



Claim No: PT-2018-000098

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

Before: David Holland QC (sitting as a Deputy Judge of the High Court)
On: 24, 25 and 27 August

2020

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 PLAN ANNEXED TO THIS ORDER

- (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
THE LAND AT HARVIL ROAD SHOWN COLOURED GREEN, BLUE AND PINK AND
EDGED IN RED ON THE PLAN ANNEXED TO THIS ORDER

- (3)to (35) THE NAMED DEFENDANTS LISTED IN THE SCHEDULE HERETO

- (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 (AS DEFINED IN THIS ORDER), 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

Defendants/Respondents

ORDER

***RESTRAINING TRESPASS ON AND OBSTRUCTION OF ACCESS TO AND
FROM THE LAND KNOWN AS THE HARVIL ROAD SITE DEFINED HEREIN***

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

- (1) This Order (and paragraphs 2 to 5 in particular) 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.**
- (2) Electronic copies of the applications and evidence filed in these proceedings are available at:**
 - (i) <https://hs2inhillington.commonplace.is/>**
 - (ii) <https://www.gov.uk/government/organisations/high-speed-two-limited>.**
- (3) Any person who is unable to obtain electronic copies of documents at that address, or who wishes to obtain hard copies of documents, should contact the Claimants' solicitors (Eversheds Sutherland (International) LLP) using the contact details at the end of this Order.**
- (4) Further case-management hearings are due to take place in these proceedings and further directions orders will be made for the future case-management of these proceedings. Notices of such hearings and copies of those orders will be made available at the websites listed at paragraph (2) above. Any Named Defendant or other person who wishes to become a Named Defendant or is otherwise interested in these proceedings should therefore monitor those websites.**

UPON the Claimants' application by Application Notice dated 15 June 2020 ("the **Substantive Amendment Application**").

AND UPON "the **Harvil Road Site**" being defined, for the purposes of this Order, as the land shown coloured green, blue and pink and edged in red on the plan annexed to this Order as "**Plan A**".

AND FURTHER TO the extension and variation of the order of Mr David Holland QC (sitting as a deputy judge of the High Court) on 22 June 2020 (the "**Current Injunction**").

AND UPON the Court having read: (i) the first witness statement of Shona Ruth Jenkins dated 18 May 2020; (ii) the second witness statement of Rohan Perinpanayagam dated 15 June 2020; (iii) the second witness statement of Richard Joseph Jordan dated 15 June 2020; (iv) the third witness statement of Rohan Perinpanayagam dated 27 July 2020; (v) the third witness statement of Richard Joseph Jordan dated 27 July 2020; (vi) the fourth witness statement of Rohan Perinpanayagam dated 13 August 2020; (vii) the three statements filed in these proceedings by the former D3; (viii) the undated statement from D4; (ix) the email to the Court dated 2 June 2020 from D8; (x) the email to the Court dated 2 June 2020 from D9; (xi) the email to the Court dated 24 August 2020 from D18; (xii) the email to the Court dated 21 August 2020 from D22; (xiii) the email to the Court dated 21 August 2020 from D25; (xiv) the two undated written documents from D27; (xx) the undated statement of D28; and (xxi) the undated written statement of D32.

AND UPON the hearing having taken place in public but remotely via Skype for Business due to the Covid-19 pandemic.

AND UPON hearing: (i) Tom Roscoe and Daniel Scott, counsel for the Claimants; (ii) Sailesh Mehta, counsel for the (former) 3rd Defendant in order to approve the 3rd Defendant's removal from these proceedings upon the terms of a consent order which included the offering of an undertaking to the Court; Paul Powlesland, counsel for the 4th Defendant; and (iv) the 8th to 10th Defendants, the 13th Defendant, the 18th Defendant, the 22nd to 23rd Defendant, the 25th to 28th Defendants and the 31st to 32nd Defendants, all appearing and addressing the Court in person

AND UPON the Court accepting the Claimants' renewed 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 Plan A.

AND UPON the Court confirming that its written judgment following the hearing on 24, 25 and 27 August 2020 shall be deemed to have been handed down formally on 4 September 2020.

AND UPON the Court giving further written directions consequential upon that judgment by email to the Claimants' counsel dated 15 September 2020, which directions are reflected in this order.

IT IS ORDERED THAT:

Parties

1. The names of First, Second and 36th Defendants shall henceforth be as in the header of this Order.

Injunction over the Harvil Road Site

2. With immediate effect the First Defendant, the Named Defendants and each of them are forbidden, without the consent of the First or Second Claimant, from entering or remaining upon "the **Harvil Road Site**", being the land shaded green, blue and pink and outlined red on Plan A. Further:

2.1 This paragraph of this Order shall, for the avoidance of doubt, apply to the splays, or bell-mouth areas, for access and egress at the following vehicular entrances to the Harvil Road Site (all together, "the **Vehicular Entrances**").

(i) between the Harvil Road Site and the public highway known as the Harvil Road, Harefield in the London Borough of Hillingdon ("**Harvil Road**") at the vehicular entrances marked on Plan A as "Gate 1", "Gate 2", "West Gate 3 Entrance", "Fusion Dews Lane Compound HQ" and "Gate 4" ("the **Harvil Road Entrances**"); and

(ii) between the Harvil Road Site and the adjoining land in the vicinity of the Hillingdon Outdoor Activity Centre ("the **HOAC**") marked on Plan A at "Dews Lane West" ("the **Dews Lane West Entrance**").

2.2 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 Harvil Road 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 Harvil Road Entrances **SHALL** be treated as part of the Harvil Road Site and covered by this paragraph of the Order.

- 2.3 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.
3. With immediate effect, the 36th Defendant, the Named Defendants and each of them shall not: (i) cut, damage, move, climb on or over, dig beneath or remove any item affixed to any temporary or permanent fencing or gates on or at the perimeter of the Harvil Road Site; or (ii) damage, apply any substance to or interfere with any lock on any gate at the perimeter of the Harvil Road Site without the consent of the Claimants.
4. With immediate effect, the Second Defendant, the Named Defendants 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):
 - 4.1 from (or to) the Harvil Road or other public highway; and/or
 - 4.2 from (or to) adjacent land in the vicinity of the HOAC via the Dews Lane West Entrance.
5. For the purposes of paragraph 4, acts of substantial interference shall include (but not necessarily be limited to):
 - 5.1 climbing onto or underneath vehicles;
 - 5.2 attaching persons or objects to vehicles;
 - 5.3 standing, sitting or lying in front of vehicles;
 - 5.4 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; and
 - 5.5 attaching persons or objects to the gates at the Vehicular Entrances.

6. The injunctions at paragraphs 2 to 5 above shall remain in effect until trial or further order or, if earlier, a long-stop date of 4 September 2022.

Further directions

Variation or discharge

7. 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).
8. 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.
9. The Claimants have liberty to apply to extend or vary this Order or for further directions.

