

IN THE HIGH COURT OF JUSTICE
BIRMINGHAM DISTRICT REGISTRY

BEFORE: MR JUSTICE COTTER
ON: 5 April 2022

B E T W E E N:

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



QB-2022-BHM-000044

Claimants/Applicants

-and-

- (1) 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 PARTICULARS OF CLAIM ("THE CASH'S PIT LAND")
- (2) 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, GREEN AND BLUE ON THE PLAN ANNEXED TO THE APPLICATION NOTICE ("THE HS2 LAND")
- (3) PERSONS UNKNOWN OBSTRUCTING AND/OR INTERFERING WITH ACCESS TO AND/OR EGRESS FROM THE HS2 LAND BY THE CLAIMANTS, THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, INVITEES AND/OR EMPLOYEES WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT WITHOUT THE CONSENT OF THE CLAIMANTS
- (4) 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
- (5) MR ROSS MONAGHAN (AKA SQUIRREL / ASH TREE) AND 58 OTHER NAMED DEFENDANTS AS SET OUT IN THE SCHEDULE TO THE PARTICULARS OF CLAIM

Defendants/Respondents

ORDER

UPON the Claimant's Application by an Application Notice dated 25 March 2022

AND UPON HEARING Counsel for the Claimant, Mr Michael Fry, and Counsel for the Sixth Defendant, Mr Owen Greenhall and Defendants in Person

IT IS ORDERED THAT:

1. The proceedings to be adjourned and listed for 1 day at 10.30am on Monday 11 April 2022 before The Honourable Mr Justice Cotter to consider the Claimants' application for a possession claim in relation to the Cash's Pit Land and for directions in respect of a preliminary hearing on service of the Claimants' Application.
2. Any Defendant to serve any further evidence and/or submissions on the Claimants at HS2Injunction@governmentlegal.gov.uk (quoting reference Z2202274/CAN/DS3) in relation to the Protection of Eviction Act 1977 and file the same with the Court by **11am on Friday 8 April 2022**.
3. The Claimants to have liberty to serve any rebuttal evidence and/or submissions by 9am on **Monday 11 April 2022**.
4. Counsel to provide details of availability for hearings to the Court by 11am on Friday 8 April 2022.
5. The preliminary hearing on service of the Claimants' Application is to be expedited otherwise.
6. Pursuant to CPR r. 6.27, the Claimants shall serve this Order on the Defendants by placing it in a prominent location on the following website:
<https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings> and by email to Counsel for the Sixth Defendant.

BY THE COURT