

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS IN LEEDS
PROPERTY TRUSTS AND PROBATE LIST (CHD)

CLAIM NO: PT-2024-LDS-000022



Before Her Honour Judge Kelly sitting as a Judge of the High Court
On 15 February 2024

PT-2024-LDS-000022

BETWEEN:-

- (1) MOTOR FUEL LIMITED
- (2) PEREGRINE RETAIL LIMITED

Claimants

-and-

- (1) PERSONS UNKNOWN WHO FOR RESIDENTIAL PURPOSES (TEMPORARY OR OTHERWISE) ENTER OCCUPY OR SET UP ENCAMPMENT ON THE SITE OF THIRSK SERVICES, YORK ROAD, THIRSK, YO7 3AA, AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED PLAN, WITHOUT THE CONSENT OF THE CLAIMANTS
- (2) PERSONS UNKNOWN WHO ENTER THE SITE OF THIRSK SERVICES, YORK ROAD, THIRSK, YO7 3AA, AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED PLAN, WITH THE INTENTION OF SYPHONING FUEL FROM THE CLAIMANTS' FILLING PUMPS AND/OR A VEHICLE OR RECEPTACLE THAT DOES NOT BELONG TO THAT INDIVIDUAL AND WITHOUT THE CONSENT OF THE OWNER OF THAT VEHICLE OR RECEPTACLE

Defendants

ORDER

UPON the Claimants' claim by Claim Form, dated 12 February 2024

AND UPON reading the Claim Form and the supporting evidence

AND UPON the Claimants' *ex parte* application pursuant to CPR r6.15 and 6.27, dated 15 February 2024 (the "**Application Notice**")

AND UPON noting a typographical error in section 3 of the Application Notice

AND UPON the Claimant's application for an interim injunction, dated 12 February 2024

AND UPON the Notice of Hearing, dated 13 February 2024, listing the application for the interim injunction on 23 February 2024 and making consequential directions (the "**Interim Injunction Directions Order**")

AND UPON hearing Counsel for the Claimants

IT IS ORDERED THAT:

Alternative Service

1. The Claimants be permitted to amend section 3 of the Application Notice to the following:

"Orders under CPR 6.15 and 6.27 that the Claimants' (i) application for an interim injunction, and (ii) claim for an ~~interim~~ injunction can be served by alternative methods of service, as more particularly described in the draft orders annexed hereto."

2. Pursuant to CPR r6.15 and 6.27, service upon the Defendants of the Claim Form, Particulars of Claim, the Witness Statement of Richard Linton, the Witness Statements of David Ablott and the Witness Statement of Andrew Caddick, the Response Pack, the Application Notice for an interim injunction, the Application Notice for alternative service and this Order (the "**Documents**") may be effected by an alternative method and at an alternative place, namely by:

- a. Fixing a copy of the Documents at the following locations around the Land:
 - i. The entrance ramp electrical cabinet at the entrance to the HGV Park;
 - ii. The exit ramp electrical cabinet at the exit to the HGV Park;
 - iii. The left and right hand lampposts in the staff parking area;
 - iv. The left and right hand lampposts in the customer parking area;

- v. Each of the 4 sets of petrol pumps;
 - vi. Two of the EV charging units;
 - vii. The left and right hand side of the 2 bay parking area adjacent to the EV charging area;
 - viii. Entrance door to Budgens/Greggs; and
 - ix. The entrance to the HGV Park toilet and shower block.
- b. Uploading the Documents to the following website:
<http://www.motorfuelgroup.com>.
 - c. Sending a link to the above website by email to the email addresses listed in Schedule 2 to this Order.
3. The carrying out of each and all of these steps will amount to good and proper service.
 4. The Documents will be deemed to be served upon the Defendants at 4pm on the date that all of the steps set out in paragraph 1 above have been completed as confirmed by the filing of a certificate of service with the Court.
 5. The date for filing an Acknowledgement of Service by the Defendants shall be 14 days after service of the claim form.
 6. The date for filing an Admission by the Defendants shall be 14 days after service of the claim form.
 7. The date for filing a Defence by the Defendants shall be 14 days after service of the claim form or 28 days after service of the claim form if an Acknowledgement of Service is filed in accordance with paragraph 4 above.

Other directions

8. Paragraphs 6 and 7 of the Interim Injunction Directions Order are set aside. The hearing bundle shall be filed and served (pursuant to the methods set out in paragraph 2-4 of this Order) by 4pm on Monday 19 February 2024.

