

On behalf of: Applicants/Claimants  
J.A Dilcock  
12th statement of witness  
Exhibits: JAD14  
Date: 17 April 2023  
**Claim No. QB-2022-BHM-000044**

**IN THE HIGH COURT OF JUSTICE  
KINGS BENCH DIVISION  
BIRMINGHAM DISTRICT REGISTRY**

**Between:**

- (3) HIGH SPEED TWO (HS2) LIMITED  
(4) THE SECRETARY OF STATE FOR TRANSPORT**

**Claimants**

**-and-**

- (6) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANTS ON, IN OR UNDER LAND KNOWN AS LAND AT CASH'S PIT, STAFFORDSHIRE SHOWN COLOURED ORANGE ON PLAN A ANNEXED TO THE ORDER DATED 11 APRIL 2022 ("THE CASH'S PIT LAND")**
- (7) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANTS ON, IN OR UNDER LAND ACQUIRED OR HELD BY THE CLAIMANTS IN CONNECTION WITH THE HIGH SPEED TWO RAILWAY SCHEME SHOWN COLOURED PINK, AND GREEN ON THE HS2 LAND PLANS AT <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings> ("THE HS2 LAND") WITH THE EFFECT OF DAMAGING AND/OR DELAYING AND/OR HINDERING THE CLAIMANTS, THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, INVITEES AND/OR EMPLOYEES**
- (8) PERSONS UNKNOWN OBSTRUCTING AND/OR INTERFERING WITH ACCESS TO AND/OR EGRESS FROM THE HS2 LAND IN CONNECTION WITH THE HS2 SCHEME WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT, WITH THE EFFECT OF DAMAGING AND/OR DELAYING AND/OR HINDERING THE CLAIMANTS, THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, INVITEES AND/OR EMPLOYEES WITHOUT THE CONSENT OF THE CLAIMANTS**
- (9) PERSONS UNKNOWN CUTTING, DAMAGING, MOVING, CLIMBING ON OR OVER, DIGGING BENEATH OR REMOVING ANY ITEMS AFFIXED TO ANY TEMPORARY OR PERMANENT FENCING OR GATES ON OR AT THE PERIMETER OF THE HS2 LAND, OR DAMAGING, APPLYING ANY SUBSTANCE TO OR INTERFERING WITH ANY LOCK OR ANY GATE AT THE PERIMETER OF THE HS2 LAND WITHOUT THE CONSENT OF THE CLAIMANTS**
- (10) MR ROSS MONAGHAN (AKA SQUIRREL / ASH TREE)**

**AND 58 OTHER NAMED DEFENDANTS AS SET OUT IN THE SCHEDULE TO THE PARTICULARS OF CLAIM**

**Defendants**

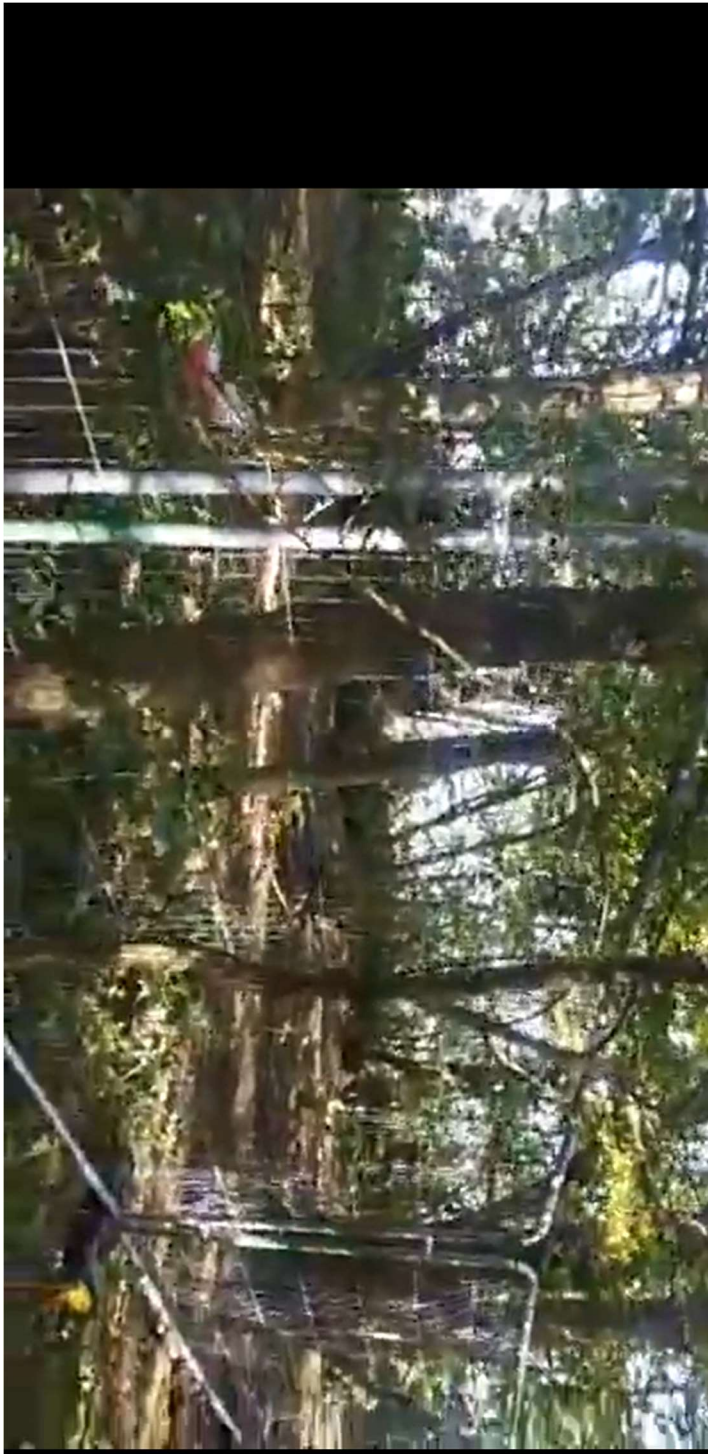
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**EXHIBIT JAD14 TO THE TWELFTH WITNESS STATEMENT OF JULIE AMBER DILCOCK**

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The documents in this Exhibit are at: <https://www.gov.uk/government/collections/hs2-route-wide-injunction-proceedings>

<https://www.facebook.com/markkeir77/videos/2671888262843451>



 Mark Keir was live.  
September 19, 2019 · 🌐

👍❤️ 6      7 comments   78 views

👍 Like    💬 Comment    ➦ Share

Comments Hide

- Most relevant ▾
-  Mark Keir · 0:36  
This is Cubbington ...

Like Reply 3y

↳  Elizabeth Louise Willia... · 1 Reply
  -  Patricia Merlin · 1:38  
What can we do???

Like Reply 3y
  -  Patricia Merlin · 1:24  
Well done guys for being there! ...

Like Reply 3y
  -  Patricia Merlin · 0:53  
Sad!!!!

Like Reply 3y
  -  Jean Hall  
Wild life won't make any difference to them. ...

Like Reply 3y
  -  Elizabeth Louise Williams · 1:07  
Please tell me that's not Dews Dell!!!!  
Chris Wood Dominic Dyer!!! ...

Like Reply 3y

<https://www.facebook.com/markkeir77>

Facebook post by the Fourth Defendant on 5 January 2018:



Video taken by Fourth Defendant on 11 January 2018 (51 seconds long) and posted on Facebook (URL: <https://www.facebook.com/markkeir77/videos/1778239532208333/>):



Video shows works to move fencing at the North Compound entrance. The Fourth Defendant speculates that the works may be designed to widen the entrance. At 19 seconds into the video he says:

*"Erm, but we have that in hand. We can, we've got enough people actually to stop both sides of this gate or block both sides of this gate"*

Video taken by the Fourth Defendant on 11 January 2018 (36 seconds long) and posted on Facebook (URL: <https://www.facebook.com/markkeir77/videos/1778311765534443/>):



Fourth Defendant describes how the Third Defendant and another female have entered the compound. At 28 seconds in he says: "Anything we can do to slow them up and stop them" and then laughs.

Video taken by Fourth Defendant on 11 January 2018 (51 seconds long) and posted on Facebook (URL: <https://www.facebook.com/markkeir77/videos/1778365175529102/>):



Video is taken after the trespass and obstruction incidents that have taken place that day.

Transcript:

**Fourth Defendant:** "There we are, we're all back safe and sound, all back safe and sound. The police were very pleasant and very polite. They did want us, they don't want us, er, stopping the traffic, but, well I guess, they're going to have to wish on that one. Erm, but at the moment, er, oooh, lots of big, heavy machinery moving down the hill here. I wonder why that is? They're obviously going to start works down this end."

**Eighth Defendant:** (shouts) "Go for it! You have an hour!"  
(Defendants laugh)

**Eighth Defendant:** (shouts) "You have an hour to finish!"  
(Defendants laugh)

**Fourth Defendant:** (shouts) "And we've got our whole lives!"  
(Defendants laugh)



Claim No: PT-2018-000098

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
PROPERTY, TRUSTS AND PROBATE LIST (ChD)**

PT-2018-000098

**Before: David Holland QC (sitting as a deputy judge of the High Court)**

**On: 13<sup>th</sup>, 14<sup>th</sup> and 16<sup>th</sup> May 2019**

**B E T W E E N:**

(1) THE SECRETARY OF STATE FOR TRANSPORT

(2) HIGH SPEED TWO (HS2) LTD

Claimants/Applicants

-and-

(1) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANT(S) ON LAND AT HARVIL ROAD, HAREFIELD IN THE LONDON BOROUGH OF HILLINGDON SHOWN COLOURED GREEN, BLUE AND PINK AND EDGED IN RED ON THE PLANS ANNEXED TO THE AMENDED CLAIM FORM

(2) PERSONS UNKNOWN SUBSTANTIALLY INTERFERING WITH THE PASSAGE BY THE CLAIMANTS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, INVITEES OR EMPLOYEES WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT BETWEEN THE PUBLIC HIGHWAY AT HARVIL ROAD, HAREFIELD IN THE LONDON BOROUGH OF HILLINGDON SHOWN COLOURED ORANGE AND THE LAND AT HARVIL ROAD SHOWN COLOURED GREEN, BLUE AND PINK AND EDGED IN RED ON THE PLANS ANNEXED TO THE AMENDED CLAIM FORM

(3) SARAH GREEN

(4) MARK KEIR

(5) GRAHAM MARSH

(6) SOFIA KAZI

(7) THORN RAMSAY

(8) VAJDA ROBERT MORDECHAJ

Defendants / Respondents

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**ORDER**

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**PENAL NOTICE**

**IF YOU THE WITHIN NAMED DEFENDANTS OR ANY OF YOU DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED**

## **IMPORTANT NOTICE TO THE DEFENDANTS**

**This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.**

**UPON** the Claimants' application by Application Notice dated 25 April 2019 ("the **Application**")

**AND UPON** the Claimants withdrawing their application to add Laura (aka Lora) Hughes as the Ninth Defendant to these proceedings

**AND UPON** hearing: (i) Tom Roscoe, counsel for the Claimants; (ii) the Third Defendant, Sarah Green, in person; (iii) Paul Powlesland, counsel for the Fourth Defendant; and (iv) the Eighth Defendant, Vajda Robert Mordechaj, in person, and Sarah Green, Mark Keir and Vajda Robert Mordechaj being present in Court upon the making of this Order

**AND UPON** the Court accepting the Claimants' undertaking that the Claimants will comply with any order for compensation which the Court might make in the event that the Court later finds that this Order has caused loss to a Defendant and the court finds that the Defendant ought to be compensated for that loss

**AND UPON** the Claimants confirming that this Order is not intended to prohibit continued occupation of the "Protestor Encampment" on Harvil Road, marked on the Plan annexed to this order ("the **Plan**")

**AND UPON** the Claimants confirming that they were not seeking their costs of the hearing on 13<sup>th</sup>, 14<sup>th</sup> and 16<sup>th</sup> May 2019 against any named defendant

**IT IS ORDERED THAT:**

### **Amendment & Parties**

1. The Claimants have permission: (i) to amend the names of the First and Second Defendants to the form set out in the heading to this Order; and (ii) to amend the Claim Form in these proceedings to the form of the draft Amended Claim Form appended to the Application.

2. The Third to Eight Defendants be removed as parties, with no order as to costs of the proceedings against them.
3. The said amendments and additional and removal of parties shall take effect immediately, and further service of the Amended Claim Form is dispensed with.

### **Service by Alternative Method**

4. Pursuant to CPR r. 6.27, the steps that the Claimant has taken to bring the Application to the attention of the Defendants, as outlined in the Fourth Witness Statement of Ms Julie Dilcock dated 8 May 2019 shall amount to good and proper service of the proceedings on the Defendants and each of them.

### **Injunctions**

5. Upon service of this Order in accordance with paragraphs 10 to 14 below, the injunctions at paragraphs 2 to 4 of the Order of this Court in these proceedings dated 19 February 2018 shall be discharged and shall be replaced with the injunctions at paragraphs 6 to 9 below.
6. With immediate effect, and save in exercise of a right to pass and repass over public footpaths or bridleways crossing the land and save for passage over the lane known as and marked on the Plan annexed to this order (“the **Plan**”) as Dews Lane, the First Defendant and each of them are forbidden, without the consent of the First or Second Claimant, from entering or remaining upon “Land at Harvil Road”, being the land shaded green, blue and pink and outlined red on the Plan (“the **Harvil Road Site**”). Further:
  - 6.1 This paragraph of this Order shall, for the avoidance of doubt, apply to the splays, or bell-mouth areas, for access and egress between the Harvil Road Site and the public highway at the vehicular entrances marked on the Plan as “West Gate 3 Entrance”, “North Compound Entrance” and “South Compound Entrance” (“the **Vehicular Entrances**”).
  - 6.2 For the purposes of this Order the areas of concrete hard standing immediately adjacent to the main carriageway of the public highway at each of the Vehicular Entrances shall **NOT** be treated as part of the

Harvil Road Site, but the areas of the bell-mouths between that concrete hard standing and the gates at the Vehicular Entrances **SHALL** be treated as part of the Harvil Road Site and covered by this paragraph of the Order.

- 6.3 The Claimants shall seek, so far as reasonably practicable, to demark that boundary by some physical line or mark or other feature on the ground.
7. With immediate effect, the Second Defendant and each of them are forbidden from substantially interfering with the Claimants' and/or their agents', servants', contractors', sub-contractors', group companies', licensees', invitees' or employees' access to (or egress from) the Harvil Road Site (or any part of it) from (or to) the public highway at Harvil Road, Harefield in the London Borough of Hillingdon.
8. For the purposes of paragraph 7, acts of substantial inference shall include (but not necessarily be limited to):
  - 8.1 climbing onto or underneath vehicles;
  - 8.2 attaching persons or objects to vehicles;
  - 8.3 standing, sitting or lying in front of vehicles;
  - 8.4 attaching persons to other persons or objects so as to create an obstruction of the public highway or the splay or bell-mouth areas at the Vehicular Entrances;
  - 8.5 attaching persons or objects to the gates at the Vehicular Entrances.
9. The orders at paragraphs 6 to 8 above shall:
  - 9.1 apply to the individuals who were formerly the Third to Eighth Defendants if and to the extent that their actions bring them within the descriptions of the First and/or Second Defendants; and
  - 9.2 remain in effect until trial or further order or, if earlier, a long-stop date of 1 June 2020.



## **Service of the Order**

10. Pursuant to CPR r. 6.27 and r. 81.8 service of this Order on the First and Second Defendants shall be dealt with as follows:
  - 10.1 The Claimants shall affix sealed copies of this Order in transparent envelopes to posts, gates, fences and hedges at conspicuous locations around the Harvil Road Site, including at and opposite the Vehicular Entrances.
  - 10.2 The Claimants shall position signs, no smaller than A3 in size, advertising the existence of this order and providing the Claimant's solicitors contact details in case of requests for a copy of the order or further information in relation to it.
  - 10.3 The Claimants shall also leave sealed copies of this Order at the protestor campsite marked on the Plan.
  - 10.4 The Claimants shall further advertise the existence of this order in a prominent location on the websites: (i) <https://hs2inhillington.commonplace.is/>; and (ii) <https://www.gov.uk/government/organisations/high-speed-two-limited>, together with a link to download an electronic copy of this Order.
11. The taking of such steps shall be good and sufficient service of this Order on the First and Second Defendants and each of them.
12. This Order shall be deemed served on those Defendants the date that the last of the above steps is taken, and shall be verified by a certificate of service.
13. The Claimants shall from-time-to-time (and no less frequently than every 28 days) confirm that copies of the orders and signs referred to at paragraphs 5.1 and 5.2 remain in place and legible, and, if not, shall replace them as soon as reasonably practical.
14. The Court will provide sealed copies of this Order to the Claimants' solicitors for service (whose details are set out below).

## **Further directions**

15. No Defendant shall be required to file an acknowledgment of service. Further:
  - 15.1 Any Defendant (or individual who does or may by their future acts or conduct fall within the definition of the First or Second Defendant) who wishes to contest the claim as amended shall file and serve on the Claimant's solicitor an acknowledgement of service on the Claimant's solicitors (whose details are set out below) and a witness statement outlining their interest in this matter and the nature of or grounds for that contest by 4pm on 13 June 2019.
  - 15.2 In the case of an individual who is not already named as a Defendant, that person must provide their full name and address, an address for service, and must also apply to be joined as a named defendant to the proceedings at the same time.
16. The Defendants or any other person affected by this order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimants' solicitors immediately (and in any event not less than 48 hours before the hearing of any such application).
17. Any person applying to vary or discharge this order must provide their full name and address, an address for service, and must also apply to be joined as a named defendant to the proceedings at the same time.
18. In the event that any acknowledgments of service or applications are filed or served pursuant to paragraph 15 above, the Claimants shall notify the Court in writing and seek the listing of a directions hearing.
19. The Claimants have liberty to apply to extend or vary this Order or for further directions.
20. Save as provided for above, the Claim be stayed generally with liberty to restore.

