

IN THE HIGH COURT OF JUSTICE

Claim No. PT-2022-000303

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

CHANCERY DIVISION

PROPERTY TRUSTS AND PROBATE LIST

Before []

On []

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

and

(1) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT CONSENT, AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN, ON LAND AND BUILDINGS AT AND COMPRISING PART OF (A) THE BUNCEFIELD OIL TERMINAL, HEMEL HEMPSTEAD, HERTFORDSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE ATTACHED SITE 1 PLAN) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE ATTACHED SITE 2 PLAN)

First Defendants/Respondents

(2) PERSONS UNKNOWN WITHOUT CONSENT, AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN, OBSTRUCTING OR INTERFERING WITH THE FIRST CLAIMANT'S ACCESS OVER PRIVATE ACCESS ROADS ADJACENT TO (A) THE BUNCEFIELD OIL TERMINAL, HEMEL HEMPSTEAD, HERTFORDSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE ATTACHED SITE 1 PLAN) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE ATTACHED SITE 2 PLAN)

Second Defendants/Respondents

DRAFT ORDER AGAINST THE FIRST AND SECOND DEFENDANTS

(COLLECTIVELY “THE DEFENDANTS”)

PENAL NOTICE

IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing certain acts. You should read this Order very carefully. You are advised to consult a solicitor as soon as possible.

If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or your assets seized. You have the right to apply to the Court to vary or discharge this Order (which is explained below).

RECITALS

FURTHER to the Orders of Peter Knox QC (sitting as Deputy High Court Judge) sealed on 12 April and 21 April 2022

UPON the hearing of the Claimants' Application dated []

UPON hearing Leading Counsel and Junior Counsel for the Claimants

AND UPON READING the evidence recorded on the Court file as having been read

AND UPON the Claimants giving and the Court accepting the undertakings listed in Schedule 3

AND UPON the Claimants acknowledging that they do not intend to prohibit any lawful protest outside any of the sites referred to in this Order and that this Order is not intended to prohibit such lawful protest

IT IS ORDERED THAT:

THE INJUNCTIONS

1. Until the Return Date referred to in paragraph 9 of this Order or further order in the interim:

(a) **BUNCEFIELD (SITE 1)**

- (i) The First Defendants and each of them are forbidden from (a) entering or remaining upon the land or buildings described in and defined as "**Buncefield (Site 1)**" in Schedule 2 to this Order and which are shown for illustration purposes shaded red on the plan annexed to Schedule 4 of this Order ("**the Site 1 Plan**"), or (b) from causing damage to Buncefield (Site 1) or (c) removing equipment from Buncefield (Site 1), without the consent of the Claimants.
- (ii) The Second Defendants and each of them are forbidden from obstructing or otherwise interfering with the First Claimant's access over the private access road on the land adjoining Buncefield (Site 1) (the "**Site 1 Access Route**"), which is shown for illustration purposes shaded blue on the Site 1 Plan, for access and egress between Buncefield (Site 1) and the public highway.

(b) KINGSBURY (SITE 2)

- (i) The First Defendants and each of them are forbidden from (a) entering or remaining upon the land or buildings described in and defined as "**Kingsbury (Site 2)**" in Schedule 2 to this Order and which are shown for illustration purposes shaded red on the plan annexed to Schedule 5 of this Order (the "**Site 2 Plan**") or (b) from causing damage to Kingsbury (Site 2) or (c) removing equipment from Kingsbury (Site 2), without the consent of the First Claimant.
- (ii) The Second Defendants and each of them are forbidden from obstructing or otherwise interfering with the First Claimant's access over the private access road on the land adjoining Kingsbury (Site 2) (the "**Site 2 Access Route**"), which is shown for illustration purposes shaded blue on the Site 2 Plan, for access and egress between Kingsbury (Site 2) and the public highway.

VARIATION OF THIS ORDER

- 2. Anyone served or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person but they must first give the Claimants' solicitors 48 hours' notice of such application. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing to the Claimants' solicitors at least 24 hours in advance of any hearing.
- 3. Any person applying to vary or discharge this Order must provide their full name and address, an address for service and must also apply to be joined as a named defendant to the proceedings at the same time.
- 4. The Claimants have liberty to apply to extend or vary this Order or to seek further directions.

