

**IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
PROPERTY TRUSTS AND PROBATE LIST (ChD)**

B E T W E E N :

ELECTRIC GLASS FIBER UK, LTD.

Claimant

-and-

**PERSONS UNKNOWN WHO WITHOUT THE PERMISSION OF THE CLAIMANT
ENTER OR REMAIN ON THE LAND REGISTERED AT HM LAND REGISTRY
UNDER TITLE NUMBERS GM459851 AND GM459852 AS MARKED IN RED ON
THE PLAN AT SCHEDULE 1 TO THE CLAIM FORM**

Defendants

SECOND WITNESS STATEMENT OF STEPHEN LEACH

I, **Stephen Leach**, of Leigh Road, Hindley Green, Wigan WN2 4XG will say as follows:

1. I am the Site Manager of the Claimant's site situated at Leigh Road, Hindley Green, Wigan WN2 4XG (and referred to as the '**Site**' in this witness statement). I am employed by the Claimant and have worked at the Site for 36 years. I am duly authorised to make this witness statement on behalf of the Claimant.
2. I make this witness statement in support of the Claimant's Application for relief from sanctions.
3. On 28 January 2026, the Claimant made an Application for the continuation of the injunction order dated 19 August 2025 (the '**Injunction**') for a further 12 months. The Application was made pursuant to paragraph 6 of the Injunction. The Application was filed on time (by 4pm on 28 January), but unfortunately service was not effected on time, and the Claimant seeks relief accordingly.

4. This witness statement has been prepared following an exchange of emails with the Claimant's legal advisers. The facts and matters set out by me in this witness statement are within my own knowledge unless otherwise stated, and I believe them to be true. Where I refer to information provided to me by others, the source of that information is identified. The facts and matters derived from other sources are true to the best of my knowledge and belief.
5. There is now shown to me a paginated bundle of documents marked **SL2**. Where I refer to that bundle of documents, I do so in the format **SL2/page number**.

BACKGROUND

6. Paragraph 6 of the Injunction required the continuation Application to be filed and served by 4pm on 28 January 2026. I am informed by the Claimant's legal advisers that the Application and all documents in support were filed at 15:00 on 28 January 2026, and I exhibit at **SL2/2** a copy of the filing receipt.
7. Pursuant to paragraph 6 of the Injunction, read alongside paragraph 3(e) (although the Injunction refers to 4(e), which is a clear typographical error), service was to be effected by "*uploading copies of the documents to be served to a designated injunction webpage (the link to which shall be provided in the aforementioned notice to Persons Unknown)*".
8. The website that is operated for the purposes of serving the Injunction documents is: <https://negeurope.co.uk>. The Claimant does not have its own website, and so a special website was created for the purpose of service of the documents. The website can be found through Google searches.
9. The Claimant engages TGC Computers Ltd ('TGC') by way of a service level agreement to assist with IT related matters, which includes the provision and management of the Injunction website. Neither I nor any other employee of the Claimant has control of the website; only TGC can upload documents or make any changes to the website.

10. I did not have the decision-making authority to proceed with the continuation Application, and I was therefore required to seek approval from the Claimant's Managing Director and the Japanese parent company (Nippon Electric Glass). I sought this approval on 19 January 2026 and as soon as it was received on 26 January 2026, I instructed the Claimant's legal representatives to start work on the continuation Application. I have tried to act expeditiously at all times throughout this Application whilst also fulfilling my day-to-day role overseeing the decommissioning of the Claimant's Site in Wigan.

SERVICE

11. All of the documents in the continuation Application were ready to be uploaded to the website shortly after 3pm on 28 January 2026, upon which I sent them to TGC to complete the upload process.

12. As the Claimant's operations have been scaled back, it is no longer one of the larger clients of TGC, and engages TGC on an ad hoc basis only, and no longer has the same commercial leverage over TGC as it once did. Unfortunately, this means that TGC sometimes makes a commercial decision to prioritise requests from its other clients.

13. Prior to 28 January 2026, and once work had started on the continuation Application, I contacted TGC and spoke with their representatives. I alerted them to an urgent job that I would need servicing on 28 January 2026, so that they were on notice that their services would be needed on that day.

14. On 28 January 2026, TGC did service my upload request quickly, but unfortunately not within the 4pm deadline. I forwarded the documents for service by email to TGC at 15:28. I received a reply at 15:52 to advise that the request was being actioned, and a further reply at 16:24 to advise that the request had in fact been actioned. I exhibit the emails at **SL2/3**. The email chain is clearly marked "*Urgent: 4pm deadline: upload documents to website*".

15. I reviewed the website at around 6pm. I observed that the N244 had been uploaded. My first witness statement had also been uploaded, albeit the link to the statement read "*Witness Statement of Stephen Leach_Exhibit SL1 – 28 January 2026*". The Draft Order had also been uploaded, but had been uploaded behind a link which read "*Certificate of Urgency*".

document”, which link had previously contained the certificate of urgency from August 2025. The exhibit that was to accompany my witness statement had not been uploaded.

16. I exhibit at **SL2/5** screenshots of the website, which shows the blue hyperlinks at the bottom of the page. I took this screenshot and sent it to the Claimant’s solicitors at 11:46 on 29 January 2026, but I confirm that this is how I found the website when I reviewed it at about 6pm the evening before.

17. At the time of signing this statement, the exhibit to my first witness statement is yet to be uploaded. I have requested that TGC do this as a matter of urgency, as I fully understand the importance of the matter; however, as I have mentioned above, the Claimant just does not have the commercial leverage that it once did and, despite offering a substantial commercial incentive, TGC are prioritising other contractual commitments at this time (I am told by TGC that they are working on large contract). I understand from TGC that the upload should be completed by the evening of 30 January 2026, and that they do not have capacity to turn to my request before then. I have also asked that the anomalies with the labelling of the hyperlinks is addressed at the same time.

CONCLUSION

18. I apologise for the delay in effecting service. Each of the documents to be served, bar the exhibit to my witness statement, were uploaded to the website by 16:24 on 28 January 2026, which is some 24 minutes late. I accept that there were some regrettable anomalies in the labelling of the documents, which was beyond both mine and the Claimant’s control.

19. I respectfully suggest that any Person Unknown viewing the website after 16:24 on 28 January 2026 would know that the Claimant was applying for the continuation of the Injunction, and would understand the basis for that Application from the witness statement.

20. I have sought to progress the upload of the exhibit, and have emphasised the urgency of the matter to TGC, but unfortunately the Claimant is hostage to TGC’s capacity and commercial priorities.

STATEMENT OF TRUTH

I believe that the facts set out in this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone 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.

Signed:



Stephen Leach
30 January 2026