 11:30pm and went to the kitchen to get something to eat; my wife and daughter were already asleep. At about 11:45pm, while I was in the kitchen, I heard loud banging noises on his front door and rattling noises on his letterbox. I thought that my cousin had returned from work and was knocking on the door to be let in, I went to the door and spoke in my language but there was no response. I then opened the door and saw the Defendant standing outside of my front door. As soon as the

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Defendant saw me, he ran away. The matter was referred to the police but no actions took place.

15. I requested to be moved out of the estate as that they and their 3-year-old are afraid to stay there. My wife and daughter have been left terrified, as confirmed by a written letter from my GP Dr Swedan as seen in **exhibit MM3.**

16. I contacted my local authority the London Borough of Waltham Forest and asked that I be rehoused somewhere else, they are trying to find me a suitable alternative temporary accommodation but the process is taking long.

17. I would therefore ask the Court to consider the application in light of the recent incidents and to commit the Defendant to an arrest.

**Dated this 20 day of April 2018**

M. Malyutigen 20 APR 2018

OFFICER OF THE COURT
APPOINTED BY THE JUDGE
TO TAKE AFFIDAVITS

L. [illegible]

LONDON BOROUGH
OF ENFIELD

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-And-

MR SIMON CORDELL — Defendant

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EXHIBIT MM1

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LBE v Cordell Bundle Part 1.pdf

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

Tel no.

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 a sentence in one breath

Unable to assess

**Circulation**

Bmucosa cyanosed

Peripheral cyanosis

Capillary refill > 2 sec

Distal pulse

**Other**

Sweating

Vomiting

Fitting

Number of fits | Mins

Burns | %

Estimated blood loss

**Observations**

| | | |
|---|---|---|
| Time | | |
| AVPU | | |
| Resp rate | | |
| Resp depth | | |
| % $O_2$ sats | Air / $O_2$ | Air / $O_2$ |
| 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 — Unequal 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 | No 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 | Name | 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, Traumal, 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

**Recognition Of Life Extinct** | Time

Heart sounds absent | Asystolic rhythm strip

Apnoeic | Confirmed dead at Hospital

Fixed dilated pupils

Injury = X | Burns = ■ | Fracture = # | Pain = ●

Transporting / Left scene | Pre-alert

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LBE v Cordell Bundle Part 1.pdf

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

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EXHIBIT MM2

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# NHS DENTAL CARE

| | | | |
|---|---|---|---|
| **Contractor's Name:** | Handan Sabahlar | **Patient's Surname:** | Markandu |
| **Address:** | Inspire Dental Walthamstow<br>67-69 Palmerston Road<br>Walthamstow<br>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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LBE v Cordell Bundle Part 1.pdf

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

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LBE v Cordell Bundle Part 1.pdf

**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

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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

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I, Mrs Revathy Mathiyalagan, of Flat 117, Burncroft Avenue, Enfield, EN3 7JQ make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am the tenant of Flat 117 Burncroft Avenue, Enfield, EN3 7JQ. My flat is located two floors above Mr Cordell (thereafter 'the Defendant'). I live there with my husband Markandu and my child who is 3 years old. I have been housed to this Property with my family by the London Borough of Waltham Forest and have occupied the Property since 11 September 2016. The Property was given to me as a temporary accommodation.

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2. I make this affidavit in support of the Claimant's (my husband) application for the Defendant's committal on the basis of a breach of the interim injunction order made by the Edmonton County Court on 09 January 2018.

3. I witnessed the terrible assault committed by the Defendant on my husband on 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.

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The situation has left me and my family terrified. There's a letter from my GP which confirm that, as seen under **exhibit RM1**.

8. There were further incidents on 11 November 2017, on 02-03 January 2018, 01 March 2018 and 26 February where Mr Cordell harassed me but the police did nothing despite evidence of him breaching the injunction order. All they would do will be to attend the Property, speak to him and leave without investigating the incidents.

9. I feel let down by the system and constantly fear for my safety. I contacted my local authority (the London Borough of Waltham Forest) to be moved out of the estate as myself, husband and 3-year-old are afraid to stay there. However Waltham Forest is not taking any actions at the moment.

10. I feel that the existence of the injunction has not provided the adequate protection to me and my family. As things stand the Defendant feels that he injunction is ineffective as the lack of actions from the police currently encourages him to act badly towards me and my family. We therefore hope that the Court will support us and take appropriate actions following the breaches.

11. I would therefore ask the Court to consider the application in light of the recent incidents, to commit the Defendant to an arrest and impose a sentence following his breaches of the injunction.

**Dated this day of April 2018**

.....

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-AND-

MR SIMON CORDELL Defendant

---

EXHIBIT RM1

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LBE v Cordell Bundle Part 1.pdf

**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 EN3.7.JQ
**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
28 Claremont Road
London E17 5RJ
Tel 0208 527 1888

Dr H I Swedan

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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

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Before District Judge sitting at the Edmonton County Court.

AN APPLICATION was made by the Claimant's representatives and was attended by [Counsel for] the Defendant.

The Judge read the written evidence filed and the Order of District Judge Taylor dated 09 January 2018 in which it was ordered that the Defendant should be forbidden (whether by himself or by instructing or permitting any other person):

- From engaging or threatening to engage in conduct that is likely to cause physical violence and verbal abuse to the claimant's employees, tenants to the block of flats at Burncroft Avenue, Enfield.

- From engaging or threatening to engage in conduct that is likely to cause intimidation, harassment, alarm and distress to the Claimant's employees, tenants and visitors to the block of flats at Burncroft Avenue, Enfield.

- From engaging or threatening to engage in conduct that is likely to cause nuisance and annoyance to the claimant's employees, tenants and visitors of flats at Burncroft Avenue, Enfield.

AND UPON the Court noting that a power of arrest being attached on the above

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AND THE COURT being satisfied that the Defendant has been guilty of contempt of court in failing to comply with the order dated 09 January 2018 [paragraphs 3-5] of the order dated 09 January 2018 by harassing, intimidating and assaulting one of his neighbours on 15 March 2018, 01 March 2018 and 26 February 2018. But also by shouting abuse, swearing and making threats to two employees of the Claimant and one of his 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.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF MR LEMMY NWABUISI

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I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

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Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD, Claimant

-and-

MR SIMON CORDELL Defendant

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**EXHIBIT 'LM1'**

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LBE v Cordell Bundle Part 1.pdf

Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

---

WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF ENFIELD Claimant

-and-

MR SIMON CORDELL Defendant

---

**EXHIBIT 'BKG1'**

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LBE v Cordell Bundle Part 1.pdf

Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
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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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e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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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.

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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) |
| 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<br>legal Services<br>PO BOX 50<br>Civic Centre<br>Enfield<br><br>Postcode EN1 3XA | If applicable<br>Phone no. 0208 379 8323<br>Fax no.<br>DX no. 90615 Enfield 1<br>Ref no. LS/C/LI/157255 |

| | |
|---|---|
| E-mail address | |



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LBE v Cordell Bundle Part 1.pdf

**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.

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1. Made on behalf of the Claimant
2. Witness Statement of Lemmy Nwabuisi
3. Statement No. 2
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

WITNESS STATEMENT OF MR LEMMY NWABUISI

I, Mr Lemmy Nwabuisi, of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as an Anti-Social Behaviour Coordinator in the Community Safety Unit. I have held this employment since August 2016. My role as an Anti-Social Coordinator consists of investigating and dealing with reports of anti-social behaviour involving council and non-council tenants. My involvement with the Defendant was due to allegations of verbal abuse, threats, harassment and intimidation made against him by some of his neighbours.

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2. As the Court may be aware an interim injunction order was made ex-parte against the Defendant. Two applications for committal were made on 05 February and 20 April 2018 on the basis that the Defendant has breached some of the terms of the order. The matter has been listed for a hearing in the Edmonton County Court on 30 May 2018 to consider the two committal applications, the hearing is also a return hearing, the time estimate for that hearing is of two hours.

3. I make this second Witness Statement in support of the Claimant's application notice dated 10 May 2018 seeking to 1) Ask the Court for permission that the two committal applications dated 05 February and 20 April 2018 be dispensed with personal service on the basis that the Defendant has refused to accept service personally following our process server attempts to serve on 02 May 2018 and 2) To ask permission from the Court to amend the committal application dated 20 April 2018 to include an additional breach of the interim injunction order by the Defendant on 01 May 2018. I would like the application notice to be considered ideally on papers but if not at the next hearing on 30 May 2018.

**Backgrounds to the case**

4. The Claimant obtained an interim injunction against the Defendant on 09 January 2018. Two committal applications were made against the Defendant on 05 February and 20 April 2018 on the basis that he has breached the terms of the interim injunction by making threats to me and another employee of Enfield Council. There were also incidents where the Defendant have physically assaulted one of his neighbours and acted in a threatening and intimidating way towards them. The two committal applications were sent to the Defendant by the Court by post but the

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Claimant failed to personally serve those two applications. A Court hearing took place on 01 May 2018 to consider the committal application dated 20 April 2018; however, District Judge Taylor adjourned the hearing of the application to 30 May 2018 to allow the Claimant time to personally serve the committal application.

**Attempted service of the two committal applications dated 05 February and 20 April 2018.**

5. After the hearing of 01 May 2018, the Claimant instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'LM1'**.

6. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so.

**Additional breach of the interim injunction order following an incident which occurred on 01 May 2018**

7. A Court hearing on this matter took place on 01 May 2018 and the Defendant displayed aggressive and threatening behaviour against me, one employee at Enfield Council Ms Balbinder Kaur Geddes and Mr

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Mathiyalagan who is one of our witnesses in the committal applications. Such behaviour was also displayed towards District Judge Taylor and members of staff and security of the Edmonton County Court.

8. On the day our case was called at 10.10am and the hearing proceeded in the Defendant's absence. The Defendant and his mother eventually arrived at 10.25am. As he came into the Court room he kept on saying 'I'm not meant to be here, this is not meant to happen'. He then shouted out that the judge was conniving with me and Enfield Council as we wanted to keep him prisoner in his own home. He also stated that the County Court had no jurisdiction to hear the case and he wished to be heard by a jury. District Judge Taylor then responded by saying that this was a civil matter and he cannot use a jury. The Defendant then turned to me and waived a file of paper at me and said to me that he knows that I went to Westminster University, he also threatened that he was going to destroy me. He also accused me of killing his baby and of destroying his life. He continued to shout abuse and swore at everyone including the judge.

9. As the Defendant continued to act disrespectfully, District Judge Taylor asked the Defendant to calm down; he responded by calling her a corrupt judge, told her to shut up and swore at her. He was coming towards Mr Mathiyalagan (one of the Claimant's witnesses in the injunction and committal application) in an aggressive manner so I stood up between them to stop any risks of altercations. Two security guards were called and entered the Court room who asked the Defendant to calm down and to sit down. However, he became even more agitated and asked for their name, he also said that he will find out where they live and will come after their families. At that point District Judge Taylor ordered a short adjournment to allow the Defendant to calm down.

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10. While waiting in the corridor outside the Court room, the Defendant kept on shouting abuse at me, Mr Mathiyalagan and other people waiting in the Court corridor. I then decided to go to the other side of the Court waiting area with Ms Geddes Kaur and Mr Mathiyalagan to avoid further abusive behaviour from the Defendant; however, we could still hear him from the other end of the Court.

11. The Judge called the parties back in and directions were made including adjourning the hearing to 30 May 2018. As I left the Court building with Ms Kaur Geddes and Mr Mathiyalagan, the Defendant and his mother Lorraine Cordell were waiting outside of the Court entrance, on the other side of the road. The Defendant started shouting and abusing us. I then spoke to the Defendant and said to him that he was ruining people's life by his conduct. The Defendant tried to come after us but his mother held him back. Because of his threatening and aggressive conduct, I had to take a different direction to my car to avoid the Defendant and ensure that the persons who were with me were safe. Ms Kaur Geddes was a party to the incident and a separate witness statement in support of the application notice is being provided by her.

12. The above incident constitutes a clear breach of the injunction order and I would like this to be added to the committal application dated 20 April 2018 and that it be considered at the hearing on 30 May 2018.

Statement of Truth

I believe the facts in this Witness Statement are true.

Signed.....

Dated this 10 May 2018

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LBE v Cordell Bundle Part 1.pdf

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

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**EXHIBIT 'LM1'**

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LBE v Cordell Bundle Part 1.pdf

Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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1. Made on behalf of the Claimant
2. Witness Statement of Balbinder Kaur Geddes
3. Statement No. 1
4. Dated 10 May 2018

IN THE EDMONTON COUNTY COURT CLAIM NO: E00ED049

BETWEEN:

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF ENFIELD — Claimant

-and-

MR SIMON CORDELL — Defendant

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WITNESS STATEMENT OF Ms BALBINDER KAUR GEDDES

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I, Ms Balbinder Kaur Geddes of PO BOX 50, Civic Centre, Enfield, EN1 3XA make this statement believing it to be true and understand that it may be placed before court.

Insofar as the content of this witness statement is within my own personal knowledge it is true and insofar as it is not within my personal knowledge it is true to the best of my knowledge.

**I WILL SAY AS FOLLOWS**

1. I am employed by the London Borough of Enfield as solicitor in their legal services department. I have held this employment since May 2017.

2. An interim injunction order was made in the Edmonton County Court on 09 January 2018.

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3. Our legal team was instructed that one serious incident took place in March 2018 where the Defendant assaulted one of his neighbours. As those acts were condemned by the interim injunction order, we decided to issue an application notice in Court for the Defendant's committal. The application was issued on 20 April 2018 and a hearing was listed in the Edmonton County Court for the 01 May 2018, 10am.

4. I represented the Claimant at the hearing of 01 May 2018 and the parties were called approximately at 10.10am. The Defendant was not present so the case started in his absence. The Defendant and his mother Lorraine Cordell eventually arrived at 10.25am. Employment Judge Taylor who was sitting in the Edmonton County Court was going to proceed to start again. However, the Defendant was unable to contain his agitation and essentially shouted and swore at Mr Mathiyalagan (one of our witnesses in the committal application), Lemmy Nwabuisi (Anti-social behaviour coordinator officer for the Claimant), his mother and the Judge. He made some disparaging comments to me. The Judge called in security; one security guard was not sufficient and a second one was also called. The Defendant was extremely agitated, was swearing and refused to sit down and it did appear that he may strike someone, the security guards were between him and Mr Nwabuisi and Mr Mathiyalagan. Ms Lorraine Cordell was unable to calm her son down; Judge Taylor was unable to calm him down and the security guards also could not get him to back down. The Judge then adjourned the hearing for a short period and we left the court room. We tried to locate a side room to sit in but none were available as the court was particularly busy, there was also no sitting room.

5. We were called back into court a few minutes later. The hearing proceeded with Mrs Cordell representing her son in his absence; he remained in the waiting room and could be heard being abusive throughout the hearing.

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6. Mrs Cordell confirmed that the Application for Committal of 20.04.18 was received by post on 25.4.18. Postal service was confirmed as effected but not personal service. The Judge stressed postal service has to be effected given the implications of committal and that 14 days' notice be provided.

7. At this stage I made an application to dispense with personal service on the basis of the Defendant's conduct and the likelihood that he would refuse personal service. This was considered by the Judge and on balance given that it refers to potential committal of the Respondent the Judge preferred not to dispense with personal service. She did note the conduct of the Defendant. I queried that where personal service was refused if we could dispense with personal service. The Judge confirmed that where personal service is refused then we can come back to Court and apply to have personal service dispensed with.

8. I instructed a process server Mr Andy Philippou to personally serve the two committal applications on the Defendant. Mr Philippou attended the Defendant's address (109 Burncroft Avenue, Enfield, EN3 7JQ) on 02 May 2018 and knocked repeatedly on the door but the Defendant, having identified himself as Simon Cordell, stated that he did not wish to open the door and therefore refused to accept personal service of the committal applications. A witness statement of attempted service from Mr Andy Philippou is attached to this witness statement under **exhibit 'BKG1'**.

9. On the basis of the Defendant's refusal to accept personal service of the documents, the Claimant would like to make an application to dispense with personal service of the two committal applications pursuant to CPR 81.10(5)(a) which states that the Court may dispense with personal service of the committal application if it considers just to do so. If such an order is

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granted, the Claimant would like permission from the Court to effect service of the documents by Post and/ or through the Defendant's letter box.

10. While the hearing was taking place the Defendant was constantly shouting throughout the hearing in the waiting room, and had become much louder and his mother had to leave the court room to deal with him.

11. I had a conference with Mr Nwabuisi and Mr Mathiyalagan on the matter to allow the Defendant and his mother time to leave the court before we departed. When we did leave the Court building the Defendant and his mother were still outside across the road and the Defendant did proceed to shout at Mr 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

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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

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**EXHIBIT 'BKG1'**

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I do make this Statement in Support of my previous statement of service date 10 January 2018, this being in order to re-affirm definitively and for the purpose of clarity my effecting service upon the Respondent on the aforementioned date at Cell 9 of the Custody Suite, Wood Green Police Station, High Road, Green Lanes, Wood Green, London N22 8HZ. That I did serve by reading out the terms of the Order as referred to in my original Statement dated 10 January 2018 in the presence of Sgt Mike Nicolaou, Officer Tahir Razzaq and three other police officers. That I did at the time of reading out the terms of the of the Injunction Order dated 09 January 2018 to the above named defendant did so in the knowledge that the defendant by his own admission to my colleague Terry Conway on 10 August 2017 that **"he had difficulty reading"** (refer to paragraph 5 of Statement of Terry Conway dated 10 August 2017). The defendant at the time of service effected by me in the manner as aforesaid being the necessary avenue for service upon the above named defendant in order that he understood the terms of said Order.

3. That I did on Wednesday 02 May 2018 at approximately 10.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with the two envelopes containing the following:

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a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 05 February 2018
c) An Application Notice dated 05 February 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) A Power of Arrest dated 09 January 2018
f) A Witness Statement of Mr Lemmy Nwabusi dated 02 February 2018
g) A Witness Statement of Ms Kaunchita Maudhub dated 05 February 2018
h) A Draft Order

And

a) A Letter from the Claimant Solicitor dated 02 May 2018
b) An Order of the Court dated 24 April 2018
c) An Application Notice dated 20 April 2018 with accompanying documents
d) An Injunction Order dated 09 January 2018
e) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018
f) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018
g) A Draft Order

4. On the same date after repeated knocking, the above named defendant responded from behind the front door asking "who is it". After having identified myself and the nature of my attendance and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelopes containing the documents referred to in this my statement of attempted service. That I did for approximately the next 20/25 minutes remain by the front door of the address attended with the above named defendant refusing to open the door to accept service personally. As the above named defendant was refusing to accept service personally of the aforementioned envelopes containing the documents referred to previously, I did remain in close proximity to the building for approximately one hour on the basis of the defendant may leave the property. At approximately 11.30.am on the same date I did leave the area.

5. That at the time of attempted service and from behind a closed front door the aforementioned defendant had admitted his identity to me as Simon Cordell, the defendant named in these proceedings.

6. That therefore I having being unable to meet and personally serve the above named defendant with the aforementioned documentation; I would verily ask of the court to allow service of any such Order the court makes by allowing any such Order and accompanying documentation to be placed in a sealed envelope addressed to the defendant, marked 'Important Court Documents' and posted through the letterbox of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ knowing that said documents would come to the attention of the defendant, by virtue of this address being his usual place of residency.

7. This statement is true to the best of my knowledge and belief and I make it knowing that, if it were tendered in evidence, I would be liable to prosecution if I wilfully stated in it anything which I know to be false or did not believe to be true.

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

08/05/2018

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

WITNESS STATEMENT OF ATTEMPTED SERVICE

I, Andy Philippou, a Process Server of Global Investigation Services Limited, Earnscliff House, London N9 9AB
Acting under the instructions of:-

**The London Borough of Enfield, Legal Services Department, P.O. Box 50 Civic Centre, Silver Street, Enfield, Middlesex EN1 3XA**

**STATE AS FOLLOWS :-**

1. That I am over sixteen years of age.

2. That I did on Friday 11 May 2018 at approximately 9.00.am attend in close proximity to the defendant's address supplied to me for him of 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ. The purpose of my attendance being to meet and personally serve the above named defendant with a single envelope containing the following:

a) A Letter from the Claimant Solicitor dated 11 May 2018
b) An Application Notice dated 11 May 2018
c) An Application Notice marked 'Amended Application Notice'
d) An Affidavit of Mr Markandu Mathiyalagan dated 20 April 2018 with Exhibits
e) An Affidavit of Mrs Revathy Mathiyalagan dated 20 April 2018 with Exhibit
f) An amended Draft Order
g) A Witness Statement of Mr Lemmy Nwabusi dated 10 May 2018 with Exhibit
h) A Witness Statement of Ms Balbinder Kaur Geddes dated 10 May 2018 with Exhibit

3. That I did at the time of attendance having being unable to gain access to the building initially attempt to gain the attention of the above named defendant by tapping at the glass of the downstairs window, with no response. At approximately 9.20.am after having gained access to the building as a resident was leaving the building, I did knock at the front door of the defendant of 109

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Burncroft Avenue, Enfield, Middlesex EN3 7JQ . With the above named defendant responded from behind the front door and as on my previous attendance at the address asked "who is it". After having identified myself as I had done so on my previous attendance and the nature of my attending and with the defendant stating he had no wish to open the door to me and therefore refusing to accept service personally of the aforementioned envelope containing the documents referred to in this my statement; I did ask on more than one occasion if the defendant would oblige by opening the front door. That I did after having being refused access to personal service at the address and with the letterbox to the address quite clearly being obstructed by what left like a 'wooden plate' proceed to find a fixing for the sealed envelope addressed to the above named defendant containing the aforementioned documentation. That I did continue to affix the envelope 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

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Statement filed on behalf of the Claimant
Deponent: Andy Philippou
Statement No: One
Exhibits: One

IN THE COUNTY COURT AT EDMONTON

CASE NO:E00ED049

BETWEEN

THE LONDON BOROUGH OF ENFIELD

Claimant

-and-

SIMON CORDELL

Defendant

"A"

This is the exhibit marked "A" and referred to in the Statement of Andy Philippou

Signed:

11/05/2018

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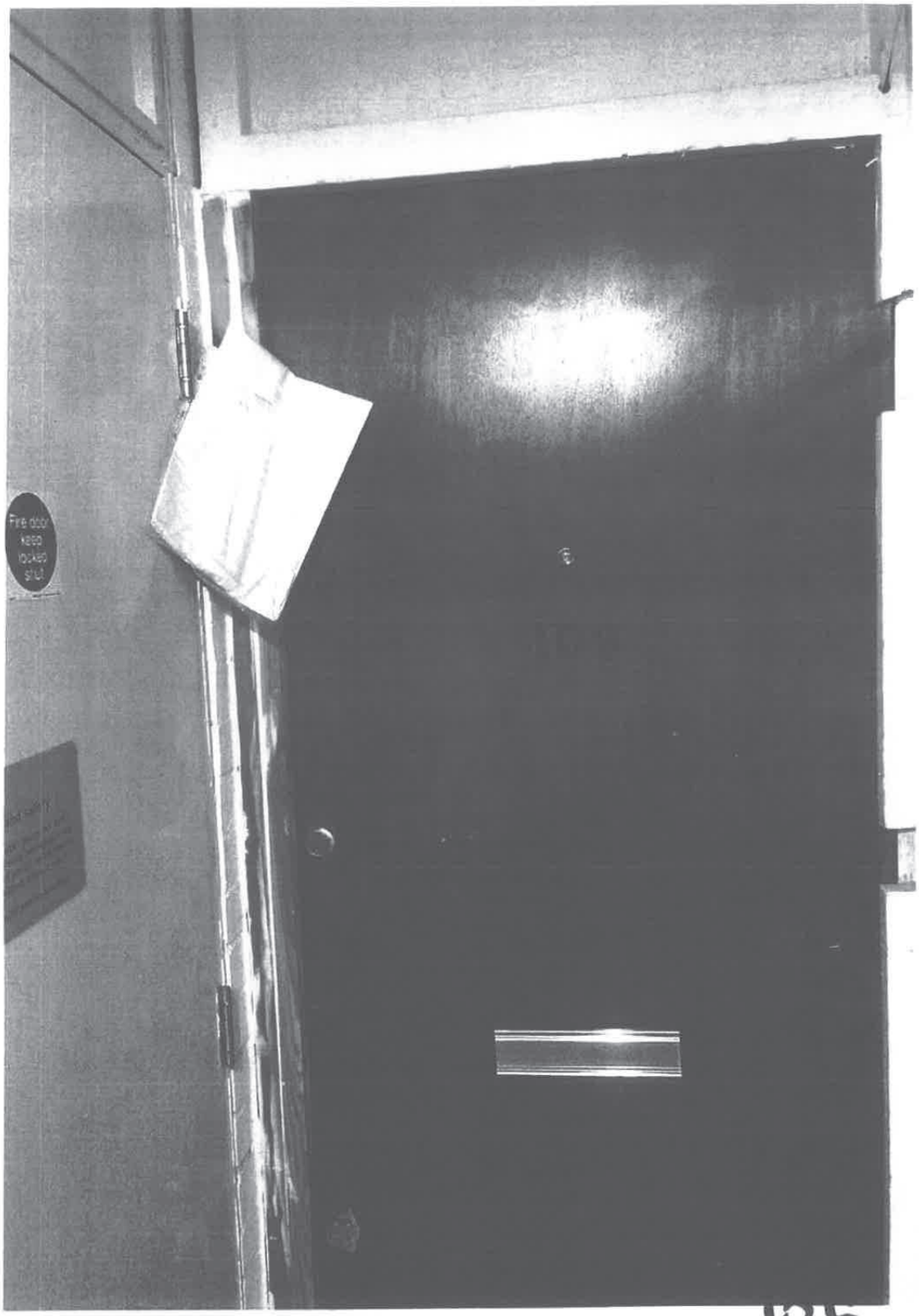


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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 14 May 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant Ref** |

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

**IT IS ORDERED THAT**

1. Permission to Applicant to amend the application for committal.

2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

N24 General Form of Judgment or Order

Produced by:D. Humphreys
CJR065C

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# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 14 May 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant** Ref LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant** Ref |

Before Deputy District Judge Genn sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

UPON hearing Solicitor for Applicant and Defendant not in attendance and not having notice of the application because of the history of Defendant evading service and the threats of violence to neighbours set out in the witness statement of Mr Nwabuisi and because of the urgency of the matter given there is a hearing listed for 30th May 2018.

AND UPON reading the Applicant's application

**IT IS ORDERED THAT**

1. Permission to Applicant to amend the application for committal.

2. Permission pursuant to CPR 81.10 (5)(b) to serve the amended application by email on Mrs Cordell, Defendant's mother because she has successfully brought previous proceedings to Defendant's notice having received previous applications by this means.

Dated 14 May 2018

The court office at the County Court at Edmonton, 59 Fore Street, London, N18 2TN. When corresponding with the court, please address forms or letters to the Court Manager and quote the claim number. Tel: 020 8884 6500. **Check if you can issue your claim online. It will save you time and money. Go to www.moneyclaim.gov.uk to find out more.**

Produced by:D. Humphreys
CIR065C

N24 General Form of Judgment or Order

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LBE v Cordell Bundle Part 1.pdf

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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

Jeremy Chambers
Director of Law & Governance
Enfield Council
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Enfield EN1 3XY
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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 26 June 2018 15:18
**To:** 'Lorraine Cordell'
**Subject:** (DPS:1:CR:326592:9V) LBE v Simon Cordell-E00ED049 Draft Order
**Attachments:** LBE v Simon Cordell-E00ED049 Draft Order.docx

**Importance:** High

Dear Lorraine,

Further to our telephone conversation, please find attached the Order I was referring to.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant, Solicitor for the Defendant having recently been instructed and the Defendant not attending

**UPON** agreeing that the report of Angela Hague, Manager of Enfield Assessment Services produced following an assessment held with the Defendant on 19 June 2018, does not deal with the Defendant's capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018

**UPON** the Claimant agreeing to refer the Defendant to a Consultant Psychiatrist so a mental capacity assessment could be commissioned

**UPON** the parties agreeing to an adjournment giving the circumstances

**AND UPON** the Defendant's newly instructed solicitors confirming that it will accept service of the order on behalf of the Defendant

**IT IS ORDERED**

(1) By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the

Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation.

(2) The Claimant shall, if so advised, file and serve a witness statement appending any relevant documentation dealing with the question of the Defendant's capacity to litigate and/or capacity to understand the meaning of the interim injunction dated 09 January 2018 by 4pm on 17 July 2018.

(3) The matter will be re-listed urgently on the first open date after 28 days with a time estimate of one hour to consider further directions. The matter to be reserved to District Judge Dias.

(4) No earlier than seven and no later than three days prior to the relisted hearing the Claimant shall file and serve a paginated bundle of documents for use at the hearing.

(5) This order will be deemed served on the Defendant if the Claimant emails a copy of the order to the Defendant's solicitor.

(6) The costs of today's hearing and the costs of the hearing dated 30th May 2018 may be in the case.

Dated 26 June 2018

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 26 June 2018 14:12
**To:** 'Lorraine Cordell'
**Subject:** (DPS:1:CR:326592:9V) RE: Simon Cordell

**Importance:** High

Dear Lorraine,

That's great news.

Enough time for us to apply for legal aid and have that arranged.

I doubt that they will arrange to assess him within the next 3 days, but if any issue, you can give Simon my number and ask him to contact me whilst you're away.

Have a good trip.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 26 June 2018 12:47
**To:** Trishna Kerai
**Subject:** RE: Simon Cordell

Dear Trishna Kerai

Just would like to say thank you for all your help in this matter.

Just got home from the court it has been adjourned for 28 days so things can be done one of them is the assessment of my son.

I am going away today and will be back on the 30th June, so I hope that the council does not arrange a date for this week for the assessment to take place.

Lorraine

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 02 July 2018 09:50
**To:** 'Lorraine Cordell'
**Subject:** (DPS:1:CR:326592:9V) Report from Angela Hague, Enfield Assessment Service
**Attachments:** Report from Angela Hague, Enfield Assessment Service.pdf

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
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Entries by Angela Hague – Manager, Enfield Assessment Service

Originator:HAGUE, Angela
15 Jun 2018, 14:25 [ Nursing ]
Telephone call from Simon, long conversation, asking about his appointment he has been offered for next week, who made the referral and why. Same discussed and remembers that the had already spoken with Iain Williams. Difficult to follow his conversation and to interrupt. Says he has been on a 10pm curfew for the past 9 years afraid to leave his house as he feels the police have set this up. Mistaken identity, reports he has read all give descriptions of different people, 4 in total, not him. All happened because of a party on Lincoln Road, he was not involved but happened because people were disturbed by the noise. Because of the curfew says he lost his relationship with his first love has or had a second girlfriend. Said he has been dialling 999 they get 15,000 calls per day, their time is going backwards on their records and do not have a RUN number.

Says he does not have a mental illness no previous contact with services has been good. Sectioned in the past human rights broken, people coming into his house, says he was giving them access. Has tape recordings and linkedin, facebook pages of all involved, has set up a web page. Discussed that they reason I had contacted him was to offer an appointment next Tuesday 11am, asking why we are coming, offered to see at Lucas House instead he declined this says prefers to be seen at home. Asked why I am not treating with dignity ad respect that he has told me all about my colleagues and their treatment of him and I have not apologised to him and investigating. Discussed that he has the right to compliant which he says he already has and knows how to make a complaint. reported that he was taping our conversation and was making a digital copy which he has made of most interactions with people. He agreed to a home visit next week. The home visit is with EIS Amal Pomphrey.

Originator:HAGUE, Angela
19 Jun 2018, 13:57 [ Nursing ]
Telephone call from Simon's mother Lorraine Cordell. Sounded tearful on the phone, reported that she has spoken with Simon and he told her that we went to see him today, myself and Amal. Said that he told her that the appointment went well and that we had told him there is nothing mentally wrong with him, that he does not need psychiatric services and is well. Says she is finding it distressing, very worried about her son as she believes, and everyone else can see that her son is ill. Said he is struggling to cope, not leaving the house, feels persecuted by his neighbours. Not managing the court case well. Believes that the has lost trust in services and feels he needs to build trust with professionals again.

Reported that when she was in court the information that was given was that her son had PTSD and was discharged form services, believes it was inaccurate and did not know where the information came from, thought perhaps it was Iain Williams as he had around the same time called to speak to Simon about his referral.

Discussed that we would need Simons consent to discuss his case. Reported that her mother suffered with schizophrenia and she has a lot of experience around people who have mental

illness not believing they have a mental health problem and don't require treatment. Says she is happy to encourage her son to engage with services as far as possible.

Originator:HAGUE, Angela
19 Jun 2018, 14:33 [ Nursing ]
Home visit today as arranged with Amal Pomphrey from EIS. Client previously under EIS from 2015 discharged in January this year, difficult to engage. History well known so not repeated.

Simon was friendly and welcoming into his home. Put his pet dog out side in the garden, visible through patio doors. Dog appeared in good health though Simon reported that his dog is stressed about his neighbours the police and mental health services to the point it has chewed some of the fur off his front paws.

Simon stood for sometime keen to talk about the evidence he has gathered against the police, and local authority, has taped and logged everything on a website. Showed his website says not live as yet, all he has to do is click a button and it will show how he has been unfairly treated by the local authority and police. Website and all written video and audio recordings linked. Showed a couple of examples CCTV inside his flat, conversation with ASBO team and written documents. Also showed us paper files that the has maintained in large ring binders, containing copies of e-mails and all correspondence. Informed us that he tapes all conversations he has with health, local authority and police staff. Has CCTV cameras placed internally and externally around his flat.

Spoke of how his issues began many years ago trouble with the police over holding illegal parties. Reported that he is currently not going out feels afraid. No restrictions placed on him regarding going out other than not allowed in Industrial areas or 24 hour venues such as MacDonalds or Tescos. Reported recently in court with regards to his neighbour, representing himself does not feel he needs a solicitor. Recommendation is that he has an assessment with a psychiatrist. However said he will not attend as the letter has not been properly dated and stamped and therefore believes he is not bound by it.

Mental state:

Simon was casually dressed, his hygiene appeared fair. He maintained good eye contact and rapport. His speech appeared slightly pressured difficult to interrupt but not irritable when interrupted.

Grandiose ideas around his intelligence, says he is a millionaire properties from wealthy relatives who have deceased, successful businesses, earning hundreds and thousands of pounds. Paranoid about his neighbours, believes they and others have spread information that he may have had herpes. Paranoid delusions believes his neighbours are deliberately following him from room to room banging on his ceiling. Believes they want to kill him. Though he did not express any thoughts of wanting to harm anyone. Believes he is being paid to look after vulnerable people in poor situations.

Appears to be a mood element to his condition pressured speech grandiose, tangential jumping from topic to topic. However reported that at times his mood can be depressed and upset by his neighbours. On one occasion he drank some liquid in an attempt to poison himself, found by mother and taken to A&E discharged. Denied having any current suicidal ideation or thought to harm himself.

There was no evidence of any hallucinations. Personality appears to be intact.

Simon appears to lack insight, asked if he believes he has a mental health condition denied this said he has never taken medication as he does not believe he has any mental health problem to require medication.

Impression:

37 year old male appears to have had a difficult childhood spoke about scars on his legs from beatings form his father. Wants to protect children, and vulnerable people believes it is his duty. 2015 diagnosed with psychotic illness and referred to EIS does not appear to have engaged with treatment offered. previously prescribed Olanzapine. Does not appear to require crisis team or mental health act assessment at this time. But would benefit from assertive follow up in the community. EIS state that has gone beyond EIS three year treatment period.

Plan therefore to refer to North Locality Team Locality Team. E-mail sent.

EIS agree to liaise and advise court regarding the request for a report.

Closed to EIS.

| | |
|---|---|
| **From:** | GoDaddy <donotreply@godaddy.com> |
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| **To:** | re_wired@ymail.com |
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GoDaddy

Simon Cordell — Customer Number: 37486337

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**Sent time:** 05/07/2018 08:31:24 PM
**To:** re_wired@ymail.com
**Subject:** Status Alert: Domain Change Notification

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24/7 Support: 020 7084 1810
Simon Cordell — Customer Number: 37486337

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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 10 July 2018 15:05
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Cordell [SEC=OFFICIAL]
**Attachments:** Letter to Stuart Miller Solicitors 10.7.2018 pdf.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 July 2018 15:05
**To:** Trishna Kerai
**Subject:** LBE v Cordell [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Trishna,

Please see attached a copy of our correspondence to the Court enclosing the assessment report of Dr Dhinakaran.

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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DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 10th July, 2018

**FAO Trishna Kerai**
**Stuart Miller Solicitors**
**DX: 35654 Wood Green 1**

Also by email

Dear Ms Kerai,

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

Please find attached a copy of our correspondence to the Edmonton County Court with a copy of Dr Dhinakaran's assessment report.

Yours sincerely,

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**

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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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**Jeremy Chambers**
**Director of Law & Governance**
Enfield Council
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Enfield EN1 3XY

**www.enfield.gov.uk**

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Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

## 3. Sources of information

3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
2. Order for an injunction dated 9.1.2018
3. Report of Angela Hague from the Enfield Assessment Team
4. Court order made by DJ Dias, Edmonton County Court at the hearing on 30.05.2018 and 26.6.2018.

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## 4. Assessment of Mr Cordell

4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 13 July 2018 14:48
**To:** complaintsandinformation
**Subject:** Re: Simon Cordell - assessment complaint [SEC=OFFICIAL]

Dear Daniel

Thank you for the reply, i believe what you have been told is misleading, as the council are very aware everything is recorded our side.

I also notice you have only covered one issue that was spoke about when you called me after my brother called you, but i had a feeling that would happen.

I do understand that things are complexed as Enfield Council has only ever gone one sided and never heard or wanted to hear anything we had to say, this was clearly shown in the call when you stated we have not been able to talk to anyone regarding issues, but that is the way that Enfield Council wanted it they just wanted to believe what they wanted, but only hearing one side to everything is not correct as there is two sides to everything.

Regards

Lorraine Cordell

Sent from my iPhone

> On 11 Jul 2018, at 14:25, complaintsandinformation <complaintsandinformation@enfield.gov.uk> wrote:
>
> Classification: OFFICIAL
> Dear Lorraine,
>
> I am writing further to our recent telephone conversation about your sons mental health assessment.
>
> I have been provided with the following comments from the team handling the case:
>
> On 30th May 2018, the Court ordered the Claimant (Enfield Council) to appoint a consultant psychiatrist to assess whether Mr Cordell has capacity to litigate. Before we arranged the appointment with the consultant psychiatrist,, we sought approval from Mr Cordell's solicitors who were provided with the consultant's details and CV. The consultant was an independent consultant. The court does not appoint assessors. The solicitors did not oppose the proposed appointment and their consent was sought at all times, we also agreed the appointment with them including dates and times.
>
> I can confirm that two council officers attended Mr Cordell's flat with the Consultant Psychiatrist at 9.30am on Friday 6th July 2018 and waited while the consultant assessed Mr Cordell. It was necessary to send the officers to ensure that the consultant was not at risk. Previously, on 3 July 2018, a previous consultant had met with Mr Cordell on her own to carry out an assessment but did not feel safe and had to leave without completing the assessment. The council officers were not part of the assessment and only attended the appointment to ensure that the consultant was not at risk.
>
> I do understand from our conversation that you intend to pursue this matter further via solicitors.
>
> Kind regards,
>
> Daniel Ellis
> Statutory Complaints Officer
> Complaints & Access to Information Team London Borough of Enfield
>

> Phone: 020 8379 2808
> Email: daniel.ellis@enfield.gov.uk
> Website: www.enfield.gov.uk
> Classification: OFFICIAL
> [Campaign] <https://www.england.nhs.uk>
>
> [Facebook]Follow us on
> Facebook<https://www.facebook.com/pages/Enfield-Council/25294637809515
> 4> [Twitter] Twitter<https://twitter.com/EnfieldCouncil> [Enfield]
> http://www.enfield.gov.uk _____
>
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>
>
> _____
> This email has been scanned for viruses but we cannot guarantee that it will be free of viruses or malware. The recipient should perform their own virus checks.
>

**From:** Wix Team <newsletter@i.wix.com>
**Sent time:** 15/07/2018 09:01:28 PM
**To:** re_wired@ymail.com
**Subject:** Your Domain Contact Information has Changed

If you can't see this e-mail click here

Get social with us!

# Your Domain Contact Information has Changed

The contact information for your domain, horrificcorruption.com, has been changed. If you authorized these changes, there's nothing more you need to do. If you don't recognize this activity, please contact Support.

To prevent unauthorized or accidental transfers, Internet Corporation for Assigned Names and Numbers (ICANN) regulations require that a 60 day lock be placed on all domains after they are registered or transferred, or their contact details have been changed. This means that you will not be able to transfer your domain until Sep 13, 2018. To learn more about ICANN's policy, click here.

Image Caption

**Need help?**
Visit the Help Center or contact us.

Please do not reply to this email
500 Terry A Francois Blvd San Francisco, CA 94158
Wix.com Ltd., Wix.com Inc.
View our privacy policy

**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 17/07/2018 05:52:04 AM
**To:** re_wired@ymail.com
**Subject:** Simon, your July account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# July Account Summary for Simon.

View Your Account

## Pro tips, just for you:

**Did you register a .co.uk, .org.uk or .me.uk domain before 10 June 2014?** The corresponding .uk domain name may have been reserved for you. Act fast to secure it before 10 June 2019. Learn more.

Thanks for your recent purchases. Review them here.

This is a great time to ensure your account is secure. Update your password and add or review two-step verification protection.

Make sure you aren't missing out on special offers. Visit My Account and look for the Contact Preferences tab under "Settings" to opt-in to offers related to your purchase.

**You qualify for a 30% discount on new purchases.* Use promo code rpjul18dc. Shop now >**

## What's in your account:

**Domains**
**Important: Some of your domains expire soon. Renew them today. Update your domain settings**

Log in to make changes, like pointing them to your Facebook or Twitter page.

TOOSMOOTHENTERTAINMENT.COM
T-S-ENTERPRISES.CO.UK
T-S-ENTERPRISES.COM
TOOSMOOTHENTERTAINMENT.CO.UK
TOOSMOOTH.CO.UK

**Manage Your Domains**

## cPanel Hosting

50+ apps are available in your plan.

**Add More**

## Office 365

Need to add or remove an account?

**Get Started**

.CLUB

Invite people to join you with a **.club** domain on your website. Membership creates community, and encourages sharing. Get a .club domain for just ~~£12.10~~ £0.99.

.org

~~£16.10~~ £5.99*

.site

~~£28.10~~ £0.99*

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~~£16.10~~ £3.10*

*See offer terms, conditions and legal policies.

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**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 17 July 2018 11:08
**To:** 'Trishna Kerai'
**Subject:** RE: LBE v Cordell [SEC=OFFICIAL]

Hi Trishna

I was just wondering if you got the below email I sent it on Friday, and was wondering about tomorrow and if a new court date has been set.

Regards

Lorraine

---

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Date:** 13 July 2018 at 16:24:00 BST
**To:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Subject: Re: LBE v Cordell [SEC=OFFICIAL]**

Hi Trishna

Just wanted to ask i told Simon about coming to see you on the 18th at 13:00 and he asked if it can be done at his home address, i am not sure if you can do this but i would be there with him of you can. I said i would ask you.

Also is a date fixed yet for the next hearing at court as far as i know we have not got the real court letter yet with the new date.

Also have you got any of the emails from the council yet that was sent to the mental health and what the mental health replied to them

Regards

Lorraine

Sent from my iPhone

On 11 Jul 2018, at 11:36, Trishna Kerai <Trishna@stuartmillersolicitors.co.uk> wrote:

> Dear Ludmilla,
>
> Thank you for your email and providing me with the report.
>
> Can you please confirm that this report will be used in the next hearing and **NOT** the previous one as I believe the previous one will have no precedent now?
>
> Thanks.
>
> Kind regards,
>
> Trishna Kerai | Caseworker | Magistrates Court Department
> T: 0208 888 5225 M: 07790 993 860
> E: trishna@stuartmillersolicitors.co.uk
> W: www.stuartmillersolicitors.co.uk
>
> <image001.jpg>

<image002.jpg> <image003.jpg> <image004.jpg> <image005.jpg> <image006.png>

<image007.png>

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 July 2018 15:05
**To:** Trishna Kerai
**Subject:** LBE v Cordell [SEC=OFFICIAL]

Classification: OFFICIAL

Dear Trishna,

Please see attached a copy of our correspondence to the Court enclosing the assessment report of Dr Dhinakaran.

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.

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 20/07/2018 05:32:28 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Fwd: (DPS:1:CR:326592:9V) Simon's Assessment Report |
| **Attachments:** | image001.jpg image002.jpg image003.jpg image004.jpg image005.jpg image006.png image007.png Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf |

Simon see email

Sent from my iPhone

Begin forwarded message:

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Date:** 20 July 2018 at 16:28:13 BST
**To:** 'Lorraine Cordell' <lorraine32@blueyonder.co.uk>
**Subject: (DPS:1:CR:326592:9V) Simon's Assessment Report**

Dear Lorraine,

Please find attached Simon's medical assessment report. Please note that this works in our favour as it will allow us to possibly get rid of the Injunction Order completely.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

Letter to ECC attaching Dr Dhinakaran's assess.pdf

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**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.

Letter to ECC attaching Dr Dhinakaran's assess.pdf

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

Letter to ECC attaching Dr Dhinakaran's assess.pdf

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

## 3. Sources of information

3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
2. Order for an injunction dated 9.1.2018
3. Report of Angela Hague from the Enfield Assessment Team
4. Court order made by DJ Dias, Edmonton County Court at the hearing on 30.05.2018 and 26.6.2018.

Letter to ECC attaching Dr Dhinakaran's assess.pdf

3.2 I assessed Mr Cordell on 6 July 2018, at his flat 109 Burncroft Avenue, Enfield EN3 7JQ, accompanied by two officers from the Enfield Housing Team. I can confirm that prior to my assessment; I explained to Mr Cordell my role and the purpose of my visit. I also explained to him that I was acting on the instructions of the Enfield Council at the directions of the Court.

**4. Assessment of Mr Cordell**

4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

Letter to ECC attaching Dr Dhinakaran's assess.pdf

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

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Letter to ECC attaching Dr Dhinakaran's assess.pdf

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

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SHORTLISTED
Crime Team of the Year

LEGAL
500

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 20 July 2018 16:28
**To:** 'Lorraine Cordell'
**Subject:** (DPS:1:CR:326592:9V) Simon's Assessment Report
**Attachments:** Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf

Dear Lorraine,

Please find attached Simon's medical assessment report. Please note that this works in our favour as it will allow us to possibly get rid of the Injunction Order completely.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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ENFIELD Council

Please reply to: Legal Services
PO Box 50, Civic Centre
Silver Street,
Enfield EN1 3XA

**Edmonton County Court**
**DX 136686 Edmonton 3**

E-mail: Ludmilla.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: 10th July, 2018

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**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.

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

## 3. Sources of information

3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
2. Order for an injunction dated 9.1.2018
3. Report of Angela Hague from the Enfield Assessment Team
4. Court order made by DJ Dias, Edmonton County Court at the hearing on 30.05.2018 and 26.6.2018.

3.2 I assessed Mr Cordell on 6 July 2018, at his flat 109 Burncroft Avenue, Enfield EN3 7JQ, accompanied by two officers from the Enfield Housing Team. I can confirm that prior to my assessment; I explained to Mr Cordell my role and the purpose of my visit. I also explained to him that I was acting on the instructions of the Enfield Council at the directions of the Court.

## 4. Assessment of Mr Cordell

4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

**From:** GoDaddy Renewals <renewals@godaddy.com>
**Sent time:** 07/08/2018 01:50:22 PM
**To:** re_wired@ymail.com
**Subject:** Simon Cordell: Your GoDaddy Renewal Notice

GoDaddy

24/7 Support: 020 7084 1810
Simon Cordell — Customer Number: 37486337

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**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 07 August 2018 18:03
**To:** Trishna Kerai
**Cc:** Lorraine Cordell
**Subject:** FW: London Borough of Enfield v Simon Cordell- E00ED049 Extremely Urgent hearing listed on 9th August 2018, 10am
**Attachments:** letter to ECC 07.08.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 - Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 -Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 -Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf

**Importance:** High

Dear Trishna,

You will see that I have copied you and Mrs Cordell to my email to the Court, enclosing an application notice to appoint Mrs Cordell as Simon's litigation friend. Following the report produced by Dr Dhinakaran on 7th July 2018 which confirms Mr Cordell's lacks of capacity to litigate, we believe that it will be reasonable that Mr Cordell be assisted by a litigation friend. Giving Lorraine Cordell's involvement in this case we are of the view that she will be the best person to be appointed as a litigation friend.

I have copied Mrs Cordell to this email correspondence as she's expected to be served and to respond to the application at the hearing. I will be grateful if you could seek instructions from Mr Cordell and let me know whether the application will be agreed or opposed. I would also like to have Mrs Cordell's position in response to the application ahead of the hearing.

I have asked that the application be dealt with by DJ Dias at the hearing on 9th August 2018, 10am.

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

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---

**From:** Ludmilla Iyavoo
**Sent:** 07 August 2018 17:47
**To:** Edmonton County, Enquiries
**Cc:** 'Trishna Kerai'; 'Lorraine Cordell'
**Subject:** London Borough of Enfield v Simon Cordell- E00ED049 Extremely Urgent hearing listed on 9th August 2018, 10am
**Importance:** High

Dear Sirs

**Re: London Borough of Enfield v Simon Cordell- E00ED049**

Please find attached a copy of our correspondence with an application notice. We would like the application notice to be dealt with by DJ Dias at the hearing on Thursday 9th August 2018, 10am and we hope that it can be processed and placed on the Court's file as a matter of urgency.

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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PO Box 50, Civic Centre
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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: 7th August, 2018

**Edmonton County Court**
**DX: 136686 Edmonton 3**

Dear Sirs, **URGENT- hearing on 9th August 2018, 10am**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049**

We write further to the above matter which is listed for 1 hour hearing on 9th August 2018, 10am. The matter has been reserved to District Judge Dias.

We enclose an application notice for the Court's urgent consideration. The application seeks permission from the Court to appoint the Defendant's mother, Mrs Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

**We will be grateful if the application can be placed on file ahead of the hearing on 9th August 2018, 10am for District Judge Dias consideration.**

We enclose herewith 3 copies of the following documents:

1. An application notice (Form N244)
2. Continuation sheet
3. Report of Dr Dhinakaran dated 7th July 2018.

The issue fees of £255.00 can be deducted from our PBA Account as follows:

**PBA Account number: 0079006**
**Court fees: £255.00**
**Our ref: 157255**

**Jeremy Chambers**
**Director of Law & Governanc**
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

**www.enfield.gov.uk**

If you need this document in another language or format contact the service using the details above.

**Please note that the Claimant will be serving a copy of this application upon the Defendant's legal representatives and Mrs Lorraine Cordell (proposed litigation friend).**

Yours faithfully,

L. Iyavoo
Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

CC. The Defendant's solicitors Stuart Miller Solicitors (by email)
The Defendant's mother Mrs Lorraine Cordell (by email)

N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period: Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need? Hearing has been reserved to DJ Dias

9. Who should be served with this application? The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1
Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
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 | |
|---|---|



1873

Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

The Claimant also believes that the proposed litigation friend, Mrs Lorraine Cordell satisfies the requirement of CPR 21.4 (3) as she appears to be able to act fairly and competently on behalf of the Defendant. She's the Defendant's mother and has no interest adverse to the Defendant.

Pursuant to CPR 21.8 (1) and (2) The Court should note that a copy of the application is being served upon

1) Mrs Lorraine Cordell (proposed litigation friend)

2) the Defendant's instructed solicitors (Stuart Miller Solicitors).

The Defendant has previously refused service of the documents in the past by sealing his letter box. We would therefore ask the Court to dispense with service given the difficulties and also given the fact that the representatives and proposed litigation friend are being served.

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**Jeremy Chambers**
**Director of Law & Governance**
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

**www.enfield.gov.uk**

If you need this document in another language or format contact the service using the details above.

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

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3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
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3. Report of Angela Hague from the Enfield Assessment Team
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3.2 I assessed Mr Cordell on 6 July 2018, at his flat 109 Burncroft Avenue, Enfield EN3 7JQ, accompanied by two officers from the Enfield Housing Team. I can confirm that prior to my assessment; I explained to Mr Cordell my role and the purpose of my visit. I also explained to him that I was acting on the instructions of the Enfield Council at the directions of the Court.

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4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

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4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

   Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need?

   Hearing has been reserved to DJ Dias

9. Who should be served with this application?

   The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1
   Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
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 | |
|---|---|



1883

Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

The Claimant also believes that the proposed litigation friend, Mrs Lorraine Cordell satisfies the requirement of CPR 21.4 (3) as she appears to be able to act fairly and competently on behalf of the Defendant. She's the Defendant's mother and has no interest adverse to the Defendant.

Pursuant to CPR 21.8 (1) and (2) The Court should note that a copy of the application is being served upon

1) Mrs Lorraine Cordell (proposed litigation friend)

2) the Defendant's instructed solicitors (Stuart Miller Solicitors).

The Defendant has previously refused service of the documents in the past by sealing his letter box. We would therefore ask the Court to dispense with service given the difficulties and also given the fact that the representatives and proposed litigation friend are being served.

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

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Enfield Council
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Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
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Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

N244

# Application notice

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| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

   Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need?

   Hearing has been reserved to DJ Dias

9. Who should be served with this application?

   The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1
   Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
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 | |
|---|---|

Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

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The Defendant has previously refused service of the documents in the past by sealing his letter box. We would therefore ask the Court to dispense with service given the difficulties and also given the fact that the representatives and proposed litigation friend are being served.

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**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.

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

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2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

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The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

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4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

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## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 07 August 2018 17:48
**To:** Edmonton County, Enquiries
**Cc:** Trishna Kerai; Lorraine Cordell
**Subject:** London Borough of Enfield v Simon Cordell- E00ED049 Extremely Urgent hearing listed on 9th August 2018, 10am
**Attachments:** letter to ECC 07.08.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 - Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 -Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf; Application Notice LBE v Cordell 07082018 2.pdf; Section 10 -Continuation Sheet.pdf; Letter to ECC attaching Dr Dhinakaran's assessment report 10.7.2018.pdf

**Importance:** High

Dear Sirs

**Re: London Borough of Enfield v Simon Cordell- E00ED049**

Please find attached a copy of our correspondence with an application notice. We would like the application notice to be dealt with by DJ Dias at the hearing on Thursday 9th August 2018, 10am and we hope that it can be processed and placed on the Court's file as a matter of urgency.

Kind regards,
Ludmilla Iyavoo
Solicitor
Corporate Team
Legal Services
Enfield Council
Silver Street
Enfield EN1 3XY

DX 90615 Enfield 1

Telephone: 020 8379 8323
Fax: 020 8379 6492

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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communities. Opinions expressed in this email are those of the individual and not necessarily those of the London Borough of Enfield. This email and any attachments or files transmitted with it are strictly confidential and intended solely for the named addressee. It may contain privileged and confidential information and if you are not the intended recipient and receive it in error you must not copy, distribute or use the communication in any other way. All traffic handled by the Government Connect Secure Extranet may be subject to recording/and or monitoring in accordance with relevant legislation.