RETURN DATE

- 5. A further return date hearing will be fixed for [] (the "**Return Date**") with a time estimate of 3 hours at which this Order will be reconsidered to determine whether there is a continued threat which justifies its continuation.
- 6. Permission for the Claimants to file and serve any further evidence by 4pm on [].
- 7. Permission for the Defendants to file and serve evidence by 4pm on [].

INTERPRETATION OF THIS ORDER

8. A Defendant who is ordered not to do something must not do it him/herself/themselves or in any other way. He/she/they must not do it through another acting on his/her/their behalf or on his/her/their instructions or with his/her/their encouragement.

SERVICE OF THIS ORDER

9. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of this Order shall be effected as follows:
- (a) Posting the Order at the following web link: <https://ukop.azurewebsites.net>;
 - (b) Fixing warning notices in the form set out in Schedules 6 and 7 as follows in not less than A2 size:
 - (i) In respect of **Buncefield (Site 1)** by affixing the form of site injunction notice (the "**Site 1 Notice**") in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Buncefield (Site 1); and
 - (ii) In respect of **Kingsbury (Site 2)** by affixing the form of site injunction notice (the "**Site 2 Notice**") in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Kingsbury (Site 2); and
 - (c) Sending an email to each of the following email addresses with the information that copies of the Order may be viewed at the web link referred to in paragraph 13(b) above:
 - (i) xr-legal@riseup.net;
 - (ii) juststopoilpress@protonmail.com; and
 - (iii) juststopoil@protonmail.com.
10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), the Order will be deemed to be served on the latest date on which all of the methods of service referred to above have been completed, such date to be verified by the completion of a certificate of service.
11. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), the steps identified above shall stand as good service of the Order.

ALTERNATIVE SERVICE PROVISIONS FOR FUTURE APPLICATIONS BY THE CLAIMANTS IN THIS CLAIM

12. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of any future applications in this Claim by the Claimants and their evidence in support, shall be effected as follows:
- (a) Posting copies of these documents at the following web link: <https://ukop.azurewebsites.net>; and
 - (b) Sending an email to each of the following email addresses with the information that copies of the documents may be viewed at the web link referred to in paragraph 16(a) above:

- (i) xr-legal@riseup.net;
- (ii) juststopoilpress@protonmail.com; and
- (iii) juststopoil@protonmail.com

- 13. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 16 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 16 above have been completed in respect thereof, such date to be verified by the completion of a certificate of service.
- 14. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), the steps identified in paragraph 16 above shall stand as good service.

COSTS

- 15. Costs reserved.

COMMUNICATIONS WITH THE COURT

- 16. All communications about this Order should be sent to:

Court Manager
High Court of Justice
Chancery Division
Rolls Building
7 Rolls Building
Fetter Lane
London
EC4A 1NL

The telephone number is 020 7947 7501. The offices are open weekdays 10.00 a.m. to 4.30 p.m.

Out of hours telephone number is 020 7947 6260

- 17. Name and address of the Claimants' legal representatives

Fieldfisher LLP
Riverbank House
2 Swan Lane
London
EC4R 3TT

Telephone: 0330 460 7000

Fax: 020 7488 0084

Out of hours telephone number: 07711 088057

Reference: OTD/UK01.000162.00301

This Order shall be served by the Claimants on the Defendants. The Court has provided a sealed copy of this Order to the Claimants at:

Fieldfisher LLP
Riverbank House,
2 Swan Lane,
London
EC4R 3TT

Reference: OTD/000162

SCHEDULE 1

1. Witness Statement of Peter Davis dated 7 April 2022
2. Witness Statement of John Armstrong dated 7 April 2022
3. Witness Statement of Daniel Owen Christopher Talfan Davies dated 8 April 2022
4. Second Witness Statement of John Armstrong dated 14 April 2022
5. Second Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2022
6. Third Witness Statement of John Armstrong dated []
7. Second Witness Statement of Peter Davis dated []

SCHEDULE 2

THE SITES

Buncefield (Site 1)

1. The freehold land at:
 - (a) Land and buildings on the south side of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485114 and marked 1 on the Site 1 Plan;
 - (b) Land to the north of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485115 and marked 2 on the Site 1 Plan;
 - (c) Land on the west side of Buncefield Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485116 and marked 3 on the Site 1 Plan;
 - (d) Land on the north east and south west side of Cherry Tree Lane, Hemel Hempstead registered at the Land Registry under title number HD485118 and marked 5 on the Site 1 Plan;
2. The leasehold land at:
 - (a) Land on the north side of Cherry Tree Lane, Hemel Hempstead, as more particularly described by a lease dated 23 September 2013 made between (1) Total UK Limited and (2) United Kingdom Oil Pipelines Limited which is registered at the Land Registry under title number HD529733 and marked 4 on the Site 1 Plan.