Future case management

10. Any Named Defendant who intends to defend the Claimants' claims as set out in the Re-Amended Claim Form, as amended pursuant to the Order of David Holland QC (and a copy of which is available on the websites specified at paragraph 15.4 below) must by 4pm on 2 October 2020 file with the Court and serve on the Claimants' solicitors (whose details are set out below) an Acknowledgement of Service pursuant to CPR r.8.3. The said Acknowledgment of Service must include a postal and/or email address for service.
11. Any Named Defendant who does not comply with paragraph 10 shall be debarred from defending the Claim or appearing at any future hearing without further leave of the Court.
12. A Case Management Conference ("**CMC**") is to be listed before a High Court Judge with a time estimate of 1 day on the first available date after 30 October 2020. The CMC is listed to consider the directions required for the further conduct of these proceedings and is not convened to reconsider the grant of interim injunctive relief.

13. The Claimants must serve a list of draft directions which they intend to seek at the CMC on each Named Defendant who has filed and served an Acknowledgment of Service at least 14 days before the CMC.
14. Each such Named Defendant must counter-serve a list of draft directions which they intend to seek at the CMC on the Claimants' solicitors at least 7 days before the CMC.

Service on First, Second and 36th Defendants

15. Pursuant to CPR r. 6.27 and r. 81.8 service of this Order on the First, Second and 36th Defendants shall be dealt with as follows:

15.1 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.

15.2 The Claimants shall position in the same locations 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.

15.3 The Claimants shall also leave sealed copies of this Order at the Protestor Encampment marked on Plan A.

15.4 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.

16. The taking of such steps shall amount to due service of this Order on the First, Second and 36th Defendants and each of them.
17. 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.

18. 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 7.1 and 7.2 above remain in place and legible, and, if not, shall replace them as soon as reasonably practical.

Service on the Named Defendants

19. The Claimants must use reasonable endeavours forthwith to serve the Named Defendants with this Order. Pursuant to CPR r.6.27 and r.81.8, service on the Named Defendants of this Order and any future documents in these proceedings may be effected: (i) by leaving hard copies addressed to them at the address or other physical location they indicated for that purpose; and/or (ii) by emailing electronic copies to the email addresses provided for those purposes. Such service shall be deemed effective on the date the relevant step is taken and shall be verified by a Certificate of Service.
20. The Claimants have liberty to apply for orders for alternative service of this Order or any other documents in these proceedings upon the other Named Defendants under CPR r.6.27 and/or r.81.8.

Costs

21. The Claimants shall forthwith serve on any Named Defendant against whom they seek an order for costs copies of schedules of their costs together with, in written form, a description of the order for costs which is sought against that Named Defendant.
22. Service of such schedules and written description of the order sought shall be carried out in accordance with the same methods of service for this Order as set out in paragraphs 19 and 20 above and shall be verified by certificates of service.
23. Each Named Defendant so served has permission to file with the Court and serve on the Claimants (using the Claimants' solicitors contact details set out below) written submissions setting out why they say they should not be ordered to pay the costs as sought and, if they are ordered to pay costs, what amount they should pay. Such written submissions to be filed and served on

or before 4.00pm on 6 October 2020.

24. The Claimants have permission to file and serve a written response to those submissions by 4pm on 13 October 2020.
25. The Court will determine the matter of costs (that is whether any or all of the Defendants should pay costs and, if so, in what amount) in writing and without a further hearing, such decision to be made on or after 14th October 2020 and communicated in writing.

AND UPON the Claimants' Application for Permission to Appeal

26. The Claimants are granted permission to appeal the decision that the Court is required, in light of the decision in Canada Goose v Persons Unknown [2020] EWCA Civ 303, to provide case management directions for the trial or other final determination of these proceedings, irrespective of whether any Defendant files an Acknowledgement of Service.
27. The said permission to appeal is granted subject to the condition (imposed pursuant to CPR Part 52.6(2)(b)) that, whatever the outcome of the appeal, the Claimants should not recover any of the costs of or occasioned by any appeal against any named party (whether Defendant or Respondent). This condition is not intended to prevent any named Respondent from participating in the appeal should they see fit.
28. Pursuant to CPR r.52.12, the deadline for the Claimants to file an Appellant's Notice is extended to 4pm on 16 October 2020.

Communications with the Court & Claimants' Solicitors

29. 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.

30. 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

Email: ShonaJenkins@eversheds-
sutherland.com

Ref: JENKINSW/335547/000169

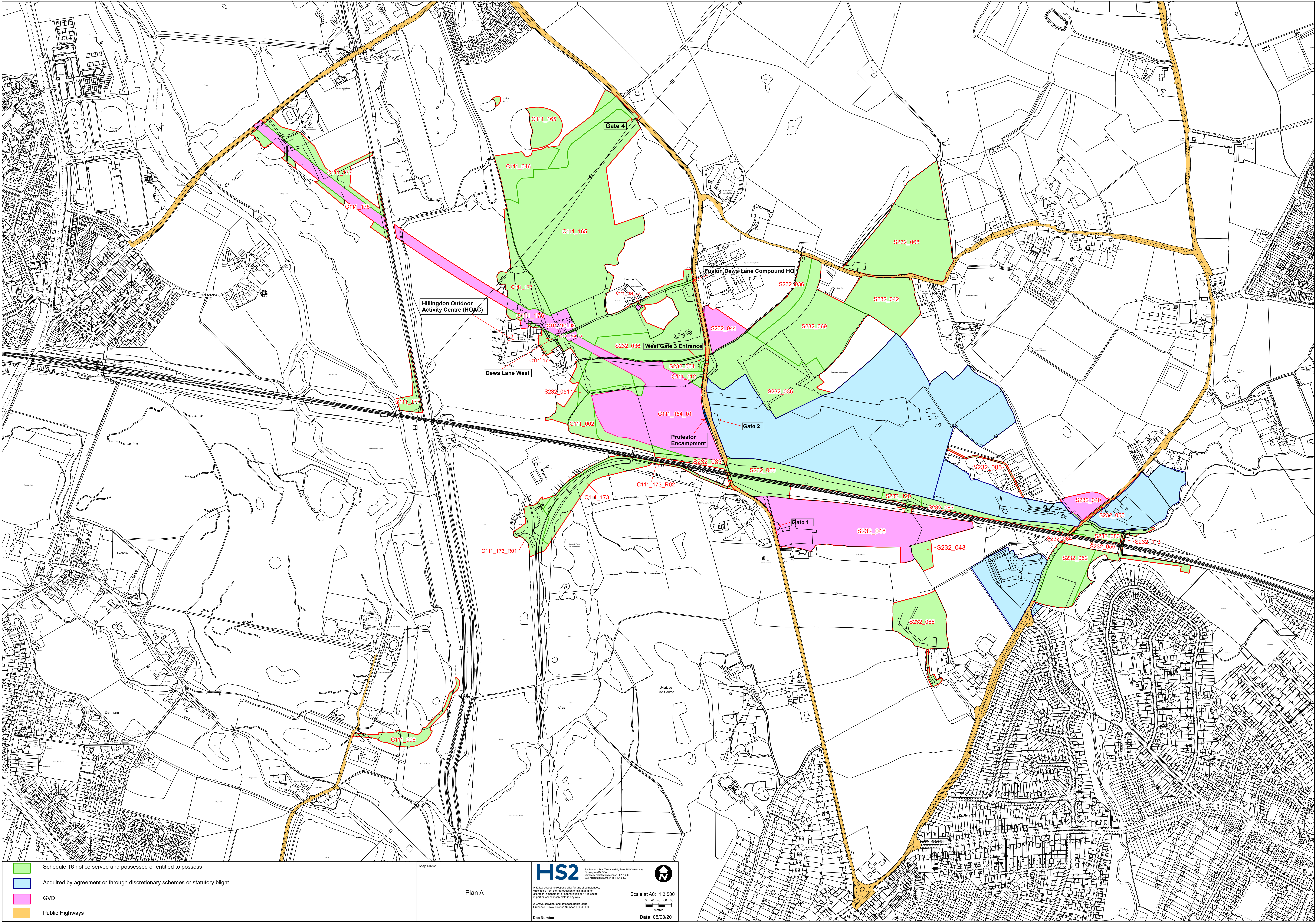
Service

The Court has provided a sealed copy of this Order to the Claimants' solicitors at the above address for service.