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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: 7th August, 2018

**Edmonton County Court**
**DX: 136686 Edmonton 3**

Dear Sirs, **URGENT- hearing on 9th August 2018, 10am**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049**

We write further to the above matter which is listed for 1 hour hearing on 9th August 2018, 10am. The matter has been reserved to District Judge Dias.

We enclose an application notice for the Court's urgent consideration. The application seeks permission from the Court to appoint the Defendant's mother, Mrs Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

**We will be grateful if the application can be placed on file ahead of the hearing on 9th August 2018, 10am for District Judge Dias consideration.**

We enclose herewith 3 copies of the following documents:

1. An application notice (Form N244)
2. Continuation sheet
3. Report of Dr Dhinakaran dated 7th July 2018.

The issue fees of £255.00 can be deducted from our PBA Account as follows:

**PBA Account number: 0079006**
**Court fees: £255.00**
**Our ref: 157255**

**Jeremy Chambers**
**Director of Law & Governanc**
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.

**Please note that the Claimant will be serving a copy of this application upon the Defendant's legal representatives and Mrs Lorraine Cordell (proposed litigation friend).**

Yours faithfully,

L. Iyavoo
Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

CC. The Defendant's solicitors Stuart Miller Solicitors (by email)
The Defendant's mother Mrs Lorraine Cordell (by email)

N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

   Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need?

   Hearing has been reserved to DJ Dias

9. Who should be served with this application?

   The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1 Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
Enfield

Postcode E N 1 3 X A

| If applicable | |
|---|---|
| Phone no. | 0208 379 8323 |
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Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

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Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 10th July, 2018

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**DX 136686 Edmonton 3**

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Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
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Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

   Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need?

   Hearing has been reserved to DJ Dias

9. Who should be served with this application?

   The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1
   Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
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 | |
|---|---|



1917

Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

The Claimant also believes that the proposed litigation friend, Mrs Lorraine Cordell satisfies the requirement of CPR 21.4 (3) as she appears to be able to act fairly and competently on behalf of the Defendant. She's the Defendant's mother and has no interest adverse to the Defendant.

Pursuant to CPR 21.8 (1) and (2) The Court should note that a copy of the application is being served upon

1) Mrs Lorraine Cordell (proposed litigation friend)

2) the Defendant's instructed solicitors (Stuart Miller Solicitors).

The Defendant has previously refused service of the documents in the past by sealing his letter box. We would therefore ask the Court to dispense with service given the difficulties and also given the fact that the representatives and proposed litigation friend are being served.

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**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.

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

## 3. Sources of information

3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
2. Order for an injunction dated 9.1.2018
3. Report of Angela Hague from the Enfield Assessment Team
4. Court order made by DJ Dias, Edmonton County Court at the hearing on 30.05.2018 and 26.6.2018.

3.2 I assessed Mr Cordell on 6 July 2018, at his flat 109 Burncroft Avenue, Enfield EN3 7JQ, accompanied by two officers from the Enfield Housing Team. I can confirm that prior to my assessment; I explained to Mr Cordell my role and the purpose of my visit. I also explained to him that I was acting on the instructions of the Enfield Council at the directions of the Court.

## 4. Assessment of Mr Cordell

4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

N244

# Application notice

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| **Name of court** Edmonton County Court | **Claim no.** E00ED049 |
|---|---|
| **Fee account no.** (if applicable) | **Help with Fees – Ref. no.** (if applicable) |
| PBA 0079006 | 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 | |
| **Date** | 07/08/2018 |

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?

   An order appointing Ms Lorraine Cordell as the Defendant's litigation friend pursuant to CPR 21.6.

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? 1 Hours Minutes

   Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period

   Hearing on 09/08/2018, 10am

8. What level of Judge does your hearing need?

   Hearing has been reserved to DJ Dias

9. Who should be served with this application?

   The Defendant and Mrs Lorraine Cordell

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

   The Defendant: Trishnai Kerai of Stuart Millers Solicitors, 247 High Road,Wood Green,N22 8HF,DX:35654 Wood Green 1
   Proposed litigation friend: Ms Lorraine Cordell, 23 Byron Terrace, Edmonton, N9 7DG

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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.

Pursuant to an order made by the Court on 26/06/2018, the Defendant was assessed by Dr Dhinakaran, consultant psychiatrist to provide a report in regards to the Defendant's capacity to litigate and understand the terms of the injunction order made by the Edmonton County Court on 09/01/2018. A report was provided by the psychiatrist consultant on 07/07/2018 and confirmed that the Defendant lacks capacity to litigate (a copy of the report is enclosed).

As a result the Claimant now wishes to make an application for an order appointing the Defendant's mother Mrs Lorraine Cordell as a litigation friend pursuant to CPR 21.6.

The Claimant agrees that the Defendant lacks capacity within the meaning of the 2005 Act and is a protected party. Therefore a litigation friend must be appointed to conduct proceedings on his behalf (CPR 21.2).

The Defendant's mother Mrs Lorraine Cordell has supported and represented the Defendant throughout the proceedings (please read the continuation sheet)

**Statement of Truth**

(I believe) (The applicant believes) that the facts stated in this section (and any continuation sheets) are true.

Signed L.Iyavoo Dated 07.08.2018

Applicant('s legal representative)('s litigation friend)

Full name Ludmilla Iyavoo

Name of applicant's legal representative's firm Legal Services, London Borough of Enfield

Position or office held Solicitor

(if signing on behalf of firm or company)

11. Signature and address details

Signed L. Iyavoo Dated 07/08/2018

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, Corporate Team
PO BOX 25
Civic Centre, Silver Street
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 | |
|---|---|

Continuation Sheet

**Section 10- What information will you be relying on, in support of your application?**

Mrs Lorraine Cordell has supported the Defendant throughout the proceedings, attended all hearings and represented the Defendant even when he was absent. The Defendant has also demonstrated some reluctance in accepting legal documents by sealing his letter box or returning the recorded delivery posts which would be sent to his home address. Mrs Lorraine Cordell was actually the main person who would make the Defendant aware of the ongoing proceedings and the hearings. On 14/05/2018 the Court even agreed to substitute personal service of two committal applications and allowed the Claimant to serve the applications upon Mrs Lorraine Cordell directlt by email.

The Claimant also believes that the proposed litigation friend, Mrs Lorraine Cordell satisfies the requirement of CPR 21.4 (3) as she appears to be able to act fairly and competently on behalf of the Defendant. She's the Defendant's mother and has no interest adverse to the Defendant.

Pursuant to CPR 21.8 (1) and (2) The Court should note that a copy of the application is being served upon

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The Defendant has previously refused service of the documents in the past by sealing his letter box. We would therefore ask the Court to dispense with service given the difficulties and also given the fact that the representatives and proposed litigation friend are being served.

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: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

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**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.

Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

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The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

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4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

**From:** Google <no-reply@accounts.google.com>
**Sent time:** 13/08/2018 11:56:15 PM
**To:** re_wired@ymail.com
**Subject:** Security alert for your linked Google Account

---

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**Sent time:** 13/08/2018 11:06:36 AM
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**Subject:** Submit Your Wix Site and Win the Opportunity of a Lifetime

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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 amended Order 09082018.docx

**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018

**UPON** the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

UPON the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 be discharged forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the Wood Green Police station.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 14/08/2018 10:44:10 PM
**To:** re_wired@ymail.com
**Subject:** Simon, your August account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# August Account Summary for Simon.

View Your Account

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**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 14 August 2018 12:36
**To:** 'Trishna Kerai'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 amended Order 09082018.docx

Dear Trishna

Thank you for sending over the document I have made remarks in the document in red where I feel it needs rewording.

I hope that helps but I am not sure how to reword it, if you can do that and send it back to me to take a look at I would be grateful

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42

**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**

**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018

**UPON** the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

UPON the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

This is in progress and it was stated my son would need a 2 bedroom place due to needing someone with him. The council is already trying to get away with this by saying a like to like place which I see they are trying to do a 1 bedroom place.

And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing.

The above section is wrong I did not agree to engage with Enfield Mental Health Unit team, so the Defendant could receive assistance with his mental health conditions and housing. (what was stated I was dealing with the mental health team due to a complaint, and it was stated I would ask the mental health team if they would help regarding moving Simon, this is bring done ATM, I can not say my son will take assistance with his mental health conditions, due to the fact that will be down to him and not me I can try and get him to get help, but its not down to me if he takes it.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 be discharged forthwith.

It was stated it would be dismissed not discharged the judge asked them if they wanted discharged or dismissed and they stated dismissed, I see now why they are trying to change this to discharged. As discharged means discharge is an unconditional discharge where the Court finds that a crime has technically been committed, but that any punishment of the defendant would be inappropriate, and the case is closed. It has never been proven that my son done anything.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the Wood Green Police station.

This should be all police as it on record and if he gets arrested at any police station this can come up if it's not removed from full record.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** Wix.com <wix-team@emails.wix.com>
**Sent time:** 16/08/2018 11:06:36 AM
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**Subject:** Last Chance: Submit Your Website to the Wix Stunning Awards

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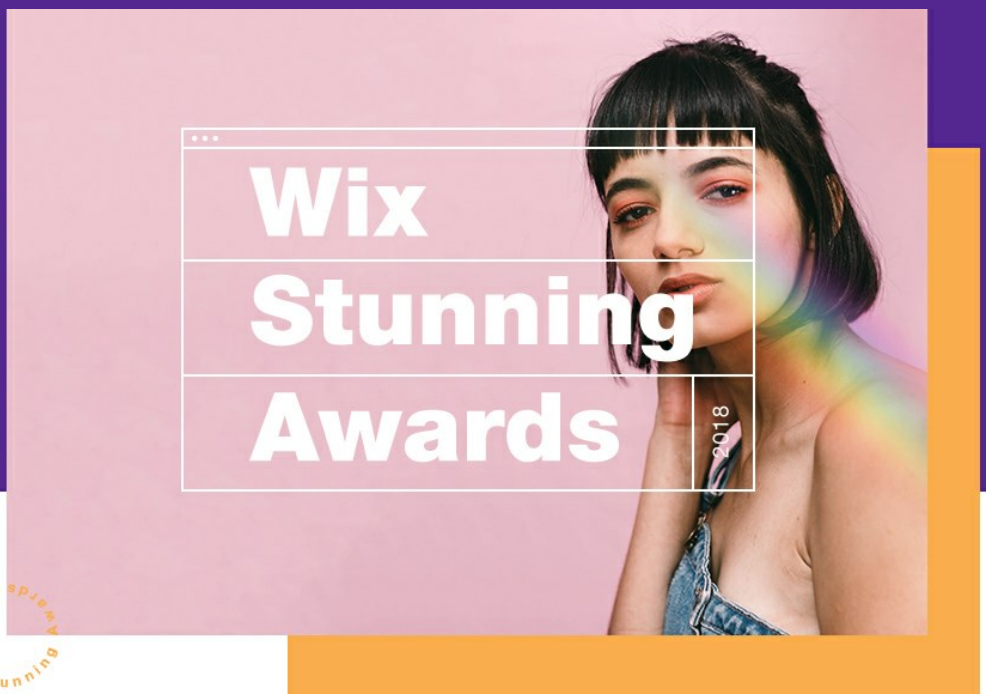


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**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 16 August 2018 17:15
**To:** Lorraine Cordell
**Subject:** RE: Simon Cordell
**Attachments:** enfield-allocations-scheme-2012-2017 (3).pdf

Dear Mrs Cordell,

I write in response to your email below and further to our telephone conversation held a few minutes ago.

As explained it is not usual practice for a management transfer application to be forwarded to the applicant as this is a document which is usually completed by a housing officer and used internally. So please accept my apologies if you may have been advised previously that this would be the case. However we are happy to discuss its contents with you should you wish to.

I enclose a copy of the Enfield Housing Allocation Scheme, which is used by the exceptions panel before considering a management transfer application.

I explained to you that if the application goes ahead tomorrow (this was the earliest exceptions panel meeting), Simon could only be considered for a transfer of property which is similar to the one he currently occupies (like for like transfer).

You explained to me that you believe that your son requires supported accommodation. You also said that he has agreed to see a consultant of the Enfield Mental Health Team and was given an appointment on 31/08/2018 at 9.30am. I have explained that Simon will need to be assessed by the team in order to be considered for supported accommodation. On that basis you agreed to have the management transfer application deferred to be considered at the next panel meeting which will take place on 28/09/2018, this would allow more time for an assessment to be carried out by the Mental health team. **Please confirm that this is agreed by yourself and Simon.**

I also confirmed that the exceptions panel meetings are attended by professionals which means that tenants or members of their family are not allowed to attend. However the meetings can be attended by mental health workers.

I hope this email answers your queries, please do not hesitate to contact me if you have further questions.

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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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 16 August 2018 12:16
**To:** Ludmilla Iyavoo
**Subject:** RE: Simon Cordell

Dear Ludmilla Iyavoo

Could you please forward the housing management transfer application that Lemmy called me about last night 15/08/2018 at 16:15 hours, as I have the mental health team calling me regarding the like to like section in the application. I have not yet seen the application that has been filled in for my son by Enfield Council, and I would like to see it before it is submitted to the broad tomorrow.

Also would it be possible to get a copy of Enfield Councils guidelines and policies for the management transfer application, I do believe I have a copy but want to make sure I have the correct one.

As you are aware at court it was stated I had to fill an application in by today, but it was not stated as to what application it was, and then it was found out the application had to be done by the council so all the wrong information was told to the judge, and as you are aware what I said to the judge regarding a 2 bedroom and then what Lemmy said to the judge that my son would not get one, then what the judge said to Lemmy regarding a 2 bedroom.

I do not want my son placed into a new home that is not going to be appropriate, I want to get it right for him, after all his health has gone down hill due to all the court cases and what the neighbours were and are still doing to him and Enfield council took no notice of the hell my son was living in all they done was believed the neighbours, then on top Enfield Council basically telling the courts there was nothing wrong with my son's health even through I was telling Enfield Council since the start of 2015 via emails the impact this was having on my son regarding what the neighbours were doing, I want Enfield Council to take this seriously as so far where my son has been concerned you have only blamed him for everything and gone one sided and never heard what my son or I have had to say, I believe if Enfield Council had done the correct investigations they would have seen there was a lot more going on here then what the neighbours was saying, but Enfield Council only blamed without wanting to know the facts.

My son has to be re-housed and I want that to be done correctly even if more time is needed and this is not taken to the panel until next week, I do want it done as soon as possible due to what the neighbours are still doing, I don't want things rushed by Enfield Council because they know now they have done wrong and made beaches regarding my son I want it done correctly, as stated I want the mental health input if they are willing to give it as it seems since I put the complaint in they do not seem to want to talk with me as stated to you outside the court room, but that is being addressed and I am waiting for a call back today regarding the housing issue, I have spoken with a few people over the last week regarding this, but due to a change over with the people dealing with my son and him not given a named worker yet it has been hard.

Also can you tell me if I am allowed to attend the panel hearing and also maybe a mental health worker if they are willing to attend also?

I will await to hear from you today.

Regards

Lorraine Cordell
.

---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 15:06
**To:** Lorraine Cordell; 'Trishna Kerai'
**Cc:** Lemmy Nwabuisi
**Subject:** RE: Simon Cordell

Dear Mrs Cordell,

I have emailed Michael Adu- Gyamfi and asked him to contact you as soon as possible, please note that he's aware of the deadline and will be in touch in due course.

I have emailed a draft order to Trishna Kerai of Stuart Miller solicitors and I'm currently waiting her approval. Once I have this I will be in a position to email the Court with the agreed order. I can't confirm the time it will take the Court to approve the order but as soon as this is done, I am sure Ms Kerai will contact you and let you know.

We will contact the police regarding the discharge of the injunction order, however we would need a sealed copy of the court order to be received first before such notification takes place.

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.

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 10 August 2018 14:40
**To:** Ludmilla Iyavoo; 'Trishna Kerai'; Lemmy Nwabuisi
**Subject:** RE: Simon Cordell

Dear Ludmilla Iyavoo

Thank you for the update email, as you will see form my below email I had already been told it would been a housing management transfer, my brother had a long talk with Nadine and he did try and speak to Michael Adugyamfi but he was in a meeting, Nadine kindly sent him an email with my email details for him to contract me, but the best phone number to call me on is 07807 333545.

Would it be possible to have a contract email for Michael Adugyamfi as you know I am on a short time scale ordered by the judge of 7 days to get this addressed.

Also would it be possible to get the time scale as to when I will get the order form the court, and has the police been informed regarding the dismissal of both the injection orders.

Regards

Lorraine Cordell

---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:28
**To:** Lorraine Cordell
**Cc:** Trishna Kerai; Lemmy Nwabuisi
**Subject:** RE: Simon Cordell

Dear Ms Cordell,

Thank you for your emails.

I have made enquiries with our housing allocation manager and since Mr Cordell is an existing council tenant, he will need to apply for a transfer, so he does not need to make a new rehousing application.

This transfer application must to be done via Simon Cordell's neighbourhood officer. I have emailed the officer in question and will ask him contact you as soon as possible. Can you please provide me with a preferred contact number so the officer can make an appointment with you and Mr Cordell? I have copied Mr Cordell's solicitors to this email.

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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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 10 August 2018 14:18
**To:** Ludmilla Iyavoo
**Subject:** RE: Simon Cordell

Dear Ludmilla Iyavoo

I believe what we need as this is what we have just been told on the phone we need to do a housing management transfer to be able to get this done as Simon should not need to fill out a new housing application as he is already a tenant.

Regards

Lorraine Cordell

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 10 August 2018 13:38
**To:** 'Ludmilla Iyavoo'
**Subject:** RE: Simon Cordell

Dear Ludmilla Iyavoo

Could you please send me the link to the application form as I have been looking all day my brother even went up to the civic centre and they could not give him a link they said there is not one.

I wanted to get this done as soon as possible and Enfield Council website is not great to use.

Regards

Lorraine Cordell

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# Enfield's Housing Allocation Scheme

## Letting Social Rented Homes in Enfield.

16th November 2015

www.enfield.gov.uk/has

ENFIELD Council

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## Introduction

This is Enfield's Housing Allocations Scheme. It tells you how we assess applications for housing and allocate social rented homes owned by Enfield Council and partner housing associations to households on Enfield's Housing Register.

Enfield is a very popular place to live. Many people want to rent a Council or housing association in Enfield. We expect demand for social rented homes in Enfield to increase as a result of the current economic climate and cuts in public expenditure including government welfare reform policies.

We have a severe shortage of housing. Just under 8,000 households are looking for this type of home through our Housing Register. On average 400 households join the Register each month. We expect to let 775 homes next year of which only 212 homes will have 3 or more bedrooms.

We are committed to increasing the supply of homes in the borough and our 15 year Housing Strategy describes our plans for doing this.

Most people on Enfield's Housing Register will never be offered a Council or housing association home. They will need to consider other housing options. This would include low cost home ownership schemes and renting from a private landlord.

### *Enfield Council's Aims*

Enfield's Housing Allocations Scheme has been developed in a way that supports the Council's aims of:

- Fairness for all
- Building Strong Communities
- Growth and Sustainability

- **Fairness for all**

Fairness for all will be demonstrated in the following ways through the Allocations Scheme:

- Setting the Allocations Scheme within a wider housing advice and options approach
- Assisting applicants with a disability, older people and those with support needs to apply for housing through the Housing Register
- Enabling housing applicants to exercise choice through our choice based lettings system and taking preference into account when we make direct offers
- Maximising the supply of accessible homes for those with a disability

- Enabling everyone to understand how social rented housing is allocated through:
    - Having a revised Allocations scheme that is transparent and reasonably simple, clear, easily understood and accessible
    - Explaining who makes decisions, how long people may have to wait to be housed
    - Managing expectations and raising awareness by providing facts and figures about local pressures and the amount of housing available for letting
    - Monitoring and publishing better quality information about the people we house and the properties we let
    - Explaining what is being done to increase the amount of social rented housing

- **Building Strong Communities**

Building Strong Communities will be demonstrated in the following ways through the Allocations Scheme:

- Addressing severe overcrowding within social rented homes
- Supporting households back into work and creating a more balanced mix of residents on every housing estate in the borough.
- Requiring housing applicants to have a local connection with Enfield to be considered for affordable and social rented homes in the borough.
- Developing local lettings plans to address specific issues on estates or neighbourhoods.

- **Growth and Sustainability**

- Make best use of social rented homes by:
    - Addressing under occupation
    - Bringing empty homes back into use quickly
    - Regenerating Council-owned estates
    - Enabling tenants to participate in mobility schemes

Enfield Council's **values** are:

- *One Team* – Working together across teams, departments and partners to deliver the best possible services for Enfield's residents.

- *Customer First* – Treating the community, colleagues and partners with fairness and respect, listening and responding to their needs and designing our services around the people we serve.

- *Achieving Excellence* – Consistently striving to deliver standards of excellence through ambition, creativity, innovation, pride in our achievements and a 'can-do' attitude to new challenges.

- *Empowering People* – Enabling our staff and the local community to make informed choices and giving our staff the skills, knowledge and confidence to improve services, take personal responsibility, accept risk and recognise success.

We are committed to continuously improving our housing options and advice services and actively embedding these values within our services to improve customer satisfaction.

***What we took into account when devising Enfield's Housing Allocations Scheme***

As well as Enfield's aims and values, a wide range of documents including national and regional guidance, legislation, local strategies and consultation feedback has been taken into account when putting together this Housing Allocations Scheme for Enfield. These are set out in detail in Appendix 3.

***Enfield's Vision for housing in the borough***

Enfield has a vision for housing in the borough which is set out in its 15 year Housing Strategy. The vision is:

> "increase the supply of well-managed, good quality and affordable homes; promote housing choices and build strong neighbourhoods"

**The Aims of the Strategy are**:

**Aim 1**: Address housing need and promote personalised housing advice, options and choices

**Aim 2**: Increase housing supply to meet the needs of local people

**Aim 3**: Improve the quality of homes and neighbourhoods and contribute to strong communities

Enfield's Allocations Scheme makes an important contribution to achieving these aims.

***The Aims of Enfield's Housing Allocations Scheme 2012-17***

The aims of Enfield's Housing Allocations Scheme are

- **To have a scheme that is clear and easily understood by everyone** by
    - Adopting a simplified points scheme for assessing housing need and quotas for allocating social rented homes
    - Increasing the number of demand groups from 4 to 6 to make it clearer who is being allocated social rented homes
    - Publishing a clear summary of our allocations scheme and make it available at our offices and on the Council's website.

- **To ensure social rented homes are allocated in a fair, flexible, efficient and accountable way** by:
    - Following legislative requirements, case law, national, regional and local strategies and policies
    - Monitoring lettings and publishing better quality information about the people we house and the homes we let
    - Using information technology to register and assess housing applications on line
    - Improving customer satisfaction by putting in place better systems, processes and procedures for assessing applications and allocating social rented homes
    - Reviewing annually Enfield's local priorities for social rented homes

- **To ensure the scheme allows the Council and its partner organisations to make best use of Enfield's social rented homes** by
    - Keeping nomination agreements under review
    - Putting in place reciprocal arrangements with housing associations where the council has approved an emergency or exceptional transfer because of harassment, domestic violence or hate crime
    - Addressing under-occupation and severe overcrowding within social rented homes

- **To enable housing applicants to have a choice of or express a preference about the social rented housing they would like to live in** by
    - Managing expectations about the availability of social rented housing in the borough by providing applicants with sufficient information to help them make informed choices about where they live from a full range of housing options including social rented homes, affordable home ownership and private rented homes.
    - Minimising the use of accommodation provided by Enfield Council for households owed the full housing duty under the homelessness law
    - Taking applicants' preferences into account as far as possible when making direct offers
    - Enabling applicants to exercise choice through the choice based lettings system

- **To assist in building sustainable and cohesive neighbourhoods in Enfield** by
    - Giving priority to households with a local connection
    - Regenerating our Council-owned estates
    - Supporting households back into work and creating a more balanced mix of residents on every housing estate in the borough.

***Enfield's Statement on Choice***

Enfield's Allocations Scheme has been framed to allow applicants to express preferences in the type of property and area in which they wish to live, and between the Council and housing associations as landlords.

Choice is enabled through:

- most vacant social rented homes being advertised through the Choice Based Lettings system, Home Connections
- applicants' preferences being taken into account as far as possible when the Council makes them a Direct Offer
- many, but not all, categories of housing applicants having the opportunity to receive more than one offer.

Information being published regularly on the websites of the Council and the Home Connections on the letting of vacant social rented homes in the borough including where homes were located, the type of homes let, which categories of applicants were housed, how many were let by choice based lettings and how many were let by direct offer, approximate waiting times for different categories of applicant. This information will enable applicants to compare their own circumstances with those housed and understand better their own chances of being housed. In the context of a severe shortage of Council and housing association homes in Enfield and the concentration of most social rented homes the east of the borough, it may not be possible to fulfil applicants' preferences.

Enfield expects applicants to be flexible, consider compromising and decide what is most important when making decisions about their preferences for a social rented home: that is, area, type of housing and preferred landlord.

The penalties for refusing offers are clearly set out in this Scheme. For example, applicants who think they may be able to hold out for a house rather than a flat in their area of their choice may find their housing application is cancelled if they refuse offers of accommodation the Council believes are reasonable and meet the needs of the applicant's household.

The following circumstances outline where it is particularly unlikely that the Council can fulfil every aspect of applicants' preferences:

- Where an existing Council or housing association tenant has to be moved urgently
- Where the applicant needs accommodation which rarely becomes available, e.g. wheelchair-adapted accommodation or homes with 4 or more bedrooms
- Where an applicant has not engaged with the choice based lettings system and the Council has decided to make them a direct offer

**Reviewing Enfield's Allocations Scheme**

There will be an on-going review of Enfield's Allocations Scheme during the first year of operation. Minor amendments will be agreed by the Cabinet Member for Housing and Area Improvement to address practical issues revealed by the on-going review or made necessary due to further legislation or case law. Major changes will be reported back to Cabinet at the end of one year.

***Valuing Equality, Diversity and Accessibility***

Enfield has one of the most diverse populations in London and the council is working hard to strengthen and build sustainable communities and neighbourhoods. We value our diverse community and will seek to ensure all applicants have fair access to the Allocations Scheme and services we provide.

We have carried out a comprehensive Equalities Impact Assessment of our Allocations Scheme which is available on Enfield's website:

www.enfield.gov.uk/housingpolicies

A summary Housing Equalities Report is produced annually which describes the people who apply for and are allocated Enfield's council and Housing association homes. A copy is available on the Council's website.

**Accessibility**

In order to ensure that everyone is able to access housing advice and assistance and, where appropriate, bid for housing through our choice based lettings system, Home Connections, we provide the following:

- **The Housing pages of Enfield Council's website**
  - Enfield's website has been built to be accessible to those who are hard of hearing or visually impaired. It is compatible with popular screen readers and can be navigated easily using a series of keyboard shortcuts.
  - For those that have difficulty reading, have limited vision or for those for whom English is not a first language Enfield's website has text-to speech technology and all pages can be translated into one of 65 languages
  - For those with visual impairments the website has been designed to allow you to select the colour scheme that you find easiest to view such as black on white or white on blue.
- **Literature**
  - Information is available to download from the Enfield Council's website and from Home Connections website
  - Letters and documents can be translated on request to a language of your choice if English is not your first language.
  - We provide quick guides which show you how to bid online, over the phone or via text message.

**Access to the internet**

We know that not everyone has access to a computer and the internet. There are a number of places across the borough that people can go to in order to access the internet for free. Internet access is available at all Enfield libraries. Website information on internet access and computer hire in Enfield's libraries is available at this address:

http://www.enfield.gov.uk/info/442/libraries-computers_and_the_internet/227/internet_access_and_computer_hire_in_libraries
Other places where you can use a computer to find out about housing options in Enfield include:

**Enfield's Housing Options and Advice Service**

For those who have never used a computer before or who want a quick refresher course the libraries also offer training on how to access the internet.

***Finding out how social rented homes are allocated in Enfield***

Enfield's priorities for allocating social rented homes will be reviewed annually and published on Enfield's website here:

www.enfield.gov.uk/socialhousingpriorities

We will report on the outcomes of our Allocations Scheme and publish information on the Council's website so that our applicants, residents and partners can understand what we are doing and how well we are performing.

You can go to Appendix 1 to find out facts and figures about the amount and location of social rented housing in Enfield.

## How to apply to Enfield's Housing Register

Most people can apply for housing by making an application to join Enfield Council's Housing Register. There are legal rules that mean that some people are not able to join the Housing Register. Information about who is not eligible to apply is set out in pages 20 to 21.

Every application for housing is considered and decided in accordance with this Allocations Scheme.

Tenants of Enfield Council or tenants of housing associations living in Enfield who wish to move to another social rented home are assessed, prioritised and registered on the Housing Register in the same way as other housing applicants.

Applicants to whom Enfield Council has accepted a duty to house because they are homeless are automatically placed on the Housing Register.

***Making an application online to be placed on the Housing Register***

The online application system was set up in 2013 to make it easier for customers

- to apply for housing at a time that suits them
- to receive a faster assessment of their application and chances of getting a council or housing association home.
- to be provided with information and advice on a full range of housing options.

If you don't have a computer to make an online application, you can access computers at the below local offices.

- At local libraries across the borough
- Enfield's main office at the Civic Centre, Silver Street, London EN1 3XL
- John Wilkes House, 179 High Street, Ponders End, London EN3 4EN

**If an incomplete application form is received, applicants will not be registered**.

## Rights of the Applicant

Our Allocations Scheme has been framed to ensure that an applicant has the right to request information to enable them to assess:

- How their application is likely to be treated under the Scheme. In particular, whether they are likely to be regarded within the reasonable and local preference categories.
- Whether a home appropriate to their needs is likely to be made available to them and, if so, how long they can expect to wait to secure a successful move.

We will also ensure that applicants are:

- Treated fairly, with respect and without prejudice.
- Notified in writing of any decision made regarding their application for rehousing and the grounds on which that decision was reached.
- Given the opportunity of review against decisions made in respect of their application. For further information regarding reviews go to the section for Rights of Information, Review and Complaints on page 89.

## What do we expect from Applicants?

In this Allocation Scheme we will outline what our applicants can expect from us, but there are also some things that we expect from them:

### Honesty

We will be honest with our applicants. We will keep them informed of the progress of their application and we will explain any decisions that we make, including how we made them. In turn we expect applicants to be honest about your circumstances so that we can fairly assess their housing need and ensure they receive the right housing advice to suit them. Social housing is in very short supply and we will do everything that we can to ensure that best use is made of it.

**Applicants must:**

- Provide all information requested that is, or may be, relevant to their application for rehousing
- Advise of any changes in circumstances. This includes, but is not restricted to;
    - any changes to their address including change of tenure
    - the birth of a child
    - the removal of someone from their application
    - the addition of someone to their application

If we discover that the applicant or someone acting on their behalf have wilfully supplied false information or have failed to provide us with information that is relevant to their application in order to gain a social rented home we will immediately cancel their application.

If the applicant has obtained a social rented home through the Housing Register and it is discovered that they or someone acting on their behalf has supplied false information or failed to provide us with information that would have been relevant to the applicant's ability to secure that social rented home we will work with their landlord to end the tenancy.

**It is an offence to obtain, or attempt to obtain, a tenancy by deception. S.171 of the Housing Act 1996[11] makes it an offence to knowingly or recklessly provide or withhold information when applying for housing and subsequently if your circumstances should change.**

**Anyone suspected of giving false information or withholding relevant information is also liable to be prosecuted and fined up to £5000.**

### Courtesy

We will always be polite to applicants and treat them with respect. We ask that applicants treat our staff in the same way, and verbal or physical abuse will not be tolerated. Anyone using abusive, racist or derogatory language will be politely asked to stop. Failure to do so will result in a written warning. Should this behaviour continue we will either only communicate with them in writing or may instead reduce their priority or cancel their application depending on the severity of their actions.

## Requesting, Sharing and Verifying Information

Where an applicant has been assessed and may have priority under Enfield's Allocations Scheme, the Council will seek further information or supporting evidence from a variety of third parties. In applying for housing in Enfield, the applicant gives the Council permission to share information with third parties and make further enquiries to finalise the assessment of their housing application.

In order to offer the applicant appropriate advice and to assess their application, it may also be necessary to contact those people or organisations whose details have been provided in addition to any other relevant parties whose details come to light during our enquiries. This may include:

- Cross checking the information given by the applicant against the full Register of Electors of the London Borough of Enfield or any other Council.
- Cross checking the information given by the applicant with other Council sections e.g. Housing Benefit, Council Tax and other Council and Benefit Agencies.

- Contacting current and previous landlords.
- Sharing information with partner Housing Associations (Registered Social Landlords).
- Cross checking with data matching companies e.g. Experian or other credit reference agencies. These agencies will record details of any search made whether or not the application proceeds.
- Other third parties considered relevant to the application.

Applicants may also be asked to provide further evidence in order to verify the information given to us. This includes but is not restricted to;

- Photographic proof of ID (passport or driving licence).
- Proof of any welfare benefits claimed
- Birth certificates for each household member included on the application.
- National Insurance Number.
- Proof of current and/or previous addresses (utility bill, bank statement, Council Tax payment book).
- Proof of income (pay slips for four weeks if paid weekly or last two months if paid monthly), a letter from their employer confirming their annual salary; tax returns / business accounts to evidence self-employed work.
- Passport size photo.
- Immigration documents.
- Information regarding property ownership.

Failure to provide information requested when required to do so may result in the following outcomes:

- a delay in finalising the assessment of the application or the application being cancelled if information is not provided within 4 weeks
- an offer of a social rented home being withdrawn if information required is not provided within 24 hours.

Applicants would then need to submit a new application if they wanted to reapply to join Enfield's Housing Register.

Where appropriate, any information provided by the applicant may be shared with partner housing associations (registered housing providers or registered social landlords).

## Assessing and prioritising applications for housing

***The Law***

The law requires all local authorities to have an Allocations Scheme for determining priorities and a procedure to be followed in allocating social rented housing in their districts.

**Reasonable preference**

Under Part 6 of the Housing Act 1996[1] (as amended) Enfield's Allocations Scheme is framed to ensure 'reasonable preference' (also known as a head start) to some applicants. They are summarised below:

- People who are homeless
- People occupying insanitary, overcrowded or otherwise unsatisfactory housing
- People who need to move for medical or welfare reasons, and
- People who need to move to a particular location, for example to be nearer to special medical facilities.

Enfield Council also has some groups of applicants which it will give a local reasonable preference. These are:

- Enfield's Council tenants who need to move because, due to changes in welfare benefit entitlement, they can no longer afford to occupy their current homes and need to move to a smaller home
- Enfield's Council tenants who need to move because their home is part of an estate regeneration scheme
- Enfield's Council and housing association tenants who are severely overcrowded because they lack 2 or more bedrooms

Appendix 3 defines the housing circumstances which Enfield will have regard to when awarding an applicant reasonable preference.

***Who is ineligible for Housing?***

By law, social rented housing can be allocated to eligible people.

The following groups of people are defined in law[2] as ineligible for an allocation of housing and are therefore cannot join the Housing Register:

[1] S166A(3) Housing Act 1996, as amended by S147 of the Localism Act 2011
[2] S160ZA, Housing Act 1996, as amended by S146 of the Localism Act 2011

**People subject to immigration control**

People are not eligible if they are subject to immigration control or they are a person from abroad which the Secretary of State has prescribed is ineligible. These include people from abroad who are subject to immigration control under the Asylum and Immigration Act 1996 unless they are:

- already a secure or introductory tenant of the Council or an assured tenant of housing allocated to them by a Council; or
- in a class prescribed by regulations made by the Secretary of State.

**People prescribed as ineligible for an allocation in any regulations made by the Secretary of State** unless they are:

- already a secure or introductory tenant of a Council or an assured tenant of housing allocated to them by a Council.

**People prescribed by Enfield as being ineligible for an allocation of social rented housing**

Behaviour

(1) People who have supplied false or misleading information on their application for housing.

(2) Any applicant who has paid money to obtain a tenancy with either the Council or a housing association operating within the Borough.

(3) Any applicant, partner or other member of their household has been convicted of, or had legal action taken against them for violence, racial harassment, threatening behaviour, any physical or verbal abuse towards staff and residents in the applicant's neighbourhood. Legal action here includes convictions, serving of injunctions, notice of intention to seek possession, court order, revocation of licence to occupy.

An applicant who suffers from a mental illness and has either been convicted or has had legal action taken against them as defined above shall not be ineligible if the conduct in question was directly attributable to their mental illness. In these circumstances the Council will usually require medical evidence to help determine the applicant's eligibility.

Applications from people excluded under this section will need to demonstrate a change in behaviour. Usually, applications under (1) will be reconsidered after 12 months, and applications under (2) and (3) after five years, during which there has been no repeat occurrence. Earlier reviews may be considered.

### *Assets, Income and Savings*

If an applicant or their partner owns a property or a share in their property, or have enough assets (£50,000 savings) or income (£70,000 – household with children or £40,000 – single person or couple without children) to meet their own housing need, they will be ineligible to apply for housing.

The Council will review these financial limits during the first year of the scheme and annually thereafter.

More information on current financial limits is contained in Appendix 2

### Applicants under the age of 18

Anyone aged 16 or over (except those described above as 'ineligible' for housing) can apply to the Council to join the Housing Register. Some landlords, however, may only offer tenancies to applicants under the age of 18 if they have a guarantor.

### *Homeless applicants post 9th November 2012 who are placed into private rented accommodation*

Homeless applicant's that are owed a full housing duty by Enfield Council will in most cases be housed in the private rented sector. However, the council is aware that there may be some rare situations where it would not be suitable for a person to live in private rented accommodation. The Council will decide whether the applicant's circumstances are so exceptional that it would not be suitable for them to live in the private rented accommodation.

### Right of Review

Applicants have a right of review against any decision taken by the Council to cancel their application from Enfield's Housing Register on grounds of ineligibility. See the section on Rights of Information, Review and Complaints on page 89, which gives information on how to request a review of a decision taken by the Council.

### *Other things we take into account*

In addition to legislation, local authorities have to make sure their housing allocations policies comply with

- decisions made by judges in court cases (case law)
- government guidance on how to implement the law and case law

We will also take account of additional factors relevant to the needs of the applicant. They include:

- The urgency of an applicant's housing need
- How long the applicant has been on the Housing Register
- The financial resources available to a person to meet their housing needs
- Other locally defined reasons

The severe shortage of social rented homes in Enfield means the Council must make best use of housing stock in the borough by taking into account the availability and suitability of all alternative housing options and solutions for meeting an applicant's housing need.

***Reasons for canceling Housing Register applications***

Applications on the Housing Register will be cancelled and removed for a number of reasons including the following: the applicant

- Has been evicted because of rent arrears after they apply to the Housing Register
- Has been involved in proven or evicted for anti-social behaviour after they apply to the Housing Register
- No longer wants to be housed
- Has died
- Has had a change in their immigration status and is no longer eligible to be on the Housing Register
- Has been housed by Enfield Council or a Housing Association
- Is a person prescribed by the Secretary of State in regulations as ineligible

## *An Overview of Enfield's Allocation Scheme*

Enfield Council uses a points system for assessing applications for council and housing association homes. Enfield Council's Points Scheme is described in more detail in pages 31 to p39.

**Grouping Housing Applicants**

All applicants for social rented housing will be placed in one of 6 groups as follows:

**1. Council and Housing Association tenant applicants**
(also known as Transfers)

These are existing tenants of Enfield Council and housing associations in Enfield who need to move because:

- their current home is too small or too big for them
- they have high health and well-being reasons for needing to move
- they have an exceptional or emergency reason for needing to move

**Reciprocals**

Enfield Council expects housing associations to respond to the exceptional and emergency needs of their tenants by using their own housing stock.

In exceptional circumstances the Council may agree to assist housing association tenants on a reciprocal basis by making the housing association tenant one direct offer of suitable alternative accommodation.

All reciprocal arrangements are agreed on a discretionary basis and the Council retains the right to decline a request.

Reciprocals are only agreed when there is no material loss to the Council in terms of available housing stock. In most cases, this means that the Council will expect back a property of equal or larger size than the home offered. The home must also be comparable in terms of quality and type.

In exceptional circumstances, the Council may agree to accept two smaller homes in exchange for a larger home of the same number of bedrooms. This will only be considered where there is no other re-housing option available to the applicant and where there is a strong welfare reason to support the request.

The Council expects to receive back the replacement home within twelve months of the housing association tenant's start date for their new tenancy.



1981

The housing association concerned will be required to provide a written commitment to the terms of the reciprocal, as agreed by Enfield Council.

If the direct offer is unreasonably refused the reciprocal arrangement concerned will be cancelled.

## 2. Estate Regeneration Tenants with Decant Status
(also known as Decants)

These are tenants of Enfield Council living on council-owned estates that are going to be knocked down and rebuilt. Applicants will need to have been given Decant Status to qualify for inclusion in this group.

The Council has plans for regenerating Council housing estates in the borough and will need to move on average 600 tenants between 2012 and 2017. Enough social rented homes will need to be set aside each year to achieve these moves.

The terms of any moves, including priorities for moving, will be set out in a separate offer to affected tenants. Tenants required to move will be supported to find alternative accommodation and where necessary direct offers will be made.

Tenants of Enfield Council who live in a home that is due to be redeveloped in the future as part of a regeneration programme, but have not yet been awarded Decant Status, will have their application assessed under Group 1 criteria.

## 3. Special Applications and Quotas

Quotas will be allocated to the following groups:

- Young single people who have been in the care of Enfield Council and require one bedroom homes
- Residents living in Enfield supported housing schemes who are ready to live independently in one bedroom homes
- Former Armed Services personnel who fall within one or more of the statutory reasonable preference categories and have urgent housing needs
- Bereaved spouses and civil partners of members of the Armed Services leaving Services Family Accommodation following the death of their spouse or partner
- Enfield's New Generation Scheme which plans to help a small number of adult children of Council tenants to move into independent accommodation. Applicants qualify if:
  - > the applicant is engaged in approved education, training or work and/or
  - > there is severe overcrowding in the household would be lessened

- Enfield Council employees whose tenancy and home goes with their job and the Council has agreed to move them to an alternative social rented home due to ill-health or retirement.

  > 1st priority if releasing a 3 bedroom home or the home occupied is needed for another employee

- Applicants with a legal right to succeed to an Enfield-owned social rented home which is larger than required. The Council will require applicants to move to smaller accommodation

- Applicants with no legal right to succeed to an Enfield Council home but is occupying a home larger than the applicant needs and the Council has agreed to house the applicant into a smaller home

- Single people with a physical disability, learning difficulty, mental health issue who have been assessed by one of Enfield's Housing Panels as needing an independent home (Studio or 1 bedroom homes as required)

- No other housing circumstances apply but the applicant has been awarded:

  > A high health and well-being priority

  > A medium health and well-being priority

- Enfield's Key Workers as set out in Appendix 5

- Post Homelessness (Suitability of Accommodation) Order 2012: Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law with exceptional needs that are not suitable for living in the private rented sector

- Applicant is homeless but Enfield Council does not owe the full homelessness duty towards them following an assessment. This group includes non-priority homeless and intentionally homeless cases. Applicants will be considered for studio and one bedroom homes only.

- Private Rented Sector Tenants or households living with family / friends with no health and well-being issues.
  > Applicant lacks 3 bedrooms

- Applicants who have been assessed and recommended for housing by Enfield's Fostering or Adoption Panels in the following circumstances:
  - as an approved Foster Parent
  - as an approved family or friend's foster carer
  - an approved adoptive parent application

- Applicants agreed for housing through Enfield's established Multi Agency Public Protection Arrangements (MAPPA)

- Emergency and Exception Priority cases requiring an urgent move (e.g., through the National Witness Mobility Scheme, Enfield children safeguarding cases, etc.) which have been approved by the Exceptions and Special Applications Housing Panel.

Each category of applicants will be prioritised on the basis of points and the date of their application to the Housing Register.

**4. Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law**
(also known as Tenants in Enfield's Temporary Accommodation)

The Localism Act 2011 introduced important changes to the way that councils can provide accommodation for homeless people. After the 9th November 2012 councils have been able to house homeless applicants in the private rented sector. Depending whether you applied before or after 9th November 2012 will determine whether the council can offer you private rented sector housing. How this works is explained below.

1) **Pre November 2012 homeless applicants**

If you applied to Enfield Council as a homeless person before 9th November 2012 and the council owes you a full housing duty, the council cannot by law offer you accommodation in the private rented sector. These households will have been provided with temporary accommodation

These households will be prioritised in date of order of moving into accommodation provided by Enfield Council unless:

- The household is a working household and has been assessed as experiencing financial hardship because income from work is not enough to meet rent payments. These households will be treated as top priority in this demand group and made a direct offer of suitable accommodation as soon as possible. Where there are two working households experiencing financial hardship needing the same sized home, the date they moved into this type of accommodation will determine priority. A quota of homes will be made available for this group.

- Non-working households given accommodation by Enfield Council under the homelessness law where the household's welfare benefits have been reduced by Government welfare reform and the Council has carried out an assessment and decided that they are not in a position to find work and are experiencing financial hardship. These households will be treated as second priority in this demand group and made a direct offer of suitable accommodation as soon as possible. Where there are two such households, the date of moving into this type of accommodation will decide priority. A quota of homes will be made available for this group.

**2) Post 9th November 2012 homeless applicants**

If you applied to the council as a homeless person on or after 9th November 2012 and the council owes you a full housing duty, the council is able to offer you accommodation in the private rented sector in discharge of the full housing duty.

These households will have been placed in temporary accommodation; pending an offer of a private rented accommodation. Applications will be prioritised in date order of moving into temporary accommodation provided by Enfield Council.

## 5. Mobility Applicants

This demand group enables the Council to make best use of special and adaptable Council and housing association homes in the borough for people that need them.

Applicants in this group include:

- existing social rented tenants who need a transfer or need to be housed because they are currently living on an estate which is to be rebuilt/regenerated
- those who live in the private rented sector and it has been agreed by the Exceptions and Special Applications Housing Panel that a social rented home is the best option for the household.
- Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law

and they need a home which has one or more of the following features:

- Is all on one level internally,
- has level access from the street / outside
- is adapted for mobility or wheelchair use.

Homes of the type outlined are in very short supply and applicants for them will be housed in date order unless the Exceptions and Special Applications Housing Panel decides otherwise.

Access to this type of accommodation will be decided by:

- a Health and Well-being Assessment which results in a medium or high rating

**and**

- an assessment by an Occupational Therapist confirms the need for a home of the type offered to Mobility applicants

Priority is determined by the date of Enfield's Occupational Therapy assessment. This date is overridden if the applicant is a serving or former member of the Armed or Reserve Forces who have serious injury, medical condition or disability sustained as a result of their service.



1985

The priority of applicants in Group 5 may be reduced for the same reasons as applicants in Groups 1, 2, 3 and 4, that is for having rent arrears, being involved in anti-social behaviour which has resulted in legal action being taken by the landlord.

## 6. Older Applicants

This group includes:

- Older people who qualify for special housing designed for their housing and support needs
- People over 55 with a disability may be considered at the discretion of the Council

**Types of homes that each group will be considered for**

Applicants in Groups 1, 2, 3 and 4

If a housing applicant is placed in one of the groups 1, 2, 3 or 4 and have enough priority to be housed, they will be considered for 'general needs' social rented homes. A general needs home has been built without any special adaptations or modifications which help people cope better with mobility or other disability issues.

Some general needs social rented homes that become available for letting have adaptations because they were installed for a previous tenant. Where adaptations have been installed in the past, it may be possible to use the adaptations in the home for another housing applicant with similar mobility or disability requirements or let as it is to a new tenant with no mobility or disability requirements.

Applicants in Group 5

Applicants in Group 5 who have enough priority to be housed will be allocated homes which have one or more of the following features which the applicant needs:

- all on one level internally,
- have level access from the street / outside
- and / or are adapted for mobility or wheelchair use.

Applicants in Group 6

Applicants in group 6 who have enough priority to be housed will be allocated homes which are designated for older people with housing and support needs. See the section on **Applicants in Group 6 seeking a home for older people** which describes this type of home in more detail.

**How Enfield assesses a housing applicant's priority**

This section sets out how the priority of applicants for different types of homes will be assessed.

There are three different systems for prioritising applicants, one of which will be applied depending on which Group the housing applicant has been placed in.

- For applicants in Groups 1, 2, 3 and 4 who are applying for general needs social rented homes see the definition in the section (see pages 24 to 27) **Applicants in Groups 1, 2, 3 and 4**, a points and date order system is used to assess priority.

- For applicants in Group 5, priority for housing is informed first by a health and well-being assessment carried out by the Council's Housing Options and Advice Team and then an assessment carried out by an Occupational Therapist[3].

- For applicants in Group 6, housing and support needs are assessed to decide priority. The system for this is set out in the section on **Applicants in Group 6 seeking a home for older people**.

Applicants in Groups 1, 2, 3 and 4 who are seeking a general needs social rented home

Applicants in Groups 1, 2, 3 and 4 will be given a base number of points. Where applicants are given a base number of points, the base number can be increased for reasons which are set out in the section on **Increasing Base Points** (**See page 43**).

Because of the severe shortage of social rented housing in the borough, Enfield Council cannot help everyone who would like to move into a social rented home. As a result Enfield Council has selected a limited list of housing circumstances which the Council considers most in need of assistance or will assist with Enfield's priorities and objectives for social rented housing in the borough. Enfield's priorities and objectives for social rented housing in the borough are set out in its draft Statutory Tenancy Strategy.

The housing circumstances of housing applications which will be given points to assess their housing need are set out below. The list also shows the base number of points these applications will receive:

[3] An occupational therapist works with people of all ages to help them deal with the effects of disability caused by physical or psychological illness, ageing or accident. In the housing field, they make recommendations on what type of home and what type of adaptations to a home would be suitable for people who have a disability.



