

Claim no:

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

**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 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**

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**ORDER**

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**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 HS2 Land and does not block, slow down, obstruct or otherwise interfere with the Claimants' access to or egress from the HS2 Land.

**AND UPON HEARING** Counsel for the Claimant [and ].

**IT IS ORDERED THAT:**

#### **Definitions**

1. In this Order, the following defined terms shall apply:
  - a. The "Cash's Pit Defendants" means D5 to D20, D22, D31 and D63 whose names appear in the schedule annexed to this Order at Annex A.
  - b. The "Named Defendants" means D5 to D63 whose names appear in Annex A.
  - c. The term "Defendants" refers to all Defendants 1 – 63.
  - d. 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**").
  - 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 green, blue and pink and edged in red on the plan which is available 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, the Application and the evidence in support on the Defendants shall amount to good and proper service of the proceedings on the Defendants and each of them. The proceedings shall be deemed served on [DATE].

### **Possession Order**

3. The First Defendants and 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 Defendants and each of them are forbidden from entering or remaining upon the Cash's Pit Land.
  - b. The Defendants and each of them are forbidden from entering or remaining upon the HS2 Land.
  - c. The Defendants and each of them are forbidden from obstructing or otherwise interfering with the free movement of vehicles, equipment or persons accessing or egressing the HS2 Land.
  - d. The Defendants and each of them are forbidden from interfering with any fence or gate on or at the perimeter of the HS2 Land.
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 or the HS2 Land.
  - b. Shall affect any private rights of access over the Cash's Pit Land or the HS2 Land.
  - c. Shall prevent any person from exercising their lawful rights over any public highway.
  - d. Shall extend to any interest in land held by statutory undertakers.
6. For the purposes of paragraph 4(c) prohibited acts of obstruction and interference shall include (but not be limited to):

- a. standing, kneeling, sitting or lying or otherwise remaining present on the carriageway when any vehicle is attempting to turn into the HS2 Land or attempting to turn out of the HS2 Land in a manner which impedes the free passage of the vehicle;
  - b. digging, erecting any structure or otherwise placing or leaving any object or thing on the carriageway which may slow or impede the safe and uninterrupted passage of vehicles or persons onto or from the HS2 Land;
  - c. affixing or attaching their person to the surface of the carriageway where it may slow or impede the safe and uninterrupted passage of vehicles onto or from the HS2 Land;
  - d. affixing any other object to the HS2 Land which may delay or impede the free passage of any vehicle or person to or from the HS2 Land;
  - e. climbing on to or affixing any object or person to any vehicle in the vicinity of the HS2 Land; and
  - f. slow walking in front of vehicles in the vicinity of the HS2 Land.
7. For the purposes of paragraph 4(d) prohibited acts of interference shall include (but not be limited to):
- a. cutting, damaging, moving, climbing on or over, digging beneath, or removing any items affixed to, any temporary or permanent fencing or gate on or on the perimeter of the HS2 Land;
  - b. the prohibition includes carrying out the aforementioned acts in respect of the fences and gates; and
  - c. interference with a gate includes drilling the lock, gluing the lock or any other activities which may prevent the use of the gate.

### **Declarations**

8. The Court makes declarations in the following terms:
- a. 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.
  - b. The Claimants are entitled to possession of the HS2 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 these proceedings by alternative method**

9. Pursuant to CPR r.6.15 and 6.27:
- a. The steps that the Claimant has taken to bring these proceedings to the attention of the Defendants, as outlined in the witness statement of Julie Dilcock dated 25 March 2022 shall amount to good and proper service of the proceedings on the Defendants and each of them.
  - b. The Claim Form and the Application are deemed served on [ ] March 2022.
  - c. Provision for the filing of acknowledgments of service to the Claim is set out at paragraphs 17 onwards below.