Kingsbury (Site 2)

3. The freehold land at:
 - (a) All that piece of land at Kingsbury in the County of Warwick comprising 4.96 acres or thereabouts as more particularly described by a conveyance dated 31 March 1967 and made between (1) Shell-Mex and B.P. Limited and (2) United Oil Kingdom Pipelines Limited and marked 1 on the Site 2 Plan;
 - (b) Land on the south-east side of Trinity Road, Kingsbury, Tamworth which is registered at the Land Registry under title number WK468465 and marked 2 on the Site 2 Plan.
4. The leasehold land at:
 - (a) the Fire-Water Pond and the Lagoon being land at Kingsbury in the County of Warwick, as more particularly described in a lease dated 3 November 2021 made between (1) Secretary of State for Defence and (2) United Kingdom Oil Pipelines Limited and marked 3 on the Site 2 Plan.

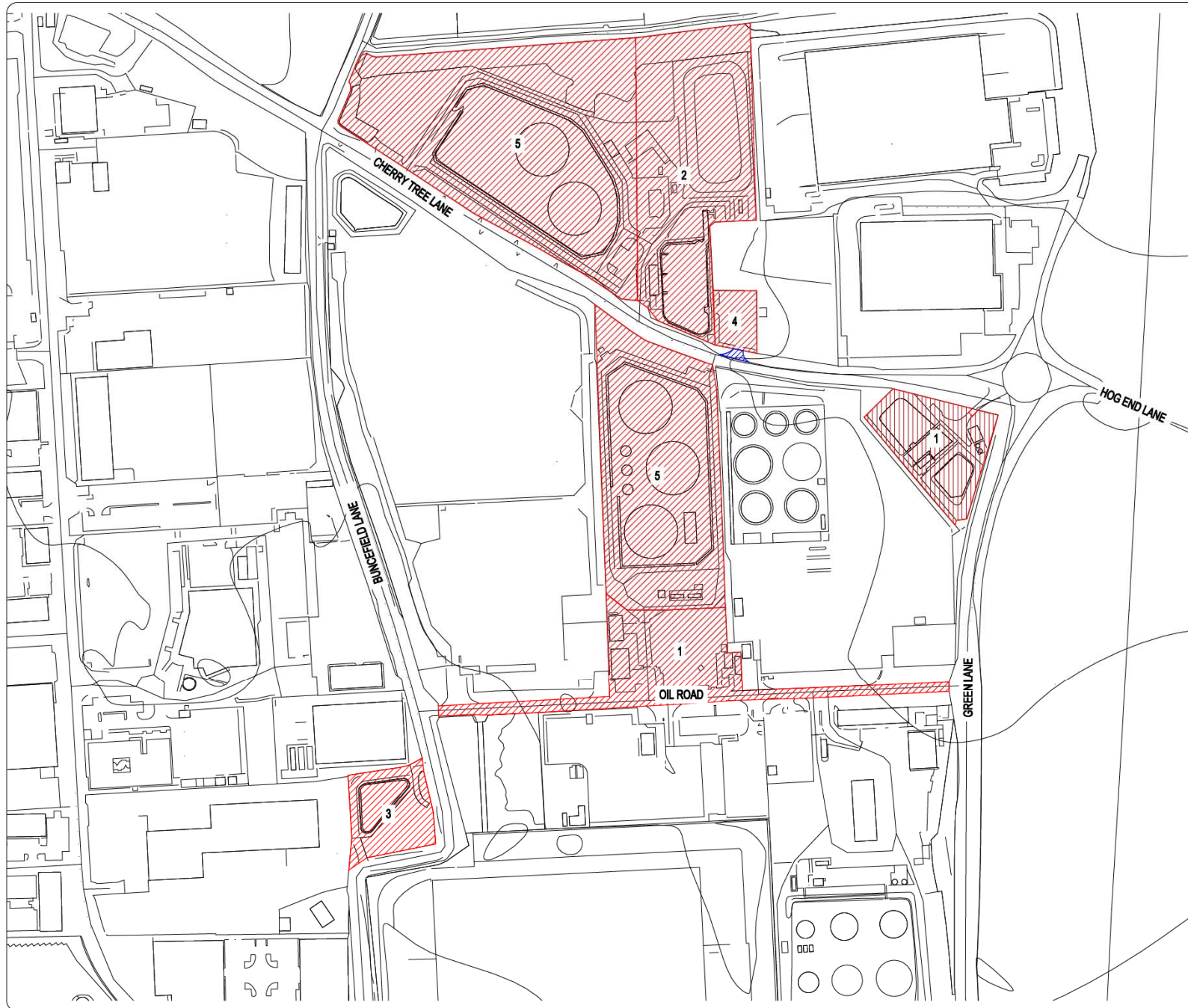
(together, the "Sites")