1987

## Enfield's Points Scheme

Applicants will be placed into one of 6 Demand Groups. Their applications will be awarded points to measure their housing priority.

| **Council and Housing Association Applicants – Group 1** | | |
|---|---|---|
| Applicants are tenants of Enfield Council or Housing Associations in Enfield who need to move because: | **Base Number of Points** | **Tie-breaker mechanism** |
| • they have a high health and well-being need to move<br>• A medium health and well-being priority<br>• A low health and well-being priority | 1000<br>150<br>50 | 1. Date High health and well-being awarded<br>2. Date of application |
| • they have an exceptional or emergency reason for needing to move | 1000 | 1. Date of approval by Exception and Special Applications Housing Panel |
| • their current home is too big for them | | |
| ○ 3 bedrooms too big | 650 | 1. Working age under occupiers affected by welfare reform who are under-occupying by 3 bedrooms<br>2. Date of housing application |
| ○ 2 bedrooms too big | 600 | 1. Working age under occupiers affected by welfare reform who are under-occupying by 2 bedrooms<br>2. Date of housing application |
| ○ 1 bedroom too big | 550 | 1. Date of housing application |
| • An Overcrowding Impact assessment has confirmed that their current home is too small for them | | |
| ○ 3 bedrooms lacking | 600 | |
| ○ 2 bedrooms lacking | 550 | |
| ○ 1 bedroom lacking | 100 | |

Appendix 8 provides information about a range of housing options for Council and Housing Association tenants.

| **Enfield's Estate Regeneration Applicants with Decant Status – Group 2** | | |
|---|---|---|
| These are tenants of Enfield Council living on Council-owned estates which are going to be redeveloped | **Base Number of Points** | **Tie-breaker mechanism** |
| Applicants who are tenants of Enfield Council whose homes are part of an agreed estate regeneration scheme who have been awarded a High Health and Well Being need | 1000 | 1. Length of time living on the designated regeneration estate |
| Applicants who are tenants of Enfield Council whose homes are part of an agreed estate regeneration scheme who are severely overcrowded:<br>• 3 bedrooms lacking<br>• 2 bedrooms lacking | <br><br><br><br>600<br>550 | 1. Length of time living on the designated regeneration estate |
| Applicants who are tenants of Enfield Council whose homes are part of an agreed estate regeneration scheme who are under occupying and financially disadvantaged | 500 | 1. Length of time living on the designated regeneration estate |
| Applicants who are tenants of Enfield Council whose homes are part of an agreed estate regeneration scheme who have been awarded Decant Status | 400 | 1. Length of time living on the designated regeneration estate<br>2. Lacking one bedroom |

| **Special Applications and Quotas <u>requiring studio or 1 bedroom homes</u> – Group 3** | | |
|---|---|---|
| Appendix 5 provides more information about the quota categories<br><br>Applicants who are: | **Base Number of Points** | **Tie-breaker mechanism** |
| • Residents with support needs who have been assessed as needing an independent home (this is a quota for moving residents on from Enfield's supported housing schemes) | 650 | 1. Date of Housing application<br>2. Length of residence in Enfield |
| • Single people under 25 leaving | 750 | 1. Date accepted for housing by |

| **Special Applications and Quotas <u>requiring studio or 1 bedroom homes</u> – Group 3** | | |
|---|---|---|
| Appendix 5 provides more information about the quota categories<br><br>Applicants who are: | **Base Number of Points** | **Tie-breaker mechanism** |
| Enfield Council's care | | Care Leavers Panel<br>2. Length of residence in Enfield |
| • Former Armed Services personnel who fall within one or more of the statutory reasonable preference categories and have urgent housing needs | 750 | Date of Housing application |
| • Bereaved spouses and civil partners of members of the Armed Services leaving Services Family Accommodation following the death of their spouse or partner | 750 | Date of Housing application |
| • Single people living with a physical disability, learning difficulty, mental health issue who have been assessed and recommended by Enfield's Housing Panels as needing to move to an alternative social rented home<br>(See Appendix 7 for more information on Enfield's Housing Panels) | 650 | 1. Date application agreed by relevant Housing Panel<br>2. Length of residence in Enfield |
| • New Generation Scheme applicants (small number of adult children of existing Enfield Council tenants to move into independent accommodation) | 450 | 1. Date of housing application<br>2. Length of residence in Enfield |
| • Enfield Council employee whose social rented home goes with their job and the Council has agreed to move them to an alternative social rented home because of ill health or retirement | | 1. Date application agreed by Exceptions and Special Applications Housing Panel |

| **Special Applications and Quotas <u>requiring studio or 1 bedroom homes</u> – Group 3** | | |
|---|---|---|
| Appendix 5 provides more information about the quota categories<br><br>Applicants who are: | **Base Number of Points** | **Tie-breaker mechanism** |
| a. if releasing a 3 bedroom home or home occupied is needed for another employee<br><br>b. Otherwise | 750<br><br>650 | |
| • Applicant has legal right to succeed to an Enfield-owned social rented home which is larger than required. Council requires applicant to move to smaller accommodation<br>○ Applicant is releasing a home with 3 or more bedrooms<br>○ Applicant is releasing a 2 bedroom home | <br><br><br><br>750<br><br>650 | 1. Date application agreed by Exceptions and Special Applications Housing Panel |
| • Applicant has no legal right to succeed to an Enfield owned social rented home but is occupying a home larger than the applicant needs and the Council has agreed to house the applicant in a smaller home because the Council would otherwise owe them a full duty to house them under the homelessness legislation<br>○ applicant is living in a home with 3 bedrooms more than they require<br>○ applicant is living in a home with 2 bedrooms more than they require<br>○ applicant is living in a home with 1 bedroom more than they require | <br><br><br><br><br><br>750<br><br>650<br><br>550 | 1. Date application agreed by Exceptions and Special Applications Housing Panel |
| | | |

| **Special Applications and Quotas <u>requiring studio or 1 bedroom homes</u> – Group 3** | | |
|---|---|---|
| Appendix 5 provides more information about the quota categories<br><br>Applicants who are: | **Base Number of Points** | **Tie-breaker mechanism** |
| • No other housing circumstances apply but applicant has been awarded<br>○ A high health and well-being priority<br>○ A medium health and well-being priority<br>○ A low health and well-being priority | <br><br>1000<br>150<br>50 | 1. Date application of housing application |
| • Enfield Key Worker | 500 | 1. Date of housing application |
| • Post 9th November 2012 homeless applicants : Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law that are assessed as not suitable for living in the private rented sector and Enfield | 650 | 1. Date agreed by Exceptions and Special Applications Panel |
| • Applicant is homeless and has been provided with temporary accommodation in Enfield by another local authority | 200 | 1. Date of housing application |
| • Enfield's Housing Options and Advice quota: applicant is homeless but Enfield Council does not owe the full homelessness duty towards them following an assessment (includes non-priority homeless and intentionally homeless cases) | 350 | 1. Date of housing application |
| Emergency & Exceptional Priority requiring an urgent move (e.g. National Witness Mobility Scheme, Enfield children safeguarding cases) | 1000 | 1. Date application agreed by Exceptions and Special Applications Housing Panel |
| | | |

| **Special Applications and Quotas <u>requiring studio or 1 bedroom homes</u> – Group 3** | | |
|---|---|---|
| Appendix 5 provides more information about the quota categories<br><br>Applicants who are: | **Base Number of Points** | **Tie-breaker mechanism** |
| • Applicants referred through Enfield's established Multi Agency Public Protection Arrangements (MAPPA) | 650 | 1. Date application agreed by MAPPA |

| **Special Applications and Quotas <u>requiring homes with 2+ bedrooms</u> – Group 3** | | |
|---|---|---|
| Applicants are**:** | **Base Number of Points** | **Tie-breaker mechanism** |
| • Quota of applicants approved by Enfield's Fostering and Adoption Panels to be a Foster Parent, or Family or Friend's Foster Carer or adoptive parent<br>○ for homes with 3 or more bedrooms | 750 | 1. Date application agreed by Enfield's Fostering or Adoption Panels |
| • Former Armed Services personnel who fall within one or more of the statutory reasonable preference categories and have urgent housing needs<br>○ for homes with 2+ bedrooms | 750 | 1. Date of housing application |
| • Bereaved spouses and civil partners of members of the Armed Services leaving Services Family Accommodation following the death of their spouse or partner<br>○ for homes with 2+ bedrooms | 750 | 1. Date of housing application |
| • Enfield Key Worker | 500 | 1. Date of housing application |
| • Enfield Council employee whose social rented home goes with their job and the Council has agreed to move them to an alternative social rented home, e.g. Ill-health or retirement<br>• | 650 | 1. Date application agreed by Exceptions and Special Applications Housing Panel |

| **Special Applications and Quotas <u>requiring homes with 2+ bedrooms</u> – Group 3** | | |
|---|---|---|
| Applicants are: | **Base Number of Points** | **Tie-breaker mechanism** |
| • Private rented sector tenants or living with family or friends | | 1. Date application agreed by Exceptions and Special Applications Housing Panel |
| ○ Lacking 3 bedrooms | 350 | |
| ○ Lacking 2 bedrooms | 150 | |
| ○ Lacking 1 bedroom | 0 | |
| • No other housing circumstances apply but applicant has been awarded | | 1. Date high or medium Health and Well-being assessment awarded |
| ○ A high health and well-being priority | 1000 | |
| ○ A medium health and well-being priority | 150 | |
| ○ A low health and well-being priority | 50 | |
| • Post 9th November 2012 homeless applicants : Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law that are assessed as not suitable for living in the private rented sector | 650 | 1. Date agreed by the Exceptions and Special Applications Panel |
| • Applicant is homeless but the Enfield Council does not owe the full homelessness duty towards them following an assessment (includes non-priority homeless and intentionally homeless cases) | 200 | 1. Date of housing application |
| • Applicant is living in accommodation provided by another local authority under the homelessness legislation | 200 | 1. Date of housing application |
| • Emergency & Exceptional Priority requiring an urgent move (e.g., as part of National Witness Mobility Scheme, Enfield children safeguarding cases etc.) | 1000 | 1. Date application agreed by Exceptions and Special Applications Housing Panel |

| **Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law – Group 4** | | |
|---|---|---|
| Applicants are: | **Base Number of Points** | **Tie-breaker mechanism** |
| Pre 9th November 2012 homeless applicants:<br><br>The household is working and been assessed as experiencing financial hardship because income from work is not enough to meet rent payments. | 800 | 1. Date of moving into temporary accommodation |
| Pre 9th November 2012 homeless applicants:<br><br>Non-working households where the household's welfare benefits have been reduced by Government welfare reform and the Council has carried out an assessment and decided that they are not in a position to find work and are experiencing financial hardship. | 650 | 1. Date of moving into temporary accommodation |
| Pre- 9th November 2012 homeless applicants<br><br>Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law | 600 | 1. Date of moving into temporary accommodation |
| Post 9th November 2012 homeless applicants :<br><br>Households placed in temporary accommodation, pending being made an offer of a private rented home to discharge the Council's duty<br><br>Homeless applicants who applied for homelessness assistance on or after 12 November 2012 and who are owed the full housing duty will be entitled to 200 points. If a homeless applicant accepts or refuses an offer of private accommodation in discharge of the Council's duty the applicant's 200 points will be automatically removed. | 200 | 1. Date of moving into temporary accommodation |

| **Mobility Applicants – Group 5** | | |
|---|---|---|
| Applicants are: | **Base Number of Points** | **Tie-breaker mechanism** |
| Assessed as needing level access, ground floor, mobility and / or wheelchair adapted homes | 500 | 3. Date of assessment of need by Occupational Therapist<br>4. Date of Decant Status<br>5. Date of application if not awarded Decant Status |
| Serving or former Armed Services personnel who have serious injury, medical condition or disability sustained as a result of their service and need a home which is on the ground floor or level access, mobility or wheelchair adapted social rented home | 600 | 1. Date of assessment of need by Occupational Therapist<br>2. Date of application |
| Serving for former Reserve Forces personnel who have serious injury, medical condition or disability sustained as a result of their service and need a home which is on the ground floor or level access, mobility or wheelchair adapted social rented home | 600 | 1. Date of assessment of need by Occupational Therapist<br>2. Date of application |
| in the above categories in this demand group awarded a high health and well-being assessment | 1000 | 1. Date of Enfield's High health and well-being assessment<br>2. Date of application |

***Assessment of Health and Well-being Issues***

A Health and Well-being priority will not be considered where

- The applicant or member of the household has a temporary health and well-being issue. Examples include:
  - pregnancy
  - having a common cold, flu, blocked nose or cough
  - a broken leg
- The applicant or member of their household is waiting for the outcome of a medical condition if it is unclear how they will be affected in the long term

## How Health and Well-being issues will be assessed

Applicants wishing to be assessed for health and well-being points are required to complete a Health and Well-being Assessment Form.

The Health and Well-being Assessment will be carried out by a Medical Assessment Officer and will be based on the information completed on the Self-Assessment Form. Applicants should not ask their GP or anyone else to write to us. We may request supporting evidence from the applicant's GP, Hospital Consultant, social worker or other relevant professional identified by the Applicant

Applicants should not ask us to reassess their health or independence needs unless they have changed significantly since they were last assessed, for example, the applicant has been diagnosed with a new health problem, or their independence has been reduced

Issues to be considered

Health and Well-being issues to be considered by a Medical Assessment Officer during the assessment include:

- How and to what extent the applicant's current living conditions affect their illness or disability or well-being.
- An applicant's housing need
- How a current health issue affects the applicant or member of the household
- The severity of the health issue and how long it has lasted
- The cumulative effect on the whole household where there is more than one person in the applicant's household with a severe illness or disability.

- Past health issues and the extent to which the applicant's symptoms have been controlled or improved by treatment

- The reasonableness of putting in place 'in-situ' solutions such as aids and adaptations to enable the applicant to continue living in their present home

The Medical Assessment Officer may recommend a particular type of home that is suitable for the applicant.

A Housing Officer within the Housing Options and Advice Service will consider:

- An applicant's financial and other resources

- The availability of 'in-situ' solutions such as aids and adaptations to enable the applicant to continue living in their present home

- The availability of alternative housing solutions, including private rented homes

Poor Quality homes and Disrepair

The Council is committed to improving poor quality housing, whatever the tenure. Our Private Sector Housing Team can arrange property inspections, and can offer advice and support to owners and landlords on how to make homes safer. Where necessary, they will take enforcement action. This may include issuing a statutory notice ordering the landlord to undertake the work to repair the home. Where the landlord does not carry out the repairs, the Council may carry out the works in default or take action to prosecute the landlord.

Where there is disrepair and the applicant states that the health and well-being issue is related to the poor state of repair of the property then the Council will expect the property owner, landlord or Agent to remedy the disrepair.

Where possible, we encourage tenants and occupiers to stay in their homes.

If an applicant's housing is assessed as being of poor quality, including hazards identified under the Housing Health and Safety Rating System, we will award five points.

Applicants who move into unsuitable housing and request housing assistance from Enfield Council

Applicants with a pre-existing medical condition who move into a private rented home that does not meet their needs will be expected to find alternative private rented homes. This provision in the Allocations Scheme is designed to prevent applicants from deliberately worsening their housing conditions to take advantage of the health and well-being criteria to enhance their housing priority. In these cases, no health and well-being priority will be awarded. The Council will provide advice and assistance to help the applicant find somewhere else to live.

Applicants who agree to a mutual exchange and move into unsuitable housing

Applicants with a pre-existing medical condition who agree to a mutual exchange and move into a social rented home which does not meet their needs will be deemed to have deliberately worsened their housing conditions and not be awarded a health and wellbeing priority. The Council will provide advice and assistance to help the applicant find another place to live. This will include help to find a private rented home through Enfield's Fresh Start rent deposit Scheme.

Applicants receiving disability and other related benefits

Applicants who are entitled to disability benefits will not receive an automatic award of health and well-being priority. Applicants will be assessed in accordance with the Allocations Scheme/

### Health and Wellbeing Priority with Definitions:

Health and Well-being Priority will be only awarded to applicants who have been assessed as needing to move to an alternative council or housing association home.

The priority level and definitions are set out below:

| Priority Level | Suggested Definition |
|---|---|
| **High** | Urgent need to move<br>This is where the applicant's current living conditions:<br>• put the applicant's life at risk* if they do not move, or<br>• causes the applicant to be completely housebound and they would regain substantial independence if an alternative property were made available, including needing a level access home because the applicant is a wheelchair user.<br>*risk to life here does not include terminal illness or illnesses that involve unpredictable crises |
| **Medium** | An applicant's living conditions are unsuitable but their need to move is less urgent and not life threatening but if left unresolved, their quality of life will deteriorate |
| **Low** | The applicant's living conditions cause them difficulty in carrying out their daily activities but this is neither life threatening nor would greater harm or progression of the illness be caused if they did not move. |
| **Zero** | One of the following applies:<br>• Applicants current housing situation has no adverse impact on the health issues presented, or<br>• A move would offer no improvement; or a solution other than moving into a social rented home is available, e.g. the adaptation of the current home, a move to a private rented home. |

**Increasing points**

Applications will start with a base number of points (see P31 to P39). For **some** applicants the base points may be increased.

Reasons for increasing points and the applicants who will receive these additional points are set out in the table below:

| Reason for increasing points | No. of additional points given | Applicant category | Demand Group |
|---|---|---|---|
| **Lived in Enfield for 2 years** | 50 | Enfield's Housing Options and Advice quota: applicant is homeless but Enfield Council does not owe the full homelessness duty towards them following an assessment (includes non-priority homeless and intentionally homeless cases) | Group 3 |
| | | Private rented sector tenant or household living with family or friends with no health or well-being issues | Group 3 |
| | | Applicants need a home which is on the ground floor, or level access, mobility or wheelchair adapted Council or Housing Association home.<br><br>This does not apply to applicants who are serving or former members of the Armed or Reserve Forces who have serious injury, medical condition or disability sustained as a result of their service. | Group 5 |
| **Lived in Enfield for 10 out of the last 15 years** | 20 | Applicant is homeless but Enfield Council does not owe the full homelessness duty towards them and the applicant has an exceptional need for housing in Enfield | Group 3 |
| | | Private rented sector tenant or living with family or friends and with no health or well-being issues | Group 3 |
| | | Applicants need a home which is on the ground floor, or level access, mobility or wheelchair adapted Council or Housing Association home.<br><br>This does not apply to applicants who are serving or former members of the Armed or Reserve Forces who have serious injury, medical condition or disability sustained as a result of their service. | Group 3 |

| Reason for increasing points | No. of additional points given | Applicant category | Demand Group |
|---|---|---|---|
| **Household is working** | 50 | Applicant is homeless but Enfield Council does not owe the full homelessness duty towards them and the applicant has an exceptional need for housing in Enfield | Group 3 |
| | | Private rented sector tenant or living with family or friends and with no health or well-being issues | Group 3 |
| | | Applicants need a home which is on the ground floor, or level access, mobility or wheelchair adapted social rented home.<br><br>Does not apply to applicants who are serving or former members of the Armed or Reserve Forces who have serious injury, medical condition or disability sustained as a result of their service. | Group 5 |
| **Exceptional reasons for needing to live in Enfield –** see paragraph at the end this section for definition of Exceptional needs | 50 | Applicant is homeless but Enfield Council does not owe the full homelessness duty towards them and the applicant has an exceptional need for housing in Enfield | Group 3 |
| | | Private rented sector tenant or living with family or friends and with no health or well-being issues | Group 3 |
| | | Applicants need a home which is the ground floor, level access, mobility or wheelchair adapted social rented home<br><br>This does not apply to applicants who are serving or former members of the Armed or Reserve Forces who have serious injury, medical condition or disability sustained as a result of their service. | Group 5 |
| **Applicant has been awarded a Medium or Low Health and Well-being Priority** | Medium = 150<br><br>Low = 50 | Enfield Council or Housing Association Tenant whose home is too big for their needs | Group 1 |
| | | Enfield Council or Housing Association tenant whose home is too small for their needs and the household lacks 2 or 3 bedrooms | Group 1 |
| | | Former Armed Services personnel who fall within one or more of the statutory reasonable preference groups and have urgent housing needs | Group 3 |
| | | Bereaved spouses and civil partners of members of the Armed Services leaving Services Family Accommodation following the death of their spouses or partner | Group 3 |

| Reason for increasing points | No. of additional points given | Applicant category | Demand Group |
|---|---|---|---|
| | | Single people living with a physical disability, learning difficulty, mental health issue who are assessed as needing to move to an alternative social rented home by one of Enfield's Housing Panels | Group 3 |
| | | Adult child of a Council tenant eligible to move under the New Generation Scheme | Group 3 |
| | | Enfield Council employee whose home goes with their job and the Council has agreed to move them to an alternative social rented home | Group 3 |
| | | Applicant has a legal right to succeed to an Enfield-owned social rented home which is larger than required and the Council requires the applicant to move to smaller accommodation | Group 3 |
| | | Applicant has no legal right to succeed to a Council owned home but is occupying a home larger than they need and the Council has agreed to house the applicant into a smaller home as it would otherwise owe them a full housing duty under the homeless legislation | Group 3 |
| | | No other housing circumstances apply but the applicant has been awarded a Medium or Low Health and Well-being priority | Group 3 |
| | | Applicant is homeless but Enfield Council does not owe them a full homelessness duty | Group 3 |
| | | Private rented sector tenant or applicant living with family or friends | Group 3 |
| | | Applicant needs a home which is on the ground floor, or needs level access or a mobility- or wheelchair-adapted home | Group 5 |
| | | Serving or former Armed Services personnel who have serious injury, medical condition or disability sustained as a result of their service and need a home which is on the ground floor or level access, mobility or wheelchair adapted social rented home | Group 5 |
| | | Serving for former Reserve Forces personnel who have a serious injury, medical condition or disability sustained as a result of their service and need a home on the ground floor or level access, mobility or wheelchair adapted social | Group 5 |

| Reason for increasing points | No. of additional points given | Applicant category | Demand Group |
|---|---|---|---|
| | | rented home | |

**Exceptional Reasons for needing to live in Enfield**

Points for exceptional reasons for needing to live in Enfield may be awarded in the following circumstances:

- Medical treatment vital to the long-term or life-long health of the applicant is only available in Enfield
- A close relative needs the support of the applicant and there are no other support services available in the community
- The police have asked Enfield to house someone through the National Witness Mobility Scheme.

## Enfield's Definition of working

**Working Households**
This Scheme supports Enfield's corporate aim of Growth and Sustainability and will contribute to the economic growth of Enfield.

Enfield wants to encourage people who can, to work and to raise levels of aspiration and ambition in the borough. Increased priority will be given to applicants who are working.

**Definition of Working Households**
Working households are those where the applicant or their partner is in employment.

For the purposes of this Allocations Scheme employment is described as having a permanent contract, working as a temporary member of staff or being self-employed.

Applicants will only qualify if the worker has been employed for 6 out of the last 12 months.

Verification will be sought at the point of application as well as at the point of making an offer of a council or housing association home.

For verification, applicants will be asked to provide:

- Employed applicants:
  - payslips (pay slips for the last four weeks if paid weekly or the last two months if paid monthly or a letter from their employer confirming their annual salary;
  - the most recent P60
  - the last 3 months of bank statements
- Self-employed applicants:
  - Most recent tax returns and business accounts to evidence self-employed work.
  - The last 3 months of bank statements

## Reducing an applicant's housing priority

Where applicants on the Housing Register have a priority for housing, their priority for housing may be reduced to zero points if tenants[4] are in arrears with their rent and owe more than eight times the weekly accommodation charge[5] or have not maintained a repayment agreement for 6 months. The detail is set out in a separate guidance note.

Tenants may be considered for housing in exceptional circumstances, for example where the case for housing is urgent or it is in the Council's interest to house the applicant (e.g. for estate regeneration decant reasons) or where an applicant has suffered unavoidable debt, such as having to pay for funeral costs. Discretion will also be used on the repayment period where rent arrears have arisen due to unavoidable debt. This decision will be taken by the Exceptions and Special Applications Housing Panel (ESAP)

Applications where priority has been reduced because of rent arrears will have their points reduced to zero and their application will become inactive until the arrears are cleared or an agreement to repay them has been maintained for 6 months.

[4] Includes Council and housing association tenants, private rented tenants and tenants in accommodation given to them by any local authority under the homelessness legislation

[5] Weekly accommodation charge means charges an applicant is liable to pay for their accommodation including service charges, water rates and other charges – see local authority guidance

## Applicants in Group 6 seeking a home for older people

The process of assessment of and prioritising applications for homes for older people has to include measuring an applicant's housing need as well as measuring their need for housing-related support. The latter also includes an assessment of health and well-being needs. Having both types of assessment ensures that the applicant fits the criteria for Supporting People (SP) funding which funds the services in homes for older people schemes. SP funding requires compliance with the Supporting People Quality Assurance Framework (SPQAF).

Local lettings plans will be put in place for schemes for older people during the 12 months following this Allocations Scheme coming into force. The aims of each scheme's local lettings plan include maintaining an appropriate mix of housing support needs which can be catered for in each scheme to ensure the health and well-being of all residents and staff.

The following paragraphs set out how housing need and housing-related support needs for sheltered housing applications are measured.

Measuring Housing Need

To measure Housing need, an applicant for sheltered housing should be able to say 'Yes' to one or more of the following types of circumstances:

| Group 6 - Housing Need | |
|---|---|
| **Circumstances** | **Classification of these circumstances** |
| The applicant has an urgent need to move<br><br>This is where the applicant's current living conditions:<br><br>• put the applicant's life at risk* if they do not move, or<br><br>• cause the applicant to be completely housebound and they would regain substantial independence if an alternative property were made available.<br><br>*risk to life here does not include terminal illness or illnesses that involve unpredictable crises | **High** |

| Group 6 - Housing Need | |
|---|---|
| **Circumstances** | **Classification of these circumstances** |
| The applicant's current Council or housing association home is too big for them | **High** |
| An applicant's living conditions are unsuitable but their need to move is less urgent and not life threatening but if left unresolved, their quality of life will deteriorate | **Medium** |
| The applicant is working with the council to prevent becoming homeless | **Medium** |
| The applicant is a homeless applicant in temporary accommodation provided by Enfield Council | **Medium** |
| Due to age, frailty or infirmity the applicant is unable to mobilise with ease and manage stairs in their current home and would benefit from a supported housing environment to promote independence and well-being and there are no other suitable options for meeting their needs. | **High** |
| The applicant satisfies proposed local connection hardship criteria | **High** |
| The applicant has urgent and exceptional circumstances agreed by the Exceptions and Special Applications Housing Panel | **High** |
| An applicant's living conditions cause them difficulty in carrying out their daily activities but this is neither life threatening nor would greater harm or progression of the illness be caused if they did not move. An applicant's daily activities would be made easier if an alternative property was offered. | **Medium** |

Where an applicant's housing circumstances are reflected in more than one of categories shown above, the one with the highest classification will be the one chosen.

**Assessing the level of Housing-related Support needed by an applicant for sheltered housing**

An applicant's housing support needs for sheltered housing is assessed against five types of housing support needs in sheltered housing. There will also be an assessment of health and well-being needs.

- Assessing an Applicant's Housing-related Support Needs for Sheltered Housing

The table below shows the five types of housing support needs in sheltered housing and the type of activity that would address them. An applicant will be assessed against each of the five types of housing support need and be awarded a level of points.

| **Group 6 – Assessment of Housing-related Support Needs**<br><br>**Groups of Housing Support needs in Sheltered Housing and activities that would address them** | **Score if applicant would benefit from any activity in each group** |
|---|---|
| **Support Need 1: Being financially better off**<br>The applicant needs<br>• support with maximising their income including help to apply and obtain the right benefits<br>• help with budgeting to reduce their debts<br>• help with obtaining paid work or keeping their job going. | Yes = 1<br>No = 0 |
| **Support Need 2: Enjoy and get more out of life**<br>The applicant will<br>• keep or improve their quality of life<br>• feel less isolated<br>• get involved in the leisure/cultural/faith/informal learning activities you enjoy<br>• achieve meaningful personal goals<br>• Establish contact with external services/family/friends | Yes = 1<br>No = 0 |
| **Support Need 3: Be healthy**<br>The applicant will be able to better manage<br>• their physical health | Yes = 1<br>No = 0 |

| Group 6 – Assessment of Housing-related Support Needs<br><br>Groups of Housing Support needs in Sheltered Housing and activities that would address them | Score if applicant would benefit from any activity in each group |
|---|---|
| • their mental health issues<br>• their substance misuse<br>• Being able to live independently with the right help, aids and adaptations | |
| **Support Need 4: Staying safe**<br>The applicant will<br>• Be safe from fearing or being a victim of assault, burglary or anti-social behaviour<br>• Feel safe to leave their home<br>• Know how to protect themselves and deal with the risk of harm | Yes = 1<br>No = 0 |
| **Support Need 5: Making a positive contribution**<br>• Greater choice and/or involvement and/or control at service level and within the wider community<br>• Service users will acquire skills and confidence to manage their own affairs | Yes = 1<br>No = 0 |

Health and well-being assessment

There are 4 possible health and well-being priorities (shown below) and each one is worth the points shown in the table below. The definitions of health and well-being are set out below.

| Priority Level | Definition |
|---|---|
| **A** | Urgent need to move<br><br>This is where the applicant's current living conditions:<br><br>• put the applicant's life at risk* if they do not move, or<br><br>• are so unsuitable that the applicant cannot be discharged from hospital, or<br><br>• cause the applicant to be completely housebound and they |

| Priority Level | Definition |
|---|---|
| | would regain substantial independence if an alternative property were made available.<br><br>*risk to life here does not include terminal illness or illnesses that involve unpredictable crises, e.g., xxxx. |
| **B** | An applicant's living conditions are unsuitable but their need to move is less urgent and not life threatening but if left unresolved, their quality of life will deteriorate |
| **C** | The applicant's living conditions cause them difficulty in carrying out their daily activities but this is neither life threatening nor would greater harm or progression of the illness be caused if they did not move. An applicant's daily activities would be made easier if an alternative property was offered. |
| **Zero** | One of the following applies:<br><br>• Applicants current housing situation has no adverse impact on the health issues presented<br><br>• A move would offer no improvement; <u>or</u> a solution other than moving into a social rented home is available e.g. adaptation of the current home, a move to a private rented home. |

| Health and Well-being Priority Level | Score |
|---|---|
| A | 4 |
| B | 3 |
| C | 2 |
| Zero | 1 |

- <u>Calculating Housing-related Support Levels for sheltered housing applicants</u>

Calculating whether an applicant has low, medium or high housing related support needs comes from multiplying the score from the Housing-related Needs for Sheltered Housing with the score for the Health and Well-being assessment

That is:

Housing-related Needs Score x Health and Well-being Assessment Score = Housing-related Support Score

| Housing Related Support Score | Level of Housing Related Support Needs |
|---|---|
| 15-20 | High |
| 6-14 | Medium |
| 1-5 | Low |

Bringing Housing Need and Housing Related Support scores together

The matrix below summarises how applicants' housing need and housing-related support scores will be prioritised.

| | | Housing-related Support Needs | | |
|---|---|---|---|---|
| | | H | M | L |
| Housing Needs | H | | | |
| | M | | | |
| | L | | | |

Scoring an H for Housing Needs plus an H for Housing-related Support Needs means an applicant would have high priority for sheltered housing. Conversely, scoring an L for Housing Needs plus an L for Housing-related Support means an applicant would have low priority for sheltered housing.

The colours red, amber and green highlight the distinction; with red indicating high need, amber indicating medium need and green indicating low need.

Another way of illustrating this is in the following table:

| Housing Need | Housing Related Support | Coded as |
|---|---|---|
| High | High | HH |
| High | Medium | HM |
| High | Low | HL |
| Medium | High | MH |
| Medium | Medium | MM |
| Medium | Low | ML |
| Low | High | LH |
| Low | Medium | LM |
| Low | Low | LL |

**Prioritising between Group 6 applicants – final step**

A sheltered applicant assessed as having a housing need will be prioritised by:

- The local lettings plan for the sheltered scheme and the level of housing-related support currently being catered for. For example, if there are already tenants in a sheltered scheme with high levels of housing-related need, adding an additional person may stretch resources too far. If that would the case, then applicants with lower housing-related support needs would be looked at.

- Applicants will be chosen in terms of level of their housing related support need (high, medium or low) which is supportable at the time by a sheltered scheme, and where these are equal by date of application, and where these are equal, by length of residence in Enfield.

**Some worked examples on working out sheltered housing application scores**

Ms X
On Housing Support needs for sheltered housing Ms X would benefit from 4 out of the 5 types of housing-related support needs shown. Her score for this is therefore 4.

On Health and Well-being, Ms X has been awarded priority level C. Her score for this is therefore 2.

Multiplying these two scores together: 4 x 2 = 8

A score of 8 equates with a Medium level of support needs

Ms X's Housing-related Support level is Medium (M).

Ms X's Housing Need is scored as High (H)

Her overall prioritisation for sheltered housing would be MH.

Mr Y
On Housing-related Support needs for Sheltered Housing Mr Y would benefit from 5 out of the 5 outcomes shown. His score for this is therefore 5.

On health and well-being, Mr Y has been awarded priority level B. His score for this is therefore 3.

Multiplying these two scores together: 5 x 3 = 15

Mr Y's Housing-related Support level is High (H).

Mr Y's Housing Need is scored as H.

His overall prioritisation for sheltered housing would be HH

Matching both the above cases against the matrix below, both applicants have a high priority for sheltered housing.

If a home became available for which they were both suitable, they would be prioritised by first looking at existing housing-related support needs in the sheltered scheme(s) they had expressed a preference for and a decision made on whether their housing-related support needs could be catered for. If they could, then in the example of prioritising these two applicants for a sheltered home, Mr Y's circumstances would be given priority because his housing supported needs are higher than Mr X's.

***Definition of a Household***

We will only consider applications to house the applicant, their partner, their immediate family, and anyone else with an exceptional need to live with them (and which is the 'eligible household' or household for the purpose of this scheme). This is because we have such a severe shortage of larger properties, so families need to consider whether other people living in their household could move into smaller properties of their own.

Partner
Partner means someone who lives with the applicant as a partner, or who would live with them if they were able to. This includes mixed-gender and same-sex couples, whether or not they are married or in a civil partnership.

Immediate Family
Immediate family means the applicant's children or their partner's children, aged 21 or less, who live with the applicant all the time, or for four or more nights every week. If a child is living with a partner or has his/her own children, s/he may not be included on the application unless they have an exceptional need to live with the applicant.

Immediate family does not include the applicant's (or their partner's) parents, grandparents, brothers, sisters, aunts, uncles, grandchildren, nieces, nephews, cousins, friends or lodgers – unless they have an exceptional need to live as part of the household. Please note that the applicant's children, or their partner's children, aged 21 or over will not be included as part of the household for the purposes of being re-housed, unless the children have an exceptional need to live as part of the household (see below).

Separating
If the applicant and partner are separating, they must provide us with evidence of who is legally allowed to remain in the property, such as a court property order detailing to whom the property is assigned. Accommodation for children will be allowed for with only one parent, on whom the children are dependent.

Exceptional reasons
In order for a relative to be included in the application under the ground of exceptional reason they would normally need to be living with the applicant and have done so on a long term basis.

People who have an exceptional need to live with the applicant means people who are not included in the definition of 'immediate family', but who have a real need to live as part of the household in order to give or to receive care or support. This may include:

- A child (of the applicant or partner) aged 21 or over, who cannot live independently because of a disability or care need

- A carer, if someone in the household needs full-time care and no one in their immediate family is able to provide this. In exceptional cases consideration will

be given to a household containing a person with a disability who has an occasional need for a carer to stay overnight

- An adult (or elderly) relative who needs to receive care. This includes a relative living elsewhere who is no longer able to live independently and requires a higher level of care and support. For some elderly people, moving to sheltered accommodation is the best alternative

- Children who have been born since the registration date, or other children aged under 21 where it is proved that the main applicant is the sole legal guardian and that there is no other available legal guardian who could reasonably accommodate the children.

**Where a household has been accepted as homeless and qualifies for housing under Demand Group 4**, the application can include anyone who we accepted as part of the original homelessness application. For families with children aged 22 or older, the Council will encourage them to seek independent housing if possible, to increase the chance of the applicant being rehoused in a reasonable time.

**Other people living with the applicant**

The Council assesses who is eligible for rehousing, and bases its assessment of what size property someone needs using this definition.

It does not mean that other people cannot live with the household, even if it makes them overcrowded, but the Council will not take them into account in assessing the need for rehousing.

Some households will feel overcrowded but not be eligible for overcrowding priority, because we do not include everyone living there in one application. Council and Housing Association tenants who make themselves overcrowded may be in breach of their tenancy conditions.

- **Tenants with children aged 21 or over**
  If we agree to house a council or housing association tenant and we agree to rehouse immediate family but not everyone else who is currently living in the property, the tenant is responsible for ensuring none of the remaining occupants continue to live in the property after they have moved out.

- **Applicants who live with family or friends who are not part of their immediate family**

- **Applicants may be rehoused separately from them –** for example, if the applicant and their partner or children live with the applicant's parents in their home.

If it is a council or housing association home and when the applicant moves, the home would be too big for the tenant(s), the offer made to the applicant may be contingent upon them also taking up an offer of an alternative tenancy.

If an applicant moves in with a council or housing association tenant and the property becomes overcrowded, the applicant can apply to the Housing Register in their own right. In such cases overcrowding priority may not be awarded and alternative housing options should be considered.

**Family members who are not currently living with the applicant**

Anyone who is part of the immediate family can be included in the application, even if they do not currently live with the applicant:

- If members of immediate family live abroad, they can be included on the application, but the Council will not award priority for them until the family have the right to reside in the UK

- If members of the immediate family live elsewhere in the UK, they can be included on the application, but we encourage families to consider applying to be rehoused where they live, especially if the demand for housing is lower there

- Children of a shared residence order can only be included on one application, with the parent who is the main care provider. This means that the children live with the applicant for more than half the week (four nights or more). We will require evidence of this.

    - Any consideration of a larger home in the context of a shared residence order will also take account of affordability. Where the applicant claims welfare benefits, welfare benefit regulations enable only one of the parents, the designated 'main carer', to receive additional benefit for extra bedrooms required.

**General Points**

If an applicant wishes to include people not in their immediate family on their housing application, they must explain on their application why it is necessary for them to live with the applicant. The applicant may also be required to provide evidence such as: a court order, benefit entitlement, a social services or occupational therapy assessment. If an applicant has not had a care assessment for a relative, we may require the applicant to arrange one. If the person coming to live with the applicant is moving from abroad, we will require evidence that they have recourse to public funds or a sufficient sponsorship undertaking in place.

If the applicant has priority for housing and assessed as requiring a one bedroom or studio home and have children who visit on a regular basis, they will be assessed as requiring a one-bedroom property rather than a studio.

Anyone included on the application must not have a legal interest in any other property. The applicant or any member of their household cannot be included on more than one live housing register application at any one time.

## Working out the size of home needed by Applicants

The Council will work out the size of home suitable for the applicant and members of their household reasonably expected to live with them regardless of how the applicant uses their current home.

The Council will use two bedroom standards:

- One for Council-owned homes
- One for homes in Enfield owned by housing associations under nomination agreements

### The bedroom standard for Council-owned homes

A notional number of bedrooms will be allocated based on the age, sex, marital status and relationship to family members, as follows:

- A married or cohabiting couple or single parent will be entitled to one bedroom
- pairs of adolescents from their 10th birthday and above of the same sex will be expected to share a bedroom
- pairs of children of either sex aged up to their 10th birthday will be expected to share a bedroom
- children of the main applicant who are aged over 21 will be expected to share a bedroom with a same sex sibling who is younger, including where that younger sibling is under the age of 10 (unless there are safeguarding issues).
- Where Enfield has accepted that the relatives listed have an exceptional reason for living with the main applicant, they will be expected to share a bedroom with the applicant's children where they are the same sex (unless there are safeguarding issues):
    - nieces, nephews, step children and grandchildren
- Where Enfield has accepted that an older relative has an exceptional reason for living with the main applicant e.g. an older (60+) grand/parent(s), aunt or uncle, they will be entitled to a bedroom of their own

<u>Entitlement to an Additional Bedroom</u>

An extra bedroom may be considered where:

- A household is overcrowded in their current home, and
    - includes an adult child of the main applicant aged over 21 who has significant care needs being met by their family and
    - alternative housing options are not suitable for that dependent adult

- The applicant has been approved as a Foster Parent or Family or Friend's Foster Carer
- An applicant has a child with behavioural syndromes including extreme hyperactivity or autism and a Health and Well-being assessment has confirmed the applicant needs their own room
- An applicant's household includes a child who uses a wheelchair and/or needs significant equipment (e.g. hoists) to be able to live at home.
- someone in the household needs full-time care and no one in their immediate family are able to provide this. In exceptional cases consideration will be given to a household containing a person with a disability who has an occasional need for a carer to stay overnight.

Applicants requesting homes with one bedroom less than the household needs

- Housing applicants may let the Council know if they would prefer to receive an offer of a social rented home which is one bedroom less than their household needs. The Council will not make offers of homes where the household would be severely overcrowded (that is, two or more bedrooms short).

- An applicant who chooses to move into a home with one bedroom less than they need will not be awarded Overcrowding Points for a transfer at a later date except in exceptional circumstances

Under occupying households giving up larger homes

- Council and Housing Association tenants under-occupying their home, who would normally qualify for a one bedroom and are giving up a 3, 4 or 5 bedroom house or a 4 or 5 bedroom flat, could be offered a 2 bedroom home suitable for 3 people (2B/3P) but not a two bedroom home suitable for 4 people (2B/4P). Applicants awarded an additional room for reasons outlined above must be able to demonstrate to the Council they can afford the rent from earned income or benefits.

Council Undertakings

- We will consider anyone we have made an undertaking to offer a particular size home to as part of a legal agreement

**Calculating the Size of Home Needed by Applicants**

The following table shows how Enfield will calculate the size of home needed by different sized households. It should be noted that lettings of social rented homes with 4 or more bedrooms are rare: during the period 2007/08 to 2010/11 there were only 50 social rented homes with 4 and 5 bedrooms let in Enfield out of a total of 3425 lettings.

Applicants who are overcrowded and living in a Council or housing association home are advised to read **Enfield's approach to dealing with overcrowding**

Space standards for bedrooms will be taken into account when deciding whether an offer is suitable. Minimum space standards that will be taken into account are set out in the London Housing Design Guide[6]. The minimum area of a single bedroom should be 8 sq m. The minimum area of a double or twin bedroom should be 12 sq m with the minimum width of a double/twin room being 2.75 m.

| Household Composition | Eligible No. of Bedrooms | Indicative size of home in terms of number of bedrooms (B) and number of persons (P) |
|---|---|---|
| Single person[7] | 1 | Studio or 1B/1P |
| Couple without children | 1 | 1B/1P or 1B/2P |
| **Single parent or couple with children: Household includes** | | |
| 1 girl or boy - any age | 2 | 2B/3P |
| 2 girls or boys - any age | 2 | 2B/4P |
| 1 girl and 1 boy - if both under 10 | 2 | 2B/4P |
| 1 girl under 10 and 1 boy over 10 | 3 | 3B/4P 3B/5P |
| 1 boy under 10 and 1 girl over 10 | 3 | 3B/4P 3B/5P |
| 1 girl and 1 boy - if both over 10 | 3 | 3B/5P |
| 3 children | 3 | 3B/5P 3B/6P |
| 2 girls and 2 boys | 3 | 3B/5P 3B/6P |
| 3 boys, 1 girl | 4 | 4B/6P 4B/7P |
| 3 girls, 1 boy | 4 | 4B/6P 4B/7P |
| 5 children | 4 | 4B/7P 4B/8P |
| 4 boys , 2 girls | 4 | 4B/7P 4B/8P |
| 4 girls 2 boys | 4 | 4B/7P 4B/8P |
| 5 boys 1 girl | 5 | 5B/9P |
| 5 girls,1 boy | 5 | 5B/10P |
| 7 children | 5 | 5B/10P |

[6] Greater London Authority, Interim London housing Design Guide, August 2010

[7] A studio home will be regarded as a reasonable offer of accommodation for both single people and a couple without children

| Household Composition | Eligible No. of Bedrooms | Indicative size of home in terms of number of bedrooms (B) and number of persons (P) |
|---|---|---|
| 6 boys, 2 girls | 5 | 5B/10P |
| 6 girls, 2 boys | 5 | 5B/10P |
| 4 boys, 4 girls | 5 | 5B/10P |
| 7 boys, 1 girl | 6 | 6B/11P |
| 7 girls, 1 boy | 6 | 6B/11P |
| 5 boys, 3 girls | 6 | 6B/11P |
| 5 girls, 3 boys | 6 | 6B/11P |
| | | |
| **Additional members of a household** | | |
| **In exceptional circumstances an extra bedroom may be allowed for the following additional members of a household (see above)** | | |
| An older relative with exceptional reasons for living with the main applicant | Where applicable, add 1 bedroom to relevant household composition outlined above | |
| A dependent adult child over the age of 21 with significant care needs | | |
| An additional, fostered or adopted child as agreed by Enfield's Fostering and Adoption Panels | | |
| A child assessed with behavioural syndromes | | |
| A child who needs a wheelchair and/or significant equipment to be able to live at home | | |
| Someone in the household needs full-time care or exceptionally occasional care | | |

**Bedroom Standard for Housing Association Tenants**

Housing associations may operate their own bedroom standard which will be clearly stated on the advert when a home is advertised for letting.

# Allocating Council and Housing Association Homes in Enfield

## Target Allocations

Each year the Council will give guidance on the number of households to be rehoused for each Demand Group.

## Deciding how many homes will go to the Demand Groups

Before the start of each financial year the Council will estimate the number of Council and housing association homes in Enfield likely to become available for letting in the coming 12 months.

Homes for older people will be allocated to applicants in Group 6.

Level access, ground floor, mobility- and wheelchair adapted homes will be allocated to applicants in Group 5.

When sharing out the remaining Council and housing association homes

- The Council will estimate the percentage of general needs homes required for Group 2 applicants who need to move under the Council's estate regeneration plans and the number of homes required for care leavers in Group 3. A percentage of homes will be allocated to these groups.

- The Council will give a percentage of the remaining homes to each group of applicants in Groups 1, 3, and 4

- A maximum of 5% of relets[8] will be put forward for Group 1 applicants under the Mayor of London's pan-London Mobility Scheme called "housingmoves".

[8] Relets are homes which have been let before and have become available again for letting. They do not include homes that are newly built and have been handed over to Council to be let for the first time.

An EXAMPLE of sharing out available general needs homes to each of the Demand Groups 1, 2, 3 and 4 is shown below:

| Size of home | Group 1 | Group 2 | Group 3 | Group 4 | TOTAL |
|---|---|---|---|---|---|
| Homes with 1 bedroom | 20% | 20% | 50% | 10% | 100% |
| Homes with 2 bedrooms | 30% | 40% | 5% | 25% | 100% |
| Homes with 3 or more bedrooms | 40% | 40% | 5% | 15% | 100% |

Example

In the example above, if there were one hundred one bedroom homes likely to become available, 20 could be allocated to applicants in Group 1, 20 could be allocated to applicants in Group 2, 50 could be allocated to applicants in Group 3 and 10 could be allocated to applicants in Group 4.

Responding to changes in the lettings forecast

If too many homes have been set aside for Group 2 applicants compared with the forecast, then the extra homes will be allocated to Group 4 applicants.

**More specific targets for categories in each Demand Group**

Within each Demand Group we will have more specific targets for how many properties should be allocated to applicants in each category.

Targets are based on meeting the housing needs of applicants and will be kept under review during the year and may be adjusted to respond to changing circumstances.



2022

***How we allocate different types of vacant homes amongst the Demand Groups***

This section describes how Enfield will fairly distribute different types of homes across all the Demand Groups.

Our property rating system for allocating homes

All vacant general needs homes will be scored using a simple Rating System based on:

- The type of property, (for example a house or flat)
- The floor level (low rise or high rise).

Some worked examples are in the table below:

| **Property Example** | **Dwelling Type**<br>House = 1<br>Maisonette = 2<br>Flat = 3 | **Floor Level**<br>LR - Street level = 1<br>LR in a block with up to 6 floors = 2<br>HR any floor in a block with more than 6 floors = 3 | **Score** |
|---|---|---|---|
| Flat on first floor of a 2 storey house | 3 | 2 | 5 |
| Flat on ground floor of 2 storey house | 3 | 1 | 4 |
| Flat on 5th floor of a Low Rise block | 3 | 2 | 5 |
| Flat on 5th floor of a High Rise block | 3 | 3 | 6 |
| Flat on 10th floor of a High Rise block | 3 | 3 | 6 |
| Maisonette on 5th and 6th floors of a High Rise block | 2 | 3 | 5 |
| House | 1 | 1 | 2 |

Monitoring Outcomes
The Allocations Team will monitor outcomes from the Rating System and take corrective action to address any imbalance in the different types of homes between the Demand Groups.

**Which homes will applicants be able to bid for or receive a Direct Offer?**

Here we explain which housing applicants can bid for a Council or housing association home using the choice based lettings system, Home Connections, or be made a direct offer.

Applicants in Groups 1, 2, 3 and 4 will be able to bid for or receive a direct offer of a general needs home. The section on **Types of homes that each group will be considered for** which explains what a general needs home is.

Applicants in Groups 5 and 6 will be made direct offers.

Applicants in Groups 1, 2, 3 and 4 needing General Needs Homes

A limited pool of applicants will be created from Groups 1, 2, 3 and 4.

Based on current estimates there will be around 1,200 applicants in the pool who can either bid for a general needs social rented home or be made a direct offer of one. The pool will be kept under review.

***How we allocate particular types of homes***

This section explains the type of applicants we prioritise for homes with particular types of facilities, amenities or layout.

Houses

Maisonettes with gardens, as well as terraced, semi-detached or detached houses are included in this definition.

Houses are in very short supply and will normally be only considered for families with children under the age of 15. Exceptions to this rule are where:

- A council tenant gives up a 4, 5 or 6 bedroom house under the Council's Under-occupation Scheme
- Tenants living in houses who are required by the Council to move as part of an estate regeneration programme, a Compulsory Purchase Order, a Closing Order or to release a specialised home.

Houses which have two living rooms will be allocated as though the second living room is a bedroom. This is provided that the rooms have not been knocked through into one and the kitchen is large enough for chairs and a table for dining.

Homes with gardens/safe play areas

Homes with gardens or safe play areas will be prioritised wherever possible for applicants who have received a recommendation for this facility from a medical Assessment Officer or Occupational Therapy Team.

Ground floor flats

Ground floor flats with level access will be prioritised for applicants who have been awarded priority on health and welfare grounds as needing these homes unless there are no applicants waiting for this type of home.

Level access (wheelchair), mobility and adapted homes

These types of homes are defined as:

- Level access homes designed for people confined to wheelchairs, and include space for a wheelchair

- Homes with no extra space which are accessible for people with mobility issues.

Level access homes will be prioritised for applicants who have had a health and well-being assessment that resulted in a recommendation for this type of home.

Mobility- and wheelchair-adapted homes will be prioritised for applicants who have undergone a health and well-being assessment that resulted in a recommendation for one or both of these types of home.

## How we let Council and Housing Association homes

This section explains how vacant social rented homes are let either through the Choice Based Lettings System or by the Council matching an applicant with a suitable home, also known as a Direct Offer.

### Choice Based Lettings (CBL) – Home Connections

#### Adverts

Most vacant council and housing association homes will be advertised on Enfield's Choice Based Letting website called Home Connections

Vacant properties may also be posted weekly to housing applicants in Enfield who have requested a paper copy of the adverts.

Other methods of advertising may also be used to ensure the information reaches as many people as possible.

Each advert will identify key features of the property

- How big it is
- Whether it is suitable for people needing accessible housing
- Who is the landlord
- What type of tenancy agreement is being offered
- What the rent and any service charges are

#### Withdrawing a Property after it has been advertised on Home Connections

In exceptional circumstances the Council may have to withdraw a home from the CBL system after it has been advertised and bids received. These circumstances are:

- it is needed for a household in emergency or urgent priority
- it has been incorrectly advertised.

If a home has been incorrectly advertised it may be withdrawn at any point prior to an applicant signing the tenancy agreement. This is because it is essential that the Council makes best use of all housing stock to meet the needs of applicants on the Housing Register.

**Bidding**

A bid can be placed using the Website or by phone.

**By placing a bid, an applicant is saying to the Council that they would like to receive a formal offer of the home if their bid is successful.**

Applicants are given their own unique User ID and password.

Applicants must keep their User ID and password safe and are not allowed to share their own User ID or password with anyone else or use anyone else's User ID or password to make a bid for a home that is advertised on Home Connections.

The Choice Based Lettings System is not a first come, first served service.

- Applicants can bid between Wednesday and Sunday each week.
- The advert for each home will show a closing date for bids.

Placing a bid using the Home Connections Website

The Home Connections website can be accessed through the following web addresses:

- Enfield council's website at www.enfield.gov.uk/ and enter 'choice based lettings' in the Search box
- Home Connections website at www.homeconnections.org.uk/
- Council Housing' website http://www.enfield.gov.uk/councilhousing and click on the 'Choose - your home' quick link.

Placing a Bid by Phone

Bids can also be placed by phone on 0845 402 7882 and then by following the instructions.

Helping Applicants to place bids

Applicants can get help with bidding from any of the following

- Friends and family
- Their Social Worker
- Their housing advice worker

- Their Key Worker if living in supported housing

- A local library can provide training on how to access the internet

Applicants must make sure their User ID and password are kept safe

## Reviewing who is and who is not placing eligible bids

The bidding activity of all applicants is kept under review. If an applicant has been awarded priority for housing we would expect them to bid for a home.

What happens if applicants with enough priority do not bid?

Applicants who have not placed any bids within prescribed time limits set out below will be contacted to find out why. They will be offered help and support which includes.

- finding out whether a home being advertised is suitable for their needs
- help with placing a bid
- understanding their expectations about the kind of council or housing association home they are looking for and the availability of these homes
- advice on alternative housing options

When will applicants be contacted?

- Applicants who need a studio, or home with one bedroom will be contacted after 3 months if they have not placed a bid.

- Applicants who need a home with two bedrooms will be contacted after 3 months if they have not placed a bid.

- Applicants who need homes with 3 or more bedrooms will be contacted after 6 months.

These time limits reflect the availability of homes for letting in Enfield with fewer homes with three or more bedroom homes becoming available for letting.

If, after receiving help and support an applicant still does not place bids they will be made a direct offer of a home after the period of time set out below:

- For applicants needing a studio, or one bedroom home the council will make a direct offer if no bids have been placed 6 months after the date of receiving help and support.

- For applicants needing a two bedroom home the council will make a direct offer if no bids have been placed within 6 months after the date of receiving help and support.
- For applicants needing a home with 3 or more bedrooms, the Council will make a direct offer if no bids have been placed within 9 months of receiving help and support.

Making direct offers will be subject to the availability of homes for letting.

Maximum Number of bids an Applicant can place in one week

Applicants may bid for a maximum of 3 properties per week.

If an applicant places more than 3 bids, only the first three made will be considered.

Bidding for the right home

All applicants must take care when selecting and bidding for homes.

Before bidding for a vacant social rented home an applicant must consider the following issues to ensure the home they thinking of bidding for meets their needs:

Things to think about will include:

- Recommendations made by the Council following a Health and Wellbeing assessment. Any medical and/or disability needs of the applicant or someone in their household must be considered.
- Ease of access to a child's school
- Ease of access to any care or support needed by the applicant or someone in their household
- Ease of access to work
- Ability to afford the rent using earned income or benefits. Further information Affordability is set out in Appendix 8 which also includes information on budgeting tools.
- Access to local transport including buses and trains
- Applicants wishing to place a bid are strongly advised to:

- visit the area where the vacant social rented home is situated to help them decide if it is suitable for their needs

- speak to their family, friends or advisors about the home they are thinking of bidding for

An eligible bid

An eligible bid is one which is

- for a property of the right size for which the applicant is eligible

- for the right Demand Group

- meets any specific criteria in the advert

Bids for homes where the applicant's circumstances do not meet the advertised criteria will not be accepted.

**IMPORTANT**

**ALL APPLICANTS MUST ONLY BID FOR A SOCIAL RENTED HOME THEY HAVE CONSIDERED THEY CAN REASONABLY AFFORD AND ARE PREPARED TO MOVE INTO. IF AN APPLICANT BIDS FOR A HOME AND RECEIVES A FORMAL WRITTEN OFFER FOR THE PROPERTY, THE CONSEQUENCES OF REFUSING THE OFFER OF THE CHOSEN HOME CAN BE SERIOUS.**

**The consequences of refusing an offer are described in the Allocations Scheme**

Short listing successful Bidders

The Housing Allocations Team will start short listing successful bidders after the deadline for bidding has closed. The deadline for bidding is usually midnight on Sunday.

Shortlisted applicants with the highest priority will be contacted with the viewing details and be invited to view the vacant property. The viewing must take place within the time available. Applicants who are not able to do so or need help to view a property must the Allocations Team. An applicant who does not follow this procedure will be treated as having refused the property.

If an applicant accepts the property they will be given advice on moving in and their application on the Housing Register will be cancelled.

If the property is refused it will be offered to the next bidder with the highest priority.

Circumstances in which an applicant will **not** be shortlisted for, or offered a social rented home

Enfield Council reserves the right to refuse to shortlist or to make an offer of a social rented home to an applicant, for example, new information becomes available which requires a fresh assessment of the applicant's housing need.

## Direct Offers

Where the Council matches an applicant to a suitable available home and makes them an offer of it, this is called a Direct Offer. There are some types of social rented homes that will usually be let by Direct Offer. There are also some types of applicants who will usually be made a Direct Offer. These are set out below:

Homes which will be let by direct offer

Where a home has been advertised through the CBL system once and has not attracted a successful bidder then it will be let by Direct Offer. This will ensure the property is let quickly to a household in need. We will have regard to an applicants' preference for the areas in the borough they want to live in but will not always be able to take this into account, e.g. the applicant has specified an area in which there are few social rented homes. Refusing a direct offer of a home on the grounds that it is not in the applicant's area of preference will not be accepted as a reason.

Applicants to whom a Direct Offer will be made

Direct Offers are designed to help an applicant to find a home if they need to do so urgently or have been unable to find a home themselves. The circumstances for a Direct Offer include:

- The applicant is a Council tenant who needs to move for exceptional and emergency reasons. Reciprocal arrangements may apply for Housing Association Tenants. The offer made will be 'like for like', that is, it will be similar to the applicant's existing accommodation. However, discretion will be used to alleviate severe overcrowding at the same time.

An applicant who is not engaging with the Choice Based Lettings System and not bidding, even after the Council has provided or offered help and support as set out in the section on **Reviewing who is and who is not placing eligible bids**

- An applicant has been awarded a High Health and Well-being need and the Council decides an urgent move is more likely to be achieved quickly with a Direct Offer than through the Choice Based Letting System
- An applicant placed in accommodation because they are owed a full housing duty by Enfield Council under the homelessness law, and the Exceptions and Special Applications Housing Panel decide a Direct Offer should be made for exceptional reasons. Exceptional reasons include:

- the lease of the home currently occupied is about to come to an end and no other housing options are available or
- the household has assessed disability needs requiring an urgent move
- financial hardship

- Homes on one level, mobility and wheelchair-adapted homes (Group 5 Applicants)

  Direct offers will take into account recommendations from Health and Well-being assessments and occupational therapy assessments as well as the area the applicant has expressed a preference to live in although the latter cannot always be taken into account. See section on Enfield's Statement of Choice for further details.

- Homes for older people

  During the first year of this Allocation Scheme, consultation and planning will take place to introduce access to the CBL system for letting homes for older people

## Letting of homes with Affordable Rent Tenancies

Besides Council and housing association homes that are rented at significantly lower than full market rents, the Choice Based Lettings system, Home Connections, will also advertise some housing association properties with higher rents which can be up to 80 per cent of local market rents.

