

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

Claim No:KB-2024-BHM-000107

The Honourable Mr Justice Ritchie

Friday 7 June 2024

B E T W E E N:

THE UNIVERSITY OF NOTTINGHAM

Claimant

-and-

(1) MX JOEL BUTTERWORTH

(also known as RIVER BUTTERWORTH (they/them))

~~(2) MR SAMEH ESMAILZADAH~~

~~(3) MR JOHN ELDRIDGE~~

~~(4) MS ARADHYA NEGI~~

(5) ~~“Non-students” PERSONS UNKNOWN, BEING PERSONS ENTERING OR REMAINING IN AN ENCAMPMENT OCCUPATION OF LAND BY CAMPING ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WHO ARE NOT CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT OR WHO UPON BEING ASKED WHETHER THEY CAN SHOW THAT THEY ARE STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT, FAIL TO DO SO~~

(6) ~~“Students” PERSONS UNKNOWN, BEING PERSONS ENTERING OR REMAINING IN AN ENCAMPMENT OCCUPATION OF LAND BY CAMPING ON THE JUBILEE CAMPUS AT THE UNIVERSITY OF NOTTINGHAM WITHOUT THE CLAIMANT’S LICENCE OR CONSENT WHO ARE CURRENTLY STUDENTS, STAFF OR EMPLOYEES OF THE CLAIMANT AND WHO UPON BEING ASKED WHETHER THEY CAN SHOW THAT THEY ARE STUDENTS, STAFF OR EMPLOYEES DO SO~~

Defendants

DRAFT ORDER (2)

BEFORE the Honourable Mr Justice Ritchie sitting at the Birmingham Civil Justice Centre,
Birmingham on [...]

UPON READING the Application Notice of the Claimant dated [...]

AND UPON the Court having made an Order dated 20 May 2024 in this Claim and an Order dated 22 May 2024 (as amended under the slip rule on 24 May 2024)

AND UPON HEARING Leading and Junior Counsel for the Claimant, [...] and [Counsel for the First Defendant] and [...]

IT IS ORDERED THAT:

Possession Order against the Fifth Defendant

1. The Fifth Defendants and each of them shall give the Claimant possession forthwith of the areas of land edged red on the plan attached to this Order and marked 'Plan B', being part of the Jubilee Campus at the University of Nottingham.

Paragraphs 6 and 7 of the Order dated 20 May 2024

2. Pursuant to CPR 3.1 (7) of the Civil Procedure Rules:
 - 2.1 Paragraphs 6, 7, 8, 9 and 10 of the Order dated 20 May 2024 shall be revoked.
 - 2.2 Paragraphs 2(a), (b) and (c) of the Order dated 22 May 2024 shall be revoked.

Further Directions

3. The period for the filing and service of any acknowledgements of service is by 4pm on 10 June 2024.
4. The period for the filing and service of any admission is by 4pm on 11 June 2024.
5. The period for the filing and service of any defence(s) is by 4pm on 12 June 2024.
6. The period for the filing and service of any further witness evidence in response to the possession claim, by any of the Defendants shall be by 4pm on 12 June 2024.
7. The period for filing and service of any further witness evidence in support of the possession claim by the Claimant shall be by 4pm on 14 June 2024.

Service of this Order and Documents

7. Pursuant to CPR 6.27:

7.1 The Claimant has permission to serve: (a) this Order and (b) any witness statements and (c) all bundles for hearings and (d) all other documents which need to be served, on the Fifth and Sixth Defendants by the following method:

- (a) Placing three stakes in the land which being camped on at Jubilee Campus in places where they are clearly visible and attaching to each stake copies of the documents in a sealed transparent envelope addressed to 'the occupiers'; and
- (b) Publishing a copy of the documents on the Claimant's website; and

7.2 Service shall be deemed to have been effected on the Fifth Defendant at 4pm on the date by which service by the methods referred to in paragraph 7.1 has been completed.

7.3 Service shall be deemed to have been effected on the Sixth Defendant at 4pm on the date by which service by the methods referred to in paragraph 7.1 has been completed.

Liberty to Apply

8. Any party affected by this Order may apply to have this Order set aside, varied or stayed. Any such application must be made within [...] hours of service of the Order on that party. Any person applying to set-aside, vary or stay this Order must provide their full name, address and an email address for service, and must apply to be joined as a named Defendant to the proceedings at the same time.

Costs

9. There be no order for costs

Communication with the Court

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

Birmingham District Registry, Birmingham Civil Justice Centre

Priory Cours, 33 Bull Street, Birmingham B4 6DS

E: kb.birmingham@justice.gov.uk

T: 0121 681 4441

F: 01264 785 131

DX: 701987 Birmingham 7

The Claimant's solicitors and their contact details are:

Shakespeare Martineau LLP

No. 1 Colmore Square Birmingham B4 6AA

E: Danielle.Lomg@shma.co.uk

T:0121 631 5218

DX721090 Birmingham 43

Ref: SHMA0ACTIVE.FID9282793

NOTICE TO THE FIFTH DEFENDANTS

The Court has ordered you to leave the property described in paragraph 5 above immediately. If you do not do so, the Claimant can ask the court, without a further hearing, to authorise a High Court Enforcement Office to evict you. (In that case you can apply to the court to stay the eviction: a Judge will decide if there are grounds for doing so).

SERVICE OF THIS ORDER

The Court has provided a sealed copy of this Order to the Claimant by its solicitors:

Shakespeare Martineau LLP

No. 1 Colmore Square Birmingham B4 6AA

A copy of the sealed Order will be sent by the Claimant to the Defendants in accordance with the terms of the Order above.