

Dear Councillors and Residents,

On 21 January 2026, the Council was granted an interim injunction by the Honourable Mrs Justice Farbey DBE following a without notice application. That relief, granted pursuant to section 187B of the Act, was intended to restrain actual and apprehended breaches of planning control, and to maintain the status quo as to the level of occupation and development of the land until the return date for the order, at which the defendant(s) could be represented. That return date was 4 February 2026

Officers of the Planning Enforcement Team, along with the Councils' appointed counsel attended the nearly 4hr long High Court hearing in London on 4 February 2026. The Council made an application that a final injunction should now be granted in relation to the operational development and unauthorised use of the land, to the effect of prohibiting further unauthorised works or activity for a 2 year period.

The Judge retired with the decision to hand his judgement down in the following days. A continuation of the Interim Order, with some slight admin alterations, was put in force pending his decision. The Council received the long-awaited Court judgement on 9th March 2026 and is now embedded in planning enforcement caselaw. A copy of the judgement is attached. Following the ruling, a new sealed Court Order was received on 12th March 2025 (also attached) which maintains the status quo as to the level of occupation and development of the land. The final hearing shall be considered by the Court on the first available date after the final outcome of the planning application (26/00290/FULL) which was submitted on 2 February 2026. The Court ruling is clear that the Council has acted proportionately and indicates a level of support for our position and offers no criticism, whilst setting out the best interest of the children is an overriding consideration in this matter. Planning Enforcement Officers continue to work on the needs of the persons on site, which is a continued requirement for us under the Equality Act. This works remains a high priority.

Following recent reports with clear evidential material that a mini digger was being used on site, I attended the site early Monday morning on 9th March 2026 along with the Enforcement Team Manager. We have stopped all works and will now be discussing our findings with the Council's Solicitor's Office and with the landowner's Solicitor. Activity on the site is likely to be fluid as there are hazards and hindrances that the occupants are flagging with us. Written consent has been granted to move the middle stock pile of material, and we have made it clear that any further requests are to be put in writing for consideration and authorisation prior to said works being carried out.

A further site visit took place yesterday (16th March 2026) for the assigned Planning Officer to conduct their routine planning application visit. No signs of any further works since the 9th March 2026 have been noted.

As I have explained before, if works happen out of hours, they can be emailed to the Councillors involved preferably with photographic proof, and once the information has been compiled together, it can be sent onto me. Alleged breaches of the terms of Court Orders are dealt with through evidence bundles and committal applications.

It is the Court's Order, and the Court will determine if its Order has been breached and what the penalty may be, it is not a matter for the Council. For the avoidance of doubt, it is not open to Officers of the Planning Enforcement Team to attend site and physically stop any unauthorised works or activity. Whilst there was evidence of works taking place over the recent weekend (8 March) there has been other occasions where reports are received and when Officers have attended there is no evidence of work taking place. Please may I stress that false reporting is an inappropriate use of our time and gives cause for the occupants to raise complaints of harassment within the scope of the Court process.

There are now over 50 individual complainants (all BCC'd in this email), so please continue to pass any further updates or questions to your local councillors, which they can collate and pass onto myself in an organised fashion. I will endeavour to give feedback to the questions when capacity allows.

I hope this updates you accordingly.

Kind regards,

Emilie Ellis

Senior Planning Enforcement Officer

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