Dated:

SCHEDULE OF NAMED DEFENDANTS

3. *[No longer used]*
4. Mark Keir
5. *[No longer used]*
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. Wiktor 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 Farbrother
32. Samantha Smithson
33. *[No longer used]*
34. Jack Charles Oliver
35. Charlie Inskip



**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
PROPERTY, TRUSTS AND PROBATE LIST
BIRMINGHAM DISTRICT REGISTRY**

**Before: Mr Justice Marcus Smith
On: 13 April 2021**

Claim No: PT-2020-BHM-000017



PT-2020-BHM-000017

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 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 CLAIMANT(S) 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
(6) LARCH MAXEY
(7) PAUL SANDISON
(8) TERRY SANDISON

Defendants / Respondents

ORDER

EXTENDING THE DURATION OF THE INJUNCTION MADE BY MARCUS SMITH J ON 19 JANUARY 2021

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.

FURTHER TO the Order made in these proceedings by Andrews J on 17 March 2020 (“the **March 2020 Order**”), **AND** the extensions made by Marcus Smith J on 17 December 2020 (“the **December 2020 Order**”) and on 19 January 2021 (sealed on 28 January) (“the **January 2021 Order**”).

AND UPON the Claimants’ application by Application Notice dated 26 March 2021, pursuant to the provisions at paragraphs 11-15 of the January 2021 Order, to extend the duration of the injunction contained at paragraphs 3 to 5 of the January 2021 Order and to add the Sixth to Eighth named Defendants (“the **Substantive Amendment Application**”).

AND UPON hearing Mr Michael Fry and Mr Jonathan Welch, counsel for the Claimants; and Fifth Defendant, Seventh Defendant and Eighth Defendant (appearing in person without representation).

AND UPON reading the Application Notice dated 26 March 2021 and the two witness statements of Mr Richard Jordan (dated 26 March 2021 and 9 April 2021).

AND UPON the Claimants indicating that they are content to provide to any named Defendants or persons unknown copies of further evidence or other documents filed in these proceedings from time-to-time at an email address provided to the Claimants, and place all such documents online to be publicly accessible.

AND UPON the Court accepting the Claimants’ renewed 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.

IT IS ORDERED THAT:

Continuation of January 2021 Order

1. The long-stop date of 30 April 2021 at paragraph 5 of the January 2021 Order be deleted, and the injunctions at paragraphs 3 to 5 of the January 2021 Order shall continue until 31 October 2022 or further order.

2. The injunction at paragraphs 3 to 5 of the January 2021 Order (as amended by paragraph 1 above) shall, further, apply to the Fifth to Eighth Defendants as well as the First and Second Defendants. Accordingly, the injunction which continues as against the First and Second and Fifth to Eighth Defendants is – for the avoidance of doubt – henceforth as set out in paragraphs 3 to 5 of this order.

Injunction in force

3. With immediate effect, and save for the matters set out in paragraph 4 of this Order:
 - 3.1 The First Defendant and Fifth to Eighth Defendants and each of them are forbidden from entering or remaining upon the Cubbington Land, being the land shaded green, blue and pink and outlined red on Plan A (“the **Cubbington Site**”); and
 - 3.2 The Second Defendant and Fifth to Eighth Defendants and each of them are forbidden from entering or remaining upon the Crackley Land, being the land shaded green, blue and pink and outlined red on Plan B (“the **Crackley Site**”).
4. Nothing in paragraph 3 of this Order:
 - 4.1 Shall prevent any person from exercising their rights over any open public right of way over the land. Those public rights of way shall, for the purposes of this Order, include the “unofficial footpath” between two points of the public footpath “PROW 130” in the location indicated on Plan C annexed to the Particulars of Claim and reproduced as an annexe to this Order;
 - 4.2 Shall affect any private rights of access over the Land held by any neighbouring landowner.
5. The order at paragraph 3 above shall remain in effect until trial or further order or, if earlier, a long-stop date of 31 October 2022.

Service

6. Pursuant to CPR r.6.27, the steps taken by the Claimants to serve this Substantive Amendment Application on the First, Second and Fifth to Eighth

Defendants shall amount to good and proper service of the Substantive Amendment Application on those defendants.

7. Pursuant to CPR r. 6.27 and r. 81.4(c) and (d) service of this Order on the First and Second Defendants shall be dealt with as follows:

7.1 The Claimants shall affix sealed copies of this Order in transparent envelopes in at least one location within the Cubbington Land and in at least one location within the Crackley Land.

7.2 The Claimants shall position (four) 4 signs, at the four locations marked on Plans A and B with red crosses, which are approximately 1.5m x 1m in size, advertising the existence of this Order (together with a map of the Land of at least A2 size) and providing a web link and the Claimant's solicitors contact details for copies of the Order (or further information in relation to it.)

7.3 The Claimants shall email a copy of the Order to the following email addresses:

(i) crackleyresidents@hotmail.co.uk

(ii) peter.delow@ntlworld.com

(iii) wendyhoulston@hotmail.com

(iv) helpstophs2@gmail.com

7.4 The Claimants shall further advertise the existence of this order in a prominent location on the websites:

(i) <https://hs2inwarwicks.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.

7.5 The Claimants shall also leave sealed copies of this Order at the protestor campsite marked "Camp 2" on the Plans.

7.6 The Claimants shall, every six months, secure publication of a notice and map of the injunction in the Leamington Observer.

8. The taking of such steps set out at paragraph 7 shall be good and sufficient service of this Order on the First and Second Defendants and each of them. 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.
9. Pursuant to CPR r. 6.27 and r. 81.4(c) and (d) 8 service of this Order on the Fifth to Eighth Defendants shall be dealt with by sending a copy of this Order to:
 - 9.1 in the case of the Fifth Defendant, his solicitors by email to: nhall@robertlizar.com;
 - 9.2 in the case of the Sixth to Eighth Defendants, personally by email to those email addresses held by the Claimants' solicitors.
10. The Court will provide sealed copies of this Order to the Claimants' solicitors for service (whose details are set out below).

Further directions

11. 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 by emailing rob.shaw@dlapiper.com. Schedule A to this Order indicates the process which should be followed for any such application.
12. 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 (unless they are already named as a defendant).
13. Any person wishing for this matter to proceed to trial and to defend the claim must serve an Acknowledgment of Service pursuant to CPR Part 8.3. Schedule B to this Order provides an indicative process for this course of action.
14. The Claimants have liberty to apply to extend or vary this Order or for further directions.

15. Save as provided for above, the Claim be stayed generally with liberty to restore.
16. Costs reserved. 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 and Claimants

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

Court Manager
Birmingham Civil and Family Justice Centre
High Court of Justice
Chancery Division
Priory Courts
33 Bull Street
Birmingham B4 6DS

The telephone number is 0121 681 4441. The offices are open weekdays 10.00am to 4.00pm.