SCHEDULE 3

On the making of this Order, the Claimants undertake as follows: if the Court later finds that this Order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the Claimants will comply with any order the Court may make.

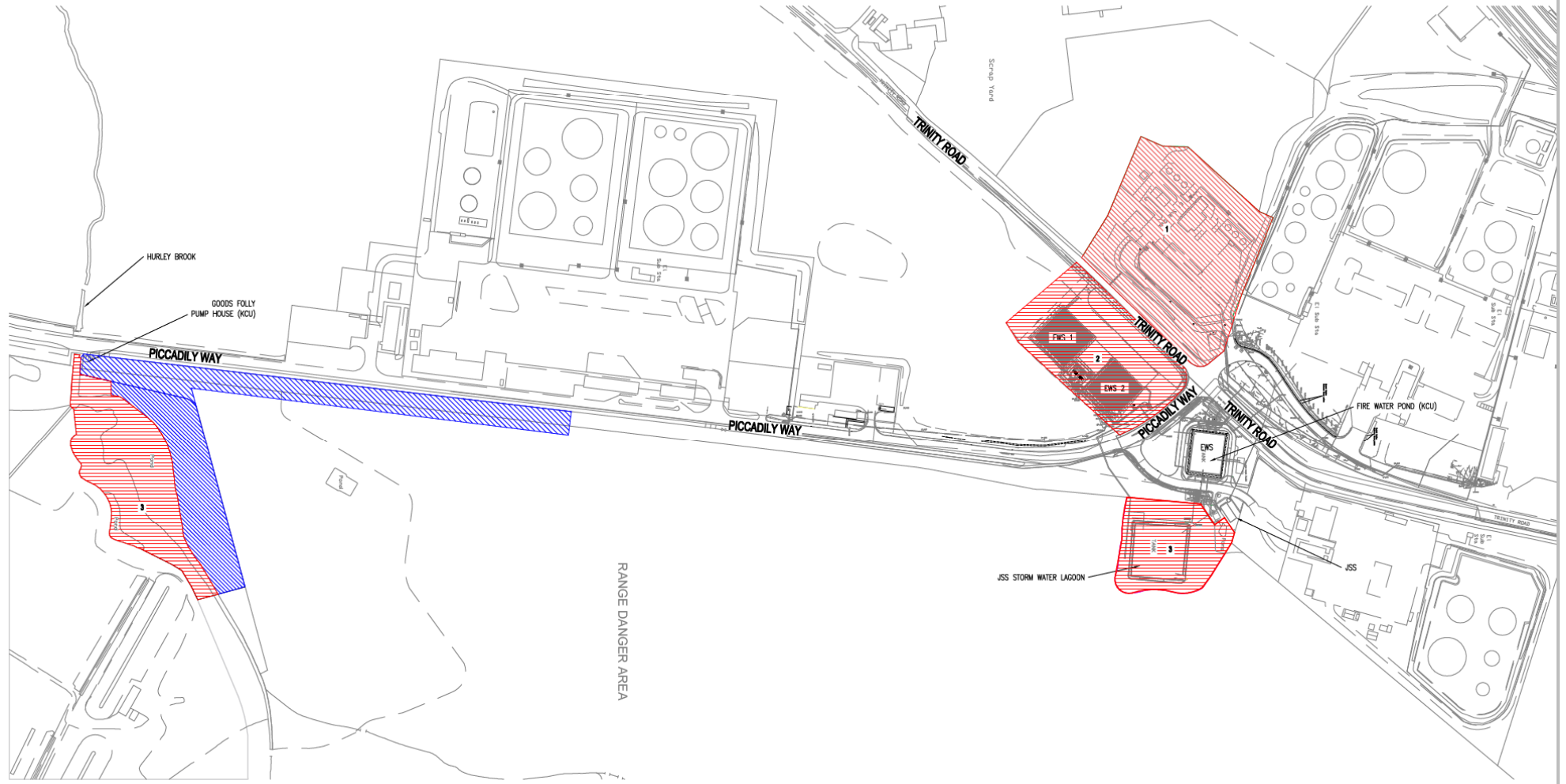
SCHEDULE 4

Plan of Buncefield (Site 1) ("**Site 1 Plan**")



