

For hearing in open court

Case number G00SK286

Claimant Stockport MBC

Defendant Shane Mc Donagh

Before District Judge Taskeen sitting at Stockport County Court on the 29th March 2022 Shane McDonagh of 24A Oak Road Cheadle Stockport SK8 1ED was committed to prison for 2 months for breaching an order of this court dated the 6th May 2020, the order was breached as per the schedule of admitted breaches attached to this order and this committal order having been suspended upon the Defendant complying with the injunction order made on the 29th March 2022 as attached.

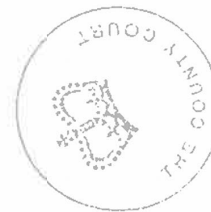
Michael Anthony Atkins

Officer of the court



Order on determination of proceedings for contempt of court

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



Name of court

County Court at Stockport

Claim no.

G00SK286

Claimant's name (including ref.)

Stockport MBC LT/SHL001/529

Defendant's name (including ref.)

Shane McDonagh

After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued rule under 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

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

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

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

Day

6

Month

May

Year

2020

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

Engage or threaten to engage in conduct capable of causing harassment, alarm, distress, nuisance or annoyance to Kathryn Heys of 24B Oak Road, Cheadle, Stockport, SK8 1ED.

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

application

summons

It is ordered that:

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

Days	Weeks	Months	Years
		2	

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

that the Defendant comply with the injunction order dated 29th March 2022.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

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

until they clear

their contempt or

until further order

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

Dated

Day Month Year

IN THE COUNTY COURT AT STOCKPORT

Case No: G00SK286

BETWEEN:

**STOCKPORT METROPOLITAN BOROUGH
COUNCIL**

Claimant

and

SHANE MCDONAGH

Defendant

SCHEDULE OF ADMITTED BREACHES

	Day/Date	Time	Incident	Sentence
1.	Thursday, 7 May 2020	11pm	<i>The Defendant allowed his partner Emma Shaw to play loud music and subsequently had a loud argument with her that could be heard by Kathryn Heys</i>	
2.	Saturday, 20 June 2020	Afternoon to early hours the following day	<i>The Defendant and his partner, Emma Shaw together had three female visitors to the property. Kathryn Heys could hear them talking loudly in both the property and the garden more particularly when they moved between the two. Kathryn could hear their loud talking throughout the night, continuing into the early hours of the morning of Sunday 21 June 2020.</i>	
3.	Sunday, 21 June 2020	3am- 3.40am	<i>At approximately 3.00am on Sunday, 21 June 2020, Kathryn Heys heard the Defendant and Emma Shaw arguing with one of their female visitors. They all moved out onto the street where they continued the argument until 3.40am</i>	



4.	Sunday, 21 June 2020	1pm onwards	<i>Kathryn Heys heard the Defendant arguing with Emma Shaw. There was also an unknown female and male visitor present. The Defendant, Emma Shaw and their visitors were shouting and swearing. This disturbance then moved onto the driveway where it continued. The Police were called in relation to this incident.</i>	
5.	Sunday, 2 August 2020	5.30am	<i>Kathryn Heys heard the Defendant and Emma Shaw shouting, fighting and slamming doors. The Police were called in relation to this incident.</i>	
6.	Sunday, 2 August 2020	10.55am	<i>Kathryn Heys heard the Defendant and Emma Shaw arguing loudly. The Defendant then left the flat and could be heard continuing to argue in the driveway with Emma who was standing at the flat window</i>	
7.	Sunday, 2 August 2020	11.15pm	<i>The Defendant and Emma Shaw had a number of visitors to their flat and the loud and noisy behaviour of the Defendant and Emma and the visitors whom they allowed to behave in this way disturbed Kathryn Heys</i>	
8.	Saturday, 5 September 2020	10pm and 1am next day	<i>Kathryn Heys heard the Defendant shouting and Emma singing both very loudly. She heard this disturbance start again at 1.00am on Sunday 6 September 2020 followed by a door slam, where either the Defendant or Emma Shaw left the flat</i>	
9.	Sunday, 10 December 2020	11.14pm- 11.44pm approx..	<i>Kathryn Heys heard the Defendant and Emma Shaw arguing for about 30 minutes until the Defendant left the property</i>	