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

DLA Piper UK LLP of:
1 St Paul's Place
Sheffield S1 2JX
Tel: +44 114 283 3312
Email: rob.shaw@dlapiper.com
Ref: RXS/380900/346

Dated: 3 May 2021

SCHEDULE A – STEPS TO VARY OR DISCHARGE THIS ORDER

If, in accordance with paragraph 10 above, any Defendant or any other person affected by this Order wishes to apply to vary or discharge this Order, to ensure effective case management by the Court the following indicative steps are expected to be followed (although these are not binding directions):

1. Any party seeking to contest the Claimants' entitlement to interim relief should file with the court (i.e. send to the court) and serve (i.e. send to the Claimants):
 - (a) An N244 application form¹;
 - (b) Written grounds for the application (i.e. reasons for the proposed variation/discharge of the Order) – this may be contained within the N244 application form or on in a separate document; and
 - (c) A witness statement(s) containing and/or appending all of the evidence to be relied upon in support of the application.
2. In order to file the above documents with the Court, the applicant should:
 - (a) Send physical copies of the documents to the address at paragraph 17 of this Order; and/or
 - (b) Speak to the Court to obtain an address to send electronic copies of the documents to.
3. In order to serve the above documents on the Claimants, the applicant should:
 - (a) Send physical copies of the documents to the address at paragraph 18 of this Order; and/or
 - (b) Send electronic copies of the documents to the e-mail address at paragraph 18 above.
4. The person making the application should indicate to the Court and Claimants whether they consider the matter requires a court hearing or can be dealt with by the judge reviewing the paper application and any response from the Claimants.

¹ See the following link which provides a digital version of the form, and guidance notes:
<https://www.gov.uk/government/publications/form-n244-application-notice>;

5. Thereafter the Claimants (i.e. HS2) shall have 14 days to file and serve evidence and submissions in response, including as to whether an oral hearing is required to determine the application.
6. Within 21 days, the Court shall decide whether a hearing is necessary, and/or may request from the parties evidence on any further matters necessary to determine the application. If the Court decides that a hearing is necessary, it shall seek to schedule the hearing (accommodating availabilities of the parties) within 42 days (6 weeks).
7. If the Court decides that further evidence is needed from either party, it may set strict deadlines by which that evidence must be filed. Both parties should be aware that the Court may restrict the use of evidence which is filed late or impose other penalties for non-compliance.

SCHEDULE B - STEPS TO BRING MATTER TO TRIAL

If, in accordance with paragraph 12 above, any Defendant or other person affected by this Order wishes to apply bring the Claimant's proceedings (whether as a whole or in part) to final trial, to ensure effective case management by the Court the following indicative steps are expected to be followed (although these are not binding directions):

1. If not already so, the party must apply to become a named defendant to the claim. This can be done by filing with the court (i.e. send to the court) and serving (i.e. send to the Claimants)
 - (a) An N244 Application form²; and
 - (b) a short statement explaining the reason for applying to become a named defendant (i.e. in order to contest the Claimants' claim).
2. In order to file the above with the Court, the applicant should:
 - (a) Send physical copies to the address at paragraph 17 of this Order; and/or
 - (b) Speak to the Court to obtain an address to send electronic copies to.
3. In order to serve the above on the Claimant, the applicant should:

² See the following link which provides a digital version of the form, and guidance notes: <https://www.gov.uk/government/publications/form-n244-application-notice>;

- (c) Send physical copies to the address at paragraph 18 of this Order;
and/or
 - (d) Send electronic copies to the to the e-mail address at paragraph 18
above.
4. The party seeking to contest the claim and bring the matter to trial must then file and serve (see above as to how this is to be done):
- (a) An Acknowledgement of Service using form N210,³ explaining the reasons for contesting the claim (whether as a whole or in part); and
 - (b) A witness statement(s) containing and/or appending all the evidence to be relied upon in support of the Acknowledgment of Service (i.e. evidence explaining the basis for contesting the claim).
5. Thereafter the Claimants (HS2) shall have 14 days to file and serve any evidence in reply.
6. The Court shall then list a hearing date for the final trial of this matter or a hearing date for a Case Management Conference, at which it will give directions to parties for any further steps required prior to the final trial (such as filing further evidence). The Court may set strict deadlines by which the further steps must be taken and both parties should be aware that the Court may restrict the use of evidence which is filed late or impose other penalties for non-compliance.

SCHEDULE C - USEFUL REFERENCES AND RESOURCES

The attention of all parties is drawn to the following references and resources:

Bar Pro Bono Unit – A possible avenue for obtaining free legal advice and/or representation: <https://weareadvocate.org.uk/>

Support Through Court (formerly Personal Support Unit) – An organisation supporting litigants in person: <https://www.supportthroughcourt.org/>

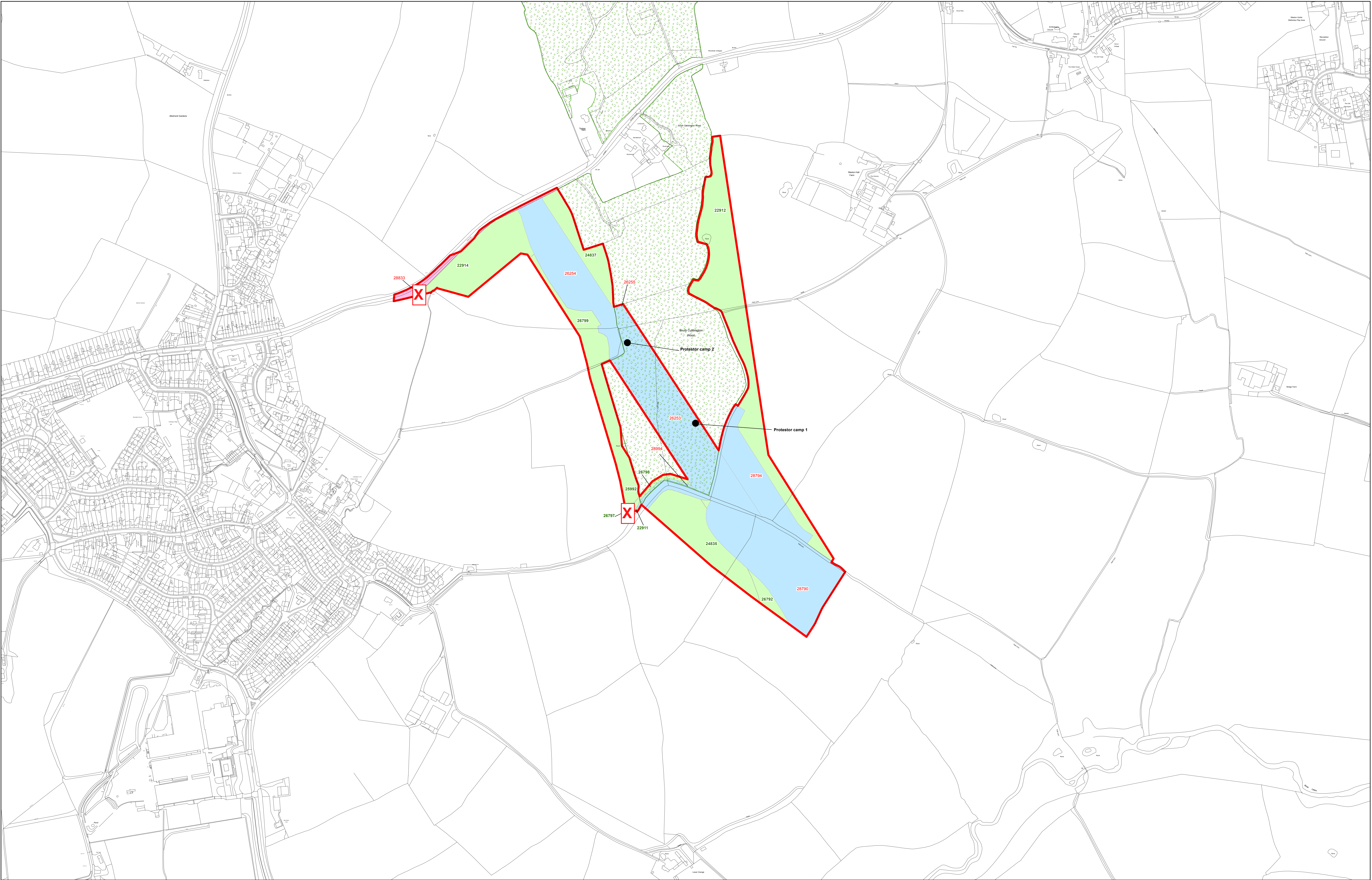
³ <https://www.gov.uk/government/publications/form-n210-acknowledgment-of-service-cpr-part-8>

