

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**BUNDLE FOR USE AT HEARING OF APPLICATION FOR SUMMARY JUDGMENT**

**SECTIONS A - F**

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(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 THE CONSENT OF THE CLAIMANTS 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 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

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INDEX TO BUNDLE FOR USE AT THE HEARING OF  
APPLICATION FOR SUMMARY JUDGMENT

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Tab	Document	Date	Pages
<b>A. Statements of Case</b>			
1.	Sealed Claim Form	11 April 2022	6-12
2.	Particulars of Claim	7 April 2022	13-20
3.	Certificate of Urgency	7 April 2022	21-22



<b>B. Applications</b>			
4.	Application Notice	7 April 2022	24-28
5.	Application Notice for Return Date	8 April 2022	29-33
6.	Application Notice for renewal of the interim injunction and listing of Return Date Hearing on 20 April 2023	4 April 2023	34-38
7.	Sealed Application Notice for Claimants' Summary Judgment Application	7 July 2023	39-43
8.	Draft Order for Claimants' Summary Judgment Application (with comparite against the Order of The Honourable Mr Justice Rajah dated 21 April 2023)	7 July 2023	44-75
9.	Sealed Application Notice with Notice of Hearing	17 July 2023	76-80
<b>C. Orders</b>			
10.	Claimants' Solicitors Note of Interim Injunction Hearing on 8 April 2022	8 April 2022	82-93
11.	Order of Mr Peter Knox KC	12 April 2022	94-109
12.	Claimants' Solicitors Note of Return Date Hearing on 20 April 2022	20 April 2022	110-124
13.	Order of Mr Peter Knox KC	21 April 2022	125-141
14.	Order of the Honourable Mr Justice Rajah dated 21 April 2023	21 April 2023	142-157
<b>D. Witness Statements</b>			
15.	First Witness Statement of Peter Malcolm Davis	7 April 2022	159-166
16.	First Witness Statement of John Michael Armstrong	7 April 2022	167-183
17.	First Witness Statement of Daniel Owen Christopher Talfan Davies	8 April 2022	184-186
18.	Second Witness Statement of Daniel Owen Christopher Talfan Davies	14 April 2022	187-192
19.	Second Witness Statement of John Michael Armstrong	14 April 2022	193-198
20.	Second Witness Statement of Peter Malcolm Davis	5 April 2023	199-201
21.	Third Witness Statement of John Michael Armstrong	5 April 2023	202-212
22.	Third Witness Statement of Daniel Owen Christopher Talfan Davies	14 April 2023	213-216

23.	Third Witness Statement of Peter Malcolm Davis	5 July 2023	217-219
24.	Fourth Witness Statement of John Michael Armstrong	6 July 2023	220-230
25.	First Witness Statement of Antony Douglas Phillips	24 July 2023	231-235
26.	Fifth Witness Statement of John Michael Armstrong	22 September 2023	236-244
<b>E. Certificates of Service</b>			
27.	Certificate of Service relating to the Order of Mr Justice Rajah dated 21 April 2023	12 May 2023	246-334
28.	Certificate of Service relating to Application Notice, Draft Order, Third Witness Statement of Peter Malcolm Davis, Fourth Witness Statement of John Michael Armstrong and Exhibits UKOP9 and UKOP10.	18 July 2023	335-344
29.	Certificate of Service relating to Sealed Application Notice with Notice of Hearing	24 July 2023	345-353
30.	Certificate of Service relating to Fifth Witness Statement of John Michael Armstrong and Exhibit UKOP12	(To follow)	
<b>F. Additional Documents</b>			
31.	Transcript of the Return Date Hearing on 20 April 2023 (judgment to follow)	26 September 2023	355-386

## **A. Statements of Case**



# Claim Form

In the High Court of Justice, Business and Property Courts of England and Wales, Chancery Division

Fee Account no.

Help with Fees -

Ref no. (if applicable)

H W F -

11 Apr 2022

For court use only

Claim no.

Issue date

PT-2022-000303

You may be able to issue your claim online which may save time and money. Go to [www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk) to find out more.

Claimant(s) name(s) and address(es) including postcode

(1) **United Kingdom Oil Pipelines Limited** (Company Number: 007466708) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS; and

(2) **West London Pipeline and Storage Limited** (Company Number: 01918796) of 5-7 Alexandra Road, Hemel Hempstead,

SEAL

Defendant(s) name and address(es) including postcode

**Persons Unknown as further described in the attached rider**

Brief details of claim

Claim for Injunctions as further described in the Particulars of Claim

Value

You must indicate your preferred County Court Hearing Centre for hearings here (*see notes for guidance*)

Defendant's name and address for service including postcode

£

Amount claimed

Court fee

Legal representative's costs

Total amount

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

Claim No.

Does, or will, your claim include any issues under the Human Rights Act 1998? ☒ Yes ☐ No

Particulars of Claim (~~attached~~) (to follow)


## Statement of Truth

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.

☐ I **believe** that the facts stated in these particulars of claim are true.

☒ **The Claimant** believes that the facts stated these particulars of claim are true. I **am authorised** by the claimant to sign this statement.

### Signature



☐ Claimant

☐ Litigation friend (where judgment creditor is a child or a patient)

☒ Claimant's legal representative (as defined by CPR 2.3(1))

### Date

Day

Month

Year

7

APRIL

2022

Full name

DANIEL OWEN CHRISTOPHER TALFAN DAVIES

Name of claimant's legal representative's firm

FIELDFISHER LLP

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

PARTNER

Claimant's or claimant's legal representative's address to which documents should be sent.

Building and street

RIVERBANK HOUSE

Second line of address

2 SWAN LANE

Town or city

LONDON

County (optional)

Postcode

E C 4 R 3 T T

If applicable

Phone number

03304607000

Fax phone number

DX number

Your Ref.

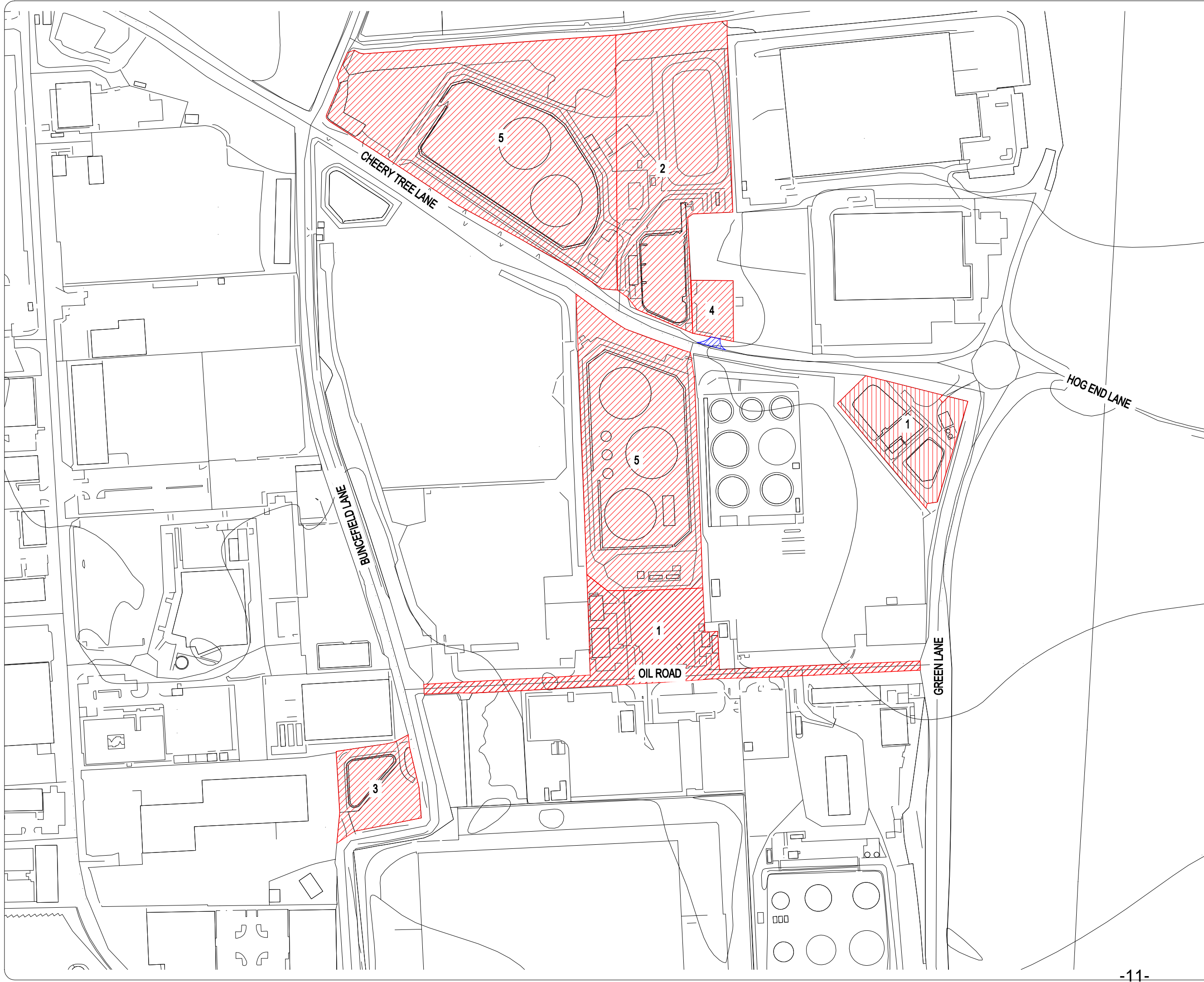
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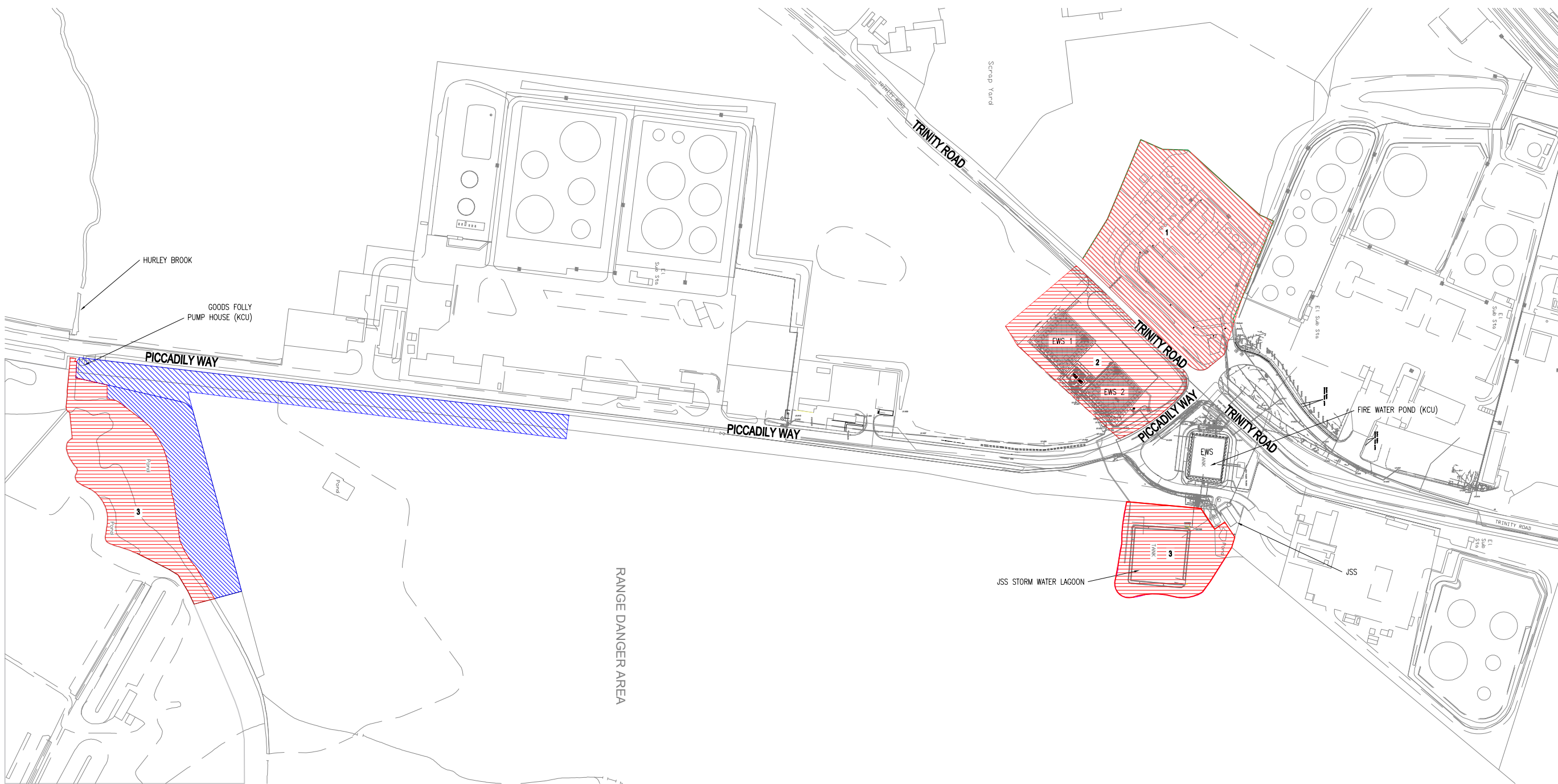
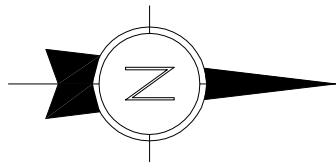
Email

## **RIDER TO CLAIM FORM**

- 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)**
  
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**IN THE HIGH COURT OF JUSTICE**

**Claim No [...]**

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**CHANCERY DIVISION**

**PROPERTY TRUSTS AND PROBATE LIST**

**B E T W E E N:**

**(1) UNITED KINGDOM OIL PIPELINES LIMITED**

**First Claimant / Applicant**

**(2) WEST LONDON PIPELINE AND STORAGE LIMITED**

**Second Claimant/Applicant**

**-and-**

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**First Defendant/ Respondent**

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**Defendant**

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**PARTICULARS OF CLAIM**

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## **Definitions and Interpretation**

1.1 In these Particulars of Claim, the description “Site 1” is a reference to the following property:

1.1.1 The freehold land comprising:

- (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 attached (“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 Three Cherry Trees Lane, Hemel Hempstead, registered at the Land Registry under title number HD485118 and marked 5 on the Site 1 Plan.

1.1.2 The leasehold land comprising:

- (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.

1.2 In these Particulars of Claim, the description “Site 2” is a reference to the following property:

1.2.1 The freehold land comprising:

- (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 attached (“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 Plan.

1.2.2 The leasehold land comprising land at Kingsbury in the County of Warwick, as more particularly described in a Lease dated 3 November 2012 made between (1) The Secretary of State for Defence and (2) United Oil Kingdom Pipelines Limited and marked 3 on the Site 2 Plan.

### **The Claimants**

- 2.1 The First Claimant is the freehold registered proprietor of those parts of Site 1 referred to in Paragraphs 1.1.1(a), (b) and (c) above and the lessee of the land referred to in Paragraph 1.1.2 above.
- 2.2 The First Claimant is also the freehold proprietor of the that part of Site 2 referred to in Paragraph 1.2.1(a) above, the freehold registered proprietor of that part of Site referred to in Paragraphs 1.2.1(b) above and the lessee of that part of the Site referred to in Paragraph 1.2.2 above.
- 2.3 Pursuant to clause 2, Schedule 1 of the Lease referred to in Paragraph 1.1.2 above, the First Claimant also enjoys a right at all times with or without vehicles to enter upon and to pass over and across the accessway forming part of the landlord’s retained land, as shown coloured blue on the Site 1 Plan (“the Site 1 Access Route”).
- 2.4 The Second Claimant is the registered freehold proprietor of that part of Site 1 which is referred to in Paragraph 1.1.1(d) above.
- 2.5 Pursuant to clause 2 of the Site 2 Lease, the First Claimant also enjoys a right at all times (with or without vehicles) over, and other ancillary rights in respect of, the accessway forming part of the landlord’s retained land (“the Site 2 Access Route”).

## The Campaigns

- 3.1 ‘Extinction Rebellion’ and ‘Just Stop Oil’ are environmental campaign groups. ‘Extinction Rebellion’ is an international environmental movement, claiming to be use non-violent civil disobedience to protest against “*mass extinction and minimise the risk of social collapse*”. ‘Just Stop Oil’ is a protest group which describes itself as a “*coalition of groups working together to ensure the Government commits to halting new fossil fuel licensing and production*” and to protest through means of non-violent civil disobedience with “*strikes, boycotts, mass protests and disruption*”.
- 3.2 There is a real and substantial risk of imminent acts of trespass and/or nuisance affecting Site 1 and/or Site 2 by persons acting in connection with or affiliated to the ‘Extinction Rebellion’ campaign and/or the ‘Just Stop Oil’ campaign. There is also a real and substantial risk of imminent acts of nuisance affecting the Site 1 Access Route and/or the Site 2 Access Route by persons acting in connection with or affiliated to the ‘Extinction Rebellion’ campaign and/or the ‘Just Stop Oil’ campaign. In particular, the risks arise from the following:
- 3.2.1 There were trespasses on Site 1 on 3 April 2022 when certain individuals managed to gain access to Site 1.
- 3.2.2 There has been direct action in and around Site 1 and Site 2 since 1 April 2022:
- (a) On 1 April 2022, ‘Just Stop Oil’ supporters climbed on the top of an oil tanker at the entrance to Site 1 whilst other supporters sat on the road in front of the tanker, some of whom chained themselves to the oil tanker.
  - (b) On 1 April 2022, ‘Extinction Rebellion’ and ‘Just Stop Oil’ supporters blocked entrances to Site 2 preventing oil tankers from leaving and they also let out the air on the tyres of an oil tanker.
  - (c) On 2 and 3 April 2022, there was continuing direct action outside Site 2, involving acts of obstructions and damage.
  - (d) On 3 and 4 April 2022, there was direct action outside Site 1, which included supporters blocking the entrance to Site 1, camping outside, standing on fuel trucks with banners and sitting outside the gates to prevent tankers from leaving.

- (e) On 5 April 2022, the entrance at Site 2 was again blocked and certain supporters glued themselves to the road or locked on.
  - (f) On 7 April 2022, the entrance to Site 2 was again blocked. Those carrying out direct action also claimed to be inside the Kingsbury oil terminal but not those parts which comprise Site 2.
- 3.2.3 The events referred to above have been part of an ongoing co-ordinated campaign by supporters of ‘Extinction Rebellion’ and supporters of ‘Just Stop Oil’ which has involved direct action at various other oil terminals and/or facilities in the UK.
- 3.3 By reason of the facts and matters aforesaid:
- 3.3.1 An injunction is sought to forbid the First Defendants and each of them from entering or remaining upon Site 1 and/or from causing damage to, or removing equipment from Site 1, without consent; and/or
  - 3.3.2 An injunction is sought to forbid the Second Defendants and each of them from interfering with the First Claimant’s rights to pass and re-pass (with or without vehicles and at any time) over the Site 1 Access Route; and/or
  - 3.3.3 An injunction is sought to forbid the First Defendants and each of them from entering or remaining upon Site 2 and/or from causing damage to, or removing equipment from Site 2, without consent; and/or
  - 3.3.4 An injunction is sought to forbid the Second Defendants and each of them from interfering with the First Claimant’s right to pass and re-pass (with or without vehicles and at any time) over the Site 2 Access Route.

## **AND THE FIRST CLAIMANT CLAIMS**

- (1) An order that the First Defendants and each of them are forbidden from entering or remaining without consent upon the following land and/or from causing damage to or removing equipment therefrom:
  - (a) The freehold land comprising:

- (i) 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:
- (ii) 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.
- (iii) 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.
- (iv) 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.
- (v) 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 Plan.

(b) The leasehold land comprising:

- (i) 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 Oil Kingdom Pipelines Limited which is registered at the Land Registry under title number HD529733 and marked 4 on the Site 1 Plan.
- (ii) The leasehold land comprising land at Kingsbury in the County of Warwick, as more particularly described in a Lease dated 3 November 2012 made between (1) The Secretary of State for Defence and (2) United Oil Kingdom Pipelines Limited and marked 3 on the Site 2 Plan.

- (2) An order that the Second Defendants and each of them are forbidden from interfering with the First Claimant's right to pass and re-pass (with or without vehicles at any time) over the private access road on the land adjoining Site 1, which is shown for illustrative purposes shaded blue on the Site 1 Plan.



(3) An order that the Second Defendants and each of them are forbidden from interfering with the First Claimant's right to pass and re-pass (with or without vehicles at any time) over the private access road on the land adjoining Site 2, which is shown for illustrative purposes shaded blue on the Site 2 Plan.

(4) Costs.

(5) Further and/or other relief.

#### **AND THE SECOND CLAIMANT CLAIMS**

(1) An order that the First Defendants and each of them are forbidden from entering or remaining upon that part of Site 1 comprising land on the north east and south west side of Three Cherry Trees Lane, Hemel Hempstead, registered at the Land Registry under title number HD485118 and marked 5 on the Site 1 Plan.

(2) Costs.

(3) Further and/or other relief.

**KATHARINE HOLLAND QC**

**YAASER VANDERMAN**

#### **STATEMENT OF TRUTH**

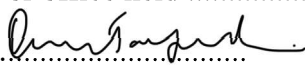
The Claimant believes that the facts stated in these particulars of claim are true. The Claimant understands that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised by the Claimant to sign this statement.

Full name DANIEL OWEN CHRISTOPHER TALHAN DAVIES

Name of solicitor's firm FIELDFISHEN LLP

Position or office held PARTNER

Signed 

Claimant's solicitor

**IN THE HIGH COURT OF JUSTICE**

**Claim No. [.....]**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**PROPERTY TRUSTS AND PROBATE LIST**

**B E T W E E N**

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**First Defendant/Respondent**

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**Second Defendant/Respondent**

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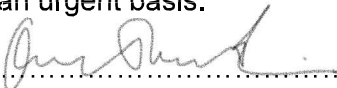
**CERTIFICATE OF URGENCY**

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I estimate that this matter is likely to occupy the Court for 3 hours hearing time (45 minutes pre-reading. 1.5 hours hearing time and 45 minutes judgment time).

I certify that it is urgent for the following reasons:

1. The Claimants in these proceedings are (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited.
2. The Claimants makes this application for interim relief to prevent the following unlawful activities at two operational sites:
  - (a) unlawful trespass on the Claimants' private land; and
  - (b) unlawful interference with the First Claimant's rights to pass and repass with or without vehicles., material and equipment over private access roads adjacent to the Claimants' private land.
3. I certify that the application is urgent for the following reasons:
  - (a) by reference to unlawful activity which has very recently taken place at the sites which are the subject matter of these proceedings - the Claimants consider that by reference to the unlawful activity which has already taken place and the threats of further unlawful activity, there is a significant risk that the sites will be subject to further unlawful activity;
  - (b) the Claimants consider that the risk of an infringement of the Claimants' rights is both imminent and real absent intervention and protection via Court Order; and
  - (c) by reference to the clear risk of serious injury or harm to the Claimants, the Claimants' property, the wider public and to the perpetrators of the unlawful activity themselves, posed by the unlawful activities which the injunction is aimed to prevent.
4. In all the circumstances, it is respectfully submitted that the matter is fit to be heard on an urgent basis.

Signed:  .....

Date: 7 April 2022

Daniel Owen Christopher Talfan Davies, Partner, Fieldfisher LLP

**Solicitor for the Claimants/Applicants**

## **B. Applications**

N244

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them

when you fill in a form:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<b>Name of court</b> High Court of Justice Business and Property Courts of England and Wales Chancery Division Property Trusts and Probate List	<b>Claim no.</b>									
<b>Fee account no.</b> (if applicable)	<b>Help with Fees - Ref. no.</b> (if applicable)									
	<table border="1"><tr><td>H</td><td>W</td><td>F</td><td>-</td><td></td><td></td><td>-</td><td></td><td></td></tr></table>	H	W	F	-			-		
H	W	F	-			-				
<b>Warrant no.</b> (if applicable)										
<b>Claimant's name</b> (including ref.)  (1) United Kingdom Oil Pipelines Limited (Company Number: 007466708) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS; and  (2) West London Pipeline and Storage Limited (Company Number: 01918796) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS.  REF: OTD/000162										
<b>Defendant's name</b> (including ref.)  Persons Unknown										
<b>Date</b>	7 April 2022									

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

Fieldfisher LLP

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 an injunction to restrain trespass and unlawful interference on private land.

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 telephone hearing

6. How long do you think the hearing will

last? Is this time estimate agreed by all

parties?

Hours

Minutes

☐ Yes

☐ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

No-one

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

n/a

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

☒ the attached witness statements

☐ the statement of case (i.e. a  
draft claim form)

☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.




## Statement of Truth

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.

☐ 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

07

Month

04

Year

2022

### Full name

DANIEL OWEN CHRISTOPHER TALFAN DAVIES

### Name of applicant's legal representative's firm

FIELD FISHER LLP

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

PARTNER

Applicant's address to which documents should be sent.

Building and street

RIVERBANK HOUSE

Second line of address

2 SWAN LANE

Town or city

LONDON

County (optional)

Postcode

E	C	4	R	3	T	T
---	---	---	---	---	---	---

If applicable

Phone number

020 7861 4000

Fax number

020 7488 0084

DX number

Your Ref.

OTD/UK01.000162.00301

Email

N244

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them

when you fill in a form:

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<b>Name of court</b> High Court of Justice Business and Property Courts of England and Wales Chancery Division Property Trusts and Probate List		<b>Claim no.</b> PT-2022-000303	
<b>Fee account no.</b> (if applicable)		<b>Help with Fees - Ref. no.</b> (if applicable)	
		H W F - - - - -	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name (including ref.)</b>  (1) United Kingdom Oil Pipelines Limited (Company Number: 007466708) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS; and  (2) West London Pipeline and Storage Limited (Company Number: 01918796) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS.  REF: OTD/000162			
<b>Defendant's name (including ref.)</b>  Persons Unknown			
<b>Date</b>		8 April 2022	

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

Fieldfisher LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative

☐ Other (please specify)

If you are a legal representative whom do you represent?

The Claimant

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

An order to continue the interim injunction granted by Peter Knox QC on 8 April 2022 sitting as a Judge of the Chancery Division to restrain trespass on and nuisance affecting the Claimants' land and for alternative methods of service.

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 telephone hearing

6. How long do you think the hearing will last? Is this time estimate agreed by all parties?

Hours

Minutes

☐Yes

☐No

7. Give details of any fixed trial date or period

Return date fixed for 20 April 2022

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

Persons Unknown by alternative means

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

n/a

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

- ☐ the attached witness statements
- ☐ the statement of case (i.e. a draft claim form)
- ☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

The Particulars of Claim.

The following witness statements:

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


## Statement of Truth

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.

☐ 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

08

Month

04

Year

2022

### Full name

DANIEL OWEN CHRISTOPHER TALFAN DAVIES

### Name of applicant's legal representative's firm

FIELD FISHER LLP

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

PARTNER

Applicant’s address to which documents should be sent.

Building and street

RIVERBANK HOUSE
-----------------

Second line of address

2 SWAN LANE
-------------

Town or city

LONDON
--------

County (optional)

--

Postcode

E	C	4	R	3	T	T
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If applicable

Phone number

020 7861 4000
---------------

Fax number

020 7488 0084
---------------

DX number

--

Your Ref.

OTD/UK01.000162.00301
-----------------------

Email

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N244

# Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

<b>Name of court</b> High Court of Justice  Business and Property Courts of England and Wales Chancery Division Property Trusts and Probate List		<b>Claim no.</b> PT-2022-000303
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref. no.</b> (if applicable)	
	H W F - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/>	
<b>Warrant no.</b> (if applicable)		
<b>Claimant's name (including ref.)</b> (1) United Kingdom Oil Pipelines Limited (Company Number: 007466708) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS; and  (2) West London Pipeline and Storage Limited (Company Number: 01918796) of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, HP2 5BS. REF: OTD/000162		
<b>Defendant's name (including ref.)</b> Persons Unknown		
<b>Date</b>	4 April 2023	

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

Fieldfisher LLP

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?

(1) A renewal of the interim injunction granted by the Order of Peter Knox KC (sitting as a Deputy High Court Judge) sealed on 21 April 2022 (the "Order"); (2) a listing of the renewal hearing on 20 April 2023 pursuant to paragraph 9 of the Order.

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

Return date fixed for 20 April 2023



8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

The Defendants

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

N/A

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

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

If necessary, please continue on a separate sheet.

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

4

Month

April

Year

2023

### Full name

DANIEL OWEN CHRISTOPHER TALFAN DAVIES

### Name of applicant's legal representative's firm

FIELDFISHER LLP

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

PARTNER

Applicant's address to which documents should be sent.

Building and street

RIVERBANK HOUSE

Second line of address

2 SWAN LANE

Town or city

LONDON

County (optional)

Postcode

E	C	4	R	3	T	T	
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If applicable

Phone number

0330 460 7000

Fax phone number

020 7488 0084

DX number

Your Ref.

otd/uk01.000162.00301

Email


## Application notice

**Take notice that an appointment to fix a date for the Application has been made for**

**DATE: 17 July 2023 AT: 11:00 AM**

**This listing appointment will take place via email, however a listing officer will be available to conduct the listing appointment in person at:  
GROUND FLOOR, THE ROLLS BUILDING, 7 ROLLS BUILDINGS, LONDON, EC4A 1NL**

**If not attending court for the listing appointment, please e-file a letter with your dates to avoid/or availability prior to the above appointment. Alternatively, you can send them via email to [Chanceryjudgeslisting@justice.gov.uk](mailto:Chanceryjudgeslisting@justice.gov.uk).**

<b>Name of court</b> High Court of Justice  Business and Property Courts of England and Wales		 Claim no. PT-2022-000303 07 Jul 2023
<b>Fee account no.</b> (if applicable)	<b>Help with Fees – Ref: no.</b> (if applicable) H W F - PT-2022-000303	
<b>Warrant no.</b> (if applicable)		
<b>Claimant's name (including ref.)</b> (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited Ref: ADP/00162		
<b>Defendant's name (including ref.)</b> Persons Unknown		
<b>Date</b>		7 July 2023

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

Fieldfisher LLP

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?

That, on the Claimants' application for summary judgment made under Part 24 of the Civil Procedure Rules, the Court grant a final injunction in the claim and make an Order for related further directions in the terms of the draft order

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

As per the Order of Rajah J dated 20 April 2023, the interim injunction is to last until 20 October 2023. A hearing well before this date is sought.

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

The Defendants - Claimants to serve

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

N/A

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.

1. The Claimants' application for summary judgment on the claim is made pursuant to Civil Procedure Rule 24 and on the grounds set out in Civil Procedure Rule 24.2(a)(ii) and (b), namely that the Claimants believe, that on the evidence, the Defendants have no real prospect of successfully defending the claim to which this application relates and the Claimants know of no other reason why the disposal of the claim should await trial.

2. The Defendants' attention is drawn to Civil Procedure Rule 24.5(1) in that if the Defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the Claimant at least 7 days before the summary judgment hearing.

3. As at the date of this application, the Defendants have not filed or served an Acknowledgment of Service nor a Defence.

4. The Claimants also consider, in the absence of a further injunction being granted, that there is a real and imminent risk of trespass on the Claimants' sites and / or interference with the private access routes in relation to the Claimants' sites which are the subject of this application.

5. The Claimants are relying on the following witness statements in support of the application, together with those statements previously submitted to the Court and which are referred to in Schedule 1 of the Order of Rajah J dated 20 April 2023:

(a) the Fourth Witness Statement of John Michael Armstrong (and corresponding Exhibit UKOP9) dated 6 July 2023; and

(b) the Third Witness Statement of Peter Davis (and corresponding Exhibit UKOP10) dated 5 July 2023.

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

07

Month

07

Year

2023

### Full name

Faye Sinead Boyle nee Hyland

### Name of applicant's legal representative's firm

Fieldfisher LLP

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

Director



Applicant's address to which documents should be sent.

Building and street

Riverbank House

Second line of address

2 Swan Lane

Town or city

London

County (optional)

Postcode

E	C	4	R	3	T	T	
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If applicable

Phone number

0330 460 7000

Fax phone number

020 7488 0084

DX number

Your Ref.

ADP/UK01-000162.00301

Email

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 and the Order of The Honourable Mr Justice Rajah sealed on 21 April 2023

**UPON** the hearing of the Claimants' Application dated 7 July 2023

**UPON** hearing Katharine Holland KC and Yaaser Vanderman for the Claimants

**AND UPON READING** the evidence recorded on the Court file (and set out in Schedule 1) as having been read

**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 23:59 hrs on 20 October 2028:

(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 3 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 4 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.

**INTERPRETATION OF THIS ORDER**

- 5. 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**

- 6. 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 copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites;
  - (c) Fixing warning notices in the form set out in Schedules 5 and 6 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
  - (d) 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 6(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
7. 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. For the avoidance of doubt, good service will have been effected once the initial posting, fixing and sending has taken place regardless of whether copies of the Order or warning notices are subsequently removed, for example, by the actions of third parties.
8. 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.

**ALTERNATIVE SERVICE PROVISIONS FOR FUTURE APPLICATIONS, ANY OTHER DOCUMENTS, AND ANY NOTICE OF HEARINGS BY THE CLAIMANTS IN THIS CLAIM**

9. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of any future applications, and any other documents, any notice of hearings 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 9(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);

(iii) [info@juststopoil.org](mailto:info@juststopoil.org); and

(iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 9 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 9 above have been completed in respect thereof, 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 in paragraph 9 above shall stand as good service.

### **FURTHER DIRECTIONS**

12. There shall be on or around the anniversary of this Order subject to Court availability for as long as this Order is in force, a hearing to review this final injunction Order with a time estimate of 2.5 hours plus reading time. The Claimants shall liaise with the Court to list any such hearings and provide the Defendants with the notice of hearing as soon as practicable in accordance with paragraph 9 above.
13. The Claimants shall have permission to file and serve any further evidence at least 14 days before the date of any review hearing.
14. The Claimants are to file the bundle for any review hearing not less than 7 days before the date of any review hearing.
15. The Claimants and any Defendants must file with the Court, and exchange to the extent that there are any named Defendants joined to the claim, skeleton arguments along with a bundle of authorities not less than 3 days before the date of any review hearing.

### **COSTS**

16. Costs reserved.

### **COMMUNICATIONS WITH THE COURT**

17. All communications about this Order should be sent to:

Court Manager  
The Business and Property courts of England and Wales  
7 Rolls Building, Ground Floor/Counter 9  
Fetter London  
EC4A 1NL

The telephone number is 020 7947 6690. The offices are open weekdays 10.00 a.m. to 4.30 p.m.

18. 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

Reference: ADP/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: ADP/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 5 April 2023
7. Second Witness Statement of Peter Davis dated 5 April 2023
8. Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023
9. Fourth Witness Statement of John Armstrong dated 6 July 2023
10. Third Witness Statement of Peter Davis dated 5 July 2023



## 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 which is registered at Land Registry under title number WK522590 and marked 3 on the Site 2 Plan.

(together, the "**Sites**")

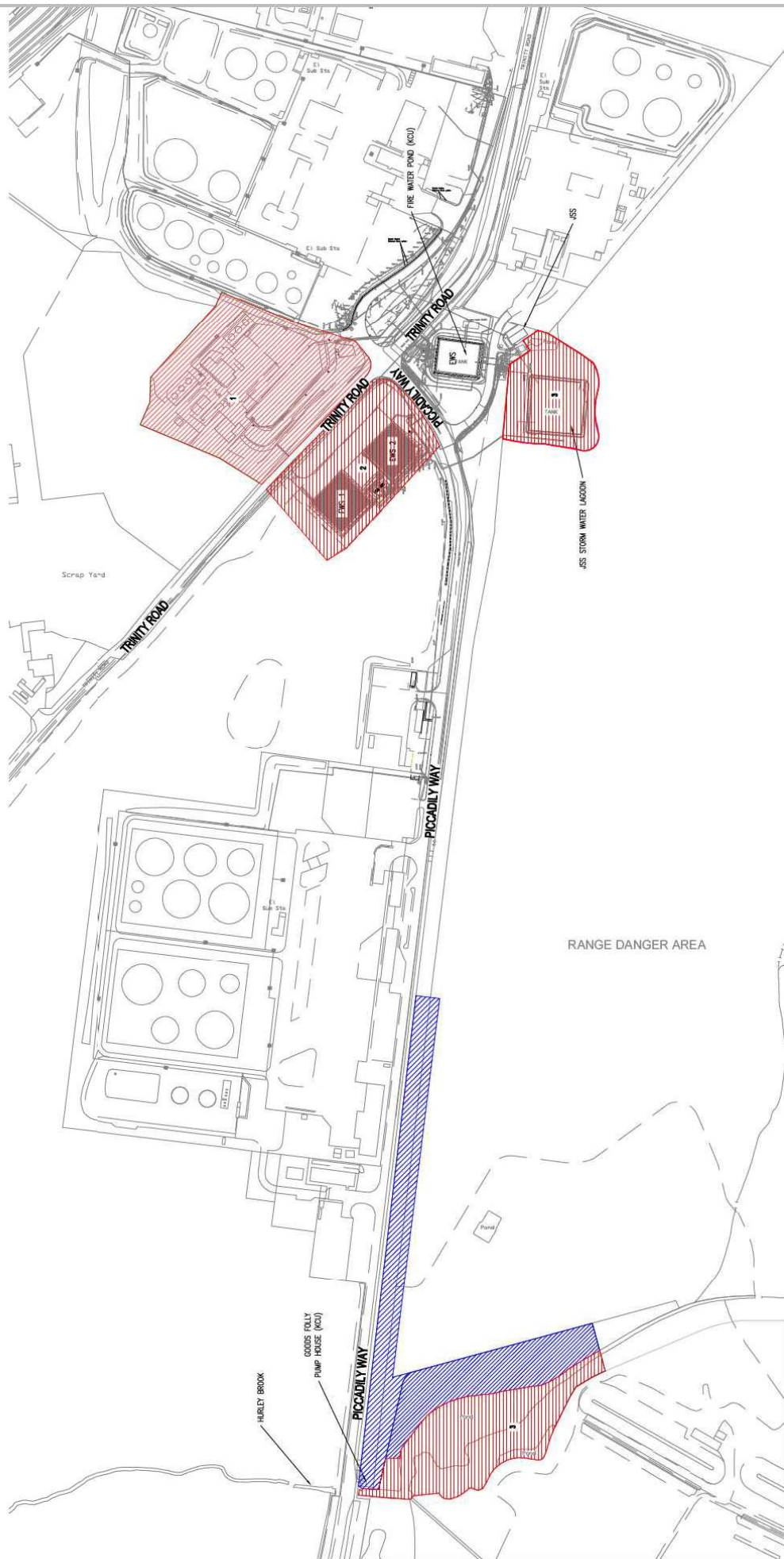
### **SCHEDULE 3**

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



#### **SCHEDULE 4**

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



**SCHEDULE 5**

SEE ATTACHED SITE 1 NOTICE





HIGH COURT CLAIM NO: PT – 2022 – 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED [ ] 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 23:59 HRS ON 20 OCTOBER 2028, 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](mailto:UKOPinjunction@fieldfisher.com))

ANY FURTHER APPLICATIONS, NOTICE OF HEARINGS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto:UKOPinjunction@fieldfisher.com)) and in either case quoting reference ADP/UKOP), using an online file hosting service, the Court documents, witness evidence and exhibits.

**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 6**

SEE ATTACHED SITE 2 NOTICE



HIGH COURT CLAIM NO: PT – 2022 - 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED [ ] 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 23:59 HRS ON 20 OCTOBER 2028, 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.

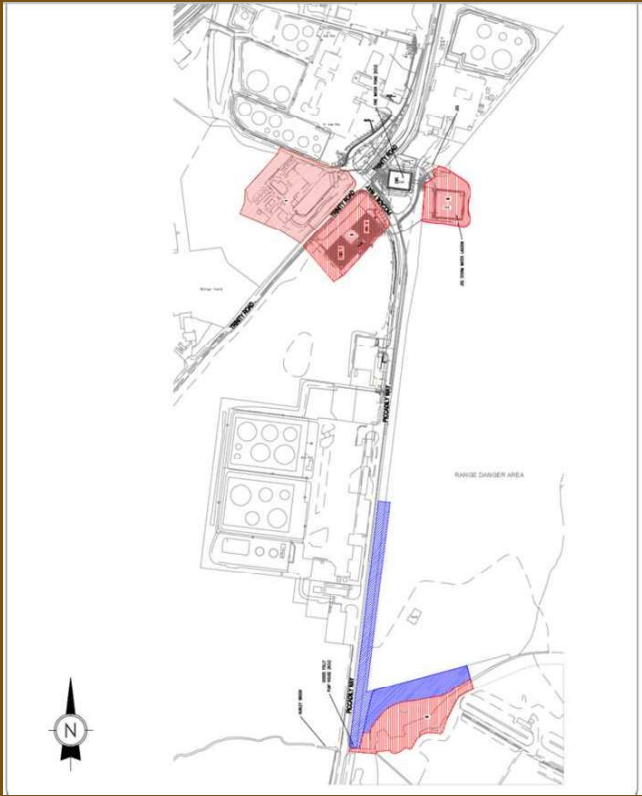
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**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](mailto:UKOPinjunction@fieldfisher.com))

ANY FURTHER APPLICATIONS, NOTICE OF HEARINGS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto:UKOPinjunction@fieldfisher.com)) and in either case quoting reference ADP/UKOP), using an online file hosting service, the Court documents, witness evidence and exhibits.

**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 registered which is registered at Land Registry under title number WK522590 and marked 3 on the plan above.

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 **Rajah J** [ ]

**On 20 April 2023**

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**

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**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 [and the Order of The Honourable Mr Justice Rajah sealed on 21 April 2023](#)

**UPON** the hearing of the Claimants' Application dated 4 April 2023

**UPON** hearing Katharine Holland KC and Yaaser Vanderman for the Claimants

**AND UPON READING** the evidence recorded on the Court file (and set out in Schedule 1) 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 23:59 hrs on 20 October 2023, ~~final determination of this claim or further order in the interim, whichever is the earlier~~2028:

**(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 43 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) ~~(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 54 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.

**INTERPRETATION OF THIS ORDER**

- 5. 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**

6. 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 copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites;
  - (c) Fixing warning notices in the form set out in Schedules [5 and 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
  - (d) 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 6(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
7. 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. For the avoidance of doubt, good service will have been effected once the initial posting, fixing and sending has taken place regardless of whether copies of the Order or warning notices are subsequently removed, for example, by the actions of third parties.
8. 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.

## **ALTERNATIVE SERVICE PROVISIONS FOR FUTURE APPLICATIONS, ANY OTHER DOCUMENTS, AND ANY NOTICE OF HEARINGS BY THE CLAIMANTS IN THIS CLAIM**

9. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of any future applications, [and any other documents, any notice of hearings](#) 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 9(a) above:
- (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
  - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
  - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
  - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 9 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 9 above have been completed in respect thereof, 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 in paragraph 9 above shall stand as good service.

#### **FURTHER DIRECTIONS**

12. [There shall be on or around the anniversary of this Order subject to Court availability for as long as this Order is in force, a hearing to review this final injunction Order with a time estimate of 2.5 hours plus reading time. The Claimants shall liaise with the Court to list any such hearings and provide the Defendants with the notice of hearing as soon as practicable in accordance with paragraph 9 above.](#)
13. [The Claimants shall have permission to file and serve any further evidence at least 14 days before the date of any review hearing.](#)
14. [The Claimants are to file the bundle for any review hearing not less than 7 days before the date of any review hearing.](#)
15. [The Claimants and any Defendants must file with the Court, and exchange to the extent that there are any named Defendants joined to the claim, skeleton arguments along with a bundle of authorities not less than 3 days before the date of any review hearing.](#)

#### **COSTS**

16. ~~12.~~ Costs reserved.

#### **COMMUNICATIONS WITH THE COURT**

17. ~~13.~~ All communications about this Order should be sent to:

Court Manager  
[The Business and Property courts of England and Wales](#)

High Court of Justice  
Chancery Division  
Rolls Building  
7 Rolls Building, Ground Floor/Counter 9  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 ~~7501~~6690. The offices are open weekdays 10.00 a.m. to 4.30 p.m.

~~Out of hours telephone number is 020 7947 6260~~

18. ~~14.~~ 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~~ADP/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~~ADP/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 5 April 2023
7. Second Witness Statement of Peter Davis dated 5 April 2023
8. Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023
9. [Fourth Witness Statement of John Armstrong dated \[ \] 2023](#)
10. [Third Witness Statement of Peter Davis dated \[ \] 2023](#)



## 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 which is registered at Land Registry under title number WK522590 and marked 3 on the Site 2 Plan.

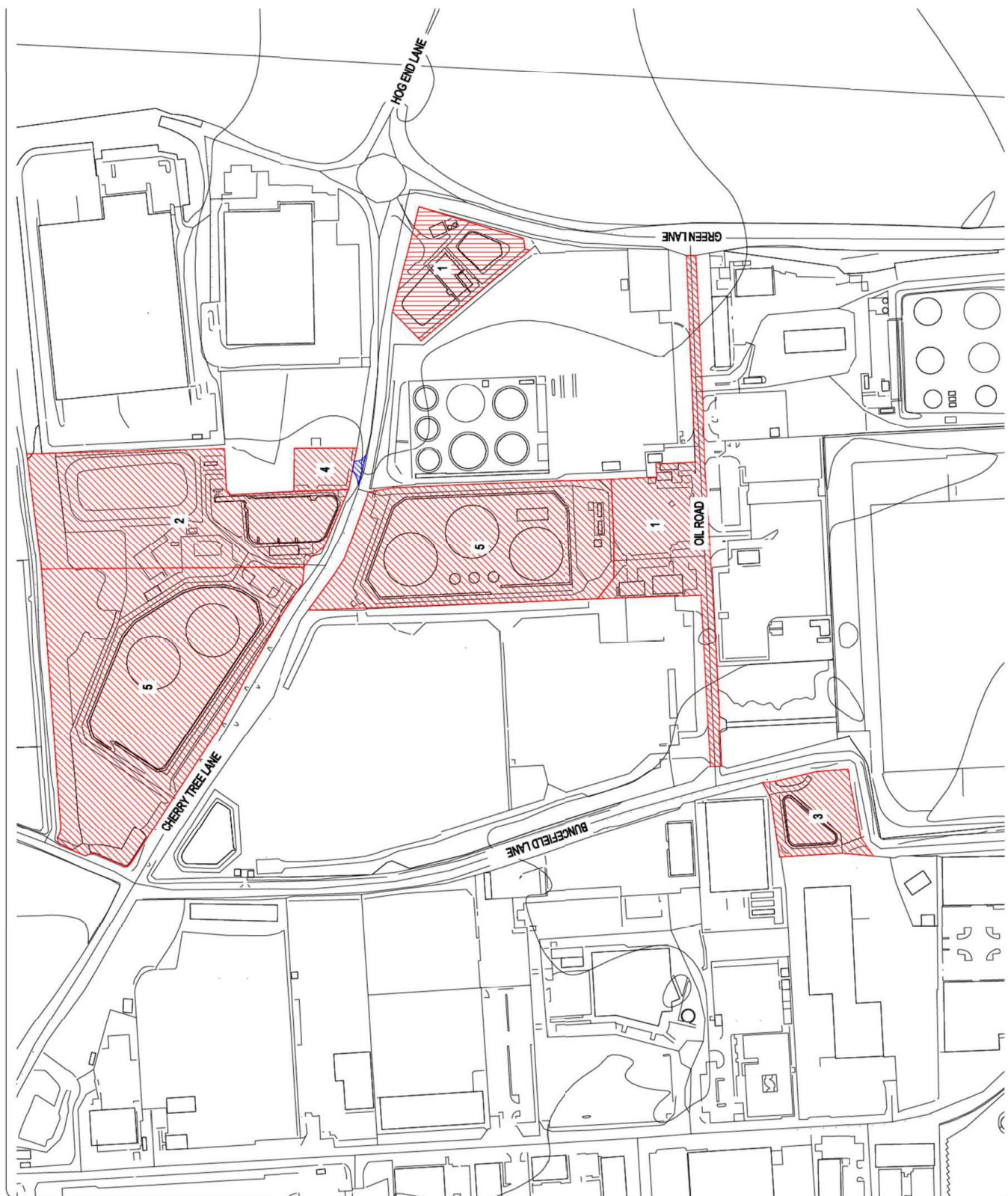
(together, the "**Sites**")

### 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.~~

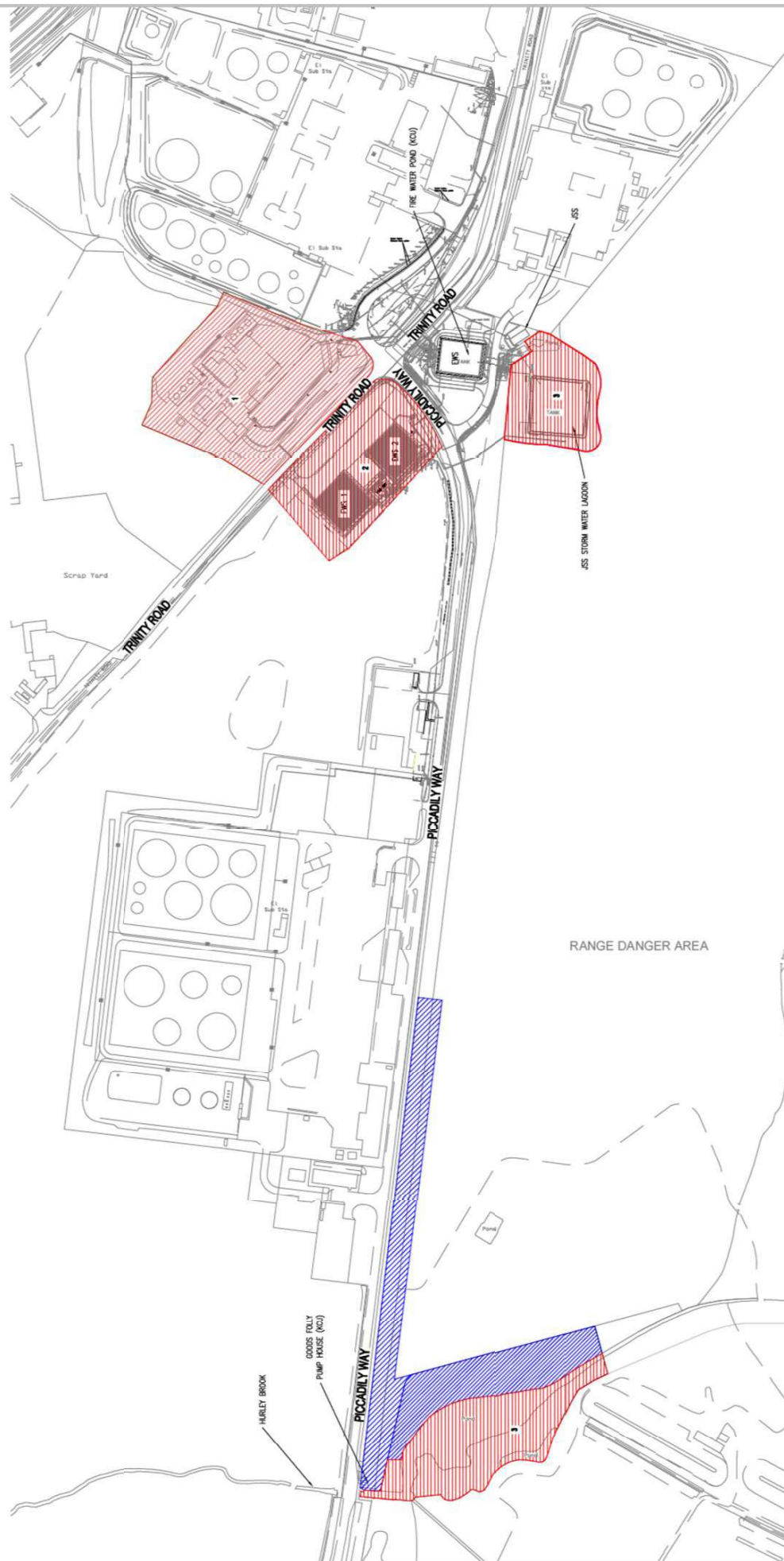
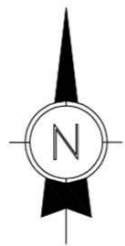
#### **SCHEDULE 4**

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



**SCHEDULE 54**

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



**SCHEDULE 65**

SEE ATTACHED SITE 1 NOTICE

**SCHEDULE ~~7~~6**

SEE ATTACHED SITE 2 NOTICE



<b>Summary report:</b> <b>Litera Compare for Word 11.2.0.54 Document comparison done on</b> <b>21/09/2023 12:35:13</b>	
<b>Style name:</b> Default Style	
<b>Intelligent Table Comparison:</b> Active	
<b>Original filename:</b> Final Draft Order for Return Date Hearing- 20.04.2023 - 111115985_1.docx	
<b>Modified filename:</b> DRAFT Draft Order for Summary judgement application- dated 06.07.23 - 112413947_3.docx	
<b>Changes:</b>	
Add	53
Delete	40
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	2
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	<b>95</b>

## Application notice

For help in completing this form please read the notes for guidance form N244Notes.

## Notice of hearing

Application will be heard at 7 Rolls Buildings,  
London, EC4A 1NL  
Date: 3 day window 3/10/2023  
Time: TBC  
Court:TBC

<b>Name of court</b> High Court of Justice  Business and Property Courts of England and Wales		Claim no. PT-2022-000303 07 Jul 2023	
<b>Fee account no.</b> (if applicable)		<b>Help with Fees – Ref. no.</b> (if applicable)	
		H W F - PT-2022-000303	
<b>Warrant no.</b> (if applicable)			
<b>Claimant's name</b> (including ref.) (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited  Ref: ADP/00162			
<b>Defendant's name</b> (including ref.) Persons Unknown			
<b>Date</b>		7 July 2023	

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

Fieldfisher LLP

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?

That, on the Claimants' application for summary judgment made under Part 24 of the Civil Procedure Rules, the Court grant a final injunction in the claim and make an Order for related further directions in the terms of the draft order

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?

Is this time estimate agreed by all parties?

- Hours       Minutes  
 Yes       No

7. Give details of any fixed trial date or period

As per the Order of Rajah J dated 20 April 2023, the interim injunction is to last until 20 October 2023. A hearing well before this date is sought.

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

The Defendants - Claimants to serve

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

N/A

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.

1. The Claimants' application for summary judgment on the claim is made pursuant to Civil Procedure Rule 24 and on the grounds set out in Civil Procedure Rule 24.2(a)(ii) and (b), namely that the Claimants believe, that on the evidence, the Defendants have no real prospect of successfully defending the claim to which this application relates and the Claimants know of no other reason why the disposal of the claim should await trial.

2. The Defendants' attention is drawn to Civil Procedure Rule 24.5(1) in that if the Defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the Claimant at least 7 days before the summary judgment hearing.

3. As at the date of this application, the Defendants have not filed or served an Acknowledgment of Service nor a Defence.

4. The Claimants also consider, in the absence of a further injunction being granted, that there is a real and imminent risk of trespass on the Claimants' sites and / or interference with the private access routes in relation to the Claimants' sites which are the subject of this application.

5. The Claimants are relying on the following witness statements in support of the application, together with those statements previously submitted to the Court and which are referred to in Schedule 1 of the Order of Rajah J dated 20 April 2023:

(a) the Fourth Witness Statement of John Michael Armstrong (and corresponding Exhibit UKOP9) dated 6 July 2023; and

(b) the Third Witness Statement of Peter Davis (and corresponding Exhibit UKOP10) dated 5 July 2023.

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

07

Month

07

Year

2023

### Full name

Faye Sinead Boyle nee Hyland

### Name of applicant's legal representative's firm

Fieldfisher LLP

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

Director

Applicant's address to which documents should be sent.

Building and street

Riverbank House

Second line of address

2 Swan Lane

Town or city

London

County (optional)

Postcode

E	C	4	R	3	T	T	
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If applicable

Phone number

0330 460 7000

Fax phone number

020 7488 0084

DX number

Your Ref.

ADP/UK01-000162.00301

Email

## C. Orders

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**UNITED KINGDOM OIL PIPELINES LIMITED AND WEST LONDON PIPELINE AND  
STORAGE LIMITED**

**V PERSONS UNKNOWN**

**CLAIMANTS' SOLICITORS NOTE OF HEARING AND JUDGMENT OF PETER KNOX  
QC SITTING AS A DEPUTY JUDGE OF THE CHANCERY DIVISION**

**DATED 8 APRIL 2022**

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**This note has not been produced, issued or approved by the High Court. This note has been produced on the direction of Peter Knox QC sitting as a Deputy Judge of the Chancery Division and constitutes the Claimants' solicitors' note of the hearing of an interim injunction application that was heard by the High Court on 8 April 2022.**

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Katharine Holland QC and Yaaser Vanderman appeared for the Claimants.