These homes will be clearly marked as 'Affordable Housing' when advertised in Home Connections.

Affordable housing rents are usually includes service charges that you will need to pay for the home.

Please note that Enfield will continue to advertise all the homes it owns at the standard rent level.

Bidding for Affordable Rent homes

All applicants with enough priority can bid for homes advertised as Affordable Rent homes in exactly the same way as for other advertised properties.

If an applicant is successful the housing association may want to check they have enough income to pay the higher rent, whether working or on benefits. If the applicant is currently a housing association tenant the rent they pay on their present home will not be affected by this change.

Fixed term tenancies

The tenancies for affordable housing and some other housing association properties may now be for a shorter period than the present lifetime tenancies offered by housing associations. The phrase 'Fixed term tenancy' in the adverts will help applicants identify these properties.

The tenancy details will be explained to successful applicants when viewing the property.

***Verification of Applications***

Housing Officers will verify applications before making an offer of a Council or Housing Association home to a successful bidder or by way of a Direct Offer. Applicants are advised to gather in advance all documents required for verification of their application in order to avoid losing an offer of a home.

We will confirm:

- The property meets the applicant's needs in terms of size and assessed need.
- The Applicant is eligible to be made an offer. Reasons why an applicant may be ineligible for housing are described in the section - **Who is ineligible for Housing?** An example include the applicant's immigration status has changed and they are no longer eligible for housing
- The Applicant has not acquired a legal or beneficial interest in any other home
- The Applicant's priority for housing has reduced. Reasons for reducing an applicant's priority are described in the section on **Reducing an applicant's housing priority**. In exceptional circumstances where an urgent move is required the Exceptions and Special Applications Housing Panel may decide to waive the requirement to reduce priority

An offer will be withdrawn if an application cannot be verified within 24 hours or fraudulent information is uncovered.

***Outcomes for applicants who refuse an offer of a home***

Outcomes for applicants who have received a formal written or verbal offer of a social rented home whether they bid for through the Choice Based Lettings System or through a direct offer, and which they refuse or are deemed to have refused are set out below:

- Group 1 – Exceptional and Emergency Transfers
  Where Enfield has agreed a transfer of an existing social rented tenant for Exceptional and Emergency reasons (Group 1) the applicant will be made one offer of a suitable alternative home. If that offer is refused the applicant's status of Exceptional and Emergency Transfer will be removed and no further offers of accommodation will be made.

- Group 1 – Social Rented Severely Overcrowded Transfers
  Where Enfield has agreed a transfer of an existing social rented tenant who is severely overcrowded (lacks two bedrooms) (applicant in Group 1) and the applicant has refused two offers of a suitable alternative home (whether these were chosen by the applicant through the CBL system or made by direct offer), the applicant will be unable to access the choice based lettings system or receive a direct offer of a social rented home for a period of 12 months

- Group 2 – Social Rented tenants who have to move because their estate is being rebuilt
  Where an applicant in Group 2 (existing social rented tenants who have to move because their estate is being rebuilt) has refused two offers of a social rented home (whether these were chosen by the applicant through the CBL system or made by direct offer), a Possession Order will be sought to protect the Council's and other tenants' interests in ensuring the estate regeneration programme is not held up. A third and final offer that meets the requirements of the household will be made when eviction is due.

- Group 3 Applicants
  For applicants in Group 3 the outcome for refusing offers is set out in the table below:

| Categories of applicant | No. of offers applicable | Outcome if offers refused |
|---|---|---|
| • Residents with support needs who have been assessed as needing an independent home (Enfield's Supporting People move on) | 2 | No further offers will be made. Housing application will be cancelled. |
| • Single people under 25 leaving Enfield Council's care | 2 | No further offers will be made. Housing application will be cancelled |
| • Former Armed Services personnel who fall within one or more of the statutory reasonable preference categories and have urgent housing needs | 2 | No further offers will be made. Housing application will be cancelled. |
| • Bereaved spouses and civil partners of members of the Armed Services leaving Services Family Accommodation following the death of their spouse or partner | 2 | No further offers will be made. Housing application will be cancelled. |
| • Single people living with a physical disability, learning difficulty, mental health issue who have been assessed as needing to move to an alternative social rented home by one of Enfield's Housing Panels | 2 | No further offers will be made. Housing application will be cancelled. |
| • Enfield New Generation Scheme applicants (small number of adult children of existing Enfield Council tenants to move into independent accommodation) | 1 | No further offers will be made. Housing application will be cancelled. |
| • Enfield Council employee whose Council home goes with their job and the Council has agreed to move them to an alternative social rented home because of ill health or retirement<br>○ if releasing a 3 bedroom home or home occupied is needed for another employee | 2 | No further offers will be made. Housing application will be cancelled. |
| • Applicant has legal right to succeed to an Enfield-owned social rented home which is larger than required. Council requires applicant to move to smaller accommodation | 2 | If both offers are refused, the Council will take possession action and one further offer will be made at the time of applying for |

| Categories of applicant | No. of offers applicable | Outcome if offers refused |
|---|---|---|
| ○ Applicant is releasing a home with 3 or more bedrooms<br>○ Applicant is releasing a 2 bedroom home | | an eviction order. |
| • Applicant has no legal right to succeed to an Enfield–owned Council or Housing Association home but is occupying a home larger than the applicant needs and the Council has agreed to house them into a smaller home because it would otherwise owe them a full housing duty under the homelessness legislation<br>○ applicant is living in a home with 3 bedrooms more than they require<br>○ applicant is living in a home with 2 bedrooms more than they require<br>○ applicant is living in a home with 1 bedroom more than they require | 2 | No further offers will be made. Housing application will be cancelled. The Council will start possession proceedings. The applicant will be found intentionally homeless if they present as homeless. |
| • No other housing circumstances apply but applicant has been awarded<br>○ A high health and well-being priority<br>○ A medium health and well-being priority | 1 | No further offers will be made. Housing application will be cancelled. |
| • Enfield Key Worker | 1 | No further offers will be made. Housing application will be cancelled. |
| Post Homelessness Order 2012:<br>• Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law that are assessed as not suitable for living in the private rented sector | 1 | No further offers will be made. Their housing application will be cancelled, Enfield's housing duty discharged and applicants will need to find their own accommodation. |
| • Applicant is homeless and has been provided with accommodation in Enfield by another local authority | 1 | No further offers will be made. Housing application will be cancelled. |

| Categories of applicant | No. of offers applicable | Outcome if offers refused |
|---|---|---|
| • Applicant is homeless but Enfield Council does not owe the full homelessness duty towards them (includes non-priority homeless and intentionally homeless cases) | 1 | No further offers will be made. Housing application will be cancelled. |
| • Emergency & Exceptional Priority requiring an urgent move (e.g., as part of a National Witness Mobility Scheme, Enfield children safeguarding cases, etc.) | 1 | No further offers will be made. Housing application will be cancelled. |
| • Applicants referred through Enfield's established Multi Agency Public Protection Arrangements (MAPPA) | 1 | No further offers will be made. Housing application will be cancelled. |
| • Enfield's Fostering and Adoption Panel quota cases<br>○ for homes with 3 or more bedrooms | 2 | No further offers will be made. Housing application will be cancelled. |
| • Private rented sector tenants or living with family or friends<br>○ Lacking 3 bedrooms<br>○ Lacking 2 bedrooms<br>○ Lacking 1 bedroom | 1 | No further offers will be made. Housing application will be cancelled. |

- Group 4 - Pre-9th November- 2012 applicants: Households in accommodation provided by Enfield Council owed a full housing duty under the homelessness law. Where the household has refused two offers of a Council or Housing Association home (whether these were chosen by the applicant through the CBL system or made by direct offer), the Council will discharge its duty towards the household and cancel their accommodation. The household will be expected to either take the second offer of a social rented home or make their own housing arrangements.

- Group 5 – Applicants applying homes which assist with mobility needs
  Applicants in this group have a wide range of mobility and access needs. Enfield Council will work with applicants in Group 5, through its Occupational Therapy service, to ensure applicants' mobility and access needs are met. However, there is a severe shortage of social rented housing in the borough, particularly of mobility- and wheelchair adapted homes. The Council will try to meet all needs possible through assisting with adaptations to suitable homes but will require applicants to make compromises. For example, a suitable home may not always be in the area of choice an applicant wants.

Where an applicant's mobility needs are low and suitable adaptations have been offered, the Council will place their housing application in abeyance for 12 months after 2 offers are refused.

Where an applicant's mobility needs are high, for example, the applicant needs a wheelchair-adapted home; the Council will keep the housing application open until the requirement for a suitable home is resolved as long as the applicant accepts that the Council may not be able to offer accommodation in the area of their choice. If the applicant does not compromise on the area of choice, then the application will be cancelled after 2 offers have been made and the applicant will have to make their own arrangements to find a suitable home.

- Group 6 – Applicants for homes for older people

Where applicants refuse 2 offers of a home for older people, no further offers will be made and the application will be cancelled.

**Right of Review**
Applicants have a right of review regarding the outcome from refusing an offer. More information can be found in the section on Rights of Information, Review and Complaints.

**Publishing the Results**

We will publish information about the homes we let and the people we let Council and housing association homes to. This information can be found on the Housing pages of Enfield Council's website (www.enfield.gov.uk).

Our Summary Annual Equalities Report published on the Council's website provides more detailed information about the homes we let.

## Who makes decisions about housing applications and allocating social rented housing

This section sets out who will make decisions or assessments on applications for social rented housing and allocating it.

| Type of decision and / or assessment | Who makes the decision |
|---|---|
| Determining eligibility for a Council and housing association home | Enfield's Housing Options and Advice Service:<br>Officer level |
| Deciding that a Housing Register application should be cancelled | Enfield's Housing Options and Advice Service:<br>Officer level |
| Assessing and prioritising housing applications | Enfield's Housing Options and Advice Service:<br>Officer level |
| Assessing size of home needed by an applicant | Enfield's Housing Options and Advice Service:<br>Officer level |
| Assessing Health and Wellbeing issues | Enfield's Housing Options and Advice Service:<br>Medical Assessment Team: Officer level |
| Assessing housing and support needs – people with mental health problems | Mental Health Housing Assessment Panel and<br>Mental Health Housing Panel |
| Assessing housing and support needs – people with learning difficulties | Learning Difficulties Housing and Resources Panel |
| Assessing housing and support needs – people with physical disabilities, visual impairments and hearing impairments | Housing Options Panel |
| Deciding priority for applicants who fall outside the statutory reasonable preference categories | Exceptions and Special Applications Housing Panel |
| Deciding which applicants should be given urgent priority for housing (e.g. urgent estate regeneration moves, exceptional and emergency transfers) | Exceptions and Special Applications Housing Panel |
| Deciding when an applicant's reasonable preference / housing priority will be changed | Enfield's Housing Options and Advice Service:<br>Officer level |
| Deciding how many lettings will be made to each of the housing quotas (i.e. children leaving care move-on from supported housing, Enfield's Fostering and Adoption Panels quota cases, etc.) | Enfield's Housing Options and Advice Service:<br>Head of Service |

| Type of decision and / or assessment | Who makes the decision |
|---|---|
| Creating a pool of applicants who will be prioritised for a Council or housing association home | Enfield's Housing Options and Advice Service:<br>Officer level |
| Deciding which Council and housing association homes are to be let by direct offer or through the choice-based lettings scheme | Enfield's Housing Options and Advice Service:<br>Officer level |
| Deciding which housing demand group a vacant Council or housing association home may be prioritised for | Allocations Team:<br>Officer level |
| Shortlisting applicants who have bid for vacant Council and housing association homes via the choice based letting system | Allocations Team:<br>Officer level |
| Deciding when an applicant should not be shortlisted for or made an offer of a Councilor housing association home | Allocations Team:<br>Officer level |
| Deciding where and when local lettings plans will be put in place | Community Housing Services:<br>Head of Service |
| Deciding the target proportions of homes for each housing demand group | Community Housing Services, Head of Service recommendation ratified by the Lead Member for Housing |

Additional information

- The role of Panels involves the need to make a judgement call, not, for example, assessing the number of points
- Reviews by Team Leader roles will be about issues such as arithmetic errors in calculating points
- The Assistant Director of Housing, Community Housing Services will hear appeals from Panel decisions.
- Where decisions have a political dimension, these should be made by the Lead Member for Housing as part of their portfolio and through a delegated authority report which the relevant Scrutiny Panel could then examine. There will be an annual report to Scrutiny on the housing allocations process.

## Enfield's Statutory Tenancy Strategy and Tenancy Policies

This section sets out what a Statutory Tenancy Strategy and tenancy policies are and how they relate to each other.

***Enfield's Statutory Tenancy Strategy***

Enfield is required by law to have a Tenancy Strategy which sets out the matters to which social landlords in its area should have regard to when setting their tenancy policies.

The matters social landlords should have regard include a local authority's objectives for its area and for social housing in its area.

Enfield's Tenancy Strategy is available as a separate document on Enfield's website here:

www.enfield.gov.uk and type 'Tenancy Strategy' in the search box.

***Tenancy Policies***

All social landlords are required to publish Tenancy Policies. Tenancy policies set out the following information:

- What types of tenancies social landlords grant
- The circumstances in which social landlords will grant a tenancy of a particular kind
- Where tenancies are for fixed terms, the length of the term
- The circumstances in which social landlords will grant a further tenancy when the existing tenancy comes to an end

Current Tenancy Policies for all social landlords working in Enfield, including one for Council-owned homes, can be found on Enfield's website:

www.enfield.gov.uk and type 'Tenancy Policies' in the search box

## Local Lettings Plans

Local Lettings plans will operate for Council and housing association owned Estate Regeneration Schemes where new homes will be built. They will also operate where we consider that there is an overriding need to respond to local conditions.

They will:

- Have clear aims and align with priorities set out in Enfield's Housing Strategy, Tenancy Strategy, Tenancy Policy and the priorities of Enfield's Allocations Scheme
- Accord with relevant legislation and statutory guidance
- Be area or estate based
- Be time-limited
- Matters which could be considered in a Local Lettings Plan include:
    - Commitments made to Council tenants who were decanted from estates to be regenerated
    - The proportion of incoming tenants with experience of maintaining a tenancy.
    - Vulnerable households in need of support
    - Child density
    - Flexibility in relation to occupancy levels
    - Tenants choice strategy
    - How low or high demand homes will be let
    - Reversing the impact of Anti-social behaviour
- Have an Equalities Impact Assessment where it is relevant or proportionate.
- Be clearly communicated to housing association partners and other relevant stakeholders including tenants and residents
- Be monitored regularly to ensure the aims of LLPs are being met
- Be reviewed at regular intervals to ascertain whether an LLP is still relevant

If a Local Lettings plan is in operation then this will be stated on the advert for a property. When a Local Lettings Plan applies, the property will be advertised for applicants satisfying stated criteria

## Tenancy Agreements and Types of Tenancies

Applicants who accept an offer of social rented housing will be asked to sign a Tenancy Agreement. A Tenancy Agreement is a contract between the applicant (the tenant) and their landlord (e.g. Enfield Council or a Registered Social Landlord). It sets out the rights and responsibilities between the tenant and the landlord, for example, the tenant will agree to pay the rent on time and the landlord agrees to keep the home in good repair.

Tenancy Agreements will vary depending on whether the landlord is Enfield Council or a Registered Social Landlord.

| Homes owned by Enfield Council | Homes owned by Housing Associations |
|---|---|
| **Starter tenancy**<br>Applicants who have never held a social rented housing tenancy before are given an introductory tenancy that lasts for 12 months. Introductory tenancies are easily brought to an end if the tenant breaks the conditions of the tenancy at any time during the 12-month period. Legislation requires the courts to give possession of the home back to the Council if proof is provided that the tenant broke the conditions of an introductory tenancy.<br><br>Existing tenants of Enfield Council or a Registered Social Landlord who have transferred to another home owned by Enfield Council are not given this type of tenancy | **Introductory tenancy**<br>Applicants who have never held a social rented housing tenancy before are given an introductory tenancy that lasts 12 months. Introductory Tenancies are easily brought to an end if the tenant breaks the conditions of the tenancy at any time during the 12-month period. Legislation requires the courts to give possession of the home back to the Council if proof is provided that the tenant broke the conditions of an introductory tenancy.<br><br>Existing tenants of Enfield Council or a Registered Social Landlord who have transferred to another home owned by a Registered Social Landlord are not given this type of tenancy. |
| **Secure Tenancy**<br>This type of tenancy is given to a tenant by the Council after an Introductory Tenancy has ended and provided the tenant has kept to the tenancy conditions during its 12 month term.<br><br>The rights and obligations of a secure tenancy are all set out in an Act of Parliament (the Housing Act 1985). If the Council wants to repossess a secure tenancy, the courts have discretion about whether they give the home back to the Council. | **Assured Tenancy**<br>This type of tenancy is given to a tenant by an RSL after an Introductory Tenancy has ended provided the tenant has kept to the tenancy conditions during its 12 month term.<br><br>Some of the rights and obligations for Assured Tenancies are set out in an Act of Parliament (The Housing Act 1988) but most of the terms and conditions in an RSL assured tenancy follow guidance of the regulator of RSLs, the Tenancy Services Authority. For some |

| | |
|---|---|
| | breaches of assured tenancy agreements, the courts have no discretion and have to give the home back to the RSL if they request it. |
| | **Affordable rent tenancies**<br>These are fixed term tenancies (e.g. lasting for 5 years or more) at rents up to 80% of market rents and can be renewed or brought to an end when the fixed term is finished. |
| **No tenancies can be brought to an end without a possession order being granted by the Courts** | |

Where the household includes a couple (married, civil partnership or cohabiting), a joint tenancy will be created.

**Applicants aged 16/17**

Applicants who are 16 or 17 may apply to the Housing Register. If a person aged 16 or 17 accepted an offer of social rented housing they will be given a "tenancy in trust" for them and then given a tenancy agreement in their own name when they reach 18.

## Confidentiality and Access to Personal Information

Employees of the Council and Enfield Council Housing will treat all information provided by applicants in accordance with the Council's confidentiality procedures and with any inter-agency protocols that apply to particularly sensitive information known to the council.

Our approach to sharing information is set out in the section on **Requesting, Sharing and Verifying Information**.

***Access to Information***

All applicants for housing have the right to see information held about them by the Council, in accordance with the Data Protection Act 1998.

The right applies to all personal information regardless of the date that information was recorded.

All applicants are entitled to information about how their application for a social rented home was assessed and also about their prospects of being housed.

An applicant will be entitled to receive in writing the Council's decision not to consider them for housing because of unacceptable behaviour by them and reasons for the decision.

## Rights of Information, Review and Complaints

This section tells you about housing applicants' right to information, review of decisions and when to complain.

***Rights of Information and Review***

The Housing Act 1996[9] gives housing applicants the right to know the facts of their case which have been or are likely to be taken into account by Enfield Council or Enfield Homes when considering their application to join the Housing Register or to make them an offer of a social rented home.

Applicants are entitled to receive this information in writing together with information that explains how and by when they can request an internal review of a decision made that they do not agree with.

Homeless applicants have an additional right of review under Section 202 of the Housing Act 1996 about the suitability of any offer of a social rented home.

### Which decisions in this Allocations Scheme can a housing applicant ask to be reviewed?

A housing applicant can ask Enfield Council Housing to review the following decisions:

| Type of Decision | Who will deal with an internal review |
|---|---|
| • Deciding outcome of request to review ineligibility for housing | Enfield's Housing Options and Advice Service:<br>Team Leader / Review Officer level |
| • Whether facts have not been taken into account in assessing a housing application | Enfield's Housing Options and Advice Service:<br>Team Leader / Review Officer level |
| • Whether the Housing Register application should be cancelled | Enfield's Housing Options and Advice Service:<br>Team Leader / Review Officer level |
| • Reducing priority for housing for rent arrears | Enfield's Housing Options and Advice Service:<br>Team Leader / Review Officer level |
| • Review of outcomes of refusing an offer of a Council or housing association home | Enfield's Housing Options and Advice Service:<br>Team Leader / Review Officer level |

[9] Section 166(A) Housing Act 1996 as amended by Localism Act 2011, S147 (2)(a)

### Timescale for requesting a review

When an applicant receives a decision in writing (by post or email) about their housing application, they can request a review of it within 15 working days.

At the same time as requesting a review, the applicant, or whoever they would like to represent them, should also provide any additional details or information they would like Enfield Council Housing to take into account.

Both the request for a review and any additional details and information an applicant would like considered should be sent in writing (by post or email) to Enfield Council Housing. The table above outlines which organisation deals with the review of particular types of decisions. The letter containing the original decision will say which organisation will deal with any review.

### How we will deal with a request for a review

When we receive a request for a review, we will write to the housing applicant within 5 working days:

- Acknowledging receipt of their request for a review
- Explaining the review procedure;
- Explaining that the housing applicant will know the outcome of the review within 20 working days, unless a longer time is agreed with the applicant.

When we receive the housing applicant's written representation, we will review our original decision, taking into account any additional information and any other relevant facts. A more senior officer than the one who made the original decision will carry out the review.

We will let the applicant know the outcome of a review in writing. Where we confirm our original decision, we will explain why.

***Complaints***

Enfield Council and Enfield Council Housing aim to provide a housing assessment and allocation service of high quality. We are always looking to improve our services. Your complaints, along with other feedback, can help us to do this.

We want to get things right but sometimes they do go wrong. We hope to be able to settle complaints quickly and informally at your first point of contact. Where this is not possible, the rest of this section explains what you should do. Making a complaint will not put you at a disadvantage now or in the future.

A complaint may be about delay, lack of response, discourtesy, failure to consult or about the standard of service you have received - in fact anything that leaves you dissatisfied with the conduct Enfield Council or Enfield Council Housing in relation to application and assessment for social rented homes and the allocation of social rented homes. You may want to complain if you think:

- We have not treated you fairly or politely.
- We have not done something we should have done.
- We have done something badly.

You may complain to Enfield Council using any of the following methods:

By telephone

- Enfield Council's Customer Services on 020 8379 1000 (Please Note: Calls may be recorded)
- Textphone - 020 8379 4419
- Tape for blind or partially-sighted people - 020 8379 8010

By writing

- using the complaints form on Enfield Council's website or at a local library or the Enfield's Civic Centre
- e-mailing us at complaints@enfield.gov.uk
- by letter to Enfield Council, Civic Centre, Silver Street, Enfield, EN1 3BG

You can complain to Enfield Council Housing using any of the following methods:

- By telephone on freephone 0800 40 80 160 or 0208 3791327
- By letter to FREEPOST, Enfield Council Housing
- By emailing us on feedback.council.housing@enfield.gov.uk

## Appendices

*Appendix 1 – Social Rented Housing in Enfield*

**The Size of Enfield's Housing Register**

On 31st March 2015 there were 2,581 applicants on Enfield's Housing Register.

Of this number

- 739 social rented tenants were seeking a transfer to another home
- 1,596 households were homeless applicants in temporary accommodation
- 246 applicants were living in private rented homes, living with family or friends or living elsewhere

As at October 2015 there were 2073 applicants who had enough points to be able to bid on the choice based lettings system or able to receive a direct offer.

On average around 1,000 applicants join the Housing Register each year.

Enfield's Housing Register is reviewed annually. Applicants who do not have enough priority for housing are removed after one year unless they tell the council they want to stay on the Register.

**Some Facts about Housing Need in Enfield**

At 31st March 2015 there were

- 2,764 homeless households living in temporary accommodation
- 322 applicants living in private rented homes and social rented homes were overcrowded by one bedroom. 62 applicants were severely overcrowded because they lacked two or more bedrooms.

**Who provides social rented homes in Enfield?**

Enfield Council owns 11,136 homes and 7991 homes are owned by housing associations (HAs). There are different types of social rented homes and a breakdown of them is shown in the table on the next page

Table 1

| Type of social rented home | No. of Enfield Council-owned homes | No. of RSL-owned homes[10] | Total Homes of each type |
|---|---|---|---|
| General needs | 10,249 | 6,608 | 16,857 |
| Sheltered homes for older people | 887 | 667 | 1554 |
| Supported housing | | 108 | 108 |
| Temporary accommodation | | 608 | 608 |
| **Total** | **11136** | **7,991** | **19127** |

Of Enfield Council's 10,249 general needs homes, 472 of these are located in nearby boroughs in Broxbourne and Hertsmere. They are managed by Enfield Council.

Most RSLs do not have an open waiting list and ask the Council to nominate applicants from the Housing Register who have enough priority for housing.

**Homes Owned By Enfield Council**

The type of properties- 2014/15

- There are 7,924 flats, of which
    - 5,204 are low rise flats (located in a building with 5 floors or less)
    - 2,720 are high rise flats (located in a building with 6 floors or more)
- There are 105 bungalows
- There are 3,107 houses

The Bedroom Size of homes- 2014/15

Enfield's 11,136 homes are made up of the following sizes of homes:

**Table 2**

| Studios and 1 bedroom homes | 2 Bedroom homes | 3 Bedroom homes | 4+ bedroom homes |
|---|---|---|---|
| 3,808 | 3,984 | 3,190 | 154 |

10

**Homes owned by Housing Associations in Enfield**

The Bedroom size of homes – 2014/15

The 6512 social rented homes owned by Housing Associations (HAs) in Enfield, not including sheltered accommodation, supported housing or temporary accommodation comprised the following[11]:

| Studios and one bedroom homes | 2 Bedroom homes | 3 Bedroom homes | 4 Bedroom homes | 5 Bedroom homes | 6 Bedroom homes | 7 Bedroom homes | 8 Bedroom homes | 9 Bedroom homes |
|---|---|---|---|---|---|---|---|---|
| 1596 | 2691 | 1924 | 331 | 30 | 7 | 2 | 0 | 1 |

The location of general needs social rented homes in Enfield by ward

Social rented homes are located throughout the borough:

**Table 3**

| Ward | No. of Enfield Council-owned Homes in Enfield Wards | No. of RSL-owned homes in Enfield Wards |
|---|---|---|
| Bowes | 109 | 569 |
| Bush Hill Park | 124 | 93 |
| Chase | 848 | 419 |
| Cockfosters | 524 | 85 |
| Edmonton Green | 1,219 | 1770 |
| Enfield Highway | 910 | 392 |
| Enfield Lock | 516 | 1158 |
| Grange | 89 | 14 |
| Haselbury | 593 | 266 |
| Highlands | 225 | 177 |
| Jubilee | 397 | 275 |
| Lower Edmonton | 598 | 1218 |
| Palmers Green | 165 | 202 |
| Ponders End | 870 | 624 |
| Southbury | 992 | 206 |
| Southgate | 157 | 405 |
| Southgate Green | 457 | 128 |
| Town | 200 | 207 |
| Turkey Street | 780 | 509 |

[11] There were 87 RSL properties for which no size information was available

| Ward | No. of Enfield Council-owned Homes in Enfield Wards | No. of RSL-owned homes in Enfield Wards |
|---|---|---|
| Upper Edmonton | 755 | Not available |
| Winchmore Hill | 136 | 123 |
| Broxbourne | 330 | |
| Hertsmere | 142 | |
| **Total** | **11,136** | **8,840** |

Most social rented homes are located in the eastern side of the borough in places like Edmonton, Ponders End and Southbury.

**Social rented homes let over the last 5 years**

Number of Homes let

The table below provides information about the number of lettings of permanent social housing over the last five years. The number of vacant homes available for letting has fluctuated but there is a clear downward trend.

**Table 4**

| Year | Total number of homes owned by Enfield Council let | Total number of homes owned by Housing Associations let | Total number of all homes let |
|---|---|---|---|
| 2014/15 | 441 | 188 | 629 |
| 2013/14 | 497 | 194 | 691 |
| 2012/13 | 485 | 208 | 693 |
| 2011/12 | 586 | 298 | 884 |
| 2010/11 | 595 | 275 | 870 |

The size of the homes let in 2013/14 and 2014/15

Enfield Council has a serious shortage of family size homes. The table below shows how many homes of different sizes were.

**Table 5**

| Size of home | 2013/14 | 2014/15 |
|---|---|---|
| One bedroom/studio homes | 218 | 216 |
| Sheltered homes for older people | 92 | 81 |
| Two bedroom homes | 238 | 216 |
| Homes with 3 or more bedrooms | 143 | 116 |
| **Total homes let** | **691** | **629** |

**Predicting the supply of social rented homes in Enfield every year**

Every year we estimate how many and the size of homes that might become available for the letting to applicants on Enfield's Housing Register by:

- Taking as a guide the number and size of lettings in the previous year
- Taking account of any new homes that will be built and completed in the coming year from our Development Programme involving Housing Associations
- Reviewing the number of homes that are undergoing major repairs and likely to have the repairs completed during the coming year
- Reviewing how many homes are likely to become vacant in the year and how many of these will not become available for letting in the coming year because they need major repairs or might be demolished as part of a regeneration scheme.
- Reviewing the number of social rented homes that might be bought through right to buy sales that will not become available for letting.

We use these predictions to monitor lettings throughout the year to see that the three main types of housing applicant (homeless, transfers and others) access an appropriate share of available social rented homes.

***Appendix 2 – What was taken into account when writing Enfield's Allocations Scheme***

When writing the Housing Allocations Scheme for Enfield, the Council took into account a wide range of documents and information. These included government guidance, legislation, legal cases, best practice and new national and regional government policy. The main documents and information we have taken into consideration are set out below:

**Legislation**

- Housing Act 1996, Part VI
- Localism Act 2011

The Localism Act 2011 amended the Housing Act 1996 to include:

"A local housing authority in England must, in preparing or modifying their allocation scheme, have regard to:

(a) their current homelessness strategy under section 1 of the Homelessness Act 2002,

(b) their current tenancy strategy under section 137 of the Localism Act 2011, and

(c) in the case of an authority that is a London borough council, the London Housing Strategy."

- Equalities Act 2010 and related legislation

**National Policy**

- Local decisions: a fairer future for social housing: Consultation, November 2010
- Laying the Foundations: A Housing Strategy for England, November 2011

**Regional guidance**

- The London Housing Accessible Register Good Practice Guidance 2011
- The revised London Housing Strategy, December 2011, consultation document

**Guidance**

- Allocation of accommodation: guidance for local housing authorities in England, June 2012, Communities and Local Government
- Social Housing Equalities Framework, Local Government Association, 2012
- The Equalities Framework for Local Government (EFLG) developed by the Local Government Improvement and Development[12] (LGID)

[12] Formerly the Improvement & Development Agency (I&DeA)

**Enfield's Strategies and Policies**

- Enfield: A Fairer Future for All is Enfield's Council Strategy, the vision of which is to '*make Enfield a better place to live and work, delivering fairness for all, growth and sustainability and strong communities*.'
- the Sustainable Community Strategy 20007-2017, Enfield's Future
- the Place Shaping Strategy, Shaping Enfield's Future
- Housing Strategy 2012-2027
- Homelessness Strategy 2008-2013
- Health Housing and Adult Social Care's approach to the personalisation and delivery of services which promotes independence and choice
- Fairness in Practice Framework: Valuing Diversity, Tackling Discrimination, Health, Housing and Adult Social Care
- Enfield's draft Tenancy Strategy 2012-2017

**Information about Demand and Supply**

We looked at Information about the numbers of people applying to Enfield's Housing Register, the wide range of needs they had as well as how much social rented housing is actually available to meet the needs of housing applicants.

**Consultation and engagement**

Community engagement and involvement has shaped the development of a revised Allocations Scheme for Enfield with feedback showing how community involvement made a difference.

***Appendix 3 – List of housing circumstances regarded as a reasonable preference***

Part 6 of the Housing Act 1996 (as amended) expects local authority housing allocations schemes to give a 'reasonable preference', or a head start, to the following groups of applicants for social rented housing:

- People who are homeless
- People occupying insanitary, overcrowded or otherwise unsatisfactory housing
- People who need to move for medical or welfare reasons, and
- People who need to move to a particular location, for example to be nearer to special medical facilities.

**Giving a reasonable preference to an applicant does not mean they will have automatic priority for a social rented home.**

The lists below set out the housing circumstances that Enfield will have regard to when awarding reasonable preference:

**Insanitary, overcrowded and unsatisfactory housing conditions**

Nationally defined circumstances:

- Lacking bathroom or kitchen
- Lacking inside WC
- Lacking cold or hot water supplies, electricity, gas, or adequate heating
- Lack of access to a garden for young children
- Sharing living room, kitchen, bathroom/WC
- Property in disrepair
- Poor internal or external arrangements
- Young children in flats above ground floor

Locally defined circumstances

- Enfield's Council tenants who need to move because, due to changes in welfare benefit entitlement, they can no longer afford to occupy their current homes and need to move to a smaller home
- Enfield's Council tenants who need to move because their home is part of an estate regeneration scheme
- Enfield's Council and housing association tenants who are severely overcrowded because they lack 2 or more bedrooms

**People who need to move on medical or welfare grounds (criteria may apply to any member of the household)**

Nationally defined circumstances

- A mental illness or disorder
- A physical or learning disability
- Chronic or progressive medical conditions (e.g. MS, HIV/AIDS)
- Infirmity due to old age
- The need to give or receive care
- The need to recover from the effects of violence (including racial attacks) or threats of violence, or physical, emotional or sexual abuse
- Ability to fend for self-restricted for other reasons
- Young people at risk
- People with behavioural difficulties
- Need for adapted housing and/or extra facilities, bedroom or bathroom
- Need improved heating (on medical grounds)
- Need sheltered housing (on medical grounds)
- Need ground floor accommodation (on medical grounds)
- Need to be near friends/relatives or medical facility on medical grounds
- Need to move following hospitalisation or long term care

***Appendix 4 – Assets, income and savings***

If you have sufficient financial resources to resolve your own housing need, you will not be eligible to apply for social rented housing.

The Council will review the financial limits during the first year of the scheme and annually thereafter. We will take into account any significant changes in:

- house prices in the Borough;
- income levels;
- the availability of affordable home ownership;
- private rents.

The financial limits applicable at 5 November 2012 are:

- Household gross income greater than £70,000, or savings greater than £50,000 for families seeking properties with two or more bedrooms
- Household income greater than £40,000 or savings greater than £50,000, for single people or couples seeking a studio or one-bed flat.

If you own a property, or a share in a property, and the value of your share is greater than the savings limit, then you will be assessed as having sufficient financial resources and be ineligible to go on Enfield's Housing Register.

If you are aged 60 or over you may still be eligible for sheltered housing if you also have a support need.

If you own a share in a property but are unable to live there, for example, if your relationship has broken down – then we will assess your financial circumstances on the basis of the money that could reasonably be expected to be released if the property was sold.

***Appendix 5 – Enfield's Quota Schemes***

Quota Housing Schemes play an important role in

- Meeting housing need and preventing homelessness
- Encouraging residents to develop local connections in the area
- Building mixed and sustainable communities

The number of homes set aside for each quota scheme will be kept under review to ensure they continue to meet local priorities.

## Enfield's Children Leaving Care

Studio and one bedroom homes will be made available to young people leaving the care of the local authority who are owed a duty by Enfield Council under the Children (leaving care) Act 2000. The size of this quota varies year on year to meet need from these housing applicants. Enfield Council's Children and Families Services usually nominate these applicants. In exceptional circumstances a reciprocal arrangement may be agreed with another local authority who has been placed in Enfield at the discretion of Enfield Council. For more information see Care Leavers Housing Panel.

## Residents Moving on from Enfield's Supported Housing Schemes

Studio and one bedroom homes are made available for specific Enfield Council Supported Housing Schemes which receive Supporting People funding to address the needs of residents with support needs.

An applicant will be put forward by the Supported Housing Scheme provided

- their support needs have been addressed and they are suitable for independent living
- renting privately is not an option

## Foster parents and adoptive parents

Enfield's Fostering or Adoption Panels may nominate from the following:

- Approved Foster Parents
- Approved family or friend's foster carer
- Applicants approved for adoption

## New Generation Enfield Residents Scheme

Studio and one bedroom homes may be made available under the New Generation Enfield Residents scheme. Applicants for this scheme will include single people and childless couples living with parents in Enfield Council homes meeting the following criteria:

- Aged between 25 and 60
- Have lived with parent(s) continuously for at least 3 years and
- The parent(s) has lived in a council property owned by Enfield for at least 3 years
- The applicant and/or their partner (if a childless couple) are working – see section on Enfield's Definition of Working

Within this group of applicants, priority will be given to moving an adult child/couple where this would help resolve or reduce severe overcrowding in the parental Council-owned home.

## Enfield's Key Workers

Enfield's Key Workers are people in professions that are important to maintaining local services, particularly in health, education and community safety.

Enfield uses the Government's definition of Key Worker that is set out in its Homebuy literature. This can be found on the Homebuy website:
http://www.homebuy.co.uk/key_worker_eligibility.aspx

Key Workers can purchase homes at a below market level price. The definition of a key worker will be reviewed annually so that additional classes of occupations can be included if necessary.

A key worker can apply for Council or housing association homes in Enfield provided their main place of work is in Enfield.

Applicants who have sufficient finances to resolve their housing need by renting or buying in the intermediate housing sector (e.g. below market rent or shared ownership) or the private sector will be given information and advice on alternative housing options.

## housingmoves – Pan-London Mobility Scheme for London

Enfield has agreed to participate in the Mayor of London's pan London Mobility Scheme which will help council and housing association tenants move across London boroughs. Under the terms of the scheme Enfield will put forward up to 5% of qualifying council and housing association homes for eligible tenants.

Further information about the scheme can be found online using this web address: www.**housingmoves**.org

### Former Armed Services Personnel

An annual quota of homes of all sizes will be made available for former Armed Services personnel who fall within one or more of the statutory reasonable preference categories and have urgent housing needs. This enables Enfield to comply with the Government's statutory code of guidance on Allocation of Accommodation

### Bereaved Spouses and civil partners of Members of the Armed Services

An annual quota of homes of all sizes will be made available for bereaved spouses and civil partners of Members of the Armed Services leaving Services Family Accommodation following the death of their spouse or partner.

### Single people living with a physical disability, learning disability or mental health issue agreed for housing by one of Enfield's Housing Panels

An annual quota of studio and 1 bedroom homes will be made available for single people living with a physical disability, learning disability or mental health issue who have been recommended for housing by one of Enfield's relevant Housing Panels (see Appendix 7 for information on Enfield's Housing Panels).

### Council employees whose Council home goes with their job and the Council has agreed to house them in an alternative home

An annual quota of homes of all sizes will be made available for Council employees whose Council home goes with their job and for reasons of ill-health or retirement the Council, through the Exceptions and Special Applications Housing Panel, has agreed to house them in an alternative social rented home. Ill-health in this context is illness which the Council's Occupational Therapy Service recommends is long-term and debilitates the employee to a point where they are unable to carry out their duties effectively. A higher priority will be given to a Council employee releasing a home with 3 or more bedrooms.

### Applicant with legal right to succeed to a Council owned property who is and under-occupying

An annual quota of homes of all sizes will be made available for applicants who have a legal right to succeed to a Council home in Enfield, is under-occupying it and the Council requires the applicant to move smaller accommodation. A higher priority will be given to an applicant who is releasing a home with 3 or more bedrooms.

### Applicant has no legal right to succeed to a Council owned home and is under-occupying

An annual quota of homes will be made available for applicants who have no legal right to succeed to a social rented home in Enfield. The Council has agreed to house them because if evicted the Council would otherwise owe them a duty to house under the homelessness legislation. A higher priority will be given to applicants releasing a social rented home with 3 or more bedrooms.

### No other housing circumstances apply but the applicant has been assessed as having a high or medium Health and Well-being need

An annual quota of homes of all sizes will be made available for applicants who have been assessed by the Council's Medical Assessment Officer as having a high or medium Health and Well-being need.

### Post Homelessness Suitability of Accommodation Order 2012: some applicants provided with accommodation b Enfield and owed a full rehousing duty under the homelessness law

An annual quota of studio and one bedroom homes will be made available for applicants for whom Enfield has accepted the full homelessness duty towards them, has assessed the applicant as having exceptional needs and decided not to discharge the duty to house the applicant via the private rented sector as per the Homelessness (Suitability of Accommodation) (England) Order 2012 (SI 2012/2601).

### Applicant provided with temporary accommodation in Enfield by another local authority under the homelessness legislation

An annual quota will be made available for applicants living in temporary accommodation in Enfield provided to them by another local authority under the homelessness legislation.

### Applicant is homeless but Enfield does not owe them a full homelessness duty and the applicant has exceptional need

An annual quota of 6 studio or 1 bedroom homes will be made available for applicants who are homeless but Enfield does not owe them a full homelessness duty and the applicant has exceptional need for housing in Enfield.

### Applicants living in the private rented sector or with family or friends

An annual quota of homes with 3 or more bedrooms will be made available for applicants living in the private rented sector or with family or friends and are severely overcrowded through lacking 3 bedrooms.

### Enfield MAPPA Cases

An annual quota will be made available for applicants referred for social rented housing to Enfield under Multi-Agency Public Protection Arrangements (MAPPA). Direct offers will be made of usually studio or one bedroom social rented homes.

These applicants will not be able to access the choice based lettings system. MAPPA applicants will be placed in the community sensitively.

### Emergency and Exceptional priority cases (not Enfield Council or Enfield housing association tenants)

An annual quota will be made available for homes of all sizes to assist with urgent moves required such as under the National Witness Mobility Scheme or safeguarding Enfield children issues. These will be applicants who are not already tenants of Enfield Council or housing associations with homes in Enfield.

The National Witness Mobility Scheme supports people who are witnesses to serious crimes to move away from the area where the perpetrator lives, to minimise the risk of intimidation or repercussions when they give evidence in court. Applicants in this situation will be considered on a case by case basis and agreed a direct offer of suitable accommodation

### Keeping Quota Schemes Under Review

The quota schemes will be reviewed by the Council annually to ensure they continue to meet local need.

*Appendix 6 – Enfield's Housing Panels*

The Council's Housing Panels are important for assessing an applicant's housing and support needs. Each panel will consider an applicant's priority for social rented housing and the support they will need to live independent lives. Each Housing Panel comprises Senior Officers and who have been granted delegated authority by the Council to make decisions about housing as appropriate.

## Mental Health Housing Panels

Applicants are referred to the Mental Health Assessment Panel where there is a need for more in depth discussions and sharing of information about their mental health issues. The Panel will assess:

- The vulnerability on grounds of mental health of applicants requesting assistance from Enfield Council because they are homeless
- Whether to award a mental health priority to an applicant applying through the Housing Register for a Council or housing association home

The Panel reviews on average 120 cases each year. Of this number about 40 cases will involve a review of an applicant's housing and support needs.

The Panel is chaired by the Medical Assessment Officer and comprises a Senior Community Mental Health worker and Team manager from the Council's Housing Options and Advice Service. This panel may refer applicants to the full Mental Health Panel if necessary.

The Mental Health Panel reviews on average 40 cases each year. The Head of Housing Options and Advice or other delegated officer chairs the meeting. Applicants may attend. The Panel comprises a Senior Officer from the Community Mental Health Team or Community Psychiatric Nurse to enable the panel to decide on the suitability of independent accommodation and award an appropriate priority.

## Care Leavers Housing Panel

Enfield's Care Leavers Housing Panel reviews the cases of young people who are due to leave the care of the local authority because they are owed a duty by Enfield Council under the Children (Leaving Care) Act 2000.

The aim of the panel is to:

- ensure a young person is fully prepared for move-on into independent living
- identify their support needs with, for example, the CBL bidding process

- maximise the young person's ability to sustain their tenancy through early interaction between the young person, their support workers and Enfield Homes Rehousing, Tenancy Estate Management and Income Management teams.

Around 120 young people are reviewed by the Care Leavers Housing Panel annually and on average 40 cases are approved for independent living into council or housing association. The Panel is chaired by the Head of Service, Looked after Children (LAC), and comprises staff from:

- Enfield Council (LAC Head of Service, LAC Deputy Team Manager, Fostering Manager, Asylum Team Support Service Manager, Panel Administrator)
- Enfield's Arms Length Management Organisation, Enfield Homes (Rehousing Team plus Income Management Team/ASB Team rep as and when required).
- Housing Association partner (Floating Support Service)

Reciprocals

Young people leaving care who have been place in Enfield by another local authority under the Leaving Care Act 2000 may be considered at the discretion of the local authority under the terms of a reciprocal agreement (one for one) if the young person was placed in the borough prior to their 16th birthday has lived in the borough for and has lived there continuously a continuous period of 5 years

**Learning Difficulties Panel (Resources)**

Applicants who have learning difficulties will be referred to the joint Social Services/Housing Learning Difficulties Panel. This Panel reviews on average 60 cases each year. A Learning Difficulties manager chairs the meeting which is comprised of a Senior Officer from the Housing Options and Advice Service, Social Workers, Support / Care providers. Cases are presented by Social Workers to enable the Panel to decide on the suitability of independent accommodation.

## Housing Options Panel for People with physical disabilities or visual impairment or hearing impairment

The Housing Options Panel will consider applications from people who have physical disabilities. The Panel reviews on average 80 cases per year. The Panel is chaired by a Manager from the Disabilities Team and comprises a Senior Occupational Therapist, Senior Officer from the Private Sector Housing Team and a Senior Manager from Enfield Homes. A Senior Housing Options and Advice Officer may attend. The Housing Options Panel will decide whether an applicant can remain in their home with appropriate and cost effective adaptations or recommend a move to more suitable housing.

### Joint Assessment Panel (Older Persons)

The Joint Assessment Panel (Older Persons) will consider applications from older people needing to live in a housing scheme that provides extra care. Around 30 cases are considered per annum. This panel is chaired by Sheltered Housing Services Manager, and comprises a Medical Assessment Officer, an In House Home Care Manager, the Team Manager - Older People, a Housing Occupational Therapist.

### Exceptions and Special Applications Housing Panel (ESAHP)

Enfield's Housing Allocations Scheme cannot cover every eventuality. Discretionary powers may be used to deal with special cases that may need to be treated in an exceptional way.

The Head of Housing Options and Advice or other senior delegated officer will chair the ESAHP.

The Assistant Director for Community Housing Services will hear appeals against Panel decisions.

***Appendix 7 – Affordability***

This Appendix sets out Enfield's approach to the affordability of social rented homes.

Currently (November 2012) around 70% of existing Council and housing association tenants receive full or partial housing benefit to help cover the cost of their rent.

Government welfare reforms will cap total benefit entitlement to households from April 2013, and reduced government funding for building new homes is likely to result in increased rents in the social rented sector in Enfield. Housing applicants will no longer be able to assume that housing benefit will pay their rent in full or partially. Benefit-dependent housing applicants will have to pay their rent from one pot of money paid to them 4 weeks in arrears by the DWP.

These changes in Government policy will make it **essential** that existing and prospective tenants of Council and housing associations homes who have priority on the Housing Register consider whether they have enough income from benefits or earnings to afford available social rented homes.

Budgeting tools are available on the internet which applicants can use to calculate whether they can afford the rents of available social rented homes. Examples can be found here:

- The Citizens Advice Bureau on www.adviceguide.org.uk, click on England and enter "budgeting tool" in the search box
- The This is Money website on www.thisismoney,co.uk, enter "household budget calculator" in the search box

Enfield Council reserves the right to refuse a bid for an available social rented home from a housing applicant whom it believes will not be able to afford the rent.

*Appendix 8 – Housing Options and Advice*

Applicants will find housing options information and advice on the housing pages on Enfield Council's website at www.enfield.gov.uk. Information about all of the options below can be found on the website.

www.housingoptions.org.uk is a useful website for applicants with learning difficulties

Applicants are strongly recommended to consider all possible options for their future housing. Even if applicants are awarded a high priority under Enfield's Allocations Scheme, other options may still meet their needs more quickly.

**Housing Options and Advice for All**

**Homeless or at risk of being made homeless**
We are committed to preventing homelessness where possible.

Applicants who are already homeless or at risk of losing their home, should contact the Council's Housing Options and Advice Service immediately. We may be able to help applicants keep their current home, at least for a little longer. Being made homeless does not mean an applicant will be housed more quickly than other people in need. Telephone 020 8379 1000 for more information or go to Enfield's website www.enfield.gov.uk and type "help if you are at risk of losing your home" into the search box.

**Staying Put and getting help to make the property more suitable to live in**

If your home is in a poor state of repair then please contact the Council's Private Sector Housing Enforcement Team on 020 8379 1000 for advice.

If you are having problems with your landlord or you have been asked to leave your private rented home there may be able to help. Please contact the Council's Housing Options and Advice Service on 020 8379 1000.

If you are an older person or you have a disability and are finding it difficult to live in your home and think it could be adapted to better meet your needs contact the Council on 020 8379 1000 for advice on your options.

**Low cost home ownership homes**.
There are schemes to help you to buy a home of your own. If you are in regular employment, you may be eligible for one of these schemes.

FIRST STEPS to home ownership in London is a free to use service for first time buyers looking to buy a home for less. Go to www.firststeps/llondon.org to find out more.

**Privately rented housing**

Private rented homes play an important role in meeting housing need in the borough. Most people in housing need will find themselves renting from a private landlord.

Where a housing applicant is already living in the private rented sector there will be very few reasons for agreeing a move to a social rented home. A tenant living in a home that is too small for them and their family will be advised to look for an alternative larger home in the private rented sector. Advice and assistance will be offered to do this.

Applicants can contact local lettings agents and use the local newspaper papers to find privately rented properties.

Applicants on a low income and claiming benefits are strongly advised to check they can afford the rent from their own income or benefits before moving in. This is especially important for applicants wholly reliant on benefits who may be affected by government's welfare reforms. Go to the Direct Gov website and tap in Benefit caps to see if you are affected.

**Serious Harassment**
The Council and its Partner Housing Associations will not tolerate sexual, racial, homophobic or disability related harassment. Wherever possible, a social landlord will seek to resolve issues of anti-social behaviour and harassment by taking action against the perpetrator, rather than moving the victim. It is however recognised that in extreme cases it is no longer safe for the victim to remain in the property.

If a Council tenant pursues an application through the Council's Housing Register, it may be appropriate for Exceptional priority to be awarded on the grounds of preventing homelessness. In very exceptional cases, such as where the police believe that there is a serious danger to you in remaining in the home, the applicant's case can be referred to the Exceptions and Special Housing Panel to be considered for Emergency Priority and we may be able to assist applicants with temporary accommodation or a permanent home/

Housing Association Tenants are advised to contact their landlord for advice on their housing options for moving in exceptional circumstances.

**Domestic Violence**
If an applicant is suffering from domestic violence we will work with them to try to identify the best solution. This may include offering support to remain in the current home and excluding the perpetrator. Anyone experiencing domestic violence should seek advice immediately from their landlord, Refuge or the Housing Options and Advice Service. Go to the Council's website www.enfield.gov.uk and type "domestic violence" in the search box to get more information and advice on the options.

**Housing Options for Single People**

The Council is committed to working with partner agencies to promote housing options for single young people and there are a number of supported housing schemes that may be suitable for applicants funded throughout the borough's Supported People initiative. . For more information on how to access these schemes please contact the Council's Supported Housing Service

Rough Sleepers and applicants with no fixed address:
Rough sleeper who have nowhere to sleep on the nay be referred to Beck House rough sleeper unit or the Rough Sleeper Hub in Haringey if there are vacancies.

Single people evicted by family and friends but not rough sleeping:
Options for households not a priority for housing under the Homelessness law include:

- Under 35s: advice and support with locating affordable room in a shared house in private rented sector and support with finding work or claiming benefits to help pay for the rent. Applicants with support needs can apply for floating support services to help with keeping the tenancy going and budgeting advice
- 35-55s: advice and support with finding affordable self-contained homes in the private rented sector and support with finding work or claiming benefits to help pay for the rent. People with support needs can apply for floating support services to help with keeping the tenancy going and budgeting advice.
- Over 55s: advice and support with finding affordable self-contained homes in private rented sector and support with finding work or claiming benefits to help pay for the rent. People with support needs can apply for floating support services to help with keeping the tenancy going and budgeting advice.

Specialist housing for older people may be available for those who have a disability due to illness, accident, or age frailty.

Single people who mis-use substances
A rent deposit scheme is available (while funding lasts) for a limited number of single people who mis-use substances.

Housing options are otherwise as outlined above.

## MAPPA Referrals

Enfield takes part in arrangements that involve a range of agencies whose purpose is to devise a suitable response for containing within the community offenders who pose a serious risk to the public. Part of the response is the provision of social or private rented housing.

Applicants referred for social rented housing to Enfield under Multi-Agency Public Protection Arrangements (MAPPA) will be made direct offers of usually studio or one bedroom social rented homes. These applicants will not be able to access the choice based lettings system. MAPPA applicants will be placed in the community sensitively.

## Housing Pathways for Council and Housing Association Tenants

The sections set out the services and ways in which tenants of Enfield Council and housing associations can move.

### A mutual exchange

This is where an existing Council tenant or Housing Association tenant agrees to swap homes, with their landlord's consent. There are rules about the size of home applicants can move into. Tenants can join the free national mutual exchange scheme called Homeswapper. For more information, visit the Homeswapper website at www.homeswapper.co.uk

### Pan-London Mobility Scheme for London - housing moves

The Council participates in the Mayor of London's pan-London mobility arrangements called, housingmoves. The scheme helps eligible tenants to move to other London boroughs.

Up to 5% of Enfield's homes are made available to housingmoves varies each year. The number of homes put forward is based on the total number of lettings of general needs and sheltered homes in the previous year less the number of transfers, mutual exchanges or successions that have taken place.

The homes we put forward for the scheme are made available to transferring tenants from other boroughs.

The decision about which Council and Housing Association homes will be put forward to housingmoves for applicants from other boroughs will be made by a senior Housing Options and Advice or Allocations Officer

The ultimate decision as to which housingmoves registrant will be let the home made available will be made by a senior Housing Options and Advice or Rehousing Officer

Because Enfield participates in housingmoves existing tenants of Enfield Council and housing association tenants living in Enfield can make transfer applications through housingmoves to be considered for vacancies in other London local authority areas.

### Renting from a private landlord - Fresh Start Rent Deposit Scheme

This scheme helps Tenants of Enfield Council and households in Enfield's Temporary Accommodation find a private rented home with the help of a rent deposit. Telephone 020 8379 1000 and ask for the Council's Accommodations Services Team to find out more on 020 8379 1000

**Seaside and Country Homes Scheme**
There are some flats, and a small number of bungalows, in seaside and country towns in the South of England South West, Lincolnshire, Norfolk, Suffolk, Shropshire and Wiltshire for single Londoners aged over 60, or couples where at least one partner is aged over 60. For more information, go to the Mayor of London's housingmoves website at www.housingmoves.org and type in seaside and country homes.

**Low Cost Homeownership Schemes**

As well as the schemes described above Enfield Council also has the following scheme:

Grants to Vacate Scheme

Grants are available to help some tenants of Enfield Council buy their own home. Applicants must have been a tenant for more than two years and not be in arrears with their rent. Download a guide to the scheme from enfield homes' Website at www.enfieldhomes.or.uk

## Addressing severe overcrowding in Council and Housing Association Homes

Three bedroom Council and housing association homes are in very short supply. Homes with 4 or more bedrooms are rare. Over the last five years less than 60 homes with 4 and 5 bedrooms were let in Enfield through Enfield's Allocations Scheme.

