

Application notice

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Name of court The High Court of Justice, King's Bench Division, Birmingham District Registry		Claim no. KB-2022-BHM-000188	
Fee account no. (if applicable)		Help with Fees – Ref. no. (if applicable)	
PBA0082797		HWF- - - - -	
Warrant no. (if applicable)			
Claimant's name (including ref.) Wolverhampton City Council & Others (LIT/AS/LIJ017753P)			
Defendant's name (including ref.) Persons Unknown and Various Named Defendants			
Date		09 April 2025	

1. What is your name or, if you are a legal representative, the name of your firm?

Legal Services, Wolverhampton City Council

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative
☐ Other (please specify)

If you are a legal representative whom do you represent?

The Claimants

3. What order are you asking the court to make and why?

An order for relief from sanctions following a slight delay in the Claimants uploading the twenty-third witness statement of Paul Brown, dated 25/03/2025, to their Wesbsites as required in the Amended Directions Order of 07/03/2025.

4. Have you attached a draft of the order you are applying for? ☒ Yes ☐ No
5. How do you want to have this application dealt with?
☐ at a hearing ☒ without a hearing
☐ at a remote hearing
6. How long do you think the hearing will last?
 Hours Minutes
 Is this time estimate agreed by all parties? ☐ Yes ☐ No
7. Give details of any fixed trial date or period
 Review Hearing 26 February 2026
8. What level of Judge does your hearing need?
 (Deputy) High Court Judge
9. Who should be served with this application?
 N/A
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- ☐ the attached witness statement
- ☐ the statement of case
- ☒ the evidence set out in the box below

If necessary, please continue on a separate sheet.

Following a hearing on 26/02/2025 (a review hearing of the Injunction granted by the Honourable Mr Justice Julian Knowles on 27/02/2024) at which the injunction was order to continue, a directions order was made which, principally, detailed a list of service steps the Claimants were required to undertake to bring the injunction (in its amended form) and ancillary orders, to the attention of the public at large, thereby effecting service on Persons Unknown.

Per paragraph 6 of the directions order of the Honourable Mr Justice Julian Knowles (as amended on 07/03/2025), once the service steps were complete within 7 days of completion of those steps, the Claimants were required to file a witness statement evidencing compliance with those steps and upload it to their Websites.

On 25/03/2025, Paul Brown, Communications Manager of the First Claimant, Wolverhampton City Council, made a witness statement with details of the service steps taken and an exhibit comprising supporting evidence, which respectfully asserted, as evidenced in his statement, that the Claimants had complied with the service steps set out in the directions order of the Honourable Mr Justice Julian Knowles (as amended on 07/03/2025) by 21/03/2025. This was Mr Brown's 23rd witness statement in these proceedings.

Direction 6 of the directions order of the Honourable Mr Justice Julian Knowles (as amended on 07/03/2025) thus required Mr Brown's 23rd witness statement to be filed at court and uploaded to the Claimants' Websites by 4.00 p.m. on 28/03/2025.

Mr Brown's 23rd witness statement was duly filed at Court by the First Claimant, via CE-File, on 25/03/2025 at 15.27 hours. The First Claimant sent an e-mail on 25/03/2025 at 13.55 hours to its contacts at all four Claimant Councils attaching a copy of Mr Brown's 23rd witness statement and exhibit and requesting that this be uploaded to each of the Claimants' Websites by 16.00 hours on 28/03/2025. At 10.14 hours on 28/03/25 a further e-mail was sent by the First Claimants to its contacts at all four Claimants reminding them of the deadline of 16.00 hours that day for uploading of Mr Brown's 23rd witness statement to their Websites.

During the course of 28/03/2025, confirmation was received by the First Claimant's in-house Litigation Team (Legal Services) that each of the First, Second and Third Claimants had duly uploaded the 23rd witness statement of Paul Brown to its respective Website between 25 and 28 March thus complying with the directions order of the Honourable Mr Justice Julian Knowles (as amended on 07/03/2025). Unfortunately, the Fourth Claimant, Walsall Metropolitan Borough Council, did not upload the 23rd witness statement of Paul Brown to its Website until 01/04/2025.

To comply with the order, the 23rd witness statement of Paul Brown was to be uploaded to the Claimants Website by close of business 28/03/25 (within 7 days of completion of the service steps). The Claimants make full admission that the witness statement was not uploaded in time, as not all Claimant parties had actioned this by 28/03/25. The witness statement was uploaded to all the Claimants Websites in full on 02/04/2025.

The Claimants will respectfully contend the slight delay in uploading the witness statement of Paul Brown to their Websites has caused no prejudice to those affected or potentially affected by the Injunction, nor has it in any way adversely affected the operation of the Injunction.

The Claimants duly apologise for their failure to comply with the term of the amended directions order requiring upload of Paul Brown's witness statement to their Website by 28/03/25. The Claimants also emphasise that despite this minor infringement, they nevertheless completely respect and will always use their best endeavours to comply with orders of the Court.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☒ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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 section 10 (and any continuation sheets) are true.
- ☒ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



- ☐ Applicant
- ☐ Litigation friend (where applicant is a child or a Protected Party)
- ☒ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

0 9

Month

0 4

Year

2 0 2 5

Full name

Adam James Richard Sheen

Name of applicant's legal representative's firm

Legal Services Wolverhampton City Council

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

Solicitor-Advocate (Civil and Criminal)

Applicant's address to which documents should be sent.

Building and street

Civic Centre

Second line of address

St Peter's Square

Town or city

Wolverhampton

County (optional)

Postcode

W	V	1		1	R	G
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If applicable

Phone number

01902 556556

Fax phone number

DX number

744350 WOLVERHAMPTON 27

Your Ref.

LIT/AS/LIJ017753P

Email

litigation@wolverhampton.gov.uk

