



Claim No. PT-2022-MAN-000056

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

PT-2022-MAN-000056

BEFORE: the Honourable Mr Justice Fancourt, Vice-Chancellor of the County Palatine

DATE: 14 July 2022

B E T W E E N:

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

Claimants

-and-

ANGELA WINT AND OTHERS
(AS SET OUT IN THE AMENDED SCHEDULE OF DEFENDANTS)

-and-

(1) PERSONS UNKNOWN OBSTRUCTING OR INTEFERING WITH
ACCESS TO AND FROM WALLEY'S QUARRY ON CEMETERY ROAD,
NEWCASTLE UNDER LYME

-and-

(2) PERSONS UNKNOWN ENTERING OR ATTEMPTING TO ENTER
ONTO THE LAND AND BUILDINGS KNOWN AS BOROUGH HOUSE,
BOROUGH ROAD, NEWCASTLE UNDER LYME WITHOUT THE
PERMISSION OF THE SECOND OR FOURTH CLAIMANTS

-and-

(3) PERSONS UNKNOWN INTENDING OR THREATENING TO ENTER
OR ATTEMPTING TO ENTER ONTO THE PROPERTY KNOW AS
SNEYD HILL TREATMENT AND TRANSFER STATION, UNIT B1 – B3
SNEYD HILL, STOKE ON TRENT

Defendants

INJUNCTION ORDER

Penal Notice – to each Defendant in the first or
second groups of persons unknown described
above

If you, being one of the Persons Unknown in the first or second groups

described above, disobey this order you may be held to be in contempt of Court and you may be imprisoned, fined or have your assets seized.

Any other person who knows of this order and does anything which helps or permits the Defendant to breach the terms of this order may also be held to be in contempt of Court and may be imprisoned, fined or have their assets seized.

IN THIS ORDER "DEFENDANT" MEANS EACH DEFENDANT IN THE FIRST OR SECOND GROUPS OF PERSONS UNKNOWN DESCRIBED ABOVE

IMPORTANT:-
NOTICE TO THE DEFENDANT

- (1) This Order prohibits you from doing the acts set out in this Order. You should read it all carefully. You are advised to consult a Solicitor as soon as possible. You have a right to ask the Court to vary or discharge this Order.**
- (2) If you disobey this Order you may be found guilty of Contempt of Court and you may be sent to prison or fined or your assets may be seized.**

The Claimants issued a Part 8 Claim (the "**Part 8 Claim**") for a final injunction and other relief and an Application for an interim injunction (the "**Claimants' Application**") dated 20 April 2022.

On Thursday 28 April 2022 HHJ Pearce adjourned the hearing of the Claimants' Application to 24 & 25 May 2022 and made an Order for substituted service of the proceedings on the Defendants described above as Persons Unknown (the "**Unidentified Defendants**").

At the hearing on 24 May 2022 Mr Justice Fancourt read the documents filed by the Claimants and made an interim injunction order in respect of the Unidentified Defendants.

UPON there being no acknowledgment of service by or on behalf of any Unidentified Defendant within the time specified in the Order of 28 April 2022

AND UPON considering the Claimants' application for final judgment against the Unidentified Defendants dated 16 June 2022

AND UPON the Court being satisfied that the Claimants have served the Unidentified Defendants in the manner specified in the Order dated 24 May 2022 and there having been no response to the application dated 16 June 2022

IT IS ORDERED that:

THE INJUNCTION

1. Until 31 December 2026 or further Order in the meantime the **Defendant must not:**

(1) enter onto or attempt to enter onto or remain upon the land edged in red and shaded green at Annex 1 to this Order, being the "bell-mouth" entrance to Walley's Quarry on Cemetery Road, Newcastle under Lyme (the "**Quarry Entrance**") between the following times:

6.30am – 7.30pm Mondays to Fridays

6.30am – 1pm Saturdays.

(2) obstruct or in any way interfere with the progress of vehicles entering or exiting the Quarry Entrance or proceeding along Cemetery Road for such purpose at any time.

(3) enter onto or attempt to enter onto any part of the Walleys Quarry Site located at Cemetery Road in Newcastle under Lyme shown edged in red and coloured pink, yellow and blue (which excludes the area of green cross-hatching) on the plan at Annex 2 attached to this order ("**Walleys Quarry Site**") without the written permission of the First Claimant.

(4) enter onto or attempt to enter onto any part of the land and buildings known as Borough House, Borough Road, Newcastle under Lyme shown edged in red on the plan at Annex 3 attached to this order ("**Head Office Site**") without the written permission of the Second Claimant or the Fourth Claimant.