**1. The Hearing**

- 1.1 The Judge confirmed that he had read the Claimants' Skeleton. He confirmed that he had read both witness statements of Mr Davis and Mr Armstrong.
- 1.2 Leading Counsel for the Claimants confirmed that she had provided the Judge with the following documents in addition:
  - (a) The updated draft Order;
  - (b) A third witness statement of the instructing solicitors; and
  - (c) the Notices that are the missing Schedules in the draft Order
- 1.3 Leading Counsel confirmed that notice of the Hearing was communicated to Extinction Rebellion and Just Stop Oil via email at 6.27am and 6.28am that day and details of the notice given were provided in the witness statement of the instructing solicitors. Leading Counsel confirmed that UKOP3 was the exhibit to the instructing solicitors' witness statement comprising the emails giving notice.
- 1.4 The Judge's clerk confirmed that no Persons Unknown were waiting outside the Court.
- 1.5 Leading Counsel proceeded to take the Judge through the title issues and confirmed that the interests in Site 1 were summarised at paragraph 2.3 of the Skeleton. It was confirmed that the First Claimant is the registered proprietor of three registered freehold titles, the registered proprietor of one leasehold title and also has a leasehold right of way over a private access route. The Second Claimant is the registered proprietor of a further freehold title. Details are set out in paragraphs 24 to 28 of the Witness Statement of Peter Malcolm Davis dated 7 April 2022 at Section B, page 31 of the bundle.



- 1.6 Leading Counsel referred the Judge to the official copies of the title registers of those interests at Section B, page 6, Section B, page 11, Section B, page 16 and Section B, page 20 of the bundle and confirmed that details in relation to the right of way were at page 26 and page 42 of the bundle. The Second Claimant's freehold title is at page 116, which is another parcel of land in Site 1. Leading Counsel confirmed that this is set out at paragraph 24 of Mr Davis' Witness Statement.
- 1.7 Leading Counsel referred the Judge to page 6 of the new draft Order, where Site 1 is shaded red. It was confirmed in response to the Judge's query that this plan is of the entirety of the Buncefield interest and within the site, the various plots within the Claimants' ownership are numbered.
- 1.8 Leading Counsel confirmed in response to the Judge's query that the main entrance to Site 1 is off Green Lane and that this is where activity had taken place.
- 1.9 Leading Counsel confirmed in response to the Judge's query that there had been a number of arrests made that day at Kingsbury but that she did not have an update in relation to Buncefield, however, Mr Armstrong's statement was up to date as of the previous night.
- 1.10 Leading Counsel confirmed that the main entrance was at Green Lane and the entrance at the other side was closed off. Leading Counsel confirmed that the Claimant are only seeking injunctive relief in relation to the enclosed plot of land and not relief for anything related to the public highways.
- 1.11 Leading Counsel confirmed in response to the Judge's query that Oil Road was a private road within the freehold interest of the First Claimant and that is why it is shaded in red. The Judge was referred to paragraphs 24 - 28 of Mr Davis' statement (Section A, page 31 of the Bundle), for a description of the site access road and it was confirmed that the Site 1 Access Route, as defined, was coloured blue on the Site 1 Plan.
- 1.12 The Judge queried the relevance of the Site 1 Access Route and Leading Counsel submitted that what was of concern was that the apprehended risks in relation to other areas of the plan apply equally to areas including the site access.
- 1.13 Leading Counsel confirmed in response to the Judge's query that so far there had been no problems in relation to the land coloured blue on the Site 1 Plan but that protection was sought to avoid access to the public highway being blocked. Leading Counsel referred the Judge in response to the Judge's query to the access to the M1 on the Site 1 Plan and confirmed the route taken by tankers from the site.
- 1.14 In relation to the Kingsbury site (site 2), Leading Counsel confirmed a correction to the Skeleton, on the third line of paragraph 2.6 at page 3. The reference should simply be to the proprietor of the leasehold title awaiting registration.
- 1.15 Leading Counsel confirmed that the conveyance for the unregistered Warwickshire title, which is referenced at the beginning of paragraph 2.6 of the Skeleton can be found in Section B, page 129 of the bundle. The Judge was referred to Section B, page 135 of the bundle for the office copy entry for the registered freehold title owned by the First Claimant and to Section B, page 146 for the lease that is awaiting registration at the Land Registry. The leasehold right of way can be found in paragraph 2 of Section B, page 154 of the bundle.
- 1.16 Leading Counsel confirmed in response to the Judge's query that at the time of grant of this leasehold interest it would be known that the land was intended for this use.
- 1.17 The Judge was referred to the private access route on the Site 2 Plan shaded blue. The Judge was also referred to Section A, page 30 of the bundle which provides a description of the site and to Section A, page 32 on paragraph 33 which describes the access route.

- 1.18 Leading Counsel confirmed in response to the Judge's query that Section A, page 34, paragraph 47 of Mr Davis' Witness Statement confirms that the main access to site 2 is via Piccadilly Way which then leads on to the private access road serving the main site and terminal facilities in the north of site.
- 1.19 Leading Counsel confirmed in response to the Judge's query that the parcel of land numbered 3 is described at Section A, page 33 at paragraph 46 of Mr Davis' Witness Statement.
- 1.20 Leading Counsel confirmed in response to the Judge's query that the activity complained of taking place at Kingsbury was within the oil terminals themselves and within the public highways, there had been no actual trespassers within the boundaries of the site.
- 1.21 Leading Counsel referred the Judge to Section A, page 30, at paragraph 20 for a description of the site and confirmed that the land numbered 2 was fire ponds to deal with the risk of fires and site 3 comprised a water lagoon and a fire pond.
- 1.22 Leading Counsel confirmed in response to the Judge's query that the activity of the campaigners had occurred in the terminal areas; trespassing on adjacent sites and activity at public highways even though entry to Site 2 had not been obtained. It was confirmed in response to the Judge's query that the concern was that the individuals in question would move away from the current areas and to the central control area marked 1 on Site 2.
- 1.23 Leading Counsel referred the Judge to the evidence in relation to Kingsbury Site 2 as referred to in Mr Armstrong's Witness Statement where events are set out. Mr Armstrong describes the issues relating to the Kingsbury site at paragraphs 21 - 42 of his statement. In those paragraphs he sets out where the risks arise in relation to those areas. Furthermore, details of direct action are from page 44 onwards.
- 1.24 Leading Counsel confirmed that individuals had been blocking the main entrance and confirmed in response to the Judge's query as to where the main entrance was, that this was where Piccadilly Way meets Trinity Road and referred the Judge to photographs at Section B, pages 257 - 272. Page 257 was referenced in order to show the entrance where activity had taken place. Leading Counsel confirmed that the photograph in Section B, page 262 is described as being "near Kingsbury Oil Terminal" which applies to the land which the Claimants have an interest in.
- 1.25 The Judge stated that his impression was that the reference to Kingsbury Oil Terminal was being used not to refer to the Claimants' plots of land, but the place where the tankers are.
- 1.26 Leading Counsel submitted that the individuals were near the vicinity of the Claimants' land and that the activities of the campaigners relates to the site as a whole including the Claimants' interest. The Judge was referred to Section B, page 286 for a photograph of the activities at the site. Leading Counsel confirmed in response to the Judge's query that most of the photographs were from newspaper articles, the one at 286 being from the Mail Online (from page 279 onwards).
- 1.27 The Judge referred to many of the photographs having copyright Extinction Rebellion and Just Stop Oil on them suggesting that they had been taken by individuals of those groups and then provided to the press for the benefit of their campaigns.
- 1.28 The Judge was referred to page 279 of the bundle and to the headline of that article which refers to "*critical oil facilities at Kingsbury terminal*" and Leading Counsel submitted that this was the sort of evidence that proves that there is general disruption to the facility and not in one specific area in relation to tankers. Leading Counsel also submitted that this evidence also suggests the actions of the campaigners relate to all facilities in relation to oil sites.

- 1.29 The Judge stated that what appeared to be happening is that the campaigners were not trespassing at any relevant land but instead were causing a nuisance to the oil terminal as opposed to causing a nuisance at the particular plots of land owned by the Claimants.
- 1.30 Leading Counsel indicated that this was a site with different titles but submitted that the whole site was at risk due to the activities. Leading Counsel also submitted that the Claimants' facilities were fundamental to the pipeline and just as much at risk as the campaigners were not distinguishing between areas, meaning that the whole site was at risk.
- 1.31 The Judge indicated that this may be a matter of how the order is phrased and what the defendants are prevented from doing. He requested the evidence that showed that by causing trouble and being a nuisance to the main depot, the campaigners were jeopardising or potentially jeopardising the operations carried out by the Claimants at their sites.
- 1.32 Leading Counsel submitted that there was a conglomeration of evidence of the campaigns causing disruption to the oil industry and that whilst blocking tankers may not affect the operations of terminal, the campaigners are not just trying to stop tankers, they are also presenting risks to infrastructure. Leading Counsel submitted it would be useful to look at the totality of the activities to show the kind of activity that presents a risk to all sites.
- 1.33 The Judge stated that there was evidence of trespass in relation to Buncefield Site 1 but he wished to be told about how the activities carried out by Extinction Rebellion at Kingsbury Site 2 were causing or likely to cause risks at the particular sites which the Claimants control.
- 1.34 Leading Counsel referred the Judge to the following evidence of disruption:
- (a) Last Friday there was the prevention of oil tankers from leaving the site at Kingsbury;
  - (b) by 3 April 2022, there were 54 arrests;
  - (c) Section A, page 44 at paragraph 45 set out these events in detail including: *"on 5 April 2022, 20 activists from Just Stop Oil again blocked the entrance to the terminal by sitting in the road with banners at the gate which they said was causing tankers to be turned away. The group claimed that five people had been arrested, whilst those remaining were either glued to the road or locked on – and a roadblock was also established on a tanker route to and from the terminal near Junction 9 on the M42. Warwickshire Police said that a total of eight activists had been arrested, bringing the total across the 10 sites affected to 283 pages 279-288 of UKOP2 in the bundle; and*
  - (d) *on 7 April 2022, Just Stop Oil tweeted that from 00:40am on 7 April 2022 there were supporters of Just Stop Oil blocking the entrance to Site 2. They also claimed that they had protestors inside the Kingsbury oil terminal (but which does not comprise part of Site 2), and that they 'seem to have free rein of this place' pages 289-291 of UKOP2 in the bundle."*
- 1.35 The Judge queried how the Claimants' sites were affected by the actions when the Claimants were not the owner of the oil tankers / depot.
- 1.36 Leading Counsel submitted that photographs in the evidence show that the campaigners do not distinguish between the different titles within the site – the campaigners are not just interested in terminals, they are interested in gaining access to all sorts of oil-related infrastructure. Leading Counsel submitted that the Claimants may bring a cause of action for quia timet relief which means that the Claimants would be entitled to injunctive relief based purely on a threat from campaigns in the absence of activity.

- 1.37 The Judge stated that this may assist because he did not see how stopping oil tankers from leaving the depot would cause nuisance to the Claimants' land.
- 1.38 Leading Counsel submitted that the evidence in relation to the site shows that it is not about purely disrupting oil tankers. The campaigners are willing to go further. Their movement is about stopping oil facilities at targeted sites beyond the oil terminal. Leading Counsel referred the Judge to the following references showing disruption around the site generally: in Section B, page 280, this article reports on how the campaigners bolt tunnels "*at the Navigator Oil terminal*" in Essex; Section B, page 281 shows campaigners at another location at Kingsbury Oil Terminal; Section B, page 286, shows another photo in the vicinity of the site including the Claimants' properties; and Section B, page 289, shows individuals within the actual facilities on 7 April 2022.
- 1.39 Leading Counsel submitted that the evidence shows that in addition to blocking tankers, the campaigners are gaining access into the actual facilities. So their activities do risk disrupting the activities of the Claimants. The Judge was referred to the tweet of Just Stop Oil in which they state "*we seem to have free reign of the place.*" In response to the Judge's query, Leading Counsel confirmed that the Navigator terminal was a completely different site and the claim was essentially that whilst the campaigners may have gone for tankers so far, that doesn't mean that they will stop at that.
- 1.40 The Judge requested examples demonstrating that the activities of those involved in direct action are declaring an intention to cause nuisance. Leading Counsel referred the Judge to the extracts in Section A of the bundle at page 44, paragraph 46. The Judge noted the proximity of the date and that there was a blockade that day in Tower Bridge.
- 1.41 Leading Counsel referred the Judge to two specific references at Section A, page 45 of the bundle which sets out how the spokesperson for Extinction Rebellion claimed that Extinction Rebellion had "*held three locations three locations of strategic importance to the UK's energy network*" and submitted that this was demonstrative of it not just being about blocking tankers. Another example on the same page relates to how ExxonMobil had to shut down operations at Hythe, Birmingham, Purfleet and West London terminals due to direct action.
- 1.42 Leading Counsel confirmed that the incidents had occurred last Friday and that there was a reference to shutting down operations. The Judge was then referred to page 46 "*on 4 April 2022, it was reported that activists were planning weeks of disruption across Britain, including using a network of secret tunnels at the Navigator Oil Terminal in Thurrock and Grays oil terminals in Essex to frustrate the operations of key oil facilities*" being a reference to disruption generally by creating secret tunnels to cause disruption in key oil facilities.
- 1.43 Leading Counsel confirmed in response to the Judge's query that inferences could be drawn that as this is all effectively a campaign by Extinction Rebellion to cause maximum disruption in the very near future by whatever means they think are justified they could therefore cause disruption to the Claimants' sites because they are planning big and not limiting their activity to oil tankers.
- 1.44 Leading Counsel directed the Judge to Section A, page 42 at paragraph 43, to demonstrate the breadth of the activities and to Section B, page 195 where there is a reference to Just Stop Oil's Frequently Asked Questions as posted on their website and in which they specifically indicate, under the heading of "*What are you going to do?*", to their intention "*to take part in Non-Violent Direct Action targeting the UK's oil and gas infrastructure should the Government fail to meet our demand by 14 March 2022.*" Leading Counsel submitted that the key emphasis is that they are willing and intending to go after oil infrastructure which would extend to the activities of the Claimants.
- 1.45 Leading Counsel referred the Judge to Mr Davis' Witness Statement, in Section A, page 33 of the bundle which, at paragraph 5, sets out the significance of Site 2 in that it "*houses the central control*

*centre which operates the UKOP Stanlow to Kingsbury Pipeline, the UKOP Kingsbury to Buncefield Pipeline, the UKOP Thames to Kingsbury Pipeline and the WLP SL storage site and WLP SL pipelines for Heathrow and Gatwick Airports providing all control and safety monitoring functions".* Leading Counsel submitted that when considering this matter, the Court may be mindful of considering the risk to the Claimants' properties with reference to the gravity of the consequences if disruption were to occur.

- 1.46 The Judge queried whether there were pipelines at Site 2 in relation to which Leading Counsel confirmed that there were pipelines feeding the terminal and Section A, page 41, paragraph 35, of the bundle answers this question directly.
- 1.47 Leading Counsel referred the Judge to Section B, page 313 where there is a reference to the police warning people to avoid the areas where there is activity generally which would include the Claimants' properties.
- 1.48 The Judge indicated that there is a difference between stopping tankers and getting through and disrupting infrastructure in response to which he was referred by Leading Counsel to the top of Section B, page 334, where there is a reference to the campaigners forcing the shut down of ExxonMobil's oil operations. Leading Counsel submitted that the activity is not just about blocking tankers.
- 1.49 Leading Counsel referred the Judge to the evidence in relation to the tunnelling in Section B, pages 370 – 373 of the bundle. The Judge stated that this evidence all goes to the urgency point and that it indicated that there was a particular time that this activity will take place which is this week and this evidence is quite material for the Claimants.
- 1.50 The Judge indicated that he did not need to be addressed in relation to the law because he had read Leading Counsel's skeleton argument. Leading Counsel indicated that she wanted to cover the test which needed to be satisfied in section 12 of the Human Rights Act which the Judge confirmed would be helpful to go through. Leading Counsel indicated half an hour would be needed and the stages of the test had been addressed in the Skeleton.
- 1.51 The Judge stated that he wanted to address an issue in relation to the Defendants identified in the draft Order. He indicated that the Order seemed odd in that you have a first and a second defendant who is persons unknown but the purpose of the injunction is to affect anybody who finds out about the injunction and thus becomes liable not to breach it. The Judge queried whether this was standard wording in this type of action.
- 1.52 Leading Counsel submitted that she and Junior Counsel practiced in this area so had seen how this issue had evolved. She confirmed that there had been orders made in the last few days, particularly, 2 days ago in which Leading and Junior Counsel appeared in front of Mrs Justice Ellenbogen in the Queens Bench division and the Defendants were framed/labelled in the same way. Leading Counsel confirmed that there is no standard precedent but that is the sort of terminology that has started to be acceptable as derived from the case law.
- 1.53 In relation to the cross undertaking in damages, the Judge queried why he should assume that the Claimants are in a position to pay. Leading Counsel referred the Judge to Section A, page 57 of the bundle (the Witness Statement of Mr Armstrong) where the issue of the cross undertaking is discussed.
- 1.54 The Judge queried whether there were any accounts or evidence to demonstrate that the Claimants could meet the undertaking. Leading Counsel referred the Judge to Section A, page 29, paragraphs 12-13 of the bundle where the Claimants are described and confirmed there are no charges on any of the property titles held by the Claimants and the evidence was before the Court of the particular importance of the infrastructure which the Claimants hold.

- 1.55 Leading Counsel confirmed that in respect of section 12 of the Human Rights Act in relation to whether to grant injunctive relief, the Claimants seek to rely on both grounds; namely that:
- (a) the applicant has taken all practicable steps to notify the respondent; and
  - (b) that there are compelling reasons why the respondent should not be notified
- 1.56 Leading Counsel submitted that the Claimants had taken all practicable steps as demonstrated by the emails exhibited to the instructing solicitors' witness statement. The Judge queried whether the emails were as far as notice goes and Leading Counsel confirmed this was the case and submitted that this was all practicable steps because it wasn't known who these people were.
- 1.57 The Judge queried why the emails were not sent the previous day or why notification wasn't given of the intention to apply for an injunction before everything was ready. Leading Counsel submitted that the Claimants wanted to get everything ready and finalised before giving notice and that page 2 of UKOP3 confirmed exactly what was said by way of notice.
- 1.58 The Judge queried again why notice was not given the previous day or confirmation given of the intention to go to Court. Leading Counsel submitted that the Claimants did not know until later in the day what time the hearing would be and the test the law sets out says "*practicable*". What was practicable in this instance was for the Claimants to notify the Respondents when they were ready and when the details of the injunction application were known, so that is practicable. That test did not require the Claimants to take all practical steps.
- 1.59 The Judge queried why the Respondents should not be notified and Leading Counsel submitted that there was a fear that if it was known that the Claimants were going to Court, that the disruption would be escalated and cause even more risk to the sites. The Judge confirmed that the Claimants' submission was that the compelling reason not to notify until closer to the date and time of hearing was to avoid a flood of protestors who might have escalated direct action.
- 1.60 Leading Counsel referred the Judge to tab 6, page 48 of the bundle, paragraphs 63 - 67 and asked the Judge to read the same.
- 1.61 The Judge queried whether the steps identified at paragraph 64(c) had been carried out and Leading Counsel confirmed that this was the case.
- 1.62 The Judge queried whether the Claimants would take the point that this injunction does not affect freedom of expression as the respondents could do what they want as long as it does not impact the Claimants' private land.
- 1.63 Leading Counsel submitted that section 12(2) of the Human Rights Act – (a) and (b) are alternatives. The Claimants only need to satisfy one but on their submissions satisfy both.
- 1.64 Leading Counsel confirmed that the section 12(3) point is that the Court is being asked to find that the Claimants are likely to succeed at trial and that is why it has been put in that way at paragraph 11.2 of the Skeleton. She submitted that assuming section 12(3) arises at a final trial, the Court is being asked to find that quia timet relief is likely to be granted.
- 1.65 The Judge queried whether section 12(3) is the position generally to which Leading Counsel confirmed that it was and that there were some references to it in cases in the bundle of authorities.
- 1.66 The Judge made a number of comments in relation to the draft Order. He stated that the reference to Defendant should be plural and queried whether the Order contained interpretation wording as to the meaning of defendant in relation to which he was referred by Leading Counsel to paragraph 11 of the draft Order.

- 1.67 Leading Counsel confirmed that the names of Leading Counsel and Junior Counsel would need to be inserted into the recitals.
- 1.68 The Judge stated that in a persons unknown case, you would expect a clause that would say people who know about this Order will be liable to comply and that if a member of Extinction Rebellion committed trespass and did not know of the Order, they could not be in breach. Leading Counsel submitted that that individual would know about the Order because there is a deemed method of service.
- 1.69 It was agreed that the third witness statement (of the instructing solicitors) needed to be added to schedule 1.
- 1.70 The Judge was invited to choose a return date after the Easter vacation which ends on 26 April 2022. The Judge stated that this was a long time away and it was agreed that the issue of the date would be returned to.
- 1.71 The Judge stated that the "*court documents*" referred to in the Order should include a transcript, or at least a note of the hearing.
- 1.72 It was agreed that the recitals should refer to the Claimants acknowledging that they do not intend to prohibit lawful protest as opposed to confirming.
- 1.73 The Judge stated that the references to sites 1 and 2 in the draft Order were confusing and should instead refer to Buncefield Site 1 and Kingsbury Site 2. In relation to the first injunction the Judge stated that and / or should be removed and the alternatives provided for. In relation to the second injunction the Judge stated that the Order should refer to obstructing or interfering. It was agreed that these amendments would need to be replicated for both sites.
- 1.74 The Judge stated that the variation provision should be amended to provide for 12 hours and 6 hours respectively instead of 24 and 12 hours.
- 1.75 It was agreed that the time estimate for the return date should be 3 hours and that further evidence should be filed 3 working days before the hearing by 4.30pm?
- 1.76 Leading Counsel confirmed the intended service provisions and confirmed that the court documents and hearing court bundle would be affixed at two locations around the perimeter of each site. It was agreed that the locations should be prominent.
- 1.77 Leading Counsel confirmed that the web link reference would be inserted into the draft Order where indicated and that there was a notice for each site behind schedules 6 and 7 which were included in the new draft Order provided to the Judge. Leading Counsel confirmed that the claim number and the date would need to be inserted into the notice.
- 1.78 The Judge stated that the notices would need to be altered given the amendments made to the terms of the Order and Leading Counsel confirmed that the amendments would need to be followed through.
- 1.79 The Judge queried whether the red and blue shading in the plans had been identified and explained which Leading Counsel confirmed was the case.
- 1.80 Leading Counsel confirmed that the site notices could be affixed at the sites in A3 size straight away and in about 2 weeks' time could be affixed in size 1 x 1.5 m.

- 1.81 In response to the Judge's query as to whether a bigger size notice could be affixed straight away it was agreed that the notices could be increased to A2 size and wording would be added to the draft Order to provide for this increase in size.
- 1.82 In relation to the return date the Judge indicated that he would like it to be around 27 April time and Leading Counsel confirmed that she and Junior Counsel were unavailable on that date. It was agreed that there would be short adjournment until 3.15pm during which time enquiries as to the date could be made and following which the Judge would give a short judgment.
- 1.83 Leading Counsel confirmed that the Claimants would be requesting a transcript of the hearing and that a revised Order would be sent to the Judge as soon as possible following judgment.

*[Court adjourned until 3.15pm]*

*[Hearing recommenced at 3.15pm]*

## **2. Judgment of Peter Knox QC sitting as a Judge of the Chancery Division**

This is my judgment. An ex parte application was brought by the Claimants for an interim injunction to restrain the Defendants from entering premises and interfering with private access routes. Notice to the Respondents was given this morning. The notice was given by email.

The Respondents, Extinction Rebellion and Just Stop Oil, are the principal campaign groups that directly targeted the sites in question from 01 April, it is anticipated that there will be further action.

Extinction Rebellion is often referred to in the national press and is a well-known movement.

Just Stop Oil is a youth protest group who engage in non-violent civil disobedience through strikes boycotts, mass protests and disruption.

The first Claimant United Kingdom Oil Pipelines Limited owns the oil pipeline administered by the British Pipeline Agency. The pipeline transports 6 billion litres of oil a year and consists of two pipelines.

The second Claimant, West London Pipeline and Storage Limited, is a related company that stores fuel and transports it to Heathrow, Gatwick and Luton Airports.

There are 2 properties that are the subject of this application.

The first property is land near Cherry Tree Lane in Hemel Hempstead. This is known as the Buncefield Terminal. The First Claimant owns freehold land and a long-term leasehold interest that has right of way over an access way. The Second Claimant owns a freehold interest.

According to the evidence, the Buncefield Terminal has the largest storage capacity in the UK. It receives product from the pipeline operation and it provides loading facilities. It enables storage and batching of aviation fuel for transmission to Gatwick/ Heathrow airports. According to the evidence, this terminal is of key strategic importance to the UK itself and the Heathrow, Gatwick, Luton airports depend on it to maintain operations. The Buncefield site consists of offices, pipeline reception facilities etc. The main entrance is gated but the gates need to be open permanently. This entrance leads out via the access way and public road to the M1. There are other accesses but these are permanently closed.

The Kingsbury Oil Terminal, is the second site in question and it consists of a series of plots. The oil depot which is not owned by the Claimants, serves as a supplier to multiple airports. The east plots are owned by UKOP and they consist primarily of a central control centre which operates certain pipelines.



The application has been prompted by the following events which, on the basis of evidence before me, were posted by the Defendants' campaigners.

These activities are dealt with in John Armstrong's Witness Statement made yesterday and I can summarise what he says in paragraph 44 of that statement. The Buncefield site was one of 10 facilities targeted by individuals carrying out direct action. They forced the closure of Green Lane which is one of the entrances to the site. On 03 April Buncefield Terminal was targeted, Just Stop Oil protestors caused damage to the perimeter fences which form part of the site. On 3 April 2022 according to a police report, individuals blocked access to the site. This is an ongoing campaign, and direct action is only going to ramp up.

On 4 April 2022, it was reported that 41 arrests were made. According to police, protestors put themselves, site workers and emergency service workers in danger.

As for the Kingsbury site, this too is subject to direct action. On 1 April, campaigners were preventing oil tankers from accessing the oil terminal. I state here that this is not entirely accurate because it talks about action taken at the oil depot itself not outside the land owned by the Claimants. It is action taken against owners of another piece of land which is nearby to the Claimants' land.

On 5 April, 20 activists again blocked the entrance to the terminal depot that is not owned by the Claimants. It seems that a total of 8 campaigners were arrested.

On 7 April, supporters of Just Stop Oil were inside Kingsbury Oil Terminal.

Mr Armstrong goes on to set out a number of instances which occurred at other terminals over the last 7 days. Members of the group blocked 10 oil terminals. It was reported that Andy Smith stated that they "*held*" 3 locations of strategic importance. A particular point is that ExxonMobil had to shut down terminals due to indirect action.

On 4 April, it was reported that activists were planning disruption using tunnels to frustrate activities of key and essential oil infrastructure. On 5 April, the Times newspaper reported that supporters had dug a secret network of tunnels. According to a further website entry from Extinction Rebellion, individuals were encouraging people to book time off work to continue civil disobedience. The stated intention was to grind the capital to a halt and cause maximum disruption.

The Claimants, in light of all this evidence, say that they need urgent injunctions to restrain continuation of these activities, which they say could lead campaigners to trespass and cause a nuisance by obstructing access to and from the site. The first question is whether there is a serious issue to be tried and are the Claimants entitled to an injunction.

I find, on the evidence before me, that there is a serious issue to be tried. First, as far as both plots of land are concerned, the evidence showed that the Claimants are the owners of the land. Second, in relation to Buncefield, there is a clear risk that the Defendants will continue their activities and thus interfere with the First Claimant's rights of access to and from the premises, thereby causing a nuisance. That is what campaigners were doing in the last week.

I am also satisfied that it goes further than that, in that they will not only seek to restrict access or walk onto the land, but they will seek to take control of the land and its facilities. I also draw inference from that fact that both groups clearly advocate civil disobedience.

One point that troubled me in particular was whether there was evidence that they intended to do anything other than making it difficult for tankers to access the sites. The point being that, the Kingsbury site depot is not owned by either Claimant so there is no real risk that the activities will interfere with the central control centre. However, I was taken to the following evidence and summarise why I am satisfied that there is a prima facie serious risk that both campaign groups will extend their activities to seeking to disrupt control activities:

- First publication dated 6 April 2022 published by Extinction Rebellion. Join us and act now. Section B, page 196 says: *"we are willing to take part in non violent direct action targeting oil facilities"*. Ms Holland emphasises *"targeting the UK oil and gas infrastructure"*. I can therefore draw an inference that Extinction Rebellion will keep going with non-violent Direct Action.
- Second extract is from the BBC website. It includes a report which notes that Just Stop Oil claim to be willing to use non-violent civil resistance to make their point in public spaces. This leads me to infer that the activities are not limited to blocking access.
- Report from Daily Mail – 5 April. This notes that an activist from Just Stop Oil blocked off access. 20 protesters were involved, and 5 arrests were made. 20 protestors sat on road with banners. It also claimed supporters of the group had dug up a secret network of tunnels.
- Tweet dated 7 April 2022 – from supporter of Just Stop Oil which says: *"on 7 day of action, supporters of Just Stop Oil blocking access. Part of wider measures taken with aim of disrupting UK oil."*
- Tweet from Just Stop Oil following entry into Kingsbury Oil Terminal saying *"we seem to have free reign of the place"*. Photographs show number of campaigners in premises themselves.

I am prepared to draw the inference that the campaigners are not simply limiting their activities to making it difficult for oil tankers to enter the oil depot and will extend to any activity likely to disrupt the oil industry in the UK which will include disrupting facilities the Claimants own at Kingsbury and Buncefield.

On the current evidence, the campaign and the protests can be carried out without having to commit acts of trespass/ nuisance.

There is a good argument that the Claimants will be able to obtain a final injunction which will not interfere with the Defendants' rights. I emphasise that this is a mere first impression of what appears to be a good arguable case without hearing evidence from the other side.

The second question is whether the matter is urgent. It is in my judgment. The action appears to have started and there is a particular campaign that is intending to take place from 9 April to 17 April and thereafter weekends.

The third question is what is the balance of convenience? Does it favour an injunction being granted? I find that the balance does favour an injunction because there is a clear risk of causing disruption to the Claimants' businesses. I accept that as matters stand damages would not be an adequate remedy.

Is there a satisfactory cross-undertaking in damages? I initially raised concern as there were no accounts from the Claimants. I am now satisfied that there is a satisfactory cross-undertaking as they both own substantial plots of land and according the Land Registry, there are no mortgages or charges, so they are good for the money if order for damages is made against them

Is there a proper case for the relief sought? The answer is yes, I agree with submissions of paragraph 11.8 in the Skeleton, acts of trespass have already occurred and there is risk of further torts being committed in the future.

The sixth question is whether the requirements of section 12(2) of the Human Rights Act are satisfied. I am satisfied in the present case that there were compelling reasons for why the Defendants were not notified until this morning. That is set out in Mr Armstrong's evidence in paragraph 66.

There was a real risk that giving notice would prompt an escalation in the direct action and put the properties in question at risk. I am therefore satisfied that there were compelling reasons for only providing the short notice given.

I also have to consider section 12(3). I am satisfied that if one could call the trespassing a publication, that it is likely that the Claimants would establish that those activities should not be allowed to continue because the Defendants can enjoy rights and freedom of expression without having to go as far as committing acts of trespass.

I should also add in relation to the question on pre-emptive relief. I am satisfied that it is not possible to name individual defendants and notice ought to be given by affixing large notices around the perimeters of the sites. I am satisfied that service can be effected in the way proposed by the Claimants which suggests that notice can be effected by putting the court documents in prominent places at the particular sites.

I am therefore prepared at this early stage to grant the injunction in the terms previously discussed with Ms Holland QC

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

Claim No. PT-2022-000303



PT-2022-000303

Mr Peter Knox QC, sitting as a Deputy Judge

Friday 08 April 2022

**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**

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**ORDER AGAINST THE FIRST AND SECOND DEFENDANTS**

**(COLLECTIVELY "THE DEFENDANTS")**

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### **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**

**UPON** the hearing of the Claimants' Application dated 7 April 2022

**UPON** hearing Katharine Holland QC Leading Counsel and Yaaser Vanderman Junior Counsel for the Claimants

**AND UPON READING** the Claimants' written evidence listed in Schedule 1

**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 trial or further order:

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

2. 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 the 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.

3. 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)**

4. 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 the 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.
5. 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 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**

6. 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 12 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 6 hours in advance of any hearing.
7. 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.
8. The Claimants have liberty to apply to extend or vary this Order or to seek further directions.

**RETURN DATE**

9. The return date hearing will be fixed for 20 April 2022 ("**the Return Date**") with a time estimate of 3 hours, the matter to be reserved to Mr Peter Knox QC sitting as a Deputy Judge (without prejudice to any application by any Defendant that another judge hear the matter).
10. Permission for the Claimants to file and serve any further evidence by 4.30 pm on Thursday 14 April 2022.
11. Permission for the Defendants to file and serve evidence by 4.30 pm on Tuesday 19 April 2022.

## **INTERPRETATION OF THIS ORDER**

12. 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**

13. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of this Order, and the documents comprising the Claim Form, the Particulars of Claim, the Response Pack, the Application Notice dated 7 April 2022, the First Witness Statement of John Armstrong dated 7 April 2022, the First Witness Statement of Peter Davis dated 7 April 2022, the First Witness Statement of Daniel Owen Christopher Talfan Davies dated 8 April 2022, an Application Notice in respect of the Return Date hearing and any further evidence to be relied upon on the Return Date ("**the Court Documents**") shall be effected as follows:
- (a) Fixing copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites together with a notice which states that copies of the Order and the Court Documents may be obtained from the Claimants' solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com) via, and may be viewed at, the web link referred to in paragraph 13(b) of this Order;
  - (b) Posting the Order and the Court Documents at the following web link: <https://ukop.azurewebsites.net> ;
  - (c) Fixing warning notices in the form set out in Schedules 6 - 7 (together, "**the Notices**") as follows in not less than A2 size:
    - (i) In respect of **Buncefield (Site 1)** by affixing the form of site injunction notice set out in Schedule 6 (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 Site 1; and
    - (ii) In respect of **Kingsbury (Site 2)** by affixing the form of site injunction notice set out in Schedule 7 (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);
  - (d) Sending an email to each of the following email addresses with the information that copies of the Order and the Court Documents may be viewed at the web link referred to in paragraph 13(b) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk)
14. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), the Order and Court Documents will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 13 above have been completed, such date to be verified by the completion of a certificate of service.

15. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), the steps identified in paragraph 13 above shall stand as good service of the Order and Court Documents.
16. Pursuant to CPR 6.15(4), the period for service of any acknowledgement of service, admission or defence shall be 56 days.

### **COSTS**

17. Costs reserved.

### **COMMUNICATIONS WITH THE COURT**

18. 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

19. Name and address of the Claimants' legal representatives

Fieldfisher LLP  
Riverbank House  
2 Swan Lane  
London  
EC4R 3TT

Telephone: 020 7861 4000

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

## 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 Three Cherry Trees 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 Oil Kingdom 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) land at Kingsbury in the County of Warwick, as more particularly described in a lease dated 3 November 2021 made between (1) The Secretary of State for Defence and (2) United Oil Kingdom Pipelines Limited and marked 3 on the Site 2 Plan.

(together, the "**Sites**")

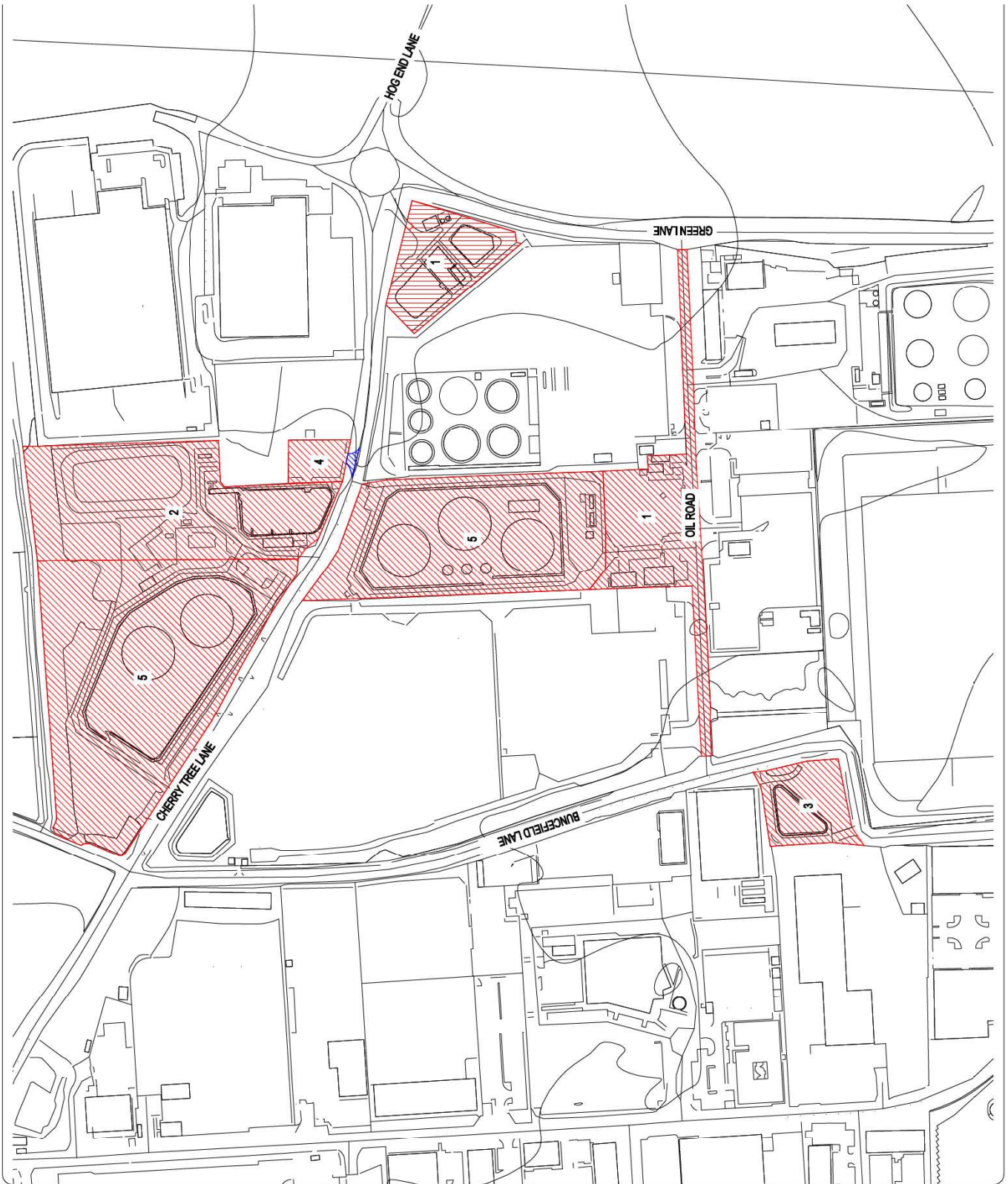
### SCHEDULE 3

1. On the making of this Order, the Claimants undertake as follows:

- a) To issue and serve an Application Notice for the return date hearing on 20 April 2022;
- b) 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;
- c) to make available to any person (who has provided their name(s) and address(es) and proof of identity to the Claimants' solicitors, Fieldfisher LLP) upon written application to the Claimants' solicitors, Fieldfisher LLP (either in writing at their said offices or by email to [UKOPinjunction@fieldfisher.com](mailto: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.

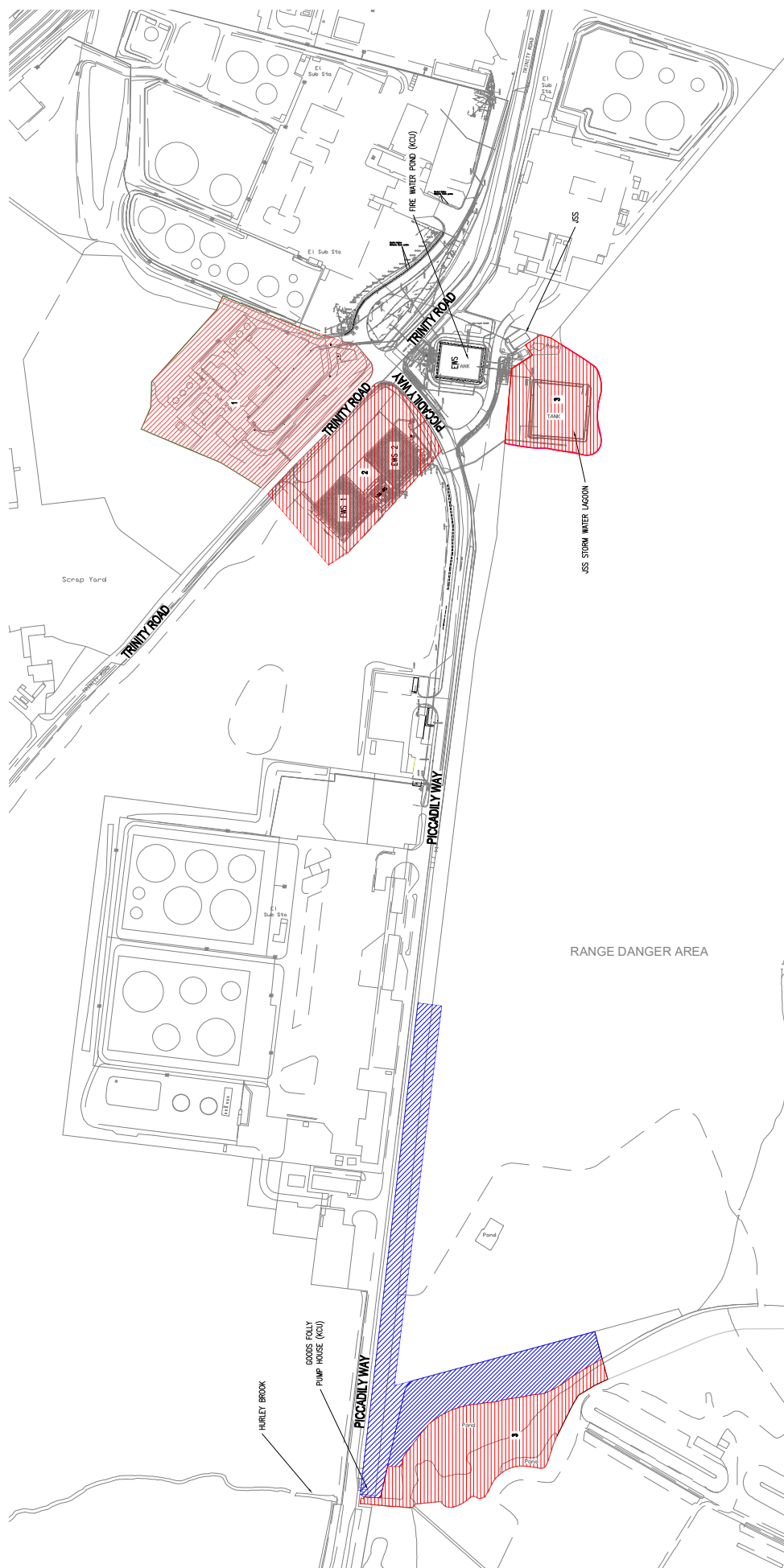
#### **SCHEDULE 4**

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



## **SCHEDULE 5**

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



## **SCHEDULE 6**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 1 INJUNCTION



# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 8 April 2022

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 THE DETERMINATION OF A FURTHER HEARING ON 20 APRIL 2022 (THE "RETURN DATE"), 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) 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 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>

**The Order will be further considered on the Return Date.**

**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](mailto: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](mailto: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:

- 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;
- 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;
- 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;
- Land on the north east and south west side of Three Cherry Trees Lane, Hemel Hempstead registered at the Land Registry under title number HD485118 and marked 5 on the plan above

The leasehold land at:

- 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 Oil Kingdom Pipelines Limited which is registered at the Land Registry under title number HD529733 and marked 4 on the plan above

## **SCHEDULE 7**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 2 INJUNCTION

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 8 April 2022

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 THE DETERMINATION OF A FURTHER HEARING ON 20 APRIL 2022 (THE "RETURN DATE"), 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) 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 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.

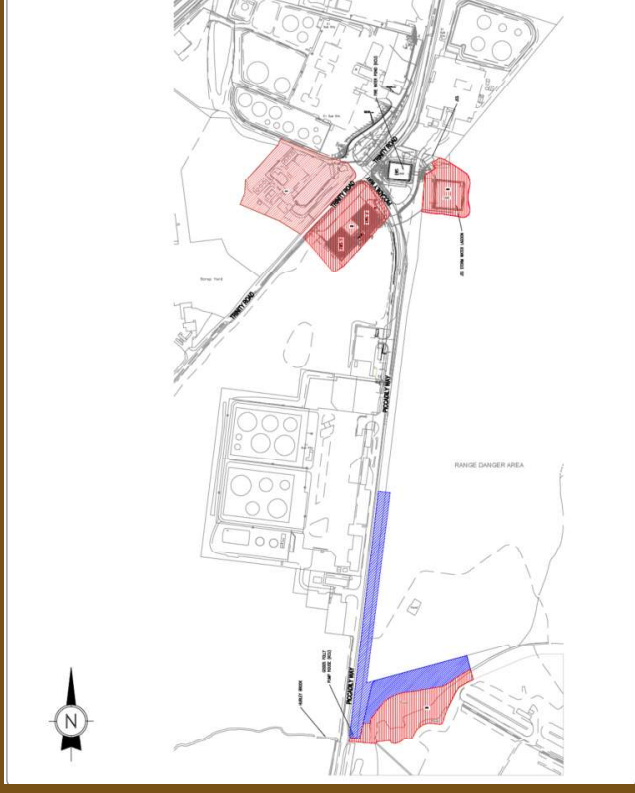
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**The Order will be further considered on the Return Date.**

**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](mailto: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](mailto: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:

- 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 Oil Kingdom Pipelines Limited and marked 3 on the plan above.

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**UNITED KINGDOM OIL PIPELINES LIMITED AND WEST LONDON PIPELINE AND  
STORAGE LIMITED**

**V**

**PERSONS UNKNOWN**

**CLAIMANTS' SOLICITORS NOTE OF HEARING AND JUDGMENT OF PETER KNOX  
QC SITTING AS A DEPUTY JUDGE OF THE CHANCERY DIVISION**

**DATED 20 APRIL 2022**

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**This note has not been produced, issued or approved by the High Court. This note has been produced on the direction of Peter Knox QC sitting as a Deputy Judge of the Chancery Division and constitutes the Claimants' solicitors' note of the Return Date Hearing of an interim injunction application that was heard by the High Court on 20 April 2022.**

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Katharine Holland QC and Yaaser Vanderman appeared for the Claimants.

**3.1. The Hearing**

- 1.1 Leading Counsel confirmed that she understood that there were some members of the press in the court room but that she did not know who else was present. Leading Counsel also confirmed that she had not had an opportunity to speak to any individuals present and nor had the clerk.
- 1.2 The Judge asked whether there was anybody in the room who represented Persons Unknown affiliated to, or connected with Extinction Rebellion or Just Stop Oil. No response was given and the Judge confirmed that this would be treated as though nobody has come forward.
- 1.3 Leading Counsel expressed her gratitude to the Judge for allowing a 40-minute delay to the start of the hearing. She added that she had not bottomed out the issue for which the extra time was requested but that she would seek to explain the issue to the Judge.
- 1.4 Leading Counsel confirmed that this hearing was the Return Date for an Injunction which the Judge granted through an order dated 8 April 2022 (the "**Order dated 8 April 2022**") and which specified 20 April 2022 as the date for the return hearing (this "**Return Date Hearing**").
- 1.5 Leading Counsel added that the Judge should have received a bundle containing updating evidence, the skeleton argument for today's hearing and a note of the hearing from 8 April 2022 (the "**Bundle**"). Leading Counsel explained that the updating evidence included:
  - (a) Factual evidence relating to what has transpired on the ground;
  - (b) The Claimants' Skeleton Argument for the Return Date Hearing; and
  - (c) Evidence about service in compliance with the Order dated 8 April 2022.

- 1.6 Leading Counsel explained that she planned to take the Judge through the updating evidence to demonstrate that the same grounds as for the 8 April hearing for injunctive relief applied.
- 1.7 The Judge asked Leading Counsel whether the Claimants had been served with an Acknowledgment of Service or a Defence. Leading Counsel explained that the Claimants had not and the anticipated position was that the Claimants will likely not receive an Acknowledgment of Service or a Defence within the 56-day period specified within the Order dated 8 April 2022. Leading Counsel added that this would enable the Claimants to apply for summary judgment or judgment in default.
- 1.8 Leading Counsel referred to the reason she had asked for the hearing start time to be delayed. Leading Counsel noted that it had come to the Claimants' attention that an order was made by Mr Justice Sweeting in the Queens' Bench Division dated 14 April 2022 ("**Mr Justice Sweeting's Order**"). Leading Counsel stated that this order affects some of the land which is subject to this injunction.
- 1.9 Leading Counsel explained that she was able to look at Mr Justice Sweeting's Order this morning after it was publicised by the North Warwickshire Borough Council's ("**NWBC**") twitter feed.
- 1.10 Leading Counsel explained that these proceedings were brought by NWBC against 18 named individuals and a 19<sup>th</sup> Defendant as *"persons unknown who are organising, participating in or encouraging others to participate in protests against the production and/or use of fossil fuels, in the locality of the site known as Kingsbury Oil Terminal"*.
- 1.11 Leading Counsel confirmed that Mr Justice Sweeting's Order did not affect the Buncefield Site.
- 1.12 Leading Counsel also explained that Mr Justice Sweeting's Order, was made under the following statutes:
- (a) Section 222, Local Government Act 1972;
  - (b) Section 130(5), Highways Act 1980; and
  - (c) Section 1, Localism Act 2011
- 1.13 Leading Counsel broadly set out the terms of Mr Justice Sweeting's Order, indicating that said Order places restraints on the organisation of, or participation in, any protest against the production or use of fossil fuels at Kingsbury Oil Terminal, *"taking place within the areas the boundaries of which are edged in red on the Map attached to" Mr Justice Sweeting's Order in Schedule 1 "or within 5 metres of those boundaries"*.
- 1.14 Leading Counsel clarified that Mr Justice Sweeting's Order does not prevent the Defendants from using any public highways within the area stipulated, for the purpose of travelling to or from a protest held outside the area in question.
- 1.15 Leading Counsel added that Mr Justice Sweeting's Order also contains a number of prohibited acts which include *"damaging any land including [...] roads, buildings, structures or trees on that land, or any pipes or equipment serving the Terminal on or beneath that land"* and, *"digging any holes in or tunnelling under [...] land, including roads"*.
- 1.16 The Judge sought clarification on whether Mr Justice Sweeting's Order restricts protests in the neighbourhood surrounding the Kingsbury Oil Terminal.

- 1.17 Leading Counsel clarified that paragraph 1(b) of Mr Justice Sweeting's Order prevents the Defendants subject to Mr Justice Sweeting's Order from carrying out any of the acts listed "*anywhere in the locality*" of the Kingsbury Oil Terminal.
- 1.18 The Judge summarised the position by stating that Mr Justice Sweeting's Order granted an injunction that protects some of the Claimants' land for this Return Date Hearing, but also protects land immediately next to the Claimants' land. The Judge asked whether Leading Counsel could confirm that his summary was accurate.
- 1.19 Leading Counsel confirmed that the summary was accurate and added that the Claimants had taken steps to try to speak to personnel from NWBC whose names appear on the face of Mr Justice Sweeting's Order in order to ascertain the position and to inform them of this application. Leading Counsel added that the Claimants had located the court documents associated with Mr Justice Sweeting's Order but that there had been insufficient time to review those documents.
- 1.20 Leading Counsel set out the Claimants' preliminary position in relation to Mr Justice Sweeting's Order, explaining that said Order should not affect the Claimants' own right to injunctive relief. Leading Counsel explained that Mr Justice Sweeting's Order enforces a Local Authority's statutory rights and the enforcement of those rights should not, in any way, prejudice the enforceability of the Claimants' own common law rights over land which they own.
- 1.21 The Judge agreed with Leading Counsel's submission that, on the face of it, there is no inconsistency between the Claimants' rights in this Claim and what had been granted by Mr Justice Sweeting's Order.
- 1.22 Leading Counsel agreed that it will likely not affect the submissions for this Return Date Hearing but wanted to ensure that the Judge was properly informed of this development. Leading Counsel also clarified that, for the moment, the Claimants' application is limited to the enforcement of their own private rights over their land.
- 1.23 The Judge agreed and indicated that had the Claimants been granted an order over public highways, then he might have had to marry up any order granted in this Return Date Hearing with the terms of Mr Justice Sweeting's Order. He reiterated however that since the Claimants' application in this case does not extend to any land outside their ownership, it is difficult to see why there would be any inconsistencies even if Mr Justice Sweeting's Order applies to part of the Claimants' land in this Claim.
- 1.24 Leading Counsel explained that she would like to review the court documents from the hearing of Mr Justice Sweeting's Order before making further submissions and that she was in the Judge's hands in terms of when it was convenient for her to do so. It was agreed that the hearing would be adjourned for 45 minutes in order for Leading Counsel to review the documentation.

*[Court adjourned until 12.20 pm]*

*[Hearing recommenced at 12.20 pm]*

- 1.25 Leading Counsel confirmed that they had reviewed the documents and that they had been able to make contact with NWBC's representatives. Leading Counsel also confirmed that NWBC are now aware of this Return Date Hearing and the application for an injunction.
- 1.26 The Judge asked whether NWBC had any comment on the Claimants' application.
- 1.27 Leading Counsel indicated that as far as she is aware, they did not have any comment on the Claimants' application.

- 1.28 Leading Counsel proceeded to take the Judge to the evidence relating to the Claimants' application for this Return Date Hearing.
- 1.29 Leading Counsel explained that the Judge had been sent a short skeleton for this Return Date Hearing because, while there had been an update in relation to the factual events on the ground, the grounds which justify the granting of the injunction remain the same.
- 1.30 The Judge indicated that he assumed that the Claimants' argument was that there has been quite a lot of activity from both affiliated organisations, as set out in the Second Witness Statement of John Armstrong, and therefore the risks to the Claimants' land remains active.
- 1.31 The Judge added that, as far as Extinction Rebellion are concerned, it appeared from the evidence that they have not been carrying out direct action at the two sites which are the subject of this application, but they have been participating in activities which go beyond mere protest. The Judge added that, from the evidence, he can see that on 10 and 12 April 2022, Extinction Rebellion shut down Vauxhall and Lambeth Bridges in central London and forced the closure of Lloyd's of London.
- 1.32 The Judge indicated that in both cases, it appears that the protestors were concerned with stopping and preventing the financing of fossil fuels which directly extends to the oil industry and therefore includes the activities carried out by the Claimants at the sites in question.
- 1.33 The Judge added that his view was that it is important to distinguish between Just Stop Oil, which has directly targeted the sites that are subject to this application and Extinction Rebellion who do not appear to have recently targeted the sites, but nonetheless still has a common aim of stopping and disrupting the fossil fuel industry.
- 1.34 Leading Counsel confirmed the Judge's understanding of the evidence and submitted that the activities of Extinction Rebellion relate to fossil fuels. She added that their activities are carried out with the intention of stopping and disrupting fossil fuels and hence their actions remain relevant to the sites held by the Claimants.
- 1.35 Leading Counsel submitted that paragraph 10 of the Second Witness Statement of John Armstrong updates the position on the sites.
- 1.36 The Judge indicated that it is not possible to determine the impact that the preliminary injunction granted on 8 April 2022 had on the reduction of activity at the sites. He emphasised however that this does not matter in terms of his determination as to whether the injunction should be continued.
- 1.37 The Judge added that Leading Counsel does not need to take him to the details of the factual evidence relating to the activity that has carried on since the hearing on 8 April 2022 as he was familiar with it. The Judge directed Leading Counsel to set out the Claimants' submissions relating to "*Persons Unknown*" having been given sufficient notice of this Return Date Hearing.
- 1.38 Leading Counsel proceeded to take the Judge to the service provisions in paragraph 13 of the Order dated 8 April 2022 and set out how the Claimants have complied with these provisions in order to inform Persons Unknown of said Order and this Return Date Hearing.
- 1.39 Leading Counsel took the Judge to paragraph 13(a) of the Order dated 8 April 2022 which required the Claimants to fix copies of said Order and other court documents from the hearing heard on the same date at 2 prominent locations on the perimeter of each site. Leading Counsel submitted that paragraphs 7 and 8 of the Second Witness Statement of Daniel Owen Christopher Talfan Davies, at Section C, Page 30 of the Bundle sets out how the Claimants have complied with this requirement and when this was achieved.