## **Costs**

21. There shall be no order as to the costs of these proceedings to date.

22. If the Claimants intend to seek a costs order against any person in respect of any future applications in these proceedings or any future hearing, then they shall seek to give reasonable advance notice of that fact to that person.

### **Communications with the Court**

23. All communications to the Court about this Order (which should quote the case number) should be sent to:

Court Manager  
High Court of Justice  
Chancery Division  
Rolls Building  
7 Rolls Building  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 7501. The officer are open weekdays 10.00am to 4.30pm.

The out of hours telephone number (for urgent business only) is 020 7947 6260.

24. The Claimants' solicitors and their contact details are:

Eversheds Sutherland (International) LLP of:

1 Callaghan Square  
Cardiff  
CF10 5BT

DX: 33016 Cardiff

Tel: 020 7497 9797

Ref: DILCOCJ/335547-000045

### **AND UPON the Fourth Defendant's application, made orally by Mr Powlesland, for permission to appeal**

25. Permission to appeal is refused

26. **This order will be served by the Claimant on the Defendants**

### **Service of the order**

The Court has provided a sealed copy of this order to the serving party:

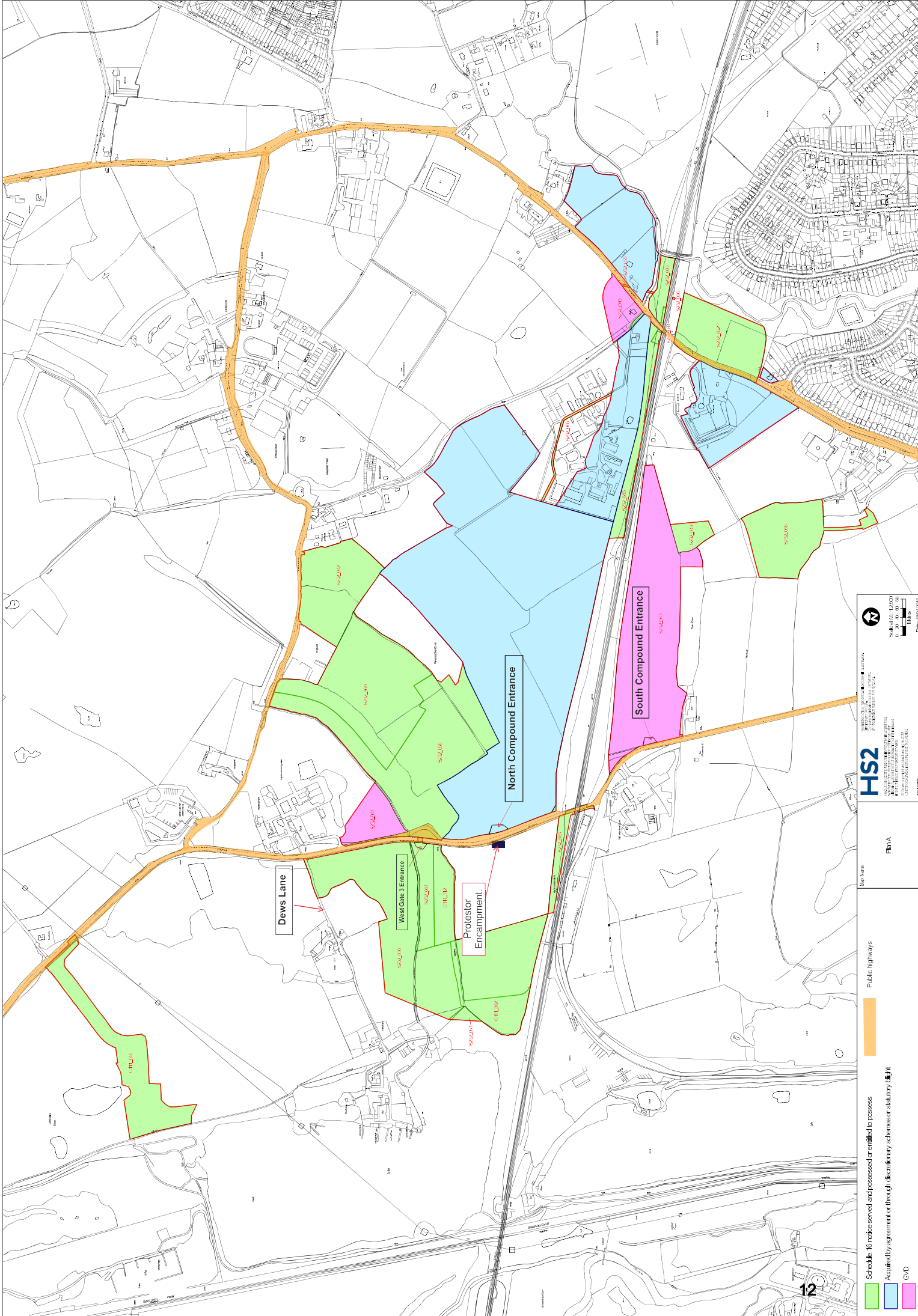
Eversheds Sutherland (International) LLP of:

1 Callaghan Square  
Cardiff  
CF10 5BT

DX: 33016 Cardiff

Tel: 020 7497 9797

Ref: DILCOJ/335547-000045



**HST**  
 High Speed Train  
 Infrastructure  
 Planning  
 & Design  
 Limited  
 100, Victoria Road  
 London, W1B 5PH  
 Tel: 020 7000 0000  
 Fax: 020 7000 0001  
 Email: info@hstplanning.com  
 Website: www.hstplanning.com

Plan A

Public highways

- Schedule 16 notice served and possessed or entitled to possess
- Acquired by agreement or through discretionary schemes or statutory right
- C/D



Claim No: PT-2019-000798  
(Transferred from the County Court at  
Uxbridge with Claim No. F01UB002)

28 Nov 2019  
PT-2019-000798

**IN THE HIGH COURT OF JUSTICE  
BUSINESS AND PROPERTY COURTS  
OF ENGLAND AND WALES  
PROPERTY, TRUSTS AND PROBATE LIST (ChD)**

**Mr David Holland QC  
(Sitting as a Deputy Judge of the High Court)**

**Dated this 28<sup>th</sup> November 2019**

**B E T W E E N:**

**HIGH SPEED TWO (HS2) LTD**

**Claimant**

**and**

**(1) PERSONS UNKNOWN  
(2) MARK KEIR  
(3) SARAH GREEN  
(4) ALAN LOFTING**

**Defendants**

---

**ORDER**

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**UPON** the Claimant's claim for possession dated 3 September 2019 under claim number F01UB002 ("the Possession Claim") against the First Defendant.

**AND UPON** an order in the County Court at Uxbridge dated 16 September 2019 (i) adding the Second, Third and Fourth Defendants as Defendants to the Possession Claim, (ii) transferring the Possession Claim from the County Court at Uxbridge to the High Court, and (iii) adjourning the Possession Claim generally with liberty to restore.

**AND UPON** the Claimant's application by application notice dated 30 September 2019 to restore the Possession Claim and for an order for possession and a declaration

**AND UPON** hearing Jonathan Chew, Counsel for the Claimant, Paul Powlesland, Counsel for the Second Defendant and the Third and Fourth Defendants appearing in person on 16 October 2019

**AND UPON HEARING** Ms Laura Hughes in person in respect of her denial of allegations made about her in the Claimant's witness evidence but neither (i) joining Ms Hughes as a party nor (ii) making a finding in respect of the said allegations.

**AND UPON READING** the N244 application, Claim Form, Particulars of Claim, First and Second Witness Statements of Sean Robert Armstrong, the First Witness Statement of Robert William McCrae and the Certificate of Service of Mark Seymour dated 10 September 2019, the Certificate of Service of Mark Seymour dated 14 October 2019 and the Certificate of Service of Raymond Finch dated 14 October 2019

**AND UPON** the Court giving judgment at a hearing on 28 November 2019

**IT IS ORDERED THAT:-**

1. The claim be restored.
2. The Claimant does recover possession forthwith of land at and adjacent to Dews Farm, Harvil Road, Harefield, Uxbridge, Hillingdon as shown edged red on the plan attached to this Order ("the Land").
3. There be no order as to the costs of these proceedings.
4. Pursuant to CPR r.6.27, the Claimant shall serve a copy of this Order upon the Defendants as follows:
  - 4.1. on the First Defendant by delivering to and leaving sealed copies of this Order on parts of the Land such that they are visible to those occupying it and at Harvil Road Wild Life Protection Camp, UB9 6JW;
  - 4.2. on the Second Defendant by post or hand delivery to 31 Winnock Road, West Drayton, UB7 7RH;
  - 4.3. on the Third Defendant by post or hand delivery to 73 Iver Lane, Cowley, Uxbridge, UB8 2JE; and
  - 4.4. on the Fourth Defendant by leaving a copy addressed to him at Harvil Road, Wild Life Protection Camp, UB9 6JW (or such other address as shall be notified to the Claimant's solicitors in writing in advance).

## **Service of the Order**

The Court has provided sealed copies of this Order to the Claimant's solicitors for service whose details are:

Eversheds Sutherland (International) LLP:

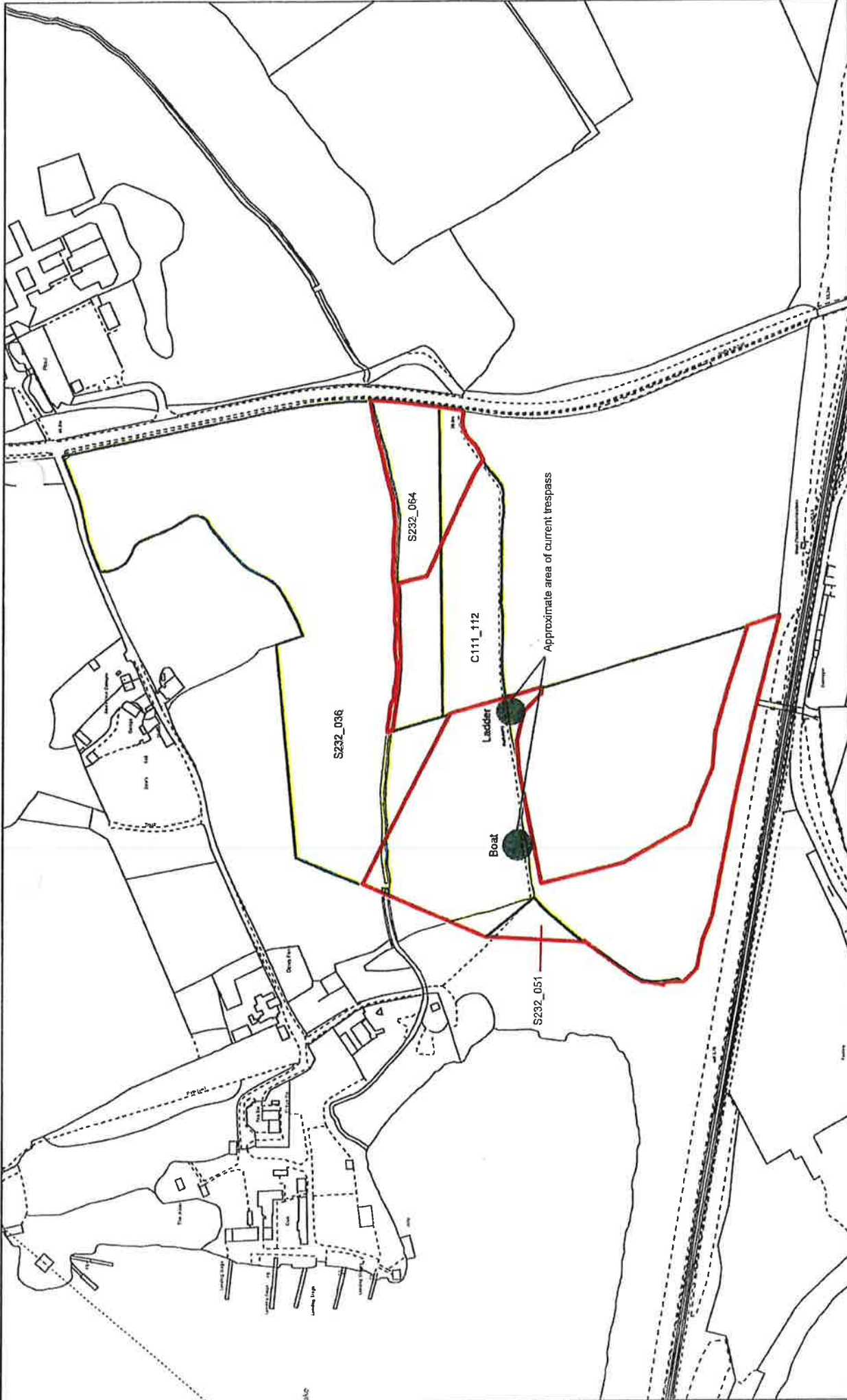
1 Callaghan Square, Cardiff, CF10 5BT

DX: 33016 Cardiff

Tel: 020 7497 9797

Ref: JENKINSW/335547-000116





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**Legend**  
 Possession Order Land  
 Schedule 16 land

High Speed Two  
 Schedule 16 Land  
 and  
 Possession Order Land  
 Harvil Road  
 Internal

**HSE**  
 High Speed Rail  
 High Speed Rail  
 High Speed Rail  
 High Speed Rail

Scale at A3: 1:2,500  
 0 10 20 30 40 50 60 70 80 90 100  
 Metres

Date: 30/08/19  
 Doc Number: P1C-HS2-GH-MAP-CDD1-000003-P01

## D36 trespassing 11.11.2017



### D36 Trespassing 12.11.2017

Photograph of the Fourth Defendant and a male person unknown trespassing that was posted on Twitter:



**Colne Valley Action** @CV\_Action\_HS2 · 12 Nov 2017

Peaceful protests by the old oak #Harvil #ColneValley #stopHS2



D36 Trespassing and obstructing access 04.12.2017

Mark Keir Retweeted



**Jenny Jones** @GreenJennyJones · 4 Dec 2017

Meeting the people who are trying to prevent destruction of some beautiful Hillingdon countryside with once-protected nature reserves. #VictimsofHS2 @saveColneValley Check out the petition and please sign!



Stop HS2 Retweeted



**Jenny Jones** @GreenJennyJones · 4 Dec 2017

Supporting the Harvil Road protectors of Hillingdon's very special water meadows and green spaces. No! to #HS2 @saveColneValley @TheGreenParty



## D36 Obstructing Access and Egress at Harvil Road 09.01.2018



Mark Keir

January 9 at 10:41am · 🌐



We are out there again, this time low loader and traffic control are inside. Come help us keep them there!



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Video taken by Fourth Defendant (2mins 3 seconds long) and uploaded to Facebook (URL: <https://www.facebook.com/markkeir77/videos/1776033322428954/>):



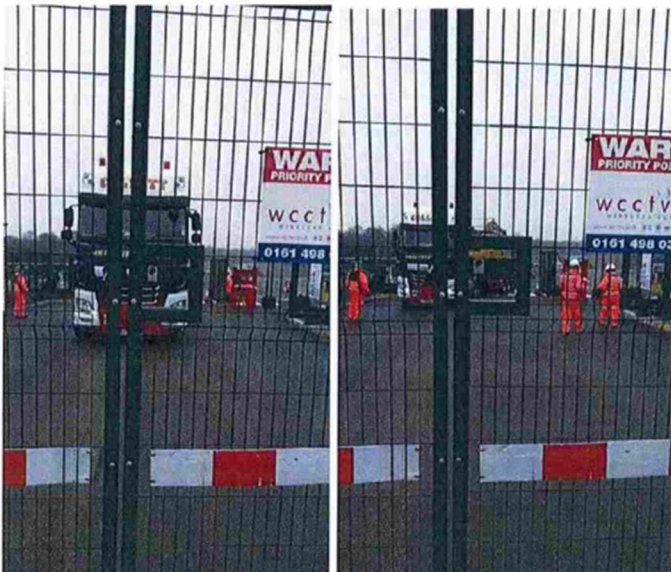
The video opens with the Fourth Defendant saying: "well we're here at the main compound just waiting for a low loader to come out with a digger that's going to go down to the Harvil Rd Site, erm - we are hopefully going to stop him"

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Video livestreamed by Fourth Defendant (18mins and 3 seconds long) and uploaded to Facebook (URL: <https://www.facebook.com/markkeir77/videos/1776036395761980/>):



Video taken by Fourth Defendant (2mins and 18 seconds long) and uploaded to Facebook (URL: <https://www.facebook.com/markkeir77/videos/1776065302425756/>):



Video shows low loader reversing away from the gates having been prevented from leaving by the trespassers.

Fourth Defendant (at 1min and 37 seconds into the video) says: *(laughs)* "We could hold them in there forever! Fantastic!"

## D36 Trespassing and Obstructing Access 10.01.2018

Video livestreamed by Fourth Defendant (24 seconds long) and uploaded to Facebook (URL: <https://www.facebook.com/markkeir77/videos/1777179692314317/>):



Transcript:

**Fourth Defendant:** "Just making sure that you all know what's happening. We are still here, still waiting, errr, the police have been called they're coming up, but as far as we are concerned we are definitely on private property, erm, so, yeah, trespass, but not, er, obstructing the highway. Ok, er, I'll be back when something starts happening"

---

Video livestreamed by Fourth Defendant (23 seconds long) and uploaded to Facebook (URL: <https://www.facebook.com/markkeir77/videos/1777196802312606/>):



Transcript:

**Fourth Defendant:** "Just for anybody who is interested, the one thing that would really help here is lots more bodies and it would make it much, much more difficult for anything else to happen today. Please come down and help. Bye."

---

Save the Colne Valley Retweeted



**Colne Valley Action** @CV\_Action\_HS2 · Jan 10

More #DirectAction being taken today against #HS2. Contractors have now fenced protesters in.



**Lizzy** @LifebyLizzy · Jan 10

Protestors have entered the compound at #Harvil Road and are currently staging a sit in #StopHS2 #HS2 [facebook.com/markkeir77/vid...](https://www.facebook.com/markkeir77/vid...) working on getting us a working YouTube account.