We are committed to addressing severe overcrowding and will offer a Home Visit to all Tenants on the Housing Register lacking two or more bedrooms. We will carry out an Overcrowding impact Assessment to help applicants explore ways to reduce the impact of overcrowding.

- Gather information about the household and their circumstances to assess the level of overcrowding in the household. This will include:
    - Comparing the household's living arrangements against Enfield's bedroom standard
    - Treating an additional space such as a dining room or a second living room as an additional room when calculating the number of rooms available to a household unless the loss of the room means there is nowhere else in the home for the household to eat together.
    - Reviewing work patterns within the household and their impact on the family
    - Giving consideration to an appropriate level of privacy for members of the household including teenage children of different genders sharing a bedroom which indicates a lack of privacy and children under 10 / over 5 years sleeping in their parent's room or the living room.

- Establishing the amenities available to the household including access to a garden or park nearby

- Advise the applicant on options for reducing the impact of overcrowding in their current home which will include:
  - Decluttering and re-organising the way the home is used, e.g. changing the use and occupation of rooms
  - Advising on different types of space saving furniture, e.g. bunk beds or folding tables to make better use of space in the home
  - Advising on options to assist adult children to move into their own home including the New Generation Enfield residents Scheme
  - Use of libraries and Homework clubs / after school clubs to support children with their homework
- Advise the household on alternative housing options including the private rented sector and low cost home ownership schemes
- Where funding is available, make recommendations for a feasibility study to consider loft conversion or extension if funding is available.

**Council Transfers for Exceptional and Emergency Reasons**

Council tenants may be considered for an Exceptional or Emergency Transfer (known internally as 'Management Transfers') in the following circumstances including:

- Child abuse from within the family or within the neighbourhood
- Threat of violence or actual violence
- Rape or assault within the home or immediate locality
- Unnatural death (suicide or murder within the home
- Irretrievable breakdown in the relationship with neighbours
- Threat of or actual gang violence where this is confirmed after a full investigation with police reports, and all available legal remedies have been exhausted.

Enfield's Exceptions and Special Applications Housing Panel will usually decide an Exceptional or Emergency Transfer. Urgent moves will be decided by the Head of Housing Options and Advice or other delegated officer. The decision will be based on an investigation undertaken by housing management staff evidence of the reason for needing to move urgently and any health and well-being assessment available.

Only one offer of a similar type of home currently occupied will be made to applicants approved for a transfer for exceptional or emergency reasons. For example, a tenant who is living in a high rise flat will be offered an alternative high rise flat. If it is not possible provide a similar home to the one currently occupied, then as near to it as possible will be offered, e.g. if an applicant currently occupies a bungalow an alternative home on the ground floor in a block of flats will be regarded as a suitable alternative. The Panel's decision will include discretion to alleviate severe overcrowding at the same time.

What happens if offers of social rented homes are refused is set out in the section **Outcomes for applicants who refuse an offer of a home**.

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 16 August 2018 11:10
**To:** Ludmilla Iyavoo
**Subject:** Re: Simon Cordell

Dear Ludmilla Lyavoo

Could you please forward the housing management transfer Application that Lemmy called me about last night at 16:15 hours, as i have the mental health team calling me regarding the like for like section in the application. I as of yet have not seen the application and would like to see it and what has been said.

Also would it be possible to get a copy of enfield council guidelines and policies for the management transfer, i do believe i have a copy but want to be 100% i have the right one.

Regards

Lorraine Cordell

**From:** Google <no-reply@accounts.google.com>
**Sent time:** 20/08/2018 11:00:26 PM
**To:** re_wired@ymail.com
**Subject:** Security alert for your linked Google account

---

Google

# Wix.com connected to your Google Account

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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 20 August 2018 14:35
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** SM Court att note---August 9th 18 CORDELL S.DOC

Hi Lorraine,

I will try to rewrite the order by tonight and send it over to you.

Please find attached last attendance note from David Greville who attended the last hearing.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 20 August 2018 12:48
**To:** Trishna Kerai
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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# STUART MILLER SOLICITORS LIMITED

## MAGISTRATES COURT HEARING FORM

| POLICE STATION? | |
|---|---|

| | | | | |
|---|---|---|---|---|
| FEE EARNER | DG | | HEARING DATE | Thursday 09/08/18 |
| CLIENT NAME | Simon CORDELL | | FILE REF: | N/K |
| IF NEW MATTER - SOURCE | DUTY | | OTHER | |
| | OWN CLIENT (Introduced By) | Y | REFERRAL (Referred By) | |
| APPARENT CONFLICT OF INTERESTS ? | YES | | NO | N |

| | | | |
|---|---|---|---|
| COURT | Edmonton County Court | LISTED FOR | Directions |
| LISTED TIME | 10.00 | ARRIVAL TIME | 09.10 |
| PROSECUTOR | Contra: Enfield Borough Council | JUDGE / CHAIR / BENCH | DJ DIAS |
| CO-D SOLICITOR | | CO-D SOLICITOR | |
| LEGAL AID POSITION | Granted | OVERTIME CLAIMED? | £ |

TIMES

| | | | |
|---|---|---|---|
| ATTENDANCE – CLIENT | (not present) | ATTENDANCE – CPS (Council) | 15 mins |
| ATTENDANCE – COURT | 5 mins | ATTENDANCE - PROBATION | : hrs |
| ATTENDANCE – OTHERS | 30 mins | Who? Def's mother | |
| | 10 mins | Who? Def's Uncle | |
| | : hrs | Who? | |
| PREPARATION | 3 hours 15 mins | TRAVEL TIME | 1 hour 55 mins |
| WAITING | 2 hours 10 mins | MILEAGE | |
| ADVOCACY | 30 mins | TRAVEL COSTS | £9.20 |
| NOTES ON TIMES CLAIMED | Substantial bundles of papers to consider, to understand the case properly.<br>Multiple breaches of an injunction, by someone who is deemed unfit to engage in the court process, or understand the injunction, or give instructions to his solicitors! | | |

OUTCOME

| | |
|---|---|
| WHAT IS THE OUTCOME | Injunction dismissed. All allegations of breaching it dismissed. |

| DATE OF NEXT APPEARANCE | |
|---|---|
| NEXT HEARING LOCATION | |
| NATURE OF HEARING | |

**INSTRUCTIONS**

**Client not present, as he is ill.**

**Def's mother and Uncle attend.**
**Mother has a large correspondence file, which proves that emails were sent by her to the Council telling them about Def's mental illness.**
**(Mother is of the belief that the Council already knew what is contained in the latest Report).**

**Probably the most helpful thing mother tells me is that the construction of the flats where Def lives means that Def hears a lot of noise from the flat above. This causes tensions. If Def were moved to a more suitable flat, the current problems are less likely to recur.**

**Mother does not want to be a Litigation Friend as---Def might agree to this today, but 2 days later he could be accusing mother of being in league with the Council…..Mother does not want this case to drive a wedge between her and Def.**

**Mother says that the statements that the complainants made in this case are different to the statements they made against Def in the criminal case (no charge yet), which proves that they are lying in this case, and mother wants to take them to court for lying.**

**Spoke to representative from Enfield B.C. They appear to have no great plan, following the Report that says Def doesn't understand the injunction, and is not fit to take part in proceedings. They will suggest that the Court should make some Directions, to protect other residents, but they cannot suggest any particular Directions, and appear to want to leave that to the Judge.**

**There is the possibility of the Official Solicitor acting as Litigation Friend, but this would take some time to set up.**

**CLIENT'S OBJECTIVES**

**(Client not here).**

**ANALYSIS OF STRENGTHS & WEAKNESSES:**

**The injunction is now totally unworkable, and should be discharged.**
**All of the alleged breaches of injunction should be discharged too, as there can't be a trial.**

**ADVICE GIVEN:**
**Offence Explained**
**MOT Explained:**
**Advice on plea:**
**Credit Explained:**
**Procedure Explained:**
**Costs, Victim Surcharge & Compensation Explained:**
**Bail explained:**

**SENTENCE ADVICE: - Tick the relevant options**

**Conditional Discharge**

**Financial Penalty** **Deemed Served?**

**Community Order**

**Unpaid Work** **RAR** **Curfew** **Other**

**Suspended Sentence**

**Custody** **Length**

**Disqualification** **Length**
**Points** **Amount**

**Justification:**

**(Client not here).**

**PROPOSED REPRESENTATIONS**

**Discharge the injunction and all the allegations of breaching it.**

**HEARING NOTES**

**Cov: DJ DIAS**

**After argument, the injunction was discharged, and all allegations of breaching it dismissed.**
**Prosn application for Def's mother to be a Litigation friend dismissed (they can't make the application---Def's mother would have to do that, and she doesn't want to).**

**Defence costs awarded, subject to detailed costing.**
**No costs for the Plaintiff.**

**The Judgement, which will be emailed to us by the court, contains what Def's mother and the Council agreed about Def applying to get new accommodation. She will be sent a copy of this.**

**Case concluded.**

**BAIL POSITION**

| | | | | | |
|---|---|---|---|---|---|
| REMANDED IN CUSTODY? IF YES, GIVE REASONS FOR REMAND | YES | | NO | | |
| RELEASED ON BAIL? | YES | | NO | | |
| ARE THERE ANY BAIL CONDITIONS? | YES | | NO | | |
| LIVE & SLEEP AT | | | | | |
| CURFEW BETWEEN | HRS AND HRS | | | | |
| REPORT TO | POLICE STATION | | | | |
| REPORT ON | | | | | |
| REPORT BETWEEN | HRS AND HRS | | | | |
| NOT TO CONTACT | WITNESSES | | | CO-DS | |
| NAMES OF WITNESSES / CODS | | | | | |
| OTHER CONDITIONS | | | | | |

| POST HEARING CONFERENCE NOTES |
| --- |
| |

| ADDITIONAL NOTES | |
| --- | --- |
| | |

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 20 August 2018 12:48
**To:** 'Trishna Kerai'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 amended Order 09082018-001.docx

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018

**UPON** Mr Cordell's mother Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

UPON the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made. The Claimant will also take into account the need for a two bedroom so that Mr Cordell can get the support needed from his family so that Mr Cordell can have someone with him that he trusts.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 be dismissed forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the police to confirm the injection order dated 9 August 2017 and the 09 January 2018 has been dismissed.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

| | |
|---|---|
| **From:** | GoDaddy <donotreply@godaddy.com> |
| **Sent time:** | 23/08/2018 07:21:05 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Renewal receipt for order #1357431481. |

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# Your renewal receipt.

Just a heads up. The items below have been automatically renewed. To review all your products and services, please go to My Account.

| Product | Quantity | Term | Price |
|---|---|---|---|
| .UK (.CO.UK) Domain Renewal<br>t-s-enterprises.co.uk | 1 Domain | 1 Year | £9.99 |
| | | Subtotal: | £9.99 |
| | | Tax: | £2.00 |
| | | Total: | £11.99 |

Go to My Account

We have billed your Paypal agreement ending with the last two digits: 0V for the amount of £11.99.

Your product(s) includes enrollment in our automatic renewal service. This keeps your products up and running by automatically charging the then-current renewal fees to your payment method on file just before they're set to expire, with no further action on your part. You may cancel this service at any time by turning off the auto-renewal feature on the Renewals and Billing page in your GoDaddy account.

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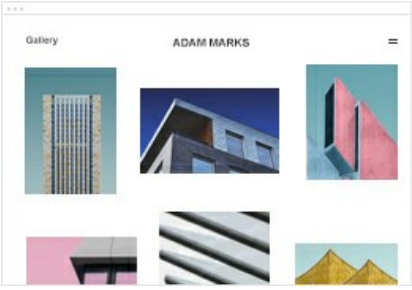


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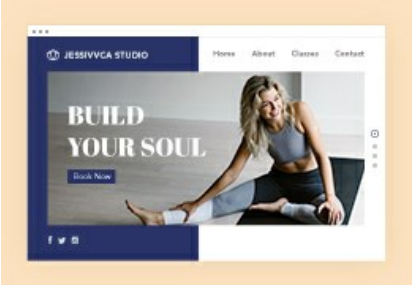


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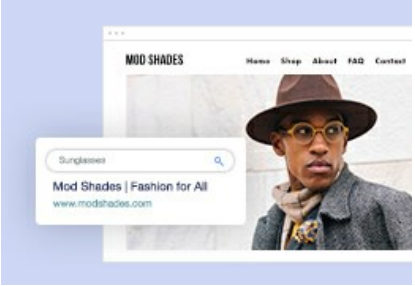


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24/7 Support: 020 7084 1810
Simon Cordell — Customer Number: 37486337

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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 04 September 2018 15:59
**To:** 'Ludmilla Iyavoo'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 Amended Order.docx

**Importance:** High

Dear Ludmilla,

Please find our final draft of the Order. You will see the amendments we have made.

Please provide us with your views.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 15 August 2018 15:49
**To:** Dias, DJ Allison
**Cc:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Dear Judge,

Further to the hearing which took place on 9th August 2018, I attach a draft order for the Court's approval. I apologise for the delay in sending this draft order to you, I have been waiting for the Defendant's solicitors approval which has not been received as yet.

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.

---

**From:** Ludmilla Iyavoo
**Sent:** 10 August 2018 14:42
**To:** 'Trishna Kerai'
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and look forward to hearing from you.

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

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**ORDER**

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**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018.

**UPON** Mr Cordell's mother, Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And **UPON** the Claimant taking into account when dealing with the housing management transfer the need for a suitable **two** bedroom property so Mr Cordell can have a spare room for carers and for his family so he can get the support that he requires.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 is dismissed forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the police to confirm the injection orders dated 9 August 2017 and the 09 January 2018 has been dismissed.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 04 September 2018 15:50
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 Amended Order.docx

HI Lorraine,

I was on annual leave and just got back today.

I have just had a look at the Order and amended it slightly as attached.

Please let me know if you agree (it's just an amendment of words) and then I will send to the Court.

Thanks.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 04 September 2018 15:45
**To:** Trishna Kerai
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I have not heard form you and I believe you was away on holiday I hope you have a great time.

I really need this order dealt with so it can be signed off and sealed by the court as of yet the order has not been sent to the court by Enfield Council and this needs to be done ASAP so it can be sealed.

Please see the attached Document I have rewritten for it to be sent to Enfield Council so this can be done, if this can be sent to Enfield Council I would be most grateful.

Regards

Lorraine Cordell

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 20 August 2018 14:35
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Hi Lorraine,

I will try to rewrite the order by tonight and send it over to you.

Please find attached last attendance note from David Greville who attended the last hearing.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 20 August 2018 12:48
**To:** Trishna Kerai
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and look forward to hearing from you.

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

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**ORDER**

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**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018.

**UPON** Mr Cordell's mother, Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And **UPON** the Claimant taking into account when dealing with the housing management transfer the need for a suitable **two** bedroom property so Mr Cordell can have a spare room for carers and for his family so he can get the support that he requires.

**IT IS ORDERED:**

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**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

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(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

| | |
|---|---|
| **From:** | GoDaddy <donotreply@godaddy.com> |
| **Sent time:** | 07/09/2018 06:34:20 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Renewal receipt for order #1364739237. |

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# Your renewal receipt.

Just a heads up. The items below have been automatically renewed. To review all your products and services, please go to My Account.

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| .COM Domain Renewal<br>t-s-enterprises.com | 1 Domain | 1 Year | £13.10 |
| | Subtotal: | | £13.10 |
| | Tax: | | £2.62 |
| | Total: | | £15.72 |

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 12/09/2018 11:14:13 AM |
| **To:** | re_wired@ymail.com |
| **Subject:** | FW: LBE v Simon Cordell-E00ED049 amended Order 09082018 |
| **Attachments:** | LBE v Simon Cordell-E00ED049 Amended Order.docx |

here is the order it has not been sealed yet by the court Trishna is waiting for a reply from the council

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 04 September 2018 15:50
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

HI Lorraine,

I was on annual leave and just got back today.

I have just had a look at the Order and amended it slightly as attached.

Please let me know if you agree (it's just an amendment of words) and then Iwill send to the Court.

Thanks.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 04 September 2018 15:45
**To:** Trishna Kerai
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I have not heard form you and I believe you was away on holiday I hope you have a great time.

I really need this order dealt with so it can be signed off and sealed by the court as of yet the order has not been sent to the court by Enfield Council and this needs to be done ASAP so it can besealed.

Please see the attached Document I have rewritten for it to be sent to Enfield Council so this can be done, if this can be sent to Enfield Council I would be most grateful.

Regards

Lorraine Cordell

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 20 August 2018 14:35
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Hi Lorraine,

I will try to rewrite the order bytonight and send it over to you.

Please find attached last attendance note from David Greville who attended the last hearing.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 20 August 2018 12:48
**To:** Trishna Kerai
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mentalhealth conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact theMental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**

**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018.

**UPON** Mr Cordell's mother, Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And **UPON** the Claimant taking into account when dealing with the housing management transfer the need for a suitable **two** bedroom property so Mr Cordell can have a spare room for carers and for his family so he can get the support that he requires.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 is dismissed forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the police to confirm the injection orders dated 9 August 2017 and the 09 January 2018 has been dismissed.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 14/09/2018 09:25:29 PM
**To:** re_wired@ymail.com
**Subject:** Simon, your September account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# September Account Summary for Simon.

View Your Account

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**Did you register a .co.uk, .org.uk or .me.uk domain before 10 June 2014?** The corresponding .uk domain name may have been reserved for you. Act fast to secure it before 10 June 2019. Learn more.

This is a great time to ensure your account is secure. Update your password and add or review two-step verification protection.

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T-S-ENTERPRISES.CO.UK
TOOSMOOTHENTERTAINMENT.COM
TOOSMOOTHENTERTAINMENT.CO.UK

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**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 17 September 2018 10:32
**To:** 'Edmonton County, Enquiries'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 Amended Order.docx

Dear Sirs,

Further to the email below, please confirm whether you have received our drafted amended order.

I have attached it again for your attention.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Trishna Kerai
**Sent:** 17 September 2018 09:59
**To:** 'Ludmilla Iyavoo'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Hi Ludmilla,

Further to my email below, could I please have a response with your views in relation to our proposed amended Order.

Many thanks.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Trishna Kerai
**Sent:** 04 September 2018 15:59
**To:** 'Ludmilla Iyavoo'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Dear Ludmilla,

Please find our final draft of the Order. You will see the amendments we have made.

Please provide us with your views.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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---

**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 15 August 2018 15:49
**To:** Dias, DJ Allison
**Cc:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Dear Judge,

Further to the hearing which took place on 9th August 2018, I attach a draft order for the Court's approval. I apologise for the delay in sending this draft order to you, I have been waiting for the Defendant's solicitors approval which has not been received as yet.

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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---

**From:** Ludmilla Iyavoo
**Sent:** 10 August 2018 14:42
**To:** 'Trishna Kerai'
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

---

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018.

**UPON** Mr Cordell's mother, Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And **UPON** the Claimant taking into account when dealing with the housing management transfer the need for a suitable **two** bedroom property so Mr Cordell can have a spare room for carers and for his family so he can get the support that he requires.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 is dismissed forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the police to confirm the injection orders dated 9 August 2017 and the 09 January 2018 has been dismissed.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Sent:** 17 September 2018 10:30
**To:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Yeah, I will send to them again.

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 17 September 2018 10:28
**To:** Trishna Kerai
**Subject:** Re: LBE v Simon Cordell-E00ED049 amended Order 09082018

Hi Trishna

Do you mean you sent to the court ?

Lorraine

Sent from my iPhone

On 17 Sep 2018, at 09:57, Trishna Kerai <Trishna@stuartmillersolicitors.co.uk> wrote:

> Hi,
>
> Yes. I did respond saying I sent the order…apologies if you did not get the email.

I will email her now and see what the position is.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 17 September 2018 09:57
**To:** Trishna Kerai
**Subject:** Re: LBE v Simon Cordell-E00ED049 amended Order 09082018

Hi Trishna

Was wondering if you sent the order to the court really need it badly for the 28/09/2018 as said in the below email can you give me an update please.

Lorraine

Sent from my iPhone

On 13 Sep 2018, at 10:10, Lorraine Cordell <lorraine32@blueyonder.co.uk> wrote:

> Hi Trishna
>
> I was wondering if Lubmilla had contracted you in regards to the order yesterday I know she emailed you and me about a call that was made to her yesterday from Simon, but was wondering if she had also made any reply regarding the order as well.
>
> If she has not can you please send the rewritten order to the judge at the court, as by her sending the email yesterday about the call from Simon it shows she is just Ignoring the email regarding the court

order, hoping we will not get a sealed order until after it goes to the panel on the 28/09/2018 so once again the council can get away with ignoring the hat the judge said in court.

Regards

Lorraine

Sent from my iPhone

On 10 Sep 2018, at 15:50, Trishna Kerai <Trishna@stuartmillersolicitors.co.uk> wrote:

> HI Lorraine,
>
> Haven't heard anything from her yet. I will email her now and CC you in.
>
> Kind regards,
>
> Trishna Kerai | Caseworker | Magistrates Court Department
>
> T: 0208 888 5225 M: 07790 993 860
> E: trishna@stuartmillersolicitors.co.uk
> W: www.stuartmillersolicitors.co.uk
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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 10 September 2018 12:50
**To:** Trishna Kerai
**Subject:** Re: LBE v Simon Cordell-E00ED049 amended Order 09082018

Hi Trishna

I was wondering if you had heard anything from Ludmilla yet, as this is going to the housing panel on the 28/09/2018 and I need the sealed order from the court by then.

Or they are gong to put this to the housing panel for like for like move which will only be a 1 bedroom.

Regards

Lorraine

Sent from my iPhone

On 4 Sep 2018, at 16:01, Trishna Kerai <Trishna@stuartmillersolicitors.co.uk> wrote:

> Ludmilla will be required to forward this to the DJ, but if she doesn't get back to me then I will do this myself.
>
> Kind regards,
>
> Trishna Kerai | Caseworker | Magistrates Court Department
> T: 0208 888 5225 M: 07790 993 860
> E: trishna@stuartmillersolicitors.co.uk
> W: www.stuartmillersolicitors.co.uk
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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 04 September 2018 16:00
**To:** Trishna Kerai
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

Do not forget it has to be made for the attention of District Judge Dias who heard the case.

Regards

Lorraine

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 20 August 2018 12:48
**To:** 'Trishna Kerai'
**Subject:** RE: LBE v Simon Cordell-E00ED049 amended Order 09082018

Dear Trishna

I was wondering if you had time as yet to rewrite the order as it need to go to the court so that the order is sealed.

I have made edited it not sure if it can be worded this way but please see attached.

The reason I do not believe they can put

"And UPON the Defendant's mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing. "

Is due to Simon rights I can give input but there is little I can do if Simon does not agree to take help and this is where I run into issues and have for a while now. If it is ordered that I will do it and cant then I am breaking the order. so I have just removed this from the order as I do what I can anyways I do not need the council telling me I have to do it.

Also is there any notes from the barrister who was there for simon or any documents I have not got as Simon likes to keep all documents from all his cases.

Regards

Lorraine

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 13 August 2018 15:14
**To:** 'Lorraine Cordell'
**Subject:** FW: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 10 August 2018 14:42
**To:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 17 September 2018 11:28
**To:** 'enquiries@edmonton.countycourt.gsi.gov.uk'
**Subject:** FW: LBE v Simon Cordell-E00ED049 Order 09082018
**Attachments:** LBE v Simon Cordell-E00ED049 Amended Order.docx

**Importance:** High

Dear DJ Dias,

I was wondering if you can help at this time the hearing of the 09/08/2018 there is still an outstanding order to be sealed by the court. I know my son's solicitor has been trying to address this with Enfield Council and as yet has had no reply from them regarding the amended order. I know my son's solicitor has sent the amended order over to the court directly.

I have also been working with them regarding the housing move for my son, but am being told they will only move him to a like to like property; this will be going to the housing panel on the 28/09/2018 regarding the move for my son, I know in Enfield Council order that was made up they included in this regarding the order from the court my son is moved I believe this was to give my son more weight with the housing panel.

My son is not at all well and the and I believe he does need a two bedroom property so he can get the support he needs from his family as I said in court on the 09/08/2018, I am not just saying this to be able to get my son a two bedroom, I am saying this so my son can have family with him all the time so that I can try and get my son back to some sort of a normal life and the help he needs.

It is at this point that Enfield Council does not seem to want to reply to my son's solicitor's amended order that a two bedroom is looked into they have put everything else but that in there order, I am trying my hardest to work with everyone so my son gets the help that is needed and I do feel a two bedroom is needed so there can be someone for my son at all times as I feel that this is the best option for my son.

If you can look into the amended order attached I would be most grateful as I believe if it is added to the order it would give more weight when it goes to the panel on 28/09/2018.

Regards

Lorraine Cordell

---

**From:** Trishna Kerai [mailto:Trishna@stuartmillersolicitors.co.uk]
**Sent:** 17 September 2018 10:32
**To:** 'Edmonton County, Enquiries'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018

Dear Sirs,

Further to the email below, please confirm whether you have received our drafted amended order.

I have attached it again for your attention.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department

T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Trishna Kerai
**Sent:** 17 September 2018 09:59
**To:** 'Ludmilla Iyavoo'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Hi Ludmilla,

Further to my email below, could I please have a response with your views in relation to our proposed amended Order.

Many thanks.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Trishna Kerai
**Sent:** 04 September 2018 15:59
**To:** 'Ludmilla Iyavoo'
**Cc:** 'Lorraine Cordell'
**Subject:** RE: LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Dear Ludmilla,

Please find our final draft of the Order. You will see the amendments we have made.

Please provide us with your views.

Kind regards,

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

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**From:** Ludmilla Iyavoo [mailto:Ludmilla.Iyavoo@enfield.gov.uk]
**Sent:** 15 August 2018 15:49
**To:** Dias, DJ Allison
**Cc:** Trishna Kerai
**Subject:** LBE v Simon Cordell-E00ED049 Order 09082018
**Importance:** High

Dear Judge,

Further to the hearing which took place on 9th August 2018, I attach a draft order for the Court's approval. I apologise for the delay in sending this draft order to you, I have been waiting for the Defendant's solicitors approval which has not been received as yet.

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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---

**From:** Ludmilla Iyavoo
**Sent:** 10 August 2018 14:42
**To:** 'Trishna Kerai'
**Subject:** LBE v Simon Cordell-E00ED049 amended Order 09082018
**Importance:** High

Dear Trishna,

I write further to my email to you and Mrs Lorraine Cordell. Our allocation manager has advised us that as Mr Cordell is an

existing council tenant, he is entitled to apply for a transfer of tenancy and cannot make a rehousing application.

I am advised that the application needs to be done via Mr Cordell's neighbourhood officer. I have emailed the officer and asked him to contact Mrs Cordell as soon as possible. Mrs Cordell is also encouraged to contact the Mental Health Team so they can support him with his MH issues and rehousing. I have amended the order to reflect the above and 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

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**IN THE COUNTY COURT AT EDMONTON** **Claim No: E00ED049**
**Before District Judge Dias**

**B E T W E E N**

**THE LONDON BOROUGH OF ENFIELD**

**Claimant**

**and**

**MR SIMON CORDELL**

**Defendant**

---

**ORDER**

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**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 08 July 2018 confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 09 January 2018.

**UPON** Mr Cordell's mother, Miss Lorraine Cordell, confirming that she will engage with the Claimant and assist Mr Cordell neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

And **UPON** the Claimant taking into account when dealing with the housing management transfer the need for a suitable **two** bedroom property so Mr Cordell can have a spare room for carers and for his family so he can get the support that he requires.

**IT IS ORDERED:**

(1) The interim injunction order dated 09 January 2018 is dismissed forthwith.

(2) The Claimant's claim and application for an injunction dated 09 January 2018, the Claimant's applications for the Defendant's committal dated 05 February 2018 and 20 April 2018 and the Claimant's application notice dated 07 August 2018 do stand dismissed.

(3) The Claimant should serve a copy of this order upon the police to confirm the injection orders dated 9 August 2017 and the 09 January 2018 has been dismissed.

(4) There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 07 October 2018 23:57
**To:** Ludmilla Iyavoo
**Subject:** Re: Simon Cordell

Dear Ludmilla Lyavoo

I was wondering if you had any update yet regarding the panel meeting on the 28/09/2018 as I have not heard anything.

Regards

Lorraine Cordell

Sent from my iPhone

On 2 Oct 2018, at 16:08, Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk> wrote:

> Dear Lorraine Cordell,
>
> Thank you for your emails and your phone calls. I have been in meetings so was unable to attend to them.
>
> I am taking instructions from my officers and will respond to your emails in due course.
>
> 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
>
> ---
>
> **From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
> **Sent:** 02 October 2018 15:32
> **To:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
> **Subject:** Re: Simon Cordell
>
> Dear Ludmilla Lyavoo
>
> Could you please get back to me with an update as to what's going on. I have spoke to Lemmy today and he does not know anything, but when he gets back to the office he would give you a message to contract me, I have left voice messages for a call back for an update on your office number and I have also sent emails and heard nothing from you, could you please get back to me with an update, as my son can't take much more of what he is having to live with.

Regards

Lorraine Cordell

Sent from my iPhone

On 1 Oct 2018, at 17:56, Lorraine Cordell <lorraine32@blueyonder.co.uk> wrote:

> Dear Ludmilla Lyavoo
>
> Could you give me an update please as I have not heard anything.
>
> Regards
>
> Lorraine

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**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 12 October 2018 11:46
**To:** Lorraine Cordell
**Cc:** Trishna Kerai
**Subject:** Simon Cordell [SEC=OFFICIAL]
**Attachments:** Letter to Mrs Cordell 12.10.2018.pdf

Classification: OFFICIAL

Dear Mrs Cordell,

Please find attached a copy of our correspondence, in response to your recent emails.

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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should perform their own virus checks.

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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: 12th October, 2018

**Mrs Lorraine Cordell**

Dear Mrs Cordell,

**Re: Simon Cordell- 109 Burncroft Avenue, Enfield, EN3 7JQ**

We write further to your emails, enquiring about the progress of your son's management transfer application.

We advised you by email on 16/08/2018 that Simon could make a management transfer application and if successful, the transfer will be made on a like for like basis. We explained that as Simon lives in a one bedroom flat he will be transferred to another property like the one he currently has, if his application is successful.

You explained to us that in view of his mental health problems you did not feel that a like for like transfer was appropriate and asked that he be transferred to a supported accommodation or to a larger property. We explained to you that for the Community Safety Unit to consider such an application they would need to have the Mental Health Team involved. You then explained that Simon was given an appointment to see Dr Benyure from the Enfield Community Mental Health Services on 31/08/2018, and it was agreed that the management transfer application will be put on hold until the next Panel meeting on 28/09/2018, to allow time for the Mental Health assessment to be carried out.

We have since been advised that Simon failed to attend the scheduled appointment and did not engage with the Mental Health team. As this meant there was no report to support a management transfer application the Community Safety Unit was unable to submit an application on his behalf. The Panel would require medical evidence in support of an application for a supported accommodation or for a larger property and we did not have one by the date of the last Panel meeting on 28/09/2018.

**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.

**We have been advised that the next Panel meeting will take place on Thursday 18/10/2018. The next deadline for submitting the management transfer application therefore falls due on Monday 15/10/2018**.

Please let me know whether Simon would like his application considered at the next Panel meeting and that you would be able to submit the required medical report.

Yours sincerely,

*L. Iyavoo*
Ludmilla Iyavoo
Lawyer

For the Director of Law and Governance

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Sent:** 15 October 2018 16:46
**To:** Trishna Kerai
**Cc:** Lorraine Cordell
**Subject:** Pre-action letter Simon Cordell 15.10.2018 [SEC=OFFICIAL]
**Attachments:** Pre-action letter Simon Cordell 15.10.2018.pdf

Classification: OFFICIAL

Dear Trishna,

We are receiving continuous report of harassment against Mr Cordell by his neighbours. We therefore enclose a pre-action letter for your client's attention.

Mrs Lorraine Cordell is also copied in.

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

**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/157255
Your Ref:
Date: 15th October 2018

Dear Sirs,

**Re: Anti-Social Behaviour, Tenancy concerns and breaches- pre-action letter.**

We have received several complaints of anti-social behaviour against you and going back to 2016 for which you have been warned numerous times, verbally and formally in writing. Please see below a list of reports made against you:

1)On 6th July 2016, it is alleged that you approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.

2) Sometime in July 2016 it is alleged that you damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.

3) On 6th August 2016, it is alleged that you threatened one of your neighbours and his wife and aggressively demanded money from him. It is also alleged that you repeatedly swore and shouted abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.

4)Sometimes in September 2016 it is alleged that you confronted an elderly neighbour outside your block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and

threats at him and said to him ‘I can get you over at the park, I know you go for a walk’.

5)On 27th September 2016, it is alleged that you confronted one of your neighbours as he was returned to his flat with his family and threatened and swore at him and demanded money from him. It is also alleged that you later banged on his door, shouted further abuse and swear words at him and accused him of making noises inside his flat.

6)On 28th September 2016, it is alleged that you aggressively banged on a neighbour’s door and threatened and shouted verbal abuse and swear words at them. It is also alleged that you aggressively demanded money from him.

7)On 4th October 2016, it is alleged that you aggressively banged on your ceiling and accused one of your neighbours of making noises, you then went to your neighbour’s flat and started kicking and banging on his front door aggressively, accused him of banging on the floor and was swearing and shouting abuse at him. It is also alleged that you later went downstairs, dragged your neighbour’s motorbike from where it was parked and started to hit it with a piece of wood.

8) On 22nd November 2016 during a telephone conversation between you, Mrs Cordell your mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard you threatened her by saying ‘I’m gonna do her over’ and then ‘I’m gonna take her job just for fun’.

9)On 8th December 2016, it is alleged that you aggressively banged on one of your neighbours’ front door, shouted abuse and threats and accused him of making noise.

10) On 11th December 2016, it is alleged that you aggressively banged on your neighbour’s door several times and accused them of banging on pipes. It is also alleged that you shouted abuse and threats at them.

11) On 14th December 2016, it is alleged that you were verbally abusive towards a woman who was visiting one of your neighbours as she knocked on your neighbour’s door.

12) On 23rd December 2016, it is alleged that you banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. You then removed their electricity fuse thereby cutting off their power supply.

13.On 26th December 2016, it is alleged that you ran up the communal stairs to the first floor and confronted one of your neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with your water supply, you also attempted to stop him from leaving the block.

14) On 3rd January 2017, it is alleged that you confronted one of your neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.

15) On 21st January 2017, it is alleged that you aggressively banged on your neighbour's door, swore and shouted abuse and threats at them and accused them of making noises.

16) On 31st January 2017, it is alleged that you aggressively banged on your neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.

17) We received a report that on 7th February 2017 you approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. You said to the leaseholder that there were problems between you and his tenants but did not give any specific details. The leaseholder explained to you that his tenants were experiencing low water pressure in the flat and you said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later knocked on your door and asked whether you would increase the water pressure and you stated 'I cannot do anything at the moment, I will sort it out later'.

18) On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended your property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside your flat, they observed that you have installed an iron security gate inside your front door. It also appeared to them that the wall between your kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was

taken up industrial type printers, boxes and folders and there were dog faeces in your back garden.

19) On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through your door and as he got into his car to drive off after posting the letter, you ran after him shouting and screaming abuse. The letter requested that you attend our offices to discuss the nuisance reports being received from your neighbours. By the time he returned to the office, you had telephoned him several times. He telephoned you back and you asked whether he was the person that posted a letter through your letterbox and he said yes. You asked why he did not stop when you ran after him and he stated that he had another visit and did not have the time to stop and talk to you. You stated that you will not attend the meeting at the Civic Centre or any of the council offices as you are unable to leave your flat and that the meeting should take place in your flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at your mother's house but you refused saying that you have done nothing wrong and accused him of taking sides with your neighbours.

20)On 5th May 2017, it is alleged that you threatened one of your neighbours by saying that you will ruin his life and that you were going to the police to present evidence about his illegal activities.

21) On 14th May 2017, it is alleged that you aggressively banged on one of your neighbour’s door, shouted abuse and threats at her and falsely accused her of making noise and coming into your flat to attack you. You later followed her to her car shouting abuse and wanting to know where she was going.

22) On 14th May 2017 it is alleged that you allowed your dog to run freely in the communal area of your block without a lead.

23) On 28th May 2017, the police issued you with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of your neighbours.

24.) On 9th June 2017, it is alleged that you attacked one of your neighbours in the communal hallway of your block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. You also snatched his phone from him as he tried to video-record the incident.

25) On 16th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you had her bank details and personal details such as date of birth and said to her that you wanted her and her husband to pay you some money.

26) On 18th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you knew what time she went out and what time she returned and to tell her husband that you would like to speak to him.

27) On 23rd June 2017 at 23:35hrs it is alleged that you came out of your flat with your dog without a lead and attacked one of your neighbours as he returned from work by punching him twice on the chest. You tried to push him out of the block and snatched his phone as he brought took it out of his pocket to record the incident.

28) On 28th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block. You swore and shouted abuse at her and accused her of making noise inside her flat. You told her that you know all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. You demanded that they pay you some money and asked her to tell her husband to come and see you.

29)On 30th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block and accused her of slamming the door. She denied slamming the door and called her a liar and proceeded to swear and shout abuse at her.

30) On 2nd July 2017 at 17:18hrs it is alleged that you confronted your neighbour as he was going out with his family with your dog barking and without a lead and asked him when he was going to hand over the money. It is also alleged that as they left the block, you ran after them swearing and shouting abuse at your neighbour and demanding that he must pay you some money if he wants you to leave him alone. You also said to him that you have all their personal details including their dates of birth and bank details.

31) On 12th July 2017 an Enfield Council Surveyor attended your flat to investigate reports of low water pressure to flats above yours but you refused him access. The Surveyor attended your flat again in the evening of the same

day following further reports that the water supply to the affected flats had completely ceased and you refused him access. You then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. He then called the police.

32) On 11th November 2017 at 11.30am, it is alleged by one of your neighbours that you came to their front door, opened the letterbox and peeped through it to see who was inside the flat. You then started swearing and shouting abuse and banging on their front door as soon as you saw the neighbour's wife.

33) On 2nd January 2018 at 6.30pm, it is alleged that you stood outside your neighbour's property for more than twenty minutes swearing and shouting abuse. You went away and returned half an hour later, you lifted their letterbox, stuck your mobile phone through the letterbox and started to record his family while swearing and shouting abuse. This went on for about fifteen minutes.

34) On 9th January 2018 at about 12.18pm, you telephone Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an anti-social behaviour order against him and you told him that he had made you a prisoner within your home. You also stated that you knew where he lives in Enfield and that he and his family were not safe from you. You also told him that you would watch him leave the office and you would have followed him home and he needed to watch his back. You called the ASB officer again 30 minutes later and told him that you knew he has a flat in Edmonton and also knew that one of his colleagues lives in Edmonton. You also stated that you knew where they live and they were not safe.

35) On 9th January 2018 you called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.

36) On 26th February 2018, at around 11.45pm it is alleged that you came to one of your neighbour's front door and started making loud banging noises and rattling with their letter box. You ran away after the neighbour opened her front door.

37) On 1st March 2018 it is alleged that you knocked on one of your neighbours' door loudly, you started rattling with their letter box and started

shouting. This went on for 5 to 10 minutes but you left after you've heard that the neighbour was calling the police.

38) On 15th March 2018 it is alleged that you swore, shouted and assaulted one of you neighbours in front of his wife and his 3 years old child.

39) On 1st May 2018, you attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that you started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of your neighbours who attended Court to give evidence. You also swore at a judge. These incidents were witnessed by members of staff working at the Court.

40) On 29th May 2018, it is alleged that you attended one of your neighbours' property; you took your dog with you and waited by their front door. It is alleged that you tried to intimidate them as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against you.

41) On 30th May 2018, it is alleged that you made threats to kill to one of your neighbours. The matter was reported to the police. You were arrested and released on bail.

42) You assaulted one of your neighbours on the 26th August 2018 for flashing his toilet.

43) You telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th September 2018 and made threats to them over the telephone. You also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction

44) On 12th September 2018 at about 3.50pm, you called one of your neighbours on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. You called again using the same private number, but he terminated the call as soon as he heard your voice. You called repeatedly after that.

45) On 24th September 2018 at about 11.30am, one of your neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as

well as your front door. As she went up the stairs to their second floor flat, your dog came out of your flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that your dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.

46) One of your neighbours reported that his cousin was leaving the block at about on 2nd October 2018 at 12.45pm, and as you exited the block, you followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push you off.

47) There are other reports from one of your neighbours who reported that on 30th September 2018, you attempted to break down his front door by kicking it several times only because he flashed his toilet.

48) It is reported that you continue to harass and intimidate other residents on a regular basis.

The London Borough of Enfield takes all acts of anti-social behaviour very seriously and will not tolerate such behaviour.

You have been served ample warning regarding the complaints made against you. You have breached your tenancy agreement and conditions:

**Condition 9**

"You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere within Enfield borough."

**Condition 10**

"You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."

**Condition 21**

“You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police.”

**Condition 31**

“You must take care not to cause damage to your property or the property of your neighbours.”

**Condition 33**

“You must keep the inside of your property clean and in reasonable decorative order.”

**Condition 34**

“You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately).”

**Condition 44**

“You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval.”

**Condition 53**

“You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy.”

**Condition 57**

“You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining.”

**Condition 69**

"You must not interfere with the electric or gas supply."

**Condition 76**
"You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality."

**Condition 79**
"You must always keep your dog(s) on a lead in communal areas and on our land."

This letter should be considered as a pre-action letter If further breaches of the tenancy conditions were to occur, we would reserve the right to commence possession action of 109 Burncroft Avenue, without further notice.

Please note that you are entitled to seek independent legal advice.

Yours sincerely,

*L.Iyavoo*

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 15 October 2018 19:24
**To:** Trishna@stuartmillersolicitors.co.uk
**Subject:** Re: Simon CORDELL

Dear Trishna

Could you pls call me regards enfield council please, i did try to call the office last week to speak to you but was told you will not be back until tomorrow, my phone number is 07807 333545

Regards

Lorraine CORDELL

Sent from my iPhone

**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 16/10/2018 01:44:43 AM
**To:** re_wired@ymail.com
**Subject:** Simon, your October account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# October Account Summary for Simon.

View Your Account

## Pro tips, just for you:

**Did you register a .co.uk, .org.uk or .me.uk domain before 10 June 2014?** The corresponding .uk domain name may have been reserved for you. Act fast to secure it before 10 June 2019. Learn more.

This is a great time to ensure your account is secure. Update your password and add or review two-step verification protection.

Make sure you aren't missing out on special offers. Visit My Account and look for the Contact Preferences tab under "Settings" to opt-in to offers related to your purchase.

**You qualify for a 30% discount on new products.* Use promo code rpoct18d. Shop now >**

## What's in your account:

### Domains

**Update your domain settings**
Log in to make changes, like pointing them to your Facebook or Twitter page.

T-S-ENTERPRISES.CO.UK
T-S-ENTERPRISES.COM
TOOSMOOTHENTERTAINMENT.CO.UK
TOOSMOOTH.CO.UK
TOOSMOOTHENTERTAINMENT.COM

**Manage Your Domains**

**cPanel Hosting**

50+ apps are available in your plan.

**Add More**

**Office 365**

Need to add or remove an account?

**Get Started**

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Build trust with a **.org** web address. Use this respected domain to promote your cause, increase awareness or inspire support. Shop .org domains for just ~~£16.10~~ £5.99 today.

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 17/10/2018 09:13:12 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Fwd: Pre-action letter Simon Cordell 15.10.2018 [SEC=OFFICIAL] |
| **Attachments:** | Pre-action letter Simon Cordell 15.10.2018.pdf |

Here

Sent from my iPhone

Begin forwarded message:

**From:** Ludmilla Iyavoo <Ludmilla.Iyavoo@enfield.gov.uk>
**Date:** 15 October 2018 at 16:46:16 BST
**To:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Cc:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Subject: Pre-action letter Simon Cordell 15.10.2018 [SEC=OFFICIAL]**

Classification: OFFICIAL

Dear Trishna,

We are receiving continuous report of harassment against Mr Cordell by his neighbours. We therefore enclose a pre-action letter for your client's attention.

Mrs Lorraine Cordell is also copied in.

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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ENFIELD Council

Please reply to: Legal Services
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Silver Street,
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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: 15th October 2018

**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield**
**EN3 7JQ**

Dear Sirs,

**Re: Anti-Social Behaviour, Tenancy concerns and breaches- pre-action letter.**

We have received several complaints of anti-social behaviour against you and going back to 2016 for which you have been warned numerous times, verbally and formally in writing. Please see below a list of reports made against you:

1)On 6th July 2016, it is alleged that you approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.

2) Sometime in July 2016 it is alleged that you damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.

3) On 6th August 2016, it is alleged that you threatened one of your neighbours and his wife and aggressively demanded money from him. It is also alleged that you repeatedly swore and shouted abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.

4)Sometimes in September 2016 it is alleged that you confronted an elderly neighbour outside your block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and

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threats at him and said to him ‘I can get you over at the park, I know you go for a walk’.

5)On 27th September 2016, it is alleged that you confronted one of your neighbours as he was returned to his flat with his family and threatened and swore at him and demanded money from him. It is also alleged that you later banged on his door, shouted further abuse and swear words at him and accused him of making noises inside his flat.

6)On 28th September 2016, it is alleged that you aggressively banged on a neighbour’s door and threatened and shouted verbal abuse and swear words at them. It is also alleged that you aggressively demanded money from him.

7)On 4th October 2016, it is alleged that you aggressively banged on your ceiling and accused one of your neighbours of making noises, you then went to your neighbour’s flat and started kicking and banging on his front door aggressively, accused him of banging on the floor and was swearing and shouting abuse at him. It is also alleged that you later went downstairs, dragged your neighbour’s motorbike from where it was parked and started to hit it with a piece of wood.

8) On 22nd November 2016 during a telephone conversation between you, Mrs Cordell your mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard you threatened her by saying ‘I’m gonna do her over’ and then ‘I’m gonna take her job just for fun’.

9)On 8th December 2016, it is alleged that you aggressively banged on one of your neighbours’ front door, shouted abuse and threats and accused him of making noise.

10) On 11th December 2016, it is alleged that you aggressively banged on your neighbour’s door several times and accused them of banging on pipes. It is also alleged that you shouted abuse and threats at them.

11) On 14th December 2016, it is alleged that you were verbally abusive towards a woman who was visiting one of your neighbours as she knocked on your neighbour’s door.

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12) On 23rd December 2016, it is alleged that you banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. You then removed their electricity fuse thereby cutting off their power supply.

13.On 26th December 2016, it is alleged that you ran up the communal stairs to the first floor and confronted one of your neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with your water supply, you also attempted to stop him from leaving the block.

14) On 3rd January 2017, it is alleged that you confronted one of your neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.

15) On 21st January 2017, it is alleged that you aggressively banged on your neighbour's door, swore and shouted abuse and threats at them and accused them of making noises.

16) On 31st January 2017, it is alleged that you aggressively banged on your neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.

17) We received a report that on 7th February 2017 you approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. You said to the leaseholder that there were problems between you and his tenants but did not give any specific details. The leaseholder explained to you that his tenants were experiencing low water pressure in the flat and you said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later knocked on your door and asked whether you would increase the water pressure and you stated 'I cannot do anything at the moment, I will sort it out later'.

18) On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended your property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside your flat, they observed that you have installed an iron security gate inside your front door. It also appeared to them that the wall between your kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was

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taken up industrial type printers, boxes and folders and there were dog faeces in your back garden.

19) On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through your door and as he got into his car to drive off after posting the letter, you ran after him shouting and screaming abuse. The letter requested that you attend our offices to discuss the nuisance reports being received from your neighbours. By the time he returned to the office, you had telephoned him several times. He telephoned you back and you asked whether he was the person that posted a letter through your letterbox and he said yes. You asked why he did not stop when you ran after him and he stated that he had another visit and did not have the time to stop and talk to you. You stated that you will not attend the meeting at the Civic Centre or any of the council offices as you are unable to leave your flat and that the meeting should take place in your flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at your mother's house but you refused saying that you have done nothing wrong and accused him of taking sides with your neighbours.

20)On 5th May 2017, it is alleged that you threatened one of your neighbours by saying that you will ruin his life and that you were going to the police to present evidence about his illegal activities.

21) On 14th May 2017, it is alleged that you aggressively banged on one of your neighbour’s door, shouted abuse and threats at her and falsely accused her of making noise and coming into your flat to attack you. You later followed her to her car shouting abuse and wanting to know where she was going.

22) On 14th May 2017 it is alleged that you allowed your dog to run freely in the communal area of your block without a lead.

23) On 28th May 2017, the police issued you with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of your neighbours.

24.) On 9th June 2017, it is alleged that you attacked one of your neighbours in the communal hallway of your block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. You also snatched his phone from him as he tried to video-record the incident.

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25) On 16th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you had her bank details and personal details such as date of birth and said to her that you wanted her and her husband to pay you some money.

26) On 18th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you knew what time she went out and what time she returned and to tell her husband that you would like to speak to him.

27) On 23rd June 2017 at 23:35hrs it is alleged that you came out of your flat with your dog without a lead and attacked one of your neighbours as he returned from work by punching him twice on the chest. You tried to push him out of the block and snatched his phone as he brought took it out of his pocket to record the incident.

28) On 28th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block. You swore and shouted abuse at her and accused her of making noise inside her flat. You told her that you know all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. You demanded that they pay you some money and asked her to tell her husband to come and see you.

29)On 30th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block and accused her of slamming the door. She denied slamming the door and called her a liar and proceeded to swear and shout abuse at her.

30) On 2nd July 2017 at 17:18hrs it is alleged that you confronted your neighbour as he was going out with his family with your dog barking and without a lead and asked him when he was going to hand over the money. It is also alleged that as they left the block, you ran after them swearing and shouting abuse at your neighbour and demanding that he must pay you some money if he wants you to leave him alone. You also said to him that you have all their personal details including their dates of birth and bank details.

31) On 12th July 2017 an Enfield Council Surveyor attended your flat to investigate reports of low water pressure to flats above yours but you refused him access. The Surveyor attended your flat again in the evening of the same

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day following further reports that the water supply to the affected flats had completely ceased and you refused him access. You then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. He then called the police.

32) On 11th November 2017 at 11.30am, it is alleged by one of your neighbours that you came to their front door, opened the letterbox and peeped through it to see who was inside the flat. You then started swearing and shouting abuse and banging on their front door as soon as you saw the neighbour's wife.

33) On 2nd January 2018 at 6.30pm, it is alleged that you stood outside your neighbour's property for more than twenty minutes swearing and shouting abuse. You went away and returned half an hour later, you lifted their letterbox, stuck your mobile phone through the letterbox and started to record his family while swearing and shouting abuse. This went on for about fifteen minutes.

34) On 9th January 2018 at about 12.18pm, you telephone Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an anti-social behaviour order against him and you told him that he had made you a prisoner within your home. You also stated that you knew where he lives in Enfield and that he and his family were not safe from you. You also told him that you would watch him leave the office and you would have followed him home and he needed to watch his back. You called the ASB officer again 30 minutes later and told him that you knew he has a flat in Edmonton and also knew that one of his colleagues lives in Edmonton. You also stated that you knew where they live and they were not safe.

35) On 9th January 2018 you called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.

36) On 26th February 2018, at around 11.45pm it is alleged that you came to one of your neighbour's front door and started making loud banging noises and rattling with their letter box. You ran away after the neighbour opened her front door.

37) On 1st March 2018 it is alleged that you knocked on one of your neighbours' door loudly, you started rattling with their letter box and started

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shouting. This went on for 5 to 10 minutes but you left after you've heard that the neighbour was calling the police.

38) On 15th March 2018 it is alleged that you swore, shouted and assaulted one of you neighbours in front of his wife and his 3 years old child.

39) On 1st May 2018, you attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that you started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of your neighbours who attended Court to give evidence. You also swore at a judge. These incidents were witnessed by members of staff working at the Court.

40) On 29th May 2018, it is alleged that you attended one of your neighbours' property; you took your dog with you and waited by their front door. It is alleged that you tried to intimidate them as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against you.

41) On 30th May 2018, it is alleged that you made threats to kill to one of your neighbours. The matter was reported to the police. You were arrested and released on bail.

42) You assaulted one of your neighbours on the 26th August 2018 for flashing his toilet.

43) You telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th September 2018 and made threats to them over the telephone. You also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction

44) On 12th September 2018 at about 3.50pm, you called one of your neighbours on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. You called again using the same private number, but he terminated the call as soon as he heard your voice. You called repeatedly after that.

45) On 24th September 2018 at about 11.30am, one of your neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as

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well as your front door. As she went up the stairs to their second floor flat, your dog came out of your flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that your dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.

46) One of your neighbours reported that his cousin was leaving the block at about on 2nd October 2018 at 12.45pm, and as you exited the block, you followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push you off.

47) There are other reports from one of your neighbours who reported that on 30th September 2018, you attempted to break down his front door by kicking it several times only because he flashed his toilet.

48) It is reported that you continue to harass and intimidate other residents on a regular basis.

The London Borough of Enfield takes all acts of anti-social behaviour very seriously and will not tolerate such behaviour.

You have been served ample warning regarding the complaints made against you. You have breached your tenancy agreement and conditions:

**Condition 9**

"You, the tenant, are responsible for the behaviour of anyone, including your children, living in or visiting your home. This means that you must ensure that they do not act in breach of any of these conditions. Also, you must not encourage them to act in such a way. This applies in the property, in communal and surrounding areas, any property belonging to the council and or anywhere within Enfield borough."

**Condition 10**

"You must not act in any way which causes, or is likely to cause, a nuisance or annoyance or is anti-social."

**Condition 21**

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"You must not abuse, harass, make offensive comments and/or malicious allegations, use or threaten to use violence against any of our officers or agents, or against a councillor. This applies at any time and in any place. We may report the matter to the Police."

**Condition 31**

"You must take care not to cause damage to your property or the property of your neighbours."

**Condition 33**

"You must keep the inside of your property clean and in reasonable decorative order."

**Condition 34**

"You must not use the property in any way that may cause a health or safety hazard or encourage vermin and/or pests (for example, by hoarding items inappropriately)."

**Condition 44**

"You must obtain our prior written permission before carrying out any alterations, improvements or structural work to the property. You may need to obtain other permissions such as planning permission or building regulations approval."

**Condition 53**

"You must keep the inside of the property, the fixtures and fittings and all glass in the property in good repair during the tenancy."

**Condition 57**

"You must allow our employees, representatives and contractors to come into your property to service any electrical and gas supplies and appliances that we are responsible for maintaining."

**Condition 69**

"You must not interfere with the electric or gas supply."