- 1.40 The Judge indicated it seemed that paragraph 13(a), on its own, would not draw anybody's attention to the Order dated 8 April 2022 as it seems like a plastic box with a bunch of papers within it, although he noted that the top of the box does contain a copy of the warning notice.
- 1.41 Leading Counsel then took the Judge to paragraph 13(b) which ordered the Claimants to upload the Order dated 8 April 2022 and the court documents from the hearing heard on that date onto the specified web link. To evidence the Claimants' compliance with this, Leading Counsel took the Judge to Section D, page 50 of the Bundle which contains a screenshot of the web link. Leading Counsel also explained that the documents were uploaded after the hearing on Friday 8 April 2022 and on Monday 11 April 2022.
- 1.42 The Judge asked Leading Counsel to confirm whether the documents were uploaded onto United Kingdom Oil Pipelines Limited's website as opposed to that of West London Pipeline and Storage Limited.
- 1.43 Leading Counsel confirmed that this was the case.
- 1.44 Leading Counsel then turned to paragraph 13(c) which ordered the Claimants to affix warning notices on the sites in the form set out in Schedules 6 and 7 to the Order dated 8 April 2022.
- 1.45 The Judge enquired about how large these warning notices were.
- 1.46 Leading Counsel confirmed that the notices were A2 as required by the Order dated 8 April 2022. Leading Counsel confirmed that notices were put up on 12 April 2022 and referred the Judge to the Witness Statement of Richard Thomas in Section D, pages 8-25 of the Bundle to highlight details of the Claimants' compliance.
- 1.47 The Judge asked Leading Counsel to confirm whether the warning notices were still affixed around the perimeter of the sites.
- 1.48 Leading Counsel submitted that she could not confirm this but that she would assume that they were still affixed around the sites.
- 1.49 The Judge also asked Leading Counsel to confirm whether the photographs showing the warning notices affixed on the patches of grass and the car park were on the Claimants' land.
- 1.50 Leading Counsel responded by stating that she cannot answer the question in relation to the specific photographs in the Witness Statement of Richard Thomas however, Leading Counsel proceeded to take the Judge to paragraph 4 in the aforementioned Witness Statement in Section D, page 9 of the Bundle. Leading Counsel indicated that this extract summarises the Claimants' compliance with the Order dated 8 April 2022 and that the Claimants arranged for 40 copies of the warning notices to be affixed either on the perimeter fences or on timber stakes at prominent points directly adjacent to the perimeter fences at both sites. Leading Counsel emphasised that the general spirit of the notice being affixed to the perimeter of the sites in question has been abided by.
- 1.51 The Judge agreed and indicated that the warning notices appear to be all over and around the sites. The Judge added that so long as the owners of the land on which the warning notices have been affixed are happy for them to be there, then this should not be an issue.
- 1.52 Leading Counsel then turned to the Claimants' service obligations under paragraph 13(d) of the Order dated 8 April 2022. Leading Counsel indicated that this placed an obligation on the Claimants to send emails to Extinction Rebellion and Just Stop Oil containing the Order dated 8 April 2022 and the court documents from the hearing heard on the same date.



- 1.53 Leading Counsel referred the Judge to paragraphs 19 and 20 of the Second Witness Statement of Daniel Owen Christopher Talfan Davies which sets out the details of the Claimants' compliance.
- 1.54 Leading Counsel confirmed that the emails were sent to two further emails for Just Stop Oil after the email indicated on the Order dated 8 April 2022 (juststopoil@protonmail.co.uk) bounced back. Leading Counsel explained that the Claimants then proceeded to send the email to 2 further email addresses contained within the Just Stop Oil website (juststopoil@protonmail.com and juststopoilpress@protonmail.com) to ensure compliance with the Order. Leading Counsel added that the Claimants have not received a bounce back from the aforementioned addresses.
- 1.55 Leading Counsel confirmed that paragraph 23 of the Second Witness Statement of Daniel Owen Christopher Talfan Davies, at Section C, page 33 of the Bundle indicated the Claimants' intention to serve further evidence for this Return Date Hearing.
- 1.56 Based on this, the Judge asked Leading Counsel how the Claimants had served the further evidence relied upon for this Return Date Hearing on the Defendants.
- 1.57 Leading Counsel confirmed that the evidence was served on the Defendants by the same methods indicated by paragraph 13(a), (b) and (d) of the Order dated 8 April 2022; namely by:
- (a) Sending emails of the evidence to Extinction Rebellion and Just Stop Oil;
  - (b) Uploading the evidence on the web link; and
  - (c) Adding the evidence to the transparent boxes at the sites.
- 1.58 Leading Counsel also referred the Judge to the Certificate of Service located in Section E, page 17 of the Bundle as evidence of service of the Second Witness Statement of John Armstrong, the Second Witness Statement of Daniel Owen Christopher Talfan Davies, the Bundle for this Return Date Hearing and the Claimants' Skeleton Argument for this hearing.
- 1.59 The Judge enquired as to whether the Claimants had received a reply to their service from any Defendants and whether the service emails were sent to the alternative email addresses; namely: (juststopoil@protonmail.com and juststopoilpress@protonmail.com).
- 1.60 Leading Counsel confirmed that they had not received a reply from any potential Defendants and that service was affected on the alternative email addresses indicated. Leading Counsel also confirmed that they had not received a bounce back from the alternative email addresses.
- 1.61 Leading Counsel also submitted that large notices indicating that further evidence was served had not been put up however the original warning notices, at Section D, page 48 of the Bundle, provided notice of the Return Date Hearing.
- 1.62 The Judge queried why the Claimants believed that this was sufficient notice of the Return Date Hearing for the average protestor.
- 1.63 In response, Leading Counsel submitted that the Return Date Hearing is part and parcel of what is specified in the Order dated 8 April 2022 and that the Claimants, using multiple methods, adequately brought the aforementioned Order to any potential Defendants' attention.
- 1.64 The Judge also asked how the Claimants' ensured that the transparent boxes located outside the sites remained there. In response, Leading Counsel indicated that the boxes were affixed using cable ties.

- 1.65 Leading Counsel submitted that that she would like to take the Judge to the draft Order proposed for this application (the "**Draft Return Date Order**").
- 1.66 Leading Counsel indicated that the terms of the Draft Return Date Order were largely the same as those contained within the Order dated 8 April 2022, however, it has been slightly revised, most substantively in relation to the temporal limit. Leading Counsel referred the Judge to the initial draft order sought as part of this application in Section C, page 13 of the Bundle and the new revised Draft Return Date Order in Section C, page 45 of the Bundle.
- 1.67 Leading Counsel referred the Judge to the amendment made to the undertakings at Section C, page 53 of the Bundle, indicating that an amendment has been made to reflect that fact that the application notice for the return date hearing had now been issued.
- 1.68 Leading Counsel then referred the Judge to paragraph 9 of the Draft Return Date Order which puts a temporal limit of 12 months on the proposed injunction and fixes a date rather than having the injunction continue pending trial.
- 1.69 The Judge asked Leading Counsel to explain why it had been drafted in this way.
- 1.70 Leading Counsel explained that this was done to bring the Draft Return Date Order in line with the Valero Return Date Order which fixes a temporal limit at paragraph 3:
- (a) *"With immediate effect until 23:59 on Friday 21 January 2023, unless varied, discharged or extended by further order, the Defendants and each of them are forbidden from ..."*
- 1.71 The Judge noted that the Valero Return Date Order fixes a temporal limit of less than 1 year to which Leading Counsel submitted that a temporal limit of 1 year would be appropriate given the circumstances of this case.
- 1.72 Leading Counsel indicated that the substance of the prohibited activities remained the same as before. Leading Counsel referred the Judge to the amendment to the time limits to give notice of an application to amend or vary the Draft Return Date Order – to 48 hours for notice to the Claimants of the application itself and 24 hours for any evidence relied upon as part of this application.
- 1.73 Leading Counsel noted that the new warning notices attached to the Draft Return Date Order would remain substantially in the same form however that they would be amended to reflect the terms of the Draft Return Date Order.
- 1.74 The Judge directed that a note of this Return Date Hearing should be served on the Defendants and added to the terms of the Draft Return Date Order. The Judge added that although the two campaign groups could have attended, it is appropriate to include such a note.
- 1.75 Leading Counsel then took the Judge to paragraph 16 of the Draft Return Date Order in Section C, page 49 of the Bundle under the heading "*Alternative Service Provisions for Future Applications by the Claimants in this Claim*".
- 1.76 Leading Counsel submitted that this amendment sets out the methods of service on the Defendants for any further applications the Claimants intend to make as part of this Claim and in summary include:
- (a) Adding the documents relating to any future application to the transparent boxes outside the sites;
- (b) Posting copies of these document on the UKOP web link; and

- (c) Sending emails to Extinction Rebellion and Just Stop Oil's email addresses.
- 1.77 The Judge queried why affixing warning notices around the perimeter of the sites to indicate an intention to make an application had not been included as part of the service provision for future applications.
- 1.78 Leading Counsel submitted that it is not possible to put evidence and applications on big notices around the sites.
- 1.79 The Judge stated that he would need to consider whether the methods stipulated in paragraph 16 of the Draft Return Date Order would be sufficient notice.
- 1.80 Leading Counsel referred the Judge to CPR 6.15 which indicates that an alternative method of service may be permitted if there is "*good reason*" to authorise such method. Leading Counsel also referred the Judge to Practice Direction 6A, paragraph 9.3 which sets out examples of what alternative methods may be deemed appropriate in certain situations.
- 1.81 The Judge indicated that he does not have to be persuaded on whether there is a good reason for an alternative method of service as this is obvious in this case. He explained that he is interested in determining what that alternative method ought to be. The Judge indicated that placing warning notices at the sites of the Claimants' intention to bring any future application would undoubtedly bring it to a protestor's attention.
- 1.82 Leading Counsel submitted that the principle of attaching documents at the site (by placing them in boxes) so that they are visible is an established method of service for court orders and applications affecting land. Leading Counsel also submitted that the test does not ask the Judge to consider each method of service in isolation but rather the effect of these alternative methods of service must be considered in their totality.
- 1.83 Leading Counsel also submitted that the protestors are part of organised campaigns that will have been informed and made aware of the Return Date Order, the Order dated 8 April 2022 and the methods of service stipulated within them, directly by the Claimants.
- 1.84 Leading Counsel proceeded to take the Judge to the test in relation to alternative methods of service contained in Practice Direction 6A, paragraph 9.2(3) which indicates the test in question is that the application "*is likely reach the person to be served by the method*"
- 1.85 The Judge queried whether there is a practical objection to setting up warning notices of any future application around the sites. Leading Counsel submitted that applications cannot be practically placed on large warning notices.
- 1.86 The Judge stated that the Claimants already have injunction warning notices currently affixed and queried whether the same could be done for any future applications by simply setting up warning notices of the Claimants' intention to make such an application.
- 1.87 In response, Leading Counsel submitted that the test is whether the application will "*likely [...] reach the person to be served by the method*". Leading Counsel submitted that any Defendant will likely be served by the three methods currently contained within paragraph 13 of the Draft Return Date Order.
- 1.88 The Judge asked whether there was a standard form for service in such a situation. Leading Counsel submitted that it would be wrong to suggest that there is a standard form.
- 1.89 The Judge indicated that the difficulty with the sites in question is that they consist of large plots of land that are not necessarily connected together.

- 1.90 Leading Counsel submitted that any potential Defendants will know that any future application will be served in the way intended by paragraph 16 because they will be served with the Draft Return Date Order stating this.
- 1.91 Leading Counsel added that any person who could be made a Defendant had had every opportunity to be joined to this Claim and that the Claimants should not be burdened with the same service and notice obligations imposed at the start of the proceedings as they have already given sufficient notice and information relating to this Claim.
- 1.92 In response, the Judge suggested adding further wording to the new warning notices attached to the Draft Return Date Order indicating that advertisement of any further applications may be made by the methods stipulated in paragraph 16 of the Draft Return Date Order. The Judge indicated that this will enable the protestors to keep themselves informed of any future applications made in this claim.
- 1.93 Leading Counsel indicated that the Claimants will prepare a revised warning notice to reflect such an amendment.
- 1.94 Leading Counsel referred the Judge back to the skeleton and indicated that the Claimants' submissions relating to whether there is a serious issue to be tried and whether the Claim is likely to succeed at trial essentially remain the same.
- 1.95 Leading Counsel also submitted that the NWBC injunction granted by Mr Justice Sweeting's Order relied upon the Valero injunction which relates to private land on the basis of a public authority's powers. Leading Counsel submitted the same principle applies in this situation and therefore Mr Justice Sweeting's Order should not affect this application.
- 1.96 Leading Counsel submitted that the submissions in relation to the balance of convenience were the same. Section 12(2)(a) of the Human Rights Act 1998 requires the Claimants to show that they have taken all practicable steps.
- 1.97 Leading Counsel proceeded to take the Judge to paragraph 11.8 of the Skeleton Argument from 8 April 2022 in relation to the test for pre-emptive relief against persons unknown.
- 1.98 Leading Counsel submitted that it remains impossible to name Defendants to this Claim as since the 8 April 2022 Order had been made, there has been no direct action on the sites in question and no people have been arrested. The fact that the Claim brought by NWBC names individuals does not mean that the Claimants are able to name individuals.
- 1.99 The Judge noted that NWBC had been assisted by the police in naming individuals.
- 1.100 Leading Counsel submitted that in the Valero injunction, they had applied for a disclosure order from the police. Leading Counsel confirmed that the Claimants had not applied for a disclosure order and were not obliged to do so where no direct action on the sites. Leading Counsel submitted that the individuals arrested around the sites have been arrested on land that is not held by the Claimants.
- 1.101 Leading Counsel indicated that the legal position was such that if the Claimants become aware of people who are Defendants then they will need to name them.
- 1.102 The Judge asked whether the Claimants will have to take reasonable steps to determine any potential Defendants.
- 1.103 Leading Counsel referred the Judge to the emails that had been sent to the campaign groups at tab 13 of the Bundle and in which potential defendants had been invited to identify themselves and

to which emails no one responded. Leading Counsel confirmed that she had only just seen the NWBC injunction naming individuals and that Valero had obtained an injunction without naming anyone.

- 1.104 Leading Counsel referred the Judge to the case of *Canada Goose* in tab 9 of the Authorities Bundle and paragraph 82 and confirmed that no issue had been taken with this paragraph including in the subsequent case of *Barking & Dagenham*.
- 1.105 The Judge asked Leading Counsel if her submission was that people have been named as protesting nearby the Claimants' sites, but the Claimants cannot say that these same people will trespass on their land.
- 1.106 Leading Counsel confirmed that this was the case and submitted that the Claimants have received no responses to the emails sent to Extinction Rebellion and Just Stop Oil despite the Claimants' solicitors encouraging any potential Defendants to come forward. Leading Counsel added that the Claimants were therefore unable to identify individuals.
- 1.107 Leading Counsel confirmed following further queries from the Judge that the Claimants' position as to why those who have been arrested around the sites in question cannot be named as Defendants in this Claim is that the Claimants do not have sufficient cause to believe that those individuals will personally trespass or obstruct access to their sites. Leading Counsel also indicated that there have been no arrests on the Claimants' sites. Leading Counsel added that this does not alleviate the risk of certain unknown protestors carrying out such actions in the future following encouragement from Extinction Rebellion or Just Stop Oil.
- 1.108 Leading Counsel then referred the Judge to the requirement for an injunction to have clear geographical and temporal limits. Leading Counsel submitted that with regard to geographical limits, the injunction is limited to the Claimant's land and private access routes and by clear plans for both sites.
- 1.109 Leading Counsel then turned to temporal limits and submitted that the injunction will expire at the fixed date indicated, until further order or at trial. Leading Counsel submitted that this would be appropriate because the evidence suggests that there is no cut off point for these campaigns. Leading Counsel added that both campaigns have repeatedly expressed their intention to keep going until the government yields to their demands.
- 1.110 Leading Counsel accepted that the proceedings will have to go to trial to get a final order, however, it was submitted that the Claimants having to come to court every 6 months to continue the interim injunction when the evidence clearly suggests that the action will continue is not an appropriate use of the Court's time and resources and would cause an undue strain .
- 1.111 The Judge pointed out that the Valero injunction was granted only for a 10-month period.
- 1.112 Leading Counsel took the Judge to the decision of Mr David Holland QC in *Divider 5*, paragraph 4.2 of the Authorities Bundle. Leading Counsel read the relevant extract to the Judge and explained that the injunction in this case was granted for just over a year.
- 1.113 Leading Counsel then proceeded to take the Judge to paragraph 34 of the *INEOS* case (page 76 of the authorities bundle) which sets out the guiding principle for determining the length of the injunction.
- 1.114 The Judge stated that the terms of the injunction must correlate to the tort and that he would need to work out how long the threatened tort will continue in this case.

- 1.115 Leading Counsel also took the Judge to paragraphs 68 and 70 the *Canada Goose* case and paragraph 108 of the *Barking & Dagenham* case and submitted that there is no set rule for determining how long an interim injunction should be granted however that it was good practice to have periodic reviews.
- 1.116 The Judge indicated that 12 months seemed like a long time in response to which Leading Counsel submitted that there was evidence in the Bundle of the Just Stop Oil having said that they were not going to stop. Leading Counsel also confirmed the Claimants' anticipated intention to make an application for default judgment after the 56 day limit for service of a defence has expired and in any event apply for summary judgment if a defence is received. Leading Counsel submitted that the context of the Claim is such that the seriousness and gravity of the potential actions by the protestors and the potential expense the Claimants may have to incur justifies a 12 month temporal limit. Leading Counsel added that it would not be a practical use of the Court's resources (given the amount of applications currently before it) to have a shorter injunction period, particularly since the risk to the Claimants' land will remain present and that she relied upon the David Holland QC judgment.

*[Court rises to reconvene at 3.30 pm for judgment.]*

*[Hearing recommenced at 3.30 pm]*

## **2. Judgment of Peter Knox QC sitting as a Deputy Judge of the Chancery Division**

On 8 April 2022, I granted an interim injunction on short notice to the Claimants to restrain persons unknown from entering the respective premises and interfering with the Claimants' private access rights. The unknown persons are those who enter the premises or interfere with the Claimants' private access rights in connection with the Just Stop Oil or Extinction Rebellion campaigns.

The properties in question in this matter are the Buncefield and Kingsbury Oil Terminals as identified by the plans in the Order dated 8 April 2022. The injunction in the Order was granted until the Return Date today.

Since the injunction was granted, I am satisfied that the Claimants have served sufficient notice of the Return Date in the manner specified in paragraph 13 of the Order dated 8 April 2022, that is to say that in summary:

- Firstly, on 13 April 2022, the Claimants placed copies of the Order in transparent boxes in two prominent locations of each site. The sealed Order explained that there would be a Return Date hearing on 20 April 2022. Notices of the Return Date and the Order dated 8 April 2022 were affixed to the top of the transparent boxes and court documents including a copy of the sealed claim form and the particulars of claim were added to the boxes.
- Secondly, on 12 April 2022, the Claimants uploaded the sealed Order dated 8 April 2022 on their website.
- The third method of service was that on 12 April 2022, the Claimants affixed a large number of notices in A2 size in the form set out in the Schedules 6 and 7 to the Order dated 8 April 2022, either by attaching them to the fences of the properties or attaching them to wooden posts adjacent to the perimeter fence.
- Fourthly, on 13 April 2022, the Claimants' solicitors served further notice of the application by email to Just Stop Oil and Extinction Rebellion's email addresses. The email initially sent to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk) subsequently bounced back so the notice was sent in the alternative to [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) and [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and these are the emails currently published on Just Stop Oil's website.

I am also satisfied that all the documents relating to this Return Date Hearing have been served. This was done by including the documents in two transparent boxes at each of the sites, by making the documents available on the UKOP web link and by serving them to the email addresses of Just Stop Oil and Extinction Rebellion.

Despite the aforementioned methods of service, nobody has attended the hearing on behalf of the Defendants, nor has any evidence been served on their behalf even though the Order dated 8 April 2022 made provision for such evidence to be served by the Defendants by 4.30 pm on 19 April 2022.

I therefore propose to continue the Order made on 8 April 2022 and which order was then amended on 12 April 2022 to correct minor details and I propose to do so for the following reasons:

- For the reasons given on 8 April 2022, I am satisfied that there is a serious issue to be tried, in particular as the Claimants are the owners of the land that is subject to this application and there is good reason to believe that unless restrained, protestors will seek to enter the sites in question and disrupt the operations carried out by the Claimants.
- The balance of convenience favours the grant of an injunction; the campaigners do not need to trespass on the sites in question or to interfere with the private accessways to the sites in order to carry out lawful protests;
- I am satisfied that damages alone would not be an adequate remedy;
- The Claimants have given a cross undertaking in damages; and
- In particular, I am satisfied that the activities of Just Stop Oil and Extinction Rebellion since 8 April 2022 show that there is a serious risk that supporters of said organisations will seek to enter the premises and interfere with the rights of access in order to disrupt the Claimants' activities. I say this because of the factual evidence submitted to the Court and contained in the Second Witness Statement of John Armstrong dated 14 April 2022. I shall summarise some of this evidence, however, the details are set out in paragraphs 12-23 of the Statement:
  - (a) Firstly in relation to the Buncefield site, on 10 April 2022, 40 members of Just Stop Oil blocked the entrance of the Buncefield Oil Terminal. The blockading of the entranceway resulted in 13 arrests being made by police. It seems to have taken approximately 9 hours to remove the protestors and reopen the entranceways. On the same day, Just Stop Oil's twitter page quoted a protestor indicating that *"I won't be stopped, and I won't back down until our government stops trading our lives for profit."*
  - (b) Secondly in relation to the Kingsbury site, on 8 April 2022, it was reported that 37 protestors had broken into the Kingsbury Oil Terminal, at what I understand is the oil depot not held by the Claimants, and chained themselves to pipes. This was about 0.2 miles away from the land subject to this application. It was also reported that on 10 April 2022, Just Stop Oil gained access to part of the depot by digging a tunnel under Piccadilly Way by using a modified caravan to hide the tunnel. Again on the same day, Warwickshire police reported that 29 individuals had been at the site and on 11 April 2022, Just Stop Oil published a statement indicated that *"a number of people [were] still occupying a tunnel under a major access route to the Kingsbury Oil terminal"*.
  - (c) In addition to the activities at the sites, there is evidence of direct action taken by Just Stop Oil throughout the UK and on 10 April 2022, Just Stop Oil published a press release indicating that campaigners have continued to *"disrupt oil supplies from oil terminals in Warwickshire, Hertfordshire and Essex, marking the tenth day of action in support of their demand that the UK government end new oil and gas projects in the UK."* The three sites referred to include the Kingsbury and Buncefield Terminals and the Gray's Inter Terminal

in Essex. Just Stop Oil declared their intention to *"continue to block oil terminals until the government makes a statement that it will end new oil and gas projects in the UK"*

- (d) It was also reported that at 6.30 am on 10 April 2022 that Just Stop Oil protestors entered Gray's Inter Terminal in Essex. Images of individuals lying on the pipework were posted by Just Stop Oil's twitter account along with statements indicating that *"[t]his will stop when @10DowningStreet says they will #StopAllNewFossilFuelLicences!"* and *"[w]e will continue to disrupt until the govt makes a statement that it will end new oil & gas projects in the UK"*. Later that day, Essex police described the protestors' activities as *"exceptionally dangerous"*.
- (e) It was reported by the Sunday Times that direct action from those sites resulted in the in the closure of approximately 1,200 garages and the Fair Fuel Campaign had stated that *"1 in 3 garages have run dry of petrol"*. Just Stop Oil indicated on their website that their direct action *"will continue to significantly impact on fuel availability at petrol pumps"* and they published photographs of gas station closures and lengthy gas station queues.
- (f) Just Stop Oil claimed on their website on 10 April 2022 that *"[o]ver 400 people have joined actions that have succeeded in stopping operations for up to 24 hours at a time at 11 critical oil terminals that supply fuel to hundreds of petrol stations"*.

As far as Extinction Rebellion is concerned, the evidence is they are campaigning to see the end of fossil fuels and hence also the end of the use of oil. Since 8 April 2022, they have targeted industries affiliated to the fossil fuel industry. Two recent examples contained within the Second witness Statement of John Armstrong are:

- (g) On 10 April 2022, members of Extinction Rebellion forced the closure if Lambeth and Vauxhall bridges in central London. Protestors in Vauxhall Bridge laid out a banner which read: *"for health's sake stop financing fossil fuels"*. The bridges were eventually re-opened after the Metropolitan Police imposed conditions under Section 14 of the Public Order Act 1986 which enabled them to physically remove protestors.
- (h) On 12 April 2022, it was reported that Extinction Rebellion members forced the closure of the world's biggest insurance market, Lloyd's of London. Extinction Rebellion posted an article on their website under the heading: *"We have closed Lloyd's of London!"* Exhibits in the papers before me show that the article contained extracts that read: *"how bad is Lloyd's of London"* and *"Lloyd's insures 40% of the world's energy, including some of the world's worst fossil fuel projects [...] Their business is fuelling Climate Breakdown. Without insurance, a fossil fuel project can't go ahead. Companies like Lloyd's [...] are effectively enabling them."*

Although there is no evidence that Extinction Rebellion have targeted the sites in question since 8 April 2022, it is plain that one of their main targets is the oil industry more generally and they will do what they can to disrupt oil distribution of oil across the UK, including targeting the Claimants' sites. For those reasons I continue to be satisfied that there is a serious issue to be tried. It is important to note that this is a prima facie view on the evidence before me which on the balance of probabilities favours an injunction being granted.

In relation to persons unknown, I am satisfied that all practicable steps been taken to notify the Defendants as set out in the Order dated 8 April 2022 and therefore section 12(2) of the Human Rights Act 1998 has been satisfied. Secondly, I am satisfied, based on the current information before me and having regard to the right of freedom of expression, that the Claimants will likely be able to establish at trial that any publication should be restrained because this Order does not stop Just Stop Oil or Extinction Rebellion from exercising an effective right of protest against the oil or fossil fuel industries. It is convenient and proportionate to grant this further order given the considerable disruption which the protestors seek to cause.



Further, I am satisfied that the geographical limit is proportionate because it goes no further than the Claimants' own land and the Claimants do not seek to restrain the supporters of the campaigns from going on to the public highways next to the sites.

This therefore leaves 4 more points to consider:

1. Is it right to continue an Order against Persons Unknown or should there be naming of people?

On this point, I am satisfied that it remains impossible to name Defendants in this Claim. The names of some of those who were arrested near the sites could be found out from Police, however, there is no evidence that those particular protestors will trespass or cause nuisance at the Claimants' sites. The risk from the sites comes more generally from unidentified supporters of the Just Stop Oil or Extinction Rebellion campaigns.

2. The second point relates to how long the Order should last for?

Ms Holland asked for a 1-year temporal limit. Other cases suggest 9 months – 1 year might be appropriate. The principle behind determining the duration is that the injunction should be no longer than the risk of the threat of the tort. In this case, I accept 1 year from today would be an appropriate temporal limit for this injunction. This is because, whatever the rights and wrongs of the movements are, it is clear that Extinction Rebellion and Just Stop Oil are well-organised movements and their whole campaign is intended to be a long-term project in each case. Expecting the Claimants to come back to Court within a period shorter than 1 year would therefore be a disproportionate expense and would be a waste of the Court's resources. I am also told by Ms Holland that the Claimants intend to apply for default judgment or, in the event of a defence being served, to apply for summary judgment. If so, this order will be subsumed within any final order.

3. The third question relates to what notice should the Order provide, for making future applications in this Claim?

If the Claimants want to make future applications, the Court will want to know that sufficient notice to the Defendants has been given so as to satisfy the requirement in Section 12(2) of the Human Rights Act 1998.

I am satisfied that this will be the case as long as provision is made in warning notices that will be affixed around the perimeter of the sites which makes it plain how any future application in this Claim will be served. I am prepared to authorise the service of future applications in the methods envisaged by Ms Holland: that is to say by adding the application notice and any relevant documents to the transparent boxes at the sites, sending them by email to Extinction Rebellion and Just Stop Oil and uploading them to the UKOP web link.

There is however, one point I remain concerned about. It may be helpful if the Claimants placed large notices of their intention or proposal to make any future application on such and such a date so as to avoid any future argument on whether sufficient notice was given to satisfy Section 12(2) of the Human Rights Act 1998. This is a point I am willing to discuss with Leading Counsel following this judgment.

4. The final point relates to an Order made by Mr Justice Sweeting whose title is NWBC v 18 named individuals with the 19<sup>th</sup> individual being "*Persons unknown who are organising, participating in or encouraging others to participate in protests against the production and/or use of fossil fuels, in the locality of the site known as Kingsbury Oil Terminal*"

In other words it is an order which affects the Kingsbury Oil Terminal and the terms of the Order are that Defendants shall not:

*"a) organise or participate in (whether by themselves or with any other person), or encourage, invite or arrange for any other person to participate in any protest against the production or use of fossil*

*fuels, at Kingsbury Oil Terminal (the "Terminal"), taking place within the areas the boundaries of which are edged in red on the Map attached to this Order at Schedule 1, or within 5 metres of those boundaries (edged in red) (the "buffer zone").*

*For the avoidance of doubt, this prohibition does not prevent the Defendants from using any public highway within the buffer zone for the purpose of travelling to or from a protest held, or to be held, outside the buffer zone."*

And

The second part of the Order continues to prohibit a list of activities similar to those which are the subject of this Claim.

It appears from the plan attached to the Order that the areas caught by Mr Justice Sweeting's Order are not simply the oil depot at Kingsbury, which is not held by the Claimants, but various parts of the terminal which do appear to be the Claimants land. The following question therefore arises: does this make any difference to the order I shall make today?

In my judgement it does not for the following reasons:

- (a) First it relates to the exercise by a public authority of their statutory rights and this should not, and does not, affect my judgment as the Order in this Claim relates to the Claimants' private rights over their own private land. Indeed, Mr Justice Sweeting's Order may only assist the Claimants as it seems to prevent protestors from coming onto the Claimants' land; and
- (b) Secondly, it seems that Mr Justice Sweeting's Order prevents protestors from coming onto part of the Claimants' land only. While this may overlap with the order the Claimants' seek today, I do not see why the Claimants' should not be entitled to their own relief.

I am told that the Claimants have been in touch with NWBC to inform them of this application, but I am not aware of any further correspondence.

I therefore propose to make an order in the terms put forward by Ms Holland subject to the provisions regarding notice of future applications which I would like to discuss with Ms Holland.

### **3. Discussion on terms of Order following judgment**

- 3.1. The Judge considered that, in the event of a new application being made by the Claimants, there may be protestors who are not aware. Therefore, would there be any great difficulty in stating on the warning notices saying that an application was going to be made on x date for an Order in the following terms?
- 3.2. Leading Counsel stated that in terms of the service test set out in the CPR, the application would be likely to come to their attention. But that the Judge was also right to say be careful because the higher test in s.12(2) of the Human Rights Act 1998 would have to be satisfied as well. The onus would be on the Claimants' team to consider at that juncture in the context of those facts whether all practicable steps had been taken. It could be at that stage that the circumstances have changed – for example, there may be a channel of communication with the Defendants, etc.
- 3.3. The Judge said that as long as the Claimants were aware that if they did not do more than was provided for in Order, they might be at risk in respect of s.12(2) of the Human Rights Act 1998. It was a matter for them. The Judge accepted that he did not have to make an Order in those terms and did not propose to do so. But he wanted it understood that he was not intending to prejudge what was the relevant test for s.12(2) of the Human Rights Act 1998.

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

Claim No. PT-2022-000303



PT-2022-000303

Before Peter Knox QC (sitting as a Deputy High Court Judge)

On 20 April 2022

**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**

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**ORDER AGAINST THE FIRST AND SECOND DEFENDANTS**  
**(COLLECTIVELY "THE DEFENDANTS")**

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### **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**

**UPON** the hearing of the Claimants' Application dated 8 April 2022

**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 undertaking 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)**

2. 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 the 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.
3. 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)**

4. 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 the 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.
5. 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**

6. 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.
7. 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.
8. The Claimants have liberty to apply to extend or vary this Order or to seek further directions.

**RETURN DATE**

9. A further return date hearing will be fixed for 20 April 2023 (the "**Return Date**") with a time estimate of 3 hours.
10. Permission for the Claimants to file and serve any further evidence by 4.30pm on 6 April 2023.
11. Permission for the Defendants to file and serve evidence by 4.30pm on 13 April 2023

**INTERPRETATION OF THIS ORDER**

12. 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**

13. Pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d), service of this Order and a note of the hearing on 20 April 2022, shall be effected as follows:
- (a) Fixing copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites together with a notice which states that copies of the Order and a note of the hearing on 20 April 2022 may be obtained from the Claimants' solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com) via, and may be viewed at, the web link referred to in paragraph 13(b) of this Order;
  - (b) Posting the Order and a note of the hearing on 20 April 2022 at the following web link: <https://ukop.azurewebsites.net>;
  - (c) 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);
  - (d) Sending an email to each of the following email addresses with the information that copies of the Order and a note of the hearing on 20 April 2022 may be viewed at the web link referred to in paragraph 13(b) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk);
    - (iii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
14. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), the Order and a note of the hearing on 20 April 2022 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.
15. 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 and a note of the hearing on 20 April 2022.

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

16. 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) Fixing copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites together with a notice which states that copies of the documents may be obtained from the Claimants' solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com) via, and may be viewed at, the web link referred to in paragraph 16(b) of this Order;
  - (b) Posting copies of these documents at the following web link: <https://ukop.azurewebsites.net>;
  - (c) 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(b) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk)
    - (iii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com)
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)
17. 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.
18. 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 (but this is without prejudice to whether the test in s.12(2)(a) of the Human Rights Act 1998 is satisfied at the date of hearing of any future application).

## **COSTS**

19. Costs reserved.

## **COMMUNICATIONS WITH THE COURT**

20. 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

21. Name and address of the Claimants' legal representatives

Fieldfisher LLP  
Riverbank House  
2 Swan Lane  
London  
EC4R 3TT

Telephone: 020 7861 4000

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

## 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**

1. 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.

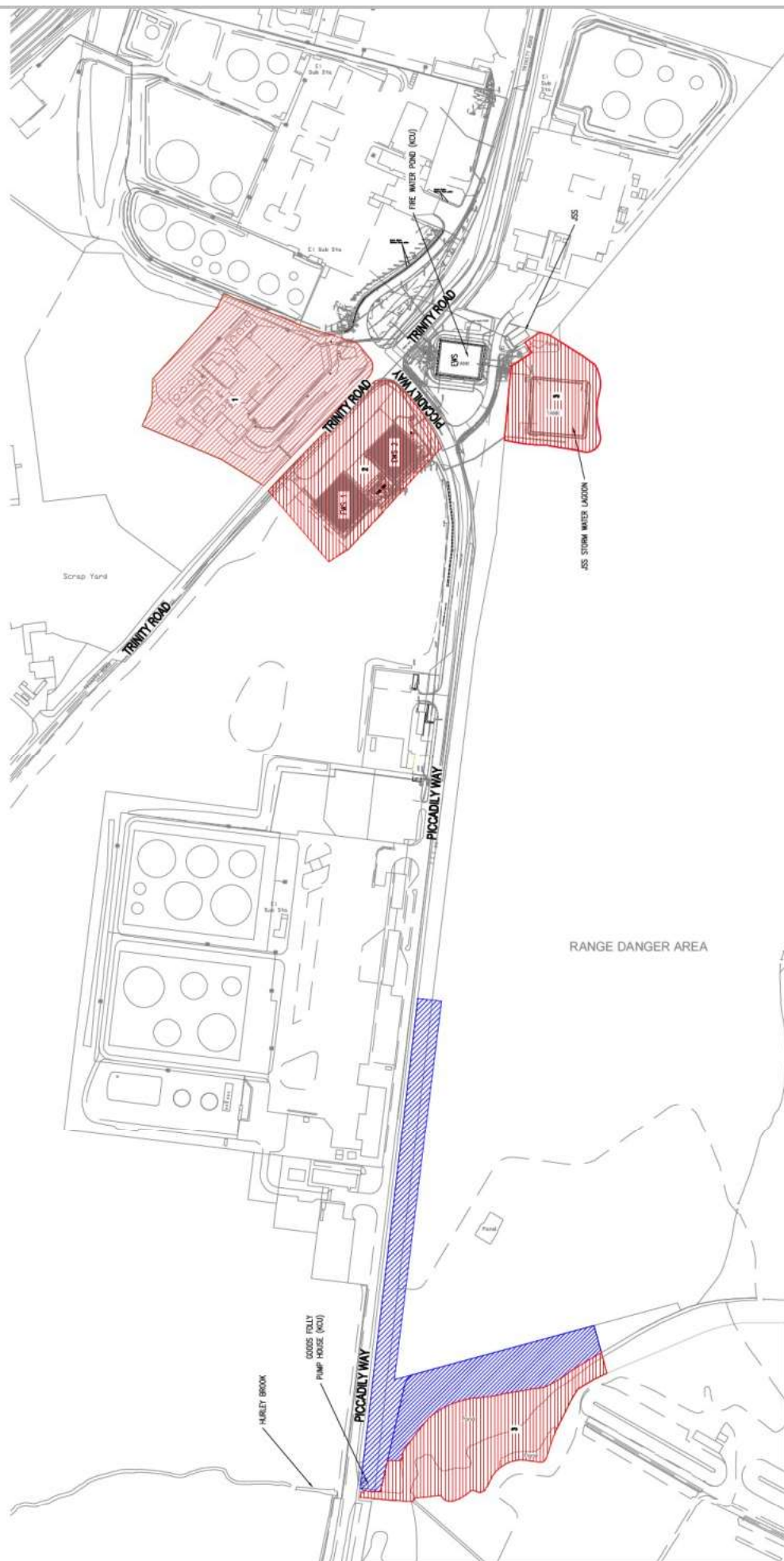
#### **SCHEDULE 4**

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 CLAIM NO: PT – 2022 - 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 2022

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 20 APRIL 2023 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](mailto:UKOPinjunction@fieldfisher.com))

ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 15 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](mailto: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 Buncfield 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 INJUNCTION IN FORCE

NOTICE OF HIGH COURT ORDER DATED 20 APRIL 2022

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 20 APRIL 2023 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.

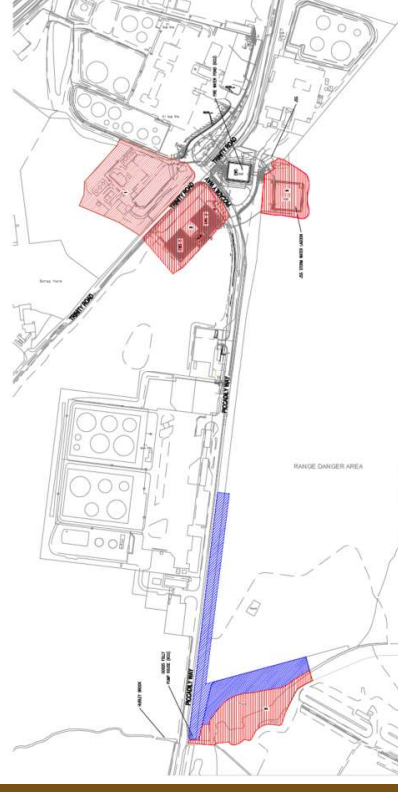
REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

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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](mailto: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.

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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.

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

Claim No. PT-2022-000303



PT-2022-000303

Before: The Honourable Mr Justice Rajah

Dated: 20 April 2023

**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**

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**ORDER AGAINST THE FIRST AND SECOND DEFENDANTS**

**(COLLECTIVELY "THE DEFENDANTS")**

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### **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 4 April 2023

**AND UPON** hearing Katharine Holland KC and Yaaser Vanderman for the Claimants

**AND UPON READING** the evidence recorded on the Court file (and set out in Schedule 1) 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 20 October 2023, final determination of this claim or further order in the interim, whichever is the earlier:

(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.

**INTERPRETATION OF THIS ORDER**

- 5. 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**

- 6. 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 copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites;
  - (c) 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
  - (d) 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 6(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
7. 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. For the avoidance of doubt, good service will have been effected once the initial posting, fixing and sending has taken place regardless of whether copies of the Order or warning notices are subsequently removed, for example, by the actions of third parties.
8. 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.

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

9. 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 9(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 9 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 9 above have been completed in respect thereof, 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 in paragraph 9 above shall stand as good service.

### **COSTS**

12. Costs reserved.

### **COMMUNICATIONS WITH THE COURT**

13. All communications about this Order should be sent to:

Court Manager  
The Business and Property courts of England and Wales  
7 Rolls Building, Ground Floor/Counter 9  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 6690. The public counters are open weekdays 10.00 a.m. to 4.30 p.m.

14. 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 5 April 2023
7. Second Witness Statement of Peter Davis dated 5 April 2023
8. Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023

## 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 which is registered at Land Registry under title number WK522590 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.

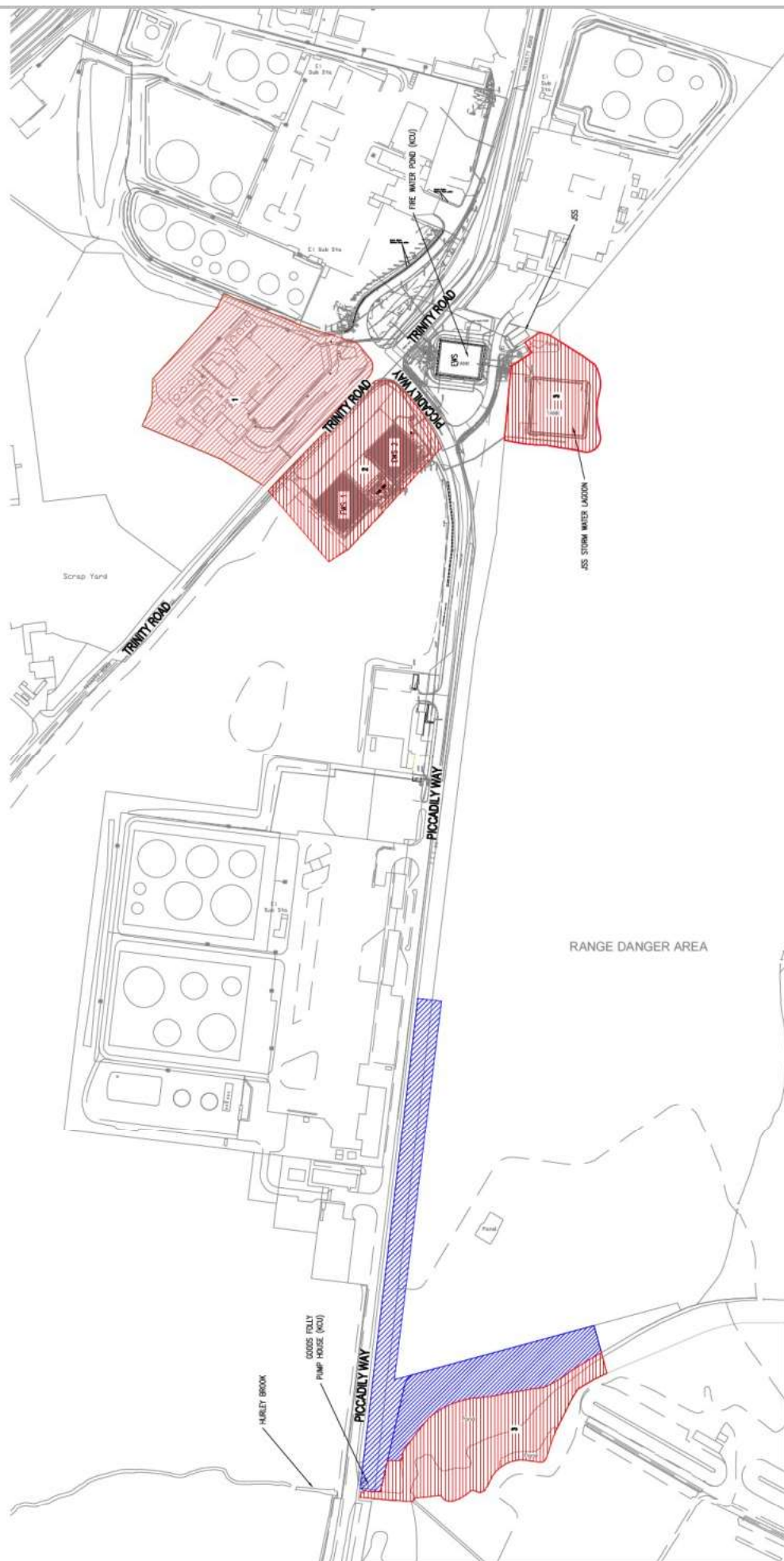
#### **SCHEDULE 4**

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 CLAIM NO: PT – 2022 - 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 2023

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IT IS ORDERED THAT, UNTIL 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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
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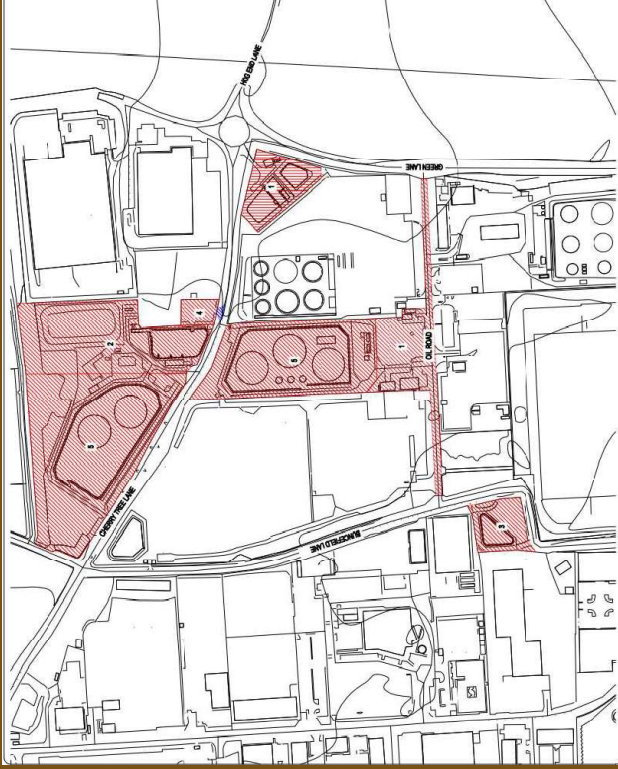
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**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com))

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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 INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 2023

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- 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.

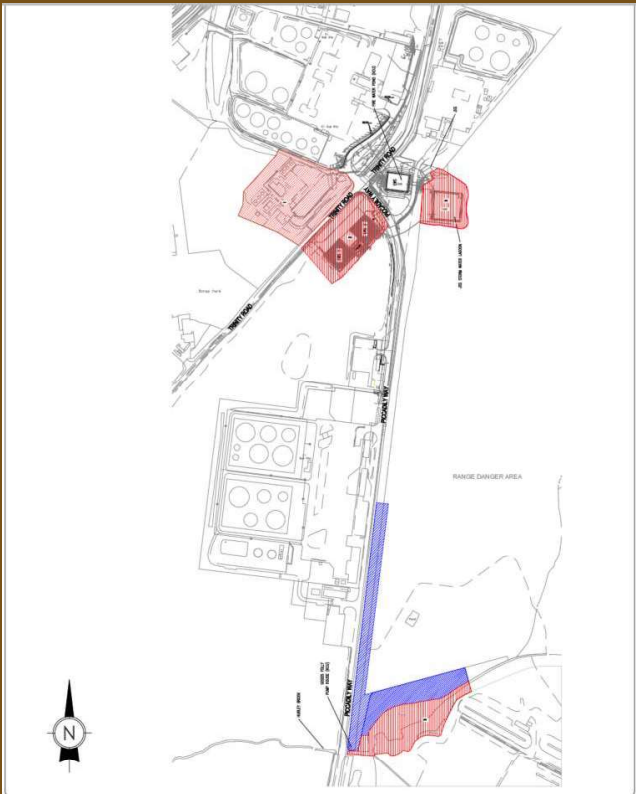
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAY SET OUT IN PARAGRAPHS 3 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](mailto: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 registered which is registered at Land Registry under title number WK522590 and marked 3 on the plan above.

#### **D. Witness Statements**

Party: Claimant  
Witness: Peter Malcolm Davis  
Exhibit: UKOP1  
Dated: 7 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 ATTACHED SITE 2 PLAN)**

**First Defendant/ Respondent**

**(2) PERSONS UNKNOWN WITHOUT CONSENT 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**

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**FIRST WITNESS STATEMENT OF**

**PETER MALCOLM DAVIS**

---

I, Peter Malcolm Davis, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as a Consultant on behalf of British Pipeline Agency Limited ("**BPA**") and have held this role since September 2021. I have worked for BPA for over thirty-five years and prior to becoming a consultant, and since 2000, I was a Director and General Manager of BPA.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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. Where I refer to events that occurred before I provided consultancy services to UKOP and WLPSL, my knowledge is based on documentation and/or information that I have been provided with while working at UKOP and WLPSL.
6. Produced and shown to me is a bundle of documents containing exhibit UKOP1. Unless otherwise stated, page references in this witness statement refer to pages in those exhibit bundles.
7. The Claimants make this application to prevent the following protestor activities:
  - (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.
8. Pursuant to the foregoing, the Claimants make this application for an order, and I make this witness statement in support of the Claimants' application for an order:
  - (a) forbidding the First Defendant and each of them from entering or remaining upon the land and/or buildings described in Schedule 2 to the draft Order (the "**Sites**") and which are shown for illustration purposes shaded red on the plans annexed to Schedules 4 to 5 of the draft Order, and/or from causing damage to, or removing equipment from, the Sites, without the consent of the Claimant.
  - (b) forbidding the Second Defendant and each of them from substantially interfering with:
    - (i) the First Claimant's rights to pass and re-pass (with or without vehicles and at any time), the private access road on the land adjoining Site 1 (the "**Site 1 Access Route**"), which is shown shaded blue on the plan annexed to Schedule 4 of the draft Order, for access and egress between Site 1 and the public highway; and/or
    - (ii) the rights of the First Claimant to pass and re-pass (with or without vehicles and at any time) over the private access road on the land adjoining Site 2 (the "**Site 2 Access Route**"), which is shown shaded blue on the plan annexed to Schedule 5 of the draft Order, for access and egress between Site 2 and the public highway;

- (c) an order permitting service of the Order, and the documents comprising the Claim Form, the Particulars of Claim, the Response Pack and the Application Notice dated 7 April 2022, and witness statements relied upon by the Claimant, by alternative means.

(the "**Application**").

9. This witness statement supplements Mr Armstrong's statement dated 7 April 2022 in which he:
  - (a) provides evidence of the current operations on each of the Sites;
  - (b) addresses the health and safety concerns raised by those operations; and
  - (c) provides evidence of significant unlawful protestor activity that has occurred to date at each of the Sites and similar sites.
10. I have read a draft version of Mr Armstrong's witness statement and whilst I have not seen or reviewed all of the underlying evidence referred to in that statement, I agree with the facts given and statements made therein to the extent that they are within my knowledge.
11. The purpose of this witness statement is to:
  - (a) provide the Court with details of the parties;
  - (b) identify the sites which are the subject matter of this Application; and
  - (c) provide evidence of the Claimants' respective ownership, possession, control and rights in respect of the sites which are the subject matter of this Application.

### **THE CLAIMANTS**

12. As referred to above, BPA acts as agent for the First Claimant, UKOP. The United Kingdom Oil Pipeline (the "**Pipeline**") is an oil products pipeline opened in 1969, owned by UKOP and administered and operated by BPA as agent for UKOP. The Pipeline generally transports in excess of 6 billion litres of product each year and consists of two pipelines, linking the Thames (Essex Coast) and Stanlow via the sites which are the subject of this Application as well as a terminal at Northampton
13. The Second Claimant, WLPSL, is a connected company for whom BPA also act as agent. The WLPSL stores and transports Aviation Fuel via pipeline to Heathrow and Gatwick Airports as well as via road tanker to others generally supplying in excess of 3.5billion litres of product each year.

### **THE SITES**

14. The properties which are the subject matter of these proceedings comprise land and buildings in various locations in England, namely:
  - (a) Land and buildings on the north, north east, south and south west of Cherry Tree Lane, Hemel Hempstead and land on the west side of Buncefield Lane, Hemel Hempstead, (together "**Site 1**"), as shown shaded red on the plan exhibited at Schedule 4 of the draft Order (the "**Site 1 Plan**"); and

- (b) Land at Kingsbury and land on the south-east side of Trinity Road, Kingsbury ("**Site 2**"), as shown shaded red on the plan exhibited at Schedule 5 of the draft Order (the "**Site 2 Plan**")
15. Site 1 is the WLPSL Buncefield oil terminal located on the edge of Hemel Hempstead and constructed in 1968. The WLPSL terminal was reconstructed by BPA in 2012 – 2017, having been destroyed in the Buncefield incident in December 2005. The site is one of the largest oil-products storage depot in the UK, with a storage capacity of about 65 million litres of fuel.
  16. The site is a major hub on the Pipeline with pipelines to the Stanlow and Lindsey refineries, and Thames oil terminals and is an important fuel source to the British aviation industry, providing aircraft fuel for local airports including Gatwick, Heathrow and Luton airports. About half of the terminal is dedicated to the storage, handling and quality control of aviation kerosene, the remainder transferring refined products (Aviation kerosene, petrol and diesel) to neighbouring terminals.
  17. The terminal's functions are:
    - (a) to receive product from the UKOP and multiproduct pipeline system and divert the flow either to the new terminal managed by BPA, or to the appropriate local tank farms operated by other oil companies;
    - (b) to enable the storage and batching (product quality control recertification) of aviation fuel received from the multi-product pipeline systems;
    - (c) to act as the supply depot for aviation kerosene transfer via pipeline to Heathrow and Gatwick Airports; and
    - (d) to provide loading facilities to allow export of aviation kerosene by road tanker.
  18. The WLPSL terminal is of key strategic importance to the UK as a key hub in the distribution of both fuels for ground transport and aviation. Heathrow, Gatwick and Luton airports depend on supplies from the terminal to maintain operations. Furthermore, supplies of diesel and petrol to filling stations across the southeast depend of products transferred through the terminal.
  19. BPA acts as a common user agency for the site and has overall responsibility for safety functions on the site including, fire fighting water, water treatment, common drainage and road maintenance.
  20. Site 2 is the UKOP Kingsbury Terminal an oil storage depot located to the northeast of the village of Kingsbury in Warwickshire. It was opened in the late 1960s and serves the Midlands region. It receives fuel from the Stanlow refinery as well as the Thames Oil terminals and distributes it to neighbouring terminals.
  21. The UKOP Kingsbury terminal is of key strategic importance to the UK providing aviation kerosene to the Midlands Airports and refined products (Diesel, Petrol and Kerosene) to filling stations across the Midlands. The UKOP Kingsbury terminal also hosts the national control centre for multi fuel pipeline operations providing monitoring of the safety of over 1000km of high-pressure pipelines and terminals.
  22. BPA also acts as a common user agency for Site 2 and has overall responsibility for safety functions on the site including fire-fighting water, water treatment, common drainage and road maintenance.



23. In this statement, I describe the Sites in detail and provide evidence of the respective Claimants' ownership, possession, control and rights in respect of the Sites.

#### **SITE 1: BUNCEFIELD**

24. The First Claimant is the proprietor of three freehold interests in Site 1, which include:
- (a) The property shaded red and numbered "1" on the Site 1 Plan, being land and buildings on the south side of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485114. An official copy of the register and plan of the freehold title appear at **pages 5-9**; **EB1 Tab 4: 147-150**
  - (b) The property shaded red and numbered "2" on the Site 1 Plan, being land to the north of Cherry Tree Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485115. An official copy of the register and plan of the freehold title appear at **pages 10-14**; and **EB1 Tab 5: 151-154**
  - (c) The property shaded red and numbered "3" on the Site 1 Plan, being land on the west side of Buncefield Lane, Hemel Hempstead which is registered at the Land Registry under title number HD485116. An official copy of the register and plan of the freehold title appear at **pages 15-18**. **EB1 Tab 6: 155-157**
25. In addition, the First Claimant is the proprietor of one leasehold interest in Site 1, which is the property shaded red and numbered "4" on the Site 1 Plan, being land on the north side of Cherry Tree Lane, Hemel Hempstead pursuant to a lease dated 23 September 2013 made between (1) Total UK Limited and (2) United Oil Kingdom Pipelines Limited (the "**Site 1 Lease**") which is registered at the Land Registry under title number HD529733. An official copy of the register and plan of the leasehold title appear at **pages 19-24**. A copy of the Site 1 Lease is exhibited at **pages 25-113**. **EB1 Tab 7: 158-162**  
**EB1 Tab 2: 33-121**
26. Pursuant to clause 2, Schedule 1 of the Site 1 Lease, the First Claimant enjoys a right at all times or without vehicles to enter upon and to pass over and across the accessway forming part of the landlord of the Site 1 Lease's retained land (the "**Land Adjoining Site 1**") for the purpose of gaining access to and egress from Site 1 to the public highway.
27. The access track leading from the public highway to Site 1 which forms part of the Land Adjoining Site 1 is shown coloured blue on the Site 1 Plan (the "**Site 1 Access Route**").
28. The Second Claimant is the proprietor of a further freehold interest in Site 1. This is the property shaded red and numbered "5" on the Site 1 Plan, being land on the north east and south west side of Cherry Tree Lane, Hemel Hempstead, and which is registered at the Land Registry under title number HD485118. An official copy of the register and plan of the freehold title appear at **pages 114-117**. **EB1 Tab 8: 163-166**

#### **SITE 2: KINGSBURY**

29. The First Claimant is the proprietor of two freehold interests in Site 2, which include:
- (a) The property shaded red and numbered "1" on the Site 2 Plan, being all that piece of land at Kingsbury in the County of Warwick comprising 4.96 acres or thereabouts. The property, which is unregistered, was conveyed to the Claimant pursuant to an conveyance between Shell-Mex and B.P. Limited (1) and the Claimant (2) dated 31 March 1967, which conveyance appears at **pages 129-133**; and **EB1 Tab 1: 28-32**

- (b) The property shaded red and numbered "2" on the Site 2 Plan, being the land on the south-east side of Trinity Road, Kingsbury, Tamworth and which is registered at the Land Registry under title number WK468465. An official copy of the register and plan of the freehold title appear at **pages 134-139**. **EB1 Tab 9: 167-171**
30. In addition, the First Claimant is the proprietor of one leasehold interest in Site 2, which is the property shaded red and numbered "3" on the Site 2 Plan, being land at Kingsbury in the County of Warwick pursuant to a lease dated 3 November 2021 made between (1) The Secretary of State for Defence and (2) United Oil Kingdom Pipelines Limited (the "**Site 2 Lease**").
31. The Site 2 Lease is pending registration at the Land Registry but falls within freehold title number WK455852 (see official copies at **pages 140-145**.) A copy of the Site 2 Lease is exhibited at **pages 146-170**. **EB1 Tab 10: 172-177**  
**EB1 Tab 3: 122-146**
32. Pursuant to clause 2 of the Site 2 Lease, the First Claimant enjoys a right at all times (with or without vehicles) over, and other ancillary rights in respect of, the accessway forming part of the landlord of the Site 2 Lease's retained land (the "**Land Adjoining Site 2**") for the purpose of gaining access to and egress from Site 2 to the public highway.
33. The access track leading from the public highway to Site 2 which forms part of the Land Adjoining Site 2 is shown coloured blue on the Site 2 Plan (the "**Site 2 Access Route**").