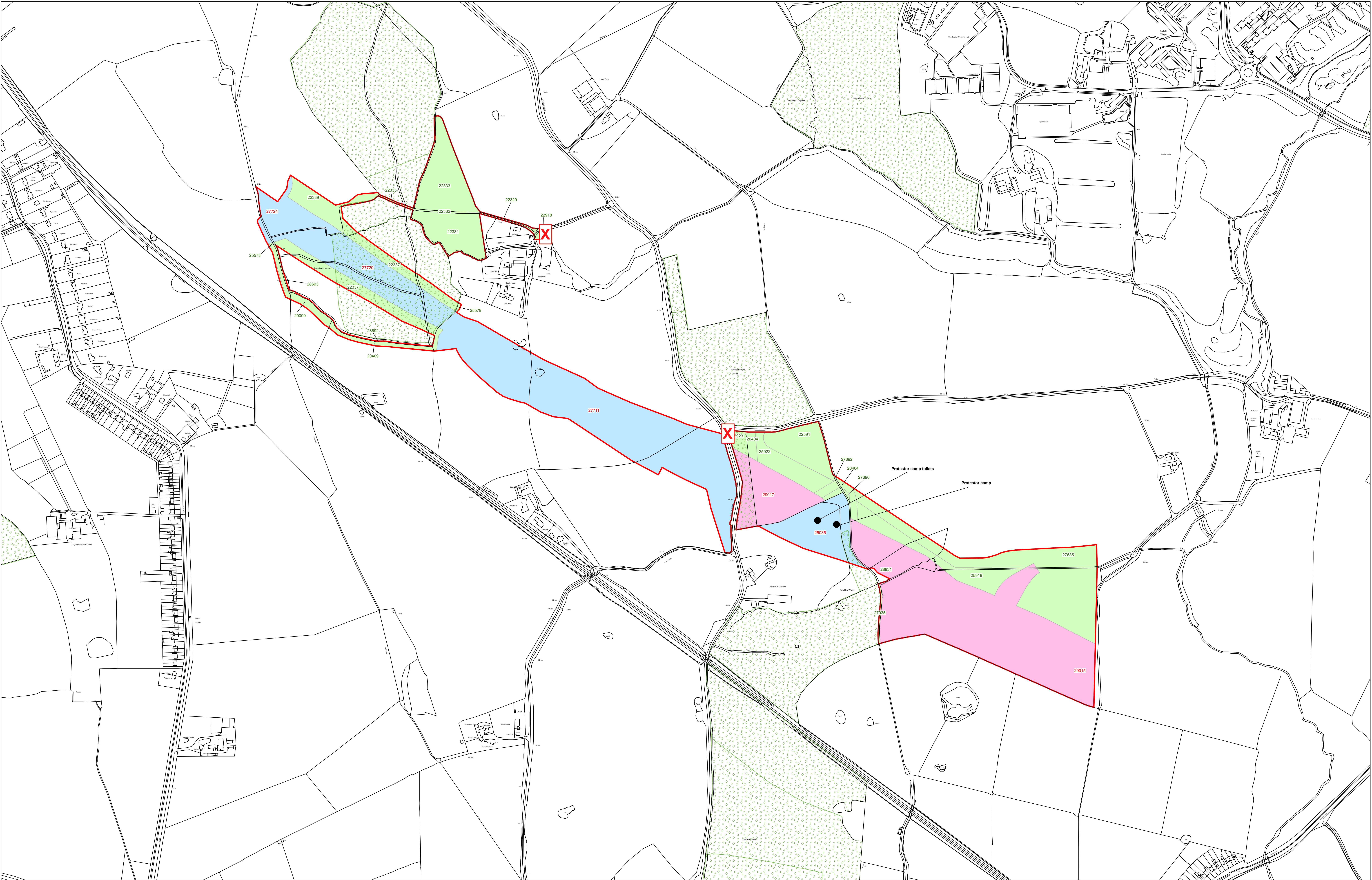
Chancery Division Guide: <https://www.gov.uk/government/publications/chancery-guide>