**Condition 76**
"You have the right to keep one pet, or animal such as a cat, a dog, small bird, fish, non-poisonous insect, spider, small snake or lizard, rabbit hamster, guinea pig, mouse, gerbil or domestic rat as long as they do not cause damage to the property, or nuisance or annoyance to anyone in your locality."

**Condition 79**
"You must always keep your dog(s) on a lead in communal areas and on our land."

This letter should be considered as a pre-action letter If further breaches of the tenancy conditions were to occur, we would reserve the right to commence possession action of 109 Burncroft Avenue, without further notice.

Please note that you are entitled to seek independent legal advice.

Yours sincerely,

*L.Iyavoo*

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 25 October 2018 14:48
**To:** Nawal@stuartmillersolicitors.co.uk
**Subject:** Fwd: (DPS:1:CR:326592:9V) Simon's Assessment Report
**Attachments:** image001.jpg; ATT00164.htm; image002.jpg; ATT00167.htm; image003.jpg; ATT00170.htm; image004.jpg; ATT00173.htm; image005.jpg; ATT00176.htm; image006.png; ATT00179.htm; image007.png; ATT00182.htm; ATT00185.pdf; ATT00188.htm

Hi Nawal

Pls see report for simon

Lorraine

Sent from my iPhone

Begin forwarded message:

> **From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
> **Date:** 20 July 2018 at 16:28:13 BST
> **To:** 'Lorraine Cordell' <lorraine32@blueyonder.co.uk>
> **Subject: (DPS:1:CR:326592:9V) Simon's Assessment Report**
>
> Dear Lorraine,
>
> Please find attached Simon's medical assessment report. Please note that this works in our favour as it will allow us to possibly get rid of the Injunction Order completely.
>
> Kind regards,
>
> Trishna Kerai | Caseworker | Magistrates Court Department
> T: 0208 888 5225 M: 07790 993 860
> E: trishna@stuartmillersolicitors.co.uk
> W: www.stuartmillersolicitors.co.uk

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Phone: 0208 379 8323
DX: 90615 Enfield 1
Fax: 0208 379 6492
My Ref: LS/C/LI/155584
Your Ref:
Date: 10th July, 2018

**Edmonton County Court**
**DX 136686 Edmonton 3**

Also by email

Dear Sirs **URGENT**

**Re: The London Borough of Enfield v Cordell**
**Claim number: E00ED049- Edmonton County Court**

We write further to the Order made by District Judge Dias following the hearing on 26th June 2018.

Paragraph 1 of the order states the following: *'By 4pm on 10 July 2018 the Defendant shall undergo a mental capacity assessment by a Consultant Psychiatrist at an appointment to be arranged of which the Defendant shall be given at least 24 hours' notice and a report shall be prepared in relation to the Defendant's capacity to litigate and capacity to understand the meaning of the interim injunction dated 09 January 2018 and that report shall be filed at court and served on each party to the litigation'.*

We confirm that the Defendant was assessed by Dr Dhinakaran, a psychiatrist consultant on 5th July 2018. A copy of her assessment report is attached to this email and it confirms that the Defendant lacks capacity to litigate/ understand the terms of the injunction order.

The Claimant was also directed to file a witness statement in response to this assessment if so advised by 10th July 2018. We confirm that the Claimant has no comments to make at this stage. We have asked the Defendant's solicitors to contact the Enfield Assessment Mental Health team and instruct them to release the Defendant's medical documents so the Claimant could consider them and make further comments. However we have had no confirmation from the Defendant's solicitors as to whether the Defendant has provided the relevant consent and we therefore reserve the right to make further submissions until these documents are received by the Claimant.

**Jeremy Chambers**
**Director of Law & Governance**
Enfield Council
Civic Centre, Silver Street
Enfield EN1 3XY

**www.enfield.gov.uk**

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Yours faithfully,

Ludmilla Iyavoo
Lawyer
For the Director of Law and Governance

**Psychiatric Report On**
**Mr Simon Cordell**
**109 Burncroft Avenue**
**Enfield EN3 7JQ**

## 1. Introduction

This report is prepared at the request of London Borough of Enfield, Antisocial Behaviour Team following directions from the Edmonton County Court to undertake an assessment on Mr Cordell. My instructions were received in a letter dated 5 July 2018 and outlined as below:

1. Whether the defendant has the mental capacity to litigate and give instructions in his defence.
2. Whether the defendant understands the terms of the injunction order dated 9 January 2018.

## 2. Details of current proceedings

The current proceedings relate to an interim injunction order issued against Mr Cordell, at the Edmonton County Court on 9 January 2018. This followed numerous complaints from neighbours about Mr Cordell's acts of harassment and antisocial behaviour. However it has been reported that Mr Cordell has continued to breach the order. It has been reported that a neighbour has been assaulted, harassed and has received threats from Mr Cordell. He has also made threats towards certain council employees. The local authority issued applications for committal due to Mr Cordell's breach of the injunction, however the applications could not be considered due to concerns about his mental capacity.

## 3. Sources of information

3.1 I was provided with the following information to aid in the assessment:

1. Claim form for an injunction with supporting documents
2. Order for an injunction dated 9.1.2018
3. Report of Angela Hague from the Enfield Assessment Team
4. Court order made by DJ Dias, Edmonton County Court at the hearing on 30.05.2018 and 26.6.2018.

3.2 I assessed Mr Cordell on 6 July 2018, at his flat 109 Burncroft Avenue, Enfield EN3 7JQ, accompanied by two officers from the Enfield Housing Team. I can confirm that prior to my assessment; I explained to Mr Cordell my role and the purpose of my visit. I also explained to him that I was acting on the instructions of the Enfield Council at the directions of the Court.

## 4. Assessment of Mr Cordell

4.1 Mr Cordell spoke to us for a few minutes outside his flat and upon explaining the purpose of the visit, he allowed us into his flat. He agreed to tie the dog outside in the garden. The flat although disorganised with papers and folders scattered around, did not appear overly cluttered. Mr Cordell presented as a young, slim built, mixed race male with reasonable hygiene. We explained our roles and the purpose of our visit. Mr Cordell informed us that he was recording our conversation.

4.2 Mr Cordell seemed very keen and enthusiastic to talk and we had to explain the reason of our visit several times to maintain some structure and focus. He maintained appropriate eye contact and we managed to establish a rapport after a while. His demeanour was polite and appropriate. There was evidence of psychomotor agitation as he appeared generally restless and overactive. Mr Cordell described his appetite and sleep pattern as fine. Objectively I would regard his mood as labile, rapidly fluctuating between euthymia (normal mood) and irritability.

4.3 Mr Cordell's comprehension of information presented to him appeared adequate. He was able to understand the queries presented to him. His responses however were very elaborate and circumstantial. His speech was very pressured, difficult to interrupt and at times frankly rambling. There was clear evidence of thought disorder with flight of ideas (rapid shift of ideas with some superficial apparent connection). Mr Cordell struggled to sustain his goal of thinking as he often derailed to themes of relevance to him, digressing away from the topic of discussion. It was very difficult to obtain a direct response to the queries posed to him and follow his thread of conversation.

4.4. Mr Cordell's thought content was replete with various delusional beliefs of persecutory and grandiose nature. He spoke of an elaborate conspiracy which involves the Enfield local authority and the metropolitan police, dating back since 2013, when he claimed that he was arrested for putting up a gazebo in his garden which led to him being barred from visiting

places in central London and placed on a curfew from 10 pm. Mr Cordell informed that he followed these restrictions imposed on him for about a year and returned to Court and won the case. Mr Cordell then went on to talk about Sally Gillcrest, the legal executive for the metropolitan police who he alleged set him up for a million pounds and brought on an ASBO against him, which ended with him being imposed on a nine year curfew. Mr Cordell stated that Sally Gillcrest in conjunction with the borough commander Jane Johnson and the community officer started spreading rumours that he was "*suffering from herpes and has hurt a woman"* which the neighbours in his block became aware of and started sending him messages addressing him as "*you black boy*". Mr Cordell implied that Sally Gillcrest colluded with the neighbours as she had a vested interest in getting him out of this country. He stated that the neighbours above him deliberately bang on his ceiling and have also subject him to other forms of harassment since 2014. Mr Cordell implied that the neighbours were responsible for the miscarriage suffered by his then girlfriend and also held them responsible for the separation from his previous girlfriends. He further stated that between 2014 and 2016, his mother has made numerous complaints to the council regarding the harassment he has been subject to and he has won a criminal case against his neighbours

4.5 Mr Cordell then went on to elaborate his grievance against Lemmi, the officer who works for the Enfield local authority. He claimed that he received an email from Lemmi threatening that he would obtain a possession order against him and asking him to attend a meeting. He then stated that the ASBO that was served against him was not valid due to lack of signature. Therefore Lemmi built a false case against him by using "*lower grade cases*" to pursue a possession order and subsequently an injunction order, by falsifying statements and using "*statements from dead cases".* According to Mr Cordell this was declared as invalid by a Judge, however Lemmi has continued to produce false orders against him in the way of a second injunction, which he claimed has never been served on him. Mr Cordell described this as *"targeted malice*" by Lemmi as he has used the injunction as a smoke screen to cover up the ASBO by providing false statements and witnesses.

4.6 In addition, Mr Cordell also described a number of grandiose beliefs, stating that he was building a constitution on CIC, which he explained to be Community Interest Company. He also spoke of a number of other businesses. He was keen to show us the various documents, emails and recordings he has accrued as evidence to support his case.

## 5. Opinion and Recommendations

Mr Cordell is a resident at the Enfield borough, who was served an injunction on 9 January 2018, following numerous complaints by his neighbours of antisocial behaviour and harassment. Despite this, Mr Cordell has continued to breach the order with further incidents of harassment, threats and assault against the neighbours. In addition, it has been reported that some council employees have also received threats from Mr Cordell. According to available information, Mr Cordell has had sporadic contact with the mental health services and has been recently assessed by the Enfield Mental Health Assessment Service. During my assessment, Mr Cordell was preoccupied with a number of persecutory and grandiose delusional beliefs. In addition, he also presented with other symptoms such as labile mood, pressured speech, overactivity and flight of ideas. In my view, Mr Cordell's current presentation is consistent with Schizoaffective Disorder, which is recognised as an enduring mental illness.

I have received specific instructions to address the following issues:

**1. Whether Mr Cordell has the mental capacity to litigate and give instructions to his defence?**

As highlighted above, Mr Cordell's mental state is replete with complex persecutory delusional belief system. During my assessment, Mr Cordell was convinced that the local authority and the police have been colluding alongside his neighbours to pursue false claims and allegations against him. In his view, the possession order and the injunction order were based on false statements, created against him and this did not stand up in Court and therefore an injunction was not issued against him. In my view, although there are no significant deficits in Mr Cordell's comprehension or retention of information, his ability to process information relevant to the current proceedings is likely to be influenced by his underlying delusional beliefs. During my interaction, it was evident that his interpretation of events and actions of others are influenced by his abnormal beliefs. Mr Cordell perceives himself as a victim and is aggrieved by the injustice carried out against him. In my view, Mr Cordell's ability to weigh the information relevant to the current proceedings is impaired due to his tendency to misinterpret any information presented to him to fit into his entrenched persecutory delusional beliefs. Moreover Mr Cordell presents with significant thought disorder and it is unlikely that he will be able to give coherent instructions to the defence.

It is therefore my opinion that Mr Cordell lacks capacity to litigate and give appropriate instructions to the defence.

**2. Whether Mr Cordell understands the terms of the injunction order dated 9 January 2018?**

Mr Cordell is currently suffering from symptoms of Schizoaffective Disorder and presents with florid psychotic symptoms. His thinking and behaviour are influenced by his underlying persecutory beliefs. Mr Cordell is convinced that the injunction order is a cover up by the local authority for the errors and mistakes of the ASBO and therefore did not stand up in Court. Mr Cordell is convinced that the injunction order has been falsified by certain individuals (particularly Lemmi possibly in conjunction with others). He therefore does not value the order or the contents contained within it. In my opinion Mr Cordell's capacity to process the information relevant to the order is again impacted by his delusional beliefs.

Dharangini

**Dr Dhara Dinakaran, MBBS, MSc, MRCPsych**
**Consultant Psychiatrist**
**Approved under Section 12 (2) of MHA**

08.07.2018

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 29/10/2018 06:17:19 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | FW: Re: Section-2-Paperwork |
| **Attachments:** | Section-2-chase-farm-25-10-2018.pdf |

---

Simon

The doctor gave me the paperwork in the end so I took it so it could be scanned and sent to you that way it cant be taken away again.

with attachment

Mum

Section-2-chase-farm-25-10-2018.pdf

# Medical Recommendation for Admission for Assessment

**Form A4**

Mental Health Act 1983
Section 2
Regulation 4(1)(b)(ii)

(PRINT full name and address of medical practitioner) I

DR SARAH KATHERINE HEWITT
NORTH LONDON FORENSIC SERVICE
CHASE FARM HOSPITAL, THE RIDGEWAY
ENFIELD EN2 8JL

a registered medical practitioner, recommend that

(PRINT full name and address of patient)

SIMON CORDELL
109 BURNCROFT AVENUE
ENFIELD EN3 7JQ

be admitted to a hospital for assessment in accordance with Part 2 of the Mental Health act 1983.

I last examined this patient on

(date) 25 October 2018

*Delete if not applicable

~~*I had previous acquaintance with the patient before I conducted that examination.~~

*I am approved under section 12 of the Act as having special experience in the diagnosis or treatment of mental disorder.

In my opinion

(a) this patient is suffering from mental disorder of a nature or degree which warrants the detention of the patient in hospital for assessment (or for assessment followed by medical treatment) for at least a limited period,

AND

(b) ought to be so detained

(Delete the indents not applicable)

(i) in the interests of the patient's own health

(ii) in the interests of the patient's own safety

(iii) with a view to the protection of other persons

My reasons for these opinions are:

(*Your reasons should cover both (a) and (b) above. As part of them: describe the patient's symptoms and behaviour and explain how those symptoms and behaviour lead you to your opinion; explain why the patient ought to be admitted to hospital and why informal admission is not appropriate.*)

Mr Cordell is known to psychiatric services but has not engaged with them in recent years. Today he was arrested for spitting at a police officer after they were called about him harassing his neighbours. He has a number of non-molestation orders against him, forbidding him from contacting them. On examination Mr Cordell displayed a range of affective and psychotic symptoms. He spoke rapidly and was thought disordered with overinclusive and tangential speech. He held a number of grandiose

(If you need to continue on a separate sheet please indicate here ☐ and attach that sheet to this form.)

P.T.O

Signed [signature] Date 25/10/18

Cat. No. MHR4

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and delusional beliefs. He told us that the police were conspiring with medics and the council to silence him as he had uncovered police corruption. He said he was targeted by police as they were envious of his abilities. He told us that his neighbour two floors above were controlling the neighbour below them and caused them to stamp on the floor and disturb Mr Cordell. He did not believe that he was mentally unwell and was adamant he would not see a psychiatrist.

He lacked insight into his presentation. He was irritable and has assaulted police officers and harassed his neighbours in recent days. He poses a risk to others therefore. His behaviour places him at risk of retaliatory attacks from others and he will not accept treatment for his hypomanic symptoms. This places his health and safety at risk. There is evidence therefore that he has a mental illness of a nature and degree which warrants assessment and treatment in hospital and without this there is a risk of harm to his health and safety and the safety of others.

Dr S. Hewitt.

Section-2-chase-farm-25-10-2018.pdf

# Medical Recommendation for Admission for Assessment

**Form A4**

Mental Health Act 1983
Section 2
Regulation 4(1)(b)(ii)

(PRINT full name and address of medical practitioner) I Simon Dr P M KEANE WOOD GREEN POLICE STATION 287 HIGH ROAD WOOD GREEN LONDON N22 8HU

a registered medical practitioner, recommend that

(PRINT full name and address of patient) SIMON CORDELL 104 BURNCROFT AVENUE ENFIELD EN3 5JQ
SIMON CORDELL

be admitted to a hospital for assessment in accordance with Part 2 of the Mental Health act 1983.

I last examined this patient on

(date) 25-10-18

*Delete if not applicable

*I had previous acquaintance with the patient before I conducted that examination.

*I am approved under section 12 of the Act as having special experience in the diagnosis or treatment of mental disorder.

In my opinion

(a) this patient is suffering from mental disorder of a nature or degree which warrants the detention of the patient in hospital for assessment (or for assessment followed by medical treatment) for at least a limited period,

AND

(b) ought to be so detained

(Delete the indents not applicable)

(i) in the interests of the patient's own health

(ii) in the interests of the patient's own safety

(iii) with a view to the protection of other persons

My reasons for these opinions are:

*(Your reasons should cover both (a) and (b) above. As part of them: describe the patient's symptoms and behaviour and explain how those symptoms and behaviour lead you to your opinion; explain why the patient ought to be admitted to hospital and why informal admission is not appropriate.)*

THIS MAN IS HYPERMANIC WITH FLIGHT OF SPEECH AND IDEATION. HE HAS ~~AFFERENT~~ DELUSIONS THAT THE POLICE ARE TARGETING HIM AS ARE OTHER RESIDENTS IN HIS BLOCK OF FLATS HE SAYS PEOPLE IN THE STREET SPEEK AT HIM BECAUSE THEY BELIEVE HE GAVE THEM HERPES. HE IS ONLY GRANDIOSE IN HIS IDEAS ABOUT HELPING THE WORLD

(If you need to continue on a separate sheet please indicate here ☐ and attach that sheet to this form.)

Signed Dr PM Keane Date 25/10/18

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# Record of detention in hospital

**Form H3**

Mental Health Act 1983
Sections 2, 3 and 4
Regulation 4(4) and (5)

*(To be attached to the application for admission)*

**PART 1**

(name and address of hospital) Barnet, Enfield and Haringey Mental Health NHS Trust
Chase Farm Hospital
127 The Ridgeway, Enfield, Middlesex EN2 8JL

(PRINT full name of patient) Simon Cordell

*Complete (a) if the patient is not already an in-patient in the hospital.*

*Complete (b) ~~if the patient is already an in-patient.~~*

(Delete the one which does not apply)

(a) The above named patient was admitted to this hospital on (date of admission to hospital) 26/10/18 at (time) 00·15 in pursuance of an application for admission under section (state section) 2 of the Mental Health Act 1983.

(b) An application for the admission of the above named patient (who had already been admitted to this hospital) under section (state section) of the Mental Health Act 1983 was received by me on behalf of the hospital managers on (date) at (time) and the patient was accordingly treated as admitted for the purposes of the Act from that time.

Signed _____
on behalf of the hospital managers

PRINT NAME Sunil Ramrecha

Date 26/10/18

**PART 2**

*(To be completed only if the patient was admitted in pursuance of an emergency application under section 4 of the Act)*

On (date) at (time) I received, on behalf of the hospital managers, the second medical recommendation in support of the application for the admission of the above named patient.

Signed _____
on behalf of the hospital managers

PRINT NAME _____

Date _____

**NOTE: IF THE PATIENT IS BEING DETAINED AS A RESULT OF A TRANSFER FROM GUARDIANSHIP, THE PATIENT'S ADMISSION SHOULD BE RECORDED IN PART 2 OF THE FORM G8 WHICH AUTHORISED THE TRANSFER.**

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# Application by an Approved Mental Health Professional for Admission for Assessment

**Form A2**

Mental Health Act 1983
Section 2
Regulation 4(1)(a)(ii)

To the Managers of

(name and address of hospital) Barnet Enfield and Haringey NHS Mental Health Trust
Chase Farm Hospital,
127 The Ridgeway
Enfield EN2 8JL

(PRINT your full name) I ANTHONY MANNING

(PRINT your address) of 65 c Park Avenue
Enfield EN1 2HL

apply for the admission of

(PRINT full name of patient) SIMON CORDELL

(PRINT address of patient) of 109 BURNCROFT AVENUE
ENFIELD EN3 7JQ

for assessment in accordance with Part 2 of the Mental Health Act 1983.

I am acting on behalf of

(PRINT name of local social services authority) Enfield Council

and am approved to act as an approved mental health professional for the purposes of the Act by

delete as appropriate [that authority]

*name of local social services authority that approved you, if different*

*Complete the following if you know who the nearest relative is.*

*Complete (a) or (b) as applicable and delete the other*

[(a) To the best of my knowledge and belief

(PRINT full name and address) Lorraine Cordell
23 Byron Terrace
London N9 7DG

is the patient's nearest relative within the meaning of the Act.]

[(b) I understand that

(PRINT full name and address)

*delete phrase which does not apply has been authorised by a county court/the patient's nearest relative* to exercise the functions under the Act of the patient's nearest relative.]

I have/~~have not yet~~* informed that person that this application is to be made and of the nearest relative's power to order the discharge of the patient.

CONTINUED

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*Complete the following if you do not know who the nearest relative is.*

*Delete (a) or (b)*

[(a) I have been unable to ascertain who is the patient's nearest relative within the meaning of the Act.]

[(b) To the best of my knowledge and belief this patient has no nearest relative within the meaning of the Act.]

*The remainder of the form must be completed in all cases.*

(date) I last saw the patient on 25/10/2018 which was within the period of 14 days ending on the day this application is completed.

I have interviewed the patient and I am satisfied that detention in a hospital is in all the circumstances of the case the most appropriate way of providing the care and medical treatment of which the patient stands in need.

This application is founded on two medical recommendations in the prescribed form.

If neither of the medical practitioners had previous acquaintance with the patient before making their recommendations, please explain why you could not get a recommendation from a medical practitioner who did have previous acquaintance with the patient:-

(If you need to continue on a separate sheet please indicate here ☐ and attach that sheet to this form.)

Signed [signature] Date 25/10/2018

MHR2

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| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 06/11/2018 06:45:08 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | RE: Hospital-Report-06-11-2018 |
| **Attachments:** | Simon-Report-06-11-2018.pdf |

please see attached

Barnet, Enfield and Haringey NHS
Mental Health NHS Trust

Dorset ward
Barnet, Enfield and Haringey Mental Health Trust
The Chase Building
127 The Ridgeway
Enfield
EN2 8JL
Tel: 020 87024669
Fax: 020 8375 1442

**Mental Health Tribunal Report**

**Date:01/11/18**

**Patient details**

Mr Simon Cordell (11214451)

Date of birth: 26 Jan 1981

Address : 109 Burncroft Avenue, Enfield

Post Code : EN3 7JQ

**Circumstances of admission and background**

Mr Cordell is a 37 years old man with previous diagnosis of F29X - Unspecified nonorganic psychosis. He has been known to CAMHS service in the past and to Adult Mental Health Services since 2014. However he has not been engaging with the services in recent years despite numerous attempts from mental health teams.

Mr Cordell become significantly unwell in mental health in 2014. He deteriorated significantly in mental state but he refused engage with mental health service and declined to take medication. Consequently he had to be detained under Section 2 of MHA in 2016 . He was treated with medication (Olanzapine) during the admission but soon after discharge he stopped taking his medication. He continued to be seen by Early Intervention service following a discharge but he continued to refuse any treatment for his condition. This led to further deterioration in mental health. When Mr Cordell is unwell he presents with persecutory delusions about his neighbours, council staff and the police. As a result of paranoid beliefs he becomes more aggressive and threatening especially towards neighbours. From 2016 to January 2018 there were numerous complaints from neighbours reported about Nr Cordell's acts of harassment and antisocial behaviour. This led to an interim injunction order (harassment order) to be issued against Mr Cordell, at the Edmonton County Court, in January 2018 . Mr Cordell breached the order on multiple occasions. It has been reported that his neighbours have been assaulted, harassed and have received threats from Mr Cordell. In addition, Mr Cordell disengaged with EIS.

In April 2018 further deterioration in mental health was observed when he contacted the police and complained about the neighbours making noise. EIS team was contacted and they offered to review Mr Cordell but he refused to work with them again.

On the 1st of June he was arrested for harassing his neighbours and breaching the injunction order against him. He threatened his neighbour who was at the time with her two children that he

Simon-Report-06-11-2018.pdf

will kill her and her children " You fucking bitch, I have a bomb for you, I will get in your block, kill you and your children ." At that point, EIS stated that he has gone beyond EIS three year treatment period and therefore they referred his case to Enfield North Locality Team in June 2018. During the period of next few months (from June 2018 until October 2018 – they were reported numerous account of harassment and assaults to his council on his neighbour ) Mr Cordell has continued to harass his neighbours and has refused to engage with mental health services. Few neighbours already moved out from their flats due to Mr Cordell's aggressive behaviour and Enfield Council decided to seek possession of Mr Cordell's flat via the courts. In a recent court case the judge recommended that Enfield Council re-house Mr Cordell on the proviso that he engages with the MH Team. However he failed to do that.

In October 2018, Mr Cordell was physically aggressive towards another service user who lives in the same building as him. Mr Cordell took him by the throat and left him feeling unable to walk around on the floor or even flush his toilet chain for fear of sparking another altercation (with no basis) about excessive noise.

This triggered a safeguarding process and Enfield Adult North Locality Team decided to organise MHA assessment as Mr Cordell refused to engage with them.

Consequently, he was referred for MHA assessment on the 17th of October 2018. Enfield Adult North Locality Team agreed that he is at risk to others and his behaviour could also put him at risk from others. Application for 135(1) was made however a judge found insufficient evidence presented for a warrant. He was referred to a forensic sector following this event.

On the 25th of October he was arrested as the police were called to his flat regarding him breaking a harassment order and that day he allegedly assaulted the police who attended by spitting. Consequently, he was taken to Wood Green police station. He was found to be thought disordered with grandiose and persecutory delusions, hypomanic with flight of ideas and pressured speech. Therefore MHA assessment was organised. He was detained under section 2 of MHA and admitted to Dorset ward, Chase Farm Hospital on the 25th of October 2018.

Mr Cordell explained that the police were conspiring with medics and the council to silence him as he had uncovered police corruption. He also said his neighbours two floors above were controlling the neighbour below them and caused them to stamp on the floor and disturb him. It was reported that he appeared to lack insight into his presentation as he did not believe he was mentally unwell and was adamant to see a psychiatrist for treatment.

**Mental state examination on admission**

Mr Cordell is 37 year old male, mixed origin, slim build. He was wearing casual and dirty clothes. He engaged in conversation and made eye contact throughout. He was calm and polite during the interview, no aggression was observed but did become mildly restless at points. The conversation was one sided with Mr Cordell keen to talk. He presented with pressured speech and flight of ideas. Mood , subjectively he described as "fine, a bit elated", objectively he was elated. Thoughts: He presented thought disordered with tangential thinking, grandiose and persecutory delusions. He was oriented to time, place and person. He presented with poor insight – does not want any medications, he does not believe that has a mental health disorder .

**Risk**

**To self – high**

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Immediate risk to self is low as he denies any thoughts of self-harm or suicide. There are previous reports of suicide attempt as teenager. However he is at high risk of being evicted from his property at present due to deterioration in his mental state and behaviour and his mental and physical health could be significantly affected if he becomes homeless.

**To others – high**

He denies thoughts or plans to hurt others. He has clearly documented history of aggressive behaviour and currently elated.

**From others – high, as he can be aggressive towards others, he is at risk of retaliation from others.**

Risk of physical and verbal aggression towards others noted. This in turn, increases risk of others retaliating, therefore harm towards Mr Cordell.

**Past psychiatric history:**

Mr Cordell reportedly had disrupted childhood spending some adolescence in care. He was under CAMHS due to anxiety as a teenager.

Mr Cordell tried to hang himself at the age of 16 when in a young offenders institution; he says he lost consciousness and needed to be resuscitated. He was moved to a high security hospital and kept in seclusion on a number of occasions, but he says he would destroy the padded cell with his teeth. He says he was seen regularly by a psychiatrist called Dr Caplin from "the safe project".
Mr Cordell says there was a second occasion where he tried to hang himself when in a cell after he was sentenced.
Mr Cordell denies any contact with Mental Health Services between that point and 2014.

In March 2014 – He was diagnosed with Adjustment reaction "anxiety and suicidal thoughts over the last nine months in the context of having a pending court case (accused of burglary). He was offered Sertraline 50mg OD .

In November 2014 – Mr Cordell was under Home Treatment Team. He was diagnosed with Psychotic episode - not deemed sectionable under MHA. Following this episode he disengaged with mental health service.

In November 2015 – He was referred via BEH HUB to mental health services. At that time Mr Cordell was not eating, not sleeping, he was paranoid saying people were talking about him or laughing at him, believed the government was advertising things about him, the TV was talking about him and talking directly to him. He was smoking cannabis at that time. He was again found non sectionable under MHA and disengaged with the service.

In February 2016 it was applied for Warrant 135 (1) – but not sufficient evidence was presented to the judge for a warrant.

In August 2016, he was admitted under Section 2 of the MHA following custody at Wood Green station for threats to kill - section 2 reversed on appeal. He was discharged on Olanzapine 5mg and followed up by EIS. It was reported poor compliance with medication on discharge. Consequently he was discharged from EIS due to disengagement.

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**Past medical history:**

Simon said he had Crohn's disease as a child. He denied any other physical health problems.

**Current medications**

Nil.

**Personal/family history- information taken from previous assessments/reports**

Mr Cordell was born at Chase Farm Hospital. He has a younger brother and sister. Mr Cordell says he knows his maternal grandmother attempted suicide on a number of occasions and had had admissions to mental hospital. Mr Cordell's father worked as a union representative and his mother ran her own computer company. His parents recently divorced.

Mr Cordell says he did not get on well with his father who was a violent man. He was violent towards Mr Cordell, Mr Cordell's mother and siblings. Mr Cordell left home at the age of fifteen and was homeless for a while. He was placed in to care after stealing a pint of milk. He was placed in a series of children's care homes around the UK, but says that each time he would steal a car and drive back to London.

Mr Cordell said he was pushed hard to achieve at school by his father and that he was "an A-star student" for most of the time. He says he was intelligent and would do the work at other times and as a result would often just "mess about" in class. He went on to college and studied engine mechanics, completing a city & guilds qualification. After leaving school he went on to get jobs in the construction industry.

Mr Cordell says he has tried to build himself up a business for providing party entertainment. At the moment he says he is not able to earn from this due to the restrictions of his bail.

Mr Cordell has had two long term relationships . First relationship lasted for thirteen years. Mr Cordell thinks they broke up due to the repeated involvement of the police in their lives and the stress this has caused. He is currently in a relationship with Katy and he said that they were expecting a baby.

Mr Cordell says he does not smoke tobacco and does not drink alcohol.

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Grandmother (? maternal) had BPAD and/or schizophrenia.

Social history :

Mr Cordell works from home currently. He says that he does 9-10 hour shifts building his website. Previously he has had multiple different jobs including working at a market and brick laying. He has a new baby on the way with Katy – due to get married soon. From Rio - "Enfield Council will be seeking possession of Mr Cordell's flat via the courts. In a recent court case the judge recommended that Enfield Council re-house Mr Cordell on the proviso that he engages with the MH Team. He failed to fulfil the requirement.

**Drug and alcohol history- information taken from previous assessments/reports**

He reported being "Clean as anything, occasionally have a puff of a cigarette". He denies drinking any alcohol. However UDS was positive for cannabis on admission.

Note on Rio previous LSD and cannabis use.

**Forensic history -information taken from previous assessments/reports**

He reported being **linked to 500 cases** but he has won every one. He says these are all linked to **driving offences.**

**From Rio - 2015- 5y ASBO for organising illegal raves**- not allowed to enter industrial or disused premises between 10pm and 7 am. Young Offender's Institution at the age of 16 after repeated driving offences (driving without a license). Taken into custody for threats to kill.

**August 2017** an injunction order was issued though this was discharged by the court in November 2017 due to a procedural error

**On the 9th of January 2018 an injunction order** was issued against him due to verbal and physical abuse towards his neighbours and council employees and antisocial behaviour. He breached the injunction order on multiple occasions. This was discharged in **July 2018**, following a forensic psychiatry assessment which deemed him to lack capacity to understand the conditions of the injunction (as a result of a psychotic illness).

**Enfield council report was issued recently regarding tenancy concerns and breaches:**
**The report says the following:**
We have received several complaints of anti-social behaviour against you and going back to 2016 for which you have been warned numerous times, verbally and formally in writing. Please see below a list of reports made against you:
1)On 6th July 2016, it is alleged that you approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.
2) Sometime in July 2016 it is alleged that you damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.
3) On 6th August 2016, it is alleged that you threatened one of your neighbours and his wife and aggressively demanded money from him. It is also alleged that you repeatedly swore and shouted

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abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.

4)Sometimes in September 2016 it is alleged that you confronted an elderly neighbour outside your block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and He was arrested on the 1st of June due to breaching the injunction order.

threats at him and said to him 'I can get you over at the park, I know you go for a walk'.
5)On 27th September 2016, it is alleged that you confronted one of your neighbours as he was returned to his flat with his family and threatened and swore at him and demanded money from him. It is also alleged that you later banged on his door, shouted further abuse and swear words at him and accused him of making noises inside his flat.
6)On 28th September 2016, it is alleged that you aggressively banged on a neighbour's door and threatened and shouted verbal abuse and swear words at them. It is also alleged that you aggressively demanded money from him.
7)On 4th October 2016, it is alleged that you aggressively banged on your ceiling and accused one of your neighbours of making noises, you then went to your neighbour's flat and started kicking and banging on his front door aggressively, accused him of banging on the floor and was swearing and shouting abuse at him. It is also alleged that you later went downstairs, dragged your neighbour's motorbike from where it was parked and started to hit it with a piece of wood.
8) On 22nd November 2016 during a telephone conversation between you, Mrs Cordell your mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard you threatened her by saying 'I'm gonna do her over' and then 'I'm gonna take her job just for fun'.
9)On 8th December 2016, it is alleged that you aggressively banged on one of your neighbours' front door, shouted abuse and threats and accused him of making noise.
10) On 11th December 2016, it is alleged that you aggressively banged on your neighbour's door several times and accused them of banging on pipes. It is also alleged that you shouted abuse and threats at them.

11) On 14th December 2016, it is alleged that you were verbally abusive towards a woman who was visiting one of your neighbours as she knocked on your neighbour's door.

12) On 23rd December 2016, it is alleged that you banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. You then removed their electricity fuse thereby cutting off their power supply.
13.On 26th December 2016, it is alleged that you ran up the communal stairs to the first floor and confronted one of your neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with your water supply, you also attempted to stop him from leaving the block.
14) On 3rd January 2017, it is alleged that you confronted one of your neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.
15) On 21st January 2017, it is alleged that you aggressively banged on your neighbour's door, swore and shouted abuse and threats at them and accused them of making noises.
16) On 31st January 2017, it is alleged that you aggressively banged on your neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.
17) We received a report that on 7th February 2017 you approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. You said to the leaseholder that there were problems between you and his tenants but did not give any specific details. The leaseholder explained to you that his tenants were experiencing low water pressure in the flat and you said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later

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knocked on your door and asked whether you would increase the water pressure and you stated 'I cannot do anything at the moment, I will sort it out later'.
18) On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended your property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside your flat, they observed that you have installed an iron security gate inside your front door. It also appeared to them that the wall between your kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was
taken up industrial type printers, boxes and folders and there were dog faeces in your back garden.
19) On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through your door and as he got into his car to drive off after posting the letter, you ran after him shouting and screaming abuse. The letter requested that you attend our offices to discuss the nuisance reports being received from your neighbours. By the time he returned to the office, you had telephoned him several times. He telephoned you back and you asked whether he was the person that posted a letter through your letterbox and he said yes. You asked why he did not stop when you ran after him and he stated that he had another visit and did not have the time to stop and talk to you. You stated that you will not attend the meeting at the Civic Centre or any of the council offices as you are unable to leave your flat and that the meeting should take place in your flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at your mother's house but you refused saying that you have done nothing wrong and accused him of taking sides with your neighbours.
20)On 5th May 2017, it is alleged that you threatened one of your neighbours by saying that you will ruin his life and that you were going to the police to present evidence about his illegal activities.
21) On 14th May 2017, it is alleged that you aggressively banged on one of your neighbour's door, shouted abuse and threats at her and falsely accused her of making noise and coming into your flat to attack you. You later followed her to her car shouting abuse and wanting to know where she was going.
22) On 14th May 2017 it is alleged that you allowed your dog to run freely in the communal area of your block without a lead.
23) On 28th May 2017, the police issued you with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of your neighbours.
24.) On 9th June 2017, it is alleged that you attacked one of your neighbours in the communal hallway of your block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. You also snatched his phone from him as he tried to video-record the incident.
25) On 16th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you had her bank details and personal details such as date of birth and said to her that you wanted her and her husband to pay you some money.
26) On 18th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you knew what time she went out and what time she returned and to tell her husband that you would like to speak to him.
27) On 23rd June 2017 at 23:35hrs it is alleged that you came out of your flat with your dog without a lead and attacked one of your neighbours as he returned from work by punching him twice on the chest. You tried to push him out of the block and snatched his phone as he brought took it out of his pocket to record the incident.
28) On 28th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block. You swore and shouted abuse at her and accused her of making noise inside her flat. You told her that you know all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. You demanded that they pay you some money and asked her to tell her husband to come and see you.
29)On 30th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was

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leaving the block and accused her of slamming the door. She denied slamming the door and called her a liar and proceeded to swear and shout abuse at her.
30) On 2nd July 2017 at 17:18hrs it is alleged that you confronted your neighbour as he was going out with his family with your dog barking and without a lead and asked him when he was going to hand over the money. It is also alleged that as they left the block, you ran after them swearing and shouting abuse at your neighbour and demanding that he must pay you some money if he wants you to leave him alone. You also said to him that you have all their personal details including their dates of birth and bank details.
31) On 12th July 2017 an Enfield Council Surveyor attended your flat to investigate reports of low water pressure to flats above yours but you refused him access. The Surveyor attended your flat again in the evening of the same
day following further reports that the water supply to the affected flats had completely ceased and you refused him access. You then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. He then called the police.
32) On 11th November 2017 at 11.30am, it is alleged by one of your neighbours that you came to their front door, opened the letterbox and peeped through it to see who was inside the flat. You then started swearing and shouting abuse and banging on their front door as soon as you saw the neighbour's wife.
33) On 2nd January 2018 at 6.30pm, it is alleged that you stood outside your neighbour's property for more than twenty minutes swearing and shouting abuse. You went away and returned half an hour later, you lifted their letterbox, stuck your mobile phone through the letterbox and started to record his family while swearing and shouting abuse. This went on for about fifteen minutes.
34) On 9th January 2018 at about 12.18pm, you telephone Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an anti-social behaviour order against him and you told him that he had made you a prisoner within your home. You also stated that you knew where he lives in Enfield and that he and his family were not safe from you. You also told him that you would watch him leave the office and you would have followed him home and he needed to watch his back. You called the ASB officer again 30 minutes later and told him that you knew he has a flat in Edmonton and also knew that one of his colleagues lives in Edmonton. You also stated that you knew where they live and they were not safe.
35) On 9th January 2018 you called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.
36) On 26th February 2018, at around 11.45pm it is alleged that you came to one of your neighbour's front door and started making loud banging noises and rattling with their letter box. You ran away after the neighbour opened her front door.
37) On 1st March 2018 it is alleged that you knocked on one of your neighbours' door loudly, you started rattling with their letter box and started
shouting. This went on for 5 to 10 minutes but you left after you've heard that the neighbour was calling the police.
38) On 15th March 2018 it is alleged that you swore, shouted and assaulted one of you neighbours in front of his wife and his 3 years old child.
39) On 1st May 2018, you attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that you started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of your neighbours who attended Court to give evidence. You also swore at a judge. These incidents were witnessed by members of staff working at the Court.
40) On 29th May 2018, it is alleged that you attended one of your neighbours' property; you took your dog with you and waited by their front door. It is alleged that you tried to intimidate them as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against you.
41) On 30th May 2018, it is alleged that you made threats to kill to one of your neighbours. The matter was reported to the police. You were arrested and released on bail.
42) You assaulted one of your neighbours on the 26th August 2018 for flashing his toilet.
43) You telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th

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September 2018 and made threats to them over the telephone. You also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction
44) On 12th September 2018 at about 3.50pm, you called one of your neighbours on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. You called again using the same private number, but he terminated the call as soon as he heard your voice. You called repeatedly after that.
45) On 24th September 2018 at about 11.30am, one of your neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as
well as your front door. As she went up the stairs to their second floor flat, your dog came out of your flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that your dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.
46) One of your neighbours reported that his cousin was leaving the block at about on 2nd October 2018 at 12.45pm, and as you exited the block, you followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push you off.
47) There are other reports from one of your neighbours who reported that on 30th September 2018, you attempted to break down his front door by kicking it several times only because he flashed his toilet.
48) It is reported that you continue to harass and intimidate other residents on a regular basis.

**On the 25th of October he was arrested** for breaching the injection order and spitting at the police officer on arrest.

**Treatment and progress on the ward**

On admission to Dorset ward, Mr Cordell presented elated, mildly irritable and thought disordered. On arrival to the room he remained calm and polite. He started the conversation by asking for duty doctor's name, which he wrote down on a paper. He then stated he has been detained here illegally because they think he is grandiose. He then went onto give the duty doctor a timeline of events which were largely related to the police and his connection with mental health services. In summary, he holds paranoid ideas that the police have charged him 'in illegal ways' for an ASBO for 'organisation of illegal raves'. This has led to several on-going issues with the police who have involved mental health services and it is a conspiracy against him.

He states he wasn't assessed properly by doctors today (25/10/18) and that the doctors who saw him today(25/10/18) have previously tried to section him and 'failed' because he has 'video recordings' to prove he is innocent. He referred to multiple acts and dates which apparently are being broken by keeping him here.

He states he has several businesses that the police have tried to stop, including 'owning festivals' and his website called 'horrific corruption' and associated newsroom which he uses to expose police and doctors who are working in illegal ways. He states he has 'been wronged 78 times by the police' and will 'expose all of the doctors and police' involved.

He spoke about being a 'privileged member of the community' and has never tried to hurt anyone. He reports the police have framed him in a 'sex scandal' and caused multiple issues. He described a negative relationship with neighbours and states that they bang from above continuously. He states a previous partner was pregnant and the neighbours banging led to the

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baby being lost.

He denies having a mental health illness and states he will get out of here once he has his laptop containing videographic proof and was requesting a tribunal. During the course of the conversation he refused to acknowledge he has been sectioned and was adamant he would be able to leave but was not forceful or physically attempting to leave.

When he was seen by ward doctor on the 26th of October Mr Cordell feels he is in hospital because the police have "falsified" a report that led to him being kept on a curfew for years.

He proceeded to talk at length about circumstance that led him to be charged for handling of stolen goods and suspicion of burglary in 2013. He believes the case was handled poorly and is sure the police were conspiring against him. "The abuse of process by the civil service was unreasonable".

Following this he reports being placed on a 2 year injunction and a 5 year curfew. He feels this has led to a breakdown in a 13 year relationship he had. He also reports this affecting his company –a community interest company he started up. At one point Mr Cordell also mentioned the police targeting him for holding large parties that he was adamant were not hosted by him.

Mr Cordell reports owning a couple of local festivals and talks about engaging with multiple charities helping children. He says he had to stop this as police were harassing him in front of the children. He alleges to own his own company, his own paper and has just bought his own book maker for 70000 pounds. He also reports having 180000 friends on Facebook due to all his free parties.

When asked about his neighbours Mr Cordell said he believes his neighbours have been making up complaints about him. "My neighbours are calling up the police after forging the paperwork." He feels that his neighbours have been attacking him and reports feeling anxious in his house. Simon says he "kept writing to the police saying please can you protect me".

He does not think he is unwell and does not think he has a mental health problem. He admits he might be elevated but he believes this is a constructive state.

Mr Cordell reports not being compliant with any of his medication at any point. He is refusing to take any medication during this admission. "I've spent thousands of pounds showing you my brain, me being alert saves lives."

Mr Cordell would like to appeal his section and feels that by keeping him in hospital we are breaching his rights. "Physical or mental suffering amount to torture"

He reports sleeping, eating and drinking well. Later he suggested this may not be the case stating "In the night time when my neighbours are asleep that's the best time for working".

Impression was that he presented with paranoid and grandiose delusions with significant mood component. In view of long term symptoms this is most likely consistent with a Schizoaffective disorder. He does not currently have capacity for treatment or admission.

He settled in over the weekend, personal hygiene remained poor, smell of cannabis on him was noticed.

On the 29th October 2018 when he was seen by a nurse he was irritable and quite hostile. He was

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on the phone to his relative, complaining about police and claimed to be falsely accused.

On the 29th of October Formulation meeting was held:

**Care coordinator 's feedback:** This is only the second time meeting Simon. There have been issues with reports he is assaulting other residents in his council accommodation.
**Nursing report:** He appears paranoid on the ward.
**Interview with patient:**

Mr Cordell appeared very agitated and vocal and was keen to put across his opinion that he had been illegally detained.

Mr Cordell reports issues with police actions in regards to not giving him the ASBO folder properly – this was left outside instead of giving it to him directly. Mr Cordell continued to explain other problems with the police's treatment of him. This includes the metropolitan police having placed a photo of Mr Cordell in a folder in regards to a party he had no involvement with. He denies being involved in any of the parties mentioned in the ASBO. Mr Cordell spoke at length about the injustices surrounding his placement on curfew and the ASBO order.

He describes how on multiple times doctors have tried to assess him under the MHA and he has explained to them at each time the situation with the police. He was once placed under a section 2 and was able to appeal his section.

Mr Cordell reports the neighbours (?2 floors up) trying to deliberately disturb him by making a lot of noise and flushing the toilet multiple times. He feels they want him to get distressed and go upstairs to address them. They have been doing this over the last 4 years and are doing this throughout the day. From Mr Cordell's flat you can even hear them talking – there is apparently very poor sound proofing.

Mr Cordell has described a council official as having forged statements and falsely accusing him of threatening his life. Mr Cordell reports that he is being assaulted by his neighbours as is his partner's small child. He feels the stress from this situation may have been linked to his partner's miscarriage. Mr Cordell denies any acts of antisocial behaviour, even in retaliation. At every point where he approaches the upstairs neighbours he states he calls the police to ask then to "protect" him.

In regards to the recent arrest he reports the police attended due to a fraudulent call from the neighbours. The police tried to hand him a breach of harassment order which Mr Cordell ripped and spat on the paper. The police officer then yelled that he had spat on her. He was then arrested for assault to a police officer. This charge was dropped in the police station and he was referred for a MHA.

Mr Cordell is currently on benefits. He reports the expensive hardware he owns (eg 70000 pound bookmaker) he buys broken and second hand cheaply and fixes them. Mr Cordell works from home. He built a new model constitution – a community interest company which was a charity farm.

**Collateral information:**

His mother and uncle would like mental health service to stop referring to Mr Cordell reporting the police as being prejudice against him as delusional – they believe this can be proved (showing

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photos of his company truck and hardware).

Mr Cordell 's mother is very upset that doctors have submitted reports stating that he is delusional and grandiose. They feel the AMHP report is grossly inaccurate.

Mr Cordell 's uncle is also upset that the mental health team would not provide Mr Cordell with a letter to assist with his housing situation.

They explain that the reason Mr Cordell has not be prosecuted for the complaints made by the neighbours is because each time Mr Cordell is able to "prove his innocence" directly to the police.

Mr Cordell 's mother believes he is very stressed due to the conditions of the ASBO and his neighbours disturbing him.

His uncle would like us to check the website that Mr Cordell has set up to highlight the injustices against him "horrificcorruption.com". (other websites mentioned by Simon include the Wayback machine and toosmooth).

Impression was that Mr Cordell was unstable in mental state and behaviour . He presented with persecutory delusions and possibly auditory hallucinations. Plan was :

1. Requires further review of notes

2. Liaise Enfield council re plans for housing – ask Rosie for input

Following the formulation meeting he presented very grandiose - showing staff and peers his website and that he has '20,000 emails and 500,000 phone contacts'. He seems elated and keen to get his message across.

Dr Timothy Rogers e-mailed Dr Greensides on the 30th of October 2018 as Mr Cordell was referred to a forensic sector prior MHAA and wrote that he has terrorised their patient (who lives above him) including one occasion taking him by the throat and left our patient feeling unable to walk around on the floor or even flush his toilet chain for fear of sparking another altercation (with no basis) about excessive noise.

Mr Cordell was reviewed on the 31st of October 2018 by Dr Greensides (Consultant psychiatrist) , Dr Elia and Dr Bruce:

Mr Cordell confirms his problems began in 2013. He moved into his premises in 2013 – there was evidence of CO poisoning in the flat and all the boiler systems and alarms had to be replaced.

Mr Cordell has been held on curfew for a long time for organising a party and ?wrongly accused of damaging the premises. Also was accused of burglary and handling of stolen goods – he was found innocent on both accounts.

Mr Cordell reports having had a "relationship" with his current partner Katy for the last ?20 years. She has a son from a previous relationship.

The problems with the neighbours have been going on for 4 years now. Mr Cordell is concerned about his neighbours, in particular to how their behaviour might affect their child. 6 flats in total in his council building – the neighbours that are problematic are 2 floors above Mr Cordell's. These

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particular neighbours bang on the water pipes, stamps on the floor (this echoes through the flat between) – this happens first thing in the morning and goes on through the day.

Mr Cordell believes his neighbours sit in their flat eavesdropping on Mr Cordell's whereabouts. When he enters the bathroom they enter their bathroom and flush the toilet a lot. Simon has Video and Audio recordings throughout his flat in order to prove his innocence. There is a husband and wife living there as well as a new born baby. Mr Cordell reports he can hear this family talking but he can't make out what they are saying – he denies them saying anything negative about him "they've never spoke to me".

Simon has personal information about his neighbour which he feels is proof of ?tax evasion – he reports the family own 50 houses in the UK. The neighbour has changed their surname in order to accommodate some scheme to avoid ? tax – Mr Cordell reports he has "100% evidence" that this is true and feels it is relevant to him because of how they are treating him. Mr Cordell believes what the neighbours are doing is a hate crime.

Mr Cordell denies ever having felt like the TV was talking to him or that the council was advertising his information. Mr Cordell does feel his personal information is being advertised somehow – friends have approached him and have information about him he believes can only have come from secure computer systems.

Mr Cordell is not concerned about his tenancy at the moment – he states he has recordings that prove his innocence. Simon is aware the council has told him to stay away from his neighbours – since this time he states he hasn't approached his neighbours. He wants to publish a book about what has been going on. Simon does not appear to accept that he has become fixated on this issue.

Mr Cordell does not think his problems with his neighbours are in any way due to him having a mental health problem. Mr Cordell wouldn't like to take medication as he doesn't feel he needs it and is concerned medication may impact his ability work. He is particularly concerned that the medication will "dope him out".

Mr Cordell states he has a good family support network. He is happy to see the ward psychologist.

Mr Cordell has been informed that a referral to a forensic psychiatrist who may want to visit him on the ward.

Impression was that he presented with persecutory delusions and poor insight into his condition. Not currently deemed to be a risk to himself or others. He could be at high risk of losing accommodation if continues untreated. Plan was :

1. For Section 17 leave

2. No medication at present

3. Refer to ward Psychologist – Dr Patkas

. He has terrorised our patient (who lives above him) including one occasion taking him by the throat and left our patient feeling unable to walk around on the floor or even flush his toilet chain for fear of sparking another altercation (with no basis) about excessive noise.

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**Opinion and recommendations**

1. Mr Cordell suffers from a mental disorder, the symptoms of which at present are persecutory delusions, grandiose beliefs and attitude. In addition, he also presented thought disordered with circumstantial thinking. Probably he has been experiencing auditory hallucinations too. His condition is complicated by poor insight into his mental health illness and substance misuse.

2. This illness is currently of a nature and degree to warrant detention under section 2 of the mental health act.

3. Without this there are risks to his health, principally mental health which is likely to continue to deteriorate without intervention. He is also at high risk from being evicted from his current accommodation which could put his mental and physical health at significant risk. His safety is compromised by possible retaliation from others when he is behaving aggressively towards other people. As well as the safety of others as he was aggressive to his neighbours, council employees and police prior to admission.

4. This cannot be carried out in the community as he has limited insight and refuses intervention, tried for a number of years and failed.

5. Should he be discharged then he will be referred to the HTT, but is not likely to engage.

6. Tribunal need no special arrangements to accommodate Mr Cordell.

**Dr Maja Elia**

**ST6 to Dr Jonathan Greensides**

**Consultant Psychiatrist, Dorset ward**

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 08/11/2018 09:29:02 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Re: Reports from today |
| **Attachments:** | Si-Soobah-Appadoo-08-11-2018.pdf Si-Bibi-Khodabux-08-11-2018.pdf |

here the 2 reports you got today

St-Bibi-Khodabux-08-11-2018.pdf



<< address of person preparing the report>>
Dorset ward

**Inpatient Nursing Report on Simon Cordell**

Date of birth: 26/01/1981

Home address: 109 Burncroft Avenue
Enfield

Post Code EN3 7JQ

Hospital: Chase Farm Hospital-
The Ridgeway Enfield Middlesex
EN2 8JL.

MHA status: Section 2

Named Nurse Bibi Khodabux

Report prepared by: Bibi Khodabux

Sources of Information:Rio notes, observations, feedback from the team and 1:1sessions with patient.

-I am a staff nurse on Dorset ward and I have known Simon since his admission to the ward.

**1) Circumstances leading to admission**

Simon is a 37 year old service user admitted on 25/10/18 under section 2 of the MHA. It was reported that he had not been engaging with the services in recent years. He was arrested for spitting at a police officer after they were called about him harassing his neighbours. He also has a number of non-molestation orders against him, forbidding him contacting them.. He was taken to Wood Green police station and during Mental Health Act assessment he appeared to be thought disordered, had no insight , held several grandiose and delusional beliefs. On admission he was irritable in mood, elated and grandiose.

**2) Current nursing care**

Simon is nursed in a safe environment. He has been encouraged to approach staff to discuss his feelings. A therapeutic outlet has been provided for him to ventilate his feelings.
He has been offered 1:1 sessions with staff on each shift to discuss his care plan and also to gain his cooperation and to get him involved in his treatment.
He was encouraged to get involved in his care plan and discuss his views.
Staff encouraged him to gain insight so that he would engage.
Staff initiated establishing rapport with him which has gradually improved.
He has politely declined to attend occupational therapy sessions on the ward.
He is currently nursed on general observation.

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**3) Current medication**

He is currently on no regular medication

He is on PRN Lorazepam Maximum 4 mg in 24 hours.
Paracetamol PRN 1g 4-6 hourly.
Ibuprofen 400 mg Maximum TDS in 24 hours

**4) Contact with others**

He interacts well with fellow patients and staff on the ward.
He has been leaving the ward to proceed on unescorted section 17 leave and he complied with it.
His mother and uncle visited him on the ward and observed to have interacted well with them.

