

Party: Claimant
Witness: Daniel Owen Christopher Talfan Davies
Exhibit: UKOP3
Dated: 8 April 2022

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
CHANCERY DIVISION
PROPERTY TRUSTS AND PROBATE LIST

Claim No. [...]

(1) UNITED KINGDOM OIL PIPELINES LIMITED

First Claimant / Applicant

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Second Claimant / Applicant

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 PLANS ANNEXED TO THE CLAIM FORM)

First Defendant/Respondent

(2) PERSONS UNKNOWN WITHOUT THE CONSENT OF THE CLAIMANTS AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN INTERFERING WITH THE FIRST CLAIMANT'S RIGHTS TO PASS AND REPASS WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT 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 Defendant/Respondent

FIRST WITNESS STATEMENT OF
DANIEL OWEN CHRISTOPHER TALFAN DAVIES

I, Daniel Owen Christopher Talfan Davies, of Riverbank House, 2 Swan Lane, London EC4R 3TT will say as follows:

1. I am a Partner in Fieldfisher LLP and the solicitor with conduct of this matter on behalf of the Claimants. I am duly authorised to make this witness statement on behalf of the Claimants.
2. I make this statement from facts within my own knowledge, which I believe to be true. Where I refer to matters not within my knowledge, I confirm that they are true to the best of my knowledge, information and belief, and I state the source of the information.
3. Produced and shown to me is a bundle of documents marked "UKOP3". Page references in this witness statement are to page numbers are references to pages in this exhibit.
4. I make this witness statement in support of the Claimants' application for an order restraining the following activities by those carrying out direct action:
 - (a) unlawful trespass on the Claimants' private land; and
 - (b) unlawful interference with those rights of way the First Claimant enjoys over private land for the purposes of accessing and egressing from the Claimants' private land.

(the "Application")

NOTICE OF HEARING


5. I have read the first witness statement of John Michael Armstrong dated 7 April 2022 submitted in support of the Application. Paragraphs 63 – 75 of Mr Armstrong's statement relates to methods of service. With reference to those paragraphs, and in particular paragraph 63, where Mr Armstrong states:

"It is the intention of the Claimants through its solicitors Fieldfisher LLP to inform those connected with or affiliated to the Extinction Rebellion and Just Stop Oil campaign groups of the making of this Application. The Extinction Rebellion website includes the following email addresses: xr-legal@riseup.net for the purposes of legal communications with them. The Just Stop Oil website includes the following email address: juststopoil@protonmail.co.uk for communication with them generally."

6. With reference to the foregoing paragraph, I confirm that I emailed, at 6.27 a.m. and 6.28 a.m. respectively, the email addresses specified for the protest groups known as Extinction Rebellion and Just Stop Oil (see pages 2-3), confirming:
 - (a) the Claimants had issued the Application;
 - (b) the hearing was listed to take place today at 10.30 a.m., in Court 14 of The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Peter Knox QC sitting as a Judge of the Chancery Division;
 - (c) the Claimants had not been able to identify the individuals who have trespassed on the Claimants' private land and/or interfered with the Claimants' rights of way over private land, or who intend to do so, at the properties which are the subject matter of these proceedings, and invited the recipients of the emails to identify such individuals or any individuals involved in direct action at those properties.
7. At 9.24 a.m. and 9.25 a.m., I sent a further email to the email addresses (see pages 4-7), to confirm that the hearing, which had been listed to commence at 10.30 a.m., was to commence at the later time of 11.30 a.m..

Statement of Truth

I believe that the facts stated 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:  Dated: 8 April 2022

Daniel Owen Christopher Talfan Davies

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(2) PERSONS UNKNOWN WITHOUT THE CONSENT OF THE CLAIMANTS AND IN CONNECTION WITH OR AFFILIATED TO THE EXTINCTION REBELLION CAMPAIGN OR THE JUST STOP OIL CAMPAIGN INTERFERING WITH THE FIRST CLAIMANT'S RIGHTS TO PASS AND REPASS WITH OR WITHOUT VEHICLES, MATERIALS AND EQUIPMENT 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 Defendant/Respondent

EXHIBIT UKOP3

From: Owen Talfan Davies
Sent: 08 April 2022 06:27
To: xr-legal@riseup.net
Subject: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

We act for (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited (the "**Claimants**").

The Claimants have issued an urgent application to the High Court of Justice to obtain an injunction to prevent the following activities by those carrying out direct action at Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire and Kingsbury Oil Terminal, Kingsbury, Warwickshire (the "**Sites**"), namely:

- unlawful trespass on the Claimants' private land; and
- unlawful interference with rights of way enjoyed by the Claimants over private land.

The hearing of the Claimants' application is to be heard today at 10.30 a.m. in Court 14 of The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Peter Knox QC sitting as a Judge of the Chancery Division.

The Claimants have not been able to identify the individuals who have trespassed on the Claimants' private land and/or interfered with the Claimants' rights of way over private land at the Sites, or who intend to do so, and we invite you to identify:

- any such individuals; and/or
- any individuals who are involved in direct action at the Sites.

Yours faithfully,

Owen Talfan Davies

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



From: Owen Talfan Davies
Sent: 08 April 2022 06:28
To: juststopoil@protonmail.co.uk
Subject: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Just Stop Oil,

We act for (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited (the "**Claimants**").

The Claimants have issued an urgent application to the High Court of Justice to obtain an injunction to prevent the following activities by those carrying out direct action at Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire and Kingsbury Oil Terminal, Kingsbury, Warwickshire (the "**Sites**"), namely:

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Yours faithfully,

Owen Talfan Davies
Partner
D: +44 330 460 6961
M: +44 7711 088057

fieldfisher



Ella Haydon

From: Owen Talfan Davies
Sent: 08 April 2022 09:24
To: xr-legal@riseup.net
Subject: RE: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

We refer to our email below in which we confirmed that the hearing of the Claimants' application is to be heard today at 10.30 a.m. in Court 14 of The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Peter Knox QC sitting as a Judge of the Chancery Division. Please note that the hearing will now commence at the later time of 11.30 a.m., but will remain in Court 14 before Peter Knox QC sitting as a Judge of the Chancery Division.

Yours faithfully,

Owen Talfan Davies
Partner
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fieldfisher



From: Owen Talfan Davies <owen.talfan.davies@fieldfisher.com>
Sent: Friday, April 8, 2022 6:27 AM
To: xr-legal@riseup.net
Subject: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

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fieldfisher



Ella Haydon

From: Owen Talfan Davies
Sent: 08 April 2022 09:25
To: juststopoil@protonmail.co.uk
Subject: RE: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Just Stop Oil,

We refer to our email below in which we confirmed that the hearing of the Claimants' application is to be heard today at 10.30 a.m. in Court 14 of The Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Peter Knox QC sitting as a Judge of the Chancery Division. Please note that the hearing will now commence at the later time of 11.30 a.m., but will remain in Court 14 before Peter Knox QC sitting as a Judge of the Chancery Division.

Yours faithfully,

Owen Talfan Davies
Partner
D: +44 330 460 6961
M: +44 7711 088057

fieldfisher



From: Owen Talfan Davies <owen.talfan.davies@fieldfisher.com>
Sent: Friday, April 8, 2022 6:28 AM
To: juststopoil@protonmail.co.uk
Subject: (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Just Stop Oil,

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