**Lizzy** @LifebyLizzy · Jan 10

See the fun and games at #Harvil Road here! [facebook.com/colne.valley.7...](https://www.facebook.com/colne.valley.7...) no Police yet as at the moment still being treated as a civil matter. Interesting barrier work! #StopHS2 Shout out to these brave peaceful protestors! #HS2



**Lizzy** @LifebyLizzy · Jan 10

Just spoken to our fenced in protestors. Great spirits. Latest is fish and chips on their way lol #StopHS2 plenty of tea! #HS2



## D36 Trespassing in Harvil Rd site bellmouth 11.01.2018



**Colne Valley Action** @CV\_Action\_HS2 · Jan 11

A message from the brave campaigners at #Harvil. The camp needs more people willing to stand up for what they believe. It will be too late to take #DirectAction when HS2 destruction reaches your town further along the line. Come to the beautiful Colne Valley now to #StopHS2

Video taken by the Fourth Defendant (1min and 41 seconds long) and posted on Facebook (URL: <https://www.facebook.com/markkeir77/videos/1778213108877642/>):



At 58 seconds into the video the Third Defendant says: "I can get in anywhere Mordechaj"

Video taken by Fourth Defendant on 11 January 2018 (51 seconds long) and posted on Facebook (URL: <https://www.facebook.com/markkeir77/videos/1778239532208333/>):



Video shows works to move fencing at the North Compound entrance. The Fourth Defendant speculates that the works may be designed to widen the entrance. At 19 seconds into the video he says:

*"Erm, but we have that in hand. We can, we've got enough people actually to stop both sides of this gate or block both sides of this gate"*


27.04.2019 to 28.04.2019 – trespass and obstruction of de-vegetation works

<https://www.facebook.com/markkeir77>

Mark's Post

Mark Keir is with Liam Walters.  
April 27, 2019 · 🌐

Tree protectors in place 😊



👍❤️ 68 11 comments 26 shares

👍 Like    💬 Comment    ➦ Share

Most relevant ▾

- Jess Lee  
Wow! That really makes those trees look impressive. 🙌  
Like Reply 3y
- Janet Quinn  
You guys are superstars. Thank you so much. 🙌  
Like Reply 3y
- Fiona Campbell  
👍👍👍👍👍👍🌍  
Like Reply 3y
- Simon Icke  
Well done you brave little monkeys! 😊  
Like Reply 3y
- Lora Hughes  
See u sn tree pixies. X 🙌  
Like Reply 3y
- Duke Ingram  
Love you all 🙌  
Like Reply 3y
- Micky LeVoguer  
Wow 🙌🙌🙌🙌  
Like Reply 3y
- Michelle Barnes  
Total legends 🙌. In gratitude and solidarity 🙌🙌🙌  
Like Reply 3y
- Carol Foster
- Alison June  
Wonderful people... stay strong x

## Mark's Post



**Mark Keir**

April 28, 2019 · 🌐



Well, we had thought that possibly HS2 contractors might try and beat us today with an early start. Several of us already perched by 5.30.....waiting.

Gone 8, no road block.

Gone 9.30, no road block. Black caps, robins, blackbirds and great tits all singing our praises.



5 comments 2 shares



Like



Comment



Share

Most relevant ▾



**Jess Lee**

What damage are they doing elsewhere, I wonder? ...

Like Reply 3y



**Debbie Howes**

Makes you wonder Jess if they are doing more damage or taking the day off as it is the weeknd and going to start tomorrow instead ...

Like Reply 3y



**Jess Lee**

only if they don't need a road closure. ...

Like Reply 3y



**Lainey Round** · [Follow](#)

Won't they just come back and take down the trees when people are out of the trees? ...

Like Reply 3y



**Mark Keir**

**Lainey Round** no Lainey, these trees are alongside the road, so they needed a road closure to do so. They can't have another road closure for twenty days. Meanwhile they have to worry BIG time about being targetted by Extinction Rebellion. And what's more they're gonna see more from us at other places on the royte VERY soon. Tremble HS2, tremble! ...

Like Reply 3y



09.09.2019 and 26.09.2019 – boat camp trespass

<https://www.facebook.com/markkeir77/videos/2653412138024397>

**Mark's Post** ✕

---

 **Mark Keir**  
September 9, 2019 · 🌐 ⋮




  7 4 comments 2 shares

---

 Like  Comment  Share

 **Enya Stewart**  
Have they served paperwork correctly? ⋮  
Like Reply 3y

 **James Carson-kerrigan**  
Edna Austin no another post says they assaulted a camp member with a vehicle... not peaceful ⋮  
Like Reply 3y 

 **Enya Stewart**  
so may be able to get it set aside? ⋮  
Like Reply 3y

 **Lavinia Painter**  
Hooe u got ir on camera get em done ⋮  
Like Reply 3y

facebook.com/markkeir77/videos/2653412138024397



Mark Keir  
September 9, 2019

7 4 126

Like Comment Share

**Up Next**

- You've hidden this video and will see fewer like it Undo
- You've hidden this video and will see fewer like it Undo
- You've hidden this video and will see fewer like it Undo
- You've hidden this video and will see fewer like it Undo

Comments See All

Write a comment...







**INJUNCTION WARNING  
NOTICE**



<https://www.facebook.com/markkeir77/videos/2685940944771516>



Mark Keir  
September 26, 2019 · 🌐

Meanwhile.....back at Little Polly Higgins.....7 orange men to secure a gate...

👍👏 2 49 views

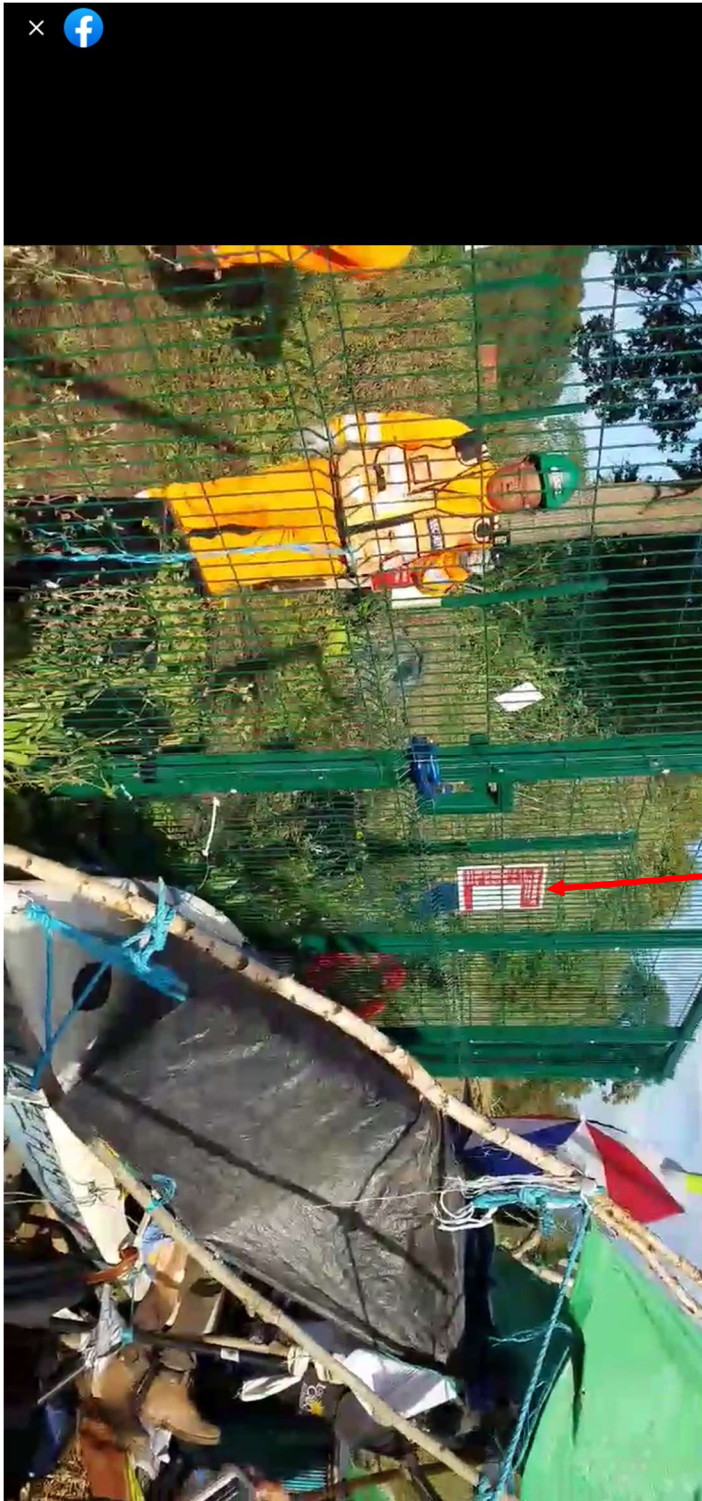
👍 Like    💬 Comment    ➦ Share

Comments [Hide](#)

Be the first to leave a comment.

**INJUNCTION WARNING  
NOTICE**

<https://www.facebook.com/markkeir77/videos/2685910001441277>



Facebook video interface showing the user Mark Keir, the date September 26, 2019, and the video title 'Meanwhile.....back at Little Polly Higgins...'. It includes interaction metrics (2 likes, 1 comment, 56 views) and a comment from Elizabeth Louise Williams stating 'More SIA breaches as no ID that I can see.' The interface also features icons for Like, Comment, and Share.

**INJUNCTION WARNING  
NOTICE**

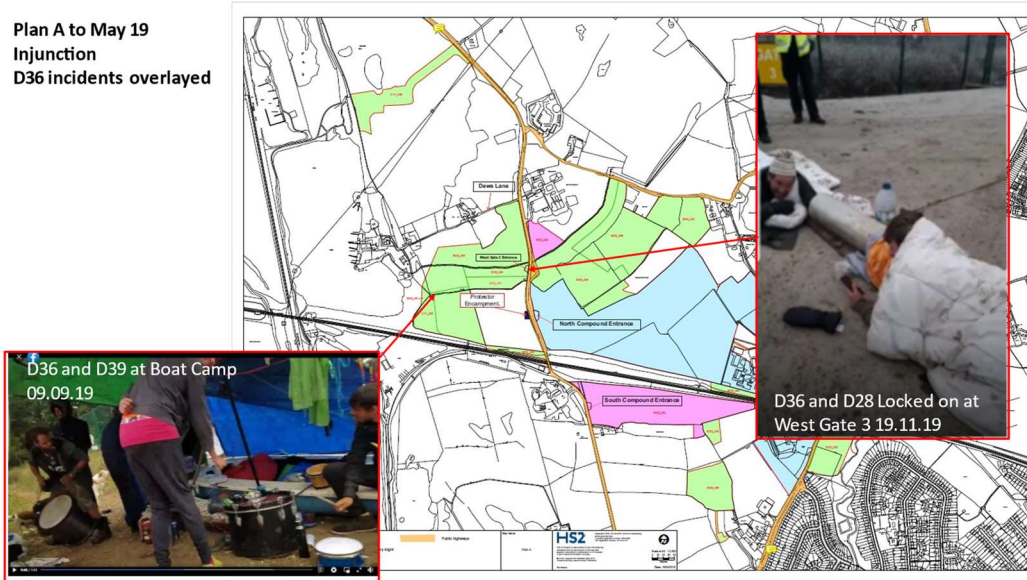
D36 Trespass and obstruction of access – lock-on at Harvil Road





**D36 Lock-on at West Gate 3 on 19.11.2019 and Boat Camp 09.09.19 locations plotted onto Plan A to the May 2019 Harvil Road Injunction**

Plan A to May 19  
Injunction  
D36 incidents overlaid



## Obstruction of vehicular access by slow-walking on 11.02.2020

facebook.com/photo?fbid=2643471302357217&set=pcb.10157310429026902



This photo is from a post. [View post](#)

**Brian Hough**  
February 11, 2020


5


Like Comment Share


Write a public comment...

**D36 obstruction and trespass late March 2020 to early April 2020**

<https://www.facebook.com/mark.keir.71>

 **Mark Keir**  
March 24, 2020 · 🌐



 **Robin Dix**  
March 23, 2020 · 🌐

One peaceful earth protector  
One tree being cut down  
Twenty one Hs2 workers not a thought of social distancing.  
Eight Met police officers, stood watching, so many crimes taking place,  
arms crossed, no interaction or intention to halt work. Even though it was  
not on Hs2 land nor had an ecological survey carried out on the land.  
I trust with Boris's new measures brought in today this sight will be one in  
the past.  
Time to bring it to a halt.

<https://www.youtube.com/watch?v=daTsvsRSGPU>





<https://www.facebook.com/caroline.thomsonsmith>



Carl Woods

March 26, 2020 · 🌐



HS2 security descend on one lone peaceful protestor taking morning walk at Harvil road today. No social distancing. Is this essential work?! All these men!! This is where our NHS money is going!!!  
Call HS2 complaints line on 02079444908

Tell them to shut the whole thing down now! These workers are using public transport that our key workers rely on. They take the tube to Uxbridge then the U9 to Harvil Road compound. Crammed into reduced services with NHS staff travelling to Harefield Heart Hospital 1 mile further on!!!!  
Please share this image.



😡😱 4

2 comments 2 shares



**Mark Keir**

March 27, 2020 · 🌐



**Sarah Green** ▶ #StoppingHS2 Chilterns

March 26, 2020 · 🌐



**Robin Dix**

March 26, 2020 · 🌐

And still it continues today total and utter disregard for covid 19 virus.

One protester.

Twelve security guards from various parts of the country all becoming extremely physical, no ppe, no social distancing, putting their lives and the lives of the country at risk through spreading this deadly virus.

<https://www.facebook.com/robin.dix.505>



**Robin Dix**

March 28, 2020 · 🌐



**Charlotte Griffin**

March 26, 2020 · 🌐

Like

Comment

Share

<https://www.youtube.com/watch?v=DZLqE9TdFPs>







## November 2020 – Pledge of Non Payment

[https://twitter.com/tuesday\\_earth/status/1325520790268370945](https://twitter.com/tuesday_earth/status/1325520790268370945)

← **Tweet**

 **Tuesday** @tuesday\_earth

Today we sent a “Pledge of Non Payment” to Judge David Holland QC and to @HS2Ltd in a conscientious objection to an order of costs of £3000 against myself & 13 other people out of 33 defendants on the Harvil road injunction They are trying to silence us with money. @stophs2

7:29 pm · 8 Nov 2020

---

15 Retweets 2 Quotes 30 Likes

---

---

 **Mark Keir** @MarkKeir6 · 8 Nov 2020

They have been trying to silence us all for a very long time. But this is to another level. This is tantamount to a fine for no known crime, we have not been convicted of any. This is to silence. Hah! Try again!

  1  8  

---

 **Speakout Reb-elle** @elldrews · 8 Nov 2020

Too right - citing mediaeval laws - desperate!

 1   2  

## **PLEDGE OF NON - PAYMENT**

7th November 2020

We are actively declaring a Pledge of Non - Payment.

This is against the order of costs in the case  
"The Harvil Road site Injunction" for HS2 Ltd and Secretary of State for Transport"  
ordered by Judge David Holland QC (Claim no. PT - 2018 - 000098).

We are declaring our conscientious objection to paying costs ordered against us in a  
pledge of non-payment.

We are in a position where we feel compelled to challenge the costs decision due to  
what we believe is a breach of human rights and in which a private corporation  
hand in hand with the government can purchase their own laws and use them to  
silence our freedom of expression and right to defence in court. We have been  
named on this injunction on the basis of evidence which was limited, dubious  
and/or simply unfounded. In court, this evidence and our defence were not given  
proper deliberation and we feel has not been fairly considered.

At the end of the hearing on June 22nd & 23rd 2020 Judge David Holland QC  
ordered an interim injunction with a second hearing to last 4 days commencing  
24th August 2020 and stated he would need evidence to support some of the  
defendants' statements, at which point Tom Roscoe for HS2 Ltd stated "if any  
further evidence is presented we will be seeking costs". We feel this was a direct  
threat simply saying "stay silent or we will use money as power".

They have further proved this by only seeking costs from the 14 people who spoke  
out of the 33 named defendants. Judge David Holland QC said in his costs decision  
" I very much doubt whether in making any order for costs, I will deter any of the  
14 named defendants from coming to court to state their case in future". Clearly  
the judge has insight to costs being used as a deterrent. We feel that an order of  
costs against us in this way is a direct threat using money as an attempt at  
intimidation on peaceful, innocent and ordinary people to demand them to stay  
silent.

This is something we can not do.

HS2 ltd is committing unmitigated and horrendous acts of ecocide, water pollution,  
violence, thuggery and corruption, with impunity and contempt for existing  
environmental protection law.

We will continue to protest and expose their crimes throughout our campaign to  
Stop HS2.



This injunction and similar injunctions are being used as a means for corporations and the government to avoid scrutiny, a scrutiny which is evidently needed. We believe much work carried out by HS2 has bypassed legality where people have not been there to scrutinise over the vast HS2 ltd landgrab where they are desecrating the countryside.

We believe also that our peaceful and legal protests are all the more valid because HS2 has consistently avoided democratic scrutiny in any other guise. A project that will cost approximately one third of our annual national budget has not been scrutinised properly in Parliament nor with democratic procedure. This injunction has not yet gone to trial, and interim orders and extensions are now granted totalling around 5 years.

We oppose costs where we have been named on an injunction with limited or no evidence. None of the defendants have been convicted of a criminal offence in relation to opposing HS2. All we have done is exercise our democratic and human rights.

This pledge of non-payment is to conscientiously object to costs and to expose that development corporations can use big money in the pockets of the government against the little people by abusing the use of injunctions and then seek to recoup costs only as a method of punishment and intimidation for doing nothing more than evoking our human rights article 11, right to assembly and association, and article 10, freedom of expression, by speaking in court.

Our defence statements that established human rights breaches and criminal acts happening on the injunctioned land meant nothing in a property and business civil court where the judge seeks only to protect a land owner and not to deliberate moral justice.