**5) Progress on the ward-**

On admission he presented with challenging behaviour, intermittently agitated, hostile, argumentative, and demanding to leave the ward but did not make any physical attempt to leave. He has now calmed down but there is limited progress in his mental state.
He has no insight and complains of being wrongfully detained.
He states that there is a conspiracy by the police and mental health services that are all out to get him. He claims to have set up a website with details, videos and recordings.
During 1:1 with Simon he appears preoccupied with talking about his websites
He states he has several businesses that the police have tried to stop.
He is eating and drinking well.
He has limited insight.
He attends to his personal care which has improved.
He socialises with other patients and staff on the ward.
He engages willingly with staffs.

**6) Incidents**

There are no report of any incidents on the ward.

**7) Risk**

At present risk to self is low. He did not express any thoughts of self-harm.
He is at risk of further deterioration in his mental state if he does not comply with medication.
Risk to others is low on the ward. He did not present with any aggressive outburst during admission. Has been reported to be at risk to his neighbours in the community due to his aggressive behaviour.

**8) Factors affecting this hearing**

He should be able to attend this tribunal and also cope with the outcome with the help and support from staffs.

**9) Opinion and recommendations**
**Is detention in hospital for (S2) or the provision of medical treatment in hospital justified or necessary.**

It is important that Simon remains in hospital under section 2 so that his mental state can be fully assessed followed by treatment.
He has no insight and is not willing to cooperate with his treatment.
He does not believe that he needs medication.
There is a high probability that he will not cooperate and disengage from services.
He will be putting himself and his neighbours at risk due to his aggressive and confrontational behaviour.
He will be at risk of losing his accommodation.

Signed
…… Date 03/11/18……
**(Print Name) BiBi KHODABUX**

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**Enfield Adult North Locality Team**
58-60 Silver Street EN1 3EP

**Social Circumstances Report for S.C Rio no 11214451 on Section 2 of the MHA 1983/2007**

| | |
|---|---|
| Date of birth: | 26TH January 1981 |
| Home address: | 109 Burncroft Avenue, Enfield, Middlesex EN3 7JQ |
| Date of Admission: | 26TH October 2018 |
| Hospital/Ward: | Chase Farm Hospital, Dorset Ward |
| Care Coordinator : | Soobah Appadoo- Allocated August 2018 |
| Report prepared by: | Soobah Appadoo |
| Sources of Information: | Electronic Documentation on Rio |
| Nearest Relative: | Ms Cordell (mother) |
| Date of this report: | 7th November 2018 |

**Who you are and in what capacity you know the patient, how long you have worked with them:** -. My name is Soobah Appadoo. I am a CPN with the above named team. I have been asked to compile this social circumstances report in support of above named patient's Mental Health Review Tribunal (MHRT) appeal against his detention under Section 2 of the Mental Health Act. Mr Cordell was admitted on section 2 on the 26th October 2018.

Mr Cordell was previously under the care of the Early Intervention Team for 3 years. The Early Intervention Team discharged him in June 2018 and at that point he was referred to our team. There is a suggestion on RIO notes that he did not engage well with that team.

I was allocated to Mr Cordell in August 2018. We offered him an appointment at his flat on the 31st August. Mr Cordell rang our office the day before and spoke to me. I informed him that I am his new Care Coordinator. He said that he had been seen for "76 days by his CC" and there was "nothing wrong with me". He said that the reason we want to see him is to "cover for missing signatures?". He said he "will ruin anyone who come to my house" and he has "recording cameras and audios" to ruin us. He said if you come to my house "I f...ing will scar you for life". He used foul languages through out this contact. He said that I "can take the f...ing referral and stick it up my a..e". He said that he does not want to see us. I could not interrupt him: very verbally aggressive with pressure in speech". I did manage to say that we are a different team from Lucas House and we want him to have a fresh start- He said "I don't f...ing care"

Further to that the MDT advised that we should assess Mr Cordell in clinic due to the potential risks. We then offered him an appointment on the 28th September which Mr Cordell did not attend.

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My report is based on the information which I have extracted from RIO and my telephone conversation with Mr Cordell's mother.

**Psychiatric history**

On the 16th August 2016 Mr Cordell was admitted to CFH under Section 2 of the MHA. He was discharged on the 27th August 2016. According to RIO notes Mr Cordell "was arrested at his home address after his mother raised concerns about his mental state - he was allegedly verbally threatening towards his neighbour and (?) neighbour's children. Simon's mother called police who arrested him. He was seen by the FME at Wood Green police station, was then referred for MHA."

He appealed against his Section. The Mental Health Review Tribunal discharged him from Section 2 on the 26th August 2016.

**Leading to current admission**

As I stated above leading to this admission Mr Cordell did not attend appointments offered to him by our service. Subsequently due to the allegations made against him I was advised to attend a Safeguarding meeting for an alleged victim. In that meeting I was informed by the Council that Mr Cordell has a past and current history of physical and verbal aggression towards residents in the building. I was informed that the council has tried to work with Mr Cordell but to no avail. I was informed me that Mr Cordell was getting easily irritated even by the sound of a flushing toilet; this happened very recently and he threatened the resident concerned. The Council was of the opinion that these are signs of mental illness and suggested that BEH should proceed with a MHA. The Council argued that this is for the protection of others as well as Mr Cordell's own safety.

Subsequently the council sent us a copy of 'Anti-Social Behaviour, Tenancy concerns and breaches- pre-action letter' which contained a chronology of alleged incidents dating from 2016. These alleged incidents were in the meaning of an antisocial behaviour presentation.

On the 17th October Mr Cordell was discussed in our MDT meeting. A decision was made to conduct a MHA. A MHA was attempted on the 19th October. Mr Cordell did not cooperate and the assessment did not take place.

On the 23rd October an application for a warrant was made but was declined on the grounds "that there was insufficient recent evidence that he was being "kept under proper control" as he is living alone and "insufficient recent medical evidence that "he is unable to care for himself".

According to RIO, on the 25th October Mr Cordell was arrested for breaching a harassment order. It was alleged that he was aggressive towards the police and spat at them. He was assessed at the police station. On interview he had pressure of speech, delusions about his neighbours and the police and housing ganging up against him. He denied drug use. He said that does not have a mental disorder. The

Si-Soobah-Appadoo-08-11-2018.pdf



doctors who assessed Mr Cordell found him "hypomanic, with flight of speech, grandiose and thought disordered"

**Forensic history**

Nil known.

**Risk History**

According to the Risk Assessment on RIO notes Mr Cordell had expressed suicidal thoughts in the past. This was related to stress from court cases. The date is not stated in the Risk Assessment. Around that time he said that he had researched ways of harming himself (poisoning, OD, hanging). He had said in the past that he tried to hang himself aged 16 when he was in a young offender's institute. He had said that he needed resuscitation. He tried to hang himself a second time after he was sentenced by a judge aged 20. He had said that he drank Nitrous Oxide in 2014 with intent to die.

According to his Risk Assessment he was regularly a victim or witness of his father's violent behaviour.

There are recent reports from the Council regarding alleged aggressive behaviours towards other residents. In June 2018 he was apparently involved in court case with the neighbours who he apparently threatened to harm.

**Social circumstances**

Personal History

Mr Cordell is single. He has a partner. He has no children. He was born in Enfield and did his schooling in Edmonton. Left school aged 16. He studied and worked in mechanics and road works, electrical and computers after he left school (mother's report)

Accommodation

Mr Cordell lives in a 1 bedroom flat on the ground floor. The flat has necessary amenities/facilities to allow independent living.

Employment

He is not currently in employment

Finances

He claims ESA and needs to make an application for PIP

Si-Soobah-Appadoo-08-11-2018.pdf



**Views of family**

I telephoned Ms Cordell on the 7th November 2018. Ms Cordell told me that neighbours have been "terrorising" his son since 2014 in particular a neighbour on the 2nd floor. Ms Cordell told me that whilst her son is in hospital her nephew has been staying in the flat to look after the dog. The nephew has reported that the occupier on the 2nd floor have been "banging" on the floor. She said that the neighbour then realised that her son is not in the flat when they saw the nephew coming out of Mr Cordell's flat. She told me that since the 26th October the "banging" has stopped. She said that she has complained about the neighbour herself but thinks these situations are misinterpreted by the council and the mental health services and her son is then seen as the perpetrator and or being mentally unwell. Ms Cordell stated that the sound proofing is lacking and the noise is real. Other neighbours have made allegations that Mr Cordell has been aggressive towards them. She said that there is no evidence of this; police has seen CCTV and found that her son had not left the flat at the time when these incidents were alleged to have happen. Ms Cordell gave another example in 2016 where it was alleged by a neighbour that her son had made threats to kill him. She said that the police initially charged her son with making threats to kill; after seeing video evidence they charged him with a 'Public Order Offence'. She said that around the time of this alleged incident her son was in his flat with some friends. Her son was not allowed to his flat and was bailed to her flat where he stayed until December 2016. She said that the CPS after seeing evidence dismissed the case a day before the trial. She said that the council has never taken the responsibility to look at evidences; the allegations made against her son (physical assault, letting his dog on the loose) have not been proven. She said that on the 9th August in court the Judge ordered Enfield Council to move her son to a 2 bedroom flat but the Council wants/plans to evict him instead. She said that the Council has no grounds to apply for her son's eviction.

She said that her son has a one bedroom flat. She said that he does not want to live there. She said that he needs a 2 bedroom flat with the plan that his cousin could stay with him to provide emotional support. She said that her son has everything he needs in the flat. She told me that her son is very independent in activities of daily living; his personal care is extremely good; he cooks for himself, maintains the flat and takes responsibility for his bills. She told me that he has no financial difficulties/no debts.

She said that her son has a work history. In 2010 he was planning to set up a business in the entertainment industry. He has also built websites in relation to this. At present he is not in employment. He is in receipt of Employment Support Allowance but needs to make an application for Personal Independent Payment.

I asked her if she thinks her son has a mental illness; she told me that he suffers from stress and anxiety due to issues with the neighbours but does not think he has a mental illness. She said that the judged looked at evidence and did not grant a warrant in October 2018 for a mental health act to take place at her son's flat.

I asked Ms Cordell if she thinks her son could benefit from support from the community team. She said that he could do with some support but "we should stop labelling him as being delusional as he is not delusional".

**After-Care**

Potentially Mr Cordell care/treatment would be delivered via the Care Programme Approach. I am the allocated Care Coordinator and he will have a responsible clinician in the community.

My role would be first of all to build a relationship with Mr Cordell as I have only met him on 2 occasions. I will try to motivate him to engage with myself and the multidisciplinary team. As his Care Coordinator I will review Mr Cordell regularly independently and with the Community RC.

We have a Team Clinical Psychologist and it would be vital for Mr Cordell to have some form of talking therapy. This is on the basis of the stress and anxiety that his mother states he suffers from.

We have a Dual Diagnosis Worker in the team who could offer drug counselling if necessary.

We have an organisation called 'Remploy' which is funded by the Local Authority. Potentially they could support Mr Cordell to find work. They meet regularly with clients whilst they are in work and also liaise with employers.

I could support Mr Cordell in making an application for PIP. Alternatively he could get that support from 'Enfield Well-Being Connect'

The Mental Health Enablement Team could provide support in tenancy management as well as support to access education/training and work.

**Opinion and recommendations**

I have met Mr Cordell on two occasions only and I have not had the opportunity to assess him in the community. A rapport needs to be established with him.

On the basis of recent events, history of risks to self and alleged risks towards others, and taking into account the views of the MDT on the ward I think that he would benefit from a longer stay in hospital. This is in-order for the MDT to assess him comprehensively to determine if he has a severe and enduring mental illness such as schizophrenia/psychosis. If it is determined that he has a severe mental illness then this should be treated accordingly whilst he is in hospital.

**Signed:** Soobah Appadoo, CPN

**Dated**: 07/11/2018

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 08 November 2018 08:44
**To:** Lorraine Cordell
**Subject:** Fwd: LBE v Simon Cordell-E00ED049 amended Order 09082018
**Attachments:** image001.jpg; ATT03250.htm; image002.jpg; ATT03253.htm; image003.jpg; ATT03256.htm; image004.jpg; ATT03259.htm; image005.jpg; ATT03262.htm; image006.png; ATT03265.htm; image007.png; ATT03268.htm; LBE v Simon Cordell-E00ED049 amended Order 09082018.docx; ATT03271.htm

Sent from my iPhone

Begin forwarded message:

**From:** Trishna Kerai <Trishna@stuartmillersolicitors.co.uk>
**Date:** 13 August 2018 at 15:14:17 BST
**To:** 'Lorraine Cordell' <lorraine32@blueyonder.co.uk>
**Subject: FW: LBE v Simon Cordell-E00ED049 amended Order 09082018**

Trishna Kerai | Caseworker | Magistrates Court Department
T: 0208 888 5225 M: 07790 993 860
E: trishna@stuartmillersolicitors.co.uk
W: www.stuartmillersolicitors.co.uk

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent time:** 10/11/2018 02:59:36 PM
**To:** re_wired@ymail.com
**Subject:** RE: Old Court Order
**Attachments:** emmanuel_Simon Cordell.pdf VLS_20171215_103522.pdf VLS_20171215_103441.pdf

---

here the ld court order discharged they did try and get it put back in t place but the Judge would not allow it, they started to try from Dec 2017 and failed in Jan 2018 that's why they done the new order on the 09 Jan 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. Liberty 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

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: VLS/EO/H/CORDELL/17

Vls Solicitors
Gibson House
800 High Road
Tottenham
London
N17 0DH
36209 EDMONTON EXCHANGE

13 December 2017

Dear Sir

**Re: Case Number: D02ED073 London Borough Of Enfield v Mr Simon Cordell**

Enclosed please find copy of courts letter to the claimant's as directed by the District Judge.

Yours faithfully,

Vas.

Ourvasse Cundapen
Back Office Section
Ext

L_BLANK

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

L_BLANK

**From:** emmanuel [emmanuel@vlssolicitors.com]
**Sent:** 15 December 2017 11:11
**To:** 'Lorraine Cordell'
**Subject:** Simon Cordell

**Attachments:** VLS_20171215_103522.pdf; VLS_20171215_103441.pdf
Dear Mrs Cordell,

I write to inform you that the court has discharged the injunction of 9 August 2017 against Simon and the council's claim is struck out because Enfield Council failed to comply with the order to file Directions Questionnaire by the 17 November 2017. Copies of the Court Orders are attached for your information.

Please contact me should you have any query.

Kind regards,
Emmanuel Onwusiri

VLS-LOGO1

VLS Solicitors
Gibson House
800, High Road
London
N17 0DH

DX 36209 Edmonton Exchange

Tel: 0208 808 7999
Fax: 0208 808 1999
Mob: 07940728166
Direct email: emmanuel@vlssolicitors.com
http://www.vlssolicitors.com

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**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 15/11/2018 12:53:18 AM
**To:** re_wired@ymail.com
**Subject:** Simon, your November account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# November Account Summary for Simon.

View Your Account

## Pro tips, just for you:

**Did you register a .co.uk, .org.uk or .me.uk domain before 10 June 2014?** The corresponding .uk domain name may have been reserved for you. Act fast to secure it before 10 June 2019. Learn more.

This is a great time to ensure your account is secure. Update your password and add or review two-step verification protection.

Make sure you aren't missing out on special offers. Visit My Account and look for the Contact Preferences tab under "Settings" to opt-in to offers related to your purchase.

**You qualify for a 30% discount on new products.* Use promo code rpnov18d. Shop now >**

## What's in your account:

### Domains

**Update your domain settings**
Log in to make changes, like pointing them to your Facebook or Twitter page.

T-S-ENTERPRISES.COM
TOOSMOOTHENTERTAINMENT.CO.UK
T-S-ENTERPRISES.CO.UK
TOOSMOOTHENTERTAINMENT.COM
TOOSMOOTH.CO.UK

**Manage Your Domains**

## cPanel Hosting

50+ apps are available in your plan.

**Add More**

## Office 365

Need to add or remove an account?

**Get Started**

.store

Hang your shingle in a global marketplace with a **.store** web and email address. Shop new .store domains for just ~~£58.10~~ £3.99 right now.

| .xyz | .travel | .biz |
|---|---|---|
| ~~£11.70~~ £0.88* | ~~£123.86~~ £34.14* | ~~£18.10~~ £7.10* |

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2000254146

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 15/11/2018 07:08:42 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | RE: Appeal-Section-2-outcome |
| **Attachments:** | Appeal-section-2-Outcome-14-11-2018.pdf |

please see attached

Appeal-section-2-Outcome-14-11-2018.pdf

Barnet, Enfield and Haringey
Mental Health NHS Trust

Mental Health Act Office
1st Floor, The Chase Building
Chase Farm Hospital
The Ridgeway
EN2 8JL

020 8702 4711 / 4712 / 4713 / 4714
beh-tr.emhu-mha@nhs.net

Mr Simon Cordell
Dorset Ward
Chase Farm Hospital
The Ridgeway
EN2 8JL

14/11/2018

Dear Mr Cordell

Please find attached a copy of the written decision from your recent Mental Health Tribunal hearing.

Please don't hesitate to get in touch with me at the number above if you have any questions or concerns.

Yours sincerely,

Karmen Kyprianou
Mental Health Act Officer

Appeal-section-2-Outcome-14-11-2018.pdf

2. Non-RPP
S.2

# The First-tier Tribunal
# (Health, Education and Social Care Chamber)
# Mental Health

Mental Health Act 1983 (as amended)
The Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008

Case Number: MP/2018/29087
Date of Application: 1.11.2018

**Patient: Mr Simon Cordell (born 26.1.1981 )**
A patient now liable to be detained under Section 2 of the Act

Responsible Authority: BEH Mental Health NHS Trust
Hospital: Chase Farm Hospital

Before
Ms K. Hyman (Judge)
Dr G. Luyombya (Medical Member)
Mrs K. Charlwood (Specialist Lay Member)

Sitting at Chase Farm Hospital on 8th November, 2018

Decision
The patient shall not be discharged from liability to be detained.

Recommendation pursuant to section 72(3)(a)
The tribunal does not make a recommendation.

Representation
Patient: Ms R. Caswell, Duncan Lewis Solicitors
Responsible Authority: Not Represented.

Attendance by Patient
The Patient attended the hearing.

Announcement of Decision
The decision was announced at the end of the hearing.
The patient was present for the announcement.
The patient's representative was present for the announcement.

Appeal-section-2-Outcome-14-11-2018.pdf

Pre-Hearing Medical Examination of the Patient

A pre-hearing examination of the patient was indicated under the Rules.

The interview with the patient took place on 8th November, 2018.

The Tribunal considered:

Oral evidence from Dr J. Greensides, RC; Nurse Thembi Magodlela; Mr Soobah Appadoo, CPN; Mr Simon Cordell, patient and Mrs Cordell, patient's mother.

Written evidence from Dr M. Elia, ST6; Nurse Bibi Khodabux; Mr Soobah Appadoo,CPN

Other material, namely Responsible Authority Statement of Information,

Observers: Mrs Fiona Bateman, (Judicial Shadowing Scheme) and Student Nurse Skubik

Jurisdiction, Preliminary and Procedural Matters

1. The tribunal is satisfied that it has jurisdiction to consider this application.
2. The solicitor for the patient sought permission to submit a 6 page document from Mrs Cordell, the nearest relative. The solicitor indicated that the document expressed the nearest relative's views and those of a cousin. The panel considered the request and noted that Mrs Cordell's views as regards her son's detention and the housing problems he has experienced were fully reflected in the social circumstances report provided. The panel would also allow her to speak at the tribunal hearing if she wished to do so. In those circumstances, we did not accept the submission of the document.

Grounds for the Decision

1. The tribunal is satisfied that the patient is suffering from mental disorder or from mental disorder of a nature or degree which warrants the patient's detention in a hospital for assessment (or for assessment followed by medical treatment) for at least a limited period.
2. The tribunal is satisfied that the patient's detention as aforesaid is justified in the interests of the patient's own health or safety, or with a view to the protection of other persons.
3. The tribunal does not consider that it is appropriate to discharge the patient under its discretionary powers.

Reasons

1.Background

Mr Simon Cordell is aged 37 and is single and resides in council accommodation in the community. There is a longstanding history of difficulties with neighbours at his accommodation which was detailed in the reports. His background and history was documented in the statutory reports provided to the panel. He has been known to Adult Mental Health Services since 2014. He has had varied diagnoses in the past and has been found not to require section under the Mental Health Act in 2014 and 2015. He was however detained subject to Section 2 in August, 2016 and was subsequently discharged by a Tribunal. The history indicated that he was discharged on prescribed medication and followed up by EIS. He reportedly did not engage with services or medication and was thereafter discharged from EIS. He has a current working diagnosis of schizophrenia.

The current admission follows an incident in October, 2018 which led to safeguarding concerns and the Enfield Adult North Locality Team's decision to arrange an MHA assessment. Mr Cordell was detained subject to Section 2 on the 25.11.2018.

Appeal-section-2-Outcome-14-11-2018.pdf

2. The Responsible Authority's case

The clinical case argued that the patient has a chronic and enduring mental illness. It is unclear whether the mental disorder responds to treatment as the patient has not engaged consistently with treatment. Currently, the patient has been assessed without medication as Mr Cordell does not accept that he requires psychotropic medication. Mr Cordell presents with a number of persecutory, paranoid thoughts in relation to his beliefs that the police and his neighbours are in some way targeting him. Mr Cordell also exhibits thought disorder and some tangentiality in his response to questions posed. The professional evidence argued that the nature and degree of the mental disorder warranted the patient's continued detention of assessment which is justified in the interests of the patient's health, safety and the protection of others.

3. The patient's view

Mr Cordell was polite and courteous towards the panel. He told the panel that he did not accept that he has a mental illness or any need for medication. He said he experienced anxiety and distress at his accommodation. He indicated that the 48 allegations between 6.7.2016 and 2.10.2018 set out in the medical report from an Enfield Council Report regarding concerns and breaches of his tenancy agreement were all fabricated. He did not accept that he was in any way at fault. He repeated on several occasions that his neighbours had submitted a litany of complaints to council officials about him in order to undermine his occupation of the premises. He said that he has been stopped from organising festivals and had set up a website to air his frustrations about his perception of the injustice of his treatment. He told the panel that he would remain as a voluntary patient

4. The nature and degree of the mental disorder

As to the nature of the mental disorder, the patient's illness appears to be a chronic illness which has persisted for some time. It is unclear as to the patient's response to treatment as yet. Mr Cordell told the panel that he did not take the psychotropic medication prescribed following his last discharge in 2016. The clinical team have sought the first recommendation for Section 3 and intend to commence treatment with psychotropic medication in due course. Mr Cordell displayed no insight into his mental health difficulties and sought to minimise his actions prior to the current admission.

As to the degree of the mental disorder, the patient's evidence was tangential, guarded and there was clear thought disorder. Dr Greensides told the panel that he had looked at Mr Cordell's website which indicated the presence of thought disorder. The panel asked Mr Cordell about a telephone conversation with Mr Appadoo which is detailed in the social circumstances report; the patient is alleged to have used foul and threatening language throughout the conversation. Mr Cordell did not dispute the telephone conversation and sought to minimise his actions stating that the content was out of context. He was unable to contain his thoughts on the question posed as to whether, reflecting on the matter now, he thought his response was inappropriate.

The nursing evidence in contrast to the panel's observation, indicated that the patient has not exhibited any psychotic symptoms. On a positive note there has been some improvement in the patient's presentation overall as he is no longer challenging, irritable or confrontational.

5. The detention is justified in the interests of the patient's health, safety and the protection of others

As to the patient's health, the professional evidence indicated that psychotropic medication is to be commenced and the patient's response to treatment is to be monitored. The clinical view is that a period of treatment is now required to address the patient's psychotic symptoms. The clinical view is that the patient is unlikely to engage as an informal patient and a previous attempt at treating the patient in the community was unsuccessful.

Appeal-section-2-Outcome-14-11-2018.pdf

As to the patient's safety, there is historical information that Mr Cordell has attempted to self-harm in the past. This is not a current concern. Mr Cordell's difficulties at his accommodation may pose a risk of eviction. However, further clarification is required during the period of the assessment on this point. There is a potential risk of retaliation from others when he is behaving aggressively towards others.

As regards the protection of others, Mr Cordell has entrenched and longstanding views and there have been incidents of aggression involving his neighbours, council officials, and the police prior to admission. He showed little capacity for self-reflection or remorse during his evidence when he was questioned about his telephone interaction with Mr Appadoo. We note that the allegations of physical and verbal altercations with his neighbours were relied upon to obtain an order for an injunction as recently as the 9.1.2018 which was later discharged in July 2018 due to the patient's lack of capacity to understand the conditions of the injunction due to his psychotic illness.

6. Our conclusions

We accept the clinical evidence as to the nature and degree of the mental disorder. We have no doubt that there is some element of neighbour dispute; however Mr Cordell's response to such triggers appear to be rooted in a mental disorder which will need to be assessed during this admission. We also accept that the detention is justified in the interests of the patient's health, safety and the protection of others for the reasons set out above.

7. Exercise of discretion

There were no special features of this case which persuaded us to exercise our discretion to discharge.

8. Statutory criteria

The grounds and statutory criteria are satisfied. The section is upheld

Judge Hyman
Date 8th November, 2018

Notice

A person seeking permission to appeal must make a written application to the tribunal for permission to appeal. An application for permission must:

a. identify the decision of the tribunal to which it relates;
b. identify the alleged error or errors of law in the decision; and
c. state the result the party making the application is seeking.

An application for permission must be sent or delivered to the tribunal so that it is received no later than 28 days after the latest of the dates that the tribunal sends to the person making the application:

a. written reasons for the decision;
b. notification of amended reasons for, or correction of, the decision following a review; or
c. notification that an application for the decision to be set aside has been unsuccessful. (Note: This date only applies if the application for the decision to be set aside was made within the initial 28 day time limit, or any extension of that time previously granted by the tribunal.)

If the person seeking permission to appeal sends or delivers the application to the tribunal later than the time required then:

a. the application must include a request that the tribunal extends the time limit

under Rule 5(3)(a), and give the reason(s) why the application was not provided in time; and

b. unless the tribunal extends time for the application to be made, a late application cannot be admitted.

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 22 November 2018 15:42
**To:** 'enquiries@edmonton.countycourt.gsi.gov.uk'
**Subject:** RE: For the attention of District Judge Dias - E00ED049
**Attachments:** For the attention of District Judge Dias.pdf

**Importance:** High

To Whom It May Concern:

I have wrote the attached letter for the attention of District Judge Dias after a call I made to the court and being told to do this, could you kindly forward the attached letter to District Judge Dias

Regards

Lorraine Cordell

Miss Lorraine Cordell
109 Burncroft Ave
Enfield
EN3 7JQ

Case Ref: E00ED049
For the attention of District Judge Dias
For and On behalf of Mr Simon Cordell from Miss Lorraine Cordell (Mother)
22/11/2018

THE LONDON BOROUGH OF ENFIELD
VS
MR SIMON CORDELL

Dear District Judge Dias

It is with concern that I must now bring this matter to your attention regarding the hearing of the 09th August 2018 case reference E00ED049 for which you was the presiding judge

Whereby You asked Enfield Council to draft the order and to be submitted to the court for it to be sealed, Enfield Council contacted Mr Cordell's solicitor regarding amendments that were made, Mr Cordell's solicitor was away on annual leave, when Mr Cordell solicitor came back from annual leave she made amendments to Enfield Council's draft order but has never heard back regarding the amendments she made.

Enfield Council's draft order was somehow then sealed by the court a few days after Mr Cordell's solicitor sent the draft order she had made to Enfield Council and the

courts. At this time the 22 November 2018 we still have not had a copy of the courts sealed order.

I believe there is errors within Enfield Council's draft order to what was actually said in court, and I do not know how to address this, but Enfield Council is stating things to people that was not even stated in court.

At this time I am trying to put in an application to obtain the transcripts of the court hearing, but I am waiting for some information from the court in order to be able to do this.

Mr Cordell has not long been released from hospital where he was under section, Enfield Council have still not moved him and he still living in hell regarding what the neighbours are doing to him.

It would seem Enfield Council has been relaying incorrect information to the mental health team regarding the court hearings, and I believe they are being able to get away with this due to how they drafted the court order of the 09th August 2018 hearing.

It seems Enfield Council is doing everything they can not to move my son, they have even stated they are going for a possession order of his flat, in fact they told the mental health team:

> *"Enfield Council has decided to seek possession of Mr Cordell's flat via the courts. In a recent court case the judge recommended that Enfield Council re-house Mr Cordell on the proviso that he engages with the mental health team which is failed to do."*

This was not said in court in fact when Enfield Council tried to put this in place you told them no you would not allow this.

It seems as if Enfield Council will stop at nothing to not move my son, I have been trying to liaison with Enfield Council and the mental health team regarding moving my son, it would seem shortly after the court hearing my son was moved over to a

new mental health team who I was in contact with asking for help in regards to them writing a letter regarding my son's housing which they refused to do until they had met him, this in itself was going to cause a problem because as you are aware my son does not feel as if he has a mental health problem, I even emailed Angela Hague as she was the last person to have assessed my son in June 2018 which the court had a report of and was read before the court on the 26 June 2018 at the hearing.

The issue seems to be with the like to like property, which I do not believe is appropriate as I believe my son needs family support and someone staying with him in order for us to try and make him understand that he needs support from the mental health team, I know this was spoken about in court on 9 August 2018 where I believe Enfield Council is stating you told them to consider this, but Enfield Council will not consider this unless I get a letter from the mental health team, Enfield Council is also under the assumption I stated my son needed supported accommodation, I did not state this in court, I said I did not want my son in supported accommodation that if my son had a two-bedroom property his family would support him which I believe in the correct things to do for my son.

It seems as if Enfield Council is continuously passing information that is incorrect to the mental health team, and the only reason I can see for this is that they are trying to keep him in hospital.

From the point my son was hospitalised and taken out of that flat his health started to improve greatly in hospital, even the doctors and nurses noticed this, they tried to put in place a section 3 due to what Enfield Council has said to them, the section 3 was not granted due to laws within section 3 and my son not being detain-able under section 3, my son stated he was willing to stay voluntarily in hospital and he was willing to do this, but due to the doctors not getting the section 3 they wanted, they then discharged my son the following day with no support in place because they needed the beds.

Since my son has gone back to the flat his health has started to decline again, due to what the neighbours are doing. When my son was in hospital his cousin was staying at the flat to look after my son's dog, the first day he stayed there he himself was going

to go up to the neighbours regarding the constant banging, the next day the neighbours saw my son's cousin from their window and I believe at that point they knew my son was not there, so the banging stopped.

Since my son was getting no help from Enfield Council I took it upon myself to make an appointment to see his MP, his MP is in contact with Enfield Council, but the longer my son is left in that flat the worst his health is going to get due to what the neighbours are doing. I believe the MP has now also caught adult social services involved in at this time we are waiting for a letter from Enfield Council regarding moving my son, but I am scared due to Enfield Council knowing my son has been released from hospital they are going to start court proceedings for a possession order, although the MP has told me not to worry about my son being evicted I cannot help but worry, I have tried to get hold of my sons solicitor who acted for him but due to them being more involved in criminal law I do not believe as was stated in court on 9 August 2018 they understand civil in the way it should be, a belief they feel that the case was concluded on 9 August 2018, and therefore have little involvement thereafter.

When I called the court and explained the situation the court bought up the order of 9 August 2018, and stated there is not an order that my son is moved by Enfield Council, I was under the belief that this is what the court did order, therefore I fail to understand why it is not included as part of the court order Enfield Council drafted.

Any help would be greatly appreciated as at this point in time I am not sure what to do or where I stand to help my son, it seems Enfield Council can do what they want to leave my son in the flat which is affecting his health due to what the neighbours are doing, mislead the mental health service in what Enfield Council is saying to them, not once since this order was made has Enfield Council bothered to even want to see my son to see how he is coping, I'm sure there should be some duty of care towards my son yet Enfield Council don't seem to believe they need to follow that.

It just like the way throughout all the court hearings Enfield Council was at, where they misled the court regarding to my son's health, I am asking for help as at this point I don't know where to turn and what to do.

I look forward to hearing from you with your views and recommendations in regards to this.

Yours Sincerely

L. Cordell

Miss Lorraine Cordell (Mother of Simon Cordell0

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 25 November 2018 12:07
**To:** 'enfield.data.protection.officer@enfield.gov.uk'
**Subject:** RE: Subject access Request Simon Cordell
**Attachments:** Simon-Records-Request-Enfield-Council-25-11-2018.pdf; ESA-Comfirmed-Letter-08-03-2018.pdf; Simon-Licence-Front-Back.pdf; Citizencard.pdf

To Whom It May Concern:

Please see attached 4 documents regarding the request for all data that his held about me on Enfield Council systems all departments.

If you need a fee or any other information please reply to this Email as soon as possible.

Regards

Mr Simon Paul Cordell
109 Burncroft Ave
Enfield
Middlesex
EN3 7JQ
25/11/2018

Data Protection Officer
Enfield Council Civic Offices
Silver Street
Enfield
EN1 3XA

**Subject access request**

Dear Sir or Madam

I Mr Simon Paul Cordell of
109 Burncroft Ave, Enfield, Middlesex, EN3 7JQ
DOB: 26/01/1981

Please supply the data about me that I am entitled to under data protection law

1. Full copy of all records held about me on all Enfield council systems all departments, this would include all departments at Enfield Council and any information that has been shared between any government bodies and 3rd parties.

2. This would include everything that is held on IT systems and held in paper-base files, for all departments, Telephone Calls, Emails, shared information, Audio and video, this would include all dates and times information was received or sent regarding Mr Cordell.

3. Community Safety Unit involvement, including all calls and letters and emails relating to Mr Cordell and any shared information this would include emails phone calls and any other related information, this would include all dates and times information was received or sent regarding Mr Cordell.

4. Anti-Social Behaviour team all reports, including all calls and letters and emails, video audio and shared information this would include all dates and times information was received and sent relating to Mr Cordell to any government body or 3rd party.

5. Any neighbours reports statements and emails audio and video and Enfield Council reports, relating to Anti-Social Behaviour, to and from Enfield Council and any other 3rd party, or government body, this would include police and, mental health services, adult social care MPs and any information shared, this would include all dates and times information was received and sent relating to Mr Cordell.

6. Any information where repairs have needed to be carried out due to Mr Cordell, or a 3rd party causing damage to property. This would include any repairs that were needed from any 3rd party or 3rd party landlord and all invoices for such work being carried out for any repairs needed or proof that work has been carried out this would include phone calls and emails, and any information shared, this would include all dates and times information was received and sent relating to Mr Cordell.

7. Everything relating to the work Enfield Council done on Anti-Social Behaviour order for illegal raves with police in 2014, 2015, 2016, 2017, 2018 this would include all emails with any other body and meetings and statements written, to and from Enfield Council and police and any other 3rd party, and government bodies, and information shared. This would include all dates and times information was received and sent relating to Mr Cordell.

8. Any court actions taken against Mr Simon Cordell by Enfield Council, with all court documents and any emails regarding court action. This would include any audio and video that was stated in court that had been obtained by Enfield Council, any emails, phone calls, meetings that were done regarding any court

action. This would include all dates and times information was received and sent relating to Mr Cordell.

9. Any information police and Enfield council has shared about Mr Cordell, this would include any emails and any other data used to contract each other. This would include all dates and times information was received and sent relating to Mr Cordell.

10. Any telephone call recording, relating to Mr Cordell from any outside body this would include Enfield Council making such calls. If no recording data is able to be produced any dates and times any calls were made or received relating to Mr Cordell

11. All emails or Letters sent by Miss Lorraine Cordell to Enfield Council, including all dates and times and if a reply was sent from email Council.

12. Any investigations done by the Anti-Social Behaviour and Lemmy Nwabuisi or any member of staff of Enfield Council to find out if what was being said by the neighbours was in fact the truth. This would include all information from any government body outside Enfield Council.

13. Any investigations done by the Anti-Social Behaviour and Lemmy Nwabuisi or any member of staff of Enfield Council to find out if what Mr Cordell was saying the neighbours was doing was correct, this would include via the police. Also when Mr Cordell was not charged with anything was any investigation done to the reason why Mr Cordell has not been charged. This would include all emails and dates and times information was received and sent relating to Mr Cordell.

14. Any meetings to see Mr Cordell by Enfield Council when Enfield Council knew Mr Cordell did not leave his flat to grain facts to what Mr Cordell was saying the neighbours was doing and look at any evidence Mr Cordell and his mother stated they had which would prove that the neighbours were not telling the truth, this would include any meeting arranged via Enfield Council to attend with police which they were told they could. This would include any dates and times meetings was set up to see Mr Cordell by Enfield Council.

15. Anything Enfield Council did to support Mr Cordell or put support in place when they were told time and time again that Mr Cordell health was not good and that he was a valuable person. This would include all emails and letters, phone calls and dates and times information was sent or received.

16. All medical information Enfield Council used in court regarding Mr Cordell regarding his health from 2017 to 2018 were Enfield Council got the said information, all emails and letters phone calls this would include any dates and times information was sent or received. This would include were Enfield Council got the information Mr Cordell had PTSD but that he had been discharged from the mental health team in 2017 and that his health was fine now and he had nothing wrong with him, that was used in court on the 30/05/2018 before judge Dais.

17. The names of any people in Enfield Council all departments, the Mental Health Team, the police, and any 3rd party or government body of any person passing information over and receiving information relating to Mr Cordell. This would include all letters, Emails, Phone calls, meetings, dates and times information was sent or received relating to Mr Cordell.

18. All persons names that have been sharing information to the Mental Health and police from Enfield Council and all said information that has been shared. This would include all letters, Emails, Phone calls, meetings, dates and times information was sent or received relating to Mr Cordell.

19. Any consent that Mr Cordell has given that allows the sharing of any information to government bodies or 3rd parties, and where information has been shared without consent the law under which this has been done, which would include the information which can be shared under that law.

I know information that is being held about me is incorrect I have tried to deal with this a number of times yet the information that is incorrect is still being used against me and is still on the systems. I have asked for this information before but I have never got all the information I requested so want this done under the new data protection law 2018 this would include all information that has been given in the past.

If any information is being withheld I would like to know why and for what reason it is being withheld and to be sent full information as to why it is being withheld.

I have already given authority to Enfield Council that should be on record, for my mother Miss Lorraine Cordell to be able to do anything for me on my behalf her details are below which should already be on Enfield Council system. I have included my ID with this application:

- **Phone Number: 07807 333545 (this is my mothers phone number)**
- **Email address is lorraine32@blueyonder.co.uk)**
- **Miss Lorraine Cordell, 23 Byron Terrace, Edmonton, London N9 7DG**

If the information can not be emailed to my mothers emails can it please be sent to her home address which the information is above for this to be done.

If you need any more data from me, or a fee, please let me know as soon as possible. It may be helpful for you to know that data protection law requires you to respond to a request for data within one calendar month.

If you do not normally deal with these requests, please pass this letter to your Data Protection Officer, or relevant staff member. If you need advice on dealing with this request, the Information Commissioner's Office can assist you. Its website is ico.org.uk or it can be contacted on 0303 123 1113.

Yours faithfully

Mr Simon Paul Cordell

MR SIMON PAUL CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

Department for
Work and Pensions

ESA Merthyr Tydfil Post Handling
Site B Wolverhampton WV99 2FN

www.gov.uk

Telephone: 0800 169 0310 Text
phone: 0800 169 0314
Date: 08/03/2018

If you get in touch with us, tell us
this reference number:
JH653811D

Dear MR SIMON PAUL CORDELL,

Thank you for your request for information.

The details are as follows:-

You were awarded Employment Support Allowance Contributory; Employment Support Allowance Income Related

Claim start date 19/09/17

Claim termination date LIVE CLAIM
At a weekly rate of £125.55

Paid up to:

Any other information: IN SUPPORT GROUP ON ESA

For any further enquiries please contact us on the above number.

Benefit Centre Manager

Part of the Department for Work and Pensions

**From:** Edmonton County, Enquiries <enquiries.edmonton.countycourt@justice.gov.uk>
**Sent:** 27 November 2018 13:31
**To:** Lorraine Cordell
**Subject:** RE: urgent D02ED073

Thank you for your email of 12th November 2018.

The file was referred to a Judge who has made the following comments.

"The above case was in Court on the following dates, time and before the following Deputy/District Judges.
9.8.17 Before Deputy District Judge Harris.
21.8.17 Before Deputy District Judge Perry at 10:00 am.
14.9.17 was adjourned to 25.9.17.
25.9.17 Before Employment Judge Taylor at 10:00 am.

The above information is provided as requested."

Civil Section | HMCTS | In the Civil and Family Court at Edmonton, 59 Fore Street, Upper Edmonton, London, N18 2TN | DX - 136686 Edmonton 3
Phone: 0208 884 6500

'I am not authorised to bind the Ministry of Justice contractually, nor to make representations or other statements which may bind the Ministry of Justice in any way via electronic means'
The HMCTS website: http://www.justice.gov.uk/about/hmcts
Find your local County Court: https://courttribunalfinder.service.gov.uk
Find the forms you need in Court proceedings: http://hmctsformfinder.justice.gov.uk/HMCTS/FormFinder.do
For information on how HMCTS uses personal data about you please see:
https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 12 November 2018 15:39
**To:** Edmonton County, Enquiries <enquiries.edmonton.countycourt@justice.gov.uk>
**Subject:** FW: urgent D02ED073
**Importance:** High

To Whom It May Concern:

I am writing this update email from the email below I believe I will need

Each court date this was in court

What time it was heard in court and for how long.

Which court number was heard in.

The judge that heard the case for each court hearing.

On what dates was it heard ex parte and how long the hearing lasted.

Regards

Simon Cordell

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 12 November 2018 14:54
**To:** 'Edmonton County, Enquiries'
**Subject:** RE: urgent D02ED073
**Importance:** High

To Whom It May Concern:

I am writing in regard to the case number D02ED073 which was discharged on the 06/11/2017, I was wondering if possible could I get a list of all court dates this case was in court.

Regards

Simon Cordell

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This e-mail and any attachments is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. Monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 28/11/2018 11:42:41 AM |
| **To:** | re_wired@ymail.com |
| **Subject:** | please deal with this |
| **Attachments:** | Reports-neighbours-Council-23-11-2018-002.doc |

Please take each one and tell me what happened on each date do not go into one and just write what happened.

On 6th July 2016, it is alleged that you approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

Sometime in July 2016 it is alleged that you damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 6th August 2016, it is alleged that you threatened one of your neighbours and his wife and aggressively demanded money from him. It is also alleged that you repeatedly swore and shouted abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

Sometimes in September 2016 it is alleged that you confronted an elderly neighbour outside your block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and threats at him and said to him 'I can get you over at the park, I know you go for a walk'

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 27th September 2016, it is alleged that you confronted one of your neighbours as he was returned to his flat with his family and threatened and swore at him and demanded money from him. It is also alleged that you later banged on his door, shouted further abuse and swear words at him and accused him of making noises inside his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th September 2016, it is alleged that you aggressively banged on a neighbour's door and threatened and shouted verbal abuse and swear words at them. It is also alleged that you aggressively demanded money from him.

Please write here what happened with this alleged allegation, write if you got any evidence of

this.

On 4th October 2016, it is alleged that you aggressively banged on your ceiling and accused one of your neighbours of making noises, you then went to your neighbour's flat and started kicking and banging on his front door aggressively, accused him of banging on the floor and was swearing and shouting abuse at him. It is also alleged that you later went downstairs, dragged your neighbour's motorbike from where it was parked and started to hit it with a piece of wood.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 22nd November 2016 during a telephone conversation between you, Mrs Cordell your mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard you threatened her by saying 'I'm gonna do her over' and then 'I'm gonna take her job just for fun'.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 8th December 2016, it is alleged that you aggressively banged on one of your neighbours' front door, shouted abuse and threats and accused him of making noise.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 11th December 2016, it is alleged that you aggressively banged on your neighbour's door several times and accused them of banging on pipes. It is also alleged that you shouted abuse and threats at them.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th December 2016, it is alleged that you were verbally abusive towards a woman who was visiting one of your neighbours as she knocked on your neighbour's door.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 23rd December 2016, it is alleged that you banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. You then removed their electricity fuse thereby cutting off their power supply.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 26th December 2016, it is alleged that you ran up the communal stairs to the first floor and confronted one of your neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with your water supply, you also attempted to stop him from leaving the block.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 3rd January 2017, it is alleged that you confronted one of your neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 21st January 2017, it is alleged that you aggressively banged on your neighbour's door, swore and shouted abuse and threats at them and accused them of making noises.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 31st January 2017, it is alleged that you aggressively banged on your neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

We received a report that on 7th February 2017 you approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. You said to the leaseholder that there were problems between you and his tenants but did not give any specific details. The leaseholder explained to you that his tenants were experiencing low water pressure in the flat and you said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later knocked on your door and asked whether you would increase the water pressure and you stated 'I cannot do anything at the moment, I will sort it out later'.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended your property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside your flat, they observed that you have installed an iron security gate inside your front door. It also appeared to them that the wall between your kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was taken up industrial type printers, boxes and folders and there were dog faeces in your back garden.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through your door and as he got into his car to drive off after posting the letter, you ran after him shouting and screaming abuse. The letter requested that you attend our offices to discuss the nuisance reports being received from your neighbours. By the time he returned to the office, you had telephoned him several times. He telephoned you back and you asked whether he was the person that posted a letter through your letterbox
and he said yes. You asked why he did not stop when you ran after him and he stated that he had another visit and did not have the time to stop and talk to you. You stated that you will not attend the meeting at the Civic Centre or any of the council offices as you are unable to leave your flat and that the meeting should take place in your flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at your mother's house but you refused saying that you have done nothing wrong and accused him of taking sides with your neighbours.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 5th May 2017, it is alleged that you threatened one of your neighbours by saying that you will ruin his life and that you were going to the police to present evidence about his illegal activities.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th May 2017, it is alleged that you aggressively banged on one of your neighbour's door, shouted abuse and threats at her and falsely accused her of making noise and coming into your flat to attack you. You later followed her to her car shouting abuse and wanting to know where she was going.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th May 2017 it is alleged that you allowed your dog to run freely in the communal area of your block without a lead.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th May 2017, the police issued you with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of your neighbours.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th June 2017, it is alleged that you attacked one of your neighbours in the communal hallway of your block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. You also snatched his phone from him as he tried to video-record the incident.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 16th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you had her bank details and personal details such as date of birth and said to her that you wanted her and her husband to pay you some money.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 18th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you knew what time she went out and what time she returned and to tell her husband that you would like to speak to him.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 23rd June 2017 at 23:35hrs it is alleged that you came out of your flat with your dog without a lead and attacked one of your neighbours as he returned from work by punching him twice on the chest. You tried to push him out of the block and snatched his phone as he brought took it out of his pocket to record the incident.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block. You swore and shouted abuse at her and accused her of making noise inside her flat. You told her that you know all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. You demanded that they pay you some money and asked her to tell her husband to come and see you.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 30th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block and accused her of slamming the door. She denied slamming the door and called her a liar and proceeded to swear and shout abuse at her.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 2nd July 2017 at 17:18hrs it is alleged that you confronted your neighbour as he was going out with his family with your dog barking and without a lead and asked him when he was going to hand over the money. It is also alleged that as they left the block, you ran after them swearing and shouting abuse at your neighbour and demanding that he must pay you some money if he wants you to leave him alone. You also said to him that you have all their personal details including their dates of birth and bank details.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 12th July 2017 an Enfield Council Surveyor attended your flat to investigate reports of low water pressure to flats above yours but you refused him access. The Surveyor attended your flat again in the evening of the same day following further reports that the water supply to the affected flats had completely ceased and you refused him access. You then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. He then called the police.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 11th November 2017 at 11.30am, it is alleged by one of your neighbours that you came to their front door, opened the letterbox and peeped through it to see who was inside the flat. You then started swearing and shouting abuse and banging on their front door as soon as you saw the neighbour's wife.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 2nd January 2018 at 6.30pm, it is alleged that you stood outside your neighbour's property for more than twenty minutes swearing and shouting abuse. You went away and returned half an hour later, you lifted their letterbox, stuck your mobile phone through the letterbox and started to record his family while swearing and shouting abuse. This went on for about fifteen minutes.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th January 2018 at about 12.18pm, you telephone Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an antisocial behaviour order against him and you told him that he had made you a prisoner within your home. You also stated that you knew where he lives in Enfield and that he and his family were not safe from you. You also told him that you would watch him leave the office and you would have followed him home and he needed to watch his back. You called the ASB officer again 30 minutes later and told him that you knew he has a flat in Edmonton and also knew that one of his colleagues lives in Edmonton. You also stated that you knew where they live and they were not safe.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th January 2018 you called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 26th February 2018, at around 11.45pm it is alleged that you came to one of your neighbour's front door and started making loud banging noises and rattling with their letter box. You ran away after the neighbour opened her front door.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 1st March 2018 it is alleged that you knocked on one of your neighbours' door loudly, you started rattling with their letter box and started shouting. This went on for 5 to 10 minutes but you left after you've heard that the neighbour was calling the police.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 15th March 2018 it is alleged that you swore, shouted and assaulted one of you neighbours in front of his wife and his 3 years old child.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 1st May 2018, you attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that you started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of your neighbours who attended Court to give evidence. You also swore at a judge. These incidents were witnessed by members of staff working at the Court.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 29th May 2018, it is alleged that you attended one of your neighbours' property; you took your dog with you and waited by their front door. It is alleged that you tried to intimidate them as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against you.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 30 May 2018, it is alleged that you made threats to kill to one of your neighbours. The matter was reported to the police. You were arrested and released on bail.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

You assaulted one of your neighbours on the 26th August 2018 for flashing his toilet.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

You telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th September 2018 and made threats to them over the telephone. You also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction

Please write here what happened with this alleged allegation, write if you got any evidence of

this.

On 12th September 2018 at about 3.50pm, you called one of your neighbours on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. You called again using the same private number, but he terminated the call as soon as he heard your voice. You called repeatedly after that.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 24th September 2018 at about 11.30am, one of your neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as well as your front door. As she went up the stairs to their second floor flat, your dog came out of your flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that your dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

One of your neighbours reported that his cousin was leaving the block at about on 2 October 2018 at 12.45pm, and as you exited the block, you followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push you off.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

There are other reports from one of your neighbours who reported that on 30th September 2018, you attempted to break down his front door by kicking it several times only because he flashed his toilet.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

It is reported that you continue to harass and intimidate other residents on a regular basis.

**From:** PERICLIS, Tracey (BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST) <tracey.periclis@nhs.net>
**Sent:** 28 November 2018 14:05
**To:** Lorraine32@blueyonder.co.uk
**Cc:** Patient.experience (BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST)
**Subject:** Private & Confidential : Trust Response
**Attachments:** 2018 11 28 Signed response.pdf

**Sent on behalf of Jinjer Kandola, Chief Executive, Barnet, Enfield & Haringey MH NHS Trust**

Dear Mrs Cordell

Please find attached the Trust's response for your attention.

Yours sincerely

Tracy Periclis
Executive Assistant to Chairman, Mark Lam
Executive Assistant to Chief Executive, Jinjer Kandola
Barnet, Enfield & Haringey MH NHS Trust
Trust HQ, Orchard House
St Ann's Hospital
St Ann's Road
London
N15 3TH
Tel: 020 8 702 6000
Tracey.periclis@nhs.net
Line Manager: Katia Louka, Trust Secretary
Tel: 020 8 702 3035
Katia.louka@nhs.net

**********
This message may contain confidential information. If you are not the intended recipient please inform the
sender that you have received the message in error before deleting it.
Please do not disclose, copy or distribute information in this e-mail or take any action in relation to its contents. To do so is strictly prohibited and may be unlawful. Thank you for your co-operation.

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https://portal.nhs.net/help/joiningnhsmail

Barnet, Enfield and Haringey NHS
Mental Health NHS Trust

*A University Teaching Trust*

**Private & Confidential**

Ms Lorraine Cordell
Lorraine32@blueyonder.co.uk
**VIA EMAIL ONLY**

Barnet, Enfield and Haringey Mental Health Trust
Trust Headquarters
Orchard House
St Ann's Hospital
St Ann's Road
London N15 3TH

Tel: 020 8702 3559
Email: beh-tr.chiefexecutive@nhs.net

27th November 2018

Our Ref: ENF/18/Q2/SC/6273

Dear Mrs Cordell

**Re: Your complaint regarding the sharing of your son's information**

Thank you for passing on your concerns in your conversation and initial email with Angela Hague on 30th July 2018, and subsequently with Rachel Yona on 10th August 2018. You raised some key questions relating to information governance and the sharing of information regarding your son. Please accept our sincere apologies for the delay in our response to your queries, which was due to there being a separate ongoing investigation within the Trust regarding the matters you have raised.

Your concerns have been investigated and I am now in a position to respond to your complaint. Your concerns were investigated by Rachel Yona (Enfield Adult Mental Health Community Services Manager), and involved interviews with staff and a review of your son's clinical records.

You stated that a report written by Angela Hague regarding your son, dated 15th June 2018 and 19th June 2018, had been presented in court on 26th June 2018. You stated you had not had prior access to these reports, and explained that you had considered the court case and the assessments by Angela Hague were separate processes.

Please be assured that we have looked into this matter and I can confirm the report used in court was not a formal report, but rather a response by Angela to a request for information. The Trust had communicated to the Council Legal Services that we would not be providing a report for the Court and it was recommended they commission an independent report if this were required. However as part of the investigation, it has been highlighted that this communication was only shared verbally with the Council Legal Services, and the position of the Trust was not clarified in writing.

During our communications with the Council Legal Services it was asked whether your son had engaged in his recent assessment, and it was for this reason the information presented in court was given. Our investigation found that the information which was sent was not a limited, direct response to the question posed to the Trust; I sincerely regret therefore that information was overshared and as such this aspect of your complaint is upheld.

This is a matter we have taken very seriously; I would like to offer you our sincere apologies that your son's information was used for anything other than it's intended use whilst in the hands of the

Chairman: Mark Lam
Chief Executive: Jinjer Kandola

Trust, and assure you that we fully understand our role in ensuring the security and safekeeping of records relating to all of those in our care. We have completed a full internal incident investigation into this matter, and I would like to assure you that all due processes and actions have been taken in relation to this breach.

I understand that you also were concerned about the processing of your son's information by the Court and the Local Authority. We are aware your son did not give consent for his records to be used in Court, and I can confirm the Trust also did not give consent for the sharing of information by the Local Authority with the Court. Our investigation found that the London Borough of Enfield requested to know if your son had engaged in treatment. As part of the legal proceedings the Court had asked for an assessment of your son's capacity to litigate and capacity to understand the meaning of the interim injunction from January 2018. Whilst we cannot speak on behalf of the Courts, we believe that this was why they passed on the information.

I am very sorry to learn that you feel the trust between yourself, your son, and the Mental Health Services has been broken. I understand that your son is now being seen by the Enfield North Locality Team, and I sincerely hope that they will be able to help rebuild the trust and develop a good working relationship with yourself and your son.

I understand that when you discussed your concerns with Rachel Yona (Enfield Community Services Manager) you raised your view that you feel there were inaccuracies within your son's report. Please be advised that whilst we are unable to retrospectively amend records, we are able to add additional entries to reflect your views and comments, and we would be very happy to add any information as you see fit.