10.	Wednesday, 10 February 2021	5.45pm- 8.45pm	<i>Kathryn Heys heard the Defendant allowing his visitors to be loud whilst in the property as well as making banging and loud noises himself, slamming doors and then arguing and shouting with Emma Shaw</i>	
11.	Wednesday, 10 February 2021	Shortly after 8.45pm	<i>Kathryn heard the Defendant again arguing with Emma Shaw before he left the property. The Police arrived at 9.45pm.</i>	
Breaches in further application of 2 November 2021				
12.	Sunday, 9 May 2021	10.10pm	Kathryn Heys heard the Defendant and his partner, Emma Shaw shouting and arguing.	
13.	Monday, 5 July 2021	8pm	Kathryn Heys was disturbed by Defendant shouting and swearing at someone; shortly after at 8.35pm, his partner, Emma Shaw returned to their flat and Ms Heys could hear the them both arguing. This disturbance only stopped when Emma left their flat	
14.	Thursday, 19 August 2021	During evening	Kathryn Heys was disturbed by the Defendant and Emma Shaw arguing.	
15.	Sunday, 22 August 2021	8.40pm	Kathryn Heys was disturbed by the Defendant and Emma Shaw arguing and from what she could, fighting as well. Ms Heys left her property but returned later to hear them both still arguing	
16.	Saturday, 28 August 2021	10.17pm	Kathryn Heys was disturbed by the Defendant and Emma arguing, initially inside their flat but then it continued onto the drive outside	
17.	Saturday, 4 September 2021	1am	Kathryn Heys was disturbed by the Defendant and Emma Shaw shouting and arguing and it sounded like they were	

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			<p>throwing things down the stairs. This continued until approximately 3.30am.</p> <p>Later that morning at 7.45am, Kathryn Heys was woken up by the Defendant and Emma arguing</p>	
18.	Wednesday, 8 September 2021	During evening	<p>Kathryn Heys was watching TV when she was disturbed by the Defendant and Emma arguing so loudly that she could hardly hear her television. After going to bed, she was disturbed by loud arguing at 11pm</p>	
19.	Friday, 8 October 2021	11.18pm	<p>Kathryn Heys was disturbed by banging noises coming from the Defendant's property and argument between him and Emma</p>	

Injunction Order

Between STOCKPORT METROPOLITAN BOROUGH COUNCIL
and MR SHANE MCDONAGH

Claimant
Applicant

Defendant
Respondent

In the County Court at Stockport	
Case No.	G00SK286
Applicant's Ref.	LT/SHL001/529
Respondent's Ref.	

To (1) MR SHANE MCDONAGH

Of (2) 24A OAK ROAD
CHEADLE
STOCKPORT
SK8 1ED

For completion by the court
Issued on 29/3/2022



BEFORE DISTRICT JUDGE TASKEEN

IF YOU, THE WITHIN NAMED MR SHANE MCDONAGH DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED

On the **29th** day of **March 2022** the court considered an

for an injunction and is satisfied on the balance of probabilities, that the Respondent has engaged or threatened to engage in anti-social behaviour, and being satisfied that it is just to do so and convenient to grant the injunction for the purpose of preventing the Respondent from engaging in anti-social behaviour.

(1) The name of the person the order is directed to.

The Court ordered that ⁽¹⁾ **SHANE MCDONAGH** of ⁽²⁾ **24A OAK ROAD, CHEADLE, STOCKPORT, SK8 1ED** is forbidden (whether by himself or by allowing, inciting or encouraging any other person) ⁽³⁾ from:

(2) The address of the person the order is directed to.

(1) Engaging or threatening to engage in conduct capable of causing harassment, alarm, distress, nuisance or annoyance to Kathryn Heys of 24B Oak Road, Cheadle, Stockport, SK8 1ED.