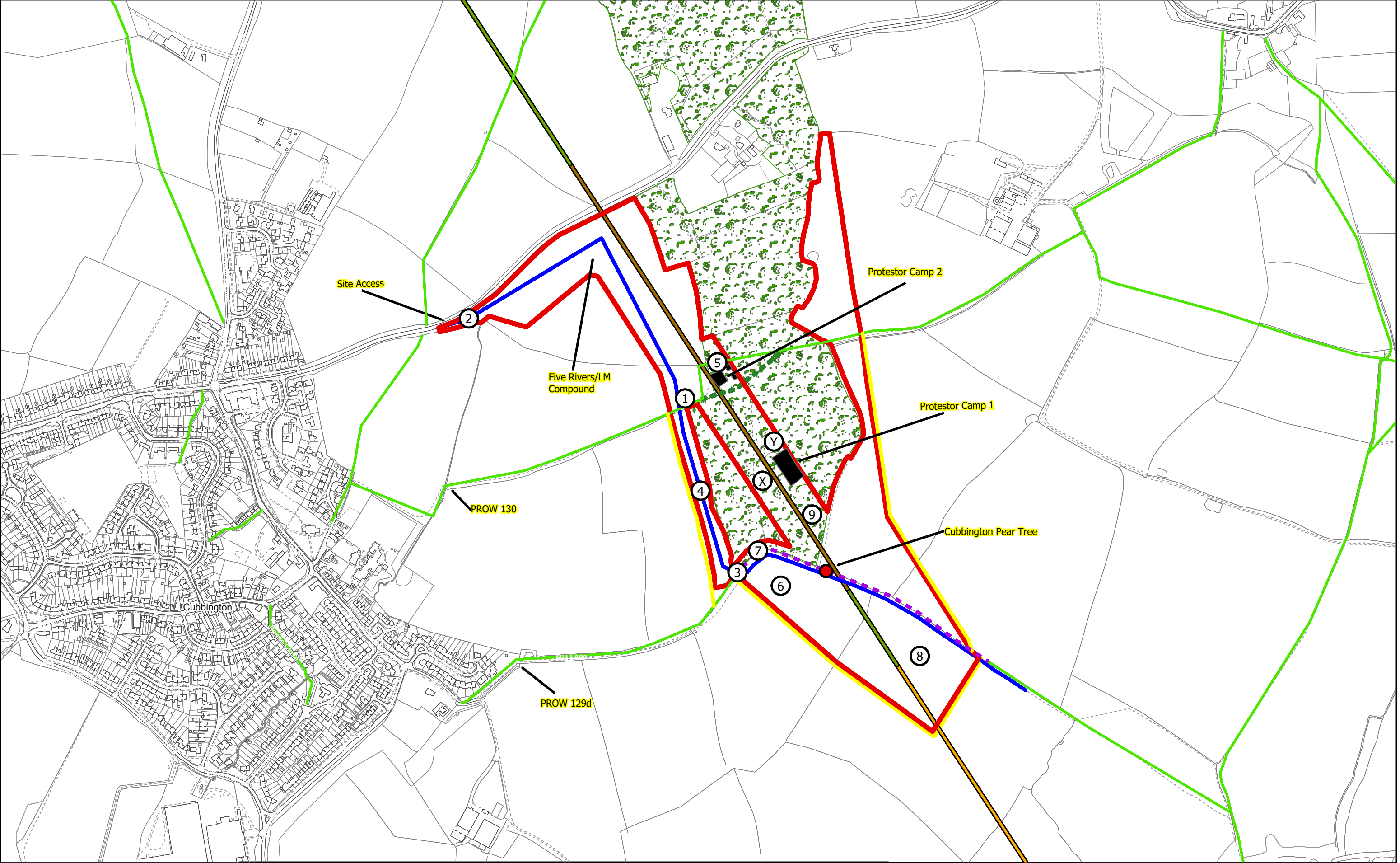
Chancery Division Interim Applications Guide for Litigants in Person:
<https://www.judiciary.uk/publications/guide-litigants-person-chancery/>

Civil Procedure Rules Part 8: <https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part08>

Help with Court Fees website: <https://www.gov.uk/get-help-with-court-fees>







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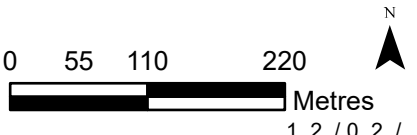
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- | | | | |
|--------------------------|------------------------------|---------------------|----------------|
| Incidents | Ancient Woodland | Unofficial Footpath | Embankment |
| Cubbington Pear Tree | Closed Public Right of Way | Haul Road | Retaining Wall |
| Land Required | Existing Public Right of Way | HS2 Trace | Viaduct |
| Protestor Camp Locations | Diverted Public Right of Way | Cutting | |

Plan C



LM-JV, 6th Floor,
The Cornerblock,
2 Cornwall Street,
Birmingham, B3 2DX



**IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION
BIRMINGHAM DISTRICT REGISTRY**

**BEFORE MR JUSTICE COTTER
ON 11 APRIL 2022**



QB-2022-BHM-000044

Between:

(1) HIGH SPEED TWO (HS2) LIMITED

(2) THE SECRETARY OF STATE FOR TRANSPORT

Claimants

-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 THIS ORDER ("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 ORANGE, PINK, GREEN AND BLUE ON THE HS2 LAND PLANS AT <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings> ("THE HS2 LAND")

(3) PERSONS UNKNOWN OBSTRUCTING AND/OR INTERFERING WITH ACCESS TO AND/OR EGRESS FROM THE HS2 LAND WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT IN CONNECTION WITH THE HS2 SCHEME 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

(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

ORDER

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.

A Defendant who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement.

UPON the Claimants' application by an Application Notice dated 25 March 2022.

AND UPON the Court accepting the Claimants' undertaking that they 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 lawful protest which does not involve trespass upon the Cash's Pit Land and does not unlawfully block, slow down, obstruct or otherwise interfere with the Claimants' access to or egress from that land.

AND UPON HEARING Counsel for the Claimant, Mr Michael Fry and Counsel for D6, Mr Owen Greenhall.

IT IS ORDERED THAT:

Definitions

1. In this Order, the following defined terms shall apply:
 - a. The "Cash's Pit Defendants" means D1 and D5 to D20, D22, D31 and D63 whose names appear in the schedule annexed to this Order at Annex A.
 - b. The "Cash's Pit Land" means all of the land known as Cash's Pit, Staffordshire shown coloured orange on Plan A annexed to the Particulars of Claim and reproduced as an annexe to this Order ("**Plan A**") and available to view electronically at: <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings/>

Service by Alternative Method

2. Pursuant to CPR r. 6.15 and r.6.27, the steps that the Claimants have taken to serve the Claim for Possession, the application for an injunction in respect of the Cash's Pit Land and the evidence in support on the Cash's Pit Defendants shall amount to good and proper service of the proceedings on the Cash's Pit Defendants and each of them. The proceedings shall be

deemed served on 31 March 2022. Service of the Claimants' application for an injunction shall be the subject of further directions to be given by the Court following a hearing to be listed as provided for at paragraph 14 below.

Possession Order

3. The Cash's Pit Defendants shall forthwith give the Claimants vacant possession of all of the Cash's Pit Land.

Injunction in force

4. With immediate effect, and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 on 24 October 2022:
 - a. The Cash's Pit Defendants and each of them are forbidden from entering or remaining upon the Cash's Pit Land and must remove themselves from that land.
 - b. The Cash's Pit Defendants and each of them must not engage in any of the following conduct on the Cash's Pit land, in each case where that conduct has the effect of damaging and/or delaying and/or hindering the Claimants by obstructing, impeding or interfering with the activities undertaken in connection with the HS2 Scheme by them or by contractors, sub-contractors, suppliers or any other party engaged by the Claimants at the Cash's Pit Land:
 - i. entering or being present on the Cash's Pit Land;
 - ii. interfering with any works, construction or activity on the Cash's Pit Land;
 - iii. interfering with any notice, fence or gate on or at the perimeter of the Cash's Pit Land;
 - iv. causing damage to property on the Cash's Pit Land belonging to the Claimants, or to contractors, sub-contractors, suppliers or any other party engaged by the Claimants, in connection with the HS2 Scheme;

- v. climbing onto or attaching themselves to vehicles or plant or machinery on the Cash's Pit Land used by the Claimants or any other party engaged by the Claimants.
 - c. The Cash's Pit Defendants and each of them:
 - i. must cease all tunnelling activity on the Cash's Pit Land and immediately leave and not return to any tunnels on that land;
 - ii. must not do anything on the Cash's Pit Land to encourage or assist any tunnelling activity on the Cash's Pit Lan.
- 5. Nothing in paragraph 4 of this Order:
 - a. Shall prevent any person from exercising their rights over any open public right of way over the Cash's Pit Land .
 - b. Shall affect any private rights of access over the Cash's Pit Land.
 - c. Shall prevent any person from exercising their lawful rights over any public highway.
 - d. Shall extend to any interest in or rights over land held by statutory undertakers.

