

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

HER HONOUR JUDGE EMMA KELLY

Between:



QB-2022-BHM-000044

**(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 THE ORDER DATED 11 APRIL 2022 ("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, 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, SUBCONTRACTORS, GROUP COMPANIES, LICENSEES, INVITEES AND/OR EMPLOYEES**
- (3) 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, SUBCONTRACTORS, 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**

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**DIRECTIONS ORDER**

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**BEFORE** Her Honour Judge Emma Kelly, sitting as a Judge of the High Court, and considering the matter on paper on 15 March 2023

**UPON** the Order of Mr Justice Julian Knowles made on 20 September 2022 (“**Injunction Order**”) requiring at paragraph 15 reconsideration of the injunction on approximately a yearly basis.

**AND UPON** the Court noting the requirement in paragraph 15 of the Injunction Order that the Claimants are required to “place details of any such hearing on the HS2 Proceedings Website”

**AND UPON** the Court having listed a review hearing to take place on 16 May 2023 at the High Court in Birmingham at which the reconsideration of the Injunction Order will take place including any application made by parties to the proceedings (“**the Review**”)

**AND UPON** the Court reading the Certificate of Service dated 21 February 2023 filed by the Claimants confirming that the Notice of Review Hearing has been placed on the HS2 Proceedings Website

**AND UPON** the Claimants’ application for directions by Application Notice dated 10 March 2023.

**AND UPON** the Court noting that the HS2 Proceedings Website has reached capacity and is unable to hold further substantial documents relating to this case.

**IT IS ORDERED THAT:**

**Definitions**

1. In this Order, the following defined terms shall apply:
  - a. The “HS2 Proceedings Website” means the webpages at: <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>.
  - b. The “RWI Updated Website” means the webpages at: <https://www.gov.uk/government/collections/hs2-route-wide-injunction-proceedings>.
  - c. The term “Defendants” refers to all Defendants 1 – 63.
  - d. The term “Named Defendants” means D5 to D63 whose names appear in Annex A of the Injunction Order (and copied in full at Annex A of this Order for convenience).
  - e. The “HS2 Land” means all of the land acquired or held by the Claimants in connection with the High Speed 2 Railway Scheme shown coloured pink and green on the plans which are available electronically on the HS2 Proceedings Website.
  - f. The “Review Documents” means all the documents filed with the Court by the Claimants for the Review, including this Order and the Application Notice dated 10 March 2023.

**The Websites**

2. The Claimants shall forthwith place a notice on the HS2 Proceedings Website stating that in future documents will be uploaded to the RWI Updated Website and include a link to the RWI Updated Website.
3. The Claimants shall forthwith place copies of all documents already uploaded to the HS2 Proceedings Website onto the RWI Updated Website.
4. The Claimants shall retain the HS2 Proceedings Website unless and until the Court considers that at some future date it is no longer necessary to do so.

### **Service by Alternative Method – Review Documents**

5. The Court will provide sealed copies of this Order to the Claimants' solicitors for service (whose details are set out below). The Claimants shall advertise the existence of this Order in a prominent location on the HS2 Proceedings Website and the RWI Updated Website, together with a link to download an electronic copy of this Order.
6. Pursuant to CPR r. 6.27 and r. 81.4, personal service is dispensed with and service of the Review Documents upon the Defendants shall be by:
  - a. placing the Review Documents on the RWI Updated Website.
  - b. causing an advertisement advertising the date of the Review in the *Times* and *Guardian* newspapers, and in particular advertising the web address of the RWI Updated Website.
  - c. where permission is granted by the relevant authority, by causing to be placed an advertisement and/or a hard copy of this Order within 14 libraries approximately every 10 miles along the route of the HS2 Scheme. In the alternative, if permission is not granted, the Claimants shall use reasonable endeavours to place advertisements on local parish council notice boards in the same approximate locations.
  - d. causing to be made social media posts on the HS2 twitter and Facebook pages advertising the date of the Review and the web address of the HS2 RWI Updated Website.
7. Compliance with paragraphs 6(a), (b) and (c) above will be good and sufficient service on the Defendants and each of them.

8. The Claimants shall email a copy of the Order to the solicitors for D6 and any other party who has at the date hereof provided an email address to the Claimants to the email addresses: HS2Injunction@governmentlegal.gov.uk or HS2Injunction@dlapiper.com.

### **Further Case Management**

9. The Review has been listed for one day at 10.30am on Tuesday 16 May 2023 in the High Court in Birmingham, The Priory Courts, 33 Bull Street, Birmingham B4 6DS.
10. Any person, other than a Named Defendant (D5 – D63), who wishes to address the Court at the Review must inform the Court and the Claimants of their intention to attend by 4pm on 12 May 2023 at the addresses listed in paragraphs 23 and 24 below.
11. By 4pm on 27 March 2023, the Claimants' must file and serve (in accordance with paragraph 6(a) above) any applications relevant to the Review, a draft order, and any evidence upon which they seek to rely.
12. By 4pm on 11 April 2023, any person seeking to amend (including discharge) the Injunction Order, or oppose any applications made by the Claimants, must file and serve a statement of case and any evidence upon which that person seeks to rely by emailing or posting it to the Court and the Claimants at the addresses listed below. At the same time and date, any party requiring any of the Claimants' witnesses to attend for cross-examination are to give notice of the name of the witness required together with the reasons why that person is required. For the avoidance of doubt, whether live evidence will be permitted will remain to be determined by the Court.
13. By 4pm on 17 April 2023, the Claimants' have permission to file and serve any evidence in response to any statement of case or evidence filed in accordance with paragraph 12 above if so advised.
14. By 4pm on 18 April 2023, the Claimants shall cause to be placed on the RWI Updated Website a draft hearing bundle index.
15. By 4pm on 21 April 2023, any person who wishes to comment on the draft hearing bundle must notify the Claimants of their comments by email to the address in paragraph 24 below. Any person may provide suggested documents for inclusion to the Claimants. Where there is disagreement between the Claimants and that person as to the relevance of any document, that disagreement will be noted in the hearing bundle index and the document shall be provided to

