



PHIL BARLOW
56 SANDY LANE
MIDDLESTOWN
WAKEFIELD
WF4 4PN

Case number: **132400393934**
Born: 6 March 1981

Orders

The court has heard the matters shown below and made the orders listed.

By Order of the Court
Justices' Clerk

Date: 19 May 2025

Matters and orders

132400393934/1

Complaint for an order to abate or prohibit a statutory nuisance, namely Barking and whelping noise from dogs and shouting from the dogs' attendants coming from the kennels and affecting 39 Sandy Lane, Middlestown, Wakefield WF4 4PN and/or other neighbouring properties. in respect of premises at 56 Sandy Lane, Middlestown, Wakefield, WF4 4PN.

In accordance with section 82 of the Environmental Protection Act 1990.

It is ordered that ABATEMENT ORDER UPON the complainant making an application for a complaint against the Defendants for an order to abate a statutory nuisance under Section 82 of the Environmental Protection Act 1990 described in the following terms: "Barking and whelping noise from dogs and shouting from the dogs' attendants coming from the kennels and affecting 39 Sandy Lane, Middlestown, Wakefield, WF4 4PN and/or other neighbouring properties. In respect of the premises at 56 Sandy Lane, Middlestown, Wakefield, WF4 4PN". AND UPON the complainant and the First Defendant agreeing that there existed a statutory noise nuisance, for which the First Defendant was the person responsible, on the 1st November 2024, and that one exists or is likely to recur at the time of the making of this Abatement Order. AND UPON the complainant and the First Defendant having agreed to the terms of this Abatement Order. AND UPON the complainant agreeing to discontinue proceedings against the Second Defendant. IT IS ORDERED THAT: 1. Proceedings against the Second Defendant are dismissed on being withdrawn by the Complainant. 2. The First Defendant must abate the noise nuisance emanating from the premises at 56 Sandy Lane, Middlestown, Wakefield, WF4 4PN within three calendar months of the date of this Order, by executing all and any works necessary for that purpose and also to prevent its recurrence and to carry out any works to prevent the recurrence contrary to Section 82 of the Environmental Protection Act 1990. 3. If the First Defendant adhered to the conditions set out in the Schedule of Conditions attached hereto, the statutory nuisance would be abated. 4. The First Defendant shall pay the Complainant's costs which are agreed in the sum of £10,000 within three calendar months of the date of this Order. We, the undersigned, consent to an Abatement Order being made out in the above terms.

..... Michael Riordan, Ian Whiteley, Richard Buxton Solicitors, Parker Bird Whiteley Solicitor for the Complainant for the Defendants SCHEDULE OF CONDITIONS 1. All dogs presently kept on the premises will be removed from the Defendants' premises at 56 Sandy Lane, Middlestown, Wakefield, WF4 4PN, being the land comprised in Title Registers YWE3077 and WYK652785 ("the

Premises”), except: a. The Second Defendant’s dog, which is a non-greyhound breed; and b. The First Defendant’s three retired greyhounds which are presently kept in the First Defendant’s annex. 2. Upon the death of any of the dogs, referenced in Paragraph One, a replacement dog may be kept on the premises, provided that there are at no point any more than four dogs kept on the premises, of which no more than three are retired greyhounds. 3. Other than provided for by Paragraph Two there should be no substitution of any dogs referenced in Paragraph One. 4. Other than the dogs referenced in Paragraph One, and any replacement dogs provided for by Paragraph Two, no other dogs shall be kept on the premises. 5. Any dog kept at the Premises shall be kept for domestic purposes only. 6. No dog kept at the Premises shall be a registered racing dog. 7. Any dog kept at the Premises shall not be housed in outdoor kennels. 8. Any dog kept at the Premises shall be owned, controlled, and registered to occupants ordinarily resident at the Premises.

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