Please be assured that the recommendations from this complaint will be shared with the London Borough of Enfield Legal Services and across our Enfield Adult Community Mental Health Teams, to ensure all agencies involved in this situation can learn from this regrettable incident.

We appreciate all feedback from service users' experience of our service as this helps us to assess, reflect on our actions and improve the care we provide. Staff members are committed to providing and delivering a high standard of care to all our service users. We try to ensure that through good support and training opportunities, staff are enabled to deal effectively and sensitively with the needs of all service users and their relatives. When members of our staff fall below the expected levels of performance, we ensure that issues are addressed and dealt with quickly. Our aim is to learn from these experiences and give assurances that any actions as a result of our investigation will be delivered.

If you remain unhappy after this further contact you have the right to take your complaint to the Parliamentary and Health Service Ombudsman. The contact details are as follows:

The Parliamentary and Health Service Ombudsman
Millbank Tower
Millbank
London SW1P 4QP

Helpline: 0345 015 4033

Thank you for bringing these matters to our attention.

Yours sincerely

**Jinjer Kandola**
**Chief Executive**

Chairman: Mark Lam
Chief Executive: Jinjer Kandola

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 30 November 2018 15:27
**To:** 'enquiries@edmonton.countycourt.gsi.gov.uk'
**Subject:** RE: transripts for hearing E00ED049
**Attachments:** ex105-09-08-2018-hearing.pdf; ESA-Comfirmed-Letter-08-03-2018.pdf; Simon-Licence-Front-Back.pdf

**Importance:** High

To Whom It May Concern:

Please see attached application for transcripts for case number E00ED049, also attached in my award letter for ESA and my ID

Please let me know if anything else is needed for this application.

Please could the transcripts if granted be collected by my mother Miss Lorraine Cordell or sent to my mothers email address lorraine32@blueyonder.co.uk

Regards

Simon Cordell

# Request that the costs of transcripts be paid at public expense

- Part 52 Civil Procedure Rules; Paragraph 5.17 of the Practice Direction applies.
- This form should be fully completed and returned to the court **together with a copy of your appeal notice.**
- Wherever possible you should provide documentary proof of the information you provide. Failure to do so may delay your application.

## About the case

Case/Claim number or Appeal number

Date of order you are appealing/intend to appeal and name of judge who made the order

| Date | Name of judge |
|---|---|
| | |

What part of the proceedings do you want to be transcribed?

☐ Judgment only

☐ Evidence only

☑ Entire proceedings

If you have ticked Evidence or Entire proceedings, please give reasons for your request.

Have you obtained any estimate of the costs of providing a transcript from the transcribers?

☐ Yes ☐ No

If Yes, please provide a copy of the estimate

☐ Copy enclosed


© Crown copyright 2007

## About you

☐ Mr ☐ Mrs ☐ Miss ☐ Ms

☐ Other _____

Last name/family name
Please use BLOCK LETTERS

First name
Please use BLOCK LETTERS

Address
Please include the postcode

Contact telephone number

Relationship status

☐ Single

☐ Married/Civil Partnership

☐ Other _____

**Dependants**

The people who you look after financially

Give the number of children aged:

☐ Under 11 yrs ☐ 16 to 17

☐ 11 to 15 ☐ 18

**Others**
State who they are and why you look after them financially

## Previous applications

Have you made a previous application for transcripts to be paid at public expense on this or any other matter?

☐ Yes ☐ No

If Yes, please provide details including court references

## Employment status

☐ Employed ☐ Unemployed ☐ Retired

If employed, please state your occupation

If you are employed, give name and address of your employer*

*You should also supply a copy of your last three wage slips and your P60

## Property in which you live

☐ In your own property ☐ In rented property ☐ In lodgings

☐ In property that you own jointly with someone else ☐ Other (please explain below)

Do you or your spouse/ partner have an interest in any other property?

☐ Yes ☐ No

If Yes, please provide details

## About your finances

### Your savings

Give total amount for each type of savings you and your partner have.

If you do not have one of the types of savings shown, put 'NIL'.

| | | | |
|---|---|---|---|
| Bank account (Current) | | Premium Bonds | |
| Bank account (Deposit) | | Stocks or shares (or both) | |
| Building Society Account (1) | | National Savings Investments | |
| (2) | | Other saving (Give details) | |
| | | | |
| | | | |

## Your usual income

Give the amount you receive each month for each type of income.

If you do not have one of the types of income shown, put 'NIL'.

Add up the amounts and put the sum in the 'Total income each month' box.

| | | | |
|---|---|---|---|
| Your usual take-home pay | a month | Child Benefit | a month |
| Your partner's usual take-home pay | a month | Other benefit or income which is | |
| Income from other people who live with you | a month | | a month |
| Pension(s) | | | a month |
| (1) State | a month | | a month |
| (2) Private or Occupational | a month | | a month |
| | | **Total income each month** | |

## Your usual expenses

Give the amount you pay each month for each type of expense.

If you do not have one of the types of expense shown, put 'NIL'.

Add up the amounts and put the sum in the 'Total expenses each month' box.

| | | | |
|---|---|---|---|
| Rent or Mortgage | a month | Child care | a month |
| Council Tax | a month | Travelling expenses | a month |
| Food and household essentials | a month | Water and Sewerage charges | a month |
| Maintenance and Child Support | a month | Court fines | a month |
| Electricity | a month | Outstanding debts | a month |
| Gas, coal or oil | a month | Clothing | a month |
| Telephone | a month | Other expenses which are | |
| TV rent and licence | a month | | a month |
| | | | a month |
| | | | a month |
| | | **Total expenses each month** | a month |

Do you have any debts? ☐ Yes ☐ No

If Yes, give name and address of creditor and approximate amount outstanding

| Name | Address | Amount |
|---|---|---|
| | | |
| | | |
| | | |

## Declaration

I declare that the information I have given is true to the best of my knowledge and belief and I understand that:

- I will be asked to provide documents as evidence to support my statements;
- my application will not proceed if I do not provide the evidence;
- my application will be refused if I have not disclosed any relevant facts in this form.

Signature

Name (please print)

Date

---

**For Court use only**

☐ Application granted as requested

☐ Application granted in these terms:

☐ Transcript of evidence only

☐ Transcript of judgment only

☐ Application refused

Signed

Judge

Date

MR SIMON PAUL CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

jobcentreplus

Department for
Work and Pensions

ESA Merthyr Tydfil Post Handling
Site B Wolverhampton WV99 2FN

www.gov.uk

Telephone: 0800 169 0310 Text
phone: 0800 169 0314
Date: 08/03/2018

If you get in touch with us, tell us
this reference number:
JH653811D

Dear MR SIMON PAUL CORDELL,

Thank you for your request for information.

The details are as follows:-

You were awarded Employment Support Allowance Contributory; Employment Support Allowance Income Related

Claim start date 19/09/17

Claim termination date LIVE CLAIM
At a weekly rate of £125.55

Paid up to:

Any other information: IN SUPPORT GROUP ON ESA

For any further enquiries please contact us on the above number.

Benefit Centre Manager

Part of the Department for Work and Pensions

INVESTOR IN PEOPLE

**From:** Kailey Plahar <Kailey.Plahar@enfield.gov.uk>
**Sent:** 04 December 2018 12:55
**To:** lorraine32@blueyonder.co.uk
**Subject:** Your request for information (Our ref: CRM SAR 1085)
**Attachments:** ESA-Comfirmed-Letter-08-03-2018.pdf; Simon-Licence-Front-Back.pdf; Citizencard.pdf

Dear Ms Cordell

We note that you have raised a request for information which relates to another person. In line with the Data Protection Act 2018, we are unable to correspond with you on these matters. Where a request for information is made on behalf of somebody else, we need to confirm that they are happy for you to access their personal information. Should Simon Cordell want you to act on their behalf and access their personal information, he will need to provide us with their signed written agreement to the complaint issues raised and for you to proceed with these on their behalf.

We note that your request is for 'all data that is held about me on Enfield Council systems all departments'. As your request does not provide us with much detail, we need you to clarify the specific information you are looking for.

In order for us to retrieve relevant records, we would need to know where your personal information could be located and it would greatly help our search if you are able to give us more details regarding:

- Clarifying the type of information that you think the Council may hold about Mr Cordell
- Clarifying the likely dates or time period when you think the information may have been created
- Clarifying if you only want information relating to a particular issue or specific time period

We have registered your request under case number CRM SAR 1085 and you may quote this when you get back in touch with us.

We look forward to your response. Once we receive the clarification from you, we will contact you with a further update.

Yours sincerely,

Kailey Plahar
Statutory Complaints and Access to Information Officer
Complaints and Access to Information Team
Chief Executive
Enfield Council
Civic Centre
Silver Street, Enfield
EN1 3XA

---

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 25 November 2018 12:07
**To:** Enfield Data Protection Officer (Corporate) <enfield.data.protection.officer@enfield.gov.uk>
**Subject:** RE: Subject access Request Simon Cordell

To Whom It May Concern:

Please see attached 4 documents regarding the request for all data that his held about me on Enfield Council systems all departments.

If you need a fee or any other information please reply to this Email as soon as possible.

Regards

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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.

MR SIMON PAUL CORDELL
109 BURNCROFT AVENUE
ENFIELD
EN3 7JQ

jobcentreplus

Department for Work and Pensions

ESA Merthyr Tydfil Post Handling Site B Wolverhampton WV99 2FN

www.gov.uk

Telephone: 0800 169 0310 Text phone: 0800 169 0314
Date: 08/03/2018

If you get in touch with us, tell us this reference number:
JH653811D

Dear MR SIMON PAUL CORDELL,

Thank you for your request for information.

The details are as follows:-

You were awarded Employment Support Allowance Contributory; Employment Support Allowance Income Related

Claim start date 19/09/17

Claim termination date LIVE CLAIM
At a weekly rate of £125.55

Paid up to:

Any other information: IN SUPPORT GROUP ON ESA

For any further enquiries please contact us on the above number.

Benefit Centre Manager

Part of the Department for Work and Pensions

INVESTOR IN PEOPLE

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 05 December 2018 14:09
**To:** 'Ian Davis'; 'Sarah Cary'; 'Jeremy Chambers'; 'James Rolfe'; 'Tony Theodoulou'; 'Alev Cazimoglu'
**Subject:** RE: Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ
**Attachments:** On behalf of Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ.pdf

To Whom It May Concern:

Please see attached letter regarding issues I have.

Regards

- **Complaint 05/12/2018**

On behalf of Mr Simon Cordell of 109 Burncroft Ave, Enfield, EN3 7JQ

I am writing this email due to issues I have regarding a member of staff who works for Enfield Council by the name off Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator,

Since 2016 when Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator started working for Enfield Council he has been working on investigations relating to my son Mr. Simon Cordell.

In this time not once has Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator, come to see my son's side to the alleged allegations regarding what the neighbours have put in about my son.

Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator has taken one side to these said alleged allegations without no investigations,' Mr Lemmy Nwabuisi it seem has taken one side to everything that has been said and that is the side of the neighbours, Mr Lemmy Nwabuisi has been told many times we have information which would proof my son had not done things which have been stated by the neighbours

Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator knows my son does not leave the flat he was told this, and also told that if he wanted to attend a meeting with my son he could do so with police there to have a meeting to hear my son's side, he has never got back to me regarding having a meeting at my son's home because he never wanted to, which I am sure if someone is a vulnerable person where was the duty of care where has it ever been for my son?

I believe Mr Lemmy Nwabuisi the Anti-Social Behaviour Coordinator just through to himself that my son is in the wrong he is a vulnerable person I will put pressure on him and get him out without even thinking there is 2 side to anything. And just blamed my son without even talking to him this is how it has been since Mr Lemmy

Nwabuisi the Anti-Social Behaviour Coordinator starting working for Enfield Council.

I also feel Mr Lemmy Nwabuisi has taken information and not relayed it back correctly many times regarding my son's health even to the courts. Information is being passed and obtained relating to my son which should never have been passed to 3rd parties or used, how can this be allowed. There are many other points and failings which have been allowed to happen and this needs to stop. I will be drafting up a full complaint of failings and submitting it but this will take a while to draft up as I have got to go back some years.

Mr Lemmy Nwabuisi also had my son arrested on the 09/01/2018 and even through we asked many times, even my own son's solicitors could not understand why he was the person still investigating my son. When his case was part of the court actions being taken against my son by Enfield Council this is against the law that someone is investigating something within there own case and it beaches many other things.

At this point in time I want Mr Lemmy Nwabuisi taken off dealing with anything to do with my son or related to him, I feel he has not done acted correctly and feel he has not investigated anything which would prove my son has done nothing wrong and only wanted to blame him for everything, I have asked this before and heard nothing back regarding this. But it has got to the point in time that this needs to happen.

Could someone please get back to me as soon as possible regarding this?

Regards

Lorraine Cordell

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 06/12/2018 02:02:17 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | RE: Court Letter dated 03-12-2018 |
| **Attachments:** | Seal-Court-Order-09-08-2018-got-on-the-06-12-2018.pdf |

see attached document

Seal-Court-Order-09-08-2018-got-on-the-06-12-2.pdf

HM Courts & Tribunals Service

**Edmonton County Court**
59 Fore Street
Upper Edmonton
London
N18 2TN

**DX** 136686 Edmonton 3

Tel: 020 8884 6560
enquiries@edmonton.countycourt.gsi.gov.uk

**Minicom VII** 0191 478 1476
(Helpline for the deaf and hard of hearing)

**www.hmcourts-service.gov.uk**

Miss Lorraine Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Our ref: E00ED049
Your ref:

03 December 2018

Dear Madam

Thank you for your email of 22nd November 2018.

The file was referred to a Judge who has made the following comments.

"A copy of the Court Order dated 9th August 2018 is attached. If you consider that the Order is incorrect or should be varied, the Court will consider the issue for this upon appropriate application to the Court at a hearing to be listed. Unfortunately, the Court is not able to give advice or enter into correspondence with you but you are strongly advised to seek further independent legal advice with regards to this matter."

Yours faithfully

Customer Services
Enc

Seal-Court-Order-09-08-2018-got-on-the-06-12-2.pdf

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 6 September 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant** **Ref** TKK/TKK/ SIM041/002 |

Before District Judge Dias sitting at the County Court at Edmonton, 59 Fore Street, London, N18 2TN.

**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 8th July 2018, confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 9th January 2018.

**UPON** the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

**UPON** the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.

**AND UPON** the Defendants mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing.

**IT IS ORDERED THAT**

1. The interim injunction order dated 9th January 2018 be discharged forthwith.

2. The Claimants claim and application for an injunction dated 9th January 2018, the Claimants applications for the Defendant's committal dated 5th February and 20 April 2018 and the Claimant's application notice dated 7th August 2018 do stand dismissed.

3. The Claimant should serve a copy of this order upon the Wood Green Police station.

4. There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 07 December 2018 14:24
**To:** 'Trishna Kerai'
**Subject:** RE: Simon Cordel update
**Attachments:** Seal-Court-Order-09-08-2018-got-on-the-06-12-2018.pdf

Dear Trishna Kerai

I am writing this email to see if you can help regarding the case that went on at Edmonton Country Court.

There has been a great deal of issues with Enfield Council and not doing what the Judge stated for them to do.

I have had to write to the judge regarding what Enfield Council are doing and I have had a reply back from the court.

The order that Enfield Council drafted does not even mean they have to move my son, he is living in hell and I am working with the MP also regarding issues.

But the order Enfield Council wrote needs to go back into court and get addressed as this can no longer carry on as it is impacting my son's health.

Could you please take a look at the letter and order that the court sent as we have never had a sealed copy of the order until the other day due to the letter I wrote.

It would also seem that Enfield Council when they got our amended order just asked the court to seal there order.

Also the barrister that attended court for my son on the 09/08/2018 did he make any court notes up if he did could you send them to me.

I would be grateful for any help on this matter

Regards

Lorraine

HM Courts & Tribunals Service

**Edmonton County Court**
59 Fore Street
Upper Edmonton
London
N18 2TN

**DX** 136686 Edmonton 3

Tel: 020 8884 6560
enquiries@edmonton.countycourt.gsi.gov.uk

**Minicom VII** 0191 478 1476
(Helpline for the deaf and hard of hearing)

**www.hmcourts-service.gov.uk**

Miss Lorraine Cordell
109 Burncroft Avenue
Enfield
EN3 7JQ

Our ref: E00ED049
Your ref:

03 December 2018

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The file was referred to a Judge who has made the following comments.

"A copy of the Court Order dated 9th August 2018 is attached. If you consider that the Order is incorrect or should be varied, the Court will consider the issue for this upon appropriate application to the Court at a hearing to be listed. Unfortunately, the Court is not able to give advice or enter into correspondence with you but you are strongly advised to seek further independent legal advice with regards to this matter."

Yours faithfully

Customer Services
Enc

# General Form of Judgment or Order

| In the County Court at Edmonton | |
|---|---|
| **Claim Number** | E00ED049 |
| **Date** | 6 September 2018 |

| | |
|---|---|
| THE LONDON BOROUGH OF ENFIELD | **1st Claimant** **Ref** LS/C/L1/155584 |
| MR SIMON CORDELL | **1st Defendant** **Ref** TKK/TKK/ SIM041/002 |

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**UPON** hearing Solicitor for the Claimant and Defendant, the Defendant's mother, the Defendant's uncle and the Defendant not attending.

**UPON** the Court reviewing the psychiatrist report of Dr Dhinakaran dated 8th July 2018, confirming that the Defendant lacks capacity to litigate and/or capacity to understand the terms of the injunction order made on 9th January 2018.

**UPON** the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.

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**IT IS ORDERED THAT**

1. The interim injunction order dated 9th January 2018 be discharged forthwith.

2. The Claimants claim and application for an injunction dated 9th January 2018, the Claimants applications for the Defendant's committal dated 5th February and 20 April 2018 and the Claimant's application notice dated 7th August 2018 do stand dismissed.

3. The Claimant should serve a copy of this order upon the Wood Green Police station.

4. There be no order as to costs save for detailed assessment of the Defendant's publicly funded costs.

Dated 09 August 2018

| | |
|---|---|
| **From:** | Lorraine Cordell <lorraine32@blueyonder.co.uk> |
| **Sent time:** | 13/12/2018 03:56:07 PM |
| **To:** | re_wired@ymail.com |
| **Subject:** | Please Read and deal with it. |
| **Attachments:** | Reports-neighbours-Council-23-11-2018-002.doc |

Simon

I am trying to deal with this; letters are going in and complaints. I need Lemmy taken off case then I can get where we need to be but I also got to wait for things like the SAR and until I got them its hard as I need to see what is on Enfield Councils systems, I also need other SRA to come back I have asked for.

We need to see what is down for you we need to see what has been shared there is a lot to deal with and it just cant be done over night like you think it can.

I am doing 4 major write-ups and this is just for Enfield Council and these need to be done we need to get complaints up-held which in turn showsthey are in the wrong right now we don't have that.

I have asked for a list to be completed by you in regards to all the dates I sent over in a letter.

I am also doing write-ups for the ASBO one for the IPCC, One for human rights and police misconduct solicitors in the hope we get some help, and one for the courts, which outlays everything that went on in court and what thepolice done.

Yes one write-up can help with the next, I also writing a next write-up for the IPCC for what the lack of what the police have done regarding Enfield Council.

These are not small write-up they are large but have to be kept onpoint.

It would help me greatly if you can complete the dates I outlined in the document I sent you. But to me it seems that is too much for you to do. I will send it again with this but I don't think you will do but see attached.

I think once you see everything I am doing you will see I am not just sitting on my backside and doing nothing. We can not bring a case into court without there being order and the paperwork correctly done. As that will just be all over the place and will go no where. Yes something's will takeages to complete but that does not mean other parts are not getting dealt with.

I want the ASBO back in court as early as I can get it there but the paperwork needs to be in order and we have to have a clear outline of what went on.

Enfield Council are just digging themselves deeper into this, but you got t let it run it's cause.

Things can not be done overnight like you think they can be, and if you want this done correctly youy will let me get on with it without keep abusing me.

On 6th July 2016, it is alleged that you approached an elderly neighbour as he came out of his flat and started to shout abuse and swear at him and threatened to burn down his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

Sometime in July 2016 it is alleged that you damaged the lock of a neighbour's electric cupboard and removed his fuse box resulting in no electricity to his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 6th August 2016, it is alleged that you threatened one of your neighbours and his wife and aggressively demanded money from him. It is also alleged that you repeatedly swore and shouted abuse at him and his wife and called his wife a 'bitch' and tried to stop him from going up the stairs to his flat by standing in front of him.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

Sometimes in September 2016 it is alleged that you confronted an elderly neighbour outside your block of flats, 109 – 119 Burncroft Avenue as he was going to the local park with another resident and started to shout abuse and threats at him and said to him 'I can get you over at the park, I know you go for a walk'

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 27th September 2016, it is alleged that you confronted one of your neighbours as he was returned to his flat with his family and threatened and swore at him and demanded money from him. It is also alleged that you later banged on his door, shouted further abuse and swear words at him and accused him of making noises inside his flat.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th September 2016, it is alleged that you aggressively banged on a neighbour's door and threatened and shouted verbal abuse and swear words at them. It is also alleged that you aggressively demanded money from him.

Please write here what happened with this alleged allegation, write if you got any evidence of

this.

On 4th October 2016, it is alleged that you aggressively banged on your ceiling and accused one of your neighbours of making noises, you then went to your neighbour's flat and started kicking and banging on his front door aggressively, accused him of banging on the floor and was swearing and shouting abuse at him. It is also alleged that you later went downstairs, dragged your neighbour's motorbike from where it was parked and started to hit it with a piece of wood.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 22nd November 2016 during a telephone conversation between you, Mrs Cordell your mother and Ms Sarah Fletcher, neighbourhood officer, Ms Fletcher reported that she overheard you threatened her by saying 'I'm gonna do her over' and then 'I'm gonna take her job just for fun'.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 8th December 2016, it is alleged that you aggressively banged on one of your neighbours' front door, shouted abuse and threats and accused him of making noise.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 11th December 2016, it is alleged that you aggressively banged on your neighbour's door several times and accused them of banging on pipes. It is also alleged that you shouted abuse and threats at them.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th December 2016, it is alleged that you were verbally abusive towards a woman who was visiting one of your neighbours as she knocked on your neighbour's door.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 23rd December 2016, it is alleged that you banged on a neighbour's front door, shouted abuse at them and asked them to turn their tap off. You then removed their electricity fuse thereby cutting off their power supply.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 26th December 2016, it is alleged that you ran up the communal stairs to the first floor and confronted one of your neighbours as he was going out with his family and started to shout abuse and threats at him and his wife and accused him of tampering with your water supply, you also attempted to stop him from leaving the block.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 3rd January 2017, it is alleged that you confronted one of your neighbours as he returned to the block with his wife and two-year-old daughter and started shouting abuse and threats at them.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 21st January 2017, it is alleged that you aggressively banged on your neighbour's door, swore and shouted abuse and threats at them and accused them of making noises.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 31st January 2017, it is alleged that you aggressively banged on your neighbour's door, shouted abuse and threats at them and accused them of banging on the floor.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

We received a report that on 7th February 2017 you approached the leaseholder of 117 Burncroft Avenue and his plumber outside the block as they were attempting to resolve the problem causing low water pressure in the flat. You said to the leaseholder that there were problems between you and his tenants but did not give any specific details. The leaseholder explained to you that his tenants were experiencing low water pressure in the flat and you said to him 'you will not solve the problem as I am restricting their water supply'. The leaseholder later knocked on your door and asked whether you would increase the water pressure and you stated 'I cannot do anything at the moment, I will sort it out later'.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 24th February 2017 Sarah Fletcher (Neighbourhood Officer) and Steve Stirk (Maintenance Surveyor) attended your property at flat 109 Burncroft Avenue to inspect the property following reports of low water pressure from flats 113 and 117 Burncroft Avenue. While inside your flat, they observed that you have installed an iron security gate inside your front door. It also appeared to them that the wall between your kitchen and living room seemed to have been removed thereby creating an open plan effect. Much of the property was taken up industrial type printers, boxes and folders and there were dog faeces in your back garden.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 17th March 2017 Lemmy Nwabuisi, ASB Coordinator visited 109 Burncroft Avenue to post a letter through your door and as he got into his car to drive off after posting the letter, you ran after him shouting and screaming abuse. The letter requested that you attend our offices to discuss the nuisance reports being received from your neighbours. By the time he returned to the office, you had telephoned him several times. He telephoned you back and you asked whether he was the person that posted a letter through your letterbox
and he said yes. You asked why he did not stop when you ran after him and he stated that he had another visit and did not have the time to stop and talk to you. You stated that you will not attend the meeting at the Civic Centre or any of the council offices as you are unable to leave your flat and that the meeting should take place in your flat. Mr Nwabuisi offered to have the meeting at a neutral venue and suggested the local library or at your mother's house but you refused saying that you have done nothing wrong and accused him of taking sides with your neighbours.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 5th May 2017, it is alleged that you threatened one of your neighbours by saying that you will ruin his life and that you were going to the police to present evidence about his illegal activities.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th May 2017, it is alleged that you aggressively banged on one of your neighbour's door, shouted abuse and threats at her and falsely accused her of making noise and coming into your flat to attack you. You later followed her to her car shouting abuse and wanting to know where she was going.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 14th May 2017 it is alleged that you allowed your dog to run freely in the communal area of your block without a lead.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th May 2017, the police issued you with a first instance Harassment letter following reports of harassment and threatening behaviour made to the police by one of your neighbours.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th June 2017, it is alleged that you attacked one of your neighbours in the communal hallway of your block as he returned from work late at night by grabbing him on the arm and neck thereby causing bruising to his arm and neck. You also snatched his phone from him as he tried to video-record the incident.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 16th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you had her bank details and personal details such as date of birth and said to her that you wanted her and her husband to pay you some money.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 18th June 2017 at 11:55hrs it is alleged that you confronted one of your neighbours as she was exiting the main entrance to your building and said to her that you knew what time she went out and what time she returned and to tell her husband that you would like to speak to him.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 23rd June 2017 at 23:35hrs it is alleged that you came out of your flat with your dog without a lead and attacked one of your neighbours as he returned from work by punching him twice on the chest. You tried to push him out of the block and snatched his phone as he brought took it out of his pocket to record the incident.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 28th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block. You swore and shouted abuse at her and accused her of making noise inside her flat. You told her that you know all her personal details and that of her husband including their full names, phone numbers, date of birth and banking details. You demanded that they pay you some money and asked her to tell her husband to come and see you.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 30th June 2017 at 11:45hrs it is alleged that you confronted your neighbour as she was leaving the block and accused her of slamming the door. She denied slamming the door and called her a liar and proceeded to swear and shout abuse at her.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 2nd July 2017 at 17:18hrs it is alleged that you confronted your neighbour as he was going out with his family with your dog barking and without a lead and asked him when he was going to hand over the money. It is also alleged that as they left the block, you ran after them swearing and shouting abuse at your neighbour and demanding that he must pay you some money if he wants you to leave him alone. You also said to him that you have all their personal details including their dates of birth and bank details.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 12th July 2017 an Enfield Council Surveyor attended your flat to investigate reports of low water pressure to flats above yours but you refused him access. The Surveyor attended your flat again in the evening of the same day following further reports that the water supply to the affected flats had completely ceased and you refused him access. You then followed him to his car swearing and shouting abuse at him and prevented him from entering his car. He then called the police.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 11th November 2017 at 11.30am, it is alleged by one of your neighbours that you came to their front door, opened the letterbox and peeped through it to see who was inside the flat. You then started swearing and shouting abuse and banging on their front door as soon as you saw the neighbour's wife.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 2nd January 2018 at 6.30pm, it is alleged that you stood outside your neighbour's property for more than twenty minutes swearing and shouting abuse. You went away and returned half an hour later, you lifted their letterbox, stuck your mobile phone through the letterbox and started to record his family while swearing and shouting abuse. This went on for about fifteen minutes.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th January 2018 at about 12.18pm, you telephone Lemmy Nwabuisi (ASB Behaviour officer) and accused him of forging documents to get an antisocial behaviour order against him and you told him that he had made you a prisoner within your home. You also stated that you knew where he lives in Enfield and that he and his family were not safe from you. You also told him that you would watch him leave the office and you would have followed him home and he needed to watch his back. You called the ASB officer again 30 minutes later and told him that you knew he has a flat in Edmonton and also knew that one of his colleagues lives in Edmonton. You also stated that you knew where they live and they were not safe.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 9th January 2018 you called Kaunchita Maudhub (ASB Behaviour officer) and left a long voicemail on her work telephone number and made threats.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 26th February 2018, at around 11.45pm it is alleged that you came to one of your neighbour's front door and started making loud banging noises and rattling with their letter box. You ran away after the neighbour opened her front door.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 1st March 2018 it is alleged that you knocked on one of your neighbours' door loudly, you started rattling with their letter box and started shouting. This went on for 5 to 10 minutes but you left after you've heard that the neighbour was calling the police.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 15th March 2018 it is alleged that you swore, shouted and assaulted one of you neighbours in front of his wife and his 3 years old child.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 1st May 2018, you attended the Edmonton County Court as there was a hearing listed in relation to an injunction. It is alleged that you started shouting abuse, swore and make threats to two of the Claimant's employees (Lemmy Nwabuisi, ASB officer and Balbinder Kaur Geddes, lawyer) and to one of your neighbours who attended Court to give evidence. You also swore at a judge. These incidents were witnessed by members of staff working at the Court.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 29th May 2018, it is alleged that you attended one of your neighbours' property; you took your dog with you and waited by their front door. It is alleged that you tried to intimidate them as they were due to attend a hearing in the Edmonton County Court to give evidence in support of a claim for an injunction issued against you.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 30 May 2018, it is alleged that you made threats to kill to one of your neighbours. The matter was reported to the police. You were arrested and released on bail.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

You assaulted one of your neighbours on the 26th August 2018 for flashing his toilet.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

You telephoned two council officers (Lemmy Nwabuisi and Ludmilla Iyavoo) on 12th September 2018 and made threats to them over the telephone. You also accused them of fraud and of fabricating evidence to support the Council's claim for an injunction

Please write here what happened with this alleged allegation, write if you got any evidence of

this.

On 12th September 2018 at about 3.50pm, you called one of your neighbours on his mobile phone using a private number. It is not known how you obtained his number, but he terminated the call. You called again using the same private number, but he terminated the call as soon as he heard your voice. You called repeatedly after that.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

On 24th September 2018 at about 11.30am, one of your neighbours returned home from dropping her daughter at school and as she entered their block of flat, she noticed that the middle door on the ground floor was open as well as your front door. As she went up the stairs to their second floor flat, your dog came out of your flat and started barking at her. The neighbour had to run up the stairs to her flat to escape from the dog. It was reported that your dog is always barking whenever they go out or return to the block and the neighbour and 4 years old daughter are terrified.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

One of your neighbours reported that his cousin was leaving the block at about on 2 October 2018 at 12.45pm, and as you exited the block, you followed him and suddenly grabbed his jacket from behind and tried to pull him to the ground. The cousin started shouting to attract neighbours and managed to push you off.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

There are other reports from one of your neighbours who reported that on 30th September 2018, you attempted to break down his front door by kicking it several times only because he flashed his toilet.

Please write here what happened with this alleged allegation, write if you got any evidence of this.

It is reported that you continue to harass and intimidate other residents on a regular basis.

**From:** GoDaddy <AccountStatus@GoDaddy.com>
**Sent time:** 15/12/2018 11:33:41 PM
**To:** re_wired@ymail.com
**Subject:** Simon, your December account summary inside.

GoDaddy

**24/7 Support: 020 7084 1810**
Simon Cordell — Customer Number: 37486337

# December Account Summary for Simon.

View Your Account

## Pro tips, just for you:

**Did you register a .co.uk, .org.uk or .me.uk domain before 10 June 2014?** The corresponding .uk domain name may have been reserved for you. Act fast to secure it before 10 June 2019. Learn more.

This is a great time to ensure your account is secure. Update your password and add or review two-step verification protection.

Make sure you aren't missing out on special offers. Visit My Account and look for the Contact Preferences tab under "Settings" to opt-in to offers related to your purchase.

**You qualify for a 30% discount on new products.* Use promo code rpdec18da. Shop now >**

## What's in your account:

### Domains

**Update your domain settings**
Log in to make changes, like pointing them to your Facebook or Twitter page.

T-S-ENTERPRISES.CO.UK
TOOSMOOTHENTERTAINMENT.CO.UK
TOOSMOOTHENTERTAINMENT.COM
T-S-ENTERPRISES.COM
TOOSMOOTH.CO.UK

**Manage Your Domains**

**cPanel Hosting**

50+ apps are available in your plan.

**Add More**

**Office 365**

Need to add or remove an account?

**Get Started**

.shop

Keep your store open 24/7 with a **.shop** web address. Register new .shop domains today for just ~~£35.84~~ £8.04.

.org

~~£16.10~~ £9.99*

.co

~~£26.99~~ £4.99*

.CLUB

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2090513407

**From:** Kaunchita Maudhub <Kaunchita.Maudhub@enfield.gov.uk>
**Sent:** 28 December 2018 13:14
**To:** lorraine32@blueyonder.co.uk
**Subject:** Re: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ [SEC=OFFICIAL]
**Attachments:** Letter to Lorraine Cordell 28.12.18.pdf

**Importance:** High

Classification: OFFICIAL

Dear Ms Cordell,

Please find attached a letter in response to your emails dated 12th and 20th December 18 sent to Ms Andrea Clemons.

Yours Sincerely

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 20 December 2018 13:55
**To:** Andrea Clemons <Andrea.Clemons@enfield.gov.uk>; Chief Executive <Chief.Executive@enfield.gov.uk>; Jeremy Chambers <Jeremy.Chambers@enfield.gov.uk>; 'Alev Cazimoglu' <alev.cazimoglu@parliament.uk>
**Subject:** RE: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ

Dear Andrea Clemons

I was wondering if you was going to reply to the below email as it has been a few days since I sent it and I feel this is very important due to the action going to be taken from Enfield Council, and I did not have a reply to my last email to you.

I would like the incorrect information corrected that is being used, and without a reply I can not do this, I have attached a copy of your letter sent to the MP dated 12/12/2018.

Regards

Lorraine Cordell

---

**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 17 December 2018 17:12
**To:** 'Andrea Clemons'; 'alev.cazimoglu@parliament.uk'

**Subject:** RE: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ

Dear Andrea Clemons

Today the MP's aid for Joan Ryan, Alev Cazimoglu sent me a copy of your letter dated the 12/12/2018, I am shocked to see what is written within it and the misleading information being passed over to the MP Joan Ryan.

It was not agreed on the condition that Mr Cordell should engage with mental health services and provide medical evidence to support the housing management transfer application. The court did not state this so I do not know where this is coming from.

I also do not understand where it is coming from that Mr Cordell had to provided supporting letter from the mental health services to support his management transfer application, and he has not done this, he was never meant to have done this and the management transfer application was completed by Enfield Council to go to the panel on the 17/08/2018 and it was ready to go to the panel on this date, but this was deferred to be considered at the next panel meeting which would have taken place on 28/09/2018, which never happened.
The reason for it being deferred was so that I Miss Lorraine Cordell could try and get a letter from the mental health team, which I could not so it therefore should have gone ahead to the panel on the 28/09/2018, which I do have the emails to prove this. I also do not understand why Enfield Council is stating supported accommodation was being asked for as this was never asked for. I did however state in court that a 2 bedroom would be better as my son could have family live with him so he could get support from his family; I have never said I am his carer I have never said a lot of things that Enfield Council is stating I have said.

It was stated in the court order.

- *UPON the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.*

- *UPON the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.*

- *AND UPON the Defendants mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing.*

The order was to be agreed with my son's solicitor upon being drafted by Enfield Council, but my son's solicitor was on annual leave and therefore did not reply to Enfield Council order until she came back of leave, But when you emailed her it came back that she was on annual leave so Enfield Council was well aware of this.
Upon her return from annual leave her amended order was sent over to Ludmilla Iyavoo, which my son's solicitor never had a reply back from Ludmilla Iyavoo regarding her amended order, but some days after the amended order was sent over to Ludmilla Iyavoo, it seems an order was sealed at Edmonton Country Court which was not agreed on which was Enfield Council drafted order, which we never agreed to and feel it is misleading as to what was said in court.

I believe a lot of what was said in court is not being told and misleading information is being said, maybe someone should ask Ludmilla Iyavoo what the judge said when Ludmilla Iyavoo said she would go for a possession order to the judge because she did not get what she wanted.

There is also the fact that my son was willing to stay in Hospital when he was sectioned on the 25/10/2018, it was the hospital that discharged him on the 15/11/2018 due to not getting the section 3 on my son they wanted, that was heard on the 14/11/2018, my son said as soon as he knew they was not allowing the section 3 on the 14/11/2018 that they would kick him out of the hospital, as

this is what they did in 2016, and the next day the 15/11/2018 that is what the doctors did kicked him out the hospital, yet my son was willing to stay and build trust up with the doctors and the mental health team, which had broken down due to what has been ongoing for sometime.
Which in fact would have been a lot better as if he had been allowed to stay in hospital like he wanted maybe by now they would have been trust built up with the doctors and teams, this is what Soohah Appadoo wanted to do as he saw that there was a real problem with trust and stated this at the appeal on the section 2 at the hearing. On the 16/11/2018 I myself spoke to Soohah Appadoo on the phone, but since that we have heard nothing from him is this what is being called support put in place when my son was discharged from hospital?

This misleading information needs to stop as it is a beach of the data protection act.

I look forward to hearing from you regarding this, please can you reply as I did not get a reply from you to my last email I sent to you.

Regards

Lorraine Cordell

Classification: OFFICIAL

Classification: OFFICIAL

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ENFIELD Connected

ENFIELD Council

Lorraine Cordell

Please reply to: Andrea Clemons
Community Safety Unit
B Block North
Civic Centre
Enfield
EN1 3XA
E-mail: Andrea.Clemons@enfield.gov.uk
Phone:
Fax:
Your Ref:
Date: 28th December 2018

Dear Ms Cordell,

**Re: Simon Cordell**

I am writing in response to your emails dated 17th and 20th December 18 where you have raised that you feel that some of the information provided in my letter to Joan Ryan MP dated 12th December 2018 is incorrect.

I have therefore asked for legal clarification on the points raised. I accept that the order made by the Edmonton County Court on 9th August 2018 did not actually record that your son submits a housing transfer application on the condition that he engages with mental health team. However, you agreed that you would engage with the Enfield Mental Health Unit Team, so your son could receive assistance with his mental health conditions and housing.

I understand that you agreed to submit a housing management transfer to be considered by the exceptions panel on 17/08/2018. However, following a discussion held with Ms Iyavoo, one of the Council's lawyers on 16th August 2018 you were advised that the application being unsupported by medical evidence, if successful, would only result in a transfer of a property on a like for like basis. You explained to Ms Iyavoo that your son needed support and would benefit from a larger property, so someone could come and live with him and you were advised that this type of application must be supported by medical evidence. As your son was given an appointment to see the Enfield Mental Health Team on 31st August 2018, you asked that you son's application be deferred until the next panel meeting which was to take place on 29th September 2018. This was also confirmed in an email to Ms Iyavoo on the same day.

Unfortunately, you did not contact Ms Iyavoo until 28th September 2018 at

4.20pm where you asked for an update regarding your son's management transfer application. You were aware that the panel meeting would take place on 29th September 2018 but only contacted Ms Iyavoo less than 24 hours before the meeting. You also failed to provide Ms Iyavoo with an update regarding the appointment and whether you had managed to obtain the necessary medical evidence. Ms Iyavoo contacted you on 12th October 2018 and advised you that the next panel meeting was to take place on 18th October 2018 and any applications would need to be submitted by 15th October 2018. She also asked that you clarify the basis of the application and whether you were able to provide medical evidence. Unfortunately, you did not respond to her.

In relation to the allegations made in regard to the draft Order submitted to the Court. Ms Iyavoo explains that she contacted Ms Trishna Kerai, of Stuart Miller Solicitors; the caseworker instructed on behalf of Simon Cordell on 10th August 2018 and emailed her a draft order. Ms Iyavoo did not hear from Ms Kerai, so she emailed her again on 13th August 2018 and asked that she provides her agreement as soon as possible and if no response was made by 4pm on the same day she will have to email the draft to the Judge. Ms Iyavoo states that she received a response from Ms Kerai on the same day stating that she was in agreement with the order, but she was waiting for your instructions. As no response was forthcoming, Ms Iyavoo had to email the order to the Court on 15th August 2018 and she also copied Simon's caseworker to the email. Ms Kerai has never indicated that she was on annual leave during the time of the correspondence but confirmed that the delay was due to the receipt of your instructions.

Ms Iyavoo indicates that the order was following guidance provided by District Judge Dias. The Court order does not propose to be verbatim or to be a summary of all arguments exchanged in Court.

I apologise for the delay in responding over the Christmas period and I will contact you shortly to advise you about where any future enquiries on this matter should be addressed.

Yours Sincerely

Andrea Clemons
Community Safety Unit

**IMPORTANT** – Enfield residents should register for an online Enfield Connected account. Enfield Connected puts many Council services in one place, speeds up your payments and saves you time – to set up your account today go to **www.enfield.gov.uk/connected**

**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 28 December 2018 22:16
**To:** 'Kaunchita Maudhub'; 'Andrea Clemons'; 'Alev Cazimoglu'; 'chief.executive@enfield.gov.uk'
**Subject:** RE: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ [SEC=OFFICIAL]
**Attachments:** Enfield-Counci-Reply-28-12-2018.pdf

Dear Kaunchita Maudhub and Andrea Clemons

Please see attached reply to your letter dated the 28/12/2018.

Regards

Lorraine Cordell

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**From:** Kaunchita Maudhub [mailto:Kaunchita.Maudhub@enfield.gov.uk]
**Sent:** 28 December 2018 13:14
**To:** lorraine32@blueyonder.co.uk
**Subject:** Re: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ [SEC=OFFICIAL]
**Importance:** High

Classification: OFFICIAL

Dear Ms Cordell,

Please find attached a letter in response to your emails dated 12th and 20th December 18 sent to Ms Andrea Clemons.

Yours Sincerely

Kaunchita Maudhub
Anti Social Behaviour - Team Leader
Community Safety Unit
Enfield Council
Civic Centre, Silver St
Enfield EN1 3XA

Tel: 020 8379-4182
kaunchita.maudhub@enfield.gov.uk

Enfield Council is committed to serving the whole borough fairly, delivering excellent services and building strong communities.

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**From:** Lorraine Cordell <lorraine32@blueyonder.co.uk>
**Sent:** 20 December 2018 13:55
**To:** Andrea Clemons <Andrea.Clemons@enfield.gov.uk>; Chief Executive <Chief.Executive@enfield.gov.uk>; Jeremy Chambers <Jeremy.Chambers@enfield.gov.uk>; 'Alev Cazimoglu' <alev.cazimoglu@parliament.uk>
**Subject:** RE: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ

Dear Andrea Clemons

I was wondering if you was going to reply to the below email as it has been a few days since I sent it and I feel this is very important due to the action going to be taken from Enfield Council, and I did not have a reply to my last email to you.

I would like the incorrect information corrected that is being used, and without a reply I can not do this, I have attached a copy of your letter sent to the MP dated 12/12/2018.

Regards

Lorraine Cordell

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**From:** Lorraine Cordell [mailto:lorraine32@blueyonder.co.uk]
**Sent:** 17 December 2018 17:12
**To:** 'Andrea Clemons'; 'alev.cazimoglu@parliament.uk'
**Subject:** RE: Mr Simon Cordell. 109 Burncroft Avenue. EN3 7JQ

Dear Andrea Clemons

Today the MP's aid for Joan Ryan, Alev Cazimoglu sent me a copy of your letter dated the 12/12/2018, I am shocked to see what is written within it and the misleading information being passed over to the MP Joan Ryan.

It was not agreed on the condition that Mr Cordell should engage with mental health services and provide medical evidence to support the housing management transfer application. The court did not state this so I do not know where this is coming from.

I also do not understand where it is coming from that Mr Cordell had to provided supporting letter from the mental health services to support his management transfer application, and he has not done this, he was never meant to have done this and the management transfer application was completed by Enfield Council to go to the panel on the 17/08/2018 and it was ready to go to the panel on this date, but this was deferred to be considered at the next panel meeting which would have taken place on 28/09/2018, which never happened.
The reason for it being deferred was so that I Miss Lorraine Cordell could try and get a letter from the mental health team, which I could not so it therefore should have gone ahead to the panel on the 28/09/2018, which I do have the emails to prove this. I also do not understand why Enfield Council is stating supported accommodation was being asked for as this was never asked for. I did however state in court that a 2 bedroom would be better as my son could have family live with him so he could get support from his family; I have never said I am his carer I have never said a lot of things that Enfield Council is stating I have said.

It was stated in the court order.

- *UPON the Defendant's mother Mrs Lorraine Cordell, confirming that she will engage with the Claimant and assist the Defendant's neighbourhood officer in making a housing management transfer application on or before 16 August 2018.*

- *UPON the Claimant agreeing that it will deal with the housing management transfer application as quickly as possible after being made.*

- *AND UPON the Defendants mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing.*

The order was to be agreed with my son's solicitor upon being drafted by Enfield Council, but my son's solicitor was on annual leave and therefore did not reply to Enfield Council order until she came back of leave, But when you emailed her it came back

that she was on annual leave so Enfield Council was well aware of this.
Upon her return from annual leave her amended order was sent over to Ludmilla Iyavoo, which my son's solicitor never had a reply back from Ludmilla Iyavoo regarding her amended order, but some days after the amended order was sent over to Ludmilla Iyavoo, it seems an order was sealed at Edmonton Country Court which was not agreed on which was Enfield Council drafted order, which we never agreed to and feel it is misleading as to what was said in court.

I believe a lot of what was said in court is not being told and misleading information is being said, maybe someone should ask Ludmilla Iyavoo what the judge said when Ludmilla Iyavoo said she would go for a possession order to the judge because she did not get what she wanted.

There is also the fact that my son was willing to stay in Hospital when he was sectioned on the 25/10/2018, it was the hospital that discharged him on the 15/11/2018 due to not getting the section 3 on my son they wanted, that was heard on the 14/11/2018, my son said as soon as he knew they was not allowing the section 3 on the 14/11/2018 that they would kick him out of the hospital, as this is what they did in 2016, and the next day the 15/11/2018 that is what the doctors did kicked him out the hospital, yet my son was willing to stay and build trust up with the doctors and the mental health team, which had broken down due to what has been ongoing for sometime.
Which in fact would have been a lot better as if he had been allowed to stay in hospital like he wanted maybe by now they would have been trust built up with the doctors and teams, this is what Soohah Appadoo wanted to do as he saw that there was a real problem with trust and stated this at the appeal on the section 2 at the hearing. On the 16/11/2018 I myself spoke to Soohah Appadoo on the phone, but since that we have heard nothing from him is this what is being called support put in place when my son was discharged from hospital?

This misleading information needs to stop as it is a beach of the data protection act.

I look forward to hearing from you regarding this, please can you reply as I did not get a reply from you to my last email I sent to you.

Regards

Lorraine Cordell

Classification: OFFICIAL

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.

- Simon Cordell – 109 Burncroft Ave, Enfield, EN3 7JQ - 28/12/2018

Dear Kaunchita Maudhub and Andrea Clemons

Thank you for the reply letter to my emails dated the 28/12/18, I have today contracted by email Mr Cordell's solicitors who were acting for my son Trishna Kerai, but she is away until the 2nd January 2019, Trishna Kerai was well aware I did not agree with Enfield Council's draft order, which was sent to me by her on the 13th August 2018 at 15:14, I made a reply to her with the points I did not agree to right away, and she was due to rewrite them points I did not agree with. Then she went on leave and did not do the rewrite until she came back of leave. This was when her amended order was sent back to Ludmilla Iyavoo and she got no reply and a few days after this Enfield Council draft order was sealed by the court.

I did not agree to submit a housing management transfer to be considered by the exceptions panel on 17/08/2018, As Ms lyavoo is well aware it is Enfield Council neighbourhood officer that has to complete this application, In fact I have nothing to do with the making of this application I was not even allowed to see it after it was completed by the neighbourhood officer even when I asked to see it I was not allowed to be sent it as it is only used internally.

I did not only email Ludmilla Iyavoo I had calls with her and we spoke, I also left voice messages for her, when the management transfer application was deferred on the 16/08/2018 it was only due to be deferred until the next panel meeting on 29/09/2018 when it should have gone before the panel even if it was a like to like move but this did not happen. When I emailed Ms Ludmilla Iyavoo on the 28/09/2018 I asked for an update as I had not heard anything, I did not know I was meant to have given her an update regarding the appointment; and I am sure I said to her on a phone call when the management transfer application was deferred if I got any medical information I would email it to her as soon as I got it, so by not sending anything to her I sure she would have known I had not got anything, in fact the mental health team was not replying to me at all, looking back now I believe that was due to them looking into the complaint I had sent. But the medical evidence was not necessary for it to have gone to the housing panel.

I did not get any updates from Ludmilla Iyavoo at this stage or any reasons it was not put forward to the panel on that date. I again emailed Ms Ludmilla Iyavoo on the 01/10/2018 and after talking to Lemmy Nwabuisi on the 02/10/2018 via a phone call I sent a next email to Ms Ludmilla Iyavoo asking for an update on the 02/10/2018, I did get a reply on the 02/10/2018 from Ms Ludmilla Iyavoo stating she had been in meetings and was unable to attend to my voice messages calls or emails, and that she was taking instructions from her office and would get back to me in due cause. I again emailed Ms Ludmilla Iyavoo on the 07/10/2018 as I still had not had any updates, I did not get a reply so again sent an email on the 09/10/2018 to Ms Ludmilla Iyavoo, on the 12/10/2018 I did get a reply to that email, but from my emailed it would have been very clear I wanted it to go to the panel, at that point I was very busy and did not have time to reply to that email, I then got an next email on the 15/10/2018 from Ms Ludmilla Iyavoo stating court action was going to start. At this point I knew in my heart Enfield Council was never going to put this to the panel and only wanted one thing and this was the real reason it took Ms Ludmilla Iyavoo so long to reply to my emails and calls, so it was around this time I made arrangements to see my son's MP as I felt I was not getting anywhere and through maybe it was better coming from the MP.

The issue with appointments being made they are for my son to go to the clinic, I have told them many times my son does not leave the flat and a home appointment should be made which they are still falling to do. I spoken to Soohah Appadoo, North Locality Team more then once saying this is an issue and been told he will get back to me regarding it after he has a meeting with his team about it but he has not done this yet.

If you are now agreeing that the court did not actually record that my son submits a housing transfer application on the condition that he engages with mental health team, why has Enfield Council been stating this to everyone as this is incorrect is it not? I believe this should be corrected should it not?

Yes I agreed to talk with the mental health team which I have done and it is clear I have done this as it stated in your letters and replies to the MP, so I am doing what I

was asked to do by Enfield Council at court, so why is Enfield Council not doing what they were meant to do?

This section in the court order *"AND UPON the Defendants mother agreeing to engage with the Enfield Mental Health Unit team so the Defendant could receive assistance with his mental health conditions and housing."* is also something I did not agree to, and it was this point I asked to be rewritten or removed along with other sections. The reason I did not agree to it being written in the court order was due to the fact I knew I was limited in what I could do with the mental health team, and really the way the draft court order is worded by Enfield Council was not said in court that way and was I believe only written this way for Enfield Council to get out of moving my son.

There is only so much I can do as my son has rights even under the mental health act, so when I agreed I knew I would be limited in what I could do. It seems Enfield Council are just passing the buck over to anyone they can and not doing anything to help my son, and passing incorrect information over all the time to people.

There is a duty of care and so far Enfield Council has beached that in everyway possible regarding my son, also the beaches in data protection is beyond anything I have ever seen when is this going to stop? By now you would have the complaint outcome letter that was submitted to the mental health team which was upheld, which should have been learned from, but it seems the sharing of information regarding my son is even worse now then when it was when I submitted the complaint to the mental health team. There has never been no consent from my son for Enfield Council to share data the way they have with the mental health team the way it has been shared.

When is Enfield Council going to help my son? not leave him to suffer the way Enfield Council has done since the end of 2014 when I started making calls about what was going on with the neighbours, from the start of 2015 I had to start sending emails to Enfield Council regarding what was going on with the neighbours because Enfield Council was just not getting back to me regarding the phone calls and still no one got back to me until 21/09/2015, it seems Enfield Council only acts when it is against my son, as I was putting in reports and complaints regarding what the

neighbours were doing well before any report or complaint went in regarding my son, I was told so many times by Lemmy Nwabuisi to forget all about the emails I sent and it seems Enfield Council don't seem to have many of the emails I sent begging for help with what was ongoing.

To me this is one sided only and not once has Lemmy Nwabuisi ever asked to see anything this is a beach and discrimination against my son, not even the police take one side to everything at least they do an investigation, which I believe the council also have a duty to do.

Why is Enfield Council also allowed to try and pressure neighbours into doing statements against there will, against my son and don't think I don't know about this as I do, why am I being told by neighbours Enfield Council is out to get my son really badly and are not going to stop until they do get him out, why are neighbours even being talked to about my son? It seems Enfield Council will stop at nothing regarding my son.

Why has Lemmy Nwabuisi or any other Enfield Council worker ever taken any report from my son regarding anything when they have been told time and time again we have proof my son has not done the things that is being said he has done? Why does Enfield Council see fit to wait months and months and months to tell us about any reports? The list can go on and on but we know already Enfield Council will do nothing for my son but disregard him.

Please could you clarify for me weather or not you are seeking possession order for my son flat? Because you have now admitted in your letter to me dated the 28/12/2018 that the information used in your letter dated the 12/12/2018 was incorrect as it was not stated in the court order my son had to engage with mental health team to be able to get a housing management transfer, and that my son did not need to provide medical evidence to support the housing management transfer application, and you did in fact have enough information to put this to the panel as the application was completed by the 16/08/2018. As it really seems to me that Enfield Council has not done what was within the court order or taken anything the Judge said in court on the 09/08/2018 into account, and the basic for the seeking possession order on my son's

flat was based on facts that was clearly not in the court order, if Enfield Council had put this before the panel then this would not even be an issue and we would not need to address this now.

Also I would like to say at this point Trishna Kerai from Stuart miller solicitors is no longer acting solicitors for my son, so there is no need for the legal team or any other team within Enfield Council to forward any documents to her regarding my son.

I apologise for the sternness of this letter but it seems where my son and I are concerned we seem to take one step forward then two back and I am sure you can sympathise with how frustrating this must be.

I look forward to hearing from you soon.

Regards

Lorraine Cordell

**From:** Google <no-reply@accounts.google.com>
**Sent time:** 31/12/2018 01:04:58 AM
**To:** re_wired@ymail.com
**Subject:** Security alert for your linked Google Account

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**From:** Dropbox <no-reply@dropbox.com>
**Sent time:** 12/01/2018 01:07:21 AM
**To:** re_wired@ymail.com

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