the Court in a separate bundle by the person seeking to rely upon it, with reasons provided as to the document's relevance.

16. By 4pm on 8 May 2023, the Claimants shall file and serve a properly paginated and indexed hearing bundle to the Court by email and in hard copy, and shall cause to be placed on the RWI Updated Website a copy of the same. The electronic copy of the bundle must be bookmarked and have a hyperlinked index.
17. By 4pm on 10 May 2023, the Claimants and any other person seeking to address the Court at the Review shall file and serve any skeleton argument or speaking note.
18. The Claimants otherwise have liberty to apply to extend or vary this Order or for further directions.
19. Costs reserved.

#### **Documents in the Claim and Application**

20. All documents relating to the underlying proceedings may be downloaded at: <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>.
21. All documents relating to this application and the Review may be downloaded at: <https://www.gov.uk/government/collections/hs2-route-wide-injunction-proceedings>.
22. 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 include a postal address and the full name of the requestor.

#### **Communications with Claimants and the Court**

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

Birmingham District Registry  
Birmingham Civil and Family Justice Centre  
The Priory Courts  
33 Bull Street  
Birmingham  
B4 6DS

E: [kb.birmingham@justice.gov.uk](mailto:kb.birmingham@justice.gov.uk)  
T: 0121 681 3033  
DX: 701987 Birmingham 7

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

FAO: HS2 TEAM  
DLA PIPER UK LLP  
1 St Paul's Place  
Sheffield  
S1 2JX

E: HS2Injunction@dlapiper.com  
T: 0114 283 3312  
DX: 708580 Sheffield 10  
Ref: RXS/380900/378

25. This order has been made by the Court pursuant to CPR 23.9 as the Court has disposed of an application without service of a copy of the application notice. Any person not served with a copy of the application notice before the order was made may apply to have the order set aside or varied, with any such application to be made within 7 days after the date on which this order was served on the person making the application.

**BY THE COURT**

**15 MARCH 2023**

## ANNEX A – NAMED DEFENDANTS

### PART 1

| <b>DEFENDANT NUMBER</b> | <b>UNNAMED DEFENDANTS</b>  |
|-------------------------|--|
| (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 ORDER DATED 11 APRIL 2022 (“THE CASH’S PIT LAND”)  |
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| (3)                     | 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  |
| (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   |

**For the avoidance of doubt, any person who has been a defendant in these proceedings, or who has given undertakings to HS2, may nevertheless become Defendant 1 – Defendant 4 as a person unknown if they commit any of the prohibited acts.**

**PART 2**

| <b>DEFENDANT NUMBER</b> | <b>NAMED DEFENDANTS</b>   |
|-------------------------|---|
| (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)                     | Not Used  |
| (9)                     | Not Used  |
| (10)                    | Not Used  |
| (11)                    | Mr Tony Carne   |
| (12)                    | Ms Amy Lei  |
| (13)                    | Mr Tom Holmes   |
| (14)                    | Not Used  |
| (15)                    | Not Used  |
| (16)                    | Ms Karen Wildin (aka Karen Wilding / Karen Wilden / Karen Wilder)       |
| (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)                    | Not Used  |
| (25)                    | Not Used  |
| (26)                    | Not Used  |
| (27)                    | Mr Lachlan Sandford (aka Laser / Lazer)                                 |
| (28)                    | Mr Scott Breen (aka Scotty / Digger Down)                               |
| (29)                    | Not Used  |
| (30)                    | Not Used  |
| (31)                    | Mr Rory Hooper  |
| (32)                    | Not Used  |
| (33)                    | Mr Elliot Cuciurean (aka Jellytot)                                      |
| (34)                    | Mr Paul Sandison  |
| (35)                    | Not Used  |
| (36)                    | Mr Mark Keir  |
| (37)                    | Mr Thorn Ramsey (aka Virgo Ramsay)                                      |
| (38)                    | Mr Vajda Robert Mordechaj   |



| <b>DEFENDANT NUMBER</b> | <b>NAMED DEFENDANTS</b>                          |
|-------------------------|--|
| (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)                    | Not Used   |
| (48)                    | Mr Conner Nichols                                |
| (49)                    | Mr Sebastian Roblyn Maxey                        |
| (50)                    | Ms Jessica Heathland-Smith                       |
| (51)                    | Ms Ella Dorton                                   |
| (52)                    | Mr Karl Collins                                  |
| (53)                    | Mr Sam Goggin                                    |
| (54)                    | Not Used   |
| (55)                    | Not Used   |
| (56)                    | Not Used   |
| (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)                   |