2. For the avoidance of doubt, this Injunction applies to any person who has previously done any of the acts which are forbidden under paragraph 1 above and/or who threatens or intends to do any such act in the future.

COSTS

3. No Order for costs.

FURTHER ORDER

4. The Claimants have permission to restore the Claimants' Application in respect of the Sneyd Hill site without notice or on short notice.

NAME AND ADDRESS OF CLAIMANT'S SOLICITORS

The Claimant's Solicitors are: CMS Cameron McKenna Nabarro Olswang LLP, 1-3 Charter Square, Sheffield, S1 4HS

INTERPRETATION OF THIS ORDER

1) In this Order the words "he" "him" or "his" include "she" or "her" and "it" or "its".

THE EFFECT OF THIS ORDER

- 1) A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement.
- 2) A Defendant which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

SERVICE OF THIS ORDER

The Claimants shall give notice of this Order to the Unidentified Defendants in the following manner:

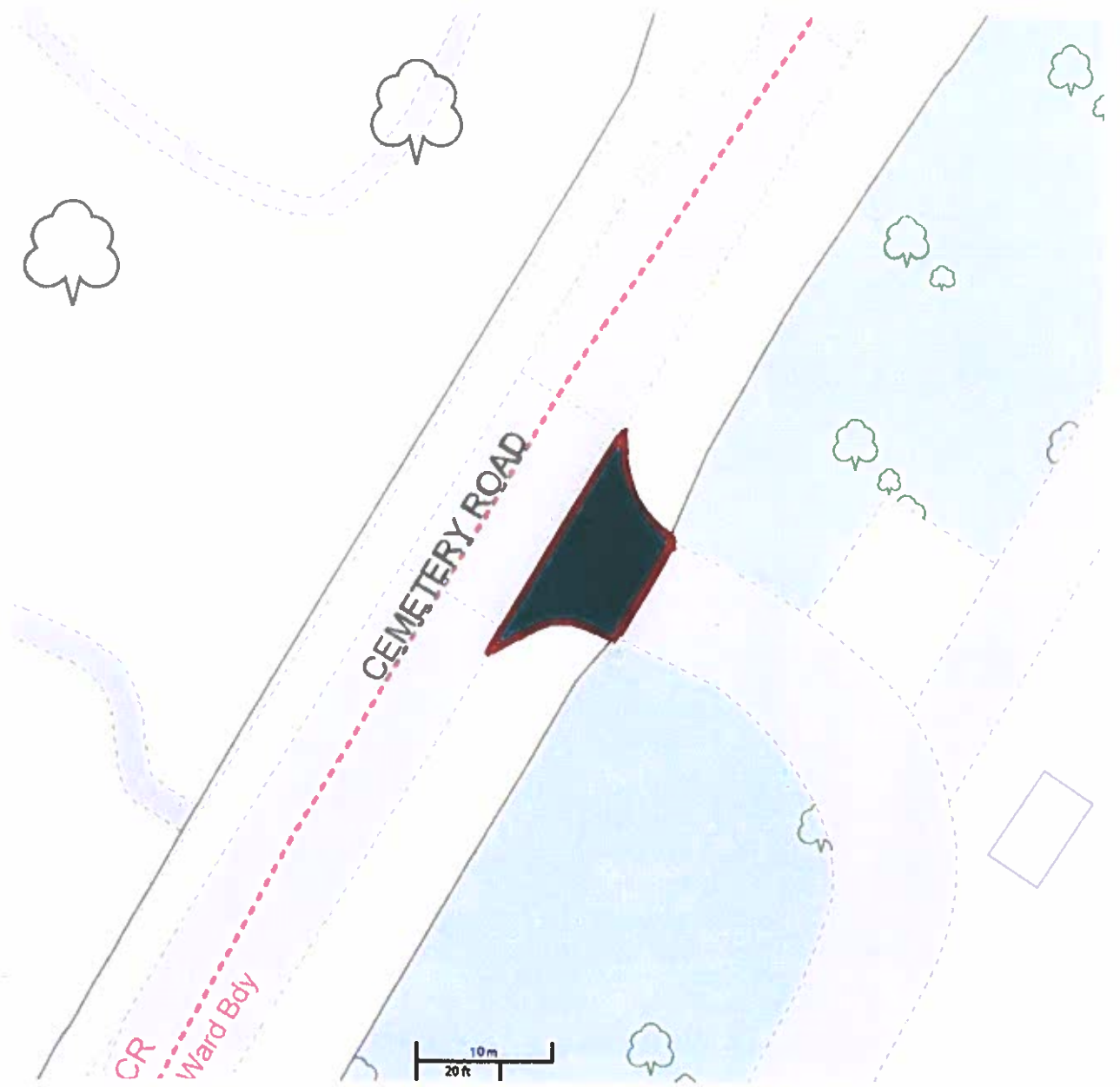
- (i) by email to 'Stop the Stink' at thelandfillstinks@gmail.com
- (ii) publication of the Order on the Claimants' website
- (iii) by displaying copies of the Order at the side of the Quarry Entrance and outside the entrances to the car park and the building at Borough House.