SCHEDULE 5

Plan of Kingsbury (Site 2) ("**Site 2 Plan**")



SCHEDULE 6

SEE ATTACHED SITE 1 NOTICE

HIGH COURT INJUNCTION IN FORCE

NOTICE OF HIGH COURT ORDER DATED [INSERT DATE] 2023

TO: PERSONS UNKNOWN ACTING IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN AND/OR THE JUST STOP OIL CAMPAIGN AND AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE FIRST DEFENDANT OR THE SECOND DEFENDANT IN THE ORDER (THE "DEFENDANTS")

FROM: (1) UNITED KINGDOM OIL PIPELINES LIMITED AND (2) WEST LONDON PIPELINE AND STORAGE LIMITED (THE "CLAIMANTS")

IF THE DEFENDANTS OR ANY OF YOU, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IT IS ORDERED THAT, UNTIL [INSERT DATE] OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM:

- ENTERING OR REMAINING UPON THE LAND SHADED RED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN") OR FROM CAUSING DAMAGE TO, OR REMOVING EQUIPMENT FROM THE LAND SHADED RED ON THE PLAN WITHOUT THE CONSENT OF THE CLAIMANTS; AND
- OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FIRST CLAIMANT'S ACCESS OVER THE PRIVATE ACCESS ROAD SHADED BLUE ON THE PLAN AND WHICH ADJOINS THE LAND SHADED RED, FOR ACCESS AND EGRESS BETWEEN THE LAND SHADED RED AND THE PUBLIC HIGHWAY.

THIS MEANS THAT YOU MUST NOT GO BEYOND THIS NOTICE AND ENTER THIS SITE WITHOUT PERMISSION.

THIS ALSO MEANS THAT YOU MUST NOT OBSTRUCT OR OTHERWISE INTERFERE WITH THE FIRST CLAIMANT'S ACCESS OVER THE ACCESS ROAD SHADED BLUE. IF YOU DO, YOU MAY BE SENT TO PRISON, FINED OR HAVE YOUR ASSETS SEIZED.

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

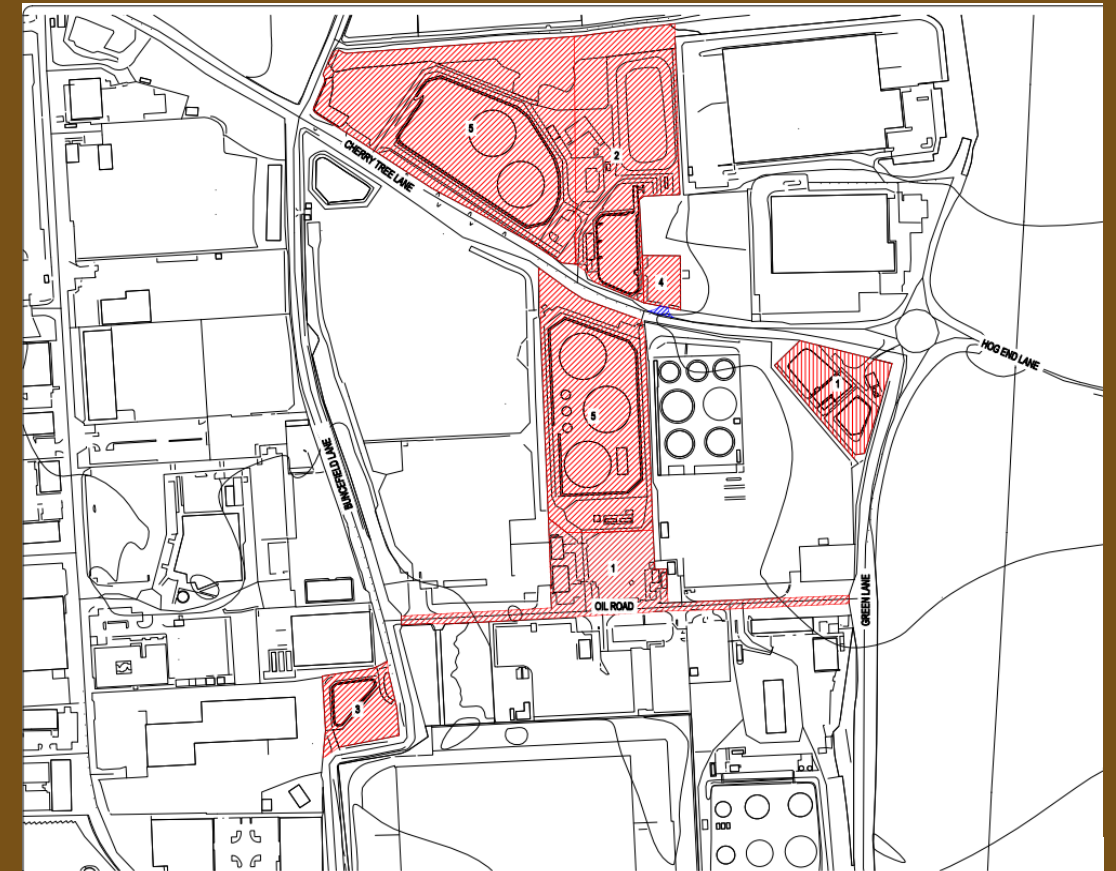
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

