



Re-Amended
Claim Form
(CPR Part 8)

Amended pursuant to the order of David Holland QC dated 16 May 2019

Re-Amended pursuant to the order of David Holland QC dated 22 June 2020

In the HIGH COURT OF JUSTICE
 BUSINESS AND PROPERTY COURTS
 PROPERTY, TRUSTS AND PROBATE LIST
 (ChD)

15 Jan 2021

Claim No.	PT-2018-000098
Fee Account No.	PBA0087211

PT-2018-000098



Claimant

- (1) THE SECRETARY OF STATE FOR TRANSPORT
- (2) HIGH SPEED TWO (HS2) LTD

Defendant(s)

- (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 **RE-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 TO AND FROM TO, FROM, OVER AND ACROSS BETWEEN THE PUBLIC HIGHWAY IN THE LONDON BOROUGH OF HILLINGDON SHOWN COLOURED ORANGE AND PURPLE AND THE LAND AT HARVIL ROAD SHOWN COLOURED GREEN, BLUE AND PINK AND EDGED IN RED ON THE PLANS ANNEXED TO THE **RE-AMENDED** CLAIM FORM
- (3) SARAH GREEN
OF: [REDACTED]
- (4) MARK KEIR
OF: [REDACTED]
- ~~(5) GRAHAM MARSH
OF: [REDACTED]~~
- ~~(6) SOFIA KAZI~~
- (7) THORN RAMSAY
- (8) VAJDA ROBERT MORDECHAJ
- ~~(9) LAURA (aka LORA) HUGHES~~
- (9) – (36) See continuation sheet

Does your claim include any issues under the Human Rights Act 1998? Yes No

Details of claim (*see overleaf*)

Defendant's name and address

~~The addresses of D1, D2, D6, D7 and D8 are unknown. An application for service by an alternative method accompanies this Claim.~~

D3's address is: [REDACTED]

D4's address is: [REDACTED]

~~D5's address is: [REDACTED]~~

See continuation sheet **The Claimants will serve**

	£
Court fee	
Solicitor's costs	To be assessed
Issue date	

The court office at Royal Courts of Justice, Strand, London, WC2A 2LL is open between 10 am and 4 pm Monday to Friday. When corresponding with the court, please address forms or letters to the Court Manager and quote the case number.

Details of claim (*continued*)

1. The Claimants have an immediate right to possession of all of the land at Harvil Road, Hillingdon, London shaded green, blue and pink and edged in red on the plan attached hereto as Plan A (“the Site”) (~~“the Land”~~) The land that has been added to the Harvil Road Site since 14 May 2019 is shaded green and pink on the plan attached hereto as “the Additional Land Plan”. The basis of that entitlement is explained at §§2-11 of the first witness statement of Robert McCrae in support (“McCrae 1”) and §§7 of his second witness statement (“McCrae 2”) and, so far as relates to “the Additional Land” §§23-28 of the second witness statement of Rohan Perin (“Perin 2”).
2. The Claimants are engaged in works on ~~at~~ the Site connected with the construction of “HS2”. They are described in more detail at §§12-15 of McCrae 1 and §§50-51 of Perin 2.
3. The Defendants are opposed to HS2 and have, since October 2017 variously: (i) trespassed upon the Site, including by interfering with fencing around the Site; (ii) obstructed and hindered the Claimants’ passage over the highways in the vicinity of the Site, thereby committing a public nuisance which causes particular damage to the Claimants; and (iii) obstructed and hindered the Claimants passage to and from the Site to the said highways and neighboring private land, thereby committing a private nuisance. Those incidents are described in more detail in McCrae 1 at §§19-27 and in the second witness statement of Julie Dilcock in support (“Dilcock 2”) and, as it relates to the period since the grant of an initial injunction in these proceedings on 19 February 2018 in the first witness statement of Richard Jordan (“Jordan 1”) and in the period since the continuation of that injunction on 16 May 2019 in the second witness statement of Richard Jordan (“Jordan 2”).
4. The said acts were carried out by the Defendants with the aim of preventing, delaying or disrupting the Claimants’ schedule of works, and the said acts have had that effect (as summarised at §54 of Perin 2). The Claimants fear that the Defendants, or some of them, will continue to commit the same or similar tortious acts in the future unless otherwise restrained.
5. The Claimants claim is for appropriate injunctive relief restraining D1 and D2 and D36 ~~(and the named Ds 3-8 to the extent that their conduct brings them within the descriptions of D1 and D2)~~ from: a. trespassing upon the Site (including by interfering with fencing); or b. substantially interfering with the Claimants’ (or their agents, servants, contractors, sub-contractors, group companies, licensees, invitees or employees) passage over the highway or access to and egress from the Site, in particular in the “exclusion zones” marked in purple on Plan A (and more particularly on Plans C, D, E and F).
6. The Claimants further seek an order making appropriate provision for their costs of this claim.
7. The Claimants, in addition to McCrae 1 and 2, Jordan 1 and Dilcock 2, rely further upon the first witness statement of Julie Dilcock, ~~and~~ the witness statement of Patricia Thompson, and Jordan 2 and Perin 2 filed herewith.
8. The Claimants bring ~~a~~ further application at the same time as seeking to re-amend this claim *inter alia* for revised appropriate injunctive relief on an interim basis, pending trial or further order. The terms of the injunction sought by this re-amended claim are the same as sought by that application; subject to such modification as the Court shall think fit.

Statement of Truth: The Claimants believe that the facts stated in these re-amended details of claim are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. I am duly authorised by the Claimants to sign this statement of truth.



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Kathryn Mair Cook, Partner, Eversheds Sutherland (International) LLP, Solicitors for the Claimants

PT-2018-000098 - CONTINUATION SHEET: DEFENDANTS AT 22 JUNE 2020

3. Sarah Green - [REDACTED]
4. Mark Keir - [REDACTED]
5. – 6. *[No longer used]*
7. Thorn Ramsey
8. Vajda Robert Mordechaj
9. Iain Oliver
10. Elliott Cuciurean
11. Jess Walker
12. Matt Atkinson
13. Scott Breen
14. Hannah Bennett
15. James aka “Jimmy” Ruggles
16. Nick Grant aka “Potts”
17. Stuart Ackroyd
18. Wiktoria Zieniuk
19. Paul Sandison
20. Tom Dalton
21. Conner Nichols
22. Dr Ian “Larch” Maxey
23. Sebastian Roblyn Maxey
24. Jessica Heathland-Smith
25. Ella Dorton
26. Karl Collins
27. Sam Goggin
28. Hayley Pitwell
29. Jacob Harwood
30. Tom Holmes
31. Libby Fairbrother
32. Samantha Smithson
- ~~33. Caroline Thomson Smith~~
34. Jack Charles Oliver
35. Charlie Inskip
36. 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 HARVIL ROAD SITE, OR DAMAGING, APPLYING ANY SUBSTANCE TO OR INTEFERING WITH ANY LOCK OR ANY GATE AT THE PERIMETER OF THE HARVIL ROAD SITE WITHOUT THE CONSENT OF THE CLAIMANTS