Corporations such as HS2 ltd are in violation of human rights and environmental due diligence. Using injunctions in this way is not to protect the landowner but is a tool to silence and intimidate anyone who vocally opposes them and seeks to expose their criminal activity.

This injunction has not yet been properly tested, has not been tried. Much evidence is yet to be uncovered and justice has not yet been seen. There has been no proper questioning of the Claimants position. This cannot be a valid time to throw claims of £42,000 costs at a group of peaceful, honest and brave people.

We are committed to the defence of democracy, human rights and social justice.

This is for the children's future. Especially the children who today are already in and being further led into an impoverished state and will have to manage the consequences of the failings of our actions as their future.

A world destroyed by the climate, destroyed by money.

Signed -

Hayley Pitwell

Mark Keir

Vajda Robert Mordechaj

Iain Oliver

Ella Dorton

Sam Goggin

Karl Collins

Elliott Cuciurean

Scott Breen

Sebastian Roblyn Maxey

Wiktoria Zieniuk

Dr Larch Maxey

Samantha Smithson

7th November 2020

## D36 and Others Trespass at Jones Hill Wood 08.03.2021

D36 Livestream from HS2 Land between Bowood Lane and Jones Hill Wood 08.03.2021:

facebook.com/mark.keir.71/videos/544905333575987?idorvanity=677841446320064

Mark Keir was live in Save Roald Dahl Woods from HS2 Join  
March 8, 2021

33 reactions 29 comments 1.1K shares

Comments

- Miles Walker · 0:29  
Not good
- Krispin Baykon · 0:22  
hs2 aka hovtø spaff 200billion
- Hayley Marie · 2:28  
Looks so gross
- Sally Cakbread · 2:39  
Bastards

facebook.com/mark.keir.71/videos/544905333575987?idorvanity=677841446320064

Mark Keir was live in Save Roald Dahl Woods from HS2 Join  
March 8, 2021

33 reactions 29 comments 1.1K shares

Comments

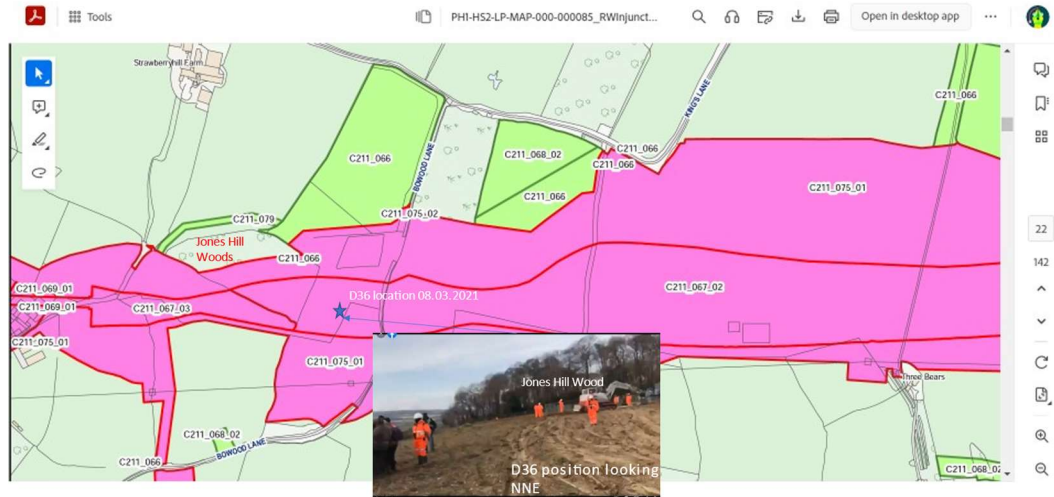
- Miles Walker · 0:29  
Not good
- Krispin Baykon · 0:22  
hs2 aka hovtø spaff 200billion
- Hayley Marie · 2:28  
Looks so gross
- Sally Cakbread · 2:39  
Bastards

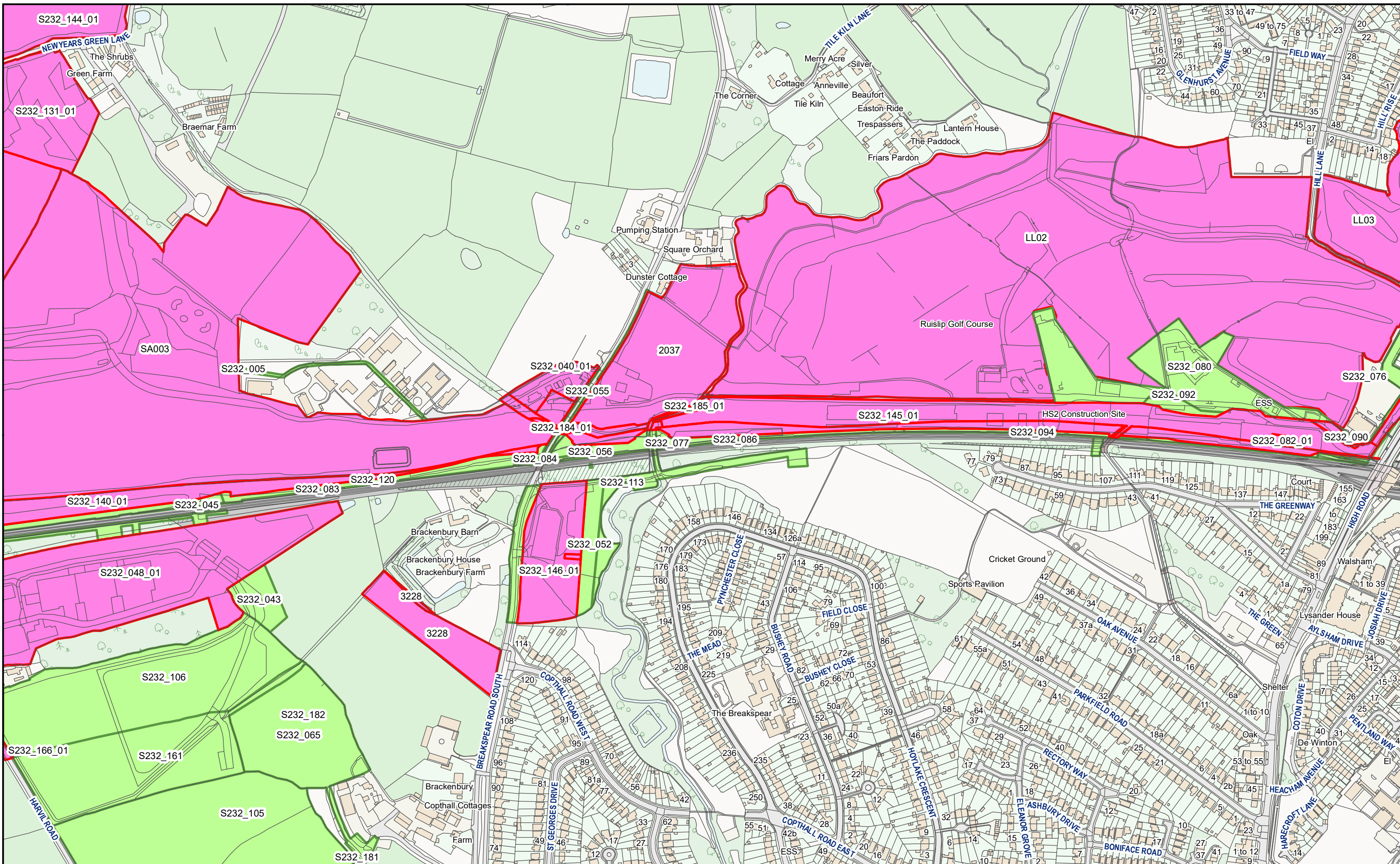
Jones Hill Wood (third party land)

HS2 Land

At 00:01:10 D36 is asked to move by security *“as this is HS2 land”*

D36 Location Plotted from viewpoint using JHW as a reference point 08.03.2021





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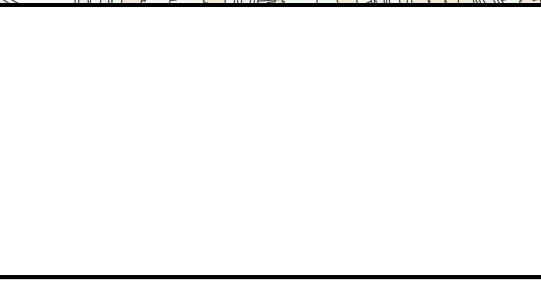
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**Legend**

- Acquired Land (Freehold and leasehold)
- Temporary Possession Land S15/S16



High Speed Two  
Phase One/ Phase 2A  
Injunction Mapping

Map Number:  
29

Page 33 of 268  
*Internal*

**HS2**

Scale at A3: 1:5,000

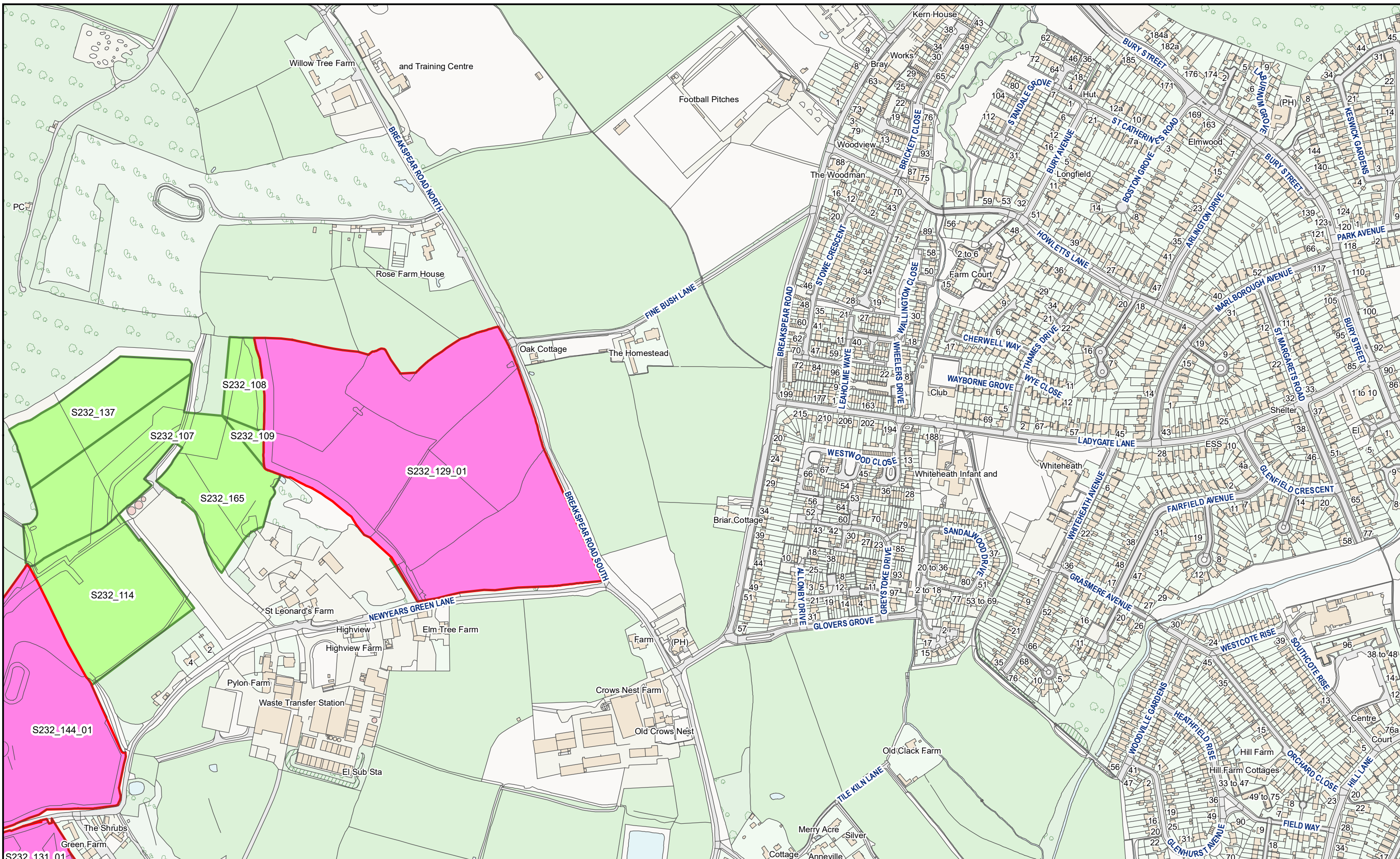
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0 50 100 150  
Metres

**52** Date: 21/03/23

Doc Number: PH1-HS2-LP-MAP-000-000085-P02

MANCHESTER LEEDS  
BIRMINGHAM LONDON



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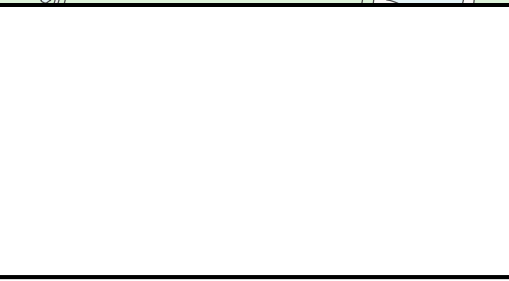
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High Speed Two  
Phase One/ Phase 2A  
Injunction Mapping

Map Number:  
29-R1

Page 34 of 268  
*Internal*

**HS2**

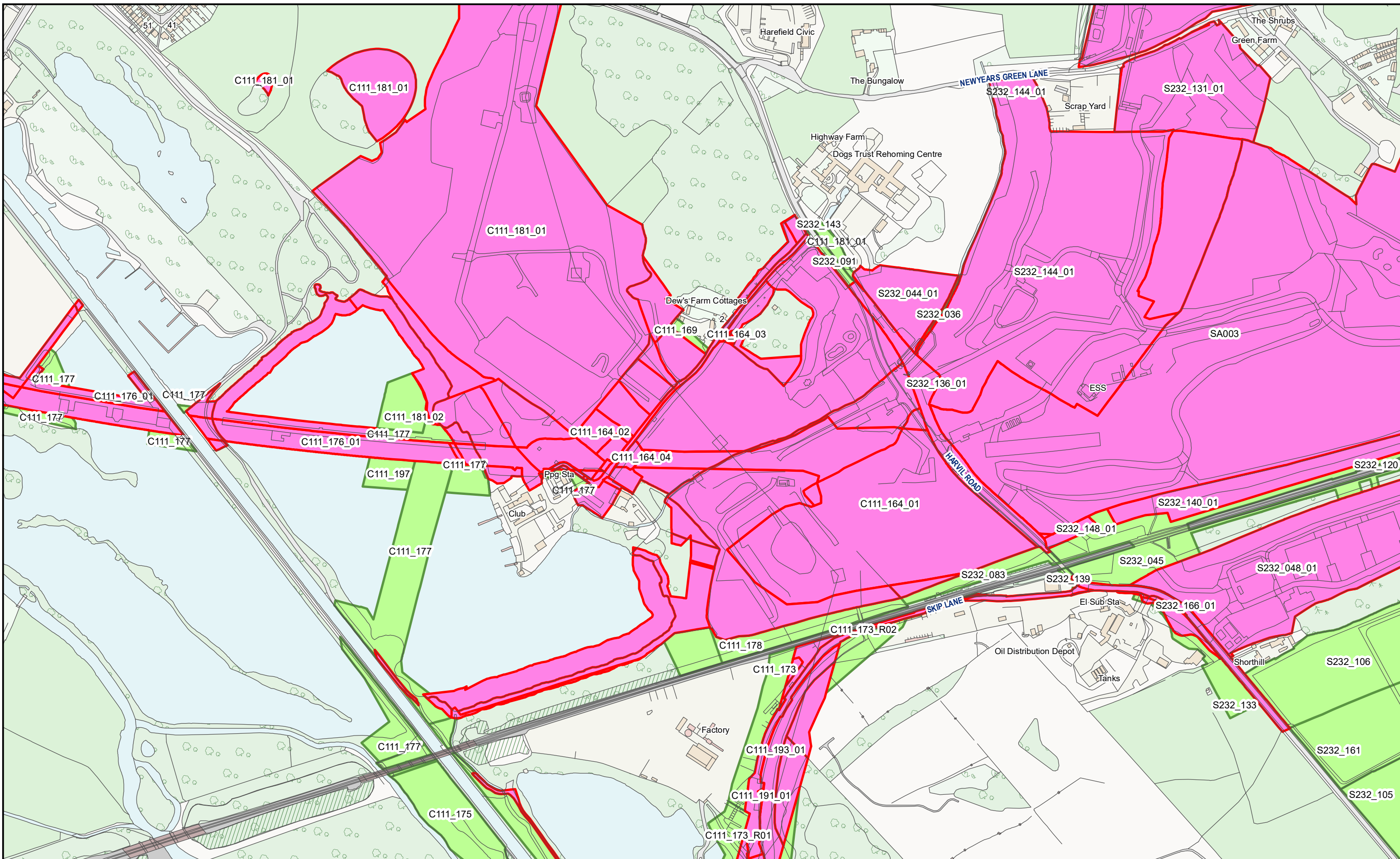
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- Temporary Possession Land S15/S16