#### **FURTHER INFORMATION ABOUT THE SITES**

34. In the paragraphs that follow I give evidence in relation to:
- (a) the means of access to and egress from each of the Sites; and
- (b) the physical appearance of the boundaries of the Sites, including any physical barriers and deterrents to entry.

#### **SITE 1: BUNCEFIELD**

35. As referred to at paragraphs 24 to 27 above, the First Claimant has the benefit of three freehold interests in Site 1, namely the properties shaded red and numbered 1, 2 and 3 on the Site 1 Plan and one leasehold interest in Site 1, namely the property shaded red and numbered 4 on the Site 1 Plan. The Second Claimant has the benefit of one freehold interest in Site 1, namely the property shaded red and numbered 5 on the Site 1 Plan.
36. In respect of the property shaded red and numbered "1" on the Site 1 Plan, this property constitutes the main site at the Buncefield terminal complex and comprises pipeline reception facilities, offices and a control room together with a water treatment plant for all surface water from the complex. Within the boundary of the property is Oil Road, which is a private road running from Green Lane to the East through Site 1.
37. In respect of the property shaded red and numbered "2" on the Site 1 Plan, this property comprises:
- (a) the main fire water pond for the complex;
- (b) the fire pumps for the complex;
- (c) the fire control point for the complex;

- (d) used firewater storage for the complex; and
  - (e) additional pipeline reception facilities
- 38. In respect of the property shaded red and numbered "3" on the Site 1 Plan, this property comprises a back-up fire pond for the complex. It is separated geographically from the rest of the complex by Buncefield Lane.
- 39. In respect of the property shaded red and numbered "4" on the Site 1 Plan, this property is used as a hard standing area for keeping and operating fire tenders and ancillary pumps and equipment to be used by the emergency services during emergency response events or rehearsals of such events at the terminal.
- 40. In respect of the property shaded red and numbered "5" on the Site 1 Plan, this property comprises two parcels of land and buildings which together contain the Second Claimant's storage and pipeline systems:
  - (a) the Northern site (commonly referred to as Cherry Tree Farm) which has two 2 tanks; and
  - (b) the Southern site which has large storage tanks and three smaller storage tanks
- 41. The main entrance providing access to and egress from Site 1 is to the right of Oil Road at the bottom right of the Site 1 Plan which leads right onto Green Lane and then on to the M1. The main entrance is gated. These gates are set back from the visibility splay and need to be permanently open when the terminal is operational to allow for free flow of access and egress. There is a further entrance to Site 1 to the left of Oil Road at the bottom left of the Site 1 Plan which leads onto Buncefield Lane. This entrance is gated and the gates are permanently closed. There are various smaller site maintenance and emergency access routes off Cherry Tree Lane (also known as Three Cherry Trees Lane).
- 42. Site 1 is surrounded by a perimeter fence and there is in place a site security system including CCTV, site lighting and access control.

## **SITE 2: KINGSBURY**

- 43. As referred to at paragraphs 29 to 33 above, the First Claimant has the benefit of two freehold interests and one leasehold interest in Site 2, namely the properties shaded red and numbered 1, 2, and 3 on the Site 2 Plan.
- 44. In respect of the property shaded red and numbered 1 on the Site 2 Plan, this comprises the main site at the Kingsbury terminal and houses the central control centre which operates the UKOP Stanlow to Kingsbury Pipeline, the UKOP Kingsbury to Buncefield Pipeline, the UKOP Thames to Kingsbury Pipeline and the WLP SL storage site and WLP SL pipelines for Heathrow and Gatwick Airports providing all control and safety monitoring functions.
- 45. In respect of the property shaded red and numbered 2 on the Site 2 Plan, this comprises the firefighting system of two fireponds and a FIRE pumphouse.
- 46. In respect of the property shaded red and numbered 3 on the Site 4 Plan, this comprises a firewater pond for the terminal and a balancing pond. The firewater pond supplies firewater for the Kingsbury terminal and other neighbouring terminals owned by other operators and is required for day-to-day operations. The balancing pond is for site drainage water (surface water) for storage and

disposal. Fire water pipelines are situated between the firewater pond and the balancing pond and which are primarily located under Piccadilly Way.

47. The main access to Site 2 is via Piccadilly Way and Trinity Road at the bottom left of the Site 2 Plan which then leads onto a private access road serving both the main site (numbered 1 on the Site 2 Plan) and the terminal facilities to the north of the site.
48. Site 2 is surrounded by a perimeter fence and there is in place a site security system including CCTV, site lighting and access control. The central security control Centre for the monitoring of all UKOP and WLPSL sites is within the Kingsbury site (shaded red and numbered 1 on the Site 2 Plan).

#### 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**

DocuSigned by:  
  
Signed: 3C9737B4C1C3477... Dated: 07/04/2022

**Peter Malcolm Davis**

Party: Claimant  
Witness: John Michael Armstrong  
Exhibit: UKOP 1 and UKOP2  
Dated: 7 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**

**JOHN MICHAEL ARMSTRONG**

---

I, John Michael Armstrong of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. I am duly authorised to make this witness statement on behalf of the Claimants.
4. 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.
5. Produced and shown to me are two bundles of documents containing exhibit UKOP 1 and UKOP2. Unless otherwise stated, page references in this witness statement refer to pages in those exhibit bundles.
6. The Claimants make this application to prevent 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.
7. Pursuant to the foregoing, the Claimants make this application for an order, and I make this witness statement in support of the Claimants' application for an order:
  - (a) forbidding the First Defendant and each of them from entering or remaining upon the land and/or buildings described in Schedule 2 to the draft Order (the "**Sites**") and which are shown for illustration purposes shaded red on the plans annexed to Schedules 4 to 5 of the draft Order, and/or from causing damage to, or removing equipment from, the Sites, without the consent of the Claimant.
  - (b) forbidding the Second Defendant and each of them from substantially interfering with:
    - (i) the First Claimant's rights to pass and re-pass (with or without vehicles and at any time), the private access road on the land adjoining Site 1 (the "**Site 1 Access Route**"), which is shown shaded blue on the plan annexed to Schedule 4 of the draft Order, for access and egress between Site 1 and the public highway; and/or
    - (ii) the rights of the First Claimant to pass and re-pass (with or without vehicles and at any time) over the private access road on the land adjoining Site 2 (the "**Site 2 Access Route**"), which is shown shaded blue on the plan annexed to Schedule 5 of the draft Order, for access and egress between Site 2 and the public highway;
  - (c) an order permitting service of the Order, and the documents comprising the Claim Form, the Particulars of Claim, the Response Pack, the Application Notice dated 7 April 2022, the evidence relied upon by the Claimants, an Application Notice in respect of the Return

Date hearing and any further evidence to be relied upon on the Return Date ("**the Court Documents**").

(the "**Application**").

8. Mr Davis' witness statement dated 7 April 2022 in which he provides details of the parties, identifies the sites which are the subject matter of this Application and provides evidence of the Claimants' respective ownership, possession, control and rights in respect of those sites supplements this witness statement.
9. I have read a draft version of Mr Davis' witness statement and whilst I have not seen or reviewed all of the underlying evidence referred to in that statement, I agree with the facts given and statements made therein to the extent that they are within my knowledge.
10. The purpose of this witness statement is to provide the Court with evidence of the current operations on each of the Sites that are the subject of this Application. I also address the health and safety concerns raised by those operations, and provide evidence of significant unlawful direct action that has occurred to date at each of the Sites and similar sites.
11. The evidence that is set out below, along with the evidence referred to in Mr Davis' witness statement, is intended to demonstrate why the Claimants are concerned that there is a real and imminent risk of unlawful acts occurring on and around the Sites absent the orders sought in the Application.

#### **THE CLAIMANTS**

12. The United Kingdom Oil Pipeline (the "**Pipeline**") is an oil products pipeline opened in 1969, owned by the First Claimant, UKOP, and administered and operated by BPA as agent for UKOP. The Pipeline generally transports in excess of 6 billion litres of product each year and consists of two pipelines, linking the Thames (Essex Coast) and Stanlow via the sites which are the subject of this Application as well as a terminal at Northampton
13. The Second Claimant, WLPSL, is a connected company for whom BPA also act as agent. The WLPSL stores and transports aviation fuel via pipeline to Heathrow and Gatwick Airports as well as via road tanker to others generally supplying in excess of 3.5billion litres of product each year.

#### **THE SITES**

14. The properties which are the subject matter of these proceedings comprise land and buildings in various locations in England, namely:
  - (a) Land and buildings on the north, north east, south and south west of Cherry Tree Lane, Hemel Hempstead and land on the west side of Buncefield Lane, Hemel Hempstead, (together "**Site 1**"), as shown shaded red on the plan exhibited at Schedule 4 of the draft Order (the "**Site 1 Plan**"); and
  - (b) Land at Kingsbury and land on the south-east side of Trinity Road, Kingsbury ("**Site 2**"), as shown shaded red on the plan exhibited at Schedule 5 of the draft Order (the "**Site 2 Plan**")
15. The witness statement of Mr Davis describes in detail the geographical extent of, and the Claimants' various interests in, the Sites.

**ACTIVITIES ON THE SITES AND ASSOCIATED HEALTH AND SAFETY ISSUES**

16. The nature of the operations at the Sites is such that any unlawful interference by trespassers and/or those carrying out direct action would pose a significant risk of damage and/or injury to persons and property, including to such trespassers and those carrying out direct action.
17. In this section, I summarise in relation to the Sites:
- (a) the current activities on the Sites including:
    - (i) the nature of the activities;
    - (ii) the nature of the plant and equipment which will be taken to and/or from and/or retained on the Sites during the activities;
    - (iii) the nature of any hazards on the Sites during the activities and any hazardous materials being taken to and from the Sites;
    - (iv) risks to trespassers and those carrying out direct action during these activities; and
  - (b) current security measures in place on the Sites.

**SITE 1 (BUNCEFIELD): ACTIVITIES/HEALTH AND SAFETY CONCERNS**

18. As more particularly set out in Mr Davis' witness statement, Site 1 is the WLP SL Buncefield oil terminal.
19. The primary activities undertaken on Site 1 are:
- (a) the storage of aviation kerosene for onwards transmission to Heathrow and Gatwick airports;
  - (b) the transfer of fuel products to neighbouring terminal;
  - (c) road loading of aviation kerosene; and
  - (d) storage of 'interface' material created as part of the Pipeline operation. Interface material is typically a mixture of fuels including petrol, kerosene and aviation kerosene.
20. Site 1 has experienced direct action in the form summarised at paragraphs 44(a) to (d) below. The Claimants believe that substantial direct action will continue. Such action will present significant practical, financial and logistical implications for the Claimants, many other third parties and potentially the UK economy, not to mention substantial health and safety risks as referred to in the following paragraphs. For that reason, the Claimants consider it necessary to seek judicial protection in the form of the orders sought.
21. Site 1 contains a number of above ground storage tanks for the handling of aviation kerosene and a number of interface tanks and slop tanks. The combined usable capacity of the primary tank is circa 65 million litres of fuel. All of the tanks are located inside impermeable bunds (secondary and tertiary containment) designed to contain any fuel in the event of an accidental release. The bunds comprise a reinforced concrete floor surrounded by reinforced concrete walls (and integrated stainless leak stops at joints).



22. Tertiary containment facilities comprise paved and surfaced areas draining into a common drainage system that in turn flows into either a treatment plant or a tertiary storage lagoon (constructed specifically for the management of water in emergency situations). Booster pumps deliver stored fuel from the tanks to the mainline high pressure pumps operational on the site. In addition, a series of filtration vessels ensure high standards of fuel quality are sustained. Recirculation pumps allow the movement of fuels within the site boundary. All of these facilities are located in bunded areas connected to a common drainage system.
23. The fire water lagoon provides 4.5 million litres of emergency firefighting water to the WLPSL terminal and to neighbouring sites (see paragraph 35 below).
24. Current onsite hazards on Site 1 include (but are not limited to) the following:
- (a) high pressure pipework, high pressure pumping systems, low pressure pipework and tankage for the handling and storage of hazardous substances including aviation kerosene, kerosene, petrol and diesel fuel;
  - (b) high and medium voltage electricity;
  - (c) deep water; and
  - (d) moving heavy duty vehicles
25. Given the nature of the site and its use, Site 1 is subject to the Control of Major Accident Hazards Regulations 2015 (the “**COMAH Regulations**”). The COMAH Regulations apply to operational establishments which hold dangerous substances at or above the qualifying thresholds in the Regulations. Site 1 is listed as an Upper Tier establishment. Upper Tier establishments hold greater quantities of dangerous substances meaning that additional requirements are placed on them by the COMAH Regulations to ensure compliance. Information is available on the Health and Safety Executive's website in relation to Site 1 and is exhibited at **UKOP1: pages 118-122** of **EB1 Tab 18: 209 -213** the bundle.
26. The pages exhibited at **UKOP1: pages 118-122** confirm the major accident hazards and scenarios **EB1 Tab 18: 209 -213** at the site and the control measures that are in place to address them. The nature of major accident hazards include:
- (a) Accidental release of dangerous substances;
  - (b) Explosion; and
  - (c) Fire.
27. In relation to (a) above, release of liquid may lead to liquid flowing onsite and offsite to sewers, freshwater, estuarine waters, coastal waters, land or groundwater and resulting in damage to people and the environment and environmental pollution and contamination of drinking water supplies. Release of contaminated firewater containing dangerous substances may also contaminate and pollute sewers, freshwater, estuarine waters, coastal waters, land or groundwater. Release of toxic gas or smoke may result in a gas cloud or smoke plume containing dangerous substances.
28. In relation to (b) above, should an explosion occur then the anticipated levels of blast overpressure may be harmful to humans and animals and damage buildings. Projectiles travelling at high speed

may also spread from the explosion presenting a risk to people, animals and damage buildings. Explosions may also initiate fires.

29. In relation to (c) above, fires could range from an intense fire lasting several seconds to large fires lasting several minutes or hours. There is potential for fire damage to people and the environment and fires may spread to other areas. A drifting cloud of flammable gas may also ignite. Fires may generate smoke clouds which may lead to breathing difficulties and deposition of soot on property and vegetation.
30. Given the risks arising from the above, extensive control measures are in place at the site including the following:
  - (a) access to the site is strictly controlled;
  - (b) the site has storage tanks, process vessels, pipework and control systems designed and maintained to prevent major accidents;
  - (c) arrangements are in place:
    - (i) for regular safety inspections of plant and processes;
    - (ii) ensure all employees have the necessary skills and competencies to do their job and deal with any emergencies that arise;
    - (iii) to inform, instruct, train and supervise the workforce;
    - (iv) to monitor, track and improve health and safety systems; and
    - (v) to prevent or minimise loss of containment of dangerous substances
  - (d) buildings on site are designed and arranged to prevent or minimise knock-on effects of an incident;
  - (e) containment systems are in place for relevant work areas to minimise the loss of spilled material to the environment;
  - (f) detectors are in place to alert managers of any loss of containment;
  - (g) emergency response systems & procedures are in place;
  - (h) maintenance and inspection is carried out to keep equipment in good working order there is in place a detailed way of working with policy, operating standards and a Health, Safety and Environmental management system to maintain and improve safety and environmental performance;
  - (i) there is an automatic/manual fire alarm system connected to a central monitoring station and/or the fire service and there are on-site response facilities to reduce the impact of an incident;
  - (j) isolation procedures are in place to prevent or reduce the extent of an incident and key operating units and storage facilities are fitted with automatic shutdown and isolation systems. Key operating units and storage facilities also have containment systems in place to keep chemicals and firewater on-site and key operating units and/or relevant

warehouses/storage facilities are fitted with fire detection and/or suppressant and/or protection systems;

- (k) procedures are in place to control the activities of contractors or visitors to the site;
  - (l) there is elimination of all potential ignition sources to protect against the ignition of flammable material and explosion; and
  - (m) traffic management arrangements are in place.
31. In addition to the above, for safety and security reasons, a site security system is in place including perimeter fence around the site, CCTV, site lighting and access control. The Site is manned by gate security staff controlling access and maintaining a register of personnel on location for use in case of an emergency. Because of the hazards present on Site 1, all personnel entering the Site 1 for the purpose of work activities can only do so after completing extensive health and safety training. Such personnel are also required to wear full, approved, Personal Protective Equipment ("PPE") including, as a minimum, coveralls, a safety helmet, safety boots and safety glasses. The only exception to the requirement for PPE would be for the emergency services attending in an emergency situation.
32. Any unauthorised persons entering Site 1 for purposes other than conducting planned work activities would do so without receiving the essential training and PPE referred to above. As indicated above, they could therefore be exposed to a number of on-site hazards that have the potential to result in personal injury to themselves or others or in damage to the environment. If unauthorised personnel entered Site 1 at any time, it would therefore be necessary immediately to shut down operations for health and safety reasons.
33. Additional off-site health and safety risks are posed by hazards and/or obstructions along the road used for access to / egress from Site 1. Risks are presented by the movement of trucks to and from Site which are carrying hazardous substances. Given the nature of the site, access for emergency vehicles is required 24 hours a day.
34. As referred to above, Site 1 is interconnected with neighbouring terminals which are also Upper Tier COMAH establishments and in relation to which the risk / hazard profile is similar (see **UKOP1: pages 123 to 127** by way of example). The infrastructure, surface water drainage system and fire-fighting systems are common for Site 1 and its neighbouring sites.

**EB1 Tab 17:  
204-208**

## **SITE 2 (KINGSBURY): ACTIVITIES/HEALTH AND SAFETY CONCERNS**

35. The primary activities undertaken on Site 2 are:
- (a) transfer of fuel to neighbouring terminals from pipeline systems including the storage of pipeline interface material;
  - (b) transfer of fuel from the neighbouring terminal to the pipelines system for onward transportation; and
  - (c) acting as the central control centre for the monitoring and control of the UKOP and WLPSL pipeline and storage network.
36. Current onsite hazards on Site 2 include (but are not limited to) the following:

- (a) high pressure pipework, high pressure pumping systems, low pressure pipework and tankage for the handling and storage of hazardous substances including aviation kerosene, petrol and diesel fuel;
  - (b) high and medium voltage electricity;
  - (c) deep water; and
  - (d) moving heavy duty vehicles.
37. Whilst Site 2 is not a site which is subject to the COMAH Regulations, it does store petrol interface material and is linked to three COMAH sites within the same locality at Kingsbury Terminal, and all of which are Upper Tier establishments.
38. The pages exhibited at **UKOP1: pages 171-186** confirm the major accident hazards and scenarios **EB1 Tab 16:** at the three neighbouring COMAH sites and the control measures that are in place to address **198-203** them. The hazards are similar to those that exist at Site 1 and include:
- (a) Accidental release of dangerous substances;
  - (b) Explosion; and
  - (c) Fire.
39. Site 2 also houses the Central Control Centre which monitors and operates:
- (a) the UKOP and WLPSL pipelines including the Buncefield storage site which is a COMAH site; and
  - (b) the national pipeline operations of UKOP and WLPS which are governed by the Pipelines Safety Regulations 1996 (the "**Pipeline Regulations**"). The Pipeline Regulations apply to all pipelines in the UK and their purpose is to ensure that pipelines are designed, constructed and operated safely in order to provide a means of securing pipeline integrity, thereby reducing risks to the public and to the environment.
40. Site 2 is surrounded by a perimeter fence and there is in place a site security system including CCTV, site lighting and access control. The central security centre for the monitoring of all UKOP and WLPSL sites is within Site 2.
41. The Land Adjoining Site 2 is owned by the Secretary of State for Defence (the "**MOD**") and comprises the Kingsbury Rifle Range which remains in active use. The range danger area consists mainly of Kingsbury Woods and access to these woods is restricted to times when the range is not in use. The full perimeter of the range danger area is signed to warn of danger. However, the MOD has no significant protection mechanisms or barriers in place against unauthorised third party access.
42. Site 2 has also experienced obstructive action by individuals carrying out direct action in the form summarised at paragraphs 45(a) to (e) below.

#### **GROUPS CARRYING OUT DIRECT ACTION**

43. Extinction Rebellion and Just Stop Oil are the two principal campaign groups that have directly targeted the Sites in the last week and from whom further direction action is anticipated. Extinction

Rebellion, established in May 2018, are often referred to in the national press as 'XR' and are an international environmental movement. They claim to use non-violent civil disobedience to protest against "*mass extinction and minimise the risk of social collapse*" **UKOP2: pages 190-194**. Just Stop Oil are a youth led protest group and describe themselves as a "*coalition of groups working together to ensure the Government commits to halting new fossil fuel licensing and production*" and who protest through means of non-violent civil disobedience, with "*strikes, boycotts, mass protests and disruption*" **UKOP2: pages 195-197**. They first came to public attention when, as part of a series of protests, they disrupted high profile football matches (Liverpool vs Arsenal and Everton vs Newcastle), by gluing and chaining themselves to goalposts **UKOP: pages 198-201**. Both campaign groups are protesting to stop new fossil fuel funding, and end the use of fossil fuels (especially gas and oil) **UKOP2: pages 202-213**. Just Stop Oil call for the immediate halting of all future licensing and consents for the exploration, development and production of fossil fuels **UKOP2: pages 214-221**. Information relating to the respective campaign group's strategies is at **UKOP2: pages 195-197 and UKOP2: pages 222-230**.

EB2 Tab 47:  
204-208EB2 Tab 48:  
209-211EB2 Tab 22:  
49-52EB2 Tab 23:  
53-64EB2 Tab 19:  
28-35EB2 Tabs 47  
and 48:  
204-208

## DIRECT ACTION AT THE SITES

44. The very recent examples of direct action targeted at Site 1 and which activity appears to have been fronted by the campaign groups referred to above, includes the following:

(a) on 1 April 2022, Just Stop Oil activists climbed on top of an oil tanker at the entrance of Site 1, with other individuals sat on the road in front of the oil tanker. Site 1 was among one of ten oil facilities targeted by the individuals carrying out direct action (with Site 2 being another target as set out below). Police were first called to Site 1 just before 4.15am to reports that a number of people were blocking the entrance to the depot. Police were forced to close Green Lane as individuals had chained themselves to the top and bottom of the oil tanker at the entrance to the site and had let the tyres down. 27 people were arrested at the site as a result **UKOP2: pages 231-237**.

EB2 Tabs 24  
and 40: 65 &  
164-169

(b) on 3 April 2022, Site 1 was targeted again and individuals carrying out direct action were back on site at around 3:12am (see **UKOP 2: pages 232-239**). Around 33 individuals were at the site and blocking the entrance to the depot. It was reported to me by on site personnel that Just Stop Oil protestors had cut through a fence to access Oil Road on Site 1 at this time and had caused damage to the perimeter fencing surrounding Site 1 as well as climbing on oil tankers at Oil Road which forms part of Site 1. This was reported to the Police by on site personnel under the crime reference number 41/26357/22.

EB2 Tabs 36  
and 40:  
139-143 &  
164-169

(c) on the same date (3 April 2022) a statement from Hertfordshire Police confirmed that alongside individuals blocking the entrance to Site 1, a number of other individuals had managed to gain access to the inside of the neighbouring BP terminal Green Lane was closed as a result and remained closed for some time. 14 people were arrested. A tweet from the Just Stop Oil Group read "*#JustStopOil supporters inside the massive Buncefield terminal. Govt wants to produce every barrel of North Sea oil & gas – destroy the climate, the economy and our lives. The govt needs to #getagrip, get out of bed with the oil industry.*" **UKOP2: pages 238-242**. More than 30 individuals also camped outside the site overnight, one of which is reported as stating that "*this is an ongoing campaign so there is no end date to it.....direct action and civil disobedience is only going to ramp up until we see change in the right direction*". Some of those carrying out the direct action stood on fuel trucks with banners and refused to come down, while others sat outside the gates to prevent tankers from leaving **UKOP2: pages 243-252**. Direct action continued at Site 1 over the weekend **UKOP2: pages 253-254**.

EB2 Tab 36:  
139-143EB2 Tab 37:  
144-153EB2 Tab 39:  
156-163

- (d) on 4 April 2022, it was reported that 41 arrests had been made in connection with the direct action. A Just Stop Oil spokesperson said that there were 200 arrests between 1 and 4 April 2022 in total across the oil facilities targeted. Superintendent Jameson of Hertfordshire Police is reported as stating:

*"Protestors securing themselves to fuel tankers and unlawfully accessing an extremely hazardous site not only puts the protestors themselves at severe risk, but also poses a substantial danger to countless other people – members of the public, site workers who are just trying to do their jobs, not to mention emergency service workers who are having to work in incredibly challenging circumstances to bring these situations to a safe conclusion UKOP2: pages 255-256."*

EB2 Tab 41:  
170-171

45. Site 2 has also been subject to direct action in the form of:

- (a) on 1 April 2022, members of Extinction Rebellion and Just Stop Oil blocked the main entrance to Site 2 preventing oil tankers from leaving the site. Individuals blocked the main entrance to the oil terminal by sitting in the road, holding banners stating "Just Stop Oil" and climbing on top of an oil tanker. Those carrying out direct action also let the air out of the tyres of an oil tanker (see **UKOP2: pages 257-272**);
- (b) on 3 April 2022, it was reported that Warwickshire Police had made 54 arrests at Site 2 for offences including criminal damage, obstructing the highway and public order following two days of policing activity in relation to the direct action at Site 2 **UKOP2: pages 273-275**;
- (c) on 3 April 2022, Warwickshire police confirmed that a police presence would remain on Site 2 to deal with the 'protest activity' **UKOP2: pages 276-278**;
- (d) on 5 April 2022, 20 activists from Just Stop Oil again blocked the entrance to the terminal by sitting in the road with banners at the gate which they said was causing tankers to be turned away. The group claimed that five people had been arrested, whilst those remaining were either glued to the road or locked on – and a roadblock was also established on a tanker route to and from the terminal near Junction 9 on the M42. Warwickshire Police said that a total of eight activists had been arrested, bringing the total across the 10 sites affected to 283 **UKOP2: pages 279-288**; and
- (e) on 7 April 2022, Just Stop Oil tweeted that from 00:40am on 7 April 2022 there were supporters of Just Stop Oil blocking the entrance to Site 2. They also claimed that they had protestors inside the Kingsbury oil terminal (but which does not comprise part of Site 2), and that they "seem to have free rein of this place" **UKOP2: pages 289-291**;

EB2 Tab 32:  
109-125

EB2 Tab 42:  
172-174

EB2 Tab 38:  
154-155

EB2 Tab 45:  
192-201

EB2 Tab 52:  
252-254

46. As referred to above, there have been related direct action at sites owned by other operators including:

- (a) on 1 April 2022:
- (i) Members of Just Stop Oil and Extinction Rebellion blocked 10 oil terminals across the UK, listing the locations on their website as: Inter Terminals UK, Grays, Essex; Navigator Terminals Thames, Grays Essex; Site 1, Hemel Hempstead, Hertfordshire; Esso Birmingham Fuel Terminal, Birmingham, West Midlands; Esso West London Terminal near Heathrow Airport, west London; BP's Hamble Oil Terminal, Southampton, Hampshire; ExxonMobil's Hythe Terminal, Southampton, Hampshire; Esso's Purfleet Fuels Terminal, Purfleet,

Essex; Site 2, Warwickshire; and BP Oil Depot, Kingsbury, Warwickshire (see **UKOP2: pages 292 – 295**). It was reported that Extinction Rebellion spokesman Andy Smith had stated that the group had "*held*" three locations of strategic importance to the UK's energy network including Esso West, near Heathrow Airport, Esso Hythe, Southampton and BP Hamble also in Southampton (see **UKOP2: pages 296 - 302**). Activities included:

- (A) Members of Just Stop Oil closed down the Gray's Inter Terminals by boarding fuel haulage vehicles (see **UKOP2: pages 304 - 306**);
- (B) it was reported that approximately 10 individuals were using a pink boat to block the entrance and exit to the Esso terminal at Hythe (see **UKOP2: pages 307 - 309**);
- (C) it was reported that two ports in Southampton were targeted by individuals from Just Stop Oil, by blocking roads to both BP's Hamble Oil Terminal and ExxonMobil's Hythe Terminal (see **UKOP2: pages 310 - 312**);
- (D) at the Tyburn Esso facility on Wood Lane, up to 45 individuals blocked the entrance to the site and glued themselves to the ground, whilst other protestors glued their arms to each other. Two protestors also climbed on top of an oil tanker. A spokesperson for Just Stop Oil said that they would remain "*until they are physically removed*" (see **UKOP2: pages 313 - 332**);
- (E) ExxonMobil had to shut down operations at Hythe, Birmingham, Purfleet and West London terminals due to direct action (see **UKOP2: pages 333 - 337**);
- (F) at Navigator Oil Terminal in Thurrock more than 30 people climbed on top of tankers (see **UKOP2: pages 338 - 339**);
- (G) at Esso's Purfleet terminal in London Road, about 15 individuals could be seen obstructing access to and from the terminal by locking themselves to a tanker vehicle outside the entrance and others to gates at the side (see **UKOP2: pages 333 - 337**); and
- (ii) it was reported that Essex Police had made a number of arrests after members of Just Stop Oil blocked roads on 1 April 2022, in Thurrock, leading to disruptions at Navigator Fuel Distribution Centre and at a depot in London Road, Purfleet (see **UKOP2: pages 340 - 342**);
- (b) on 2 April 2022, the Guardian reported that despite over 100 arrests, individuals were continuing to block UK oil terminals by climbing onto tankers and gluing themselves to roads (see **UKOP2: pages 343 - 344**).
- (c) on 4 April 2022, more than 30 member of Extinction Rebellion returned to the Esso West oil facility in West London near Heathrow Airport and blocked the entrance to the facility (see **UKOP2: pages 346 - 348**). They used two bamboo structures to block the entrance and displayed two large banners stating "*Join Us – London 9th April*" and "*Stop Fossil Fuels Now*".

- (d) on 4 April 2022, it was reported that activists were planning weeks of disruption across Britain, including using a network of secret tunnels at the Navigator Oil Terminal in Thurrock and Grays oil terminals in Essex to frustrate the operations of key oil facilities (see **UKOP2: pages 357 - 358**). **EB2 Tab 46: 202-203**
- (e) on 4 April 2022, Extinction Rebellion published an article on their website stating that they are "*here to stay*" at the Esso West oil facility and that they will "*continue to block oil facilities until the government agrees to stop all new fossil fuel investments immediately*" (see **UKOP2: pages 359 - 363**). **EB2 Tab 44: 187-191**
- (f) on 5 April 2022, the Times reported that supporters of Just Stop Oil and Extinction Rebellion had dug a secret network of tunnels at the Navigator Oil terminal in Thurrock, Essex, and that those supporters had remained underground as part of the action despite going 60 hours with no food (see **UKOP2: pages 279 - 288**); and **EB2 Tab 45: 192-201**
- (g) on 6 April 2022, members of Just Stop Oil blocked West Thurrock Way, carried out direct action inside the underground tunnels, and occupied the Navigator Terminal (see **UKOP2: pages 364 - 366**). On the same date Just Stop Oil claimed that around 25 individuals had broken into the Navigator terminal in Thurrock (see **UKOP2: pages 367 - 369**) and the Mail online reported that members of Just Stop Oil had climbed onto lorries and locked themselves to pipes (see **UKOP2: pages 370 - 376**). **EB2 Tab 49: 212-214**  
**EB2 Tab 50: 215-217**  
**EB2 Tab 51: 218-251**
47. The reference to "*London-9<sup>th</sup> April*" in paragraph 46(c) above, is a reference to a series of planned direct actions by Extinction Rebellion which are scheduled to take place later this month. The group's website indicates that the direct action will begin on 9 April 2022 in Hyde Park and individuals at the recent site protests have held banners encouraging people to join the protests at Hyde Park to end fossil fuels. The website further encourages people to "*book time off work from April 9<sup>th</sup>-17<sup>th</sup> and be ready to continue in civil resistance in London on at least the first 3 weekends following the 17<sup>th</sup>*". The stated intention is to "*flood the city with people to grind the capital to a halt, causing maximum material disruption*" (see **UKOP2: pages 404 - 407**). **EB2 Tab 20: 36-39**
48. Whilst the planned protests are focused on Hyde Park, given that the objective of the protests is to "*end fossil fuels*" and by reference to the statements made by protestors that there is no end to this campaign and that weeks of disruption are planned (see paragraphs 44(c) and 46(d) to (e) above), the Claimants believe that there remains a high risk of the Sites continuing to be targeted during this period.
49. The Claimants consider that the body of evidence referred to above (and in the supporting exhibits) demonstrates that the Sites have already been subject to intentional acts of trespass and interference by individuals who are opposed to the Claimants' commercial operations and will continue to be so disrupted.

## PREVENTING UNLAWFUL ACTS OF TRESPASS AND ACTS OF INTERFERENCE

50. These acts of trespass indicate that the Sites remain exposed to a risk of acts of trespass and interference by those carrying out direct action, notwithstanding the extensive security and health and safety arrangements in place which I refer to above. Whilst the private access routes have not yet been directly impacted, given the acts of trespass, which have occurred at the Sites, as well as at other operators' sites (examples of which are set out at paragraphs 46(a) – (g) above) and the threats of further trespass / direct action, the Claimants consider that the private routes are at risk of interference and an injunction is necessary to deter individuals from entering or



remaining on the Sites and / or interfering with the private access routes without the Claimants' consent.

51. As well as posing a danger to the trespassers themselves, any act of trespass also poses a serious risk of harm to the Claimants, their employees, agents, contractors and other visitors to the Sites, and to their property and commercial activities. Whilst all of the Sites are protected by security measures, regrettably these measures alone have not proved sufficient to deter would be trespassers, as evidenced at paragraphs 44 and 45 above.
52. The Claimants take no issue with the local grass root campaign groups, provided that such groups engage in lawful protest methods. The Claimants' sole concern is with unlawful activity. In this regard, the Claimants wish to stress that they are not seeking injunctive relief as a means to quell, suppress or circumvent any individual's lawful right to protest, being a right which the Claimants fully respect. This application is not made nor is it intended to prevent any individual's lawful right to demonstrate and protest. There is plainly a careful balancing exercise to undertake when considering the right to peaceful protest against the rights of others to continue their lawful operations without undue interruption. However, the Claimants consider that unlawful and criminal activity cannot be justified by reference to such a balancing exercise.
53. The existence of an injunction will provide the Claimants with a means both to enlist the assistance of the Court and the Police to take effective action and to remove trespassers at the earliest opportunity in the event of any act of trespass or interference. A key purpose of the injunction sought by the Claimants is therefore to stop unauthorised people coming onto the Sites, against a background of genuine concern for safety.
54. In relation to acts of trespass in particular, in contrast to the claim for injunctive relief against persons unknown, the CPR Part 55 summary possession procedure is only available once a site has been occupied unlawfully. CPR Part 55 therefore addresses, but cannot prevent, the presence of unlawful occupiers on a site, and the risks inherent within such occupation. As a result, recourse to CPR Part 55 is not an adequate substitute for the protection that an injunction can afford to the Claimants.
55. As compared to an injunction, recourse to the CPR Part 55 summary possession procedure (and interim procedure) involves considerable delay which increases and prolongs the risks to health and safety and property. The delay also, of course, as the protestors intend, frustrates the commercial activities of the site operators and those with economic interests in the site.
56. Absent an injunction, the Claimants fear that they will be forced to incur much irrecoverable cost in repeated court proceedings against different sets of persons unknown.
57. For the reasons set out above, and taking into account recent acts of trespass at the Sites and neighbouring sites, and the threats of future trespass, the Claimants' seek pre-emptive injunctive relief in the terms set out in the draft Order.

#### **URGENT NATURE OF THE APPLICATION**

58. The Claimants seek pre-emptive injunctive relief forbidding certain unlawful activities on the part of unidentified persons protesting against the Claimants' activities. Since 1 April 2022, the Claimants have been the target of, and subjected to, significant acts of direct action, in opposition to its operations and at its operational sites
59. The Claimants are responsible companies, which fully respect the rights of others to peacefully protest and did not seek injunctive action until protestor activity started to significantly impact on

lawful operations and endanger people. The Claimants are concerned at the level of unlawful direct action that has already taken place, and/or is expected to take place at the Sites. The Claimant is also concerned that such increased direct action will hinder lawful operations and will endanger employees, contractors, the general public, public servants and the protestors themselves.

60. The numerous examples of unlawful direction action, including acts of trespass, demonstrate the real and imminent risk of unlawful acts occurring on and around the Sites absent the orders sought by way of the Application being made. As to the imminent nature of those risks, the evidence of direct action referred to in this statement suggests that there is a real risk that unlawful acts by individuals opposed to the Claimants' operations is likely to disrupt and interfere with the Claimants' use and occupation of the Sites.
61. At paragraphs 44 to 46 above, I have provided evidence of acts of unlawful direct action targeted at and suffered by the Claimants and by other operators. This body of evidence demonstrates that this direct action is becoming increasingly frequent, intimidating, and uncontrolled. The Claimants consider that these unlawful activities give rise to a significant likelihood of risk of harm and injury, in the form of harm and injury to:
  - (a) the general public;
  - (b) the Claimant(s); and
  - (c) the Defendants themselves.
62. Against this background, and in line with the approach adopted by other industry operators, the Claimants consider that it is necessary and proportionate at this juncture to seek similar relief from the Court, not least given the strategic importance of the Sites to the UK as referred to in Mr Davis' statement, and the significant health and safety risks arising from the unlawful activities referred to in this statement.

#### **BASIS OF APPLICATION: NOTICE**

63. 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](mailto: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](mailto:juststopoil@protonmail.co.uk) for communication with them generally.
64. It is the intention of the Claimants to email the Extinction Rebellion and Just Stop Oil campaign groups at the email addresses specified above in order to inform them that:
  - (a) proceedings have been issued;
  - (b) to confirm the details of the hearing of the Application; and
  - (c) to invite individuals who have trespassed at the Sites or intend to trespass at the Sites and / or interfere with the First Claimant's rights to use the private access routes adjoining the Sites to identify themselves.

65. In the circumstances the Claimants will have taken all practicable steps to notify the Defendants. It is impractical to give the Defendants more notice because of the urgency in which this application had to be made.
66. The distinct purpose of the injunction is to pre-empt and to prevent unauthorised people from entering onto the Sites and/or unlawfully interfering with the lawful activities of the Claimants. There is a real risk that giving notice will prompt and mobilise the Defendants into occupying and targeting the sites earmarked for protection prior to a hearing date. Such risk is exacerbated by the speed in which occupation can take place and, in particular, the speed at which unlawful occupiers can engage with destructive activities to prevent access of such sites by their lawful proprietors. Should this occur, then the Claimants would be required to take steps to recover possession pursuant to CPR 55, which would not be an adequate substitute for the protection that an injunction would otherwise afford to the Claimants in such circumstances.
67. In any event, the Claimants have made full and frank disclosure of all material facts and issues, and have carried out proper enquiries to ensure that this duty is met.

### **PERSONS UNKNOWN**

68. It has not been possible for the Claimants to identify any of the individuals involved in the direct action taking place at the Sites and, as referred to above, it is the intention of the Claimants (via their solicitors) to invite individuals who have trespassed at the Sites or intend to trespass at the Sites and / or interfere with the First Claimant's rights to use the private access routes adjoining the Sites to identify themselves

### **ALTERNATIVE METHODS OF SERVICE OF ORDER**

69. A copy of the draft Order accompanies this Application. The proceedings are not brought against named defendants, and therefore the usual methods of service prescribed under Part 6 of the CPR are not applicable. As it will not be possible to serve the Claim Form and other Court documents by standard methods of service, the Claimants propose alternative methods of service of the Court documents and evidence in these proceedings pursuant to CPR 6.15, 6.27 and 81.4(2)(c) and (d).
70. The following methods of service are proposed in relation to each of the injunctions sought and as particularised in paragraph 12 to the draft order to this Application.
71. In seeking an Order for alternative service, the Claimants must demonstrate that the steps for alternative service are such that the claim will be expected to come to the attention of the potentially interested parties and prospective defendants to the proceedings. In addition, given that the Defendants to these proceedings may contend that the relief the Claimants are seeking affects (or might affect) their exercise of their rights to freedom of expression (i.e. their article 10 rights under the European Convention on Human Rights), the Court will wish to ensure (before granting relief) that the Claimants have taken all practical steps to notify the Defendants or that there are compelling reasons why the Defendants should not be notified (section 12(2) of the Human Rights Act 1998 applied).
72. By reference to each of the proposed methods of service set out below, the Claimants consider that the claim will come to the attention of the potentially interested parties and prospective defendants in these proceedings, and that the Claimants will have taken all practical steps to notify those parties of the claim.

### **Alternative methods of service**

73. The Claimants propose that service of the Order, and the documents comprising the Claim Form, the Particulars of Claim, the Response Pack, the Application Notice dated 7 April 2022, the evidence relied upon by the Claimants, an Application Notice in respect of the Return Date hearing and any further evidence to be relied upon on the Return Date (the "**Court Documents**") shall be effected as follows:
- (a) Fixing copies thereof in clear transparent sealed containers at a minimum number of 2 locations on the perimeter of each of the Sites together with a notice which states that copies of the Order and the Court Documents may be obtained from the Claimants' solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: [email address] via, and may be viewed at, the web link referred to in paragraph 12(b) of the Order;
  - (b) Posting the Order and the Court Documents at the following web link: [link]; and,
  - (c) Fixing warning notices in the form set out in Schedules 6 and 7 (together, "**the Notices**") as follows:
    - (i) In respect of **Site 1** by affixing the form of site injunction notice set out in Schedule 6 (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 Site 1; and
    - (ii) In respect of **Site 2** by affixing the form of site injunction notice set out in Schedule 7 (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 Site 2;
  - (d) Sending an email to each of the following email addresses with the information that copies of the Order and the Court Documents may be viewed at the web link referred to in paragraph 12 of the draft order:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk)

#### **Good and sufficient service**

74. By taking the above steps, the Claimants consider that the Notices will come to the attention of potentially interested parties and prospective defendants and that, therefore, the steps proposed in respect of service as set out above will draw these proceedings to the attention of all interested parties and prospective defendants, and which substituted service will amount to giving "*all practical steps*" that can or should be taken in this case in respect of notifying the potential respondents to the proceedings.
75. The Claimants respectfully suggest that the proposed methods of alternative service which are set out in detail in the draft Order accompanying this application are likely to ensure that the proceedings and the Court documents will come to the attention of those who are likely to be affected by the making of the injunction order, or interested in the making of the Order, and also represent all of the practical steps that the Claimants could be expected to take in respect of such service for the purposes of section 12 of the Human Rights Act 1998.

#### **DAMAGES**

76. Damages would not be an adequate remedy and that is why an injunction is being sought. This is because of the very serious consequences that could occur if the direct action persists as referred to above. In addition, I do not believe that the Defendants would be in a financial position to pay any damages awarded to the Claimants.
77. In the event that the draft Order sought is granted, UKOP has confirmed that it shall provide a cross undertaking in damages to the Defendants to the effect that, if the Court later finds that the order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, UKOP will comply with any order the Court may make.

## THE ORDER

78. For the reasons set out in this statement and having regard to the undertakings given by the Claimants at Schedule 3 to the draft Order attached to the Claimants' application notice, I respectfully request that this Honourable Court grants the draft Order as sought.

## CONCLUSIONS

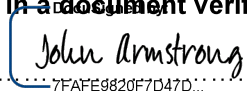
79. As indicated in the preceding paragraphs, substantial direct action (in the form of trespass) has already occurred in respect of Site 1 and I believe will continue to occur and there is a real risk of imminent trespass and/or unlawful direction action in relation to each of the Sites. The Claimants are making this Application in order to restrain the current unlawful activity and in an effort to minimise the risk of a future trespass and/or unlawful protester activity occurring on or around the Sites. The Claimants also wish to ensure that, should a future incident of unlawful protestor activity occur, they are able to move quickly in enforcing any order made by the Court, thereby reducing the detrimental impact on the Claimants' commercial operations and/or any risk of damage to property and/or injury to persons.
80. The Claimants have made every effort to ensure that the orders requested are necessary and proportionate. I believe the orders proposed represent the minimum orders required to adequately protect the Claimants' interests and to prevent unlawful direct action at, or in the vicinity of, the Sites.

The Claimants do not make this Application for injunctive relief lightly. They are concerned by the clear risk of serious injury or harm to the Claimants, the Claimants' property, the wider public and to those carrying out the direct action themselves, as well of course as the obvious harm to the lawful business of the Claimants, posed by the unlawful activities which the injunction is aimed to prevent. I reiterate that the Claimants do not seek to quell lawful protest; their motivation is to protect their operations and the Sites from unlawful activity.

81. For the reasons set out in this witness statement, I respectfully request that this Honourable Court grant the Order as sought.

## 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: 7th April 2022  
7FAFE9820F7D47D...

**John Michael Armstrong**

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

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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](mailto: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](mailto: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:

EB3 Tabs 282  
and 283: 127-128


- (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..

EB2 Tab 284 and  
286: 129 & 131

**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**



Party: Claimant  
Witness: Daniel Owen Christopher Talfan Davies  
Exhibit: UKOP4  
Dated: 14 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. PT-2022-000303**

**(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**

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**SECOND 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 ("**Fieldfisher**") 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 are a bundle of documents marked "**UKOP4**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
4. For ease, in this statement I have adopted the definitions set out in the order of Mr Peter Knox QC (acting as a Deputy Judge in the Chancery Division) dated 8 April 2022 in these proceedings (the "**Order**").

### **SERVICE OF PROCEEDINGS**

5. I make this witness statement in order to evidence the Claimants' compliance with paragraph 13 of the Order relating to service of the Court Documents, the Notices and the Order on the Defendants. In this witness statement, I summarise the methods of service effected on behalf of the Claimants.

#### *Compliance with paragraph 13(a) of the Order – Site 1*

6. On the instructions of the Claimants' solicitors, between 3.05pm and 3.20pm on 12 April 2022, the Claimants' appointed agents effected service of the Court Documents (excluding the sealed Order and any further evidence to be relied upon on the Return Date) together with a notice which stated that copies of the Order and the Court Documents may be obtained from the Claimants' solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: UKOPinjunction@fieldfisher.com via, and may be viewed at <https://ukop.azurewebsites.net>, by placing copies of the Court Documents in, and affixing the said notice to, clear transparent sealed containers at two prominent locations on the perimeter of Site 1, as more particularly set out in the second witness statement of Richard Thomas dated 13 April 2022 (**Tab19:UKOP4:8-25**). EB3 Tab 297:  
166-183
7. On the instructions of Peter Davis being a Consultant for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Barry Smith, thereafter effected service of the sealed Order by placing copies of the sealed Order in the clear transparent sealed containers referred to at paragraph 6 above:
  - (a) at 6.56am on 13 April 2022, in the sealed container situated at a prominent location on the perimeter of Site 1, known as the East entrance of Oil Road (images of the container appear at (**Tab19:UKOP4:26-28**); and EB3 Tab 289:  
134-136
  - (b) at 7.12am on 13 April 2022, in the sealed contained situated at another prominent location on the perimeter of Site 1, known as the main entrance to Cherry Tree Farm (images of the container appear at (**Tab19:UKOP4:29-31**)). EB3 Tab 289:  
134-139

#### *Compliance with paragraph 13(a) of the Order – Site 2*

8. On the instructions of the Claimants' solicitors, between 11.20am and 11.30 am on 12 April 2022 the Claimants' appointed agents effected service of the Court Documents (excluding the sealed Order and any further evidence to be relied upon on the Return Date), together with a notice which stated that copies of the Order and the Court Documents may be obtained from the Claimants'

solicitors, Fieldfisher LLP, Riverbank House, 2 Swan Lane, London, EC4R 3TT (tel: 020 7861 4000) email: UKOPinjunction@fieldfisher.com via, and may be viewed at <https://ukop.azurewebsites.net> by placing copies of the Court Documents in, and affixing the said notice to, clear transparent sealed containers at two prominent locations on the perimeter of Site 2, as more particularly set out in the first witness statement of Richard Thomas dated 13 April 2022 (**Tab19:UKOP4:32-48**).

EB3 Tab 296:  
149-165

9. On the instructions of Peter Davis being a Consultant for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Paul Girling, effected service of the sealed Order by placing copies of the sealed Order in each of the clear transparent sealed containers referred to at paragraph 8 above at approximately 9.00am on 13 April 2022 (images of the containers appear at (**Tab19:UKOP4:49**)).

EB3 Tab 290:  
140

*Compliance with paragraph 13(b) of the Order*

10. Between 8.28pm and 8.45pm on 8 April 2022, on my instructions, Andrew Fletcher of Fieldfisher, the Claimants' solicitors, uploaded the following documents to <https://ukop.azurewebsites.net>, being the web link stated in the Order:
- (a) the Court Bundle used at the hearing of the Application on 8 April 2022 (the "**Hearing**");
  - (b) the Application Notice for the Hearing dated 7 April 2022;
  - (c) the draft Order for the Return Date;
  - (d) the Defendant's Response Pack; and
  - (e) the First Witness Statement of Daniel Owen Christopher Talfan Davies dated 8 April 2022 together with Exhibit UKOP3.

11. At 4.10pm on 11 April 2022, on my instructions, Andrew Fletcher of Fieldfisher, uploaded the sealed Application Notice for the Return Date and the Sealed Claim Form to <https://ukop.azurewebsites.net>, being the web link stated in the Order.

12. At 11.38am on 12 April 2022, on my instructions, Andrew Fletcher uploaded the sealed Order to <https://ukop.azurewebsites.net>, being the web link stated in the Order.

13. A screenshot of the web link page hosting the Order and the Court Documents (excluding any further evidence to be relied upon on the Return Date) appears at (**Tab19:UKOP4:50**).

EB3 Tab 291:  
141

*Compliance with paragraph 13(c) of the Order*

14. On the instructions of the Claimants' solicitors, between 3.25pm and 4.35pm on 12 April 2022, the Claimants' appointed agents effected service of the Notices by affixing the Site 1 Notice in not less than A2 size in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 1, as more particularly set out in the second witness statement of Richard Thomas dated 13 April 2022 (**Tab19:UKOP4:8-25**); and

EB3 Tab 297:  
166-183

15. On the instructions of the Claimants' solicitors, between 11.35am and 12.50pm on 12 April 2022 the Claimants' appointed agents effected service of the Notices by affixing the Site 2 Notice in not less than A2 size in clearly visible locations (including at entranceways, access points, gates and

attached to the perimeter fencing) around and comprising part of Site 2, as more particularly set out in the first witness statement of Richard Thomas dated 13 April 2022 (Tab19:UKOP4:32-48). 149-165 **EB3 Tab 296:**

*Compliance with paragraph 13(d) of the Order*

16. At 10.54am on 13 April 2022, I sent an email to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and, at 10.58am on 13 April 2022, I sent an email to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), confirming that copies of the Order and the Court Documents (excluding any further evidence to be relied upon on the Return Date) may be viewed at <https://ukop.azurewebsites.net>, being the web link stated in the Order.
17. As referred to in my first witness statement dated 8 April 2022, on 8 April 2022 at 6.28am, I emailed Just Stop Oil at [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), confirming that:
  - (a) the Claimants had issued the Application;
  - (b) the hearing was listed to take place 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; and
  - (c) the Claimants had not been able to identify the individuals who had trespassed on the Claimants' private land and/or interfered with the Claimants' rights of way over private land, or who intended to do so, at the properties which were the subject matter of these proceedings and inviting the recipients of the email to identify such individuals or any individuals involved in direct action at those properties.
18. A further email was sent at 9.25am to the same email address confirming that the hearing, which had been listed to commence at 10.30am, was to commence at the later time of 11.30am.
19. However, on 12 April 2022, I received an email timed 6.36am confirming that the emails that I had sent to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk) "could not be delivered due to: Recipient server unavailable or busy" (Tab19:UKOP4:53). Having reviewed the website for Just Stop Oil, I believe that the email address [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk) had been inserted in the Order with reference to an earlier Court Order in different proceedings, where the email address was given as the email address for the Just Stop Oil protest group, and in which proceedings the Claimants' Counsel had acted, whereas the email addresses currently published on Just Stop Oil's webpage are set out at paragraph 20(a) and (b) below. **EB3 Tab 288: 133**
20. In light of the matters set out at paragraph 19 above, my email of 10.58am to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk) was also sent to the following email addresses:
  - (a) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (being the email address specified on Just Stop Oil's privacy policy page); and
  - (b) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) (being the address specified on Just Stop Oil's press page).
21. In my emails of 10.54am and 10.58am, I also confirmed the following:
  - (a) that a solicitor's note of the hearing may be viewed at <https://ukop.azurewebsites.net>, being the web link stated in the Order;
  - (b) that the Order would be considered further at the Return Date, which has been fixed for 20 April 2022 with a time estimate of 3 hours. The matter has been reserved to Mr Peter

Knox QC sitting as a Deputy Judge (without prejudice to any application by any Defendant that another judge hear the matter) and that details of the start time for the Return Date and the Court Room in which the Return Date will be heard would be provided once known to the Claimants;

- (c) that the Order grants permission for the Claimants to file and serve any further evidence by 4.30pm on Thursday, 14 April 2022 and that it is the intention of the Claimants to file and serve further evidence. Accordingly, copies of that further evidence will be made available at the weblink <https://ukop.azurewebsites.net> on Thursday, 14 April 2022;
- (d) that the Order grants permission for any individual who wishes to come forward to defend the proceedings to file and serve any evidence by 4.30pm on Tuesday, 19 April 2022 and that Fieldfisher is authorised to accept service for and on behalf of the Claimants and confirming that service of any evidence can be affected by emailing the relevant documents to the following email address: [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com); and
- (e) that the Claimants will prepare a bundle for use at the Return Date which contains the Court Documents together with the further evidence relied upon by the Claimants and the bundle will be made available at <https://ukop.azurewebsites.net> on Thursday, 14 April 2022.

22. Copies of the relevant emails appear at **Tab19:UKOP4:51-53**.

EB3 Tabs 292,  
293 and 288:  
142, 143 & 133

23. I confirm that it is the Claimants' intention to serve the further evidence which is to be relied upon on the Return Date on 14 April 2022 in compliance with the Order by the methods for service specified at paragraph 13 of the Order and that a Certificate of Service confirming service in respect of the same will be filed at the Court following service on 14 April 2022.

#### *Other Documents*

24. In addition to the Court Documents, the Claimants have made available the Claimants' solicitors' note of the Hearing and judgment in the Application (the "**Note of Hearing**") as follows:

- (a) on the instructions of Peter Davis being a Consultant for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Barry Smith, placed a copy of the Note of Hearing in each of the clear transparent sealed containers referred to at paragraph 6 above:

- (i) at 11.58am on 13 April 2022, in the clear transparent container situated at the East entrance of Oil Road (images of the container appear at **(Tab19:UKOP4:54-55)**); and

EB3 Tab 294:  
144-145

- (ii) at 12.30pm on 13 April 2022, in the clear transparent container situated at the main entrance to Cherry Tree Farm (images of the container appear at **(Tab19:UKOP4:56-57)**).

EB3 Tab 294:  
146-147

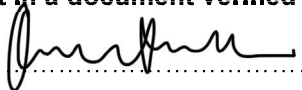
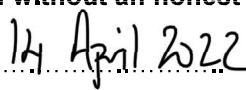
- (b) on the instructions of Peter Davis being a Consultant for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Gavin Grice, placed a copy of the Note of Hearing in each of the clear transparent sealed containers referred to at paragraph 8 above at 1.00pm on 13 April 2022 (images of the containers appear at **(Tab19:UKOP4:58)**);

EB3 Tab 295:  
148

- (c) at 10.01am on 13 April 2022, on my instructions, Andrew Fletcher uploaded the Note of Hearing to <https://ukop.azurewebsites.net>, being the web link stated in the Order. A screenshot of the web link page appears at (Tab19:UKOP4:50); and **EB3 Tab 291: 141**
- (d) as referred to in paragraph 16 above, at 10.54am on 13 April 2022, I sent an email to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and, at 10.58am on 13 April 2022, I sent an email to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) and [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) confirming that a copy of the Note of Hearing may be viewed at <https://ukop.azurewebsites.net>, being the web link stated in the Order.

#### **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: 

**Daniel Owen Christopher Talfan Davies**

Party: Claimant  
Witness: John Michael Armstrong  
Number: Second  
Exhibit: UKOP5  
Dated: 14 April 2022

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Applicant**

**(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 Defendant / Applicant**

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**SECOND WITNESS STATEMENT OF**

**JOHN MICHAEL ARMSTRONG**

---

I, John Michael Armstrong, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. I am duly authorised to make this witness statement on behalf of the Claimants.
4. 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.
5. Produced and shown to me is a bundle of documents containing exhibit "**UKOP5**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
6. In this statement I adopt the definitions set out in my first witness statement dated 7 April 2022.

#### **THE RETURN DATE**

7. I make this witness statement in support of the Claimants' application for an order for pre-emptive injunctive relief in the terms set out in the draft Order.
8. The purpose of this second witness statement, which supplements my first witness statement dated 7 April 2022, is to provide to the Court an update in respect of events following the grant of an interim order for pre-emptive injunctive relief in these proceedings made by Mr Peter Knox QC acting as a Deputy Judge in the Chancery Division following a hearing on 8 April 2022 (the "**Order**") and therefore addresses:
  - (a) evidence of direct action targeted at the Claimants (in the vicinity of Site 1 and Site 2) since the making of the Order;
  - (b) evidence of direct action targeted at other operators which has occurred since the date of the Order; and
  - (c) evidence of direct action by members of Extinction Rebellion as part of a campaign of "*civil disobedience*" across the UK which has occurred since the date of the Order.