Claimants' solicitors: Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: UKOPinjunction@fieldfisher.com)

ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPH 12 OF THE ORDER.

The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to UKOPinjunction@fieldfisher.com and in either case quoting reference OTD/UKOP), using an online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within one clear working day from the first working day on which such written application is received.

Court communications: all communications about this Order should be sent to the Court Manager, High Court of Justice (details found at <https://www.find-court-tribunal.service.gov.uk/courts/rolls-building-business-and-property-courts-of-england-wales>)



The freehold land at:

1. Land and buildings on the south side of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485114 and marked 1 on the Plan above;
2. Land to the north of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485115 and marked 2 on the Plan above;
3. Land on the west side of Buncefield Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485116 and marked 3 on the Plan above; and
4. Land on the north east and south west side of Cherry Tree Lane, Hemel Hempstead registered at the Land Registry under title number HD485118 and marked 5 on the Plan above.

The leasehold land at:

1. land on the north side of Cherry Tree Lane, Hemel Hempstead, as more particularly described by a lease dated 23 September 2013 made between (1) Total UK Limited and (2) United Kingdom Oil Pipelines Limited which is registered at the Land Registry under title number HD529733 and marked 4 on the Plan above.

SCHEDULE 7

SEE ATTACHED SITE 2 NOTICE

HIGH COURT CLAIM NO: PT – 2022 - 000303

HIGH COURT INJUNCTION IN FORCE

NOTICE OF HIGH COURT ORDER DATED [INSERT DATE] 2023

TO: PERSONS UNKNOWN ACTING IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN AND/OR THE JUST STOP OIL CAMPAIGN AND AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE FIRST DEFENDANT OR THE SECOND DEFENDANT IN THE ORDER (THE "DEFENDANTS")

FROM: (1) UNITED KINGDOM OIL PIPELINES LIMITED AND (2) WEST LONDON PIPELINE AND STORAGE LIMITED (THE "CLAIMANTS")

IF THE DEFENDANTS OR ANY OF YOU, DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED. ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IT IS ORDERED THAT, UNTIL [INSERT DATE] OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM:

- ENTERING OR REMAINING UPON THE LAND SHADED RED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN") OR FROM CAUSING DAMAGE TO, OR REMOVING EQUIPMENT FROM THE LAND SHADED RED ON THE PLAN WITHOUT THE CONSENT OF THE CLAIMANTS; AND
- OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FIRST CLAIMANT'S ACCESS OVER THE PRIVATE ACCESS ROAD SHADED BLUE ON THE PLAN AND WHICH ADJOINS THE LAND SHADED RED. FOR ACCESS AND EGRESS BETWEEN THE LAND SHADED RED AND THE PUBLIC HIGHWAY.