High Speed Two  
Phase One/ Phase 2A  
Injunction Mapping

Map Number:  
30

Page 36 of 268  
*Internal*

**HS2**

Scale at A3: 1:5,000

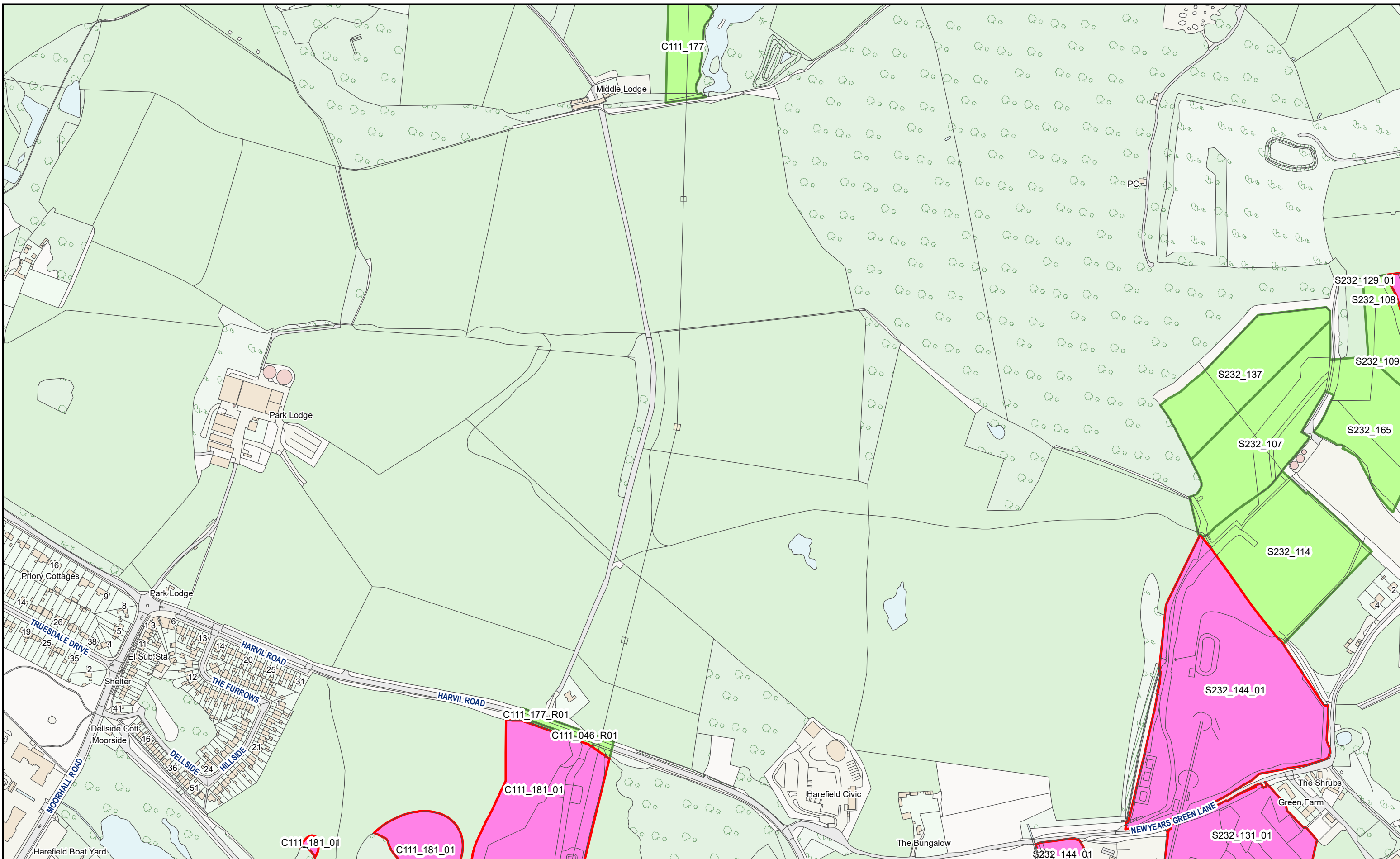
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MANCHESTER LEEDS  
BIRMINGHAM LONDON



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High Speed Two  
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Injunction Mapping

Map Number:  
30-R1

Page 37 of 268  
*Internal*

**HS2**

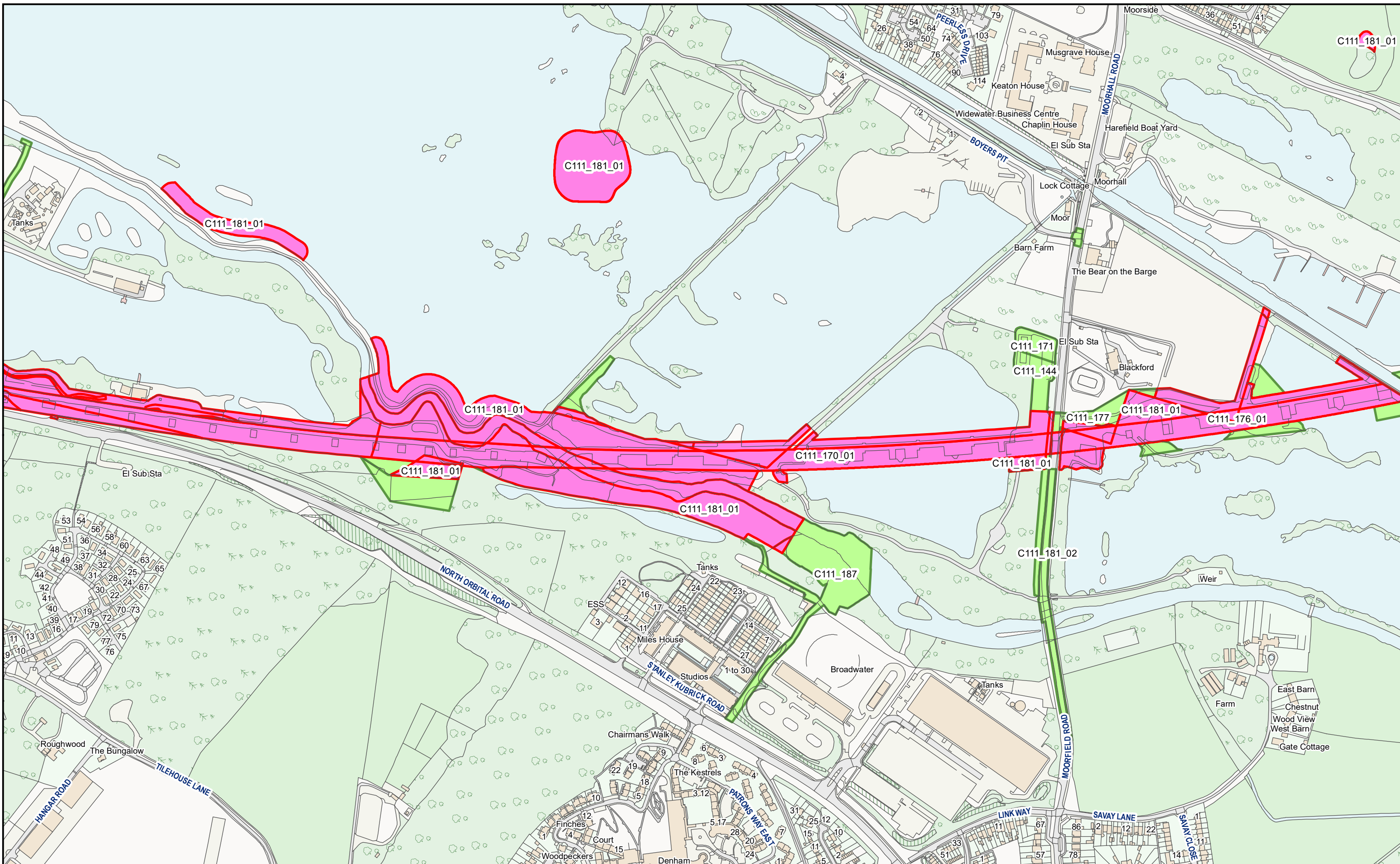
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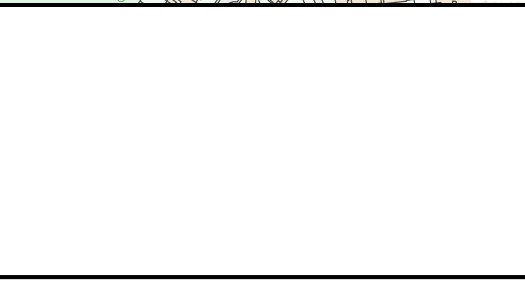
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High Speed Two  
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Map Number:  
31

Page 40 of 268  
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C111\_181\_02

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C111\_181\_01



High Speed Two  
Phase One/ Phase 2A  
Injunction Mapping

Map Number:  
31-R1

Page 41 of 268  
Internal

**HS2**

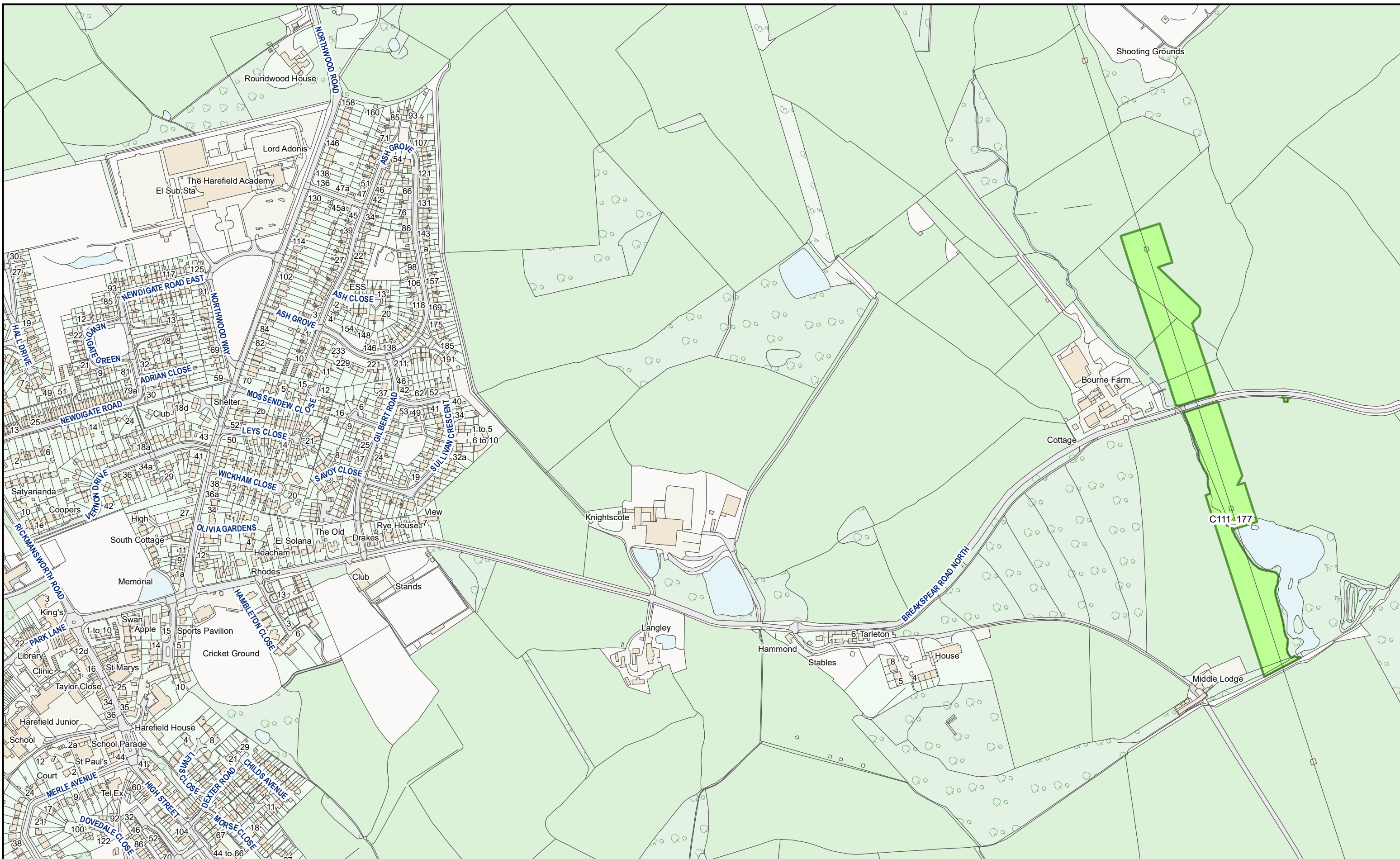
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High Speed Two  
Phase One/ Phase 2A  
Injunction Mapping

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31-R2

Page 42 of 268  
*Internal*

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58 Date: 21/03/23

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



# Official copy of register of title

Title number AGL547359

Edition date 02.08.2021

- This official copy shows the entries on the register of title on 13 APR 2023 at 15:35:45.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Apr 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Wales Office.

## A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

### HILLINGDON

- 1 (02.08.2021) The Leasehold land demised by the lease referred to below which lies within the area shown edged with red on the plan of the above Title filed at the Registry and being Land at Clack Lane, Ruislip.
- 2 (02.08.2021) The title includes any legal easements granted by the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.
- 3 (02.08.2021) The land tinted blue on the title plan has the benefit of the following rights reserved by a Transfer of 11, 13 and 15 Harwell Close dated 8 September 1988 made between (1) The Mayor and Burgesses of the London Borough of Hillingdon (Transferor) and (2) Stride Ahead Limited (Transferee):-

"Except and Reserving to the Transferor for the benefit of ..... the estate owner or owners for the time being of the retained land and the occupiers thereof

(a) The right at any time or times hereafter to erect or suffer to be erected any buildings or other erections and to alter any buildings or other erections now standing or hereafter to be erected on any part of the retained land with such windows and openings for light and air and in such manner in all respects as they may think fit without any consent whatsoever on the part of the Transferee or its successors in title being required or any right on its part to object thereto or claim compensation on the ground of interference with the access of light or air to any buildings now erected or to be erected on the land hereby transferred or otherwise and no windows or lights now existing or which may hereafter be placed in any such first mentioned buildings or the access of light or air thereto shall at any time hereafter being any manner stopped up obstructed or interfered with by the Transferee or its successors in title

.....

## A: Property Register continued

(c) the right to connect to and full right of passage and running of water and soil through all drains and sewers now or within twenty one years hereafter in on or under or belonging to the land hereby transferred with the right to enter upon the land hereby transferred to connect."

NOTE: The land tinted blue on the title plan comprises part of the retained land referred to.

- 4 (02.08.2021) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:  
Date : 28 July 2021  
Term : 10 years from and including 1 September 2019 to and excluding 1 September 2029  
Parties : (1) The Mayor and Burgesses of the London Borough of Hillingdon  
(2) High Speed Two (HS2) Limited

NOTE: The lease comprises also other land.

- 5 (02.08.2021) The Lease prohibits or restricts alienation.

- 6 (02.08.2021) The landlord's title is registered.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (02.08.2021) PROPRIETOR: HIGH SPEED TWO (HS2) LIMITED (Co. Regn. No. 0679186) of Two Snowhill, Snow Hill Queensway, Birmingham B4 6GA.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (02.08.2021) The parts of the land affected thereby are subject to the rights granted by a Deed dated 5 August 1975 made between (1) The Mayor Aldermen and Burgesses of the London Borough of Hillingdon and (2) The Eastern Electricity Board.

NOTE: Copy filed under MX167539.

- 2 (02.08.2021) The parts of the land affected thereby are subject to the rights granted by a Deed dated 18 August 1987 made between (1) The Mayor and Burgesses of the London Borough of Hillingdon and (2) British Gas Plc.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed under AGL197257.

- 3 (02.08.2021) The parts of the land tinted blue on the title plan affected thereby are subject to the rights granted by a Deed dated 5 February 1993 made between (1) The Mayor and Burgesses of the London Borough of Hillingdon and (2) Stride Ahead Limited.

NOTE: Copy filed under AGL197152.

## End of register

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



# Official copy of register of title

Title number AGL560820

Edition date 22.03.2022

- This official copy shows the entries on the register of title on 13 APR 2023 at 16:08:14.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Apr 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Wales Office.

## A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

### HILLINGDON

1 (22.03.2022) The Leasehold land demised by the lease referred to below which lies within the area shown edged with red on the plan of the above Title filed at the Registry and being Land on the north-east side of Clack Lane, Ruislip.

2 (22.03.2022) The title includes any legal easements granted by the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.

3 (22.03.2022) The land has the benefit of the following rights reserved by a Transfer of 11, 13 and 15 Harwell Close dated 8 September 1988 made between (1) The Mayor and Burgesses of the London Borough of Hillingdon (Transferor) and (2) Stride Ahead Limited (Transferee):-

"Except and Reserving to the Transferor for the benefit of ..... the estate owner or owners for the time being of the retained land and the occupiers thereof

(a) The right at any time or times hereafter to erect or suffer to be erected any buildings or other erections and to alter any buildings or other erections now standing or hereafter to be erected on any part of the retained land with such windows and openings for light and air and in such manner in all respects as they may think fit without any consent whatsoever on the part of the Transferee or its successors in title being required or any right on its part to object thereto or claim compensation on the ground of interference with the access of light or air to any buildings now erected or to be erected on the land hereby transferred or otherwise and no windows or lights now existing or which may hereafter be placed in any such first mentioned buildings or the access of light or air thereto shall at any time hereafter being any manner stopped up obstructed or interfered with by the Transferee or its successors in title

.....

(c) the right to connect to and full right of passage and running of



## A: Property Register continued

water and soil through all drains and sewers now or within twenty one years hereafter in on or under or belonging to the land hereby transferred with the right to enter upon the land hereby transferred to connect."

NOTE: The land in this title comprises part of the retained land referred to.

- 4 (22.03.2022) The land has the benefit of the following rights reserved by a Conveyance of 122 Sharps Lane dated 9 September 1988 made between (1) The Mayor and Burgesses of the London Borough of Hillingdon (Vendor) and (2) Gary Michael Collins and Jeffrey Frederick Gold (Purchasers):-

"EXCEPT AND RESERVED those matters contained or referred to in the First Schedule hereto for the benefit of ... the estate owner or owners for the time being of the retained land and the occupiers thereof.

### THE FIRST SCHEDULE

(1) The right at any time or times hereafter to erect or suffer to be erected any buildings or other erections and to alter any buildings or other erections now standing or hereafter to be erected on any part of the retained land with such windows and openings for light and air and in such manner in all respects as they may think fit without any consent whatsoever on the part of the purchasers or their successors in title being required or any right on their part to object thereto or claim compensation on the ground of interference with the access of light or air to any buildings now erected or to be erected on the property or otherwise and no windows or light now existing or which may hereafter be placed in any such first mentioned buildings or the access or light or air thereto shall at any time hereafter be in any manner stopped up obstructed or interfered with by the Purchasers or their successors in title.

.....

(3) The right to connect to and full right of passage and running of water and soil through all drains and sewers now or within twenty one years hereafter in or under or belonging to the property with the right to enter upon the property to connect".