#### **DIRECT ACTION AT SITES 1 AND 2**

9. In my first witness statement dated 7 April 2022 I addressed in detail the direct action suffered by the Claimants in respect of Site 1, which direct action formed the basis for the Claimants seeking an interim order for pre-emptive injunctive relief in the form set out at paragraphs 1-5 of the Order.
10. Since the date of the Order, there have been further incidents of direct action targeted at the operations of the Claimant (and other neighbouring operators) in close proximity to Site 1 and Site 2. However, whilst the level of direct action at and around Sites 1 and 2 was significant between 1 April 2022 and 7 April 2022, the Claimants have noted that such direct action has reduced in the week commencing 11 April 2022, which the Claimants attribute to:



- (a) the service of the Order at the Sites and by email to the campaign groups Extinction Rebellion and Just Stop Oil; and
  - (b) the stationing of a police presence at the top of Oil Road numbered 1 and shaded red on the Site 1 Plan and outside the entrance of the control centre numbered 1 and shaded red on the Site 2 Plan.
11. To that end, I set out below examples of direct action since the Order was made, which are set out by reference to each of the Sites and which evidence has been obtained from three principal sources, namely:
- (a) daily reports from BPA security personnel working at the Sites which has been relayed to me;
  - (b) various social media postings made or produced by, or on behalf of the campaign groups Extinction Rebellion and Just Stop Oil; and
  - (c) various newspaper articles which have appeared in the national press.

#### **DIRECT ACTION FROM DATE OF ORDER TO 13 APRIL 2022**

##### *Site 1 (Buncefield)*

12. On 10 April 2022 it was reported by the local news that 40 members of Just Stop Oil blocked the entrance to the Buncefield Oil Terminal, of which Site 1 comprises part. Site 1 also includes private land up to the entranceway to Site 1 (which entranceway abuts the public highway). The blockading of the entranceway resulted in 13 arrests being made by police (**Tab20:UKOP5:61-65**). I have been informed by BPA Security personnel working at Site 1 that the blockage began at 2.17am, preventing movement of vehicles through the entrance, which was closed by locked gates just as the individuals arrived. The individuals were cleared from the entranceway by 11.11am the same day, almost 10 hours after the entrance was initially blocked, and so to allow vehicular movement to proceed again.
13. A post on Just Stop Oil's twitter page on the same date (10 April 2022) quotes one of the members of the group who was on site as stating: "*I won't be stopped, and I won't back down until our government stops trading our lives for profit*" (**Tab20:UKOP5:66**).

EB2 Tab 54:  
258-262

EB2 Tab 55:  
263

##### *Site 2 (Kingsbury)*

14. On 8 April 2022, being the date on which the Order was made, it was reported that 37 protestors had broken into the Kingsbury Oil Terminal (of which Site 2 comprises part) and chained themselves to pipes, bringing distribution to a halt. The protestors scaled a spiked fence and used a hacksaw to break through an unguarded rear gate into the Terminal, just after midnight (**Tab20:UKOP5:122-125**). The site of the trespass is approximately 0.2 miles from the land numbered 1 and shaded red on the Site 2 Plan, and the individuals would have had to pass the land numbered 1 and shaded red on the Site 2 Plan to access the land on which they were trespassing.
15. On 10 April 2022, it was reported that Just Stop Oil protestors were able to gain access to part of the Kingsbury Oil Terminal of which Site 2 comprises part by digging a tunnel under Piccadilly Way. The protestors used a modified caravan to conceal the tunnel. The caravan was situated approximately 0.8 miles from the entrance cross roads to the land numbered 1 and shaded red on the Site 2 Plan (comprising the control centre) and in close proximity (approximately 0.2 miles)

EB2 Tab 53:  
255-257

from the land numbered 3 and shaded red on the Site 2 Plan (comprising the firewater pond) and the Site 2 Access Route shaded blue on the Site 2 Plan (**Tab20:UKOP5:67**). **EB2 Tab 56: 264**

16. On the same day (10 April 2022) Warwickshire Police reported that 29 individuals had been arrested in connection with the disruption around Kingsbury Oil Terminal for various offenses including, criminal damage, conspiracy to cause criminal damage and conspiracy to commit public nuisance (**Tab20:UKOP5:67**). **EB2 Tab 56: 264**
17. On 11 April 2022, Just Stop Oil issued a statement claiming that as of that morning, *"a number of people [were] still occupying a tunnel under a major access route to the Kingsbury Oil terminal in Warwickshire, 40 hours after it was first excavated"* (**Tab20:UKOP5:68-72**). **EB2 Tab 63: 283-287**

#### **EVIDENCE OF DIRECT ACTION TARGETED AT OTHER OPERATORS FROM DATE OF ORDER TO 13 APRIL 2022**

18. Since the date of the Order, there continues to be related direct action at sites owned by other operators including:
- (a) a press release published on the Just Stop Oil website on 10 April 2022, indicated that campaigners have continued to *"disrupt oil supplies from oil terminals in Warwickshire, Hertfordshire and Essex, marking the tenth day of action in support of their demand that the UK government end new oil and gas projects in the UK."* The three sites referred to include the Kingsbury and Buncefield Terminals and the Gray's Inter Terminal in Essex. Just Stop Oil claims that direct action in these three sites has resulted in over 800 arrests with the group declaring their intention to *"continue to block oil terminals until the government makes a statement that it will end new oil and gas projects in the UK"* (**Tab20:UKOP5:73-75**); **EB2 Tab 57: 265-267**
- (b) at 6:30 am on 10 April 2022, it was reported that Just Stop Oil protestors entered the Gray's Inter Terminal in Essex, climbed the loading bay pipework and locked themselves onto the pipework (**Tab20:UKOP5:76-78**). Images of individuals lying on the pipework were posted by Just Stop Oil's twitter account along with statements indicating that *"[t]his will stop when @10DowningStreet says they will #StopAllNewFossilFuelLicences!"* and *"[w]e will continue to disrupt until the govt makes a statement that it will end new oil & gas projects in the UK"* (**Tab20:UKOP5:79-80**). These protests resulted in the temporary suspension of operations at the site with Just Stop Oil indicating that *"40 students and young people have entered the Grays Inter terminal to cease works at the site";* (**Tab20:UKOP5:81**). **EB2 Tab 58: 269-271**  
**EB2 Tabs 59 and 64: 272 & 288**  
**EB2 Tab 60: 273**
- (c) later that day (10 April 2022), it was reported that Essex Police had issued a statement describing the protests within the site as *"exceptionally dangerous"* (**Tab20:UKOP5:82-88**); **EB2 Tab 61: 274-280**
- (d) on 11 April 2022, Just Stop Oil issued their own statement claiming that members of the group *"accessed the Inter Terminal in Essex [yesterday] bringing production to a halt"* (**Tab20:UKOP5:68-72**). The same statement indicated that, as of that morning, 12 protestors remained locked onto the pipework at the site. **EB2 Tab 63: 283-287**
19. It has been reported by the Sunday Times that direct action at these sites, and that referred to in my first witness statement, has resulted in the closure of approximately 1,200 garages across the south of England. It was reported that the Fair Fuel Campaign had stated that *"1 in 3 garages have run dry of petrol and/or diesel particularly in the south, because of... 'stop oil'"* (**Tab20:UKOP5:91-99**).

20. Just Stop Oil have stated on their website that direct action *"will continue to significantly impact on fuel availability at petrol pumps across the South East and the Midlands"* (**Tab20:UKOP5:73-75**). Photographs of gas station closures and lengthy gas station queues are at (**Tab20:UKOP5:89-90**), as reported by The Independent and the Mail Online. EB2 Tab 57: 265-267  
EB2 Tab 62: 281-282
21. Just Stop Oil claimed on their website on 10 April 2022 that *"[o]ver 400 people have joined actions that have succeeded in stopping operations for up to 24 hours at a time at 11 critical oil terminals that supply fuel to hundreds of petrol stations across the Midlands and South of England"* (**Tab20:UKOP5:68-72**). EB2 Tab 63: 283-287

## EVIDENCE OF DIRECT ACTION BY MEMBERS OF EXTINCTION REBELLION

22. I referred at paragraph 43 to 49 of my first witness statement to Extinction Rebellion and Just Stop Oil as being the two principal campaign groups that have directly targeted the Sites and from who further direct action was anticipated. Information relating to the respective campaign group's strategies is at **Tab9:UKOP2:195-197** and **Tab9:UKOP2:222-230**. Both campaign groups are protesting to end the use of fossil fuels. However, since the date of the Order, direct action by Extinction Rebellion has been targeted at industries which members of the group consider to be affiliated to the fossil fuel industry as well as key transport hubs (in addition to the ongoing activities at oil terminals and infrastructure sites). EB2 Tabs 47 and 48: 204-208
23. Recent examples include:
- (a) on 10 April 2022, it was reported that Extinction Rebellion members forced the closure of Lambeth and Vauxhall bridges in central London. Protestors in Vauxhall Bridge laid out a banner which read: *"FOR HEALTH'S SAKE STOP FINANCING FOSSIL FUELS"*. The bridges were eventually reopened after the Metropolitan Police imposed conditions under section 14 of the Public Order Act 1986 which enabled them to physically remove and, in some instances, arrest individuals on the bridge (**Tab20:UKOP5:100-109**); and EB2 Tab 66: 298-307
  - (b) on 12 April 2022, it was reported that Extinction Rebellion members forced the closure of the world's biggest insurance market, Lloyd's of London, by preventing workers from entering the building with the intention of closing the business for the day (**Tab20:UKOP5:110-114**). Extinction Rebellion posted an article on their website, proclaiming that they have *"closed all the entrances to Lloyd's of London's building in the City of London"* and demanding that Lloyd's *"stop insuring fossil fuel companies and insure climate justice instead"* (**Tab20:UKOP5:115-121**). EB2 Tab 67: 308-312  
EB2 Tab 68: 313-319

## SUMMARY

24. I continue to believe that in the absence of further injunctive relief being granted by the Court in the terms sought, there is a real risk of imminent trespass and / or interference with the private access routes in relation to both Sites. The Claimants are making this Application in an effort to minimise the risk of a future trespass and / or interference occurring at each of the Sites.
25. Furthermore, I consider that, whilst the campaign of *"civil disobedience"* across the UK by members of the Extinction Rebellion and Just Stop Oil campaign groups is ongoing, the fact that there has been a reduction in incidents directly affecting Sites 1 and 2 since the date of the Order, is a direct consequence of the Order acting as an immediate deterrent and significantly reducing the risk of further direct action at the Sites.
26. For the reasons set out in this statement and the further witness statements made in support of this Application, I respectfully request that the Court grants the further order sought by the Claimants.

**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: 14 April 2022

**John Michael Armstrong**

Party: Claimant  
Witness: Peter Malcolm Davis  
Number: Second  
Exhibit: UKOP7  
Dated: 5 April 2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**SECOND WITNESS STATEMENT OF**

**PETER MALCOLM DAVIS**

---

I, Peter Malcolm Davis, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as a Consultant on behalf of British Pipeline Agency Limited ("**BPA**") and have held this role since September 2021. I have worked for BPA for over thirty-five years and prior to becoming a consultant, I was a Director and General Manager of BPA.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP7**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. In this statement I adopt the definitions set out in my first witness statement dated 7 April 2022 (the "**First Witness Statement**").

#### **CURRENT POSITION**

8. I make this statement in support of the Claimants' application for an order for pre-emptive injunctive relief in the terms set out in the draft Order.
9. The purpose of this second witness statement, which supplements my First Witness Statement, is to provide to the Court with an update in respect of the Sites following the grant of an interim order for pre-emptive injunctive relief in these proceedings made by Mr Peter Knox KC acting as a Deputy High Court Judge in the Chancery Division following a hearing on 20 April 2022 (the "**Order**"). Whilst this second witness statement provides an update on these matters, which were addressed in my First Witness Statement, I otherwise confirm that the content of my first statement remains true and accurate.

#### **UPDATE ON SITE 1**

10. At paragraph 41 of my First Witness Statement, I stated that:

*"The main entrance providing access to and egress from Site 1 is to the right of Oil Road at the bottom right of the Site 1 Plan which leads right onto Green Lane and then on to the M1. The main entrance is gated. These gates are set back from the visibility splay and need to be permanently open when the terminal is operational to allow for free flow of access and egress. There is a further entrance to Site 1 to the left of Oil Road at the bottom left of the Site 1 Plan which leads onto Buncefield Lane. This entrance is gated and the gates are permanently closed. There are various smaller site maintenance and emergency access routes off Cherry Tree Lane (also known as Three Cherry Trees Lane)."*

11. The main entrance providing access to and egress from Site 1 continues to be to the right of Oil Road at the bottom right of the Site 1 Plan which leads right onto Green Lane and then on to the

M1. However, the gates, which I refer to as being set back from the visibility splay, are going to shortly be relocated by BPA and will be repositioned at the edge of the visibility splay itself. It is anticipated that the works to relocate the gates will commence in the week of 17 April 2023 and will take up to two weeks to complete. I refer to the plan at UKOP7 page 2 indicating the current location of the gates, and where it is proposed that they will be positioned. The gates remain, and will remain once repositioned, permanently open when the terminal is operational to allow for free flow of access and egress. There has been no change to the remaining entrances or access arrangements to Site 1 which I refer to at paragraph 41 of my First Witness Statement.

EB1 Tab 11:  
178


## UPDATE ON SITE 2

12. There is no update in relation to Site 2 and my evidence in respect of the Claimants' respective ownership, possession, control and rights in relation to Site 2 remains as per my First Witness Statement.

## 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: 05/04/2023

**Peter Malcolm Davis**

Party: Claimant  
Witness: John Michael Armstrong  
Number: Third  
Exhibit: UKOP6  
Dated: 5 April 2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**THIRD WITNESS STATEMENT OF**

**JOHN MICHAEL ARMSTRONG**

---



I, John Michael Armstrong, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP6**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. In this statement I adopt the definitions set out in my first witness statement dated 7 April 2022.

#### **CURRENT POSITION**

8. I make this statement in support of the Claimants' application for an order for pre-emptive injunctive relief in the terms set out in the draft Order.
9. The purpose of this third witness statement, which supplements my first and second witness statements dated 7 April 2022 and 14 April 2022 respectively, is to provide to the Court with an update in respect of events following the grant of an interim order for pre-emptive injunctive relief in these proceedings made by Mr Peter Knox KC acting as a Deputy High Court Judge in the Chancery Division following a hearing on 20 April 2022 (the "**Order**") and therefore addresses:
  - (a) evidence of direct action which has occurred in the vicinity of Site 1 and Site 2 since the making of the Order;
  - (b) evidence of direct action targeted at other operators which has occurred since the date of the Order; and
  - (c) evidence of direct action targeted at other organisations affiliated with the oil and gas sector which has occurred since the date of the Order.

#### **DIRECT ACTION IN THE VICINITY OF SITE 1 AND SITE 2**

10. In my first and second witness statements dated 7 April 2022 and 14 April 2022, I addressed in detail the direct action suffered by the Claimants in respect of Site 1 and the direct action targeted at the operations of the Claimants in close proximity to Site 1 and Site 2. This direct action formed the basis for the Claimants seeking an interim order for pre-emptive injunctive relief in the form set out at paragraphs 1 of the Order.

11. Since the date of the Order, there have been further incidents of direct action in close proximity to Site 2.
12. I set out below examples of direct action that have occurred since the Order was made, and for which evidence has been obtained from three principal sources, namely:
  - (a) reports from BPA security personnel working at the Sites which has been relayed to me;
  - (b) various social media postings made or produced by, or on behalf of the campaign groups Extinction Rebellion and Just Stop Oil and materials which have been published on their respective websites; and
  - (c) various newspaper articles which have appeared in the national press.
13. On 23 April 2022, a tunnel was discovered by police which had been dug under the road in the Trinity Road area next to the Kingsbury Oil Terminal. Police were forced to keep the road closed whilst the damage caused was assessed as it was reported that it may pose a risk for drivers. Warwickshire police reported that they had arrested seven people, including for criminal damage, in connection with the incident. On 25 April 2022, it was reported that two additional individuals who entered the Kingsbury Oil Terminal had also been arrested on suspicion of aggravated trespass and criminal damage **UKOP6: pages 7-15.** EB2 Tabs 69 to 71: 320-321
14. From 26 April 2022 to 28 April 2022, Just Stop Oil supporters protested outside the Kingsbury Oil Terminal. It was reported that Police warned protesters that they were breaching the Valero Order. However, protests persisted with people holding placards saying *"oil is stealing my future"*; *"don't stop us – stop oil"*; *"we are breaking the injunction"*; and *"dangerous criminals."* Protests continued for three days in spite of police warnings and, in total, 34 protesters were arrested **UKOP6: pages 16-31.** EB2 Tabs 72 to 74: 329-338
15. On 4 May 2022, it was reported that 11 Just Stop Oil members were protesting outside Kingsbury Oil Terminal. Eight of the protesters attending were, it was reported, at the same time supposed to attend a full committal hearing at the Birmingham County Court for previous breaches of the NWBC Order but chose not to attend court, instead committing another breach of the injunction **UKOP6: pages 32-33.** EB2 Tab 75: 345-346
16. On 15 May 2022, it was reported that two Extinction Rebellion supporters were being held on remand after breaching the NWBC Order at Kingsbury Oil Terminal. A tweet of the same date by Extinction Rebellion Birmingham stated that *"2 Birmingham rebels are currently being held on remand until next Thursday for breaking an injunction and staging a peaceful protest at Kingsbury Oil Depot."* Birmingham Live reported that protesters repeatedly said they see Kingsbury as a *"legitimate target"* **UKOP6: pages 34-37.** EB2 Tab 77: 350-353
17. On 22 August 2022, it was reported that police had blocked off Trinity Road, being one of the main roads leading into Kingsbury Oil Terminal, as Just Stop Oil protesters had reportedly been digging under the road. This prevented traffic from passing through as the road was considered unsafe for use and police officers had to turn traffic away for almost an hour **UKOP6: pages 38-39.** EB2 Tab 84: 371-373
18. On 24 August 2022, Fuel Oil News reported that around 50 protesters had staged demonstrations at Kingsbury, Grays and Thurrock Oil Terminals resulting in more than 20 arrests. About 30 individuals targeted Grays and Thurrock, blocking a road leading to the Navigator oil terminal, with others occupying tunnels dug beneath terminal access roads. At Grays, a small group of protesters trespassed onto the site in the early hours, climbed up into the loading bays and then on up into pipework, where they attached themselves with glue. A specialist heights team were deployed by the police to remove them. It was reported that there were about 20 people blocking access roads

to Kingsbury Oil Terminal with others occupying two tunnels near the Terminal. Just Stop Oil claimed that the tunnels resulted in a *"total block of access"* to Kingsbury Oil Terminal. Fuel Oil News, in the same news report, reported that the government estimated that Just Stop Oil's protests had cost police £5.9 million so far in 2022 **UKOP6: pages 40-41.**

**EB2 Tab 87:  
379-380**

19. On 14 September 2022, Just Stop Oil supporters gathered with banners to block access to Kingsbury Oil Terminal by sitting in front of the main entrance. Protesters remained at the site for over five hours. It was reported that 51 protesters were arrested by Warwickshire Police following the incident for breaching the NWBC Order. In the BBC's report on the incident, a nearby local business owner, who operated a firm that ran fuel tankers in and out of the base, was quoted, stating that activists had previously *"drilled the sidewalls of 364 tyres"* on trucks, vans and cars at the terminal, a nearby truck works and another neighbouring depot with damages estimated at £184,000 **UKOP6: pages 42-47.**

**EB2 Tab 90:  
386-388**

20. Notwithstanding the significant direct action listed above, I believe that such direct action has reduced since April 2022 due to the following factors:

- (a) the service of the Order at the Sites and by email to the campaign groups Extinction Rebellion and Just Stop Oil;
- (b) the deterioration in the weather during the winter months;
- (c) the existence of an injunction order made by Mr Justice Bennathan in the King's Bench Division dated 12 April 2022 in favour of Valero Energy Limited, Valero Logistics UK Limited and Valero Pembrokeshire Oil Terminal Limited (together, "**Valero**") and which protects a number of Valero's sites including land interests at Kingsbury Oil Terminal (of which Site 2 forms part) (the "**Valero Order**"). A copy of the Valero Order can be found at **UKOP6: pages 48-84.** A continuation of the injunction afforded by the Valero Order was granted by order of Mr Justice Soole on 20 January 2023, a copy of which can be found at **UKOP6: pages 85-124;** and
- (d) the existence of an injunction order made by Mr Justice Sweeting in the King's Bench Division dated 9 May 2022 in favour of the North Warwickshire Borough Council and which protects the locality of the Kingsbury Oil Terminal (of which Site 2 forms part) by placing restraints on the organisation of, or participation in, any protest against the production or use of fossil fuels at Kingsbury Oil Terminal (the "**NWBC Order**"). In particular, the NWBC Order gives a power of arrest outside the Kingsbury Oil Terminal and at the junctions of the roads leading into it. A copy of the NWBC Order can be found at **UKOP6: pages 125-131.** The NWBC Order remains in force as at the date of this witness statement. However, an application has been made to set aside the NWBC Order, which application I refer to at paragraph 56 below.

**EB3 Tab 277:  
65-71**

21. If any of these factors were to be removed, I believe that the direct action would escalate.
22. For example, whilst the Order has not prevented direct action entirely in the vicinity of the Sites, it appears to have provided a deterrent effect and, as such, continues to assist the Claimants in ensuring that they can conduct their operations at the Sites without risk of the significant practical, financial and logistical implications for the Claimants, many other third parties and potentially the UK economy, which would otherwise arise from direct action, not to mention the substantial health and safety risks that I refer to in paragraphs 20 to 42 of my first witness statement.

## EVIDENCE OF DIRECT ACTION TARGETED AT OTHER OPERATORS AND AFFILIATED ORGANISATIONS FROM DATE OF ORDER TO 5 APRIL 2023

23. Since the date of the Order, there continues to be related direct action at oil terminals and infrastructure sites owned by other operators. There has also been an escalation of activity targeted at industries and organisations that members of Extinction Rebellion and / or Just Stop Oil consider to be affiliated to the fossil fuel industry as well as key transport hubs.
24. On 3 May 2022, protestors from the Just Stop Oil group entered and remained at the Nustar Clydebank facility in Scotland for 60 hours, in a bid to halt operations. Protestors climbed on top of tankers, locked themselves to the entrance and sat on pipes and silos. 31 people were arrested and charged in connection with the protests, 15 of which were charged for breach of the peace and 16 for trespass **UKOP6: pages 132-134.** **EB2 Tab 76: 347-349**
25. On 3 July 2022, Just Stop Oil reported that its supporters had disrupted the British Grand Prix at Silverstone by invading the track and sitting down. The protestors needed to be removed by track officials and police and ITV news reported that six people were charged over the track invasion with conspiracy to cause public nuisance **UKOP6: pages 135-138** and were found guilty after a trial on 10 February 2023 **UKOP6: pages 139-141.** It was reported that the jury found that the protesters were guilty of risking "serious harm" to Formula 1 drivers and it was also reported that footage released after the trial showed how close the cars had been to the protesters **UKOP6: pages 142-144.** **EB2 Tab 79: 360-361**  
**EB2 Tab 132: 556-558**  
**EB2 Tab 133: 559-561**
26. On 19 July 2022, the News UK headquarters at London Bridge had their windows smashed by Extinction Rebellion protestors over their coverage of the UK heatwave. Protesters destroyed glass panels and hung posters next to entrances for journalists at the Sun and the Times reading "tell the truth" and "40 degrees = death" **UKOP6: pages 145-146.** **EB2 Tab 81: 364-365**
27. On 20 July 2022, Just Stop Oil protestors climbed on the gantries in three separate locations on the M25 between junctions 10 and 30, causing significant disruption and the temporary closure of the M25 **UKOP6: pages 147-149.** **EB2 Tab 82: 366-367**
28. On 23 August 2022, around 30 Just Stop Oil protestors were involved with a number of direct actions in Essex including:
  - (a) establishing a roadblock on St Clements Way near Chafford Hundred railway station with five protestors also occupying tunnels underneath the road. Protesters aimed to block a "key tanker route" as part of their protests;
  - (b) occupying the Grays oil terminal in Thurrock, with protestors blocking an access road leading to the terminal; and
  - (c) protestors at height at an industrial site at Askew Farm Lane.

Just Stop Oil were protesting the government's plans to allow additional oil and gas projects in the UK. Essex Police reported that they had arrested 23 people for various offences, while asking people to avoid the area. Police were also having to divert traffic to keep everyone safe and issued the following statement: "policing is not anti-protest, but we must intervene where there is a risk to life or where laws are being broken" **UKOP6: pages 150-154.** **EB2 Tabs 85 and 86: 374-378**
29. On 28 August 2022, supporters of Just Stop Oil blocked an oil tanker on a key route to and from the Navigator terminal in Essex. The group claimed they were aiming to block St Clements Way, Grays, as a key delivery route from the terminal. Nearly 10 people stopped a tanker, one protester

climbed on top of the tanker while others deflated the tyres. Essex Police arrested eight people as a result of the protests **UKOP6: pages 155-157.** **EB2 Tab 88: 381-383**

30. On 4 September 2022, BBC News reported that Just Stop Oil protesters had left a tunnel under St Clements Way in Grays after 13 days protesting what they consider is government inaction over climate change. The police issued the following statement regarding the protest activity: *"over the course of the last fortnight we have made more than 60 arrests and worked hard with our partners to keep disruption to our local community and business to a minimum and keep Essex moving... This work has required a huge amount of resources and has diverted officers from other duties such as the prevention and investigation of burglary, robbery, sexual and violent crime"* **UKOP6: pages 158-159.** **EB2 Tab 89: 384-385**
31. Just Stop Oil staged 32 days of disruption from the end of September and throughout October 2022, which, according to the Metropolitan Police, resulted in 677 arrests and 111 protestors charged. Officers were also forced to work 9438 extra shifts to tackle the disruption. The aim of the disruption was reported as being to force the government to halt all oil and gas licences **UKOP6: pages 160-162.** Actions included the following: **EB2 Tab 113: 473-475**
- (a) on 1 October 2022, supporters of Just Stop Oil blocked Waterloo, Westminster, Lambeth and Vauxhall bridges in sit-down protests **UKOP6: pages 163-166;** **EB2 Tab 93: 395-398**
  - (b) on 7 October 2022, in what was reported as being in response to the government opening up a new licensing round to allow oil and gas companies to explore for fossil fuels in the North Sea, Just Stop Oil campaigners blocked roads leading to Vauxhall Bridge. This followed six days of disruption to central London roads. Protestors vowed to *"occupy Westminster"* with daily roadblocks until there is a moratorium on new oil and gas projects **UKOP6: pages 167-168;** **EB2 Tab 95: 401-402**
  - (c) on 14 October 2022, Just Stop Oil protestors threw tomato soup on Vincent van Gogh's Sunflowers painting at the National Gallery in London and then glued themselves to the wall underneath the artwork (**UKOP6: pages 169-171**) and on the same day spray-painted New Scotland Yard and blocked traffic on the road outside (**UKOP6: pages 172-177**); **EB2 Tab 96: 403-406**  
**EB2 Tab 97: 407-412**
  - (d) on 16 October 2022, the Telegraph reported that Just Stop Oil members had sprayed orange paint over an Aston Martin showroom in central London and had sat in Park Lane in central London, some gluing themselves to the tarmac or locking themselves together **UKOP6: pages 178-179;** **EB2 Tab 99: 421-425**
  - (e) on 17 October 2022, two Just Stop Oil supporters climbed the Queen Elizabeth II suspension bridge at the Dartford Crossing and unfurled a banner, forcing the police to stop traffic from entering the bridge **UKOP6: pages 180-182;** **EB2 Tab 100: 426-428**
  - (f) on 18 October 2022, two Just Stop Oil protestors disrupted oil supplies to Kent and the South East for 36 hours by blocking the Dartford Crossing and climbing up the Queen Elizabeth II Bridge which resulted in the closure of the bridge and major traffic delays **UKOP6: pages 183-190;** **EB2 Tab 101: 429-434**
  - (g) on 20 October 2022, Just Stop Oil supporters sprayed orange paint on the outside of the Harrods building and disrupted traffic in Knightsbridge by sitting on and gluing themselves to the road carrying banners. Just Stop Oil stated *"This is not a one day event, expect us every day and anywhere. This is an act of resistance against a criminal government and their genocidal death project. Our supporters will be returning – today, tomorrow and the*

- next day – and the next day after that – and every day until our demand is met: no new oil and gas in the UK" UKOP6: pages 191-193;* **EB2 Tab 103: 437-439**
- (h) on 24 October 2022, two Just Stop Oil protestors defaced the waxwork model of King Charles III in Madame Tussauds **UKOP6: pages 194-196;** and **EB2 Tab 104: 440-442**
- (i) on 26 October 2022, Just Stop Oil activists sprayed paint over the Ferrari and Bentley showrooms in central London **UKOP6: pages 197-199.** **EB2 Tab 105: 443-445**
32. On 31 October 2022, it was reported that Just Stop Oil activists had targeted News UK's headquarters as well as buildings used by MI5, the Home Office and the Bank of England by spraying them with orange paint. It was reported that the group said the buildings were chosen as they represented *"the four pillars that support and maintain the power of the fossil fuel economy"* **UKOP6: pages 200-202.** The Metropolitan Police reported six arrests for criminal damage on the day **UKOP6: pages 203-205.** Following these actions, it was reported that the total number of arrests of Just Stop Oil protestors made in October 2022 came to nearly 650 **UKOP2: pages 206-210** and since April 2022 to around 1900 **UKOP6: pages 211-216.** **EB2 Tab 107: 447-449**  
**EB2 Tab 108: 450-452**  
**EB2 Tabs 109 and 114: 453-457 & 476-481**
33. On 1 November 2022, members of Just Stop Oil glued themselves to the road outside Downing Street to prevent access, whilst others tried to climb the gates to Downing Street **UKOP6: pages 218-221.** **EB2 Tab 110: 458-461**
34. On 7 November 2022, members of Just Stop Oil shut down parts of the M25 for four days by climbing gantries above the motorway in at least six different locations. The Metropolitan Police said it had arrested 63 suspects in a *"major operation to tackle serious disruption"* and Sky and ITV news reported that 58 people had been charged. It was reported that whilst a rolling roadblock was being implemented to help ease existing traffic, two lorries collided and a police officer was knocked off his bike and injured **UKOP6: pages 221-238.** **EB2 Tabs 111, 112, 116 and 118: 462- 472, 487-503 & 507-512**
35. On 14 November 2022, Extinction Rebellion members targeted over 100 Barclays bank branches in England, Scotland, Wales and Northern Ireland. Protestors smashed windows, threw fake oil and red paint over buildings, locked themselves to buildings, leafletted and held 'die-ins' and street theatre **UKOP6: pages 239-245.** Multiple media outlets reported a number of arrests across different cities including London, Birmingham, Glasgow, Cardiff and Belfast amongst others **UKOP6: pages 246-253.** **EB2 Tabs 119 and 123: 513-516 & 529-531**  
**EB2 Tabs 120 and 121: 517-525**
36. On 21 November 2022, Extinction Rebellion supporters targeted a number of offices in central London as part of a co-ordinated direct action. Black paint and fake oil were thrown over buildings, protestors glued themselves to windows, a fire was lit and fake blood poured on the pavement outside businesses. It was reported that the offices were targeted because they were believed to have links to the fossil fuel industry. The Metropolitan Police reported that 15 protestors were arrested on suspicion of criminal damage or conspiracy to commit criminal damage. The offices targeted included: (**UKOP6: pages 254-259**) **EB2 Tabs 124 and 125: 532-537**
- (a) INEOS;
- (b) Schlumberger;
- (c) BP;
- (d) Eversheds Sutherland;
- (e) JP Morgan;

- (f) The International Maritime Organisation;
  - (g) The Institute of Economic Affairs;
  - (h) Department for (BEIS); and
  - (i) Ontario Teachers Pension Plan.
37. On 18 January 2023, Extinction Rebellion activists threw black paint outside the Home Office, reportedly in protest of the Government's decision to approve a new coal mine in Cumbria. Protesters poured the black paint, which resembled crude oil, out of plastic buckets marked "*End Coal*", while two of the activists attached themselves together with a large tube. Two demonstrators also set off flares and others held signs reading "*cut the ties to fossil fuels*." The Metropolitan Police were called to the Home Office to disperse the group where they arrested two men on suspicion of causing criminal damage **UKOP6: pages 260-261.** EB2 Tab 130: 549-550
  38. On 14 February 2023, Extinction Rebellion activists blockaded entrances to Luton Airport's private jet terminals in a Valentine's Day protest dubbed "*love in action*." This was part of a co-ordinated action by activists in 11 countries targeting sites across Europe, Australia, New Zealand and the US. Protesters locked themselves to metal barrels and blockaded entrances to the airport's Harrods Aviation and Signature private jet terminal carrying large signs. They also parked a boat in front of the gates to the private terminal, with some activists attaching themselves to it **UKOP6: pages 262-266.** On the same day Just Stop Oil supporters delivered an ultimatum to the Prime Minister, warning that if the government does not halt licencing any new fossil fuels by 10 April it would face escalating disruption **UKOP6: page 267.** EB2 Tabs 134 and 135: 562-566  
EB2 Tab 136: 567
  39. On 17 February 2023, Extinction Rebellion protesters occupied two buildings at the University of Cambridge. Protesters climbed up to a balcony on the Department of Engineering building attaching a banner with the message "*University of Cambridge: Funded by fossil fuels*" while letting off smoke flares. Other protesters also staged a demonstration in the foyer of the Department of Chemical Engineering, holding dinosaur banners and drawing pictures **UKOP6: pages 268-270.** EB2 Tab 137: 568-570
  40. On 20 February 2023, Extinction Rebellion protesters targeted London Fashion Week. 30 protesters attended 180 the Strand where the fashion show sponsored by Coca-Cola was being staged and poured black paint on the red carpet while setting off smoke bombs. Protesters held banners outside the event which read: "*cut the ties to fossil fuels*" and "*Coca-Cola: World's top plastic polluter*." This action came as part of Extinction Rebellion's 'Cut the Ties to Fossil Fuels' campaign which will see a major protest staged in Westminster on April 21 **UKOP6: pages 271-274.** EB2 Tab 138: 571-574
  41. On 2 March 2023, Extinction Rebellion protestors threw pink paint over the UK Finance building and plastered a large sticker reading "*corrupt*" on the window of the building to highlight how the financial system "*prioritises profit over people and the planet*" **UKOP6: pages 275-278.** EB2 Tab 140: 578-581
  42. On 18 March 2023, Just Stop Oil protesters blocked traffic in Bristol as part of a demonstration to "*demand that ministers stop investing in fossil fuel extraction*" **UKOP6: pages 279-283.** EB2 Tab 141: 582-586
  43. On 22 March 2023, Extinction Rebellion protestors, armed with fire extinguishers, spray-painted the offices of the Sun, Daily Mail and Telegraph in London. They said the protests were about "*suppression of truth on the climate crisis*" **UKOP6: pages 284-285.** EB2 Tab 142: 587-588
  44. On 25 March 2023, Just Stop Oil staged a march in Leeds demanding "*an end to fossil fuel lending by banks*" and covered a Barclays bank with orange paint in the city centre, **UKOP6: pages 286-287.** EB2 Tab 145: 594-596

## STATEMENTS FROM EXTINCTION REBELLION AND JUST STOP OIL

45. On 1 January 2023, Extinction Rebellion published a statement indicating that they would *"temporarily shift away from public disruption as a primary tactic"* and instead would *"disrupt the abuse of power and imbalance"* by prioritising *"attendance over arrest and relationships over roadblocks"* **UKOP6: pages 288-291.** EB2 Tab 127:  
541-542
46. The statement is suggestive of a shift in strategy and tactics of the group. However, subsequent actions taken by the group, as referred to at paragraphs 37 to 41 and 43 above, indicate that Extinction Rebellion is continuing to target companies and organisations which are affiliated to the oil and gas industry with unlawful direct action. In any event, even if accurate, the statement only refers to a *temporary* shift away from public disruption, meaning that it may resume at any stage.
47. In relation to Just Stop Oil, according to their website, its requirements are *"that the UK government makes a statement that it will immediately halt all future licensing and consents for the exploration, development and production of fossil fuels in the UK"*, and its methods for achieving this include 'civil resistance' and disruption until that demand has been met. Just Stop Oil stated that if that demand was not met by 14 March 2022 that it would *"take part in Non-Violent Direct Action targeting the UK's oil and gas infrastructure"* and on 3 October 2022, Just Stop Oil declared that they would continue with their campaign of non-violent civil resistance until the government commits to end new oil and gas, stating *"... This is not a one-day event, this is an act of resistance against a criminal government and their genocidal death project. Our supporters will be returning – today – tomorrow- and the next day – and the next day after that – and every day until our demand is met – no new oil and gas in the UK..."* **UKOP6: pages 292-295.** EB2 Tabs 94  
and 144:  
399-400 &  
592-593
48. On 28 October 2022 Just Stop Oil tweeted *"sign up for arrestable direct action at [link]"*. On 1 November 2022 they tweeted *"we will escalate our legal disruption against this treasonous Govt"*. On 11 November 2022 they tweeted *"you know that we won't stop"* **UKOP6: page 296.** EB2 Tab 106:  
446
49. A Just Stop Oil press release of 7 December 2022 states that *"Six weeks of continuous disruption and civil resistance by supporters of Just Stop Oil during October and November resulted in over 700 arrests. Since the campaign began on April 1st, Just Stop Oil supporters have been arrested over 2,000 times, with 25 supporters currently in prison"* **UKOP6: pages 297-299.** Similar press releases can be found at **UKOP6: pages 300-314.** These are not protests that relate to the Claimants' Sites, but together with the examples set out at paragraphs 23-44 above, are strong evidence of the continuance of Just Stop Oil's campaign of civil resistance and disruption. EB2 Tab 126:  
538-540  
EB2 Tabs 78,  
83, 92 and 139:  
354-359,  
368-370,  
392-394 &  
757-577
50. Furthermore, in response to the statement by Extinction Rebellion on 1 January 2023, in a statement given to the Guardian newspaper and published online on 2 January 2023, a Just Stop Oil member stated: *"It's 2023 and XR has quit... But it's 2023, and we are barrelling down the highway to the loss of ordered civil society, as extreme weather impacts tens of millions, as our country becomes unrecognisable ... there is now a need to face reality.... We must move from disobedience into civil resistance..."* **UKOP6: pages 315-316.** EB2 Tab 128:  
543-544
51. Just Stop Oil's website continues to state that *"... we will not be intimidated by changes to the law, we will not be stopped by private injunctions sought to silence peaceful people. Our supporters understand that these are irrelevant when set against mass starvation, slaughter, the loss of our rights, freedoms and communities"* **UKOP6: pages 317-319.** Prominent on the website is the statement that *"what we do over the next 3 to 4 years, I believe is going to determine the future of* EB2 Tab 19:  
28-35



*humanity*", suggesting that their campaign will be sustained for at least this period **UKOP6: page 292.** **EB2 Tab 94: 399**

52. The materials that have been published on Just Stop Oil's website as well as the group's social media channels would indicate that oil and gas companies remain the target of their campaign, and there therefore remains a risk to the Claimants' sites which the order in the terms sought would protect against. Furthermore, whilst Extinction Rebellion's most recent activities would suggest that there hasn't been the scaling back of unlawful direct action which their statement of 1 January 2023 would appear to suggest, in any event, there is a well documented overlap in the memberships of both groups (**UKOP6: pages 320-336 and 341-348**). As such, it cannot be discounted that members of Extinction Rebellion will participate in Just Stop Oil's campaign of civil resistance.

**EB2 Tabs 98 and 115: 413-420 & 482-486**

## **SUMMARY/ FURTHER RISK OF DIRECT ACTION**

53. Since the events mentioned in my previous witness statement there has been frequent and significant direct action undertaken by Just Stop Oil and Extinction Rebellion, the scale of which appears to be escalating and in relation to which, given the nature of the campaigns, there is no discernible end date.

54. Both campaign groups are well supported and continue to mobilise their supporters. For example, on 11 January 2023, Extinction Rebellion launched their '100 Days' campaign which they called "*the biggest mobilisation campaign XR has ever undertaken*." Extinction Rebellion supporters dropped a banner from Westminster Bridge to launch the campaign, marking the 100 day countdown to "*The Big One*" on 21 April 2023 where the group will bring 100,000 people to Westminster **UKOP6: pages 337-340**. The ticker count for the event on Extinction Rebellion's home page as at 5 April 2023 showed around 23,500 people to be attending **UKOP6: page 349.**

**EB2 Tab 129: 545-548**  
**EB2 Tab 143: 589-591**

55. Given the importance of the Sites covered by the current Order, Just Stop Oil's stated commitment to continuing its campaign and the highly disruptive and inherently dangerous effect of Just Stop Oil and Extinction Rebellion's protests, I therefore continue to believe that in the absence of further injunctive relief being granted by the Court in the terms sought, there is a real risk of imminent trespass on the Sites and / or interference with the private access routes in relation to both Sites. The Claimants are making this Application in an effort to minimise the risk of a future trespass and / or interference occurring at each of the Sites.

56. The fact that the number of incidents in the vicinity of the Claimants' Sites has decreased in number and regularity, particularly in comparison to the severity of the activity in April 2022, is a consequence of a number of factors which I refer to at paragraph 20 above, including the Order acting as an immediate deterrent, along with other High Court orders such as the NWBC Order. However, on 15 March 2023, North Warwickshire Borough Council issued a statement indicating that a person claiming to be connected to Extinction Rebellion has now applied to the High Court to set aside the NWBC Order, arguing that it is a breach of human rights **UKOP6: pages 350-351**. The Council has now also made an application to the Court asking it to make the following orders:

**EB3 Tab 279: 112-113**

- (a) to list the case for a full hearing so that the Court can decide whether to make a final order;
- (b) to add 139 people who have been arrested as named Defendants;
- (c) to allow the Council to serve copies of the application by alternative means; and
- (d) to dismiss the application to set aside the NWBC Order.

57. It is indicated that the Court hearing for these applications is likely to take place at the High Court in Birmingham but, as at the date of this witness statement, the date of the hearing has not yet been published.
58. The Claimants currently enjoy the benefit of the double protection afforded by the Order and the NWBC Order in relation to Site 2, and whilst the Claimants are hopeful that the application to set aside the NWBC Order will be unsuccessful, the Claimants cannot rely on the protection afforded by the NWBC Order continuing, and which makes it even more critical that the protection afforded by the Order remains in place.

For the reasons set out in this statement and the further witness statement made in support of this Application, I respectfully request that the Court grants the order sought by the Claimants.

### 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:  7FAFE9820F7D47D:..... Dated: 5th April 2023

**John Michael Armstrong**

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

Claim No. PT-2022-000303

(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

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THIRD WITNESS STATEMENT OF  
DANIEL OWEN CHRISTOPHER TALFAN DAVIES

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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 ("**Fieldfisher**") 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 are a bundle of documents marked "**UKOP8**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
4. For ease, in this statement I have adopted the definitions set out in the Order of Peter Knox KC (sitting as Deputy High Court Judge) sealed on 21 April 2022 (the "**Order**").

### **SERVICE OF PROCEEDINGS**

5. I make this witness statement in order to evidence the Claimants' compliance with paragraph 16 of the Order in serving the following documents:
  - (a) Sealed Application Notice for renewal of the interim injunction and listing of the renewal hearing on 20 April 2023 dated 4 April 2023;
  - (b) Draft order for the renewal hearing on 20 April 2023 dated 4 April 2023;
  - (c) Third Witness Statement of John Michael Armstrong dated 5 April 2023;
  - (d) Exhibit UKOP6 dated 5 April 2023;
  - (e) Second Witness Statement of Peter Malcolm Davis dated 5 April 2023; and
  - (f) Exhibit UKOP7 dated 5 April 2023(together, the "**Court Documents**").

#### *Compliance with paragraph 16(a) of the Order- Site 1*

6. On the instructions of John Armstrong being Director and General Manager for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Doug Sidwick, effected service of the Court Documents by placing copies of the Court Documents in clear transparent sealed containers at two prominent locations on the perimeter of Site 1 at approximately 12:10pm on 6 April 2023 (images of the containers appear at **UKOP8:356-359**).

**EB3 Tab 298:  
184-187**

#### *Compliance with paragraph 16(a) of the Order- Site 2*

7. On the instructions of John Armstrong being Director and General Manager for British Pipeline Agency Limited, the agent of the First Claimant, the appointed agent, Alan Noble, effected service of the Court Documents by placing copies of the Court Documents in clear transparent sealed containers at two prominent locations on the perimeter of Site 2 at approximately 10:30am on 6 April 2023 (images of the containers appear at **UKOP8:360-365**).

**EB3 Tab 299:  
188-193**

*Compliance with paragraph 16(b) of the Order*

8. Between 4.45pm and 4.52pm on 5 April 2023, on my instructions, Jody Sanders of Fieldfisher, the Claimants' solicitors, uploaded all the Court Documents to <https://ukop.azurewebsites.net>, being the web link stated in the Order.
9. A screenshot of the web link page hosting the Court Documents (and all previous documents that have been served in these proceedings) appears at (UKOP8:366). EB3 Tab 305: 200

*Compliance with paragraph 16(c) of the Order*

10. At 14:08pm on 6 April 2023, an email was sent on my behalf, to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) (UKOP8:367) and at 14:09pm on 6 April 2023, an email was sent on my behalf to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (UKOP8:368) confirming that: EB3 Tab 300: 194  
EB3 Tab 301: 195
- (a) Mr Peter Knox KC sitting as Deputy Judge of the Chancery Division had made an order on 20 April 2022 which provided that a further return date hearing would be fixed for 20 April 2023 (the "Return Date");
  - (b) The Court has confirmed that the Return Date hearing will take place on 20 April 2023 at 7 Rolls Buildings, London, EC4A 1NL with the timing of the hearing and the court room in which it will take place to be confirmed;
  - (c) A copy of the sealed Application Notice dated 4 April 2023 confirming this, along with a copy of the draft Order that has been filed at Court by the Claimants, can be viewed at the following weblink: <https://ukop.azurewebsites.net>;
  - (d) The weblink at paragraph 10(c) above contains the Claimants' further evidence for the Return Date hearing, together with the court documents from the hearings of 8 and 20 April 2022;
  - (e) The Order grants permission for any individual who wishes to come forward to defend the proceedings to file and serve any evidence by 4.30pm on 13 April 2023 and that service can be effected on the Claimants by serving on UKOPinjunction@fieldfisher.com; and
  - (f) The Claimants will prepare a bundle for use at the Return Date which contains the Court Documents together with the further evidence relied upon by the Claimants, which would be available at the weblink referred to at paragraph 10(c) above on 17 April 2023.
11. However, on 10 April 2023 at 10:20am, I received an email stating that "The message you sent to [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) couldn't be delivered due to: Recipient server unavailable or busy" and that "Recipient address rejected: Mailbox quota exceeded" (UKOP8:369). EB3 Tab 302: 196
12. Further, on 10 April 2023 at 11:21am, I also received an email stating that "The message you sent to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk) couldn't be delivered due to: Recipient server unavailable or busy" (UKOP8:370). As set out at paragraph 19 of my second witness statement dated 14 April 2022, this email address had been included in the Order by reference to an earlier Court Order in different proceedings, whereas the email addresses that are published on Just Stop Oil's website are set out at paragraph 13 below. EB3 Tab 303: 197

13. The Just Stop Oil website lists the following email addresses as contact details, which my email of 14:09pm was sent to as outlined above:

- (a) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) (being an email address specified on Just Stop Oil's home page); and
- (b) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (being the email address specified on Just Stop Oil's privacy policy page).

14. Screenshots of the relevant sections of the Just Stop Oil website are found at (UKOP8:371-372). **EB3 Tab 304: 198-199**

15. I can confirm that I have not received any further email or notification in relation to the email sent to [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) informing me that this email could not be delivered.

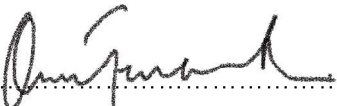
*Other documents for the Return Date hearing*

16. I confirm that it is the Claimants' intention to serve its skeleton argument and the accompanying bundle in advance of the Return Date hearing in compliance with the methods specified at paragraph 16 of the Order and that a Certificate of Service confirming service in respect of the same will be filed at the Court following service of these documents.

**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: 14.iv.2023

**Daniel Owen Christopher Talfan Davies**

Party: Claimant  
Witness: Peter Malcolm Davis  
Number: Third  
Exhibit: UKOP10  
Dated: 5 July 2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**THIRD WITNESS STATEMENT OF**

**PETER MALCOLM DAVIS**

---

I, Peter Malcolm Davis, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire will say as follows:

1. I currently act as a Consultant on behalf of British Pipeline Agency Limited ("**BPA**") and have held this role since September 2021. I have worked for BPA for over thirty-five years and prior to becoming a consultant, I was a Director and General Manager of BPA.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP10**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. Unless otherwise defined, in this statement I adopt the definitions set out in my first witness statement dated 7 April 2022 (the "**First Witness Statement**").

#### **CURRENT POSITION**

8. I make this statement in support of the Claimants' application for summary judgment to obtain an order for final injunctive relief in the terms set out in the draft order.
9. The purpose of this third witness statement, which supplements my First Witness Statement and second witness statement dated 5 April 2023 (the "**Second Witness Statement**"), is to provide the Court with an update in respect of the Sites following the grant of an interim order for pre-emptive injunctive relief in these proceedings made by The Honourable Mr Justice Rajah following a hearing on 20 April 2023 (the "**Order**"). Whilst this third witness statement provides an update on these matters, which were addressed in my First Witness Statement and my Second Witness Statement, I otherwise confirm that the content of my First Witness Statement and my Second Witness Statement remains true and accurate.

#### **UPDATE ON SITE 1**

10. At paragraph 11 of my Second Witness Statement I stated that:

*"The main entrance providing access to and egress from Site 1 continues to be to the right of Oil Road at the bottom right of the Site 1 Plan which leads right onto Green Lane and then on to the M1. However, the gates, which I refer to as being set back from the visibility splay, are going to shortly be relocated by BPA and will be repositioned at the edge of the visibility splay itself. It is anticipated that the works to relocate the gates will commence in the week of 17 April 2023 and will take up to two weeks to complete. I refer to the plan at UKOP7 page 2 indicating the current location of the gates, and where it is proposed that they will be positioned. The gates remain, and will remain once repositioned, permanently open when the terminal is operational to allow for free flow of access and egress."*



11. Since my Second Witness Statement, the gates have now been relocated to the position as shown on the plan at **UKOP7:353**. Images of the relocated gates are found are at **UKOP10:2-5**. Since that date, the gates have remained permanently open when the terminal is operational to allow free flow of access and egress, and there has been no change to the remaining entrances or access arrangements to Site 1 which I refer to at paragraph 41 of my First Witness Statement.

EB1 Tab 11:  
178

EB1 Tab 13:  
183-186

#### UPDATE ON SITE 2


12. At paragraph 31 of my First Witness Statement I stated that the Site 2 Lease was pending registration at the Land Registry.
13. The Site 2 Lease has since been registered under Land Registry leasehold title number WK522590. A copy of the register and title plan is at **UKOP10:6-9**.

EB1 Tab 12:  
179-182

#### 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: 05:07:2023

**Peter Malcolm Davis**

Party: Claimant  
Witness: John Michael Armstrong  
Number: Fourth  
Exhibit: UKOP9  
Dated: 6 July 2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**FOURTH WITNESS STATEMENT OF**

**JOHN MICHAEL ARMSTRONG**

---

I, John Michael Armstrong, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP9**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. Unless otherwise stated, in this statement I adopt the definitions set out in my first witness statement dated 7 April 2022.

#### **CURRENT POSITION**

8. I make this statement in support of the Claimants' application for summary judgment to obtain an order for final injunctive relief in the terms set out in the draft order.
9. The purpose of this third witness statement, which supplements my first, second and third witness statements dated 7 April 2022, 14 April 2022 and 5 April 2023 respectively (the "**Previous Witness Statements**"), is to provide to the Court with an update in respect of events following the grant of an interim order for injunctive relief in these proceedings made by the Honourable Mr Justice Rajah following a hearing on 20 April 2023 (the "**Order**") and therefore addresses:
  - (a) evidence of direct action which has occurred in the vicinity of Site 1 and Site 2 since the making of the Order;
  - (b) evidence of direct action targeted at other operators which has occurred since the date of my witness statement dated 5 April 2023; and
  - (c) evidence of direct action by Just Stop Oil and Extinction Rebellion, including where such action has targeted other organisations affiliated with the oil and gas sector which has occurred since the date of the Order.

#### **DIRECT ACTION IN THE VICINITY OF SITE 1 AND SITE 2**

10. In my first and second witness statements dated 7 April 2022 and 14 April 2022, I addressed in detail the direct action suffered by the Claimants in respect of Site 1 and the direct action targeted at the operations of the Claimants in close proximity to Site 1 and Site 2. This direct action formed the basis for the Claimants seeking an interim order for pre-emptive injunctive relief.

11. In my third witness statement dated 5 April 2023, I addressed the further incidents of direct action in close proximity to Site 2 since the date of the order for pre-emptive injunctive relief made by Mr Peter Knox KC acting as a Deputy High Court Judge in the Chancery Division following a hearing on 20 April 2022 (the "**April 2022 Order**").

12. Since the date of the Order, there has been no further direct action at, or in the vicinity of, Site 1 and Site 2. However, I believe that the reduction in direct action is due to a number of factors which I refer to at paragraph 20 in my third witness statement dated 5 April 2023, including:

- (a) the service of the April 2022 Order and the Order at the Sites and by email to the campaign groups Extinction Rebellion and Just Stop Oil;
- (b) the April 2022 Order and the Order providing a deterrent effect. For example, in response to a member of the public tweeting:

*"They are in the wrong place. Outside oil refineries would be the right place to protest. Then of course they would not get the publicity they crave. Stopping workers only make their protest null and void."*

on 9 June 2023 at 10.20am Just Stop Oil tweeted:

*"Do you know what happens if you protest outside oil refineries now? Oil companies have bought injunctions to ban people from taking action at refineries, distribution hubs, even petrol stations. Punishments for breaking injunctions range from unlimited fines to imprisonments"*

Extinction Rebellion UK retweeted the above tweet on 9 June 2023 **UKOP9: page 8;**

**EB2 Tab 195:  
731**

- (c) the continuing existence of an injunction order made by Mr Justice Soole on 20 January 2023 in favour of Valero Energy Limited, Valero Logistics UK Limited and Valero Pembrokeshire Oil Terminal Limited (together, "**Valero**") and which protects a number of Valero's sites including land interests at Kingsbury Oil Terminal (of which Site 2 forms part) (the "**Valero Order**"). A copy of the Valero Order can be found at **UKOP6: pages 85-124;** and

- (d) the continuing existence of an injunction order made by Mr Justice Sweeting in the King's Bench Division dated 9 May 2022 in favour of the North Warwickshire Borough Council and which protects the locality of the Kingsbury Oil Terminal (of which Site 2 forms part) by placing restraints on the organisation of, or participation in, any protest against the production or use of fossil fuels at Kingsbury Oil Terminal (the "**NWBC Order**"). In particular, the NWBC Order gives a power of arrest outside the Kingsbury Oil Terminal and at the junctions of the roads leading into it. A copy of the NWBC Order can be found at **UKOP6: pages 125-131.** The NWBC Order remains in force as at the date of this witness statement. However, an application has been made to set aside the NWBC Order, which application I refer to at paragraph 49 below.

**EB3 Tab 277:  
65-71**

13. If any of these factors were to be removed, I believe that the direct action would escalate.

14. The deterrent effect provided by the Order continues to assist the Claimants in ensuring that they can conduct their operations at the Sites without risk of the significant practical, financial and logistical implications for the Claimants, many other third parties and potentially the UK economy, which would otherwise arise from direct action, not to mention the substantial health and safety risks that I refer to in paragraphs 20 to 42 of my first witness statement.