COMMUNICATIONS WITH THE CLAIMANTS

The Claimants' solicitors and their contact details are:

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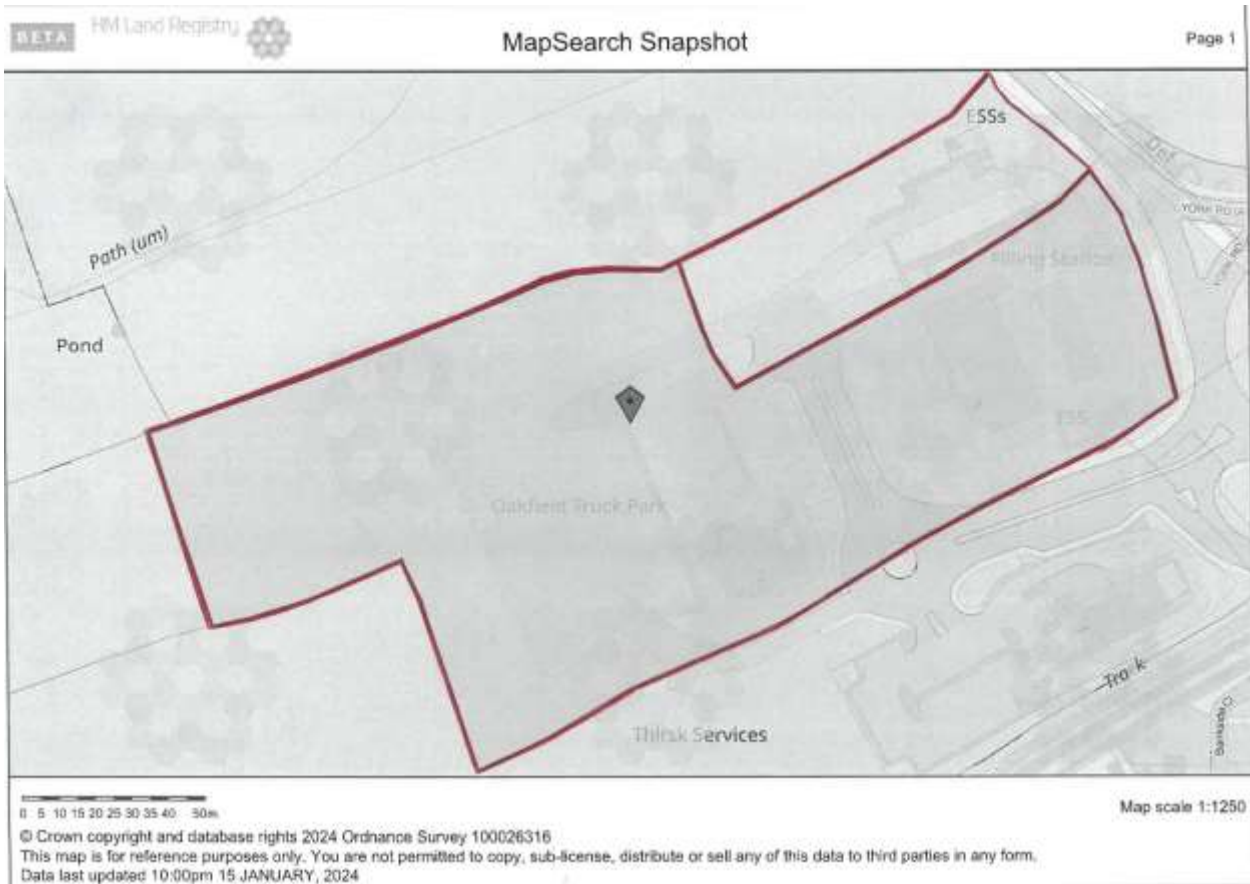
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Birmingham
B3 2FG

Phone number: 0121 2604024

Email: alicia.foo@pinsentmasons.com

Dated: 15 February 2024

SCHEDULE 1 - PLAN



SCHEDULE 2 - EMAIL ADDRESSES

Group / Individual	Email contact (where available)	Social Media account
Leeds Gate Gypsy and Traveller Exchange	contact@leedsgate.co.uk	https://www.facebook.com/LeedsGATE
York Travellers Trust	info@ytt.org.uk	https://www.facebook.com/YorkTravellers/
The Traveller Movement	(General Enquiry) info@travellermovement.org.uk (Media Enquiries) policymanager@travellermovement.org.uk	https://www.facebook.com/travellermovement/
Friends, Families and Travellers	fft@gypsy-traveller.org (Press Enquiries): sami@gypsy-traveller.org	https://www.facebook.com/FriendsFamiliesandTravellers
The North Yorkshire Council	infogov@northyorks.gov.uk and contactus@northyorks.gov.uk	