NOTE: The land in this title comprises part of the retained land referred to.

- 5 (22.03.2022) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:  
Date : 28 July 2021  
Term : 10 years from and including 1 September 2019 to and excluding 1 September 2029  
Parties : (1) The Mayor and Burgesses of the London Borough of Hillingdon  
(2) High Speed Two (HS2) Limited

NOTE: The lease comprises also other land.

- 6 (22.03.2022) The Lease prohibits or restricts alienation.  
7 (22.03.2022) The landlord's title is registered.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (22.03.2022) PROPRIETOR: HIGH SPEED TWO (HS2) LIMITED (Co. Regn. No. 0679186) of Two Snowhill, Snow Hill Queensway, Birmingham B4 6GA.

## C: Charges Register

This register contains any charges and other matters that affect the land.

1 (22.03.2022) A Conveyance of the freehold estate in the land tinted pink on the title plan and other land dated 16 June 1910 made between (1) Emma Maria Carr and (2) William Garner contains restrictions but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.

By a Conveyance of the freehold estate in the land in this title and other land dated 12 February 1936 made between (1) Stanley Lewis Day and (2) The County Council of the Administrative County of Middlesex the said restrictions were expressed to be released in the following terms:

"THE Vendor for himself and all other persons claiming through or under him so far (if at all) as he can do so hereby releases the Council from all obligations to perform and observe the restrictions above referred to and from all liability to the Vendor and such other persons in respect of such restrictions"

End of register

## HIGH SPEED RAIL (LONDON – WEST MIDLANDS) ACT 2017

### HIGH SPEED RAIL (LONDON – WEST MIDLANDS) GENERAL VESTING DECLARATION No. 853

This **GENERAL VESTING DECLARATION** is executed on  
by the Secretary of State for Transport (“the Authority”).

26<sup>TH</sup> JANUARY 2022

#### WHEREAS:

- (1) On 23 February 2017 the High Speed Rail (London – West Midlands) Act 2017 (“the High Speed Rail Act”) received Royal Assent authorising the Authority to acquire the land specified in the Schedule hereto.
- (2) Section 4(1) of the High Speed Rail Act authorises the Authority to acquire compulsorily so much of the land within the limits of the High Speed Rail Act as may be required for Phase One purposes<sup>1</sup>.
- (3) Section 4(4) of the High Speed Rail Act provides that the Compulsory Purchase (Vesting Declarations) Act 1981 (“the 1981 Act”) applies as if the High Speed Rail Act were a compulsory purchase order and paragraph 3<sup>2</sup> of Schedule 6 to the High Speed Rail Act provides that the 1981 Act shall have effect subject to the modifications specified in that paragraph.
- (4) Notice pursuant to section 3A<sup>3</sup> of the 1981 Act was first published on 07 January 2022. That notice included the particulars specified in section 3A(3) of the 1981 Act.

**NOW THIS DEED WITNESSETH** that, in exercise of the powers conferred on it by section 4 of the 1981 Act, the Authority hereby declares:-

1. The land described in the Schedule hereto (being part of the land authorised to be acquired by the High Speed Rail Act) and more particularly delineated and shown coloured pink on the plan annexed hereto, together with the right to enter upon and take possession of the land, shall vest in the Authority as from the end of the period of 3 months from the date on which the service of notices required by section 6<sup>4</sup> of the 1981 Act is completed.

For the purposes of Section 2(2) of the 1981 Act, the specified period in relation to the land comprised in this declaration is one year and one day.

---

1 Phase One Purposes has meaning given by section 67 of the High Speed Rail Act

2 Paragraph 3 as substituted by section 11 of, and paragraph 6 of Schedule 14 to, the High Speed Rail Act.

3 Section 3A of the 1981 Act as inserted by paragraph 3(a) of Schedule 6 to the High Speed Rail Act as substituted by section 11 of, and paragraphs 6 and 7 of Schedule 14 to, that Act.

4 Section 6 as modified by paragraph 3(c) of Schedule 6 to the High Speed Rail Act, as substituted by section 11 of, and paragraph 6 of Schedule 14 to, that Act

## SCHEDULE

Buckinghamshire

(1) Plot No.	(2) Description
65454	All interests in 171616.7 square metres, or thereabouts, of river, bed and banks thereof (Bear Brook), agricultural land, woodland, hedgerows, drain and public footpath (SBH/27/1) (Calley Farm)
65503	All interests in 3195.2 square metres, or thereabouts, of agricultural land (Calley Farm)
65546	All interests in 2413.2 square metres, or thereabouts, of woodland (Hartwell Estate)
65631	All interests in 11057.0 square metres, or thereabouts, of public road, verges, drain, footway, hedgerow and access splays (Oxford Road)
65658	All interests in 387.1 square metres, or thereabouts, of public road, verge, footway and woodland (Oxford Road)
65665	All interests in 522.6 square metres, or thereabouts, of public road and verges (Oxford Road)
65678	All interests in 1216.3 square metres, or thereabouts, of woodland (Hartwell House Spa)
65685	All interests in 2152.3 square metres, or thereabouts, of woodland (Hartwell House Spa)
65688	All interests in 6157.0 square metres, or thereabouts, of woodland (Andrews Way)
65701	All interests in 2246.2 square metres, or thereabouts, of agricultural land and woodland (Whaddon Hill Farm)
65708	All interests in 45682.6 square metres, or thereabouts, of agricultural land, woodland, watercourse, hedgerow and public bridleway (SBH/2/4) (Whaddon Hill Farm)
65709	All interests in 9622.9 square metres, or thereabouts, of agricultural land (Whaddon Hill Farm)
65710	All interests in 330.4 square metres, or thereabouts, of river, sluice, bed and banks thereof (River Thames)
65711	All interests in 120283.1 square metres, or thereabouts, of agricultural land, woodland, hedgerows, ponds and drains (Putlowes Farm)
65712	All interests in 83238.5 square metres, or thereabouts, of agricultural land, hedgerows, drain, water course and access track (Putlowes Farm)
65715	All interests in 14182.6 square metres, or thereabouts, of agricultural land, woodland and drain (Fleet Marston Farm)
65717	All interests in 47029.0 square metres, or thereabouts, of agricultural land, woodland, drain and public footpaths (FMA/2/1 and WAD/6/4) (Putlowes Farm)
65742	All interests in 819.0 square metres, or thereabouts, of woodland and drain (Fleet Marston Farm)
69287	All interests in 270411.1 square metres, or thereabouts, of river, bed and banks thereof (Bear Brook), golf course, woodland, drains, ponds, public bridleway (SBH/2/4) and public footpath (SBH/32/1) (Aylesbury Park Golf Club)
70146	All interests in 671.8 square metres, or thereabouts, of agricultural land, woodland and public bridleway (FMA/1/1) (Putlowes Farm)
70147	All interests in 613.9 square metres, or thereabouts, of agricultural land and

	public bridleway (FMA/1/1) (Putlowes Farm)
70148	All interests in 228.5 square metres, or thereabouts, of hedgerow and public bridleway (FMA/1/1) (Putlowes Farm)
70149	All interests in 415.5 square metres, or thereabouts, of woodland, hedgerow and public bridleway (FMA/1/1) (Putlowes Farm)
70559	All interests in 108868.3 square metres, or thereabouts, of agricultural land, hedgerow and access track (Calley Farm)
70560	All interests in 402.3 square metres, or thereabouts, of access track carrying public footpath (SBH/34/1) (Calley Farm)
70563	All interests in 536.8 square metres, or thereabouts, of access track (Hartwell Estate)
71829	All interests in 274.5 square metres, or thereabouts, of public road, verges and access splay (Oxford Road)
71831	All interests in 3163.2 square metres, or thereabouts, of agricultural land, woodland and hedgerow (Whaddon Hill Farm)

**IN WITNESS WHEREOF** the Secretary of State for Transport has hereunto set its corporate seal on the day in the year first written above.

The **CORPORATE SEAL** of the SECRETARY OF STATE FOR TRANSPORT hereunto affixed to this deed is authenticated by

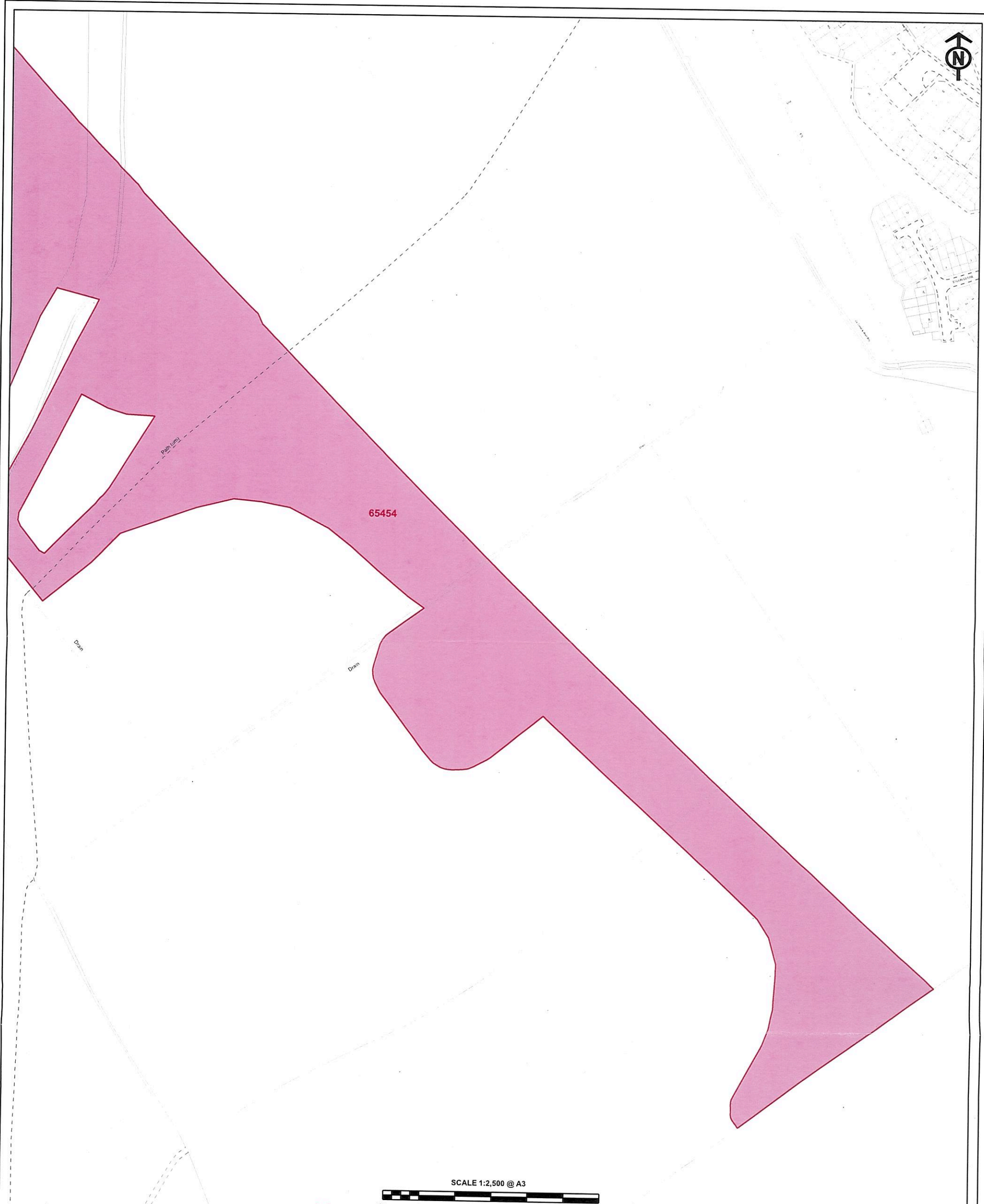


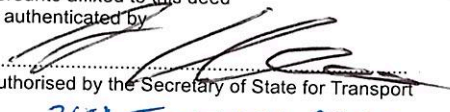
Authorised Signatory

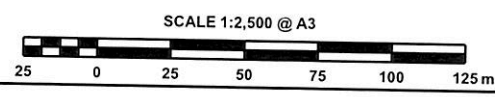
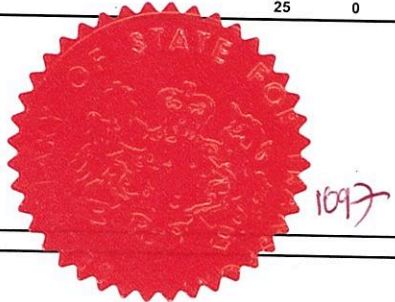
Dated : 26<sup>TH</sup> JANUARY 2022



SEAL REF  
DfT GP / 1097

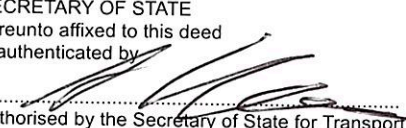


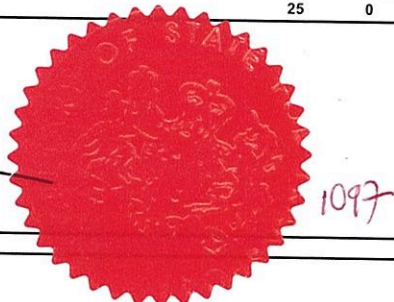
The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by  
  
Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022



CENTRE POINT: 480,944, 211,419



The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by  
  
Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022



CENTRE POINT: 480,388, 211,833





The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by

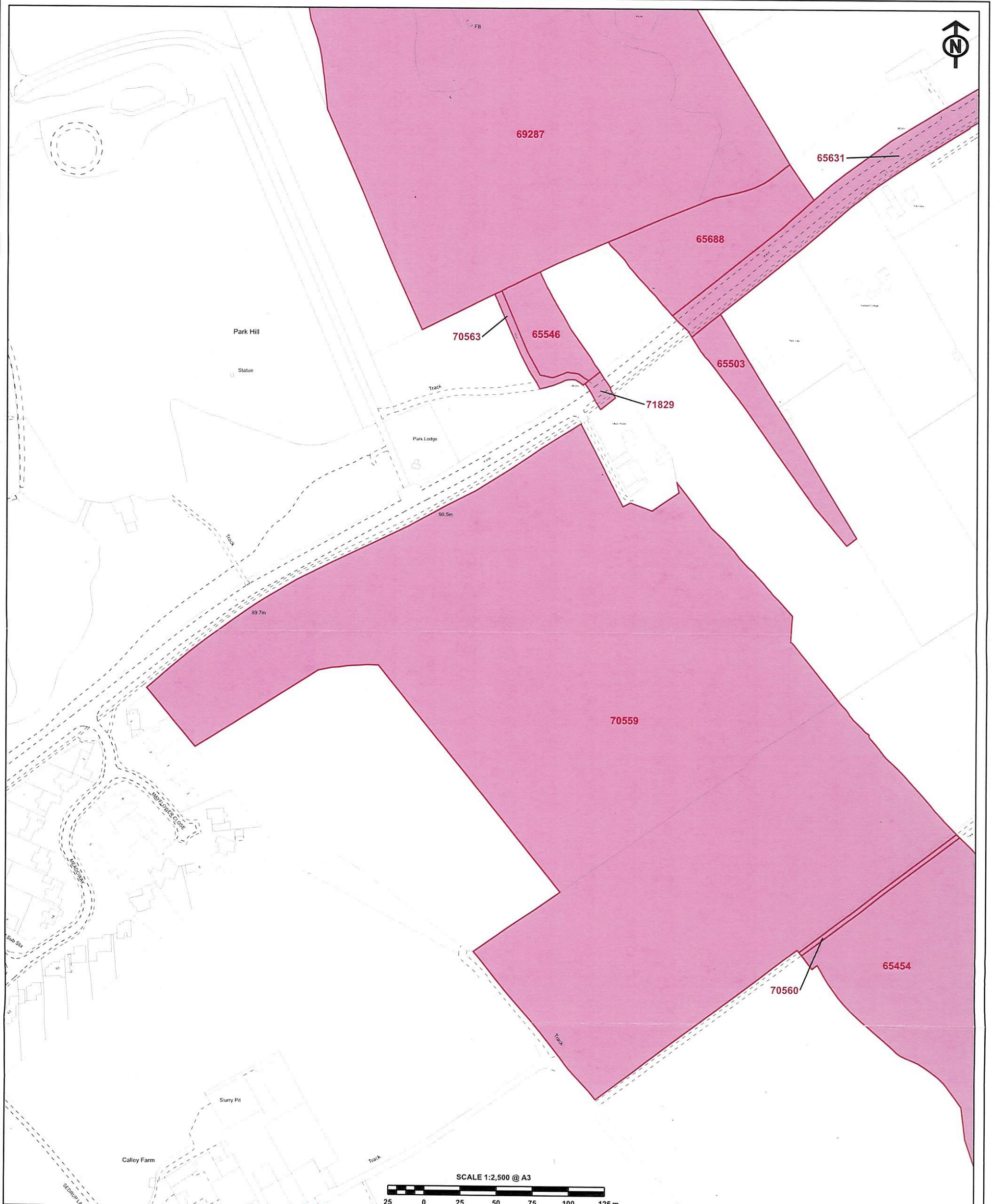
.....  
Authorised by the Secretary of State for Transport