(3) The terms of the restraining order.

If the Respondent is a limited company delete the words in brackets and insert "whether by its servants, agents, officers or otherwise")

This order shall remain in force until service of the final order, 4pm on 29 September 2023 or discharge of this order, whichever occurs first.

(1) The name of the person the order is directed to.

~~And it is ordered that~~ ⁽¹⁾

(4) The terms of any orders requiring acts to be done. **shall** ⁽⁴⁾

(5) Enter time (and place) as ordered. ~~on or before~~ ⁽⁵⁾

It is further ordered that ⁽⁶⁾

(i) Personal service of this Order is dispensed with.

(6) The terms of any other orders costs etc...

The Court office at Stockport County Court, The Courthouse, Edward Street, Stockport, SK1 3NF is open from 10am to 4pm Mon-Fri. When corresponding with the court, address all forms and letters to the Court Manager and quote the case number. **N16** General form of injunction for interlocutory application or originating application under Order 47 rule 8(2)

Injunction Order - Record of Hearing

Case No. G00SK286

On the 29th day of March 2022

Before District Judge Taskeen

The court was sitting at: Stockport County Court, The Courthouse, Edward Street, Stockport

The Claimant Applicant Petitioner STOCKPORT MBC

was represented by Counsel.

represented by Solicitor.

in person.

The Respondent Defendant SHANE MCDONAGH

was represented by Counsel.

represented by Solicitor.

in person.

did not appear having been given notice of this hearing.


not given notice of this hearing.

*Delete this paragraph if the court does not require the undertaking

~~The Claimant (Applicant/Petitioner) gave an undertaking (through his counsel or solicitor) promising to pay any damages ordered by the court if it later decides that the Defendants/Respondent has suffered loss or damage as a result of this order.*~~

Signed

(Judge's Clerk)



Dated

29/3/22



For hearing in open court

Case number G00SK287

Claimant Stockport MBC

Defendant Emma Shaw

Before District Judge Taskeen sitting at Stockport County Court on the 29th March 2022 Emma Shaw of 24A Oak Road Cheadle Stockport SK8 1ED was committed to prison for 2 months for breaching an order of this court dated the 6th May 2020, the order was breached as per the schedule of admitted breaches attached to this order and this committal order having been suspended upon the Defendant complying with the injunction order made on the 29th March 2022 attached

Michael Anthony Atkins

Officer of the Court

Order on determination of proceedings for contempt of court

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

Name of court

County Court at Stockport

Claim no.

G00SK287

Claimant's name (including ref.)

Stockport MBC LT/SHL001/530

Defendant's name (including ref.)

Emma Shaw



After hearing counsel for the claimant and for the defendant

And after

- considering an application by the claimant for an order determining contempt proceedings
- considering a summons issued under rule 81.6(3) of the Civil Procedure Rules
- reading the evidence filed by the parties and hearing oral evidence at the hearing of the application or summons

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

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

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

Day

06

Month

May

Year

2020

by breaching an undertaking given to the court on

Day

Month

Year

not to (state breach of undertaking etc.)

Engage or threaten to engage in conduct capable of causing harassment, alarm, distress, nuisance or annoyance to Kathryn Heys of 24B Oak Road, Cheadle, Stockport, SK8 1ED.

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

application

summons

It is ordered that:

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

Days	Weeks	Months	Years
		2	

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

that the Defendant comply with the injunction order dated 29th March 2022.

