

## Claim form for possession of property

In the High Court of Justice  
Chancery Division, Birmingham District  
Registry

Claim no.

Fee Account no.

PBA0087211

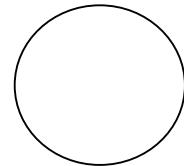
You may be able to issue your claim online and it may save you time and money. Go to [www.possessionclaim.gov.uk](http://www.possessionclaim.gov.uk) to find out more.

Claimant

(name(s) and address(es))

- (1) THE SECRETARY OF STATE FOR TRANSPORT; and  
(2) HIGH SPEED TWO (HS2) LIMITED

Both of: Two Snow Hill  
Queensway  
Birmingham  
B4 6GA



Defendant(s)

(name(s) and address(es))

SEAL

- (1) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANTS ON LAND AT SOUTH CUBBINGTON WOOD, SOUTH OF RUGBY ROAD, CUBBINGTON, LEAMINGTON SPA SHOWN COLOURED GREEN, BLUE AND PINK AND EDGED IN RED ON PLAN A ANNEXED TO THE PARTICULARS OF CLAIM
- (2) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANTS ON LAND AT CRACKLEY WOOD, BIRCHES WOOD AND BROADWELLS WOOD, KENILWORTH, WARWICKSHIRE SHOWN COLOURED GREEN, BLUE AND PINK AND EDGED IN RED ON PLAN B ANNEXED TO THE PARTICULARS OF CLAIM
- (5) ELLIOTT CUCIUREAN of 15 Dorset Avenue Cheltenham, Gloucestershire GL51 8BG
- (6) IAN "LARCH" MAXEY of Flat 33, 35-36 Belsize Square, London NW3 4HL
- (7) PAUL SANDISON of Crackley Wood HS2 Protection Camp
- (8) TERRY SANDISON of Crackley Wood HS2 Protection Camp

As set out at §7 of the Particulars of Claim and §§15 and 16 and §§25 and 26 (respectively) of the first witness statement of Alan Robert Payne in support of this claim, the Claimants have an immediate right to and are claiming possession of:

- (1) all of the land at South Cubbington Wood, South of Rugby Road, Cubbington, Leamington Spa as shown coloured green, blue and pink and edged in red on Plan A annexed to the Particulars of Claim (“the **Cubbington Land**”); and
- (2) All of the land at Crackley Wood, Birches Wood and Broadwells Wood, Kenilworth, Warwickshire as shown coloured green, blue and pink and edged in red on Plan B annexed to the Particulars of Claim (“the **Crackley Land**”);

which does not include residential property.

The First and Third Defendants have entered upon and remain upon the Cubbington Land, and the Second and Fourth Defendants have entered upon and remain upon the Crackley Land without the permission of the Claimants. Those Defendants also threaten to return to the land, once evicted, unless otherwise restrained.

The Claimants therefore seek:

- (i) An order that the First and Third Defendants give vacant possession of the Cubbington Land to the Claimants forthwith
- (ii) An order that the Second and Fourth Defendants give vacant possession of the Crackley Land to the Claimants forthwith
- (iii) Injunctive relief restraining: (a) the First ~~and Fifth to Eighth~~ ~~Third and Fourth~~ Defendants from entering upon the Cubbington Land in the future; and (b) the Second ~~and Fifth to Eighth~~ ~~Third and Fourth~~ Defendants from entering upon the Crackley Land in the future.
- (iv) Declaratory relief confirming the Claimant’s immediate right to possession of the whole of the Cubbington Land and the Crackley Land.

Full particulars of the claim are attached.

This claim will be heard on: 20..... at .....am/pm  
at

#### At the hearing

- The court will consider whether or not you must leave the property and, if so, when.
- It will take into account information the claimant provides and any you provide.

#### What you should do

- Get help and advice immediately from a solicitor or an advice agency.
- Help yourself and the court by **filling in the defence form** and **coming to the hearing** to make sure the court knows all the facts.

Defendant’s  
name and  
address for  
service

The addresses of D1, D2, D3 and D4 are unknown.  
These proceedings will be served on the Land  
pursuant to CPR 55.6.

**The Claimants will serve.**

Court fee	£528.00
Legal representative’s costs	£
<b>Total amount</b>	<b>£528.00</b>

Issue date

Claim No.

### Grounds for possession

The claim for possession is made on the following ground(s):

- ☐ rent arrears (online issue available)  
☐ other breach of tenancy  
☐ forfeiture of the lease  
☐ mortgage arrears (online issue available)  
☐ other breach of the mortgage  
☒ trespass  
☐ other (please specify) \_\_\_\_\_

### Anti-social behaviour

The claimant is alleging:

- ☐ actual or threatened anti-social behaviour  
☐ actual or threatened use of the property for unlawful purposes

Is the claimant claiming demotion of tenancy?

☐ Yes ☒ No

Is the claimant claiming an order suspending the right to buy?

☐ Yes ☒ No

See full details in the attached particulars of claim

Does, or will, the claim include any issues under the Human Rights Act 1998?

☒ Yes ☐ No

### Statement of Truth

The claimant believes that the facts stated in this claim form are true.

\* I am duly authorised by the claimant to sign this statement.

signed \_\_\_\_\_ date: ~~19<sup>th</sup> February 2020~~ 26 March 2021

Claimant's legal representative

*\*delete as appropriate*

Full name: ~~Shona Ruth Jenkins~~ Robert Shaw

Name of claimant's legal representative's firm: ~~EVERSHEDS SUTHERLAND (INT) LLP~~ DLA Piper UK LLP

position or office held: Solicitor

*(if signing on behalf of firm or company)*

Claimant's or  
claimant's legal  
representative's  
address to which  
documents or  
payments  
should be sent if  
different from overleaf.

~~Eversheds Sutherland (Intl) LLP~~  
~~1 Callaghan Square~~  
~~Cardiff~~  
  
DLA Piper UK LLP  
1 St. Paul's Place  
Sheffield  
S1 2JX  
  
~~Postcode CF10 5BT~~

<i>if applicable</i>	
Ref. no.	<del>Jenkinsw/335547/000130</del> RXS/380900/301
fax no.	<del>02920 477 333</del> 0114 272 4941
DX no.	<del>DX 33016 Cardiff</del> DX 708580 Sheffield 10
e-mail	<a href="mailto:rob.shaw@dlapiper.com">rob.shaw@dlapiper.com</a>
Tel. no.	<del>02920 477 223</del> 0114 283 3312