**EVIDENCE OF DIRECT ACTION BY JUST STOP OIL AND EXTINCTION REBELLION, INCLUDING TARGETING OF OTHER OPERATORS AND AFFILIATED ORGANISATIONS FROM 5 APRIL 2023 TO 6 JULY 2023**

15. Since the date of the Order, there continues to be activity targeted at industries and organisations that members of Extinction Rebellion and / or Just Stop Oil consider to be affiliated to the oil and gas industries.
16. On 24 April 2023, Just Stop Oil announced a new campaign involving disruption across central London by marching slowly on major roads as part of an *"indefinite campaign of civil resistance to demand an end to new UK oil and gas projects"* **UKOP9: pages 9-10** **EB2 Tab 151: 620-621**
17. On 12 June 2023, the Metropolitan Police confirmed that there had been 156 slow marches since the end of April, with 86 arrests and 49 charges made **UKOP9: pages 11-12**. As of 6 July 2023, Just Stop Oil supporters have completed up to seven marches a day, six days a week since the campaign commenced on 24 April 2023, causing disruption and blockage to traffic on major roads across London (**UKOP9: pages 13-152**) including: **EB2 Tab 200: 745-746**
  - (a) On 3 May 2023, 55 Just Stop Oil supporters began marching at The Shell Centre on London's South Bank aiming for Parliament Square. The police served a notice under section 12 of the Public Order Act 1986 (a **"section 12 notice"**) on the protesters **UKOP9: pages 21-25**. I understand a section 12 notice is served where a senior police officer gives directions such as conditions on public processions as necessary where they reasonably believe there could be, for example, serious public disorder, serious damage to property or serious disruption to the life of the community; **EB2 Tabs 158 and 159: 638-642**
  - (b) On 11 May 2023, around 41 supporters set off marching down the Strand. After police threatened public order notices, they briefly moved to the pavement, before returning to the road at Parliament Square, where police subsequently arrested around 13 supporters **UKOP9: pages 30-31**; **EB2 Tab 164: 655-656**
  - (c) On 23 May 2023, 45 supporters marched through three major London routes, being on Blackfriars Bridge, London Bridge and Tower Bridge. This caused major disruption delays for road users, including commuters, and police issued public order notices on all three groups of participating protesters **UKOP9: pages 44-45**; **EB2 Tab 174: 678-679**
  - (d) On 24 May 2023, 39 Just Stop Oil protesters marched on roads in Islington, Marylebone and the City of London. A section 12 notice was served and six protesters were arrested for remaining on the road in breach of this notice **UKOP9: pages 46-49**; **EB2 Tab 178: 687-688**
  - (e) On 29 May 2023, 31 Just Stop Oil supporters marched down Upper Street in Islington, 41 supporters marched down Holloway Road in Islington and 9 supporters disrupted traffic outside Wimbledon Magistrates Court. It was reported that supporters were acting in solidarity with the protesters charged following the events at the Rugby Premiership final on 27 May 2023, as referred to at paragraph 28 below **UKOP9: pages 54-55**; **EB2 Tab 186: 704-705**
  - (f) On 30 May 2023, police served section 12 conditions on Just Stop Oil demonstrators causing disruption and forcing traffic to a crawl during rush hour by marching on Waterloo Bridge, Tower Bridge, London Bridge and Blackfriars Bridge **UKOP9: pages 56-59**; **EB2 Tab 187: 706-709**
  - (g) On 1 June 2023, around 50 Just Stop Oil supporters marched in five groups on roads around Hyde Park and Battersea Park and a smaller group walking on Kensington Gore delayed the England Cricket Team coach. Police served a section 12 notice in order to move the supporters off the road. On the same date, a further march took place on Waterloo Bridge, where three people were arrested **UKOP9: pages 62-64**; **EB2 Tab 189: 712-714**

- (h) On 5 June 2023, around 75 Just Stop Oil supporters marched in four groups in West, East and South London, with two supporters being arrested by police in Vauxhall **UKOP9: pages 68-73;** **EB2 Tab 191: 718-719**
- (i) On 7 June 2023, eight arrests were made as 54 Just Stop Oil protesters marched along key routes in in Hammersmith, Islington and Bayswater and following a second set of marches in the West End, City Fulham and Borough **UKOP9: pages 74-76;** **EB2 Tab 193: 724-726**
- (j) On 14 June 2023, Just Stop Oil supporters marched at ten locations across London, including Westminster Bridge, London Bridge, Tower Bridge and other major routes in Central London along with roads around West London. Nine protesters were arrested at various locations for refusing to leave the road or comply with conditions imposed by officers **UKOP9: pages 94-98;** **EB2 Tab 203: 754-758**
- (k) On 15 June 2023, 54 Just Stop Oil supporters marched in four groups on roads around Ealing and Battersea Bridge. Nine supporters were arrested at Hanger Lane in Ealing for failing to comply with a section 12 notice **UKOP9: pages 99-102;** **EB2 Tab 204: 759-762**
- (l) On 20 June 2023, 26 Just Stop Oil supporters slow marched on Queen Victoria Street near Mansion House tube station and continuing on key roads through the City until police served a section 12 notice **UKOP9: pages 109-111;** **EB2 Tab 209: 774-776**
- (m) On 26 June 2023, Just Stop Oil supporters carried out four separate slow marches across London, which included blocking Denmark Hill in Camberwell, close to the hospital entrance of King's College Hospital. Metropolitan Police issued a Section 12 condition for the Just Stop Oil supporters to move out of the carriageway **UKOP9: pages 119-130;** **EB2 Tabs 212-216: 784-801**
- (n) On 27 June 2023, 34 Just Stop Oil supporters launched a slow march across London Bridge. Police were called and a section 12 notice was issued **UKOP9: pages 131-136;** **EB2 Tab 216: 796-801** and
- (o) On 30 June 2023, a group of 25 student Just Stop Oil supporters disrupted traffic outside Waterloo Station. Following a section 12 notice being issued by the Metropolitan Police, the supporters then moved to Parliament Square. A Just Stop Oil press release confirmed that three of the supporters were defying bail conditions by protesting at Parliament Square **UKOP9: pages 141-144.** **EB2 Tab 222: 820-823**
18. On 9 June 2023 and 15 June 2023 Just Stop Oil posted tweets indicating that protesters were breaking bail conditions to join the slow marches **UKOP9: pages 153-154.** **EB2 Tabs 196 and 205: 732 & 763**
19. In addition to the slow march campaign, members of Extinction Rebellion and Just Stop Oil continue to carry out direct action at public locations and events.
20. On 10 April 2023, it was reported that two Just Stop Oil protesters breached a security barrier and climbed the "*Dippy the Diplodocus*" exhibition at the Herbert Art Gallery and Museum in Coventry, which resulted in the museum closing for the day. The protesters were apprehended by the security guards, arrested by West Midlands Police on conspiracy to cause criminal damage and subsequently charged with having an article with intent to destroy or damage property **UKOP9: pages 155-160.** **EB2 Tabs 146 and 147: 597-602**
21. On 17 April 2023, the World Snooker Championship was disrupted by an individual climbing on the snooker table and covering it in orange powder during a match, whilst another individual attempted to glue herself to the table during another match. It was later reported that Just Stop Oil had claimed responsibility for the incident. The two protesters were arrested by South Yorkshire Police. **UKOP9: pages 161-163.** **EB2 Tab 148: 603-605**

22. On 3 May 2023, activists from Extinction Rebellion addressed Barclays' annual general meeting being held at the QEII Centre in Westminster. It was reported that a number of protesters were removed by security **UKOP9: pages 164-171.** EB2 Tabs 160 and 161: 643-650
23. On 17 May 2023, it was reported that Just Stop Oil protesters disrupted a policing inquiry regarding King Charles' Coronation. One of the activists stood up and stated "*We, as supporters of Just Stop Oil, are here today because our democracy is under threat*" before being removed from Parliament **UKOP9: pages 172-175.** EB2 Tab 168: 663-666
24. On 18 May 2023, Extinction Rebellion infiltrated the AGM of Lloyds Banking Group at the Armadillo in Glasgow. It was reported that the protesters had repeatedly interrupted the chairman's opening speech to criticise the bank's alleged increased financial support of the fossil fuel industry and others stood outside the venue displaying banners which read "*Lloyds take the next steps...renounce fossil fuels*" **UKOP9: pages 176-180.** EB2 Tabs 170 and 171: 669-673
25. On 23 May 2023, it was reported that Extinction Rebellion activists had interrupted the opening remarks at the annual general meeting of Shell, condemning the fossil fuel giant and shouting "*shut down Shell*" and "*go to hell Shell*". A number of protesters were carried from or escorted out of the auditorium. Extinction Rebellion UK also tweeted on 23 May 2023 at 10:18am "*Join us to #ShutDownShell and demand #NoNewOilAndGas*" **UKOP9: pages 181-187.** EB2 Tabs 175 to 177: 680-686
26. On 25 May 2023, Lloyd's of London annual general meeting was targeted by Money Rebellion, which has been reported as being a sister movement of Extinction Rebellion. Protesters set off fire alarm sirens and smoke flares outside Lloyd's' headquarters in London as their annual general meeting was being held inside **UKOP9: pages 187-189.** EB2 Tab 181: 693-694
27. On 25 May 2023, it was reported that Just Stop Oil protesters had vandalised one of the show gardens at Chelsea Flower Show by throwing orange paint powder. Commander Karen Findlay of the Metropolitan Police's major operations team commented that the gardens had been "*criminally damaged*" and the three protesters involved were arrested **UKOP9: pages 190-193.** EB2 Tabs 182 and 183: 695-698
28. On 27 May 2023, it was reported that two Just Stop Oil supporters had stormed the pitch with orange powder paint during the Gallagher Premiership Rugby final at Twickenham. Just Stop Oil's press release after the event stated "*Just Stop Oil is calling on everyone to get off the sidelines and join in civil resistance against new oil gas and coal... Our indefinite campaign of civil resistance is underway and will not end until our government makes a meaningful statement halting new fossil fuel projects in the UK*" **UKOP9: pages 194-196.** EB2 Tab 185: 701-703
29. On 9 June 2023, Just Stop Oil staged its first "slow cycle" down Park Lane in London's West End and the police served a section 12 notice due to the disruption caused to traffic. It was reported that the slow cycle was in a response to the government's attempts to clamp down on marching activists and a spokesperson for Just Stop Oil confirmed "*our tactics will continue to evolve*" **UKOP9: pages 197-199.** EB2 Tab 197: 733-735
30. On the same date, Extinction Rebellion activists glued themselves to Schlumberger's research facility in Cambridge, a company reported as providing technology and infrastructure for oil and gas extraction to firms such as BP and Shell. It was reported that the protestors were calling on the University of Cambridge to cut ties with the company **UKOP9: pages 200-202.** EB2 Tab 198: 736-738
31. On 15 June 2023, three Just Stop Oil protesters disrupted an opera performance at Glyndebourne Festival in Sussex by setting off a confetti bomb, blowing an air horn and shouting. Just Stop Oil tweeted after the event to confirm that they had interrupted the festival and that "*We are running out of time. Take action with Just Stop Oil*" **UKOP9: pages 203-204.** EB2 Tab 206: 764-765

32. On 27 June 2023, four Just Stop Oil protesters entered the lobby of the energy firm TotalEnergies', UK headquarters and doused it with black paint from fire extinguishers. Four additional activists also covered the exterior of the building with orange paint. It was reported that Scotland Yard arrested four people on suspicion of criminal damage. One of the protesters taking action was reported as stating *"I wish we could stop these atrocities through peaceful and quiet protest, but we can't."* **UKOP9: pages 205-209.** **EB2 Tab 217: 802-806**
33. On 28 June 2023, two Just Stop Oil protesters entered the playing field during one of the England v Australia test matches at Lord's cricket ground to spread orange powder on the pitch and another protester was prevented from accessing the pitch by security. These actions delayed the game and the Metropolitan Police announced that three arrests were made after the protest. The three protesters were subsequently charged with aggravated trespass **UKOP9: pages 210-214.** **EB2 Tabs 218 and 219: 807-811**
34. On 1 July 2023, it was reported that seven Just Stop Oil protesters were arrested after having interrupted London Pride by sitting in front of a Coca-Cola company float, accusing Coca-Cola of being *"the world's worst plastic polluter, accused of numerous human rights abuses"*. Two other protesters sprayed paint across the road. Five of the protesters halting the Coca-Cola float were subsequently charged with Public Order offences **UKOP9: pages 215-220.** **EB2 Tabs 223 to 225: 824-829**
35. On 3 July 2023, as part of their "Cut the Ties" with the fossil fuel industry campaign, climate activists, including members of Extinction Rebellion, protested outside Wood Group's Aberdeen and Surrey offices to protest the engineering firm's ties to the oil and gas sector, including setting off flares and spraying fake black oil across the entrance of the Surrey offices. Two Extinction Rebellion activists were arrested for alleged criminal damage **UKOP9: pages 221-227.** **EB2 Tabs 227 and 228: 835-841**
36. On 5 July 2023, Just Stop Oil protesters ran onto Court 18 at Wimbledon, disrupting a match and throwing orange-coloured confetti and a jigsaw on the grass. One protester also sat down on the Court by the net. A statement from Just Stop Oil said *"we can't leave it to the next generation to pick up the pieces"*. Two of the protesters were arrested on suspicion of aggravated trespass and criminal damage **UKOP9: pages 228-233.** **EB2 Tabs 230 and 231: 845-850**

#### STATEMENTS FROM EXTINCTION REBELLION AND JUST STOP OIL

37. At paragraphs 45 and 46 of my third witness statement dated 5 April 2023, I referred to the statement published by Extinction Rebellion on 1 January 2023 indicating that they would *"temporarily shift away from public disruption as a primary tactic"*, suggesting a shift in tactics and strategy. However, subsequent actions taken by the group, as referred to at paragraphs 37 to 41 and 43 of my third witness statement indicated that Extinction Rebellion was continuing to target companies and organisations, which are affiliated to the oil and gas industry with unlawful direct action. The recent action taken by Extinction Rebellion, as referred to above, indicates that the targeting of companies and organisations affiliated to the oil and gas industry is continuing, notwithstanding the public statement, and that to the extent that there was any shift away from public disruption, that disruption was only temporary.
38. Extinction Rebellion also appear to be focused on mobilising new members to their campaign. For example, at paragraph 54 of my third witness statement dated 5 April 2023, I referred to *"The Big One"* event organised by Extinction Rebellion due to take place on 21 April 2023. The event took place as planned and ran for four days with over 60,000 people in attendance and 200 participating organisations. The event included pickets outside the entrances to every major government department in Whitehall, a bio-diversity march and "die-in" and protests in Parliament Square **UKOP9: pages 234-252.** Extinction Rebellion have confirmed *"over the next three months, we will be translating the appetite for action amongst people at The Big One into a whole new range of campaigns and action across the country"* **UKOP9: pages 250.** **EB2 Tab 149: 606-610**  
**EB2 Tab 149: 608**



39. In relation to Just Stop Oil, as outlined above at paragraphs 16 to 18, Just Stop Oil are currently engaging in a sustained campaign of slow marches across central London, as well as disrupting public and high profile events as outlined at paragraphs 20 to 34. In announcing the campaign of slow marches, a spokesperson for Just Stop Oil in their press release on 24 April 2023 stated that *"we have chosen to act. Civil resistance is our only hope... We won't stop until our genocidal government ends new oil and gas"* **UKOP9: page 254.** **EB2 Tab 153: 628**
40. Just Stop Oil also appear to be attempting to recruit members to join in the protests, for example, by making multiple posts on Twitter inviting individuals to sign up to slow march and to *"Take action"* with Just Stop Oil **UKOP9: pages 256-257.** A press release by Just Stop Oil on 29 June 2023 also stated *"Just Stop Oil is calling on everyone to get off the sidelines and join in civil resistance against new oil, gas and coal"* **UKOP9: page 260.** **EB2 Tab 207: 766-767**  
**EB2 Tab 221: 818**
41. Similarly, Just Stop Oil's press release following the interruption to the Gallagher Premiership Rugby final outlined at paragraph 28 above stated *"Our indefinite campaign of civil resistance is underway and will not end until our government makes a meaningful statement halting new fossil fuel projects in the UK"* **UKOP9: page 196.** **EB2 Tab 185: 703**
42. Combined, this suggests that the fossil fuel industry (and any organisations affiliated with that industry) remains the target of Just Stop Oil's campaign and that Just Stop Oil are intending to continue their campaign, involving as many members as possible, without any discernible end date.
43. For example, in the press release by Just Stop Oil on 28 June 2023 after the disruption to the Ashes cricket match outlined at paragraph 33 above, it was reported that Just Stop Oil commented that the Lords' cricket grounds' *"principal partner" is JP Morgan, the world's worst "fossil bank," that contributed \$317 billion in fossil fuel financing from 2016 to 2020"* **UKOP9: page 263.** **EB2 Tab 220: 813**
- TotalEnergies also appears to have been targeted, as referred to above at paragraph 32, as it is a shareholder in the East African Crude Oil Pipeline (as well as being an energy company itself) **UKOP9: pages 205-209.** **EB2 Tab 217: 802-806**
44. The materials that have been published on Just Stop Oil's and Extinction Rebellion's websites as well as the groups respective social media channels therefore continue to indicate that oil and gas companies will remain a target of their campaign, and there therefore remains a risk to the Claimants' sites which the order in the terms sought would protect against.

## OTHER INJUNCTION PROCEEDINGS

45. In addition to the Valero Order outlined above at paragraph 12(c), I am aware that there have been a number of other injunction orders granted to oil and gas companies in relation to protests against the industry. I have set out below a summary of the injunctions that have been obtained, which summary has been provided to me by the Claimants' solicitors:

Claim Number	Property	Claimant(s)	Duration of injunction
QB-2022-001259	Shell Centre Tower	Shell International Petroleum Company Limited	Initial interim injunction

			extended on 28 April 2023 until 25 May 2023  Extended until 12 May 2024
QB-2022-001241	Shell Haven Site	Shell UK Limited	Initial interim injunction  extended on 28 April 2023 until 25 May 2023  Extended on 23 May 2023 until 12 May 2024
QB-2022-001420	Petrol filling station	Shell UK Oil Products Limited	Initial 12 months expiring on 12 May 2023  Extended on 28 April 2023 until 25 May 2023  Further extended on 23 May 2023 until 12 May 2024
PT-2022-000326	Oil terminals at Stanlow, Ellesmere Port, Tranmere, Birkenhead and Northampton	Essar Oil (UK) Limited and others	Initial 12 months expiring on 11 May 2023.  Extended on 11 May 2023 until 11 May 2024.

46. In addition to the NWBC Order, I am also aware that further injunctions have been obtained by parties against persons unknown including those affiliated or connected to the Extinction Rebellion, Just Stop Oil and/or Insulate Britain campaigns. I have set out below a summary of the injunctions that have been obtained, which summary has been provided to me by the Claimants' solicitors:

Claim Number	Property/Land	Claimant(s)	Duration of injunction
KB-2022-001317	Roads in the vicinity of Navigator Terminals Thurrock terminal; Esso's Purfleet terminal; Exoleum's Grays	Thurrock Council Essex Council	Until further order with provision for Claimants to inform the Court within 28 days of the Supreme Court

	terminal; and Oikos' Canvey Island terminal		judgment in Wolverhampton City Council & Ors v London Gypsies and Travellers & Ors (UKSC/2022/0046)
KB-2022-004333	Structures over, under or adjacent to the M25 Motorway	National Highways	Initial interim injunction granted until 10 December 2022  Extended by 12 months until 15 November 2023
QB-2021-003576 QB-2021-003626 QB-2021-003737	M25, M25 feeder roads and Kent roads	National Highways	Initial 12 month injunction expiring on 9 May 2023  Extended the interim injunction on 5 May 2023 until 10 May 2024 with a renewal hearing on 26 April 2024
QB-2021-003841	Multiple A roads, bridges and tunnels in London	Transport London for	Final injunction until 2 May 2028 with an annual review hearing
KB-2022-003542	Multiple Roads, bridges and tunnels in London	Transport London for	Final injunction until 2 May 2028 with an annual review hearing

## SUMMARY

47. The evidence set out above, as well as in my Previous Witness Statements, confirms that there continues to be frequent and significant direct action undertaken by Just Stop Oil and Extinction Rebellion, and which continues to target those affiliated with the oil and gas industry. There is also no clear end date to the action, in fact, the scale of the action has escalated since my first witness statement, and both organisations would appear to be focused on mobilising their supporters and recruiting new members to their campaigns.
48. As referred to at paragraph 55 of my third witness statement dated 5 April 2023, given the importance of the Sites covered by the Order, Just Stop Oil and Extinction Rebellions continuing campaigns, and the highly disruptive and inherently dangerous effect of their protesting techniques, means that I continue to believe that in the absence of further final injunctive relief being granted in the terms sought, there is a real risk of imminent trespass on the Sites and / or interference with the private access routes in relation to both Sites, and this risk would be unlikely to abate in the near or medium future. The Claimants are making this Application in an effort to minimise the risk

of a future trespass and / or interference occurring at each of the Sites by continuing the deterrent effect that appears to have arisen by virtue of the continuing relief granted by the Order.

49. I refer above and in my third witness statement (at paragraphs 56 to 58) to the fact that the Claimants currently enjoy the benefit of the double protection afforded by the NWBC Order and the Order. However, the NWBC Order remains subject to an application to set aside. It therefore remains the case that the Claimants cannot rely on the protection afforded by the NWBC Order continuing, and which therefore makes it critical that the injunctive protection sought by the Claimants continues.

For the reasons set out in this statement and the Previous Witness Statements, I respectfully request that the Court grants final injunction on the terms sought by the Claimants.

### 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: 6 July 2023  
7FAFE9820F7D47D...

**John Michael Armstrong**

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

Claim No. PT-2022-000303

(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

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FIRST WITNESS STATEMENT OF

ANTONY DOUGLAS PHILLIPS

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I, Antony Douglas Phillips, of Riverbank House, 2 Swan Lane, London EC4R 3TT will say as follows:

1. I am a Partner in Fieldfisher LLP ("Fieldfisher") 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 are a bundle of documents marked "**UKOP11**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
4. For ease, in this statement I have adopted the definitions set out in the Order of the Honourable Mr Justice Rajah sealed on 21 April 2023 (the "**Order**").

### **SERVICE OF APPLICATION**

5. I make this witness statement in order to evidence the Claimants' compliance with paragraph 9 of the Order in serving the following documents:
  - (a) Sealed Application Notice – Claimants' Summary Judgment Application dated 7 July 2023 containing details of listing appointment;
  - (b) Draft Order for Claimants' Summary Judgment Application dated 7 July 2023;
  - (c) Third Witness Statement of Peter Davis dated 5 July 2023;
  - (d) Fourth Witness Statement of John Armstrong dated 6 July 2023;
  - (e) Exhibit UKOP9; and
  - (f) Exhibit UKOP10

(together, the "**Application Documents**").

#### *Compliance with paragraph 9(a) of the Order*

6. Between 10 July 2023 at 5:44pm and 11 July 2023 at 11:09am, on my instructions, Jody Sanders of Fieldfisher, the Claimants' solicitors, uploaded all of the Application Documents to <https://ukop.azurewebsites.net>, being the web link stated in the Order.
7. A screenshot of the web link page hosting the Application Documents (and all previous documents that have been served in these proceedings) appears at (**UKOP11:3**).

**EB3 Tab 313:  
209**

#### *Compliance with paragraph 9(b) of the Order*

8. At 15:39pm on 11 July 2023, an email was sent by Faye Hyland of Fieldfisher to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) (**UKOP11:4-5**) and at 15:38pm on 11 July 2023, an email was sent by Faye Hyland of Fieldfisher to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (**UKOP11:6**) confirming that:
  - (a) On 7 July 2023 the Claimants made an application for summary judgment under Part 24 of the Civil Procedure Rules (the "**Application**"), seeking an order from the Court for a final injunction in the claim and an order for related directions;
  - (b) Copies of the Application Documents can be viewed at the following weblink: <https://ukop.azurewebsites.net>;

**EB3 Tabs 306  
and 307:  
201-202  
EB3 Tab 308:  
203**

- (c) The Court has directed that a listing appointment for the Application should take place at 11.00am on 17 July 2023, at which appointment the Court will fix the date of the Application hearing, and further details of which can be found in the sealed Application Notice;
- (d) Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing; and
- (e) We (i.e. Fieldfisher) are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com).
9. The Just Stop Oil website lists the following email addresses as contact details, which my email of 11 July 2023 at 15:37pm was sent to:
- (a) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) (being an email address specified on Just Stop Oil's home page); and
- (b) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (being the email address specified on Just Stop Oil's privacy policy page).
10. Screenshots of the relevant sections of the Just Stop Oil website are found at (UKOP11:7-8). EB3 Tab 309:  
204-205
11. On 11 July 2023 at 15:39pm, an automatically generated response was received from [xr-legal@riseup.net](mailto:xr-legal@riseup.net) with the subject line "Autoreply for XR Legal Support" and which confirmed that the XR Legal Support Team had received Fieldfisher's email of 11 July 2023 and was "working on getting a response to you ASAP!" A copy of the email received appears at (UKOP11:5). EB3 Tabs 307:  
202
12. I can confirm that, as at the date of this statement:
- (a) No further correspondence from the email address [xr-legal@riseup.net](mailto:xr-legal@riseup.net) has been received;
- (b) No correspondence or notifications have been received in relation to the emails sent to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

### **SERVICE OF NOTICE OF HEARING**

13. I also make this witness statement in order to evidence the Claimants' compliance with paragraph 9 of the Order in serving the following document:
- (a) Sealed Application Notice – Claimants' Summary Judgement Application dated 7 July 2023 containing Notice of Hearing (the "Notice of Hearing").

*Compliance with paragraph 9(a) of the Order*

14. On 18 July 2023 at 1:04pm, on my instructions, Jody Sanders of Fieldfisher, the Claimants' solicitors, uploaded the Notice of Hearing to <https://ukop.azurewebsites.net>, being the web link stated in the Order.
15. A screenshot of the web link page hosting the Notice of Hearing (and all previous documents that have been served in these proceedings) appears at (UKOP11:3).

EB3 Tab 313:  
209

*Compliance with paragraph 9(b) of the Order*

16. At 16:35pm on 18 July 2023, an email was sent by Honey Newbury for and on behalf of Faye Hyland of Fieldfisher to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) (UKOP11:9-10) and at 16:35pm on 18 July 2023, an email was sent by Honey Newbury for and on behalf of Faye Hyland of Fieldfisher to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) (UKOP11:11) confirming that:

EB3 Tabs 310  
and 311: 206  
and 207  
EB3 Tab 312:  
208

- (a) Following the listing appointment on 17 July 2023, the Court has now issued a Notice of hearing which states that the Application will be heard at 7 Rolls Buildings, London, EC4A 1NL during a three day window starting on 3 October 2023 with the time and Court TBC;
- (b) A copy of the Notice of Hearing can be viewed at the following weblink: <https://ukop.azurewebsites.net>;
- (c) Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing; and
- (d) We (i.e. Fieldfisher) are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com).
17. On 18 July 2023 at 16.36pm, an automatically generated response was received from [xr-legal@riseup.net](mailto:xr-legal@riseup.net) with the subject line "Autoreply for XR Legal Support" and which confirmed that the XR Legal Support Team had received Fieldfisher's email of 18 July 2023 and was "working on getting a response to you ASAP!" A copy of the email received appears at (UKOP11:10).

EB3 Tab 311:  
207

18. I can confirm that, as at the date of this statement:

- (a) No further correspondence from the email address [xr-legal@riseup.net](mailto:xr-legal@riseup.net) has been received;
- (b) No correspondence or notifications have been received in relation to emails sent to [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk), [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

*Other documents for the Application Hearing*


19. I confirm that it is the Claimants' intention to serve its skeleton argument and the accompanying bundle in advance of the hearing in compliance with the methods specified at paragraph 9 of the Order and that a Certificate of Service confirming service in respect of the same will be filed at the Court following service of these documents.



**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: 24/7/2023 .

**Antony Douglas Phillips**

Party: Claimant  
Witness: John Michael Armstrong  
Number: Fifth  
Exhibit: UKOP12  
Dated: 22 September 2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**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 Defendant / Respondent**

**(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 Defendant / Respondent**

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**FIFTH WITNESS STATEMENT OF**

**JOHN MICHAEL ARMSTRONG**

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I, John Michael Armstrong, of 5-7 Alexandra Road, Hemel Hempstead, Hertfordshire, will say as follows:

1. I currently act as the Director and General Manager of British Pipeline Agency Limited ("**BPA**") and have held this role since 1 September 2021. I have worked for BPA since July 2020 and, prior to becoming a Director and General Manager, I was the Chief Operating Officer of BPA. Prior to that, I enjoyed senior roles across distributed energy, power generation and engineering safety.
2. BPA is the UK's leading provider of engineering and operational services to the oil and gas pipeline sector. It has operated UK onshore pipelines and terminal facilities for over 50 years, currently managing over 1,000km of fuel pipes in the UK.
3. BPA acts as agent for the First Claimant United Kingdom Oil Pipelines Limited ("**UKOP**") and the Second Claimant West London Pipeline and Storage Limited ("**WLPSL**"), and it operates and maintains their UK based assets.
4. I am duly authorised to make this witness statement on behalf of the Claimants.
5. 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.
6. Produced and shown to me is a bundle of documents containing exhibit "**UKOP12**". Unless otherwise stated, page references in this witness statement refer to pages in that exhibit.
7. Unless otherwise stated, in this statement I adopt the definitions set out in my first witness statement dated 7 April 2022.

#### **CURRENT POSITION**

8. I make this further statement in support of the Claimants' application for summary judgment to obtain an order for final injunctive relief in the terms set out in the draft order.
9. This fifth witness statement supplements:
  - (a) my first witness statement dated 7 April 2022 ("**First Witness Statement**");
  - (b) my second witness statement dated 14 April 2022 ("**Second Witness Statement**");
  - (c) my third witness statement dated 5 April 2023 ("**Third Witness Statement**"); and
  - (d) my fourth witness statement dated 6 July 2023 ("**Fourth Witness Statement**");

together my "**Previous Witness Statements**".
10. The purpose of this fifth witness statement is to provide the Court with an update in respect of relevant events following the grant of an interim order for injunctive relief in these proceedings made by the Honourable Mr Justice Rajah following a hearing on 20 April 2023 (the "**Order**") and since my Fourth Witness Statement, and therefore addresses:
  - (a) evidence of direct action which has occurred in the vicinity of Site 1 and Site 2;
  - (b) evidence of direct action targeted at other operators; and
  - (c) evidence of direct action by Just Stop Oil and Extinction Rebellion, including where such action has targeted other organisations affiliated with the oil and gas sector.

**DIRECT ACTION IN THE VICINITY OF SITE 1 AND SITE 2**

11. In my First Witness Statement and Second Witness Statement, I addressed in detail the direct action suffered by the Claimants in respect of Site 1 and the direct action targeted at the operations of the Claimants in close proximity to Site 1 and Site 2. This direct action formed the basis for the Claimants seeking an initial interim order for pre-emptive injunctive relief.
12. In my Third Witness Statement, I addressed the further incidents of direct action in close proximity to Site 2 since the date of the order for pre-emptive injunctive relief made by Mr Peter Knox KC acting as a Deputy High Court Judge in the Chancery Division following a hearing on 20 April 2022.
13. In my Fourth Witness Statement, I confirmed that there had been no further direct action at, or in the vicinity of, Site 1 and Site 2. Since the date of my Fourth Witness Statement that remains the position. However, I refer to paragraph 20 of my Third Witness Statement and paragraph 12 of my Fourth Witness Statement which set out a number of factors which I believe contributed to the reduction in direct action, including the continuing existence of the injunction granted in these proceedings protecting Sites 1 and 2. I continue to believe that, if any of those factors were to be removed, the direct action would escalate.
14. One of the factors mentioned at paragraph 12(d) of my Fourth Witness Statement is the continuing existence of an injunction order made by Mr Justice Sweeting in the King's Bench Division dated 9 May 2022 in favour of the North Warwickshire Borough Council and which protects the locality of the Kingsbury Oil Terminal (of which Site 2 forms part) (the "**NWBC Order**") **UKOP6: pages 125-131**. At paragraph 49 of my Fourth Witness Statement, I referred to a third party's application to set aside the NWBC Order. Since the date of my Fourth Witness Statement, I have seen that the application to set aside the NWBC Order was withdrawn by agreement **UKOP12: pages 6 - 7**. On 8 August 2023, the Court made an order which I understand means that the injunction granted by the NWBC Order remains in place for the time being, but that there would be a final trial of NWBC's claim on the first available date in November 2023 (the "**2023 NWBC Order**") **UKOP12: pages 8-17**. I refer further to this at paragraph 41 below. EB3 Tab 277: 65-71  
EB3 Tab 281: 124-125  
EB3 Tab 280: 114-123
15. I still consider that the deterrent effect provided by the Order continues to assist the Claimants in ensuring that they can conduct their operations at the Sites without risk of the significant practical, financial and logistical implications for the Claimants, for many other third parties and potentially for the UK economy, being implications that would otherwise arise from direct action. In addition, there are also the substantial health and safety risks that arise from direct action to which I refer in paragraphs 20 to 42 of my First Witness Statement.

**EVIDENCE OF DIRECT ACTION BY JUST STOP OIL AND EXTINCTION REBELLION, INCLUDING TARGETING OF OTHER OPERATORS AND AFFILIATED ORGANISATIONS FROM 6 JULY 2023 TO 22 SEPTEMBER 2023**

16. Since the date of my Fourth Witness Statement, there continues to be activity targeted at industries and organisations that members of Extinction Rebellion and / or Just Stop Oil consider to be affiliated to the oil and gas industries.
17. Paragraph 16 of my Fourth Witness Statement referred to the announcement by Just Stop Oil on 24 April 2023 of a new campaign involving disruption across central London by marching slowly on major roads as part of an "*indefinite campaign of civil resistance to demand an end to new UK oil and gas projects*" **UKOP9: pages 9-10**. Paragraph 17 of my Fourth Witness Statement detailed some of the slow marches carried out by Just Stop Oil between 5 April 2023 and 6 July 2023. Since that date, Just Stop Oil have continued to slow march and cause disruption across both London and England (**UKOP12: pages 18 – 87**). As of 20 July 2023, it was reported that there had been over 2,350 arrests and 138 people imprisoned since 14 February 2022 **UKOP12: pages 64-66**. EB2 Tab 151: 620-621  
\*See below  
EB2 Tab 251: 923-925

\*EB2 Tabs 232, 233, 235-240, 243-245, 248, 251, 257, 263, 264, 267 and 272:  
851-857, 862-885, 893-904, 914-916, 923-925, 942-944, 961-967, 976-981 & 999-1003

Further examples of the slow marches that have been reported as having been carried out since 6 July 2023, both in London and across England, include the following:

- (a) On 6 July 2023, groups of Just Stop Oil supporters marched in Southwark, Tower Hamlets, Tower Bridge and Vauxhall. Section 12 notices were served to remove the protesters from the roads. As set out at paragraph 17(a) of my Fourth Witness Statement, I understand that a section 12 notice is served where a senior police officer gives directions, such as conditions on public processions, as necessary where they reasonably believe there could be, for example, serious public disorder, serious damage to property or serious disruption to the life of the community **UKOP12: pages 18 – 21.** **EB2 Tab 232: 851-854**
- (b) On 7 July 2023, 26 supporters in 3 groups began marches in Vauxhall and Pimlico and blocked both directions of traffic on Vauxhall Bridge Road leading to Victoria. Section 12 notices were issued **UKOP12: pages 22 – 24.** **EB2 Tab 233: 855-857**
- (c) On 10 July 2023, marking the twelfth week of "*continuous civil resistance*", several marches began across London, including in Kensal Rise, Hampstead, Holborn and Oxford Street. Section 12 notices were issued, with five arrests made in Holborn and Oxford Street, and four people charged on 11 July 2023 with breach of a section 12 condition to move off the carriageway **UKOP12: pages 25 – 31.** **EB2 Tabs 235 and 236: 862-868**
- (d) On 12 July 2023, Just Stop Oil supporters marched in several areas of London, including around Hamleys toy store. Section 12 notices were served at Tower Bridge. At a further "Mums March" with 24 protesters on the same date, three people were arrested for breach of a section 12 notice due to refusing to leave the road **UKOP12: pages 32 – 39.** **EB2 Tabs 237 and 245: 869-872 & 901-904**
- (e) On 13 July 2023, Just Stop Oil supporters marched around parts of the capital, including the City of London, Lambeth, Westminster and Hyde Park Corner. Police issued section 12 notices at Great Smithfield Street and Hyde Park Corner. On the same date, five supporters were arrested in Stockwell for breach of a section 12 notice. A group of Just Stop Oil protesters also marched through Selfridges in London wearing hi-vis vests and carrying placards reading "*Dads against doom, no new oil*" and "*Will our children survive 3,5°?*" as part of a "Dads March". Six of the protesters were arrested **UKOP12: pages 36 – 48.** **EB2 Tabs 238, 239 and 245: 873-881 & 901-904**
- (f) On 14 July 2023, groups marched near Baker Street station. A section 12 notice was issued on the main march on Marylebone Road. Around 30 Just Stop Oil supporters also entered a John Lewis department store and held up Just Stop Oil banners **UKOP12: pages 49 – 52.** **EB2 Tab 240: 882-885**
- (g) On 17 July 2023, Just Stop Oil staged their biggest day of slow marches, with more than 200 protesters blocking traffic in at least 14 locations across London during rush hour. They carried placards reading "*new oil = murder*" and "*can't eat oil*". Locations included Bermondsey, Victoria, Bishopsgate, Liverpool Street, Whitehall, Lambeth Bridge, Wandsworth Bridge and Islington. Police issued section 12 notices, removed 183 protesters and made at least 21 arrests **UKOP12: pages 53 – 60.** **EB2 Tabs 243 and 244: 893-900**
- (h) On 19 July 2023, 160 Just Stop Oil supporters marched on key London roads, causing disruption in Victoria, Vauxhall, Charing Cross, Marylebone, Holborn and Westminster. Protesters later marched around Parliament Square. Police subsequently issued section 12 notices and arrested 35 people **UKOP12: pages 61 – 63.** **EB2 Tab 248: 914-916**
- (i) On 20 July 2023, 132 Just Stop Oil supporters marched in nine groups around West, East and South London **UKOP12: pages 64 – 66.** **EB2 Tab 251: 923-925**

- (j) On 1 August 2023, Just Stop Oil protesters marched through the centre of Cambridge holding signs reading "*100 crimes against humanity*" and "*no new oil*", reportedly in protest against the UK government's recent licensing of 100 new oil and gas fields in the North Sea **UKOP12: pages 67 – 69.** **EB2 Tab 257: 942-944**
- (k) On 18 August 2023, 20 Just Stop Oil activists slow-marched through the streets of Wells in Somerset **UKOP12: pages 70 – 72.** **EB2 Tab 263: 961-963**
- (l) On 19 August 2023, around 30 Just Stop Oil protesters slow-marched in Exeter city centre. Police ordered the marchers off the road by issuing a section 12 notice. Protesters then continued marching through the Princesshay shopping centre **UKOP12: pages 73 – 76.** **EB2 Tab 264: 964-967**
- (m) On 26 August 2023, Just Stop Oil activists held a slow walk demonstration in Leeds, which started in the city centre before moving to a dual carriage way which blocked access to parts of the M621 **UKOP12: pages 77 – 82.** **EB2 Tab 267: 976-981**
- (n) On 9 September 2023, Just Stop Oil protesters slow-marched in Portsmouth city centre which was reported to be in response to the UK government's refusal to "*stop licensing all new oil, gas and coal projects*" **UKOP12: pages 83 – 87.** **EB2 Tab 272: 999-1003**
18. On 14 July 2023, it was reported that Just Stop Oil protesters had stormed the stage on the first night of the BBC Proms at the Royal Albert Hall, unfurling banners and allegedly setting off confetti cannons and sounding air horns before being forcibly removed. Just Stop Oil said this was "*in response to the BBC's underwhelming coverage of the climate emergency...as well as uncritically regurgitating government and oil company propaganda*" **UKOP12: pages 88 – 94.** **EB2 Tabs 241 and 242: 886-892**
19. Later on the same date (14 July 2023), it was reported that three activists had run onto Channel 4's The Last Leg talk show in Just Stop Oil t-shirts and handed high vis orange vests to guests whilst it was being broadcast live, before being led off stage by staff **UKOP12: pages 91 – 94.** **EB2 Tab 242: 889-892**
20. On 17 July 2023, a Just Stop Oil activist, who was reported as being part of the disruption at the World Snooker Championship referred to at paragraph 21 of my Fourth Witness Statement, was arrested and charged with two counts of criminal damage and breaching bail conditions after he used a fire extinguisher to spray-paint a courtyard of Exeter University following his graduation ceremony **UKOP12: pages 95 – 103.** **EB2 Tabs 246 and 247: 905-913**
21. On 19 July 2023, it was reported that protesters had sprayed orange paint onto the building of the Department for Energy Security and Net Zero. Just Stop Oil tweeted on this day at 8:10am attributing the action to the Department having issued more than 100 new oil and gas licences **UKOP12: pages 104 – 109.** **EB2 Tabs 249 and 250: 917-922**
22. On 20 July 2023, it was reported that two Just Stop Oil supporters had thrown 5 litres of orange paint at the headquarters of the think tank Policy Exchange (which it was reported had been funded by ExxonMobil) before daubing the building with their hands. One of the supporters confirmed "*We have painted the Policy Exchange because they have been instrumental in implementing laws to restrict climate protesters*". Just Stop Oil tweeted on 5 August 2023 at 09:18 "*And that's why you get your offices painted: for taking fossil fuel money to lobby for genocidal policies*" **UKOP12: pages 110 – 116.** **EB2 Tabs 252, 253 and 258: 926-931 & 945**
23. On 21 July 2023, it was reported that protesters had attempted to disrupt the golf Open Championship at Royal Liverpool by setting off an orange flare. The protesters were escorted away by the police. The police later confirmed that four people had been arrested in connection with the incident **UKOP12: pages 117 – 126.** **EB2 Tabs 254 to 256: 932-941**

24. On 13 August 2023, it was reported that campaigners from Money Rebellion, which I understand to be an arm of Extinction Rebellion, had set off flares and held banners reading "*AIG is a climate criminal*" and "*AIG stop insuring climate crisis*" at the AIG Women's Open in Tadworth. Five people were arrested for aggravated trespass. It was reported that the campaigners were protesting AIG's insuring of major fossil fuel projects. Five people were arrested for aggravated trespass **UKOP12: pages 127 – 135.** **EB2 Tabs 261, 262 and 265: 954-960 & 968-969**
25. On 2 September 2023, it was reported that Extinction Rebellion activists had protested outside the London headquarters of Perenco, demanding that the oil and gas company does not expand further in the Democratic Republic of Congo and Colombia **UKOP12: pages 136 – 137.** **EB2 Tab 268: 982-984**
26. On 18 September 2023, it was reported that Extinction Rebellion activists had scaled the building of the Labour Party headquarters, poured fake oil over the premises and let off smoke cannons. Protesters standing on the canopy of the building held banners stating "*Labour: cut the ties to fossil fuels*". A press release by Extinction rebellion stated that they are demanding that, "*if Labour wins the next general election, it must do more than stop issuing new oil licences and cancel any licences granted*" **UKOP12: pages 138 – 145.** **EB2 Tabs 273 and 274: 1004-1011**

#### STATEMENTS FROM EXTINCTION REBELLION AND JUST STOP OIL

27. The recent action taken by Extinction Rebellion, as referred to above, indicates that the targeting of companies and organisations affiliated to the oil and gas industry is continuing. This is notwithstanding the public statement made in January 2023, referred to at paragraphs 45 and 46 of my Third Witness Statement, that indicated there would be a temporary shift away from public disruption.
28. At paragraph 38 of my Fourth Witness Statement, I referred to Extinction Rebellion's focus on mobilising new members to their campaign and that following "*The Big One*" event which took place between 21 – 24 April 2023, Extinction Rebellion would be "*translating the appetite for action...into a whole range of campaigns*". Extinction Rebellion appears to be now encouraging supporters to take action: statements on their website read "*We can't wait another 4 years or 4 days. The time is now. Choose your future: 1. Picket | 2. Organise Locally | 3. Disobey*" and "*Civil disobedience works*" **UKOP12: pages 146 – 148.** **EB2 Tab 270: 991-993**
29. Extinction Rebellion released a press release after targeting the Labour Party headquarters, which I refer to at paragraph 26 above, stating that this activity is "*part of a series of 'Cut the Ties' actions which launched in November 2022. The campaign targets a web of organisations which are propping up the fossil fuel economy. So far there have been 30 actions at 24 sites*" **UKOP12: pages 143 – 145.** **EB2 Tab 274: 1009-1011**
30. Furthermore, a statement posted on Extinction Rebellion's website dated 11 August 2023 titled "*Update to the movement, summer 2023*" indicates that since "*The Big One*" in Westminster "*we've forged alliances and friendships with other movements, organisations and groups, and are looking to build more connections with our community assemblies throughout the UK*" **UKOP12: pages 149 – 152,** suggesting that the group may be joining forces with other campaign groups, which may include Just Stop Oil. **EB2 Tab 260: 950-953**
31. In relation to Just Stop Oil, as outlined above at paragraph 17, Just Stop Oil are continuing to engage in a sustained campaign of slow marches across central London, as well as disrupting public and high-profile events as outlined at paragraphs 18 to 26. A spokesperson for Just Stop Oil stated on 9 July 2023 that they will continue protesting until the Government makes a "*meaningful statement*" to halt any new licenses or consent for fossil fuel exploration in the UK: "*The protests will continue, I can guarantee they will continue until the Government makes that statement*" **UKOP12: pages 153 – 156.** **EB2 Tab 234: 858-861**

32. A press release by Just Stop Oil on 19 August 2023 also stated that "*Civil resistance is no longer an option, it is a necessity*" **UKOP12: pages 73 - 76**, suggesting that Just Stop Oil remain committed to a campaign of public disruption. Indeed, Just Stop Oil recently indicated they intend to cause disruption at future Premier League games, stating "*The Prem's our Holy Grail. We're going to go for it*" and "*We're looking to mobilise properly so we can target one match every weekend this season. We'll be travelling all over the country*" **UKOP12: pages 157 – 160.** EB2 Tab 264: 964-967  
EB2 Tab 259: 946-949
33. Just Stop Oil also appear to be continuing to actively recruit members of the public to join their protests (including the slow marches). Their press releases on 6 July 2023, 10 July 2023 and 17 July 2023 relating to the slow marches referred to at paragraph 17 above state "*Time's up for new oil, gas and coal. It's time everyone got on the streets, marching every day to demand change*" **UKOP12: pages 18 – 21, 25 - 28 and 57 - 60.** Press releases on 19 July and 20 July 2023 by Just Stop Oil also stated "*It's time to get off the sidelines and join in civil resistance to end new oil, gas and coal*" **UKOP12: pages 61 – 66.** EB2 Tabs 232, 235 and 244: 851-854, 862-865 & 897-900  
EB2 Tabs 248 and 251: 914-916 & 923-925
34. In an open letter to the UK Police Unions dated 13 September 2023, Just Stop Oil stated that they would be "*back on the streets of London from October 29<sup>th</sup>*". The letter also states that "*our 13 week campaign between April and July this year cost the Metropolitan Police more than £7.7m and required the equivalent of an extra 23,500 officer shifts.*" **UKOP12: pages 161 – 165.** EB2 Tab 271: 994-998
35. In addition, Just Stop Oil also appear to be launching a new campaign referred to as an "*autumn of disruption at universities*" throughout October 2023 as part of a plan to target higher education facilities. Reportedly, targets will include Imperial College London and London Metropolitan University, both of which, it has been reported, have been accused of failing to stop fossil fuel investments **UKOP12: pages 166 – 177.** On 18 September 2023, the student wing of Just Stop Oil published an open letter to all university Vice Chancellors in the UK, demanding that they sign and return an "*ultimatum letter*" otherwise "*students will have no choice but to bring a wave of civil disobedience to their campuses*" **UKOP12: pages 178 – 179.** EB2 Tabs 266 and 269: 970-975 & 985-990  
EB2 Tab 275: 1012-1013
36. The combined impact of this suggests that the fossil fuel industry (and any organisations affiliated with that industry) remains the target of Just Stop Oil's campaign and that Just Stop Oil are intending to continue their campaign, involving as many members as possible, without any discernible end date.
37. The materials that have been published on Just Stop Oil's and Extinction Rebellion's websites, as well as on the groups' respective social media channels, continue to indicate that oil and gas companies will remain a target of their campaign. Consequently, there remains a risk to the Claimants' sites against which an order in the terms sought would protect.

## OTHER INJUNCTION PROCEEDINGS

38. I confirm there are no updates to my knowledge in relation to:
- (a) the injunctions granted to oil and gas companies in relation to protests against the industry, as set out at paragraph 45 of my Fourth Witness Statement, save for I have become aware of the following injunctions granted in the judgment of the Honourable Justice Linden dated 18 July 2023 and the judgment of Mr Justice Julian Knowles dated 31 August 2023 respectively:



Claim Number	Property	Claimant(s)	Duration of injunction
QB-2022-001098	Fawley Petrochemical Complex, Hythe Terminal, Avonmouth Terminal, Birmingham Terminal, Purfleet Terminal, West London Terminal, Hartland Park Logistics Hub and Alton compound at Holybourne	Esso Petroleum Company Limited and Exxonmobil Chemical Limited	Final injunction granted
QB-2022-002477	Southampton to London Oil Pipeline Project	Esso Petroleum Company Limited	Injunction granted until 31 December 2023

- (b) the injunctions obtained by parties against persons unknown including those affiliated or connected to the Extinction Rebellion, Just Stop Oil and/or Insulate Britain campaigns set out at paragraph 46 of my Fourth Witness Statement.

## SUMMARY

39. The evidence set out above, as well as that in my Previous Witness Statements, confirms that there continues to be frequent and significant direct action undertaken by Just Stop Oil and Extinction Rebellion, and which continues to target those affiliated with the oil and gas industry. There is also no clear end date to the action and both organisations would appear to be focused on mobilising their supporters and recruiting new members to their campaigns.
40. As referred to at paragraph 55 of my Third Witness Statement and paragraph 48 of my Fourth Witness Statement, given the importance of the Sites covered by the Order, Just Stop Oil and Extinction Rebellion's continuing campaigns, and the highly disruptive and inherently dangerous effect of their protesting techniques, means that I continue to believe that, in the absence of further final injunctive relief being granted in the terms sought, there is a real risk of imminent trespass on the Sites and / or interference with the private access routes in relation to both Sites. I do not believe that this risk is likely to abate in the near or medium future. Consequently, the Claimants are making this Application in an effort to minimise the risk of a future trespass and / or interference occurring at each of the Sites by continuing the deterrent effect of the relief granted by the Order that appears to have been so successful to date.
41. I refer above at paragraph 14 and at paragraphs 56 to 58 of my Third Witness Statement and paragraphs 12 and 49 of my Fourth Witness Statement to the fact that the Claimants currently enjoy the benefit of the double protection afforded by the injunction granted by NWBC Order, which remains in place following the 2023 NWBC Order. However, as mentioned at paragraph 14 above, the 2023 NWBC Order is subject to a final trial which is yet to be listed. It therefore remains the case that, as well as that injunction protecting different interests and being based on a different cause of action, the Claimants cannot rely on the protection afforded by the 2023 NWBC Order continuing. This therefore continues to make it critical that the injunctive protection sought by the Claimants continues.

## PROCEEDINGS

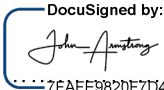
42. Paragraph 16 of the Order made in these proceedings dated 9 April 2022 of Mr Peter Knox KC sitting as a Deputy Judge ("**8 April Order**") provided that "*Pursuant to CPR 6.15(4), the period for service of any acknowledgement of service, admission or defence shall be 56 days.*"
43. The Claimants' solicitors have confirmed to me that no acknowledgement of service, admission or defence has been received on behalf of any Defendant to these proceedings, pursuant to paragraph 16 of the 8 April Order, or at all. The Claimants' solicitors have also confirmed to me that no Defendant has ever engaged with these proceedings.

For the reasons set out in this statement and the Previous Witness Statements, I respectfully request that the Court grants a final injunction on the terms sought by the Claimants.

## 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: 22 September 2023  
7FAFE9820F7D47D...

**John Michael Armstrong**

## **E. Certificates of Service**

# Certificate of service

On what day did you serve?	2	5	/	0	4	/	2	0	2	3
The date of service is	2	5	/	0	4	/	2	0	2	3

<b>Name of court</b> HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES, CHANCERY DIVISION PROPERTY TRUST AND PROBATE LIST	<b>Claim No.</b> PT-2022-000303
<b>Name of Claimant</b> (1) UNITED KINGDOM OIL PIPELINES LIMITED (2) WEST LONDON PIPELINE AND STORAGE LIMITED	
<b>Name of Defendant</b> (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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)  (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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)	

## What documents did you serve?

Please attach copies of the documents you have not already filed with the court.

Order of the Honourable Mr Justice Rajah dated 21 April 2023 (the "Order")

## On whom did you serve?

(If appropriate include their position e.g. partner, director).

The First and Second Defendants pursuant to paragraph 6 of the Order

## How did you serve the documents?

(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with  
(.....time left, where document is other than a

claim form) (please specify)

- ☒ by other means permitted by the court  
(please specify)

1. Service was effected at the Sites (as more particularly described in Schedule 2 of the Order, and as shown shaded red on the plan annexed to Schedule 4 and Schedule 5 of the Order) by the First Claimant and its appointed agents:

## Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Service was effected:

- (a) at the Sites, as more particularly described in Schedule 2 of the Order, and as shown shaded red on the plan annexed to Schedule 4 and Schedule 5 of the Order;
- (b) on the web link specified in paragraph 6(a) of the Order (<https://ukop.azurewebsites.net>); and
- (c) at the email addresses specified in paragraph 6(d) of the Order ([xr-legal@riseup.net](mailto:xr-legal@riseup.net) and [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [info@juststopoil.org](mailto:info@juststopoil.org) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)).

(a) in respect of Site 1:

(i) between 2:10pm and 2:30pm on 24 April 2023, by placing copies of the Order in clear transparent sealed containers at two prominent locations on the perimeter of Site 1. A copy of the witness statement prepared by the First Claimant's agent confirming this is at **Appendix 1** to this certificate of service; and

(ii) between 2:40pm and 4:45pm on 24 April 2023, by affixing the form of warning notice set out in Schedule 6 of the Order (in no smaller than A2 size) in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 1. A copy of the witness statement, which includes photographs of the warning notices as so affixed, prepared by the First Claimant's agent is found at **Appendix 1** to this certificate of service; and

(a) in respect of Site 2:

(i) between 9:01am and 9:10am on 24 April 2023, by placing copies of the Order in clear transparent sealed containers at two prominent locations on the perimeter of Site 2. A copy of the witness statement prepared by the First Claimant's agent confirming this is at **Appendix 2** to this certificate of service; and

(ii) between 9:15am and 12:20pm on 24 April 2023, by affixing the form of warning notice set out in Schedule 6 of the Order (in no smaller than A2 size) in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 2. A copy of the witness statement, which includes photographs of the warning notices as so affixed, prepared by the First Claimant's agent is found at **Appendix 2** to this certificate of service.

2. Service was further effected between at 10:19am on 24 April 2023 by uploading the Order to <https://ukop.azurewebsites.net>. A copy of the web link page is at **Appendix 3** to this certificate of service.

3. Service was further effected on 25 April 2023 by an email being sent at 15:25pm to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and at 15:26pm to [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [info@juststopoil.org](mailto:info@juststopoil.org) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) setting out that a copy of the Order can be found at the following link <https://ukop.azurewebsites.net>. Copies of the emails are at **Appendix 4** to this certificate of service. At 15:27pm on 25 April 2023, an email was received confirming that the email sent to [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) "couldn't be delivered due to: Recipient mailbox is full" and that "Recipient address rejected: Mailbox quota exceeded". A copy of this email is at **Appendix 5** to this certificate of service.

Being the ☐ claimant's ☒ defendant's  
☐ solicitor's ☐ litigation friend

☐ usual residence  
☐ last known residence  
☐ place of business  
☐ principal place of business  
☐ last known place of business  
☐ last known principal place of business  
☐ principal office of the partnership  
☐ principal office of the corporation  
☐ principal office of the company  
☐ place of business of the partnership/company/  
corporation within the jurisdiction with a connection  
to claim  
☒ other (please specify)

☐ By Document Exchange

☐ by fax machine (.....time sent, where document is other than a claim form) (you may want to enclose a copy of the transmission sheet)

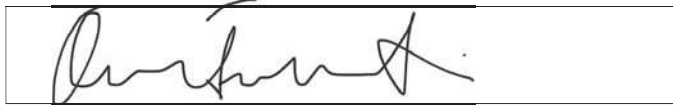
[ ] by other electronic means (.....time sent, where document is other than a claim form) (please specify)

**I believe that the facts stated in this certificate of service 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.**

Full name DANIEL OWEN CHRISTOPHER TALFAN DAVIES

Signed



(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position  
or office  
held

Partner

(If signing on behalf of firm or company)

Date

1	2	0	5	2	0	2	3
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Rules relating to the service of documents are contained in Part 6 of the Civil Procedure Rules ([www.justice.gov.uk](http://www.justice.gov.uk)) and you should refer to the rules for information.

#### Calculation of deemed day of service of a claim

A claim form served within the UK in accordance with Part 6 of the Civil Procedure rules is deemed to be served on the second business day after the claimant has completed the steps required by CPR 7.5(1).

#### Calculation of the deemed day of service of documents other than the claim form (CPR 6.26)

Method of service	Deemed day of service
First class post or other service which provides for delivery on the next business day	The second day after it was posted, left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Document exchange	The second day after it was left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Delivering the document to or leaving it at a permitted address	If it is delivered to or left at the permitted address on a business day before 4.30pm, on that day; or in any other case, on the next business day after that day
Fax	If the transmission of the fax is completed on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was transmitted
Other electronic method	If the email or other electronic transmission is sent on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was sent
Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

In this context 'business day' means any day except Saturday, Sunday or a bank holiday; (under the Banking and Financial Dealings Act 1971 in the part of the UK where service is to take place) includes Good Friday and Christmas Day.

