

The First Defendant, Ryan Taylor, did not attend the hearing as it was ex parte.

Counsel set out that the Claimants were seeking the injunction against the First Defendant and two categories of Persons Unknown. Counsel explained that the intention of the injunction was to restrain urban exploring and in this instance, the dangerous behaviour of vehicles being driven within the Claimants' properties. It was explained that the First Defendant does not intend to cause injury with such activities but the high speeds reached on vehicles within the shopping centres could easily cause public injury.

His lordship noted that there is also a commercial aspect to the activities. Counsel confirmed that the First Defendant has many YouTube followers and that revenue is created by way of advertising once the videos reach a certain level of popularity.

Counsel noted that there was a particular threat to intu Merry Hill as a twitter follower of the First Defendant had requested an in and out challenge at this centre. His lordship asked if all tweets were monitored and Counsel explained that this particular tweet had been detected by intu security staff.

Counsel requested the injunction banning the First Defendant and Persons Unknown from all 15 shopping centres. It was noted that the First Defendant was given a banning notice from the Claimants' shopping centres in December 2017 but that this had been ignored. It was noted that the exclusion was for all of the Claimants' properties but no previous legal proceedings had been brought by the Claimants against the First Defendant. Counsel directed his lordship to exhibit "IP4" which sets out the injunctions which the First Defendant is subject to.

Counsel explained that the application was without notice because of both the urgency and the desire not to tip the First Defendant off. A recent video uploaded to YouTube by the First Defendant was raised to his lordship – the First Defendant riding a go kart around the Galleria Shopping Centre. Counsel explained that groups of people could be rallied to attend other shopping centres if an injunction is granted over only one, meaning that the injunction must cover all shopping centres.

His lordship enquired about service and Counsel confirmed that the First Defendant can be served by post and email. Counsel explained that proof that documentation can be served by these means has been demonstrated by the video, uploaded to YouTube by the First Defendant, throwing the Court papers for a recent injunction from his balcony at his home upon receipt. His lordship then enquired about service on Persons Unknown. Counsel explained that the notice of the injunction is generally placed in conspicuous places at all points of public access.

It was noted that proceedings had not yet been issued and would not be until a full suite of the shopping centre plans was produced. Counsel requested that the judge grant the Order for Injunction on the basis that the claim would be issued on receipt of the plans later in the week.

His lordship granted the order for injunction and indicated that service on the First Defendant would be effected by First Class Post and email and service of Persons Unknown would be effected by placing notice of the injunction at all points of public access.

The judge indicated that the matter would provisionally be re-listed for 25 April 2018 for a final hearing (however please note that this has since been changed to 26 April 2018).