



Claim Form (CPR Part 8)

In the IN THE HIGH COURT OF JUSTICE BUSINESS AND PROPERTY COURTS IN MANCHESTER PROPERTY AND PROBATE TRUSTS LIST (1987)	
Claim no.	PT-2022- MAN-000056 20 April 2022
Fee Account no.	
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> - <input type="text"/>

PT-2022-MAN-000056

Claimant

- (1) WALLEYS QUARRY LIMITED
- (2) SHARE PROPERTIES LIMITED
- (3) RED INDUSTRIES (STOKE) LIMITED
- (4) RED INDUSTRIES LIMITED



Defendant(s)

Angela Wint and others named in the Schedule of Defendants together with Persons Unknown as described in the Schedule of Defendants; and
 Persons unknown obstructing or interfering with access to and from Walleys Quarry on Cemetery Lane, Newcastle-Under-Lyme; and
 Persons unknown entering or attempting to enter onto the land and buildings known as Borough House, Borough Road, Newcastle-Under-Lyme; and Persons unknown intending or threatening to enter or attempting to enter onto the property known as Sneyd Hill Treatment and Transfer Station, Unit B1 - B3 Sneyd Hill, Stoke-on-Trent

Does your claim include any issues under the Human Rights Act 1998? Yes No

Details of claim (see also overleaf)

1. The First Claimant is the owner and operator of Walley's Quarry in Newcastle under Lyme, Staffordshire, ST5 6SB ("Walleys Quarry Site"). Access to the Walleys Quarry Site is from Cemetery Road, Newcastle under Lyme via a "bell-mouth" entrance ("Quarry Entrance").
2. The Second Claimant owns and the Fourth Claimant operates property comprising an office building and surrounding car park and land at Borough House, Borough Road, Newcastle under Lyme, Staffordshire, ST5 1TT ("Head Office Site").
3. The Second Claimant owns and the Third Claimant operates the Sneyd Hill Treatment and Transfer Station located at Unit B1-B3 Sneyd Hill, Stoke-on-Trent, ST6 2DZ ("Sneyd Hill Site"),
4. The named Defendants together with persons unknown have:
 - (i) assembled with others on various dates in the Quarry Entrance in such numbers and in such a manner as to obstruct the access the Quarry and to prevent or interfere with vehicles entering and exiting the Quarry, and thereby cause a nuisance;

Defendant's name and address

PLEASE SEE THE ATTACHED SCHEDULE OF DEFENDANTS

£

Court fee	569.00
Legal representative's costs	To be assessed
Issue date	20 April 2022

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 When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Details of claim (continued)

(ii) trespassed on the Walleys Quarry Site and the Head Office Site.

5. Furthermore, the named Defendants together with persons unknown have threatened or intend to obstruct and/or interfere with access to and from and/or to trespass on the Sneyd Hill Site.

6. The Defendants threaten and intend to continue such unlawful nuisance and trespass unless the Court prohibits further such action by granting an injunction.

7. The Claimants intend to apply for both interim and final injunctions to prevent the continuation of the matters complained of.

8. Details of the Defendants' unlawful activities are set out in the witness statements which are filed and served with this Claim Form.

Accordingly, the Claimants are entitled to and claim:

(a) Interim Injunctions to prevent the repeat and/or continuation of the Defendants' unlawful activities, as set out in the Application Notice and draft Order which accompany this Claim Form, to prohibit the Defendants and each of them from doing any of the following acts:

(1) entering onto or attempting to enter onto or remaining upon the Quarry Entrance or the Walleys Quarry Site;

(2) obstructing or in any way interfering with the progress of vehicles entering or exiting the Quarry Entrance or proceeding along Cemetery Road for such purpose;

(3) entering onto or attempting to enter onto any part of the Head Office Site without the written permission of the Second Claimant or the Fourth Claimant;

(4) obstructing or in any way interfering with the progress of vehicles entering or exiting the Sneyd Hill Site;

(5) entering onto or attempting to enter onto any part of the Sneyd Hill Site without the written permission of the Second Claimant or the Third Claimant.

(b) Final injunctions in the same or similar form.

(c) An inquiry of the damages suffered by each Claimant and an order for payment by each Defendant of the damages found due from each Defendant, together with interest pursuant to section 35A of the Senior Courts Act 1981.

(d) Such further or other orders, directions or relief as the Court may consider appropriate in all the circumstances.

(e) An order that the Defendants pay the Claimants' costs of these proceedings including the costs of any interim applications or hearings.

This claim is issued under the Part 8 procedure. In the event that damages are awarded the Claimants undertake to pay any additional court fees as required by the court.

CMS CAMERON MCKENNA NABARRO OLSWANG
LLP
1-3 CHARTER SQUARE
SHEFFIELD
S1 4HS

litigation@cms-cmno.com


Claimant's or claimant's legal representative's address to which documents should be sent if different from overleaf. If you are prepared to accept service by DX, fax or e-mail, please add details.

Statement of Truth

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- I believe that the facts stated in these particulars of claim are true.
- The Claimant believes that the facts stated in these particulars of claim are true. I am authorised by the claimant to sign this statement.

Signature



Claimant

Litigation friend (where claimant is a child or a Protected Party)

Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

20	04	2022
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Full name

STEPHEN LYON

Name of claimant's legal representative's firm

If signing on behalf of firm or company give position or office held

CHIEF FINANCIAL OFFICER

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