



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

BEFORE MR JUSTICE RICHIE
ON 24TH MAY 2024

QB-2022-BHM-000044

Between:

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

Claimants/Applicants

-and-

- (1) NOT USED

- (2) PERSONS UNKNOWN ENTERING OR REMAINING OR CAUSING AN OBJECT TO ENTER OR REMAIN WITHOUT THE CONSENT OF THE CLAIMANTS ON, IN, UNDER OR OVER 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, 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

AND 69 OTHER NAMED DEFENDANTS AS SET OUT IN THE SCHEDULE TO THE PARTICULARS OF CLAIM

Defendants/Respondents

JUDGMENT ORDER

FURTHER TO the Orders made in these proceedings by Julian Knowles J on 20 September 2022 (the “**Injunction Order**”), by Ritchie J on 31 May 2023 (“**Extension Order**”) and by HHJ Kelly on 7 March 2024.

AND UPON the Claimants’ application by Application Notice dated 1 March 2024 pursuant to the provisions at paragraphs 12 and 13 of the Extension Order (“**2024 Application**”).

AND UPON HEARING Counsel for the Claimants, Mr Michael Fry and Mr Jonathan Welch and Mr Stephen Simblet KC for D6.

AND UPON handing down judgment today on the 2024 review of the route-wide interim injunction.

IT IS ORDERED THAT:

1. The shall:

- (a) amend the description of the HS2 Land to clarify that it:
 - i) does not include land forming part of Phase 2a (High Speed Rail (West Midlands – Crewe) Act 2021 and;
 - ii) includes land that was acquired in connection with the HS2 Scheme (but not Phase 2a land) but which may in due course be the subject of a formal declaration as surplus to requirements and earmarked for disposal.
- (b) To amend the definition of “March 2023 HS2 Land Plans” so that it now refers to the plans provided by the Claimants’ at <https://experience.arcgis.com/experience/70c5772709be48609cd8853e93b4c93f/>;
- (c) To amend the description of D2 and the prohibited activities to include causing an object to enter or remain on, in, under or over the HS2 Land without the consent of the Claimants.
- (d) To amend the prohibited activities to include flying a Drone from, into or over the HS2 Land.
- (e) To remove Named Defendants to the Claim, namely: D5, D6, D7, D22, D27, D28, D33, D36, D39, D48, D57, D58, D59.

2. The Claimant shall pay Costs to D6 assessed in the sum of £6,000 plus VAT.

Ritchie J

MADE ON 24 May 2024