**Service of this Order by alternative method**

10. The Court has provided sealed copies of this Order to the Claimant's solicitors for service (whose details are set out below).
11. Pursuant to CPR r.6.27 and r.81.4:
- a. The Claimant shall serve this Order upon the Cash's Pit and the First Defendants by:
    - i. Delivering copies addressed to each of the Cash's Pit Defendants and to the First Defendants by description to the "post box" situated on the Cash's Pits Land.
    - ii. Affixing 3 copies in prominent positions on the Cash's Pit Land.
  - b. Further, the Claimant shall serve this Order upon the Second, Third and Fourth Defendants by:
    - i. Affixing 10 copies in prominent positions on each of the Cash's Pit Land, the Harvil Road Land and the Cubbington and Crackley Land.
    - ii. [Other methods as directed by the Court]
  - c. Although not expressed as a mandatory obligation due to the transient nature of the task, the Claimants will seek to maintain copies of this Order on areas of HS2 Land in proximity to potential Defendants, such as on the gates of construction compounds or areas of the HS2 Land known to be targeted by objectors to the HS2 Scheme.
  - d. Service of this Order on Named Defendants may be effected by personal service where practicable and/or posting a copy of this Order through the letterbox of each Named Defendant (or leaving in a separate mailbox), with a notice affixed to the front door if

necessary, drawing the recipient's attention to the fact the package contains a court order. If the premises do not have a letterbox, or mailbox, a package containing this Order and the proceedings may be affixed to the front door or other prominent feature marked with a notice drawing the recipient's attention to the fact that the package contains a court order and should be read urgently. The notices shall be given in prominent lettering in the form set out in Annex B. It is open to any Defendant to contact the Claimants to identify an alternative place for service and, if they do so, it is not necessary for a notice or packages to be affixed to the front door or other prominent feature.

- e. The Claimants shall further advertise the existence of this Order in a prominent location on the following website: <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>, together with a link to download an electronic copy of this Order.
- f. The Claimants shall email a copy of this Order to each of the email addresses set out in the list appended at Annex C.
- g. [Any other methods discussed and directed by the Court including by social media].

12. Service in accordance with paragraph 11 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.

13. Further, without prejudice to paragraph 12, while this Order is in force, the Claimants shall take all reasonably practicable steps to effect personal service of the Order upon any Defendant which it becomes aware is in attendance at the HS2 Land and shall verify any such service with further certificates (where possible if persons unknown can be identified) of service to be filed with Court.

#### **Service of documents other than the claim form**

14. Pursuant to CPR r. 6.20(1)(e) and r. 6.27:

- a. the Claimants are permitted to serve any document in these proceedings by placing them on <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings> and:
  - i. notifying all Named Defendants in writing by email or by letter at an address given to the Claimants for service.
  - ii. making specific reference to <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings> in any affixed copy or personally served copy of the claim form or order as set out in Annex D.

### **Discontinuance and discharge of Orders**

15. The following claims are discontinued:

- a. PT-2018-000098 (Harvil Road);
- b. PT-2020-BHM-000017 (Cubbington and Crackley)

16. The following orders of the court are discharged:

- a. The Order of David Holland QC (sitting as Deputy Judge of the High Court) in PT-2018-000098 dated 4 September 2020 and sealed on 18 September 2020 (in respect of Harvil Road)
- b. The Order of Mr Justice Marcus Smith in PT-2020-BHM-000017 dated 3 May 2021 and sealed on 7 May 2021 (Cubbington and Crackley)

### **Further Case Management**

17. Without prejudice to the foregoing, any 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) via the contact details set out below. Schedule A to this Order indicates the process which must be followed for any such application.
18. 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).

19. Any Named Defendant or other person who believes that they will or might bring themselves within the definition of the “persons unknown” by their conduct and who wishes to oppose these proceedings must file an Acknowledgment of Service pursuant to CPR Part 8.3 by 4pm, 28 days from the date of this Order, i.e. [DATE]. Schedule B to this Order indicates the process which must be followed.
20. Any Defendant who fails to comply with paragraph 19 above shall not be permitted to defend these proceedings or take any further role in these proceedings without further order of the Court, and shall be liable to have injunctive relief continued against them without trial pursuant to CPR r.3.5.
21. The Claimants otherwise have liberty to apply to extend or vary this Order or for further directions.
22. Save as provided for above, the Claim be stayed generally with liberty to restore.
23. 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.