Declarations

- 6. The Court makes declarations in the following terms:

The Claimants are entitled to possession of the Cash's Pit Land and the Defendants have no right to dispossess them and where the Defendants or any of them enter the said land the Claimants shall be entitled to possession of the same.

Service of this Order by alternative method

- 7. The Court has provided sealed copies of this Order to the Claimants' solicitors for service (whose details are set out below).
- 8. Pursuant to CPR r.6.27 and r.81.4:
 - a. The Claimant shall serve this Order upon the Cash's Pit Land and the Cash's Pit Defendants by:

- i. Delivering copies addressed to “the Occupiers” and to each of the Cash’s Pit Defendants by description to the “post box” situated on the Cash’s Pits Land.
 - ii. Affixing at least one copy at the entrance to the unauthorised encampment on the Cash’s Pit Land and through a stake in the ground in a prominent location as close as reasonably possible to north, south, east and west boundaries of the Cash’s Pit Land
 - iii. Placing a copy on the website:
<https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>;
9. Service in accordance with paragraph 8 above shall:
 - a. be verified by certificates of service to be filed with Court;
 - b. be deemed effective as at the date of the certificates of service; and
 - c. be good and sufficient service of this Order on the Defendants and each of them and the need for personal service be dispensed with.

Further Case Management

10. Without prejudice to the foregoing, any person affected by the injunctions imposed by this Order may apply to the Court at any time to vary or discharge those injunctions 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) via the contact details set out below. Schedule A to this Order indicates the process which must be followed for any such application.
11. 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 (unless they are already named as a defendant).
12. The Claimants otherwise have liberty to apply to extend or vary this Order or for further directions on an urgent basis.

Documents in the Claim and Application

13. All documents relating to these proceedings and this Order may be downloaded at:
<https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>.

14. The Claimants' application for injunctions over the HS2 Land shall be listed for a directions hearing on an expedited basis. At that hearing, the Court shall give directions as to the steps required to effect service. The Claimants are not required to take any further steps to serve that application pending that hearing.
15. A single hard copy of any document will be sent within 21 days of the receipt of a reasonable request for that document or documents via the Claimants' solicitors whose contact details are set out below so long as any requests included a postal address and the full name of the requestor.
16. Schedule B to this Order contains useful references for any party seeking to oppose or understand this Order.

Communications with Claimants and the Court

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

Birmingham Civil and Family Justice Centre
33 Bull Street
Birmingham
B4 6DS

E: qb.birmingham@justice.gov.uk
T: 0121 681 4441
F: 01264 785 131
DX: 701987 Birmingham 7

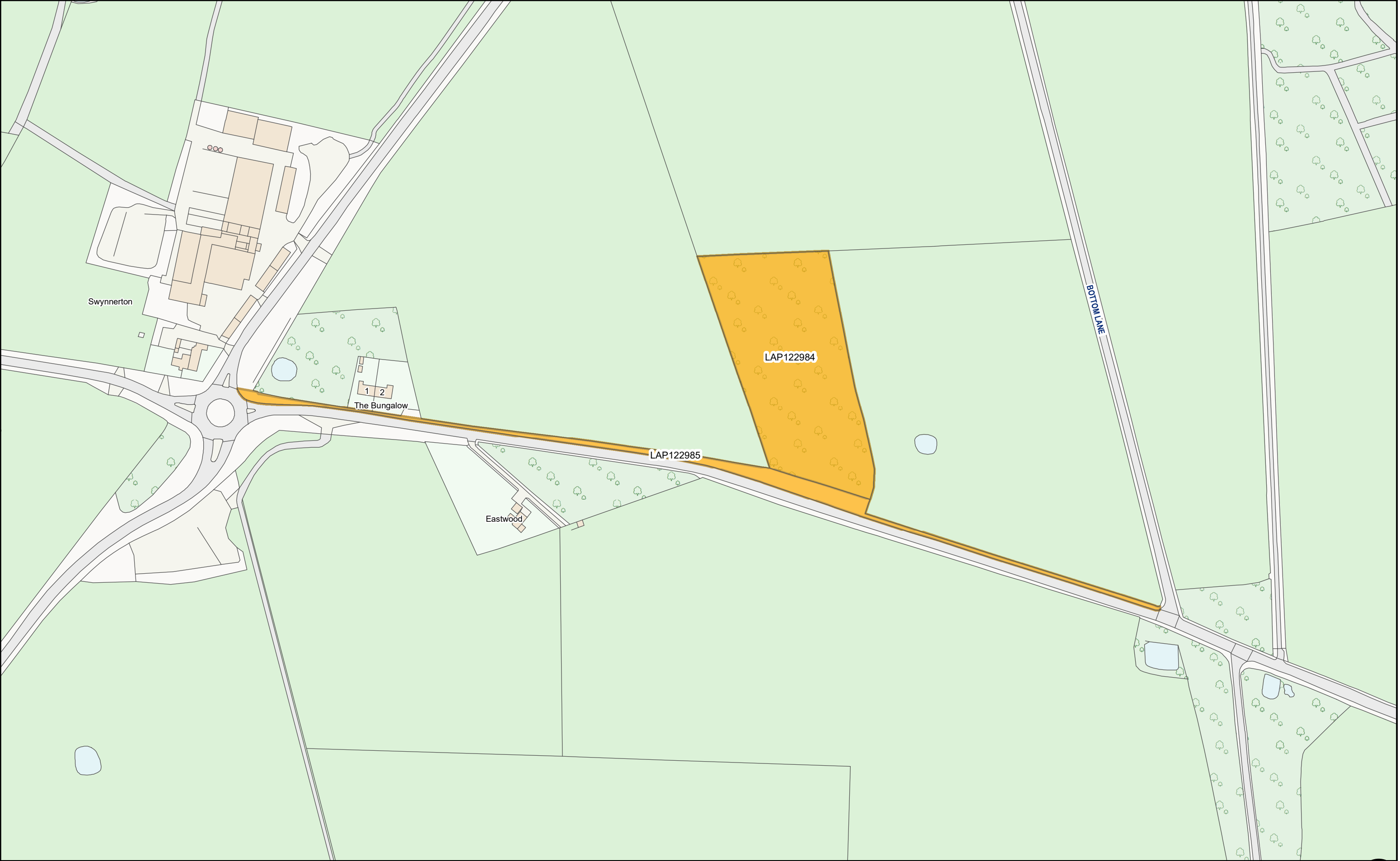
18. The Claimants' solicitors and their contact details are:

The Treasury Solicitor,
Government Legal Department,
102 Petty France,
Westminster,
London SW1H 9GL

E: HS2Injunction@governmentlegal.gov.uk
T: 020 7210 3000 (ask for Mr Nwanodi/Mr Yaman/Ms C Davis)
DX: 123234 Westminster 12
R: Z2202274/ACN/DS3

Dated:

PLAN A – CASH’S PIT LAND



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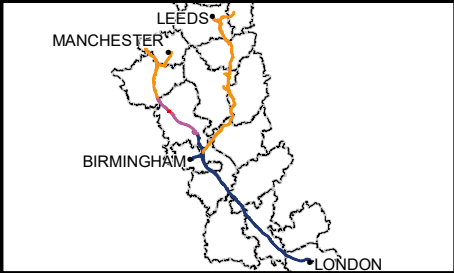
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Legend

 Cash's Pit Land



High Speed Two
Phase One/ Phase 2A
Injunction Mapping

PLAN A

Internal


HS2

Scale at A3: 1:2,500

Registered in England. Registration number 06791686.
Registered office: 2 Snowhill, Queensway, Birmingham B4 6GA.