## Appendix 1

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

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

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

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WITNESS STATEMENT OF PROCESS SERVER

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I, Richard Thomas, Agent of I J Beim & Associates Limited of Suite 28, Chessington Business Centre, Cox Lane, Chessington, Surrey, KT9 1SD, Process Server and for the purpose of service acting under the direction of Fieldfisher LLP of Riverbank House, 2 Swan Lane, London EC4R 3TT, Solicitors for the within named Claimants/Applicants in this matter, **STATE AS FOLLOWS:**



1. That I did on Monday 24 April 2023 between 2.10pm and 2.30pm serve the within named First and Second Defendants, Persons Unknown, with two sealed copies of Injunction Order issued herein on 20 April 2023, (sealed by the Court 21 April 2023) and both accompanied by Schedules 1 - 7, which I did, by leaving the same as two bundles individually enclosed in two separate transparent waterproof storage containers, which I thereafter deposited both directly at and immediately adjacent to, the entrance to the Claimants' Site no. 1 and known as The Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire in such a manner so as to come to the immediate attention of any persons attending thereat. More particularly, I can confirm that one of the storage containers was positioned by myself at the entrance to The Buncefield Oil Terminal located at the intersection of Oil Road with Green Lane, Hemel Hempstead whilst the second storage container was positioned at the entrance to the Claimants' premises forming part of The Buncefield Oil Terminal on the north side of Cherry Tree Lane, Hemel Hempstead. I can also confirm that I affixed in a prominent position to the covering lids of both storage containers, a copy of the Claimant's laminated Notice of Injunction Order dated 20 April 2023.
2. There is now produced and shown to me marked RT14, a further true copy of the Injunction Order issued herein on 20 April 2023 and so served as described above on Monday 24 April 2023.
3. There is now produced and shown to me marked 'RT15' copy photographic images taken by myself on Monday 24 April 2023 and showing the two waterproof storage containers deposited at the entrance to the Claimants' premises at the intersection of Oil Road and Green Lane, Hemel Hempstead and Cherry Tree Lane, Hemel Hempstead as described herein.
4. That I did further immediately thereafter on Monday 24 April 2023 between 2.40pm and 4.45pm serve the within named First and Second Defendants with 50 copies of the Claimants' laminated Notice of High Court Injunction Order dated 20 April 2023, which I did by leaving the same either affixed to the perimeter fence or affixed to timber stakes which I positioned at prominent points directly adjacent to the perimeter fence surrounding various elements of the Claimants' Site 1, and known as The Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire in such a manner so as to come to the immediate attention of any persons attending thereat.
5. There is now produced and shown to me marked 'RT16' a colour copy map extract of the Claimant's Site 1, also known as The Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire within which I have indicated the approximate location of the 50 laminated Notices of High Court Injunction Order so served as described herein by myself on Monday 24 April 2023.
6. There is now produced and shown to me marked 'RT17' a series of colour photographic images taken by myself on Monday 24 April 2023 and showing a variety of the Claimants' laminated Notice of High Court Injunction Order so served as described herein on Monday 24 April 2023.
7. There is now produced and shown to me marked 'RT18' a further true copy of the Claimants' laminated Notice of High Court Injunction Order so served by myself as described herein on Monday 24 April 2023 at the Claimants' Site 1, known as The Buncefield Oil Terminal, Hemel Hempstead, Hertfordshire.

### **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:  .....

**RICHARD THOMAS**

**Dated: 27 April 2023**

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

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

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

**THIS IS THE COPY HIGH COURT INJUNCTION ORDER  
REFERRED TO AS  
EXHIBIT 'RT14' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



.....

**RICHARD THOMAS**

**Dated:**

**27 April 2023**

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

Claim No. PT-2022-000303



PT-2022-000303

Before: The Honourable Mr Justice Rajah

Dated: 20 April 2023

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

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ORDER AGAINST THE FIRST AND SECOND DEFENDANTS

(COLLECTIVELY "THE DEFENDANTS")

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### **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 4 April 2023

**AND UPON** hearing Katharine Holland KC and Yaaser Vanderman for the Claimants

**AND UPON READING** the evidence recorded on the Court file (and set out in Schedule 1) 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 20 October 2023, final determination of this claim or further order in the interim, whichever is the earlier:

(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.

**INTERPRETATION OF THIS ORDER**

- 5. 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**

- 6. 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 copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites;
  - (c) 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
  - (d) 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 6(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
7. 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. For the avoidance of doubt, good service will have been effected once the initial posting, fixing and sending has taken place regardless of whether copies of the Order or warning notices are subsequently removed, for example, by the actions of third parties.
8. 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.

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

9. 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 9(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 9 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 9 above have been completed in respect thereof, 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 in paragraph 9 above shall stand as good service.

#### **COSTS**

12. Costs reserved.

#### **COMMUNICATIONS WITH THE COURT**

13. All communications about this Order should be sent to:

Court Manager  
The Business and Property courts of England and Wales  
7 Rolls Building, Ground Floor/Counter 9  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 6690. The public counters are open weekdays 10.00 a.m. to 4.30 p.m.

14. 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 5 April 2023
7. Second Witness Statement of Peter Davis dated 5 April 2023
8. Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023

## 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 which is registered at Land Registry under title number WK522590 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.

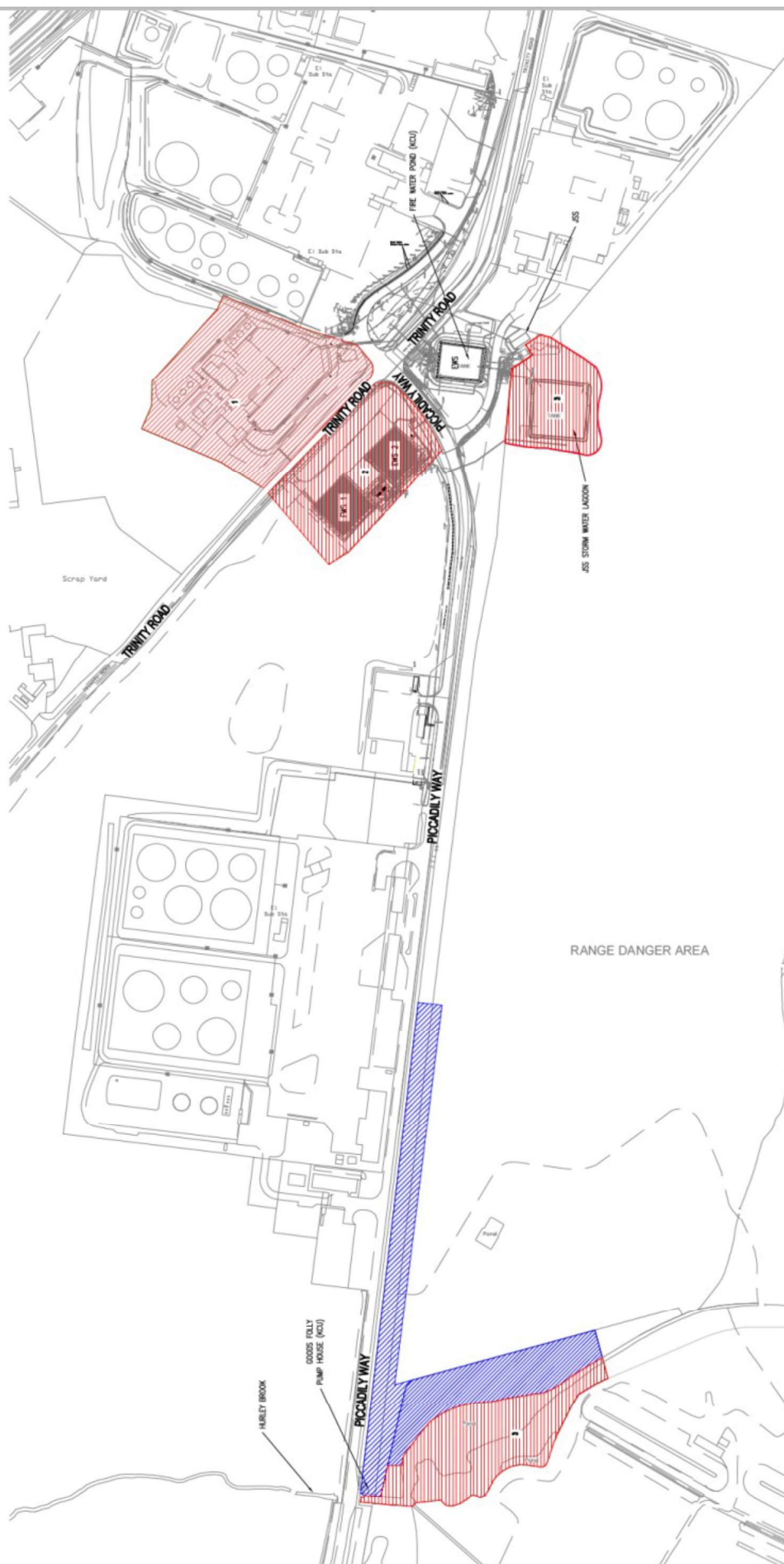
#### **SCHEDULE 4**

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 CLAIM NO: PT – 2022 – 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 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 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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.

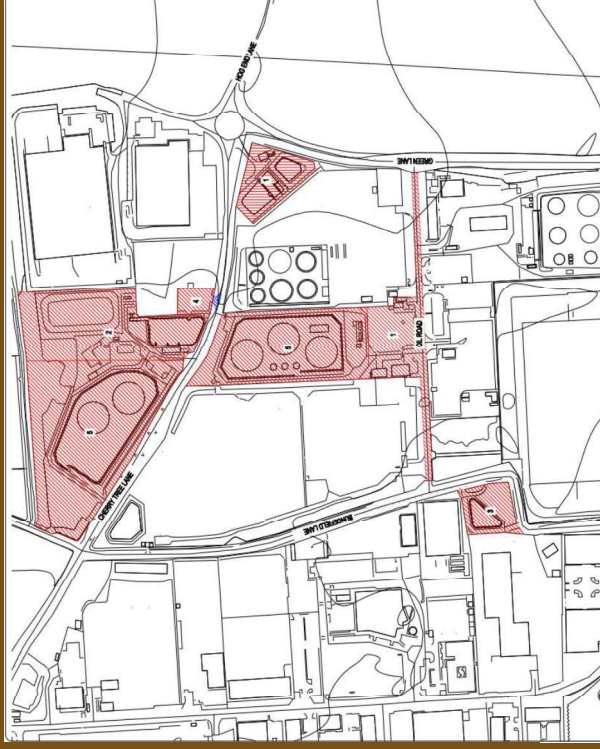
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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 20 APRIL 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 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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 registered which is registered at Land Registry under title number WK522590 and marked 3 on the plan above.

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

**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**

**B E T W E E N**

**(1) UNITED KINGDOM OIL PIPELINES LIMITED**

**(2) WEST LONDON PIPELINE AND STORAGE LIMITED**

**Claimants / Applicants**

**and**

**(2) 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**

THESE ARE THE COPY PHOTOGRAPHIC IMAGES REFERRED TO AS  
EXHIBIT 'RT15' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS

Signed:



.....  
RICHARD THOMAS

Dated:

27 April 2023





RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

**IN THE HIGH COURT OF JUSTICE**

**Claim No. PT-2022-000303**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

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**First Defendants/Respondents**

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**Second Defendants/Respondents**

**THIS IS THE COPY MAP EXTRACT REFERRED TO AS  
EXHIBIT 'RT16' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



.....  
**RICHARD THOMAS**

**Dated:**

**27 April 2023**



BUNCEFIELD



RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

**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**

**B E T W E E N**

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**Claimants / Applicants**

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**First Defendants/Respondents**

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**Second Defendants/Respondents**

THESE ARE THE PHOTOGRAPHIC IMAGES REFERRED TO AS  
EXHIBIT 'RT17' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS

Signed:



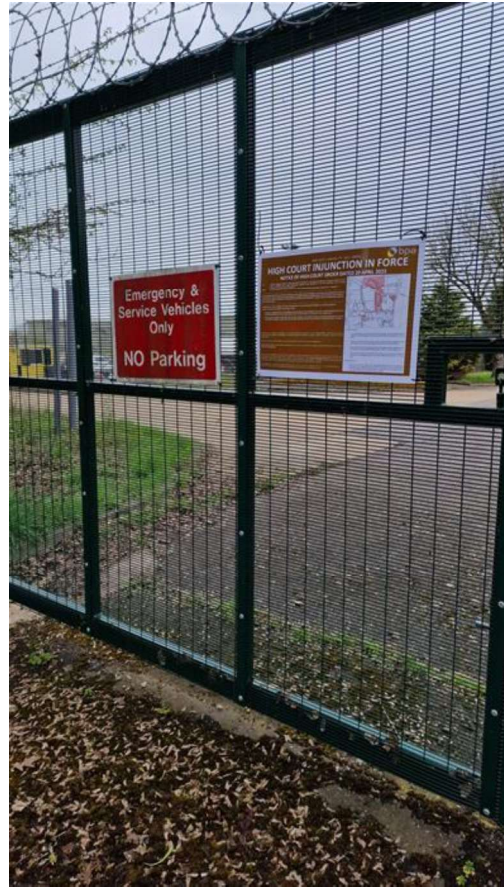
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RICHARD THOMAS

Dated:

27 April 2023

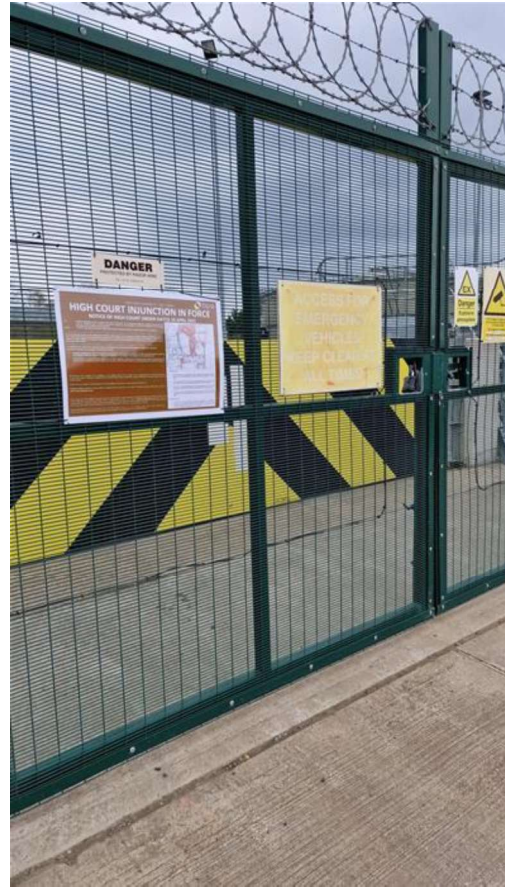
















RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 4  
EXHIBITS: 'RT14-RT18'  
DATED: 27/04/2023

IN THE HIGH COURT OF JUSTICE

Claim No. PT-2022-000303

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

CHANCERY DIVISION

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Claimants / Applicants

and

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First Defendants/Respondents

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Second Defendants/Respondents



**THIS IS THE COPY NOTICE OF HIGH COURT INJUNCTION ORDER  
REFERRED TO AS  
EXHIBIT 'RT18' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



.....  
**RICHARD THOMAS**

**Dated:**

**27 April 2023**



HIGH COURT CLAIM NO: PT – 2022 – 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 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 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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.

## Appendix 2

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023

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

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

and

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First Defendants/Respondents

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Second Defendants/Respondents

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WITNESS STATEMENT OF PROCESS SERVER

---

I, Richard Thomas, Agent of I J Beim & Associates Limited of Suite 28, Chessington Business Centre, Cox Lane, Chessington, Surrey, KT9 1SD, Process Server and for the purpose of service acting under the direction of Fieldfisher LLP of Riverbank House, 2 Swan Lane, London EC4R 3TT, Solicitors for the within named Claimants/Applicants in this matter, **STATE AS FOLLOWS:**

1. That I did on Monday 24 April 2023 between 9.01am and 9.10am serve the within named First and Second Defendants, Persons Unknown, with two sealed copies of Injunction Order issued herein on 20 April 2023, (sealed by the Court 21 April 2023) and both accompanied by Schedules 1 - 7, which I did, by leaving the same as two bundles individually enclosed in two separate transparent waterproof storage containers, which I thereafter deposited both directly at and immediately adjacent to, the entrance to the Claimants' Site 2 (referred to in these proceedings) and known as The Kingsbury Oil Terminal, Kingsbury, Warwickshire. For precise information purposes I can confirm that the entrance to the site is located at the intersection of Trinity Road with Piccadilly Way, Kingsbury, Warwickshire. I can also confirm that I did further at the same time and place on Monday 24 April 2023, affix to the covering lids of both storage containers, laminated copies of the Claimants' Notice of High Court Order dated 20 April 2023.
2. That both of the storage containers so served as described above, were positioned in such a manner so as to come to the immediate attention of any persons attending thereat.
3. There is now produced and shown to me marked RT9, a further true copy of the Injunction Order issued herein on 20 April 2023 and so served as described above on Monday 24 April 2023.
4. There is now produced and shown to me marked 'RT10' photographic images taken by myself on Monday 24 April 2023 and showing the above-mentioned storage containers so served as described herein at the entrance to the Claimants' Site 2 and known as The Kingsbury Oil Terminal, Kingsbury, Warwickshire.
5. That I did further immediately thereafter on Monday 24 April 2023 between 9.15am and 12.20pm serve the within named First and Second Defendants with 50 copies of the Claimants' laminated Notice of High Court Injunction Order dated 20 April 2023, which I did by leaving the same either affixed to the perimeter fence or affixed to timber stakes which I positioned at prominent points directly adjacent to the perimeter fence surrounding various elements of the Claimants' Site 2, known as The Kingsbury Oil Terminal, Kingsbury, Warwickshire in such a manner so as to come to the immediate attention of any persons attending thereat.
6. There is now produced and shown to me marked 'RT11' a colour copy map extract of the Claimant's Site 2, known as The Kingsbury Oil Terminal, within which I have indicated the approximate location of the 50 laminated Notices of High Court Injunction Order so served as described herein by myself on Monday 24 April 2023.
7. There is now produced and shown to me marked 'RT12' a series of colour photographic images taken by myself on Monday 24 April 2023 and showing a variety of the Claimants' laminated Notices so served as described herein on Monday 24 April 2023.
8. There is now produced and shown to me marked 'RT13' a further true copy of the Claimants' laminated Notice of High Court Injunction Order so served by myself as described herein on Monday 24 April 2023 at the Claimants' Site 2, known as The Kingsbury Oil Terminal, Kingsbury, Warwickshire.

### **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:**

  
.....

**RICHARD THOMAS**

**Dated:**

**27 April 2023**

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023

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

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

and

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First Defendants/Respondents

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Second Defendants/Respondents

**THIS IS THE COPY HIGH COURT INJUNCTION ORDER  
REFERRED TO AS  
EXHIBIT 'RT9' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



.....

**RICHARD THOMAS**

**Dated:**

**27 April 2023**

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

Claim No. PT-2022-000303



PT-2022-000303

Before: The Honourable Mr Justice Rajah

Dated: 20 April 2023

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)

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Second Defendants/Respondents

---

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 4 April 2023

**AND UPON** hearing Katharine Holland KC and Yaaser Vanderman for the Claimants

**AND UPON READING** the evidence recorded on the Court file (and set out in Schedule 1) 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 20 October 2023, final determination of this claim or further order in the interim, whichever is the earlier:

(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.

**INTERPRETATION OF THIS ORDER**

- 5. 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**

- 6. 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 copies thereof in clear transparent sealed containers at a minimum number of 2 prominent locations on the perimeter of each of the Sites;
  - (c) 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
  - (d) 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 6(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).
7. 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. For the avoidance of doubt, good service will have been effected once the initial posting, fixing and sending has taken place regardless of whether copies of the Order or warning notices are subsequently removed, for example, by the actions of third parties.
8. 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.

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

9. 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 9(a) above:
    - (i) [xr-legal@riseup.net](mailto:xr-legal@riseup.net);
    - (ii) [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);
    - (iii) [info@juststopoil.org](mailto:info@juststopoil.org); and
    - (iv) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com).

10. Pursuant to CPR 6.15(3), 6.27 and 81.4(2)(c) and (d), any documents served pursuant to the provision in paragraph 9 above will be deemed to be served on the latest date on which all of the methods of service referred to in paragraph 9 above have been completed in respect thereof, 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 in paragraph 9 above shall stand as good service.

#### **COSTS**

12. Costs reserved.

#### **COMMUNICATIONS WITH THE COURT**

13. All communications about this Order should be sent to:

Court Manager  
The Business and Property courts of England and Wales  
7 Rolls Building, Ground Floor/Counter 9  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 6690. The public counters are open weekdays 10.00 a.m. to 4.30 p.m.

14. 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 5 April 2023
7. Second Witness Statement of Peter Davis dated 5 April 2023
8. Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023

## 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 which is registered at Land Registry under title number WK522590 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**

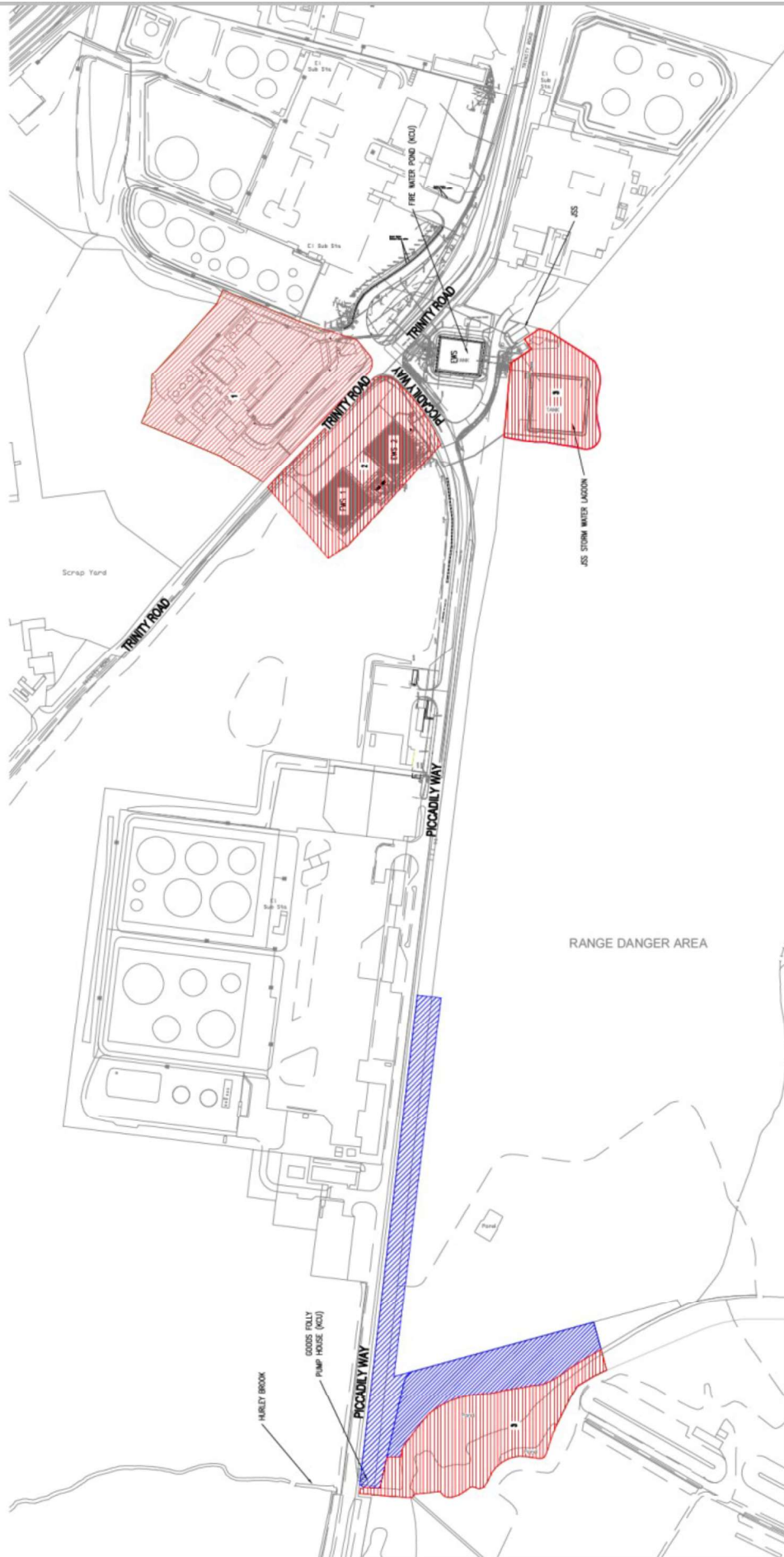
Plan of Buncefield (Site 1) ("**Site 1 Plan**")





## **SCHEDULE 5**

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



**SCHEDULE 6**

SEE ATTACHED SITE 1 NOTICE



HIGH COURT CLAIM NO: PT – 2022 – 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 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 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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 20 APRIL 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 20 OCTOBER 2023, FINAL DETERMINATION OF THIS CLAIM OR FURTHER ORDER IN THE INTERIM, WHICHEVER IS EARLIER, 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.

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**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.

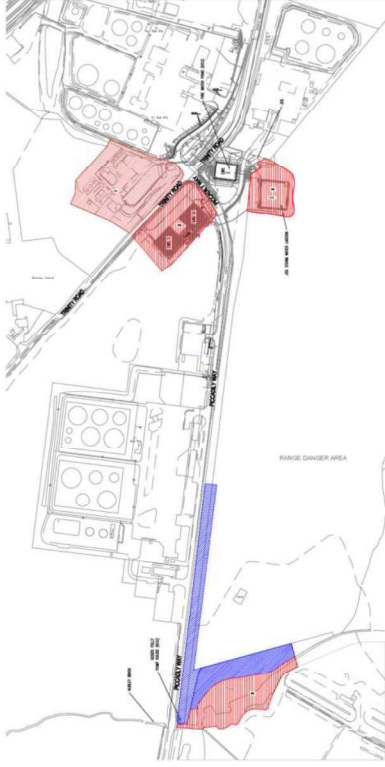
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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 registered which is registered at Land Registry under title number WK522590 and marked 3 on the plan above.

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023

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

B E T W E E N

(1) UNITED KINGDOM OIL PIPELINES LIMITED

(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

and

(2) 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 BLUE 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



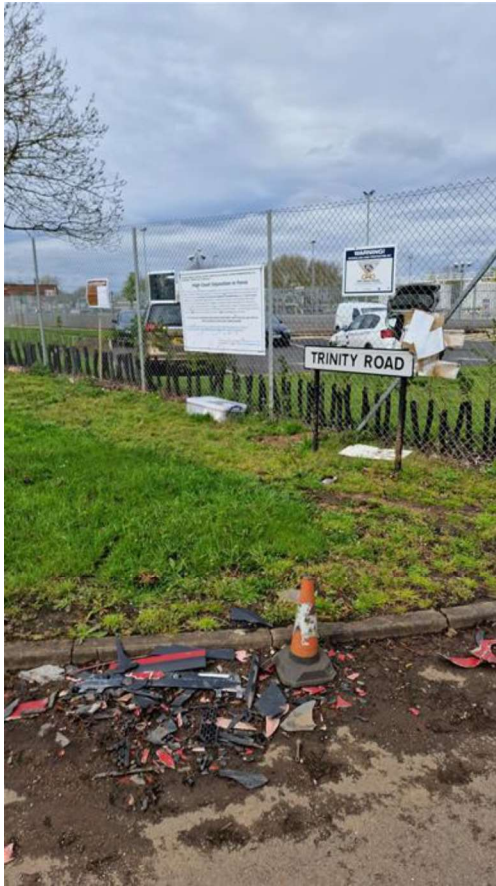
**THESE ARE THE COPY PHOTOGRAPHIC IMAGES REFERRED TO AS  
EXHIBIT 'RT10' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**   
.....

**RICHARD THOMAS**

**Dated: 27 April 2023**

RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023



**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**

**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 BLUE 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**

**THIS IS THE COPY MAP EXTRACT REFERRED TO AS  
EXHIBIT 'RT11' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



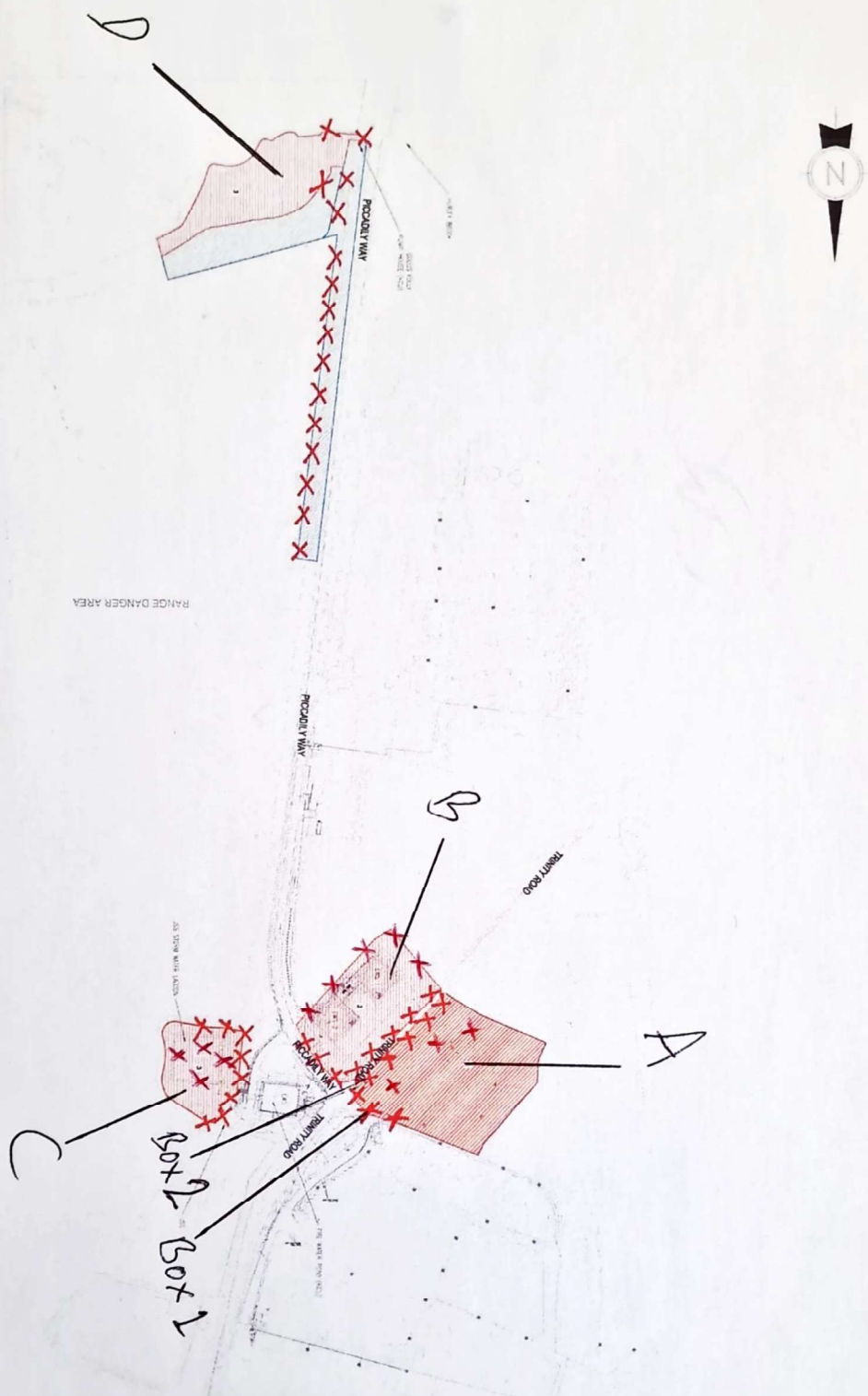
.....

**RICHARD THOMAS**

**Dated:**

**27 April 2023**

# Tamworth





RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023

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

B E T W E E N

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(2) WEST LONDON PIPELINE AND STORAGE LIMITED

Claimants / Applicants

and

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First Defendants/Respondents

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Second Defendants/Respondents

THESE ARE THE PHOTOGRAPHIC IMAGES REFERRED TO AS  
EXHIBIT 'RT12' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS

Signed:



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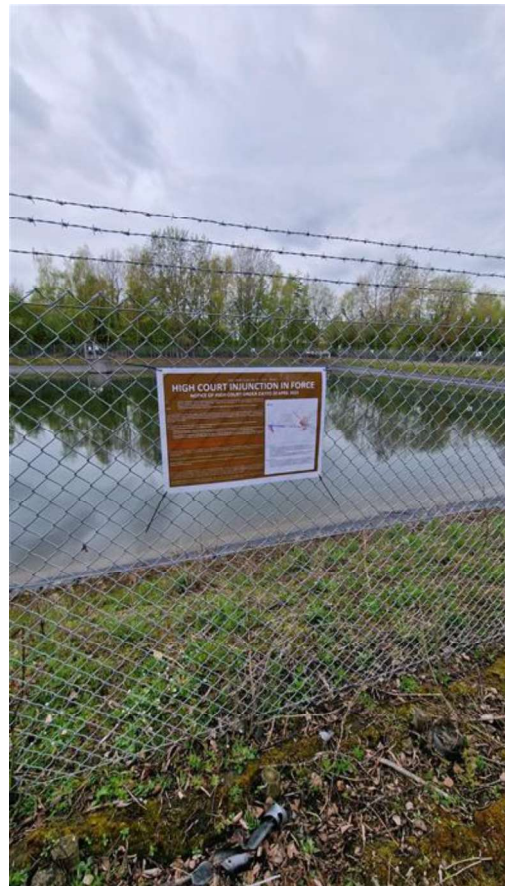
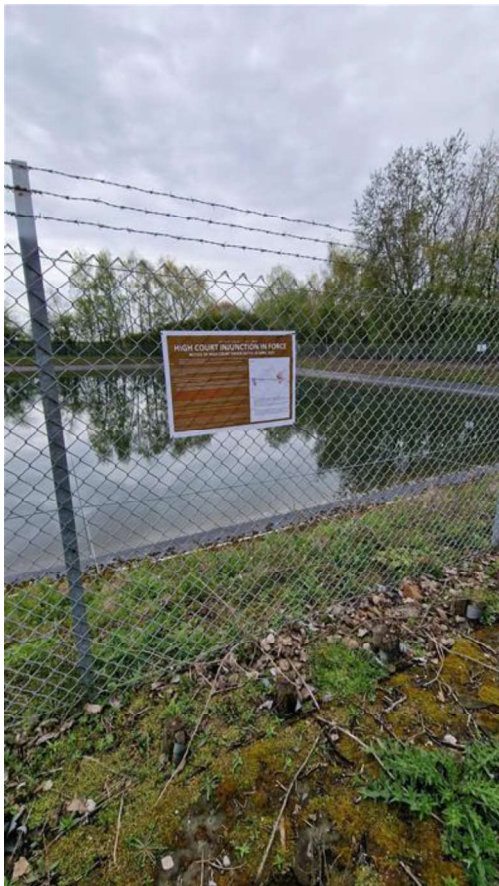
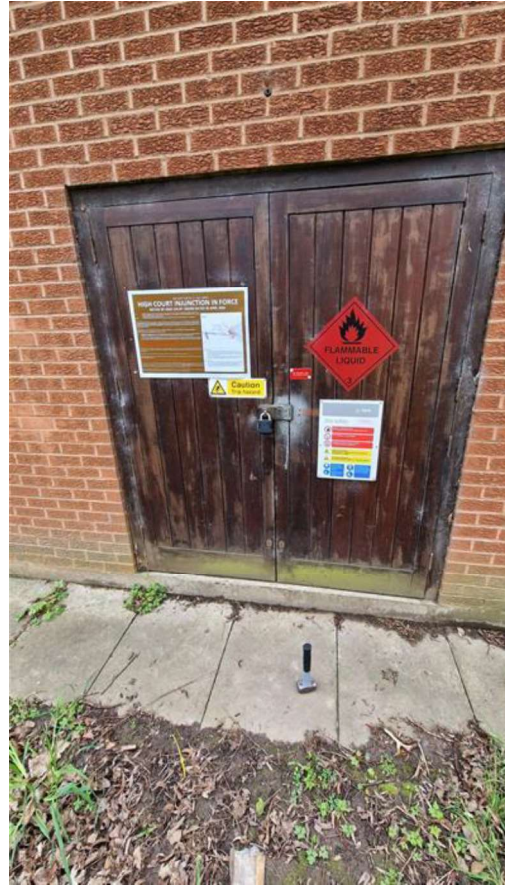
RICHARD THOMAS

Dated:

27 April 2023











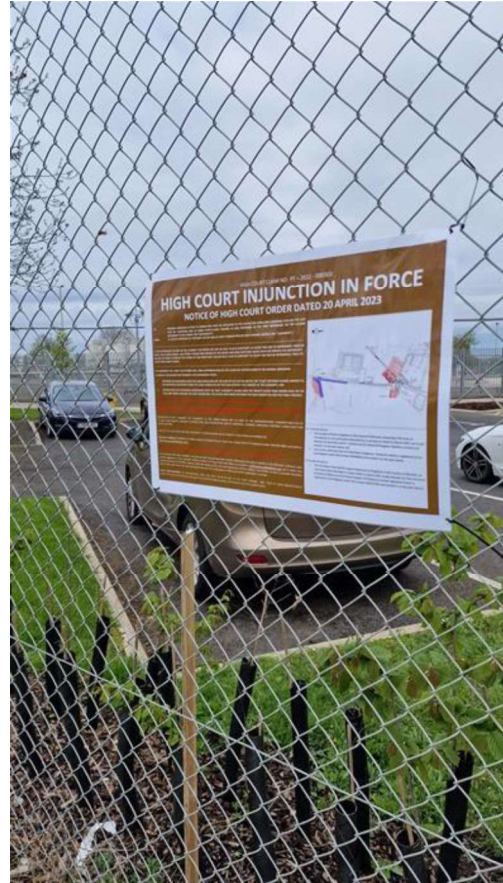












RICHARD THOMAS:  
CLAIMANTS/APPLICANTS:  
STATEMENT NO: 3  
EXHIBITS: 'RT9-RT13'  
DATED: 27/04/2023

**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**

**B E T W E E N**

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**Claimants / Applicants**

**and**

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**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**

**THIS IS THE COPY NOTICE OF HIGH COURT INJUNCTION ORDER  
REFERRED TO AS  
EXHIBIT 'RT13' IN THE ANNEXED WITNESS STATEMENT  
OF RICHARD THOMAS**

**Signed:**



.....

**RICHARD THOMAS**

**Dated:**

**27 April 2023**

HIGH COURT CLAIM NO: PT – 2022 - 000303

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 20 APRIL 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")

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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.

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**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.

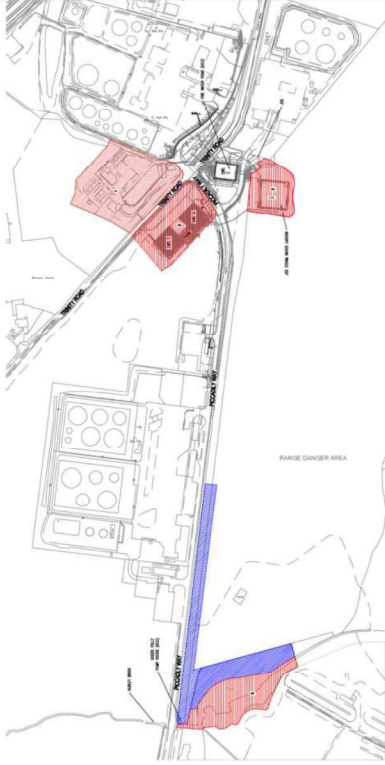
Copies of the Court Order and other documents in the proceedings may be viewed at: <https://ukop.azurewebsites.net>

**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](mailto:UKOPinjunction@fieldfisher.com))

**ANY FURTHER APPLICATIONS AND SUPPORTING EVIDENCE WILL BE SERVED IN THE WAYS SET OUT IN PARAGRAPHS 9 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](mailto: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 registered which is registered at Land Registry under title number WK522590 and marked 3 on the plan above.



### Appendix 3

4/13/2022 10:01 AM 270368 (2022.04.08) Final Note from Injunction Hearing dated 08 April 2022 - 103362492\_1.PDF  
4/13/2022 5:16 PM 304635 (2022.04.25) Claimants' Solicitors Note of Return Date Injunction Hearing dated 20 April 2022 - 103566927\_1.PDF  
4/13/2022 4:45 PM 3468912 Application notice dated 04.04.22 for return hearing on 20.04.22 - 110727879\_1.pdf  
4/19/2022 4:23 PM 84022730 Bundle 1 of 2 for Return Date Hearing on 20 April 2022 (comprising the Bundle for Interim Injunction Hearing on 8 April 2022) (as updated on 19 April 2022) - 103443168\_2.pdf  
4/19/2022 4:24 PM 90211835 Bundle 2 of 2 for Return Date Hearing on 20 April 2022 (as updated on 19 April 2022) - 103442287\_1.pdf  
4/17/2022 12:26 PM 2325296 Bundle of authorities for Return Date Hearing on 20 April 2022.pdf  
4/14/2022 4:00 PM 389745 Claimant's skeleton argument for return date hearing on 20.4.2022.pdf  
4/17/2022 12:26 PM 189540 Claimants' Skeleton Argument for Return Date Hearing on 20 April 2022.pdf  
4/8/2022 8:45 PM 887760 Defendant Response Pack - 103257040\_1.pdf  
4/8/2022 8:28 PM 1061012 Draft Order for Return Date Hearing (08.04.2022) - 103248910\_1.DOCX  
4/5/2023 4:47 PM 1724016 Draft Order for Return Date Hearing on 20.04.22 - dated 04.04.22 - 110600165\_1.pdf  
4/5/2023 4:51 PM 88190000 Exhibit UKOP8 - 110735402\_1.pdf  
4/5/2023 4:52 PM 397591 Exhibit UKOP7 - 110744707\_1.pdf  
4/21/2022 10:38 AM 1515942 Final Sealed Order for Return Date Hearing - (20.04.2022) - 103497582\_1.PDF  
4/6/2022 8:26 PM 4712019 First Witness Statement of Daniel Owen Christopher Telfer Davies dated 4 April 2022 together with Exhibit UKOP3 - 103279742\_1.PDF  
4/8/2022 8:28 PM 9812137 PT-2022-000101 - Application Notice for Interim Injunction Hearing dated 7 April 2022 - 103256911\_1.PDF  
4/17/2022 11:19 AM 178506009 PT-2022-000101 - Bundle 1 of 2 (Sections A, B, C & D) for Return Date Hearing on 20 April 2022 - 110911605\_1.pdf  
4/17/2022 11:19 AM 128567277 PT-2022-000101 - Bundle 2 of 2 (Sections E & F) for Return Date Hearing on 20 April 2022 - 110977467\_1.pdf  
4/11/2022 4:10 PM 127941 PT-2022-000101 - Sealed Application Notice - Return Date - 09.04.2022 - 103115587\_1.PDF  
4/11/2022 4:10 PM 1141844 PT-2022-000101 - Sealed Claim Form - without rider - 11.04.2022 - 103115439\_1.PDF  
4/24/2022 10:10 AM 1066234 Sealed Order dated 21 April 2022 in relation to Return Date Hearing on 20 April 2022 - 111142010\_1.PDF  
4/12/2022 11:38 AM 3651509 Sealed Order dated 8 April 2022 in relation to Interim Injunction Hearing - 103338343\_1.PDF  
4/6/2022 4:51 PM 285483 Second Witness Statement of Peter Melville Davis dated 05.04.22 - 110811930\_1.pdf  
4/5/2022 4:40 PM 385003 Third Witness Statement of John Michael Armstrong dated 05.04.22 - 110912046\_1.pdf  
4/24/2022 2:16 PM 192 web.config

## Appendix 4

## Honey Newbury

---

**From:** Rachel Bedford on behalf of Owen Talfan Davies  
**Sent:** 25 April 2023 15:25  
**To:** xr-legal@riseup.net  
**Cc:** UKOP injunction  
**Subject:** (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023, 17 April 2023 and 19 April 2023. For ease, we adopt the same definitions in this email.

As set out in our email dated 19 April 2023, the Order made on 20 April 2022 was considered further at the Return Date hearing, which took place on 20 April 2023 before Mr Justice Rajah.

At the Return Date hearing, the Court granted a further order in favour of the Claimants which provides for the pre-emptive injunctive relief granted by the Order to continue. A copy of the Order made on 20 April 2023 may be viewed at the following weblink:

<https://ukop.azurewebsites.net>

Yours faithfully,

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

**fieldfisher**



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Wednesday, April 19, 2023 6:19 PM

**To:** [xr-legal@riseup.net](mailto:xr-legal@riseup.net)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**Subject:** (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023 and 17 April 2023. For ease, we adopt the same definitions in this email.

The Court has now confirmed that the Return Date hearing will be heard tomorrow, 20 April 2023, at 10:30am in Court 3 of the Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Mr Justice Rajah.

As we have previously advised, the Claimants' further evidence for the Return Date hearing, together with the additional court documents for use at the Return Date, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

As set out in our email of 17 April 2023, any individual who wishes to come forward to defend the proceedings is entitled to serve a skeleton argument, and we again confirm that service of any skeleton argument can be effected on the Claimants by emailing the relevant document to [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com).

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Monday, April 17, 2023 3:35 PM

**To:** [xr-legal@riseup.net](mailto:xr-legal@riseup.net)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**Subject:** (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We refer to our email dated 6 April 2023, which is set out below. For ease, we adopt the same definitions in this email.

We confirm that the bundle for use at the Return Date, which contains the Court Documents together with the further evidence relied upon by the Claimants (the "**Bundle**"), can now be viewed at the following weblink:-

<https://ukop.azurewebsites.net>

Please note that the Bundle contains (at tabs 31,32 and 35) a copy of: (a) the Claimants' Certificate of Service dated 14 April 2023 for filing the sealed Application Notice dated 4 April 2023, the draft Order for the Return Date hearing and the Claimants' further evidence for the Return Date hearing (as referred to in our email below dated 6 April 2023); (b) the Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023 and (c) Exhibit UKOP8 dated 14 April 2023.

We attach to this email a copy of the Claimants' skeleton argument in relation to the Return Date, a copy of which has also been added to the weblink referred to above. A copy of the bundle of authorities upon which the Claimants will rely at the Return Date, and which are referred to in the skeleton argument, has also been uploaded to the weblink referred to above.

Any individual who wishes to come forward to defend the proceedings is entitled to serve a skeleton argument. We confirm that service of any skeleton argument can be effected on the Claimants by emailing the relevant document to the email address specified below:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Thursday, April 6, 2023 2:08 PM

**To:** [xr-legal@riseup.net](mailto:xr-legal@riseup.net)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**Subject:** (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our correspondence on 26 April 2022 setting out that Mr Peter Knox KC sitting as Deputy Judge of the Chancery Division had made an order on 20 April 2022 which provided for the pre-emptive injunctive relief granted by the order of 8 April 2022 to continue (the "**Order**").

This Order also provided that a further return date hearing would be fixed for 20 April 2023 (the "**Return Date**") with a time estimate of 3 hours.

The Court has now confirmed that the Return Date hearing will take place on **20 April 2023 at 7 Rolls Buildings, London, EC4A 1NL** with the time of the hearing and the Court in which it will be heard to be confirmed. A copy of the sealed Application Notice dated 4 April 2023 confirming this, along with a copy of the draft Order that has been filed at Court by the Claimants, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

This weblink also contains the Claimants' further evidence for the Return Date hearing, together with the Court Documents from the hearings of 8 and 20 April 2022.

The Order grants permission for any individual who wishes to come forward to defend the proceedings to file and serve any evidence **by 4.30pm on 13 April 2023**. We are authorised to accept service for and on behalf of the Claimants and confirm that service of any evidence and / or any skeleton argument, can be affected by emailing the relevant documents to the following email address:

**[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)**

The Claimants will prepare a bundle for use at the Return Date which contains the Court Documents together with the further evidence relied upon by the Claimants. The bundle will be made available at the weblink referred to above on **17 April 2023**.

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



## Honey Newbury

---

**From:** Rachel Bedford on behalf of Owen Talfan Davies  
**Sent:** 25 April 2023 15:26  
**To:** juststopoilpress@protonmail.com; info@juststopoil.org;  
juststopoil@protonmail.com  
**Cc:** UKOP injunction  
**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023, 17 April 2023 and 19 April 2023. For ease, we adopt the same definitions in this email.

As set out in our email dated 19 April 2023, the Order made on 20 April 2022 was considered further at the Return Date hearing, which took place on 20 April 2023 before Mr Justice Rajah.

At the Return Date hearing, the Court granted a further order in favour of the Claimants which provides for the pre-emptive injunctive relief granted by the Order to continue. A copy of the Order made on 20 April 2023 may be viewed at the following weblink:

<https://ukop.azurewebsites.net>

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

**fieldfisher**



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Wednesday, April 19, 2023 6:20 PM

**To:** [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk); [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023 and 17 April 2023. For ease, we adopt the same definitions in this email.



The Court has now confirmed that the Return Date hearing will be heard tomorrow, 20 April 2023, at 10:30am in Court 3 of the Rolls Building, 7 Rolls Buildings, Fetter Lane, London EC4A 1NL before Mr Justice Rajah.

As we have previously advised, the Claimants' further evidence for the Return Date hearing, together with the additional court documents for use at the Return Date, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

As set out in our email of 17 April 2023, any individual who wishes to come forward to defend the proceedings is entitled to serve a skeleton argument, and we again confirm that service of any skeleton argument can be effected on the Claimants by emailing the relevant document to [UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com).

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

**fieldfisher**



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Monday, April 17, 2023 3:37 PM

**To:** [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk); [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the **"Claimants"**).

We refer to our email dated 6 April 2023, which is set out below. For ease, we adopt the same definitions in this email.

We confirm that the bundle for use at the Return Date, which contains the Court Documents together with the further evidence relied upon by the Claimants (the **"Bundle"**), can now be viewed at the following weblink:-

<https://ukop.azurewebsites.net>

Please note that the Bundle contains (at tabs 31,32 and 35) a copy of: (a) the Claimants' Certificate of Service dated 14 April 2023 for filing the sealed Application Notice dated 4 April 2023, the draft Order for the Return Date hearing and the Claimants' further evidence for the Return Date hearing (as referred to in our email below dated 6 April 2023); (b) the Third Witness Statement of Daniel Owen Christopher Talfan Davies dated 14 April 2023 and (c) Exhibit UKOP8 dated 14 April 2023.

We attach to this email a copy of the Claimants' skeleton argument in relation to the Return Date, a copy of which has also been added to the weblink referred to above. A copy of the bundle of authorities upon which the Claimants will rely at the Return Date, and which are referred to in the skeleton argument, has also been uploaded to the weblink referred to above.

Any individual who wishes to come forward to defend the proceedings is entitled to serve a skeleton argument. We confirm that service of any skeleton argument can be effected on the Claimants by emailing the relevant document to the email address specified below:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



---

**From:** Rachel Bedford <[Rachel.Bedford@fieldfisher.com](mailto:Rachel.Bedford@fieldfisher.com)> **On Behalf Of** Owen Talfan Davies

**Sent:** Thursday, April 6, 2023 2:09 PM

**To:** [juststopoil@protonmail.co.uk](mailto:juststopoil@protonmail.co.uk); [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)

**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>

**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our correspondence on 26 April 2022 setting out that Mr Peter Knox KC sitting as Deputy Judge of the Chancery Division had made an order on 20 April 2022 which provided for the pre-emptive injunctive relief granted by the order of 8 April 2022 to continue (the "**Order**").

This Order also provided that a further return date hearing would be fixed for 20 April 2023 (the "**Return Date**") with a time estimate of 3 hours.

The Court has now confirmed that the Return Date hearing will take place on **20 April 2023 at 7 Rolls Buildings, London, EC4A 1NL** with the time of the hearing and the Court in which it will be heard to be confirmed. A copy of the sealed Application Notice dated 4 April 2023 confirming this, along with a copy of the draft Order that has been filed at Court by the Claimants, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

This weblink also contains the Claimants' further evidence for the Return Date hearing, together with the Court Documents from the hearings of 8 and 20 April 2022.

The Order grants permission for any individual who wishes to come forward to defend the proceedings to file and serve any evidence **by 4.30pm on 13 April 2023**. We are authorised to accept service for and on behalf of the Claimants and confirm that service of any evidence and / or any skeleton argument, can be affected by emailing the relevant documents to the following email address:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

The Claimants will prepare a bundle for use at the Return Date which contains the Court Documents together with the further evidence relied upon by the Claimants. The bundle will be made available at the weblink referred to above on **17 April 2023**.

Yours faithfully,

Fieldfisher

**Owen Talfan Davies**

Partner

D: +44 330 460 6961

M: +44 7711 088057

fieldfisher



## Appendix 5

## Honey Newbury

---

**From:** Domain postMaster address <postmaster@fieldfisher.com>  
**Sent:** 25 April 2023 15:27  
**To:** Rachel Bedford  
**Subject:** Your message couldn't be delivered

**mimecast**

### Your message couldn't be delivered

The message you sent to [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) couldn't be delivered due to:  
Recipient mailbox is full.

**Further information**

5.2.2 <juststopoil@protonmail.com>: Recipient address rejected: Mailbox quota exceeded

If you sent this message to multiple addresses, you'll receive a notification like this for every one that didn't arrive.

Powered by **mimecast**

© 2003 - 2019 Mimecast Services Limited.

# Certificate of service

On what day did you serve?

1 1 / 0 7 / 2 0 2 3

The date of service is

1 1 / 0 7 / 2 0 2 3

Name of court

HIGH COURT OF JUSTICE,  
BUSINESS AND PROPERTY  
COURTS OF ENGLAND AND  
WALES, CHANCERY DIVISION  
PROPERTY TRUST AND PROBATE  
LIST

Claim No.

PT-2022-000303

Name of Claimant

(1) UNITED KINGDOM OIL PIPELINES LIMITED (2) WEST LONDON PIPELINE AND STORAGE LIMITED

Name of Defendant

(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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)

(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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)

What documents did you serve?

Please attach copies of the documents you have not already filed with the court.

1. Sealed Application Notice – Claimants' Summary Judgment Application dated 7 July 2023 containing details of listing appointment;
2. Draft Order for Claimants' Summary Judgment Application dated 7 July 2023;
3. Third Witness Statement of Peter Davis dated 5 July 2023;
4. Fourth Witness Statement of John Armstrong dated 6 July 2023;
5. Exhibit UKOP9; and
6. Exhibit UKOP10

(together, the "Application Documents")

On whom did you serve?

(If appropriate include their position e.g. partner, director).

The First and Second Defendants pursuant to paragraph 9 of the Order of the Honourable Mr Justice Rajah dated 21 April 2023 (the "Order")

How did you serve the documents?

(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place

Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Service was effected:

(a) on the web link specified in paragraph 9(a) of the Order (<https://ukop.azurewebsites.net>); and



☐ by personally handing it to or leaving it with  
(.....time left, where document is other than a  
claim form) (please specify)

☒ by other means permitted by the court  
(please specify)

1. Service was effected between 10 July 2023 at 5:44pm and 11 July 2023 at 11:09am by uploading the Application Documents to <https://ukop.azurewebsites.net>. A copy of the web link page is at Appendix 1 to this certificate of service.

2. Service was further effected on 11 July 2023 by an email being sent at 15:39pm to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and at 15:38pm to [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [info@juststopoil.org](mailto:info@juststopoil.org) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) setting out that a copy of the Application Documents can be found at the following link <https://ukop.azurewebsites.net> and confirming details of the listing appointment for the Claimants' Application. Copies of the emails are at Appendix 2 to this certificate of service.

☐ By Document Exchange

☐ by fax machine (.....time sent, where document  
is other than a claim form) (you may want to enclose a copy  
of the transmission sheet)

☐ by other electronic means (.....time sent, where  
document is other than a claim form) (please specify)

(b) at the email addresses specified in paragraph 9(b)  
of the Order ([xr-legal@riseup.net](mailto:xr-legal@riseup.net) and  
[juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com);  
[info@juststopoil.org](mailto:info@juststopoil.org) and  
[juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)).

Being the ☐ claimant's ☒ defendant's

☐ solicitor's ☐ litigation friend

- ☐ usual residence  
☐ last known residence  
☐ place of business  
☐ principal place of business  
☐ last known place of business  
☐ last known principal place of business  
☐ principal office of the partnership  
☐ principal office of the corporation  
☐ principal office of the company  
☐ place of business of the partnership/company/  
corporation within the jurisdiction with a connection  
to claim  
☒ other (please specify)

**I believe that the facts stated in this certificate of service 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.**

Full name **ANTONY DOUGLAS PHILLIPS**

Signed



(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position  
or office  
held

**PARTNER**

(If signing on behalf of firm or  
company)

Date

18 07 2023

Rules relating to the service of documents are contained in Part 6 of the Civil Procedure Rules ([www.justice.gov.uk](http://www.justice.gov.uk)) and you should refer to the rules for information.

#### **Calculation of deemed day of service of a claim**

A claim form served within the UK in accordance with Part 6 of the Civil Procedure rules is deemed to be served on the second business day after the claimant has completed the steps required by CPR 7.5(1).

#### **Calculation of the deemed day of service of documents other than the claim form (CPR 6.26)**

<b>Method of service</b>	<b>Deemed day of service</b>
First class post or other service which provides for delivery on the next business day	The second day after it was posted, left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Document exchange	The second day after it was left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Delivering the document to or leaving it at a permitted address	If it is delivered to or left at the permitted address on a business day before 4.30pm, on that day; or in any other case, on the next business day after that day
Fax	If the transmission of the fax is completed on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was transmitted
Other electronic method	If the email or other electronic transmission is sent on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was sent
Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

In this context 'business day' means any day except Saturday, Sunday or a bank holiday; (under the Banking and Financial Dealings Act 1971 in the part of the UK where service is to take place) includes Good Friday and Christmas Day.