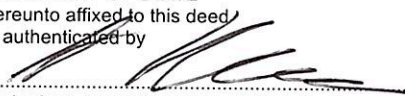
Dated 26<sup>th</sup> JANUARY 2022

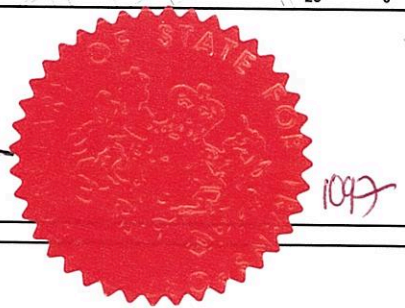


1097

CENTRE POINT: 480,316, 212,403



The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by  
  
Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022

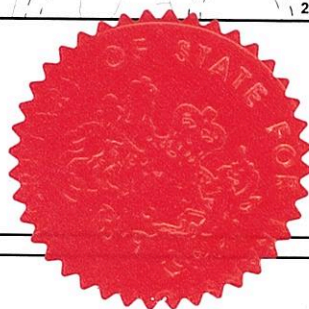


CENTRE POINT: 480,012, 212,263

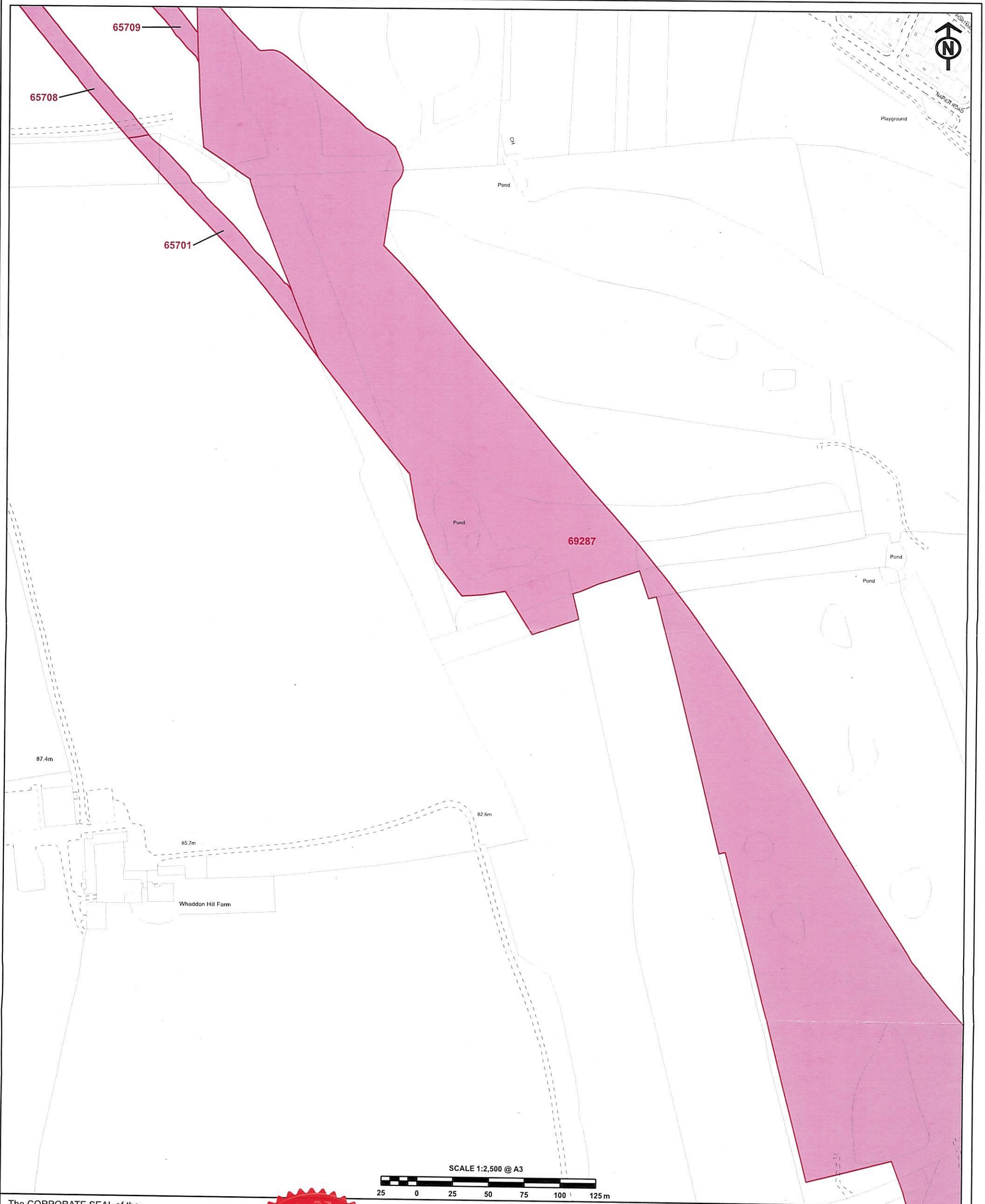


The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by

*[Signature]*  
Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022



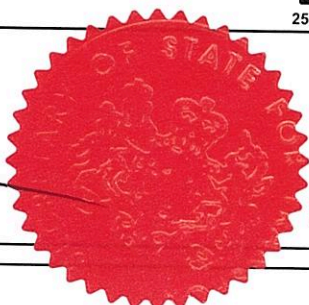
CENTRE POINT: 479,816, 212,996



The CORPORATE SEAL of the  
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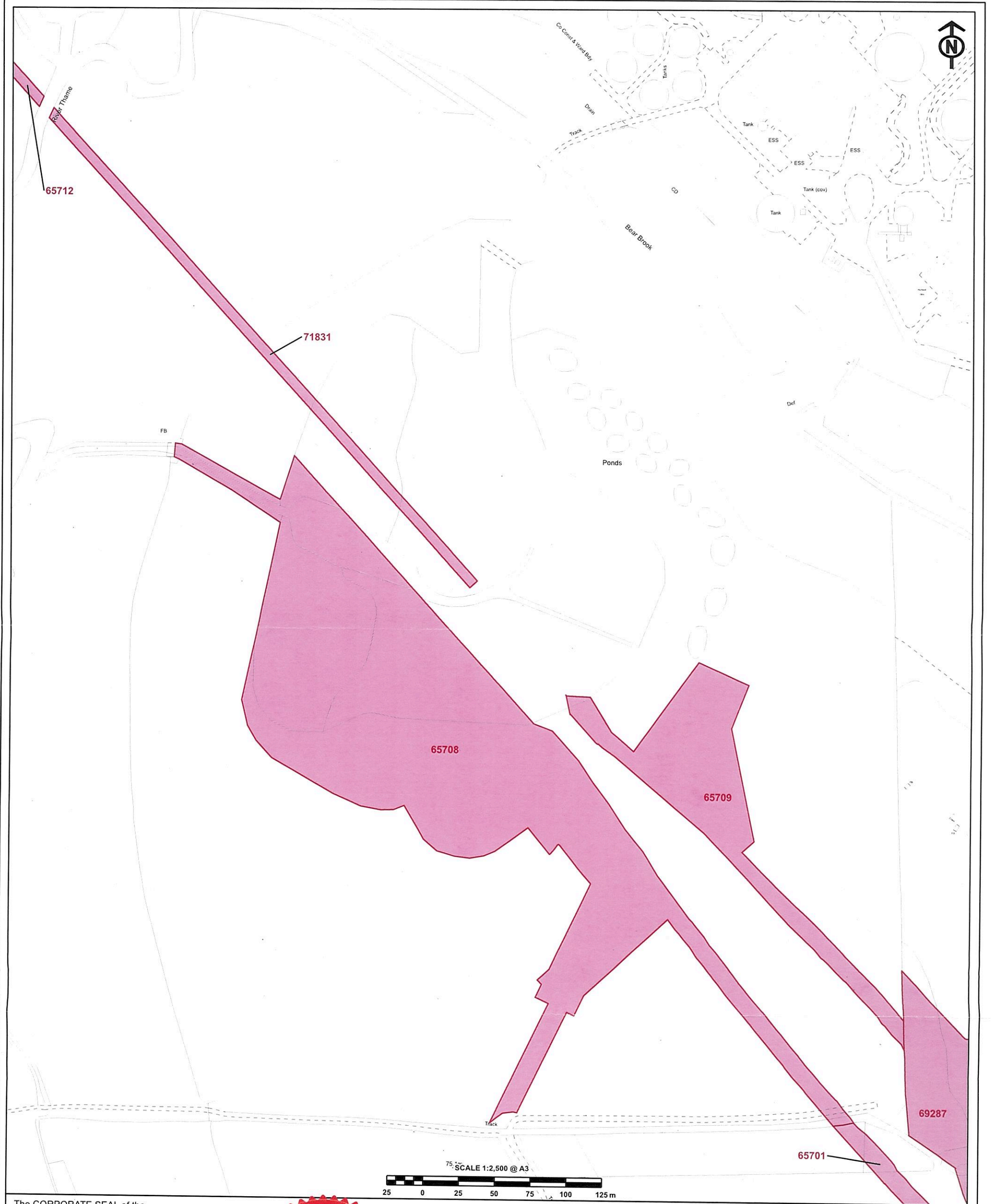
Authorised by the Secretary of State for Transport

Dated 26<sup>th</sup> JANUARY 2022



1097

CENTRE POINT: 479,252, 213,503

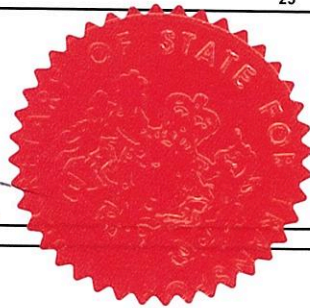


CENTRE POINT: 478,757, 214,188

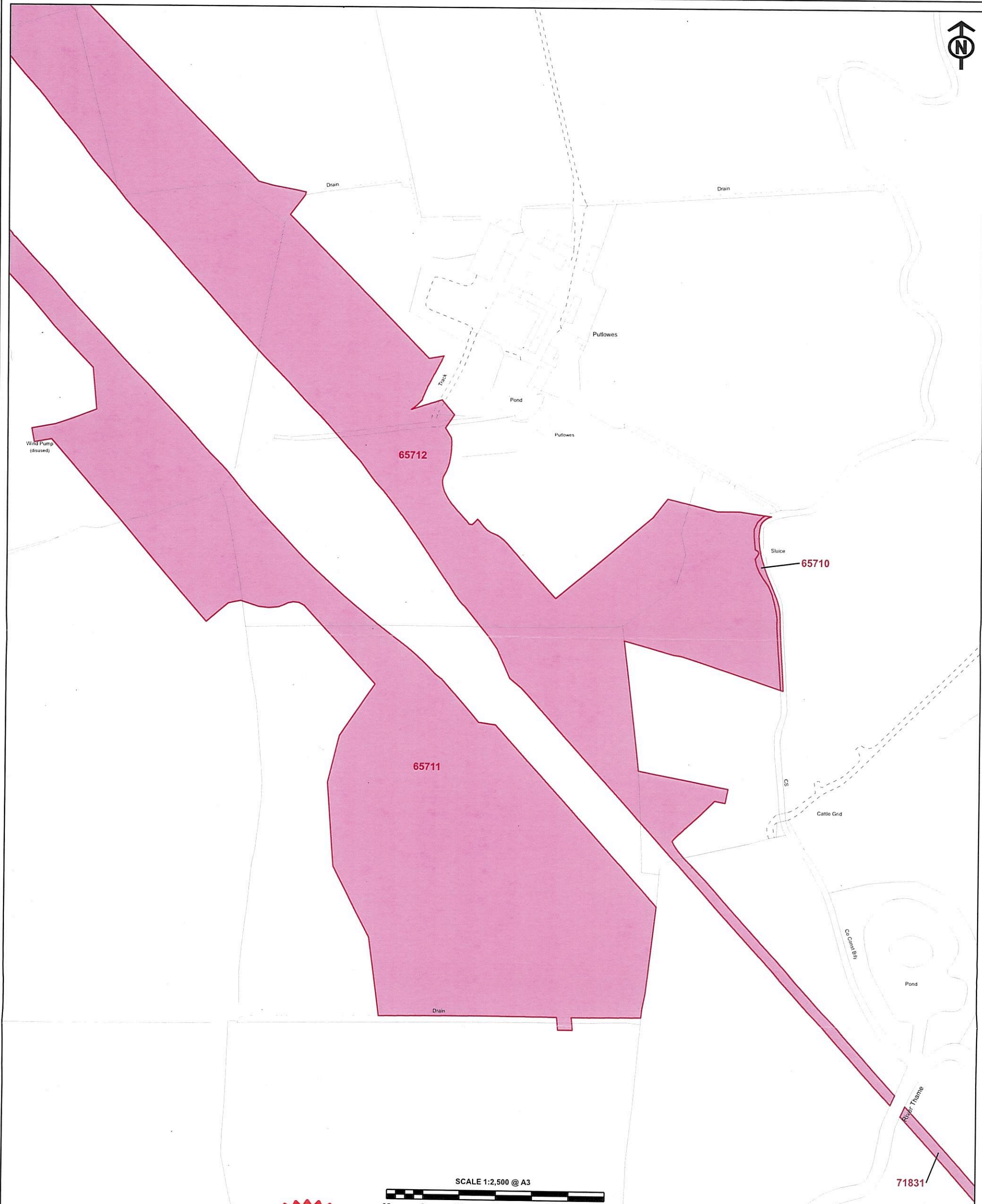
The CORPORATE SEAL of the  
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is authenticated by

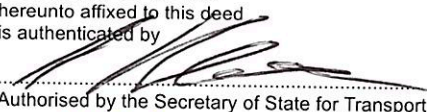
Authorised by the Secretary of State for Transport

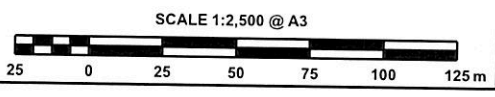
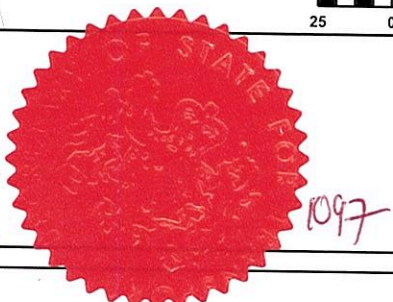
Dated 26<sup>TH</sup> JANUARY 2022



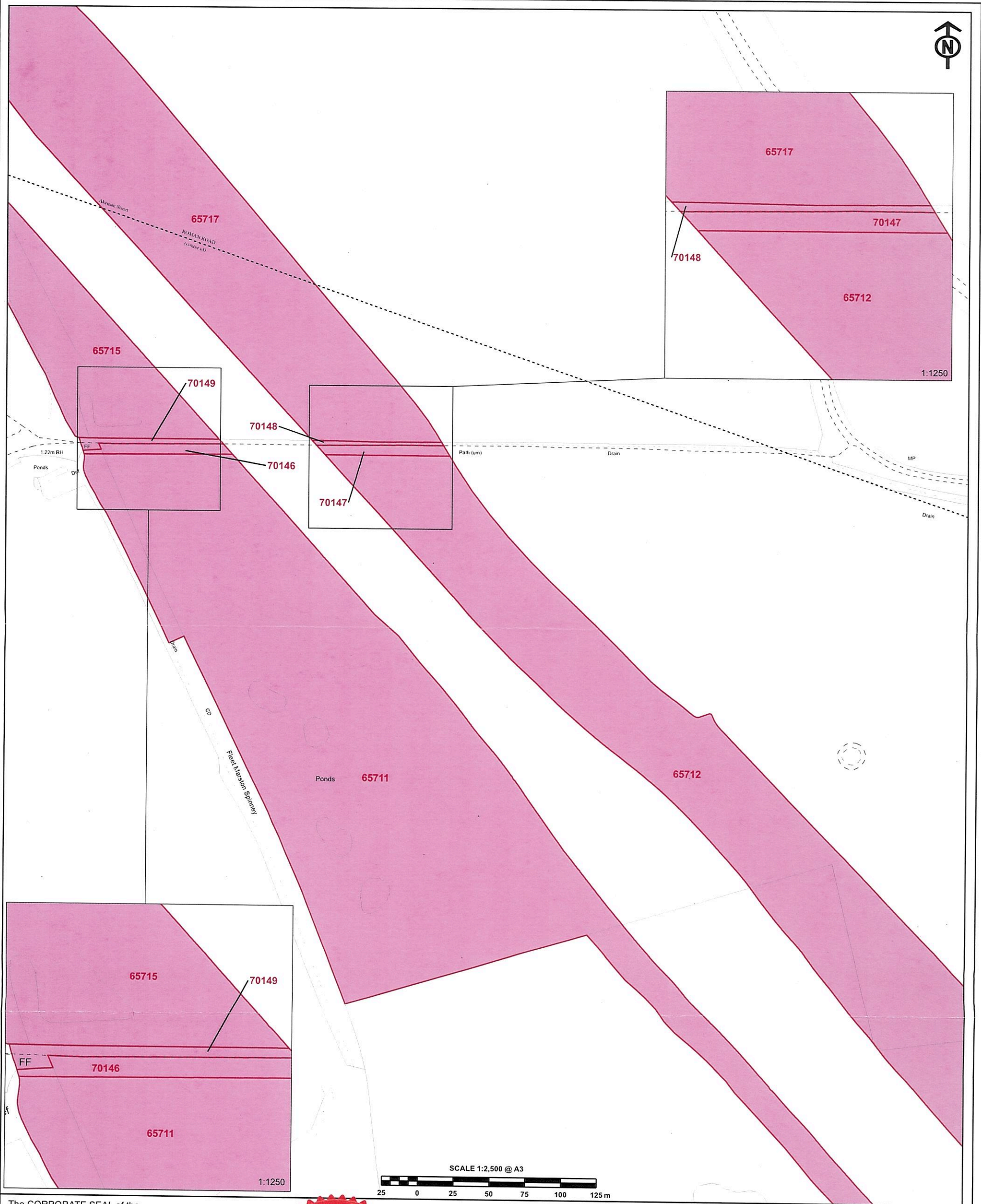
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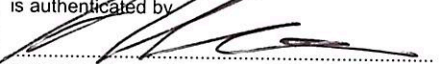


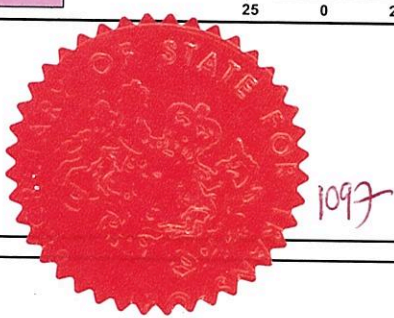
The CORPORATE SEAL of the  
SECRETARY OF STATE  
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Dated 26<sup>th</sup> JANUARY 2022