Service of the order

The court has provided a sealed copy of this order to the serving party:

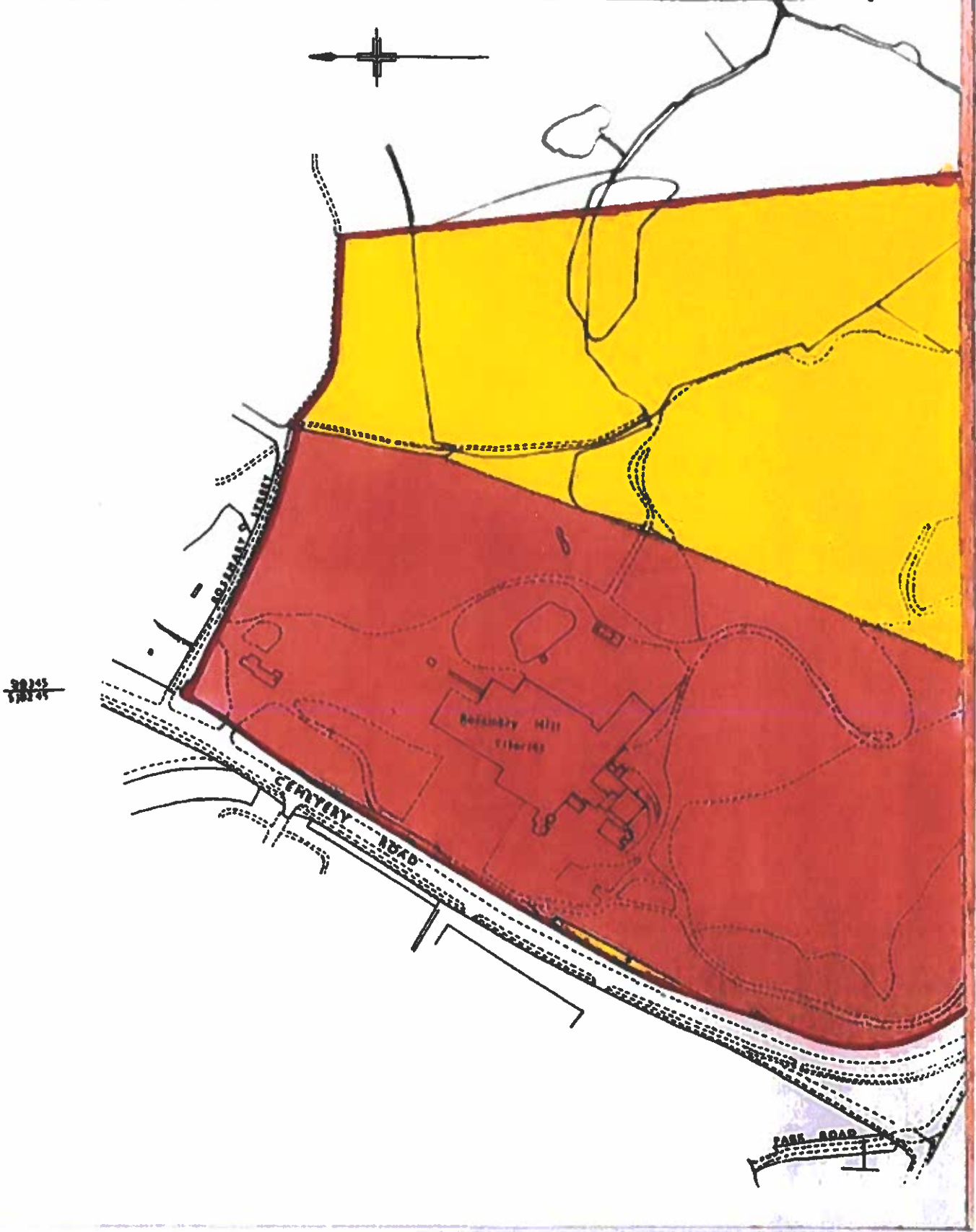
CMS Cameron McKenna Nabarro Olswang LLP, 1-3 Charter Square, Sheffield, S1 4HS