3. The defendant shall pay to HM Courts & Tribunals Service a fine of

£ within days

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

until they clear

their contempt **or**

until further order

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

Dated

Day Month Year

IN THE COUNTY COURT AT STOCKPORT

Case No: G00SK287

BETWEEN:

**STOCKPORT METROPOLITAN BOROUGH
COUNCIL**

Claimant

and

EMMA SHAW

Defendant

SCHEDULE OF ADMITTED BREACHES

	Day/Date	Time	Incident	Sentence
1.	Thursday, 7 May 2020	11pm	<i>Kathryn Heys was disturbed by the sounds of loud music being played by the Defendant followed by her having a loud argument with her partner, Shane McDonagh.</i>	
2.	Saturday, 20 June 2020	Afternoon to early hours the following day	<i>the Defendant and her partner, Shane McDonagh together had three female visitors at the property. Kathryn Heys could hear them talking loudly in both the property and the garden, more particularly when they moved between the two. Kathryn could hear their loud talking throughout the night, continuing into the early hours of the morning of Sunday 21 June 2020 hear their loud talking throughout the night, continuing into the early hours of the morning of Sunday 21 June 2020.</i>	

3.	Sunday, 21 June 2020	3am-3.40am	<i>Kathryn Heys heard the Defendant and Shane McDonagh arguing with one of the female visitors. They all moved out onto the street where they continued the argument but at 3.40am.</i>	
4.	Sunday, 21 June 2020	1pm onwards	<i>Kathryn Heys heard the Defendant arguing with Shane McDonagh. There was also an unknown female and male visitor present. The Defendant, Shane McDonagh and their visitors were shouting and swearing. This disturbance then moved onto the driveway where it continued. The Police were called in relation to this incident</i>	
5.	Sunday, 2 August 2020	5.30am	<i>Kathryn Heys heard the Defendant and Shane McDonagh shouting, fighting and slamming doors. The Police were called in relation to this incident.</i>	
6.	Sunday, 2 August 2020	10.55am	<i>Kathryn Heys heard the Defendant and Shane McDonagh arguing loudly. Shane then left the flat and could be heard continuing to argue in the driveway with the Defendant who was standing at the flat window</i>	
7.	Sunday, 2 August 2020	11.15pm	<i>the Defendant and Shane McDonagh had a number of visitors to their flat and Kathryn was disturbed by the loud and noisy behaviour of the Defendant and Shane and the visitors whom the Defendant allowed to behave in this way</i>	
8.	Saturday, 5 September 2020	10pm and 1am next day	<i>Kathryn Heys heard the Defendant singing and shouting loudly at Shane McDonagh. She heard this disturbance start again at 1.00am on Sunday 6 September 2020</i>	

			<i>followed by a door slam, where either the Defendant or Shane left the flat</i>	
9.	Sunday, 20 December 2020	11.14pm- 11.44pm approx..	<i>Kathryn Heys heard the Defendant and Shane McDonagh arguing for about 30 minutes until Shane left their property. Kathryn was then disturbed by the Defendant who continued to make loud banging noises inside the flat</i>	
10.	Wednesday, 10 February 2021	5.45pm- 8.45pm	<i>Kathryn Heys heard the Defendant allowing her visitors to be loud whilst in the property as well as making loud banging noises herself, slamming doors and then arguing and shouting with Shane McDonagh.</i>	
11.	Wednesday, 10 February 2021	Shortly after 8.45pm	<i>Kathryn heard the Defendant again arguing with Shane McDonagh before he left the property. The Police arrived at 9.45pm</i>	
Breaches in further application of 2 November 2021				
12.	Sunday, 9 May 2021	10.10pm	<i>Kathryn Heys heard the Defendant and her partner, Shane McDonagh shouting and arguing.</i>	
13.	Monday, 5 July 2021	8pm	<i>Kathryn Heys was disturbed by the Defendant and Shane arguing. This disturbance only stopped when the Defendant left their flat</i>	
14.	Thursday, 19 August 2021	During evening	<i>Kathryn Heys was disturbed by the raised voices of the Defendant and Shane. At 11pm she was woken up by their loud shouting and arguing. The Defendant left her property shortly after, banging the front door as she went.</i>	