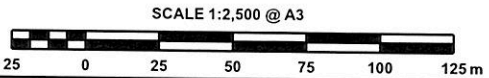
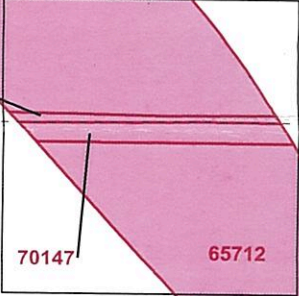
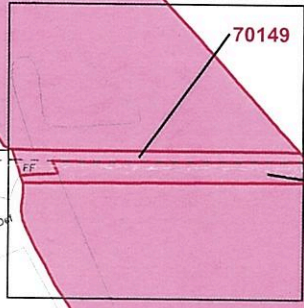
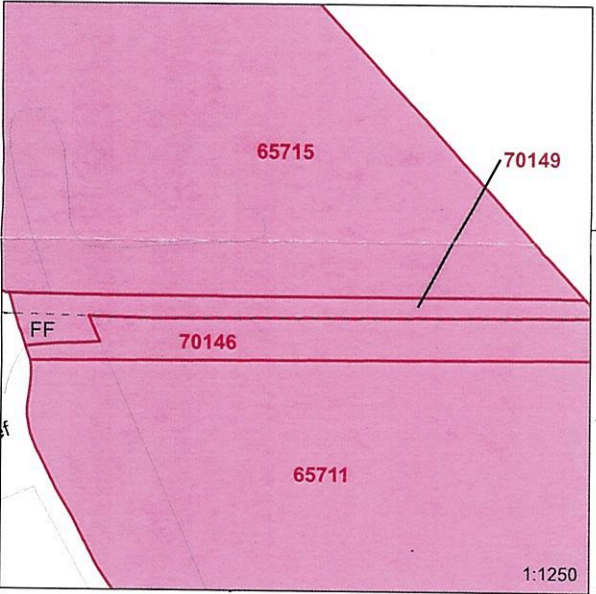
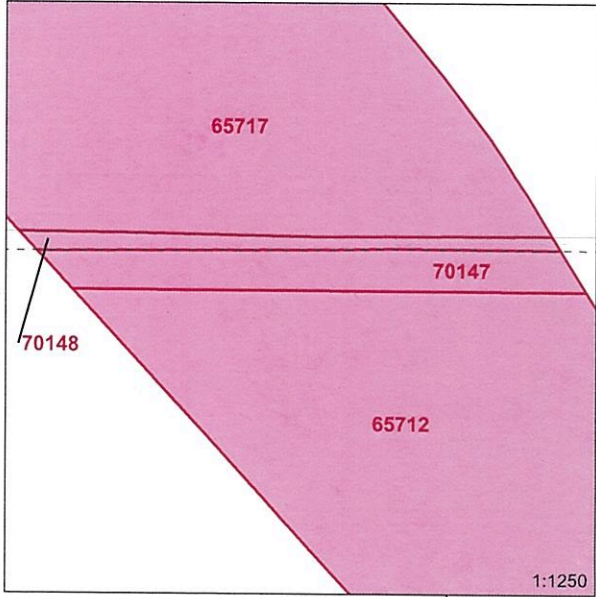
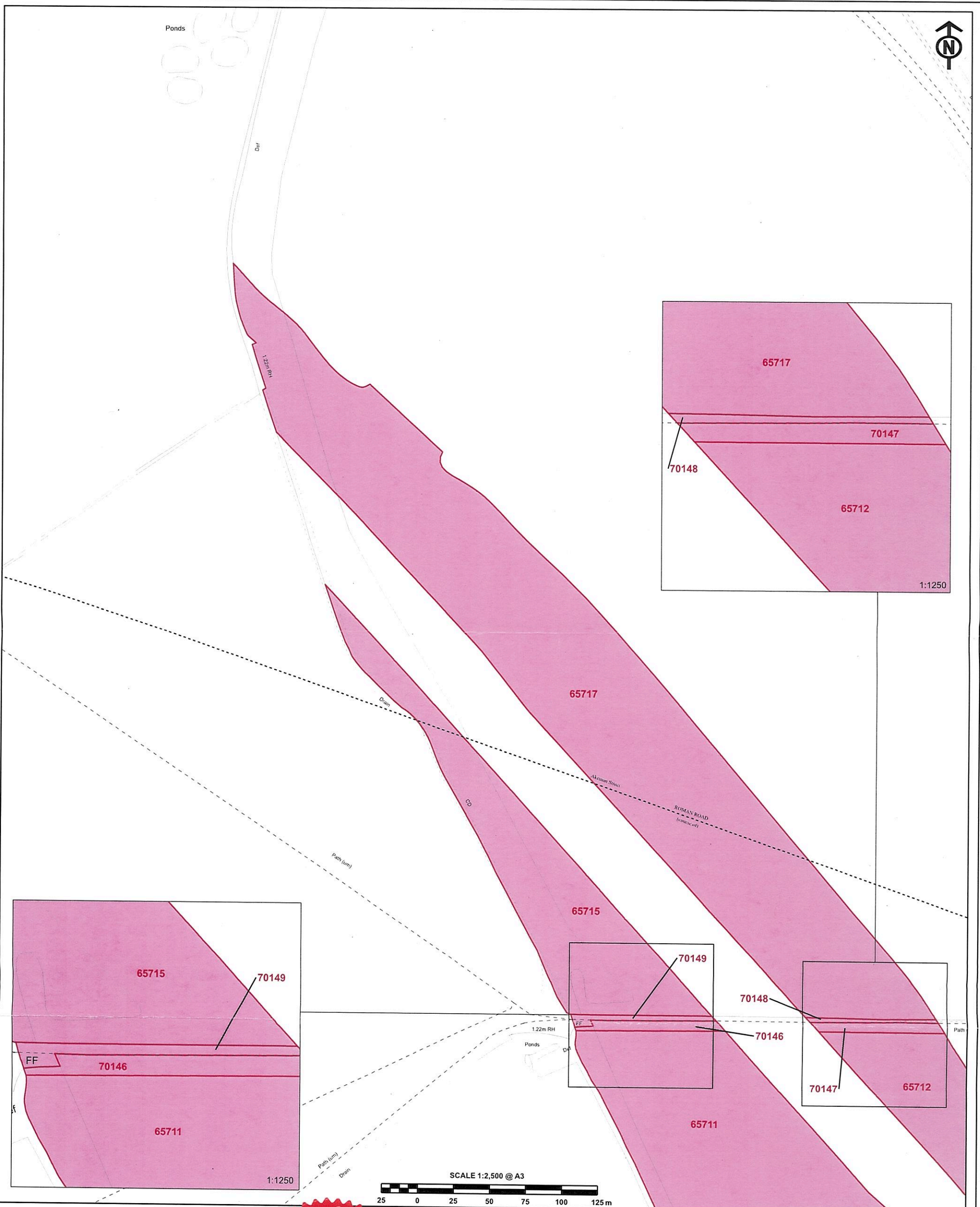
CENTRE POINT: 478,164, 214,872



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SECRETARY OF STATE  
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Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022

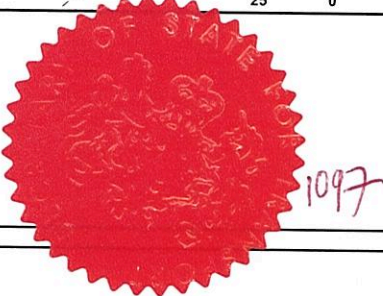


CENTRE POINT: 477,630, 215,464



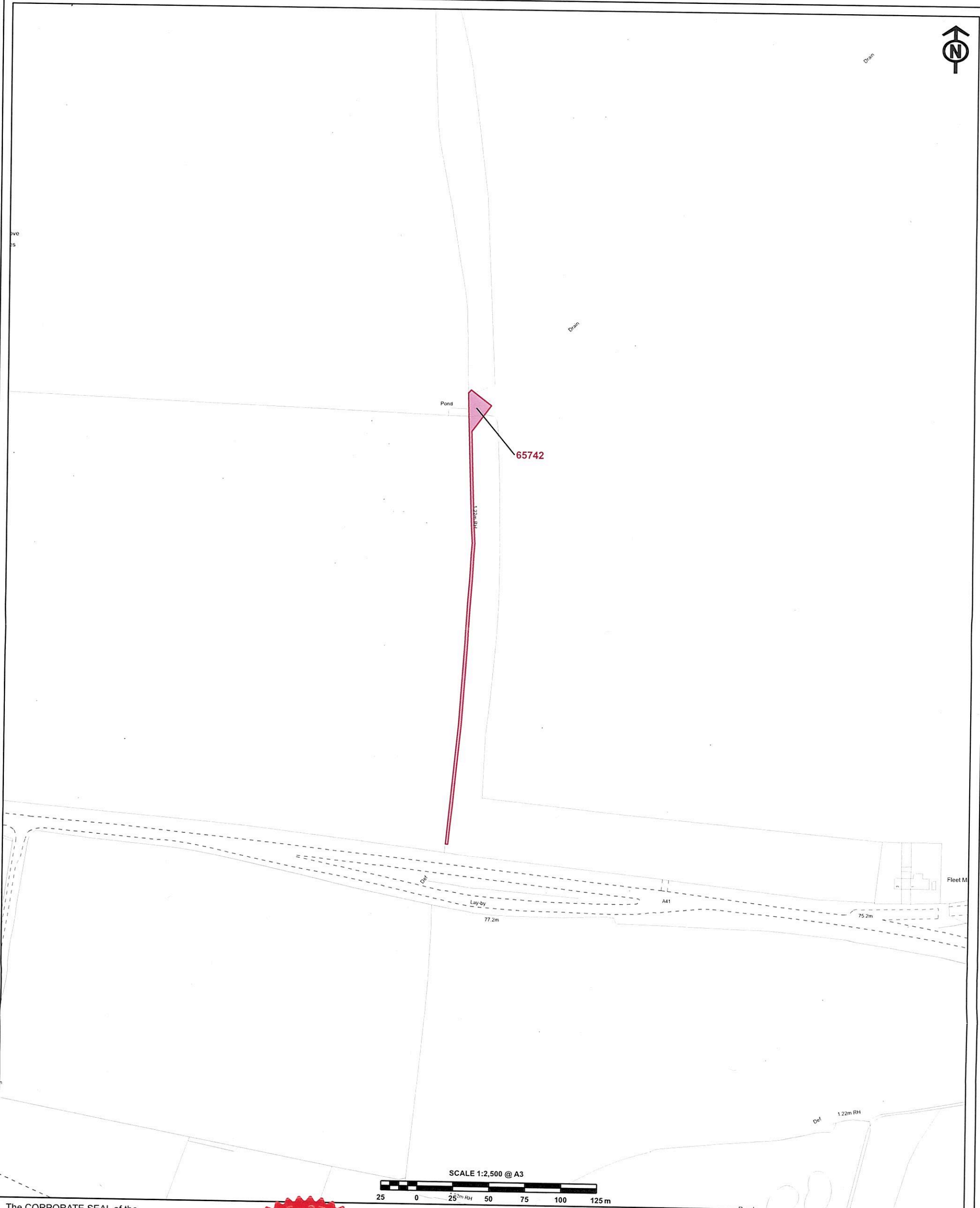
CENTRE POINT: 477,284, 215,859


The CORPORATE SEAL of the  
SECRETARY OF STATE  
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is authenticated by  
  
Authorised by the Secretary of State for Transport  
Dated 26<sup>TH</sup> JANUARY 2022

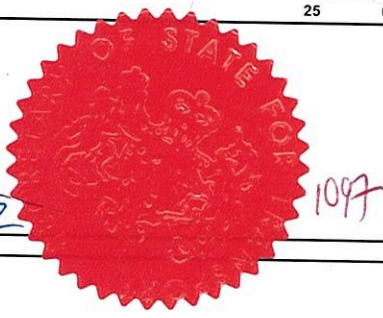


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The CORPORATE SEAL of the  
SECRETARY OF STATE  
hereunto affixed to this deed  
is authenticated by  
  
Authorised by the Secretary of State for Transport  
Dated 26<sup>th</sup> JANUARY 2022



CENTRE POINT: 476,881, 216,676

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## Mary Barraclough

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**From:** HS2Injunction  
**Sent:** 06 April 2023 20:22  
**To:** Mark Keir; HS2Injunction  
**Subject:** FW: QB-2022-BHM-000044 HS2 & SSfT v Persons Unknown & Others - Item shared with you: "Request to Vary.pdf" [DLAP-UKMATTERS.FID6569426]  
**Attachments:** Request to Vary.pdf

Dear Mr Keir

Please see our email below timed at 19:01 today which we are re-sending to you due to having received a bounce-back.

We have removed the attachment which made the email exceed your email server's size limit (being the Judgment of Knowles J) and have instead inserted a link to that attachment within the body of the email below.

Yours faithfully

DLA Piper UK LLP

---

**From:** HS2Injunction <HS2Injunction@dlapiper.com>  
**Sent:** 06 April 2023 19:01  
**To:** Mark Keir <markkeir1@gmail.com>; HS2Injunction <HS2Injunction@dlapiper.com>  
**Subject:** QB-2022-BHM-000044 HS2 & SSfT v Persons Unknown & Others - Item shared with you: "Request to Vary.pdf" [DLAP-UKMATTERS.FID6569426]

Dear Mr Keir

We refer to your submission of yesterday titled 'Request to Vary' (as attached), which we note was copied to the Court and to D6 (James Knaggs) and D66 (Caroline Thomson-Smith).

We note your suggestion that your submissions for the Review Hearing on 16 May 2023 will be substantial, like your submissions before Knowles J in May 2022 (which ran to circa 3000 pages), primarily on the basis of your view that the case requires evidence from over 10 years to be presented to the Court. In this regard we would refer you specifically to the following paragraphs of the Judgment of Knowles J ("**Judgment**") (a copy of which is available for reference [here](#)):

- Paragraphs 14 to 26 which address the fact that HS2 is the culmination of a democratic process and being built under specific powers granted by Parliament. The scheme was preceded by extensive consultation and detailed consideration in Parliament. In particular, we would refer you to paragraph 21 where Knowles J explicitly acknowledged yet disagreed with your submissions in this regard.
- Paragraph 70 where Knowles J reiterated in relation to your submissions that he was 'not concerned with the merits of HS2. Parliament has decided that question'.

- Paragraph 160 where Knowles J set out that 'the HS2 scheme is specifically authorised by the HS2 Acts...Parliament decided that the project was in the public interest'.
- Paragraph 183(a) where it is again highlighted by Knowles J that Parliament approved HS2.

The abovementioned paragraphs of the Judgment clearly demonstrate that the Judge has already made a finding that the HS2 Scheme has been authorised by Parliament, and that the Court is not therefore concerned with the rights or wrongs of the HS2 Scheme. Whilst the evidence filed by you in May 2022 was considered by Knowles J prior to him handing down the Judgment, his Judgment makes clear that any material relating to the merits of the HS2 Scheme is irrelevant to the issues which the Court is tasked with considering in relation to the Injunction Order.

At the Review Hearing, the Court will be considering the Injunction Order, and primarily whether to continue and/or extend and/or vary it. The Court will once again not be considering the merits of the HS2 Scheme. In line with paragraph 12 of the Directions Order, any statement of case and evidence upon which you seek to rely at the Review Hearing with a view to seeking to amend (including discharge) the Injunction Order or opposing the applications made by the Claimants should therefore seek to address those issues rather than the HS2 Scheme generally.

In relation to your comments that the Injunction Order of Knowles J was handed down in September not May; that the annual review should therefore take place in September; and that you had no idea there would be an annual review requirement prior to that date, the Injunction Order [here](#) clearly states at paragraph 15 that the Order will be reconsidered at a hearing to be listed on approximately a yearly basis between 15 and 31 May. You have therefore been on notice that the Review Hearing would be listed during that window since the Injunction Order was made on 20 September 2022.

As advised in our email to you timed at 17:37 on 31 March 2023 (and our earlier email of 27 March 2023 timed at 14:56), all documents relevant to the Review Hearing have been served on you (and all other currently Named Defendants) in accordance with the Directions Order, that is, by the Claimants uploading the same to: <https://www.gov.uk/government/collections/hs2-route-wide-injunction-proceedings> .

In terms of the length of time afforded to you (and other Named Defendants) for filing and serving any evidence upon which you seek to rely in opposition to the applications made by the Claimants (the deadline for which being 4 pm on 11 April 2023), that deadline has been decided by the Court (not by the Claimants) as per paragraph 12 of the Directions Order which was served on you by email timed at 21:38 on 16 March 2023.

As the Court highlighted in its email to you timed at 14:48 yesterday, paragraph 25 of the Directions Order sets out the steps that need to be taken if a person wishes to apply to have the Directions Order set aside or varied. A formal application notice is required, but in any event, any such application needed to have been made within 7 days after the date on which the Directions Order was served on you (so by no later than 23 March 2023).

It is not within the Claimants' gift to grant you an additional period of time within which to prepare and file any submissions you wish to make in response to the Claimants' application.

Yours faithfully

DLA Piper UK LLP

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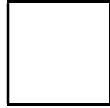
**From:** Mark Keir (via Google Drive) <[markkeir1@gmail.com](mailto:markkeir1@gmail.com)>  
**Sent:** 05 April 2023 17:42  
**To:** HS2Injunction <[HS2Injunction@dlapiper.com](mailto:HS2Injunction@dlapiper.com)>  
**Cc:** [qb.birmingham@justice.gov.uk](mailto:qb.birmingham@justice.gov.uk); [Jimknaggs8@gmail.com](mailto:Jimknaggs8@gmail.com); [cthomsonsmith@gmail.com](mailto:cthomsonsmith@gmail.com)  
**Subject:** Item shared with you: "Request to Vary.pdf"

**\*\*EXTERNAL\*\***

# Mark Keir shared an item

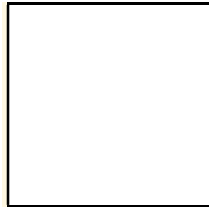


Mark Keir ([markkeir1@gmail.com](mailto:markkeir1@gmail.com)) has shared the following item:



Please find attached re Directions Order to QB-2022-BHM-000044

Request to Vary.pdf



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