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

24. All documents relating to these proceedings and this Order may be downloaded at: <https://www.gov.uk/government/publications/hs2-route-wide-injunction-proceedings>.
25. 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.

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

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

Birmingham District Registry  
Civil Justice Centre  
Priory Courts  
33 Bull Street  
Birmingham  
B4 6DW

E: qb.birmingham@justice.gov.uk

T: 0121 681 4441  
F: 01264 785 131  
DX: 701987 Birmingham 7

27. Any person who wishes to view or download copies of the documents shall contact the Claimants' solicitors via the contact details below.
28. 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](mailto: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**

## ANNEX A – SCHEDULE OF NAMED DEFENDANTS

<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 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

<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)	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)
(17)	Mr Andrew McMaster (aka Drew Robson)
(18)	Mr William Harewood (aka Satchel / Satchel Baggins)

<b>DEFENDANT NUMBER</b>	<b>NAMED DEFENDANTS</b>
(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
(53)	Mr Sam Goggin
(54)	Ms Hayley Pitwell

<b>DEFENDANT NUMBER</b>	<b>NAMED DEFENDANTS</b>
(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)

## **ANNEX B – WORDING FOR NOTICES**

### **[On the package containing the Court Order and proceedings]**

“VERY URGENT: THIS PACKAGE CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CONTACT –

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

E: [HS2Injunction@governmentlegal.gov.uk](mailto: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

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

### **[To affix to front door when the package has been posted through the letterbox or placed in a mailbox]**

“VERY URGENT: A PACKAGE HAS BEEN LEFT THAT CONTAINS AN ORDER OF THE HIGH COURT AND YOU SHOULD READ IT IMMEDIATELY AND SEEK LEGAL ADVICE. IF YOU NEED ANOTHER COPY PLEASE CONTACT –

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

E: [HS2Injunction@governmentlegal.gov.uk](mailto: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

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

**ANNEX C – SCHEDULE OF EMAIL ADDRESSES**

**REACTED AND PROVIDED TO THE COURT UNDER SEPARATE COVER**

## **SCHEDULE A – STEPS TO VARY OR DISCHARGE THIS ORDER**

If, in accordance with paragraph 17 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 form<sup>1</sup>;

(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 28 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 28 of this Order; and/or

(b) Send electronic copies of the documents to the e-mail address at paragraph 28 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.

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<sup>1</sup> 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 – STEPS TO BRING MATTER TO TRIAL**

If, in accordance with paragraph 19 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 steps must be followed:

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 form<sup>2</sup>; 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 28 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:

(a) Send physical copies to the address at paragraph 28 of this Order; and/or

(b) Send electronic copies to the to the e-mail address at paragraph 28 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,<sup>3</sup> explaining the reasons for contesting the claim (whether as a whole or in part), which must include a postal address for service together with (if they wish to be served with documents electronically in these proceedings) an email address to which such service may be effected;

(b) A written Defence responding to the allegations set out in the Particulars of Claim (to the extent in the Defendant's knowledge); and

(c) A witness statement(s) (verified by a statement of truth) 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 First Claimant (HS2) shall have 14 days after the final deadline for Defences to file and serve any evidence in reply.

6. The Court shall then list 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.

7. Further:

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<sup>2</sup> 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>

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

- a. The Claimant shall prepare an electronic hearing bundle for the hearing and provide the Defendants with access to the bundle not less than 14 days before the hearing.
- b. At the hearing, the Court shall consider whether injunctive relief shall be continued against any or all of the Defendants, whether on an interim or final basis.
- c. Any further application by the Claimant to add further named defendants, to have final relief granted against any Defendant(s) without trial pursuant to CPR r.3.5 and/or otherwise to amend its claim shall be determined at the hearing.
- d. The need for and form of any further case management directions through to trial or any further hearing shall be considered.

## **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/>

Chancery Division Guide: <https://www.gov.uk/government/publications/chanceryguide>

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/civil/rules/part08>

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