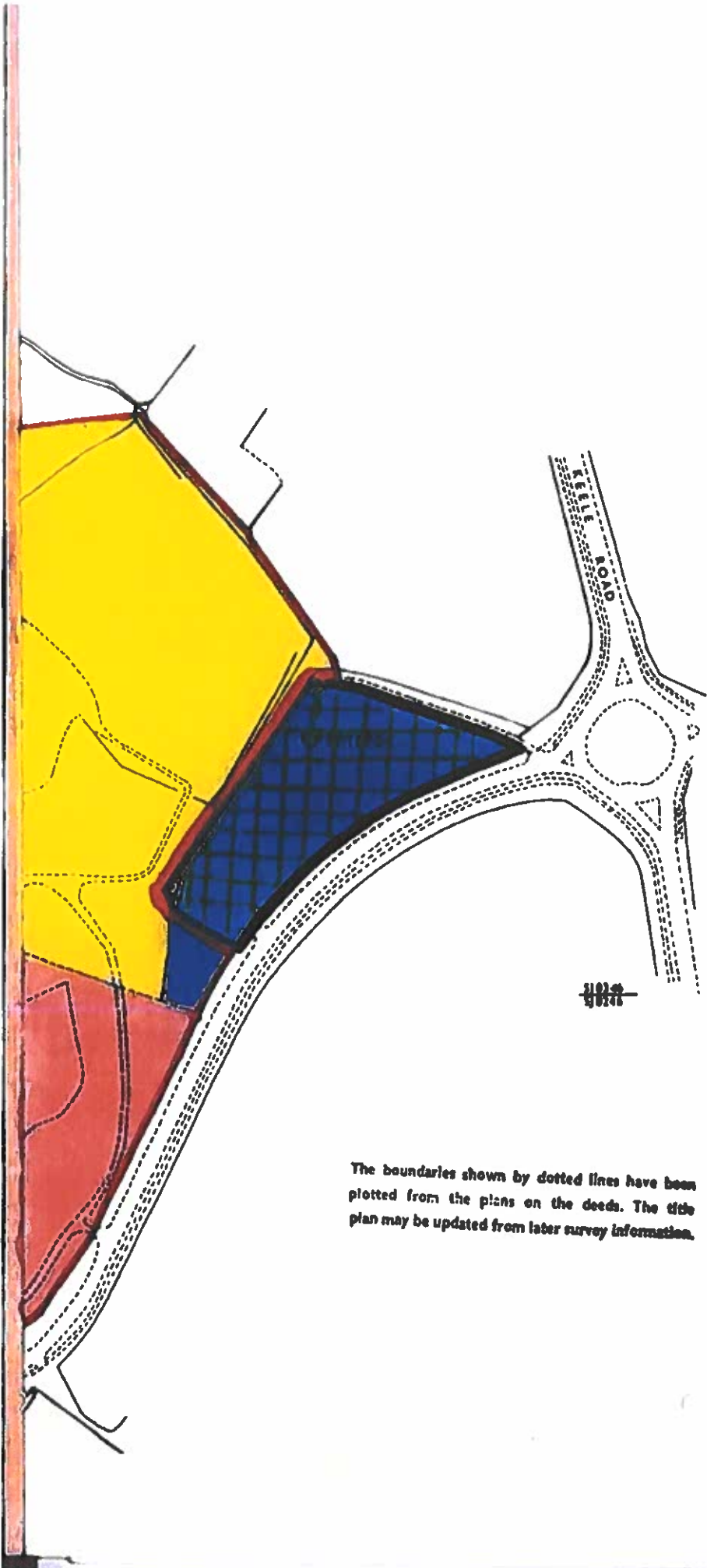
Annex 1



Annex 2

H.M. LAND REGISTRY		TITLE NUMBER	
		SF 139741	
ORDNANCE SURVEY PLAN REFERENCE	SJ 8245 SJ8246 SJ8345 SJ8346	F. T101.	Scale 1: 2500
COUNTY STAFFORDSHIRE	DISTRICT NEWCASTLE-UNDER-LYME		© Crown Copyright 1979






The boundaries shown by dotted lines have been plotted from the plans on the deeds. The title plan may be updated from later survey information.



Annex 3

H.M. LAND REGISTRY		TITLE NUMBER	
		SF282179	
ORDNANCE SURVEY PLAN REFERENCE 	SJ 8546	SECTION V	Scale 1/1250
COUNTY STAFFORDSHIRE	DISTRICT NEWCASTLE-UNDER-LYME	© Crown Copyright 1990	