15.	Sunday, 22 August 2021	8.40pm	<i>Kathryn Heys was disturbed by the Defendant and Shane arguing and from what she could hear, fighting as well. Ms Heys left her property but returned later to hear them both still arguing</i>	
16.	Saturday, 28 August 2021	10.17pm	<i>Kathryn Heys was disturbed by the Defendant and Shane arguing, initially inside their flat but then it continued onto the drive outside</i>	
17.	Saturday, 4 September 2021	1am	<i>Kathryn Heys was disturbed by the Defendant and Shane shouting and arguing and it sounded like they were throwing things down the stairs. This continued until approximately 3.30am. Later that morning at 7.45am, Kathryn Heys was woken up by the Defendant and Shane still arguing</i>	
18.	Wednesday, 8 September 2021	During evening	<i>Kathryn Heys was watching TV when she was disturbed by the Defendant and Shane arguing so loudly that she could hardly hear her television. After going to bed, she was disturbed by loud arguing at 11pm</i>	
19.	Friday, 8 October 2021	11.18pm	<i>Kathryn Heys was disturbed by banging noises coming from the Defendant's property and an argument between her and Shane</i>	



Injunction Order

Between STOCKPORT
METROPOLITAN
BOROUGH COUNCIL

Claimant

Applicant

and MS EMMA SHAW

Defendant

Respondent

In the County Court at Stockport	
Case No.	G00SK287
Applicant's Ref.	LT/SHL001/530
Respondent's Ref.	

To (1) MS EMMA SHAW

Of (2) 24A OAK ROAD
CHEADLE
STOCKPORT
SK8 1ED

For completion by the court
Issued on 29/9/2022



BEFORE DISTRICT JUDGE TASKEEN

IF YOU, THE WITHIN-NAMED MS EMMA SHAW DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND IMPRISONED OR FINED, OR YOUR ASSETS MAY BE SEIZED

On the 29th day of March 2022 the court considered an

application for an injunction and is satisfied on the balance of probabilities, that the Respondent has engaged or threatened to engage in anti-social behaviour, and being satisfied that it is just to do so and convenient to grant the injunction for the purpose of preventing the Respondent from engaging in anti-social behaviour.

(1) The name of the person the order is directed to.

The Court ordered that (1) MS EMMA SHAW of (2) 24A OAK ROAD, CHEADLE, STOCKPORT, SK8 1ED is forbidden (whether by herself or by allowing, inciting or encouraging any other person) (3) from:

(2) The address of the person the order is directed to.

(1) Engaging or threatening to engage in conduct capable of causing harassment, alarm, distress, nuisance or annoyance to Kathryn Heys of 24B Oak Road, Cheadle, Stockport, SK8 1ED.

(3) The terms of the restraining order.

If the Respondent is a limited company delete the words in brackets and insert "whether by its servants, agents, officers or otherwise")

This order shall remain in force until service of the final order, 4pm on 29th September 2023 or discharge of this order, whichever occurs first.

(1) The name of the person the order is directed to.

And it is ordered that (1)

On the 29th day of March 2022

Before District Judge Taskeen

The court was sitting at: Stockport County Court, The Courthouse, Edward Street, Stockport

The Claimant Applicant Petitioner STOCKPORT MBC

was represented by Counsel.

represented by Solicitor.

in person.

The Respondent Defendant MS EMMA SHAW

was represented by Counsel.

represented by Solicitor.

in person.

did not appear having been given notice of this hearing.

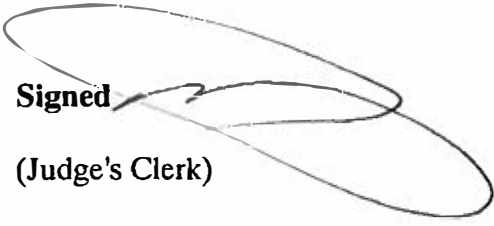
not given notice of this hearing.

*Delete this paragraph if the court does not require the undertaking

~~The Claimant (Applicant/Petitioner) gave an undertaking (through his counsel or solicitor) promising to pay any damages ordered by the court if it later decides that the Defendants/Respondent has suffered loss or damage as a result of this order.*~~

Signed

(Judge's Clerk)



Dated

29/3/22