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

0 24 48 72



ANNEX A – SCHEDULE OF NAMED DEFENDANTS

DEFENDANT NUMBER	UNNAMED DEFENDANTS
(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 COLOURED ORANGE ON PLAN A ANNEXED TO THIS ORDER ("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 ORANGE, PINK, GREEN AND BLUE ON THE HS2 LAND PLANS AT https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings ("THE HS2 LAND")
(3)	PERSONS UNKNOWN OBSTRUCTING AND/OR INTERFERING WITH ACCESS TO AND/OR EGRESS FROM THE HS2 LAND WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT IN CONNECTION WITH THE HS2 SCHEME 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
(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

DEFENDANT NUMBER	NAMED DEFENDANTS
(5)	Mr Ross Monaghan (aka Squirrel / Ash Tree)
(6)	Mr James Andrew Taylor (aka Jimmy Knaggs / James Knaggs / Run Away Jim)
(7)	Ms Leah Oldfield
(8)	Ms Tep / Tepcat Greycat / Nettle
(9)	Ms Hazel Ball
(10)	Mr IC Turner
(11)	Mr Tony Carne
(12)	Ms Amy Lei
(13)	Mr Tom Holmes
(14)	Mr Sam Hopkins
(15)	Ms Jey Harvey
(16)	Ms Karen Wildin (aka Karen Wilding / Karen Wilden / Karen Wilder)

DEFENDANT NUMBER	NAMED DEFENDANTS
(17)	Mr Andrew McMaster (aka Drew Robson)
(18)	Mr William Harewood (aka Satchel / Satchel Baggins)
(19)	Mr Harrison Radcliffe (aka Log / Bir_Ch / Sasha James)
(20)	Mr George Keeler (aka C Russ T Chav / Flem)
(21)	Mr William French (aka Will French / Took)
(22)	Mr Tristan Dixon (aka Tristan Dyson)
(23)	Mx Scarlett Rien (aka Leggs)
(24)	Mr Daniel Hooper (aka Swampy / Swampie / Daniel Needs)
(25)	Mx Bethany Joy Croarkin (aka Bethany Croakin / Yogi Hilal / Yogi Joy Hilal / Niqabi Hippie / Yogi Bear)
(26)	Ms Isla Sandford (aka Blue)
(27)	Mr Lachlan Sandford (aka Laser / Lazer)
(28)	Mr Scott Breen (aka Scotty / Digger Down)
(29)	Ms Jessica Maddison (aka Rollie)
(30)	Ms Juliette Deborah Stephenson-Clarke (aka Nemo / Anna Kissed / Poly Prop)
(31)	Mr Rory Hooper
(32)	Dr Larch Ian Albert Frank Maxey
(33)	Mr Elliot Cuciurean (aka Jellytot)
(34)	Mr Paul Sandison
(35)	Mr Terry Sandison
(36)	Mr Mark Keir
(37)	Mr Thorn Ramsey (aka Virgo Ramsay)
(38)	Mr Vajda Robert Mordechaj
(39)	Mr Iain Oliver (aka Pirate)
(40)	Ms Jess Walker
(41)	Mr Matt Atkinson
(42)	Ms Hannah Bennett
(43)	Mr James Ruggles (aka Jimmy Ruggles)
(44)	Mr Nick Grant (aka Potts)
(45)	Mr Stuart Ackroyd
(46)	Ms Wiktoria Paulina Zieniuk
(47)	Mr Tom Dalton
(48)	Mr Conner Nichols
(49)	Mr Sebastian Roblyn Maxey
(50)	Ms Jessica Heathland-Smith
(51)	Ms Ella Dorton
(52)	Mr Karl Collins

DEFENDANT NUMBER	NAMED DEFENDANTS
(53)	Mr Sam Goggin
(54)	Ms Hayley Pitwell
(55)	Mr Jacob Harwood (aka Groovella Deville)
(56)	Ms Libby Farbrother
(57)	Ms Samantha Smithson (aka Swan / Swan Lake)
(58)	Mr Jack Charles Oliver
(59)	Ms Charlie Inskip
(60)	Mr Xavier Gonzalez Trimmer
(61)	Mr David Buchan (aka David Holliday)
(62)	Ms Leanne Swateridge (aka Leayn / Flowery Zebra)
(63)	Mr Dino Misina (aka Hedge Hog)

SCHEDULE A – STEPS TO VARY OR DISCHARGE THIS ORDER

If, in accordance with paragraph 12 above, any Defendant or any other person affected by this Order wishes to apply to vary or discharge this Order, to ensure effective case management by the Court the following indicative steps must be followed:

1. Any party seeking to contest the Claimants' entitlement to interim relief should file with the court (i.e. send to the court) and serve (i.e. send to the Claimants):

(a) An N244 application form¹;

(b) Written grounds for the application (i.e. reasons for the proposed variation / discharge of the Order) – this may be contained within the N244 application form or on in a separate document; and

(c) A witness statement(s) containing and/or appending all of the evidence to be relied upon in support of the application.

2. In order to file the above documents with the Court, the applicant should:

(a) Send physical copies of the documents to the address at paragraph 18 of this Order; and/or

(b) Speak to the Court to obtain an address to send electronic copies of the documents to.

3. In order to serve the above documents on the Claimants, the applicant should:

(a) Send physical copies of the documents to the address at paragraph 19 of this Order; and/or

(b) Send electronic copies of the documents to the e-mail address at paragraph 19 above.

4. The person making the application should indicate to the Court and Claimants whether they consider the matter requires a court hearing or can be dealt with by the judge reviewing the paper application and any response from the Claimants.

5. Thereafter the Claimants (i.e. HS2) shall have 14 days to file and serve evidence and submissions in response, including as to whether an oral hearing is required to determine the application.

6. Within 21 days, the Court shall decide whether a hearing is necessary, and/or may request from the parties evidence on any further matters necessary to determine the application. If the Court decides that a hearing is necessary, it shall seek to schedule the hearing (accommodating availabilities of the parties) within 42 days (6 weeks).

7. If the Court decides that further evidence is needed from either party, it may set strict deadlines by which that evidence must be filed. Both parties should be aware that the Court may restrict the use of evidence which is filed late or impose other penalties for non-compliance.

¹ See the following link which provides a digital version of the form, and guidance notes:
<https://www.gov.uk/government/publications/form-n244-application-notice>

SCHEDULE B – USEFUL REFERENCES AND RESOURCES

The attention of all parties is drawn to the following references and resources:

Bar Pro Bono Unit – A possible avenue for obtaining free legal advice and/or representation:
<https://weareadvocate.org.uk/>

Support Through Court (formerly Personal Support Unit) – An organisation supporting litigants in person: <https://www.supportthroughcourt.org/>

Civil Procedure Rules Part 8: <https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part08>

Help with Court Fees website: <https://www.gov.uk/get-help-with-court-fees>