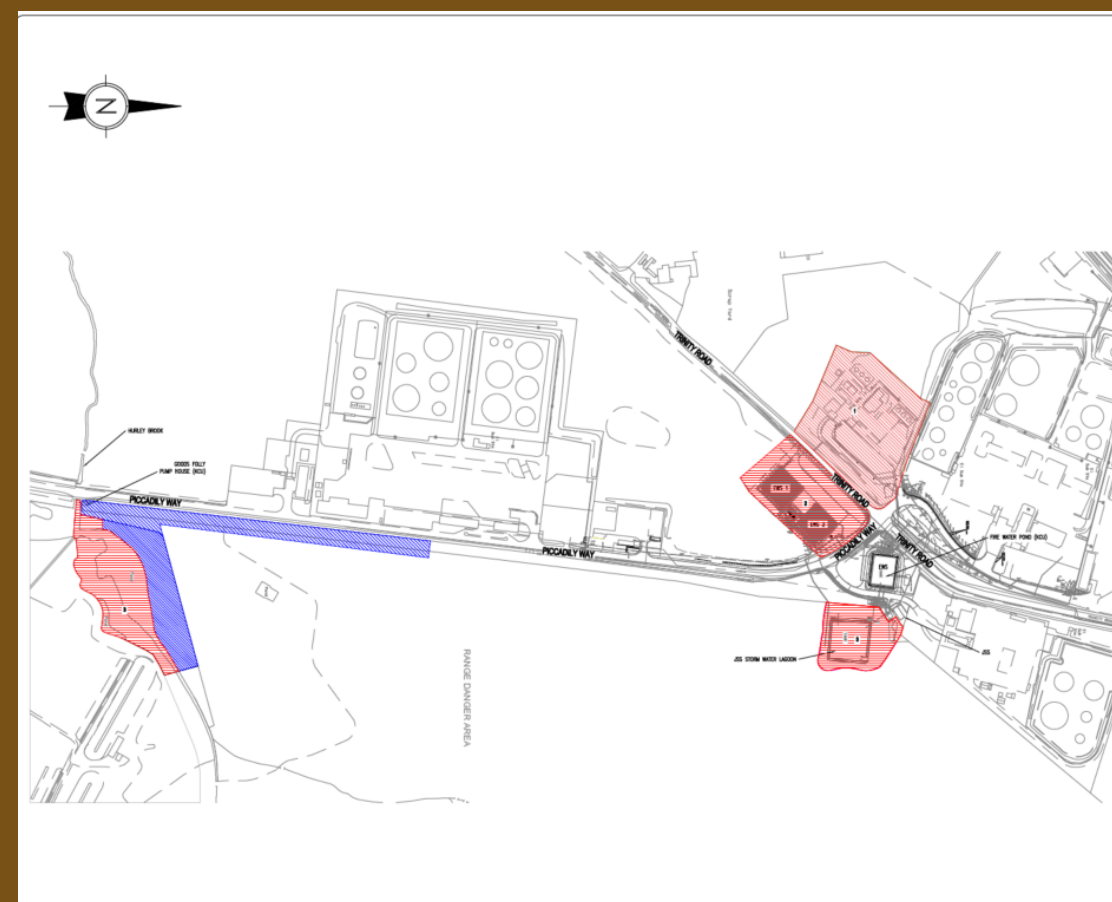
REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

Claimants' solicitors: Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: UKOPinjunction@fieldfisher.com)

The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to UKOPinjunction@fieldfisher.com and in either case quoting reference OTD/UKOP), using an online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within one clear working day from the first working day on which such written application is received.

Court communications: all communications about this Order should be sent to the Court Manager, High Court of Justice (details found at <https://www.find-court-tribunal.service.gov.uk/courts/rolls-building-business-and-property-courts-of-england-wales>)



The freehold land at:

- All that piece of land at Kingsbury in the County of Warwick comprising 4.96 acres or thereabouts as more particularly described by a conveyance dated 31 March 1967 and made between (1) Shell-Mex and B.P. Limited and (2) United Oil Kingdom Pipelines Limited and marked 1 on the plan above; and
- Land on the south-east side of Trinity Road, Kingsbury, Tamworth which is registered at the Land Registry under title number WK468465 and marked 2 on the plan above.

The leasehold land at:

- The Fire-Water Pond and the Lagoon being land at Kingsbury in the County of Warwick, as more particularly described in a lease dated 11 March 2021 made between (1) The Secretary of State for Defence and (2) United Kingdom Oil Pipelines Limited and marked 3 on the plan above.