## Appendix 1

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4/13/2022 10:01 AM	270368	<a href="#">(2022.04.08) Final Note from Injunction Hearing dated 08 April 2022 - 103362492 1.PDF</a>
4/25/2022 5:16 PM	304635	<a href="#">(2022.04.25) Claimants Solicitors Note of Return Date Injunction Hearing dated 20 April 2022 - 103566927 1.PDF</a>
4/5/2023 4:45 PM	3468912	<a href="#">Application notice- dated 04.04.23- for return hearing on 20.04.23 - 110797879 1.pdf</a>
4/19/2022 4:23 PM	84022730	<a href="#">Bundle 1 of 2 for Return Date Hearing on 20 April 2022 (comprising the Bundle for Interim Injunction Hearing on 8 Apr</a>
4/19/2022 4:24 PM	90211815	<a href="#">Bundle 2 of 2 for Return Date Hearing on 20 April 2022 (as updated on 19 April 2022) - 103442287 1.pdf</a>
4/17/2023 12:26 PM	2325296	<a href="#">Bundle of Authorities for Return Date Hearing on 20 April 2023.pdf</a>
4/14/2022 4:00 PM	389745	<a href="#">Claimant's skeleton argument for return date hearing on 20.4.2022.pdf</a>
4/17/2023 12:26 PM	189540	<a href="#">Claimants' Skeleton Argument for Return Date Hearing on 20 April 2023.pdf</a>
4/8/2022 8:45 PM	887760	<a href="#">Defendant Response Pack - 103297040 1.pdf</a>
7/10/2023 5:44 PM	1566913	<a href="#">Draft Order for Claimants Summary Judgment Application dated 7 July 2023 - 112689563 1.PDF</a>
4/8/2022 8:28 PM	1061012	<a href="#">Draft Order for Return Date Hearing (08.04.2022) - 103296915 1.DOCX</a>
4/5/2023 4:47 PM	1724018	<a href="#">Draft Order for Return Date Hearing on 20.04.23 - dated 04.04.23 - 110800165 1.pdf</a>
7/11/2023 11:09 AM	7660669	<a href="#">Exhibit UKOP10 - 112418041 1.pdf</a>
4/5/2023 4:51 PM	88150000	<a href="#">Exhibit UKOP6 - 110755402 1.pdf</a>
4/5/2023 4:52 PM	397591	<a href="#">Exhibit UKOP7 - 110744707 1.pdf</a>
7/11/2023 11:09 AM	76198598	<a href="#">Exhibit UKOP9 - 112555309 1.pdf</a>
4/21/2022 10:30 AM	1515942	<a href="#">Final Sealed Order for Return Date Hearing - (20.04.2022) - 103487582 1.PDF</a>
4/8/2022 8:28 PM	4712019	<a href="#">First Witness Statement of Daniel Owen Christopher Talfan Davies dated 8 April 2022 together with Exhibit UKOP3 - 10</a>
7/10/2023 5:44 PM	404212	<a href="#">Fourth Witness Statement of John Armstrong dated 6 July 2023 - 112644075 1.PDF</a>
4/8/2022 8:28 PM	991217	<a href="#">PT-2022-000303 - Application Notice for Interim Injunction Hearing dated 7 April 2022 - 103296911 1.PDF</a>
4/17/2023 11:19 AM	178506009	<a href="#">PT-2022-000303 - Bundle 1 of 2 (Sections A, B, C &amp; D) for Return Date Hearing on 20 April 2023 - 110913605 1.pdf</a>
4/17/2023 11:19 AM	128567277	<a href="#">PT-2022-000303 - Bundle 2 of 2 (Sections E &amp; F) for Return Date Hearing on 20 April 2023 - 110979467 1.pdf</a>
4/11/2022 4:10 PM	127841	<a href="#">PT-2022-000303 - Sealed Application Notice - Return Date - 08.04.2022 - 103313587 1.PDF</a>
4/11/2022 4:10 PM	1141844	<a href="#">PT-2022-000303 - Sealed Claim Form - without rider - 11.04.2022 - 103313439 1.PDF</a>
7/10/2023 5:44 PM	3200464	<a href="#">Sealed Application Notice - Claimants Summary Judgment Application dated 7 July 2023 containing details of listing at</a>
4/24/2023 10:19 AM	1966334	<a href="#">Sealed Order dated 21 April 2023 in relation to Return Date Hearing on 20 April 2023 - 111142819 1.PDF</a>
4/12/2022 11:38 AM	3631509	<a href="#">Sealed Order dated 8 April 2022 in relation to interim injunction hearing - 103338343 1.PDF</a>
4/5/2023 4:51 PM	265683	<a href="#">Second Witness Statement of Peter Malcolm Davis- dated 05.04.23 - 110813940 1.pdf</a>
4/5/2023 4:49 PM	385903	<a href="#">Third Witness Statement of John Michael Armstrong- dated 05.04.23 - 110812946 1.pdf</a>
7/10/2023 5:44 PM	460580	<a href="#">Third Witness Statement of Peter Davis dated 5 July 2023 - 112638588 1.PDF</a>
7/11/2023 10:40 AM	152	<a href="#">web.config</a>

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## Appendix 2

**Ella Haydon**

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**From:** Faye Hyland <Faye.Hyland@fieldfisher.com>  
**Sent:** 11 July 2023 15:39  
**To:** xr-legal@riseup.net  
**Cc:** UKOP injunction  
**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023, 17 April 2023, 19 April 2023 and 25 April 2023. For ease, we adopt the same definitions in this email.

As set out in our email dated 25 April 2023, the Order made on 20 April 2022 was considered further at the Return Date hearing, which took place on 20 April 2023 before Mr Justice Rajah. At the Return Date hearing, the Court granted a further order in favour of the Claimants which provides for the pre-emptive injunctive relief granted by the Order to continue until 20 October 2023, final determination of the Claimants' claim or further order in the interim, whichever is the earlier.

On 7 July 2023 the Claimants made an application for summary judgment under Part 24 of the Civil Procedure Rules, seeking an order from the Court for a final injunction in the claim and an order for related directions (the "**Application**"). A copy of the Application, comprising the sealed Application Notice and Draft Order, along with supporting witness evidence and exhibits, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

The Court has directed that a listing appointment for the Application should take place at 11.00am on 17 July 2023, at which appointment the Court will fix the date of the Application hearing, and further details of which can be found in the sealed Application Notice.

Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing.

We confirm that we are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to the following email address:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

Yours faithfully,

Fieldfisher

**Faye Hyland**  
Director  
D: +44 330 460 6953

**fieldfisher**



**Ella Haydon**

---

**From:** xr-legal@riseup.net  
**Sent:** 11 July 2023 15:39  
**To:** Faye Hyland  
**Subject:** Autoreply for XR Legal Support

Hi there,

Thanks for getting in touch with the XR Legal Support Team.

We have received your email and are working on getting a response to you ASAP! We are currently quite low in capacity and so our response to your email(s) might be delayed.

If you don't hear from us within two weeks, please email back and we will do our best to get to you sooner.

In the meantime, please have a look at our website (<https://www.informeddissent.info>), as this may have information to answer your questions.

If your email is related to an upcoming court appearance, we will prioritise your email and get a response to you ASAP. Please also email the XR Arrest Welfare Team (XR-ArrestWelfare@protonmail.com) with the details of your court date.

If your email is related to trainings run by our team, see our Trainings Calendar for details about upcoming Trainings. This can be accessed at this link: <https://teamup.com/ksqtxh86ftomucpgu>

During Rebellions, where you need an urgent response or if someone has been arrested at an action you are at, please call the XR Legal Back Office on 07749 335574 and we will deal with your query that way.

In Solidarity,  
XR Legal Support Team



## Ella Haydon

---

**From:** Faye Hyland <Faye.Hyland@fieldfisher.com>  
**Sent:** 11 July 2023 15:38  
**To:** juststopoilpress@protonmail.com; info@juststopoil.org;  
juststopoil@protonmail.com  
**Cc:** UKOP injunction  
**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited (the "**Claimants**").

We write further to our emails dated 6 April 2023, 17 April 2023, 19 April 2023 and 25 April 2023. For ease, we adopt the same definitions in this email.

As set out in our email dated 25 April 2023, the Order made on 20 April 2022 was considered further at the Return Date hearing, which took place on 20 April 2023 before Mr Justice Rajah. At the Return Date hearing, the Court granted a further order in favour of the Claimants which provides for the pre-emptive injunctive relief granted by the Order to continue until 20 October 2023, final determination of the Claimants' claim or further order in the interim, whichever is the earlier.

On 7 July 2023 the Claimants made an application for summary judgment under Part 24 of the Civil Procedure Rules, seeking an order from the Court for a final injunction in the claim and an order for related directions (the "**Application**"). A copy of the Application, comprising the sealed Application Notice and Draft Order, along with supporting witness evidence and exhibits, can be viewed at the following weblink:

<https://ukop.azurewebsites.net>

The Court has directed that a listing appointment for the Application should take place at 11.00am on 17 July 2023, at which appointment the Court will fix the date of the Application hearing, and further details of which can be found in the sealed Application Notice.

Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing.

We confirm that we are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to the following email address:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

Yours faithfully,

Fieldfisher

**Faye Hyland**  
Director  
D: +44 330 460 6953

**fieldfisher**



# Certificate of service

<b>Name of court</b> HIGH COURT OF JUSTICE, BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES, CHANCERY DIVISION PROPERTY TRUST AND PROBATE LIST	<b>Claim No.</b> PT-2022-000303
<b>Name of Claimant</b> (1) UNITED KINGDOM OIL PIPELINES LIMITED (2) WEST LONDON PIPELINE AND STORAGE LIMITED	
<b>Name of Defendant</b>  (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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED RED ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)  (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 SITE 1 PLAN ATTACHED TO THE CLAIM FORM) (B) THE KINGSBURY OIL TERMINAL, KINGSBURY, WARWICKSHIRE (SHOWN FOR IDENTIFICATION SHADED BLUE ON THE SITE 2 PLAN ATTACHED TO THE CLAIM FORM)	

## What documents did you serve?

Please attach copies of the documents you have not already filed with the court.

Sealed Application Notice – Claimants' Summary Judgment Application dated 7 July 2023 containing Notice of Hearing (the "Notice of Hearing")

## On whom did you serve?

(If appropriate include their position e.g. partner, director).

The First and Second Defendants pursuant to paragraph 9 of the Order of the Honourable Mr Justice Rajah dated 21 April 2023 (the "Order")

## How did you serve the documents?

(please tick the appropriate box)

- ☐ by first class post or other service which provides for delivery on the next business day
- ☐ by delivering to or leaving at a permitted place
- ☐ by personally handing it to or leaving it with  
(.....time left, where document is other than a claim form) (please specify)

## Give the address where service effected, include fax or DX number, e-mail address or other electronic identification

Service was effected:

(a) on the web link specified in paragraph 9(a) of the Order (<https://ukop.azurewebsites.net>); and

(b) at the email addresses specified in paragraph 9(b) of the Order (xr-legal@riseup.net and juststopoilpress@protonmail.com; info@juststopoil.org and



juststopoil@protonmail.com).

Being the ☐ claimant's ☒ defendant's  
☐ solicitor's ☐ litigation friend

☐ usual residence  
☐ last known residence  
☐ place of business  
☐ principal place of business  
☐ last known place of business  
☐ last known principal place of business  
☐ principal office of the partnership  
☐ principal office of the corporation  
☐ principal office of the company  
☐ place of business of the partnership/company/  
corporation within the jurisdiction with a connection  
to claim  
☒ other (please specify)

☒ by other means permitted by the court  
(please specify)

1. Service was effected at 1:04pm on 18 July 2023 by uploading the Notice of Hearing to <https://ukop.azurewebsites.net>. A copy of the web link page is at Appendix 1 to this certificate of service.

2. Service was further effected on 18 July 2023 by an email being sent at 16:35pm to [xr-legal@riseup.net](mailto:xr-legal@riseup.net) and at 16:35pm to [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [info@juststopoil.org](mailto:info@juststopoil.org) and [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com) setting out that a copy of the Notice of Hearing can be found at the following link <https://ukop.azurewebsites.net>. Copies of the emails are at Appendix 2 to this certificate of service.

☐ By Document Exchange

☐ by fax machine (.....time sent, where document is other than a claim form) (you may want to enclose a copy of the transmission sheet)


☐ by other electronic means (.....time sent, where document is other than a claim form) (please specify)

**I believe that the facts stated in this certificate of service 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.**

Full name ANTONY DOUGLAS PHILLIPS

Signed



(Claimant) (Defendant) ('s solicitor) ('s litigation friend)

Position  
or office  
held

PARTNER

(If signing on behalf of firm or company)

Date

2 4 0 7 2 0 2 3

Rules relating to the service of documents are contained in Part 6 of the Civil Procedure Rules ([www.justice.gov.uk](http://www.justice.gov.uk)) and you should refer to the rules for information.

**Calculation of deemed day of service of a claim**

A claim form served within the UK in accordance with Part 6 of the Civil Procedure rules is deemed to be served on the second business day after the claimant has completed the steps required by CPR 7.5(1).



## Calculation of the deemed day of service of documents other than the claim form (CPR 6.26)

Method of service	Deemed day of service
First class post or other service which provides for delivery on the next business day	The second day after it was posted, left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Document exchange	The second day after it was left with, delivered to or collected by the relevant service provider provided that day is a business day; or if not, the next business day after that day
Delivering the document to or leaving it at a permitted address	If it is delivered to or left at the permitted address on a business day before 4.30pm, on that day; or in any other case, on the next business day after that day
Fax	If the transmission of the fax is completed on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was transmitted
Other electronic method	If the email or other electronic transmission is sent on a business day before 4.30pm, on that day; or in any other case, on the next business day after the day on which it was sent
Personal service	If the document is served personally before 4.30pm on a business day, it is served on that day; or in any other case, on the next business day after that day

In this context 'business day' means any day except Saturday, Sunday or a bank holiday; (under the Banking and Financial Dealings Act 1971 in the part of the UK where service is to take place) includes Good Friday and Christmas Day.

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/10/2023 5:44 PM	3200464	<a href="#">Sealed Application Notice - Claimants Summary Judgment Application dated 7 July 2023 containing details of listing appointment - 112708520_1.PDF</a>
/18/2023 1:04 PM	5203376	<a href="#">Sealed Application Notice- Claimants Summary Judgment Application dated 7 July 2023 containing Notice of hearing - 112897915_1.PDF</a>
/24/2023 10:19 AM	1966394	<a href="#">Sealed Order dated 21 April 2023 in relation to Return Date Hearing on 20 April 2023 - 111142810_1.PDF</a>
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/18/2023 1:34 PM	152	<a href="#">web.config</a>

## Appendix 2

## Ella Haydon

---

**From:** Honey Newbury <Honey.Newbury@fieldfisher.com> on behalf of Faye Hyland <Faye.Hyland@fieldfisher.com>  
**Sent:** 18 July 2023 16:35  
**To:** xr-legal@riseup.net  
**Cc:** UKOP injunction  
**Subject:** (1) United Kingdom Oil Pipelines Limited and (2) West London Pipeline and Storage Limited -v- Persons Unknown [FFW-DOCS.FID6748501]

Dear Extinction Rebellion,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited.

We write further to our email dated 11 July 2023, a copy of which is below. For ease, we adopt the same definitions in this email.

Following the listing appointment on 17 July 2023, the Court has now issued a Notice of hearing which states that the Application will be heard at 7 Rolls Buildings, London, EC4A 1NL during a three day window starting on 3 October 2023 with the time and Court TBC.

A copy of the Notice of hearing, along with the Application, can be found at the following weblink:

<https://ukop.azurewebsites.net>

Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing.

We confirm that we are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to the following email address:

[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)

Yours faithfully,

Fieldfisher

**Faye Hyland**  
Director  
D: +44 330 460 6953

**fieldfisher**



**From:** Faye Hyland <[Faye.Hyland@fieldfisher.com](mailto:Faye.Hyland@fieldfisher.com)>  
**Sent:** Tuesday, July 11, 2023 3:39 PM  
**To:** [xr-legal@riseup.net](mailto:xr-legal@riseup.net)  
**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>  
**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,

**Ella Haydon**

---

**From:** xr-legal@riseup.net  
**Sent:** 18 July 2023 16:36  
**To:** Honey Newbury  
**Subject:** Autoreply for XR Legal Support

Hi there,

Thanks for getting in touch with the XR Legal Support Team.

We have received your email and are working on getting a response to you ASAP! We are currently quite low in capacity and so our response to your email(s) might be delayed.

If you don't hear from us within two weeks, please email back and we will do our best to get to you sooner.

In the meantime, please have a look at our website (<https://www.informedissent.info>), as this may have information to answer your questions.

If your email is related to an upcoming court appearance, we will prioritise your email and get a response to you ASAP. Please also email the XR Arrest Welfare Team (XR-ArrestWelfare@protonmail.com) with the details of your court date.

If your email is related to trainings run by our team, see our Trainings Calendar for details about upcoming Trainings. This can be accessed at this link: <https://teamup.com/ksqttxh86ftomucpgu>

During Rebellions, where you need an urgent response or if someone has been arrested at an action you are at, please call the XR Legal Back Office on 07749 335574 and we will deal with your query that way.

In Solidarity,  
XR Legal Support Team



## Ella Haydon

---

**From:** Honey Newbury <Honey.Newbury@fieldfisher.com> on behalf of Faye Hyland <Faye.Hyland@fieldfisher.com>  
**Sent:** 18 July 2023 16:35  
**To:** juststopoilpress@protonmail.com; info@juststopoil.org; juststopoil@protonmail.com  
**Cc:** UKOP injunction  
**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,

As you are aware, we act for (1) United Kingdom Pipelines Limited and (2) West London Pipeline Storage Limited.

We write further to our email dated 11 July 2023, a copy of which is below. For ease, we adopt the same definitions in this email.

Following the listing appointment on 17 July 2023, the Court has now issued a Notice of hearing which states that the Application will be heard at 7 Rolls Buildings, London, EC4A 1NL during a three day window starting on 3 October 2023 with the time and Court TBC.

A copy of the Notice of hearing, along with the Application, can be found at the following weblink:

<https://ukop.azurewebsites.net>

Any individual who may wish to come forward to defend the Application is referred to Civil Procedure Rule 24.5(1) in that if the defendant to an application for summary judgment wishes to rely on written evidence at the hearing, he must file the written evidence and serve copies on the claimant at least 7 days before the summary judgment hearing.

We confirm that we are authorised to accept service for and on behalf of the Claimants and that service of any evidence can be affected by emailing the relevant documents to the following email address:

**[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)**

Yours faithfully,

Fieldfisher

**Faye Hyland**  
Director  
D: +44 330 460 6953

**fieldfisher**



**From:** Faye Hyland <[Faye.Hyland@fieldfisher.com](mailto:Faye.Hyland@fieldfisher.com)>  
**Sent:** Tuesday, July 11, 2023 3:38 PM  
**To:** [juststopoilpress@protonmail.com](mailto:juststopoilpress@protonmail.com); [info@juststopoil.org](mailto:info@juststopoil.org); [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)  
**Cc:** UKOP injunction <[UKOPinjunction@fieldfisher.com](mailto:UKOPinjunction@fieldfisher.com)>  
**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,

## F. Additional Documents



IN THE HIGH COURTS OF JUSTICE  
BUSINESS & PROPERTY DIVISION

Case No. PT-2022-000303

Court No. 3  
Royal Courts of Justice  
Strand  
London  
EC4A 1NL

10.33am – 12.34pm  
Thursday, 20<sup>th</sup> April 2023

before

THE HONOURABLE JUSTICE RAJAH

UK OIL PIPELINES LIMITED (1)  
WEST LONDON PIPELINE & STORAGE LIMITED (2)

-v-

PERSONS UNKNOWN

MS K HOLLAND KC & MR Y VANDERMAN (instructed by Fieldfisher LLP) appeared on behalf  
of the CLAIMANTS  
NO APPEARANCE by the DEFENDANTS

-----  
WHOLE HEARING  
-----

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**A Case called at 10.33am.**

MR JUSTICE RAJAH: Yes.

MS HOLLAND: Thank you very much, My Lord. Before I begin, may I just have the bundle – skeleton arguments.

**B** MR JUSTICE RAJAH: I have a bundle of authorities. I have a skeleton argument. Or, I may have – I may have managed to leave that upstairs. I have it electronically in any event, but if you have a spare copy that would be helpful and I have the two bundles.

MS HOLLAND: Thank you very much.

MR JUSTICE RAJAH: Thank you.

**C** MS HOLLAND: Might I also hand up to you a very slightly revised draft order, which may be relevant later on, after you have heard the application. Thank you.

**Pause.**

MS HOLLAND: My Lord, I don't know whether you've had the look at anything in advance and before I start opening the matter, might I respectfully ask the question; is there anything I

**D** can help you with at the outset before I begin?

MR JUSTICE RAJAH: I have had your skeleton; I have also had an opportunity to look at the two witness statements you have asked me to look at. I can see that your skeleton refers to fuller evidence for specific issues-

**E** MS HOLLAND: Yes.

MR JUSTICE RAJAH: - and it would be helpful for me if you took me to those.

MS HOLLAND: Yes.

MR JUSTICE RAJAH: I have; I have looked at some of the documents from back in 2022.

MS HOLLAND: Thank you very much. It's just to draw to your attention, in case they are of

**F** value to you at any stage; we have got fairly full notes of the two earlier judgments that have been given.

MR JUSTICE RAJAH: Yes, I have read the notes; I found the notes for the skeleton-

MS HOLLAND: Thank you very much for looking at those.

**G** MR JUSTICE RAJAH: I have read those and I have read those first.

MS HOLLAND: That's very kind. Thank you very much.

MR JUSTICE RAJAH: I have got one question-

MS HOLLAND: Yes?

MR JUSTICE RAJAH: - which I you will have to talk to me about; it is, where is this going?

**H**

A What exactly are we – what sort of order are we looking for or duration? Is there going to be a trial?

B MS HOLLAND: Well, I can answer that question now if you like because you are quite right that, obviously, when one has an interlocutory injunction, one has to get on with the proceedings as well. I think, in relation to these cases, there are certain hypothetical scenarios where you have an instant situation and interlocutory relief is granted and it's a fairly temporary state of affairs and that ultimately leads to the proceedings not having to be pursued but here, it is now looking as though we are now having much more of a permanent state of affairs.

C I have instructions that we are considering the preparation of a default judgment application and so, if that matter were to come on during the period in which the interim injunction was in force, then, obviously, the interim injunction would fall away with the final order that we would be seeking. So, those are my instructions that we are currently considering the preparation of a default judgment application in order to bring the proceedings to a conclusion, obtain a final order and, in that final order, we will ask for a potential review after a certain period of time, if there is a state of affairs which can be said to be sufficiently continuing in existence to merit that final order, having a longer temporal period.

D So far as the temporal period for today's interim review hearing, we accept that you may want to take, "I'll need to bring the proceedings to a conclusion" into account in relation to the period for which we have referred in the draft order and that period, if you go to the draft order in paragraph one, is expressed to be until the return date. That is then in paragraph five and certain situations – I'm aware that a year has been granted – the – perhaps, we might want to return to that when you have seen what the quality of the evidence is about the state of affairs at the moment but, certainly, we accept that we are in the discretionary hands of the Court on that issue about the temporal period.

E MR JUSTICE RAJAH: Yes, I will make one observation about that which is that, I think you had the same instructions when you were before Mr Knox on the-

G MS HOLLAND: Oh-

MR JUSTICE RAJAH: - on the clarifications – notes of which I happen to find.

H MS HOLLAND: Yes, thank you for that. Now, in relation to – I will obviously check but my immediate recollection is in relation to a question about how would you do this whereas the other instruction I am saying to you at the moment is, we are currently considering the

A preparation, but I hear what you say. I hear what you say.

MR JUSTICE RAJAH: I think that is an issue-

MS HOLLAND: Yes.

MR JUSTICE RAJAH: - and an issue which is bothering me. The second issue which, I will at

B some point – I can leave it out and you can take it at your own time-

MS HOLLAND: I'm grateful. Thank you.

MR JUSTICE RAJAH: - is, I would quite like to know about the other injunctions. I see that there

C are a number of other injunctions, some of which overlap – have some sort of overlap with

the injunction you are asking me to continue to make in terms of the effect – and I would

just like to understand that. I am not suggesting that it is necessary a problem there but I

would quite like to understand that.

MS HOLLAND: Yes. Thank you for that indication. So, I will come to that, My Lord. Might I

D take matters by reference to the skeleton argument, principally, as a sort of an agenda

document to make sure I have taken you through everything?

MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, it's clear from what you've indicated that you've seen the evidence – the two

witness statements of April, which set out the current position.

MR JUSTICE RAJAH: Yes, well, the two witness statements; one was 2022-

E MS HOLLAND: Yes.

MR JUSTICE RAJAH: - and one is-

MS HOLLAND: Updating it.

MR JUSTICE RAJAH: - updating it?

MS HOLLAND: Yes.

F MR JUSTICE RAJAH: I see that.

MS HOLLAND: So, you basically had, events with for a year and what the current state of the

evidence is, as in April 2023 and so-

MR JUSTICE RAJAH: While we are on that witness statement – those witness statements-

G MS HOLLAND: Yes?

MR JUSTICE RAJAH: - could you clarify for me what Mr Armstrong is – I mean, he talks about

events in the region of proximity of the sites; there have been no actual further acts of

trespass or interference in relation to these two sites, has there?

H MS HOLLAND: That's right. There have been no acts.

A MR JUSTICE RAJAH: Bear with me. I seem to be struggling with one screen. Yes.

MS HOLLAND: And might I take you, as well, to demonstrate further to – it's – it's E, page 53 to 56; my divider 31.

MR JUSTICE RAJAH: Yes. 53, you say?

B MS HOLLAND: Yes.

MR JUSTICE RAJAH: Yes.

MS HOLLAND: My learned junior tells me that, if it would assist with the screen problem, we have a hard copy spare bundle, if that would help you?

MR JUSTICE RAJAH: I am afraid it would. I am still getting used to this set up. That is the further statement of Daniel Davies?

C MS HOLLAND: That's correct, yes.

MR JUSTICE RAJAH: Thank you very much. Yes.

MS HOLLAND: Now, the purpose of this witness statement is to provide the evidence that there was compliance with the service requirements in relation to the order of last year, April 2022, and also to give you evidence as to the service of the documents for today's hearing.

D MR JUSTICE RAJAH: Yes.

MS HOLLAND: And with regard to the latter, might I ask you to turn to paragraph 10 of that witness statement?

E MR JUSTICE RAJAH: Yes?

MS HOLLAND: Actually, sorry, could I just ask you go to slightly further back? If I could ask you to go to paragraph six; I do apologise.

MR JUSTICE RAJAH: Sorry. Yes.

F MS HOLLAND: So, in paragraph five, all the documents in relation to today's hearing have been listed and in paragraph six, evidence is given in respect of the method of service by putting those documents in the clear transparency of containers on site.

MR JUSTICE RAJAH: Yes.

G MS HOLLAND: And that reflects what was in paragraph 16A of the order of April 2022. Then-

MR JUSTICE RAJAH: So, okay. I mean, just as a matter of logistics; how does one put a witness statement in a sealed container at the site in a way in which it can be read?

MS HOLLAND: So, this is the subject of exactly that type of question in the course of the evolution of these cases and so, let me find a photograph for you because, obviously, the

H

A point about putting everything on the site has that practical issue because if you put it in the transparent envelopes, it can all get very, very messy. So, here – and also, because they can be blown away or taken away.

MR JUSTICE RAJAH: Yes.

B MS HOLLAND: So, one practical approach which has been adopted in the course is to put them in sealed containers and I'm going to try and find you a photograph to show you that that is meant to give it as much visibility and permanence at the site as we can achieve. It is at – I am told, at page 356 – so, that will be tab 34 – tab 35 – tab 35.

MR JUSTICE RAJAH: Yes, I have got it. A storage box, basically.

C MS HOLLAND: A storage box, yes.

MR JUSTICE RAJAH: Which can be opened?

MS HOLLAND: Yes.

MR JUSTICE RAJAH: And so, people can have access to the documents which are in the box?

MS HOLLAND: Yes. And if you look, for example, at page 357-

D MR JUSTICE RAJAH: Yes?

MS HOLLAND: - you see the box and you see it conjunction with the warning notice, which I will be referring to next.

MR JUSTICE RAJAH: Yes. Yes. Okay.

E MS HOLLAND: So, that was compliance with the first reference for service in 16(a) of the April 2022 order and then, in the following paragraph, this deals with the same point at the other site; the second site.

MR JUSTICE RAJAH: Yes.

F MS HOLLAND: Then, in paragraphs eight and nine, this is the evidence regarding uploading of the Court documents to the web link, which is stated on the face of the order.

MR JUSTICE RAJAH: Yes. So, what is that?

MS HOLLAND: So, that weblink, which has got the substantive name as websites, is, from recollection, a weblink which we set up specifically for this case in April 2022.

G MR JUSTICE RAJAH: So, is that, sort of, cross-referring to notices or something like that?

MS HOLLAND: That's correct. So, if one goes back to – just tracing it through on the orders; if you go to divider eight of the bundle, this was the very first order, and you see, in paragraph 13, on page 63-

MR JUSTICE RAJAH: Yes?

H

A MS HOLLAND: - the reference to fixing copies in paragraph (a) and then, there, in paragraph (b) was the reference to this following weblink which could be clicked on and then, in (c) were the notices and the notices were actually in a form which appeared at the end of the order. So, if you go right to the back of that divider, you will see the two notices which were specifically designed to go up on the sites and then, on those notices-

B MR JUSTICE RAJAH: It says, "Copies of the Court order and other documents of the proceedings can be viewed"-

MS HOLLAND: I'm grateful.

MR JUSTICE RAJAH: Yes. Yes.

C MS HOLLAND: So, that link was written into the order and onto the notices and, in terms of actually being a practical link to click on, therefore, would have been available for any potential defendants to do so because in paragraph (d) an email was sent to specific email addresses so that they would have had these documents electronically and enabling them to actually click on that link.

D MR JUSTICE RAJAH: Yes.

MS HOLLAND: That same course will follow through on the return date hearing for which is the order is at divider 21, page 85.

MR JUSTICE RAJAH: Sorry, this is the 2022 order?

E MS HOLLAND: Yes, and if you go to page 88-

MR JUSTICE RAJAH: Yes?

MS HOLLAND: - service of the order was dealt with in, essentially, the same way, in paragraph 13, save for some more slight variations and some more email addresses but, again, there was the weblink actually in the order. And at paragraph 16, on the same occasion, an order was made in respect of further applications and the evidence in support; in other words, prior authorisation for a method that could be adopted in advance of the review hearing. Again, with that link in it and, again, that link being capable of being clicked on, pursuant to service by email and, again, you have the warning notices which had the reference to the weblink on – they ran it to the back of the order and it's that paragraph 16, in relation to future applications which are, therefore, the orders which needed to comply with and which the evidence of Mr Telson[?]-Davies goes to in terms of how we comply with that order for service of future applications.

G MR JUSTICE RAJAH: Yes.

H

A MS HOLLAND: So, the next-

MR JUSTICE RAJAH: Yes, you were about to take me to the email-

MS HOLLAND: Yes.

MR JUSTICE RAJAH: - and the problems with that.

B MS HOLLAND: And, in paragraph 10, reference is made to the content of the email, which is exhibited, giving information regarding this return date and, as you've already commented, there was an issue which was described in paragraph 11 and 12. And, so, what has been done about that is explained in those paragraphs and as we are here now, there's been no further email notification in relation to the email which was sent to

C JustStopOil@protonmail.com.

MR JUSTICE RAJAH: Sorry, you have got a bounce back from two out of four, is that right?

MS HOLLAND: Yes.

MR JUSTICE RAJAH: From Just Stop Oil but one made it through, it appears and the

D Extinction Rebellion – the email through to be the Extinction Rebellion email has also not been – you have not had a bounce back?

MS HOLLAND: That's correct.

MR JUSTICE RAJAH: And on the web page – so, you have had a bounce back from one out of three of the Just Stop Oil? Oh, no, sorry – yes – okay, no, Protonmail.com – Just Stop Oil;

E Protonmail.co.UK – Just Stop Oil – both bounced back. The only that did not bounce back was JustStopOilPress-

MS HOLLAND: - @Protonmailcom.

MR JUSTICE RAJAH: @Protonmail.com. And that is on the website as a contact detail?

MS HOLLAND: It is, yes.

F MR JUSTICE RAJAH: Okay.

MS HOLLAND: So, we haven't been able to be completely successful in the authorised methods of service referred to in the order. We have done them but we can't show that they necessarily – because we had a bounce back. I hope no issues arise in relation to the particular sites which are described in paragraph 6(a) and (b). There is one minor point in

G relation to one of the sites.

MR JUSTICE RAJAH: 6(a) and (b) of?

MS HOLLAND: Of the skeleton argument; I'm so sorry. And if I could ask you, just for the moment, to pick up with that – so, the sites are described in paragraphs 6(a) and 6(b)-

H



A MR JUSTICE RAJAH: Yes?

MS HOLLAND: Could I ask you to pick up one of the two documents I handed up in terms of the draft orders, and one is a clean copy of a suggested, slightly revised order and behind it, there is a tracked changes one-

B MR JUSTICE RAJAH: Yes?

MS HOLLAND: Showing the changes from the order that was attached to the application notice. If you go to schedule two within that document-

MR JUSTICE RAJAH: Yes.

MS HOLLAND: - you will see, on the bottom of that page, in paragraph 4(a)-

C MR JUSTICE RAJAH: Yes.

MS HOLLAND: - some red underlining and so, part of the land at Kingsbury is leasehold land and it hadn't been registered when we had the last hearing but we've now discovered that it is registered so, the registered title number has been inserted in the draft order there. So, that's just one change.

D MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, in the skeleton argument, at 6(b), where it says, four lines up from the bottom – there's a line starting "Leasehold title"-

MR JUSTICE RAJAH: Yes.

E MS HOLLAND: - it says, "Is awaiting registration".

MR JUSTICE RAJAH: Yes. It has been registered?

MS HOLLAND: Yes. I think that's the one. I'm not sure that – might I just take a moment, to make sure that is absolutely correct?

**Discussion *sotto voce*.**

F MS HOLLAND: Well, I think the – if one goes to the evidence, the – divider five of bundle one, at page 32 – and this is in the description of the Kingsbury land – a reference is made there to the first claimant being the proprietor of one leasehold interest and that is described as being held under the lease of 3 November 2021, which is the area of land to which the red amendment has been made in the draft order but I think there is a slight – there is an error in the skeleton argument there, for which I apologise, because it doesn't say there's a leasehold title awaiting registration. It may be that the reference to it in the previous section to it being a registered leasehold proprietor already took that into account but-

G

H MR JUSTICE RAJAH: Yes, well, there is certainly material here – the actual land, which is the

A subject of the injunction, is changing.

MS HOLLAND: Which it isn't. I just wanted to make sure I make everything correct.

MR JUSTICE RAJAH: Yes, I understand entirely why you say that.

MS HOLLAND: Yes, thank you. So, those are the sites. As I say, there are no changes in relation

B to the boundaries of the site and the most convenient way, probably, of looking at those sites is in relation to the order – the plans which are put on the warning notices, in terms of giving you a flavour of the nature of the sites. If you go to tab 21, and within that divider, one goes to page 95-

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: - you will see on there, the plan of the Buncefield site. And you can see the nature of the site in relation to oil facilities being depicted on that plan and then, if you go over the page, you see the plan in relation to the Kingsbury site.

MR JUSTICE RAJAH: Sorry, the access road, looking at the plan on 95 – where is the access

D road?

MS HOLLAND: So, on the plan at 95-

MR JUSTICE RAJAH: Oh, it is that oil road on the right, is it? Between Green Lane and Buncefield Lane?

MS HOLLAND: That's right, yes. It's described as "Oil Road".

E MR JUSTICE RAJAH: So, the acts of interference that are being restrained are interfering with access to the sites; the evidence of blocking of entrances and lorries being parked outside, is that a reference to that access way or more generally?

MS HOLLAND: So, if one goes to the order, at tab 21, page 87, paragraph three; in relation to Buncefield-

F MR JUSTICE RAJAH: Yes.

MS HOLLAND: The site access one, which is the subject of the injunction, is what is shaded blue on the plan that we've just looked at; so, it's that little bit – do you see the little bit of blue shading?

G MR JUSTICE RAJAH: Yes. Very little bit, yes.

MS HOLLAND: Yes, so, that's the part which is affected by that injunction in relation to Buncefield. So far as Kingsbury is concerned – actually, just to help you on the Buncefield, I know today you asked me about the access road and we looked at the line Oil Road, between Buncefield Lane-

H

A MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, that is within the title. It's red. So, that comes within paragraph one of the injunction relating to Buncefield.

MR JUSTICE RAJAH: Yes. So, is it – so, it is just that little blue bit?

B MS HOLLAND: Just the little blue bit in relation to obstruction of access rights, as opposed to ownership.

MR JUSTICE RAJAH: Yes, I see.

MS HOLLAND: The position is greater in relation to-

MR JUSTICE RAJAH: Kingsbury?

C MS HOLLAND: - Kingsbury because, as you will see from paragraph five of the order, at Kingsbury, is – again, it's shaded blue and that's a much more expensive area, as you see on page 97.

MR JUSTICE RAJAH: Yes.

D MS HOLLAND: And those colourings are depicted fairly well, in my submission, on the, sort of summary plans at page 99 and 101.

MR JUSTICE RAJAH: Yes.

MS HOLLAND: I suppose technically, on the Kingsbury plan, at 101, you'll see below the plan, the reference to the freehold land and the leasehold land. We haven't yet inserted the title

E number for leasehold land and, perhaps, we should do that. It may not be necessary.

MR JUSTICE RAJAH: I would have thought not to the reader of a notice.

MS HOLLAND: Thank you.

MR JUSTICE RAJAH: But, for completeness, perhaps it ought to reflect, as the orders are going to change, perhaps, it ought to be reflected.

F MS HOLLAND: We'll do that.

MR JUSTICE RAJAH: But I would have thought the objective is plain language rather than-

MS HOLLAND: Pedantic?

MR JUSTICE RAJAH: - well, complete preciseness – accuracy.

G MS HOLLAND: So, those are the sites. So far as the evidence about the campaign of direct action is concerned, we referred you back to the original evidence before the Court on the first hearing and then, a summary of that is provided, so far as the activities that were occurring at the site at the beginning of April of last year, in relation to site two, in particular, in paragraph nine, where there were issues regarding the oil tankers.

H

A MR JUSTICE RAJAH: Yes, I have not read this evidence.

MS HOLLAND: Shall I just take you for a quick look over it so that you can get a flavour of it, given that we are relying upon past evidence?

MR JUSTICE RAJAH: Yes.

B MS HOLLAND: So, if one goes to – I think it’s in bundle-

MR JUSTICE RAJAH: A?

MS HOLLAND: - A-

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: So, we start at divider five. And the first witness statement is from the consultant to the agencies and who worked there, I think, for a very long time, and he gives details about the sites; just generally about the nature of the operations at the sites.

MR JUSTICE RAJAH: I have read this one.

MS HOLLAND: Thank you.

D MR JUSTICE RAJAH: So, it is the one you asked me to, at paragraph one of the skeleton.

MS HOLLAND: Thank you, and so, then, in relation to divider six, which gives details about the health and safety concerns, which you may see – “Direct Action”-

MR JUSTICE RAJAH: No, I have not seen – what are the health and safety concerns?

E MS HOLLAND: So, if we start at paragraph 16; that gives a context to the fact that here are security and health and safety issues. Then, at paragraph 18 onwards, details are given with regard to the activities on the site and some of the risks that they involve. Perhaps, I might ask you just to have a cursory glance at those paragraphs.

MR JUSTICE RAJAH: Yes.

**Pause.**

F MR JUSTICE RAJAH: Yes.

MS HOLLAND: And then, a similar analysis is given in relation to the Kingsbury site on paragraph 35, through to paragraph 42.

MR JUSTICE RAJAH: Yes.

G MS HOLLAND: And then, we get evidence after that, with respect to groups carrying out direct action and reference to direct action at the site. So, it may be that, of particular interest to you, is really paragraphs 44 through to 49.

**Pause.**

H MR JUSTICE RAJAH: Yes.

A MS HOLLAND: Some of the risks in relation to those activities were set out in relation to both the trespassers and others in paragraphs 50 through to 57.

**Pause.**

MR JUSTICE RAJAH: Yes.

B MS HOLLAND: Now, all of that evidence was then updated by the time the return date hearing came around and you will find that at divider 18 and the relevant part starts at page 40.

**Pause.**

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: So, in that witness statement, it was categorised by reference to direct action, of which there was, obviously, a massive reduction – if I could say characterised it, probably because of the success of the order and the station of police, it would seem. Then, there was evidence in relation to direction from the date of the order to 13 April, which is set out at paragraphs 12 to 17.

MR JUSTICE RAJAH: Yes.

D MS HOLLAND: And then, at paragraph 18, through to 21, was direction action of other operators.

MR JUSTICE RAJAH: Yes.

E MS HOLLAND: And then, paragraphs 22 to 23 were evidence about direct action by members of Extinction Rebellion, generally. Now, so, that was the context of the evidence by the time of the last return date.

MR JUSTICE RAJAH: Yes.

MS HOLLAND: What I would like to hand up to you now, is a copy of both of the skeletons for the hearing, so that you can see how matters were addressed in relation to granting of substantive relief-

F MR JUSTICE RAJAH: I think I have actually looked at these.

MS HOLLAND: Ah, have you? Thank you. Shall I just take you through them, briefly, then?

MR JUSTICE RAJAH: Yes.

G MS HOLLAND: Behind – at the start of the – what I’ve handed up, there’s a shorter skeleton for the 20<sup>th</sup> and a few pages in, there’s a skeleton for 8 April and this is the one that I need to just focus on for the moment. So, having summarised the evidence, the lead – the relevant legal principles are set out in paragraph five and, first of all, obviously, the claimant had to establish a cause of action in trespass or nuisance; the nuisance being in relation to the blocking of access; the trespass being in relation to the unauthorised entry on land.

H

A Then, we have to consider the American Cyanamid[?] test to a serious issue; damages with  
the inadequate remedy, the balance of convenience, satisfaction and undertaking of  
B damages. Then, we have to assess Articles 10 and 11 of the European Convention in  
relation to freedom of expression and peaceful assembly. And reference is made to the state  
of the law in relation to that; that so far as privately owned land is concerned, then, it's  
going to be a very extreme scenario where those articles could constitute a defence and the  
best summary of the position at that date was the one in paragraph 8.2.3 which was a  
statement by the Divisional Court in *DPP v Cuciurean*.

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: The next consideration relates to the effect of the Human Rights Act and  
section 12 and this kicks in, in two particular aspects of the matter. And there's some  
subsequent learning on this but the way that it was dealt with at the time was that, the  
D section applied if it affected the exercise of the right to freedom of expression and in  
paragraph two, if you had a hearing where a respondent was neither present nor represented,  
relief couldn't be granted unless the Court was satisfied that that the applicant had taken all  
practical steps and notified the respondent or that there were compelling reasons why the  
respondent shouldn't be notified and no relief must be granted to restrain publication before  
E trial unless the Court was satisfied that the applicant was likely to establish that publication  
shouldn't be allowed.

As I'll come to in a moment, what that section means is that you had to go higher than the  
American Cyanamid test of serious issue and show that you were likely to succeed. So, the  
two aspects of that section-

MR JUSTICE RAJAH: Publication of the expression?

F MS HOLLAND: Well, that has been exactly one of the issues which has been considered but, so  
far as the hearing then, we chose to pass that test whether or not it was or wasn't right that a  
trespass situation fell within section 12.3; that we were likely to succeed at trial. The next  
set of principles was in relation to the specific test for injunctions against persons unknown  
G and various cases have, for material purposes in this case, led to those requirements which  
are set out from one to six. "A sufficiently real and imminent risk of a tort being committed  
to justify...relief". It's impossible to name them; in other words, it's impossible to identify,  
by name, those persons from whom that threat may come. It is possible to give effective  
H notice of the injunction and for the method of notice to be set out in the order.

A “The terms of the injunction must correspond with the threatened tort and not be any  
wider than that and mustn’t prohibit lawful conduct. The terms of the injunction must be  
sufficiently clear and precise to enable the person to potential effects; to know what they  
must not do and it should have clear geographical and temporal limits”. Putting all of those  
B principles together, the submissions in relation to each of those were then set out in  
paragraph 11. So, the first part of that was in relation to the italicised heading above  
paragraph 11.2 – “Is there a serious issue to be tried and were the claimant’s likely to  
succeed at trial?” and the submission was that there was strong evidence that acts of trespass  
had occurred and the Articles 10 and 11 provided no defence so, we said, likely to succeed  
C at trial.

D Damages wouldn't be an adequate remedy; the reason they're summarised is, given the  
health and safety context, which you've seen in the first witness statement of Mr Armstrong,  
it was clear, on the facts, damages wouldn't be an adequate remedy; the level of risk was so  
high and there was no evidence the defendants would ever be in a position to satisfy an  
award of damages. Balance of convenience clearly lay in favour of the grant of relief.  
Satisfactory cross-undertaking; that was dealt with specifically in paragraph 77 of that first  
witness statement of Mr Armstrong.

E Then, so far as the requirement in the Human Rights Act to show that one has taken steps to  
bring it to the attention of the defendants; the specific wording being, “All practicable steps  
to notify them”, the reliance was placed upon the emails which had been sent to the two  
organisations, but also, on the basis that there were compelling reasons why they ought not  
to be notified because of the potential risk of escalating the situation.

F So far as the test that we looked at a moment ago on the six considerations for the grant of  
pre-emptive relief-

MR JUSTICE RAJAH: On that last point, it is one or the other; either you are notifying or you are  
deciding that you are saying you should not have to notify because of the situation-

G MS HOLLAND: Absolutely, My Lord, I completely understand why you say that because it can  
be a tricky situation to balance that because you are quite right that, ordinarily, you would  
say it is really one or the other; they're mutually inconsistent. Because different approaches  
have been taken to the level of efforts of contacting them and whether it is appropriate to  
contact them or not, I seem to recall that, specifically, on this occasion, the emails were sent  
just prior to the hearing to give them sufficient notice to make a representation at the  
H

A hearing but in such a balanced way that they wouldn't have time for the situation to escalate.  
I think that's my recollection of how we dealt with matters.

B So far as the six considerations on pre-emptive relief against persons unknown, the  
sufficiently real and imminent risk was dealt with in the evidence of Mr Armstrong. The  
impossibility of naming them was referred. The fact that notice of the injunction could be  
given in the methods of service adopted in relation to one of the sites, the notice says the  
email – the weblink – the terms of the injunction were matched to the threatened tort and  
didn't go beyond what was appropriate and, so far as the temporal and geographical limits  
were concerned; it was submitted that they were sufficiently clear and precise and, at that  
C stage, the injunction was going to be in force for a very short time; just a couple of weeks  
before the return date.

D So, those are the submissions made which led to the grant of the order on the first hearing  
and then, it was a fairly short skeleton which was then submitted in relation to the return  
date; that referred to the grounds being the same; the updated evidence in the witness  
statements that we looked at earlier, of 14 April – the second statement of Mr Armstrong  
and so far as the form of order was concerned, in paragraph five, it said that the return date  
ordered generally reflected the terms of the original order save that a temporal limit of  
12 months had been added and with adjustments to reflect the continuation of the order until  
E trial. And, some corrections to email addresses and a further alternative service provision.

Now, what we asked for in that draft order didn't match what we were given so, I had better  
take you to the exact order that was given, just in relation to some of the variations that  
were made. That order is the one we've already looked at, at divider 21 of the bundle-

F MR JUSTICE RAJAH: Well, do I need to look? I have seen the order that has actually been made.

MS HOLLAND: I don't need to take you through that; I just didn't want you to think that  
everything we had asked for in that skeleton I have just read was, indeed, what was granted.

MR JUSTICE RAJAH: I have picked up that there were variations to the order-

MS HOLLAND: Yes. And so, I think that the draft order – the relevant parts to bring to your  
G attention, having regard to some of your questions at the outset of the hearing-

MR JUSTICE RAJAH: Just before – I think we are very close to looking at the draft order but can  
you just address me on the continued threat? The – have there been – we know no further  
acts of trespass and no further acts of interference, which constitute torts since the  
injunction was granted"-



A MS HOLLAND: Yes.

MR JUSTICE RAJAH: - you will say because of the injunction but one, therefore, has to look at what is happening around it, at the continuing statements of commitment to direct action; there is lots of evidence of that but what I was not clear about was whether any of that was in relation to these sites?

B MS HOLLAND: The answer to that is, not specifically on these sites. The closest you get is “the vicinity of”.

MR JUSTICE RAJAH: Well, what does that mean – “the vicinity of”?

MS HOLLAND: So, what that means specifically – could I ask you to go to divider 30 and

C page 44?

MR JUSTICE RAJAH: Yes.

MS HOLLAND: At paragraph 11, at the top of page 44, it describes it as direction action at close proximity to sites and I’ll explain what that is, hopefully by reference to some of the plans.

MR JUSTICE RAJAH: Oh, well, so – I understand there has been direct action close by, not

D constituting a trespass or any interference on the sites themselves-

MS HOLLAND: Yes.

MR JUSTICE RAJAH: - or the site – we are talking about sections of the two oil terminals, are we not? It is quite possible for there to be trespass on other parts of the oil terminal without

E actually breaching this injunction.

MS HOLLAND: Correct.

MR JUSTICE RAJAH: But one of the points I am just dealing with is, if it is a case that this has been deterred, because of the existence of the injunction; one might see that, if one saw continued commitments in relation to the wider Kingsbury and Buncefield oil sites – wider

F commitments – sorry, commitments to further direct action or continued direct action in relation to those sites. One can see them quite easily in that situation that if you took away the injunction, you would just be opening the door to further action.

MS HOLLAND: Yes.

G MR JUSTICE RAJAH: I am just wondering if there was any – if that was – if there is any – if there is evidence in Mr Armstrong’s witness statement starting, I think, at page 46-

MS HOLLAND: That's right.

MR JUSTICE RAJAH: - and, again, at page 50. I think that really is the evidence on page 50 – the

H statements from Extinction Rebellion and Just Stop Oil-

A MS HOLLAND: Which are made pertinent to you because they are future-looking-  
 MR JUSTICE RAJAH: Yes.  
 MS HOLLAND: Yes.  
 MR JUSTICE RAJAH: Whether any of those relate, specifically, to these – these oil terminals.

B MS HOLLAND: I'm pretty certain that the answer to that question is no but can I just double-check?

**Discussion sotto voce.**

C MS HOLLAND: So, to be absolutely clear, what we rely upon is the extent of incidents to date, meaning that when they make the statements which are appearing at page 50, which are referred to there, they are inferentially to be linked to involving risks for these sites.

MR JUSTICE RAJAH: Yes, I see.

MS HOLLAND: Might I just take a moment and turn my back on you, if that is okay, for a moment-

D MR JUSTICE RAJAH: Yes.

**Discussion sotto voce.**

MS HOLLAND: May I just, again, take instructions?

MR JUSTICE RAJAH: Yes.

**Discussion sotto voce.**

E MS HOLLAND: Thank you very much, My Lord, for that indulgence. I'm very grateful. What I just wanted to check, given your questions, was that the evidence in relation to this takes matters up to the date of the statement on 5 April, regarding statements by Just Stop Oil and Extinction Rebellion, which my clients are aware of. Obviously, it's a matter of public knowledge that, in the last few days, protests have received greater attention. I don't know, myself, if there have been any changes in statements of policy in the last few days by Extinction Rebellion or Just Stop Oil and I just wanted to check if we were aware of those or if anyone had checked; and we haven't. But I thought I had better just say that to you because this evidence does take it up to 5 April.

F

G I'm not aware of anything which suggests that this evidence is incorrect regarding the future but it may be that there are some changes, possibly. It may be that some statements have been issued and I think it's right for me to just flag them up.

H MR JUSTICE RAJAH: You refer to the fact that in 45 and 46 Extinction Rebellion may have a different approach-

A MS HOLLAND: Indeed, yes.

MR JUSTICE RAJAH: - 47 to 51 talks about Just Stop Oil's continued statements.

MS HOLLAND: Yes.

MR JUSTICE RAJAH: But, of course, these are not manifestos-

B MS HOLLAND: Indeed, absolutely. I'm grateful, My Lord, because that was what I was about to say; they are not binding policy statements; they can change at any stage but the general welter of evidence would indicate ongoing risks in relation to ongoing activities and you are quite right to have identified the fact that we don't have any specific threats relating to these sites and what we say in response to that is, you are right; we don't but the extent of the

C evidence in relation to previous occasions would indicate there is certainly no suggestion that these sites would be excluded and the focus on – on oil sites previously, witness statement suggest that they continue to remain at risk.

MR JUSTICE RAJAH: Yes, and there is evidence of other infrastructure being targeted more recently.

D MS HOLLAND: Yes. Most specifically, I suppose, in paragraph 51, where there is the website statement that they will not be stopped by a private injunction.

MR JUSTICE RAJAH: How does that help you-

MS HOLLAND: Well-

E MR JUSTICE RAJAH: -against the injunction points?

MS HOLLAND: - yes, I think what it indicates is that, in relation to sites for which private injunctions may have been granted, they will still try and target those sites.

MR JUSTICE RAJAH: I am just clarifying-

MS HOLLAND: I absolutely understand and it's my duty to-

F MR JUSTICE RAJAH: Yes.

MS HOLLAND: -to – I have the burden of satisfying you that there remains a serious and imminent risk-

MR JUSTICE RAJAH: Yes.

G MS HOLLAND: And in circumstances where we say, combined with other events in that area, our injunction has actually been successful; that is, indeed, one of the reasons we still want to – though, we're in a slight catch-22, which is why I have to rely upon the body of that evidence-

H MR JUSTICE RAJAH: I think it can also suggest that the position cannot continue on an interim

A basis indefinitely.

MS HOLLAND: Yes.

MR JUSTICE RAJAH: The evidence is getting a bit more diffuse.

MS HOLLAND: Yes. Absolutely. I absolutely hear what you say in relation to that.

B MR JUSTICE RAJAH: Right, so, that was the continued threat. We were going to look, I think, at the order, then.

MS HOLLAND: Yes. Before we do so, might I respectfully ask, could we just go to the skeleton for today's hearing, a little bit longer?

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: Partly in relation to the point you've just raised again about the temporal limits and getting on with the proceedings.

MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, just to make out my case, on paragraph 15 onwards, where we deal with the grounds of the application, the first point in paragraph 16 is one we've really been covering; the evidence in relation to the serious issue to be tried and in paragraph 17, so far as the update on the law is concerned, I mentioned to you a little while ago that, when we sought the injunction, we chose to meet the likely test and in paragraph 17, reference is made to the fact that there has been some recent authority on that which suggests that we don't have to satisfy that test but we say we would pass it anyway, like we did before, and so, there are no other changes in relation to that element of the submissions.

E MR JUSTICE RAJAH: So, what is the position of the persons unknown?

MS HOLLAND: So, do you remember when you raised the "publication" when we were looking at the Act?

F MR JUSTICE RAJAH: Yes.

MS HOLLAND: And you said, inferring to me, "Why does that apply in a trespass case?" and what these authorities have indicated is that, we don't have to pass that test in a trespass case. Would you like to see those references-

G MR JUSTICE RAJAH: I think you have to choose; either you are asking me to decide on the basis that it is likely to succeed or the lower test. I can say, at the moment, I think it is likely to-

MS HOLLAND: Yes, I don't know exactly whether there is any risk of appeals on those two cases; we think not but if there is then, I would rather you dealt with it on the basis of likely for the purposes of today.

H

A MR JUSTICE RAJAH: Yes.

MS HOLLAND: Thank you. Especially as we dealt with it on that basis last time. So far as the other elements of the test until the requirements under six; damages not being adequate remedy; balance of convenience, satisfactory cross-undertaking and the requirements of section 12.2 are concerned, in my submission the same position pertains as pertained a year ago, that everything is the same and that we've taken steps to bring this to the attention of the defendants.

B MR JUSTICE RAJAH: I saw – did I see certificates of service about bundles of authorities? Sorry, I don't need to see the certificates; I just wanted to inquire what else had been served apart from the application notice and the Court documents as defined in the affidavit.

C **Discussion *sotto voce*.**

MS HOLLAND: So, in addition to the Court bundle, we've served a skeleton and the bundle of authorities-

D MR JUSTICE RAJAH: In addition to the Court documents?

MS HOLLAND: In addition to the Court documents.

MR JUSTICE RAJAH: Not the same thing as the Court bundle-

MS HOLLAND: Correct; I apologise. Yes. We served the Court documents and we served the skeleton and the bundle of authorities. We didn't need to serve the skeleton argument or the bundle of authorities; it wasn't encapsulated in the service provisions in paragraph 16 of the last order so, that's a sort of voluntary step to bring matters to their attention that we've taken and I don't need to ask for an order for service in relation to those for that reason.

E MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, in relation to the requirements for the tests of pre-emptive relief against persons unknown, everything pretty much stays the same but the questions which you raise in relation to temporal limits, might I ask you to look at paragraph 32 of the skeleton argument?

F MR JUSTICE RAJAH: Yes.

**Pause.**

G MS HOLLAND: Now, if one-

MR JUSTICE RAJAH: Is one of these injunctions the Sweeting injunction?

MS HOLLAND: No. No.

MR JUSTICE RAJAH: No. So, these are all private injunctions; they are not obtained by the Local Authority?

H

A MS HOLLAND: No. May I just take a moment, My Lord?

MR JUSTICE RAJAH: Sure.

MS HOLLAND: So, the approach we've taken, My Lord, because I don't and I don't invite you to  
 B give any period such as a year; I think that would be inappropriate, My Lord, and I very  
 much hear what you say so, in practical terms, what we would be seeking is an injunction  
 for a period which allowed us to make an application to Court for judgment in default and  
 which meant that we wouldn't have to come back to trouble the Court vis-a-vie any listing  
 issues and the approach in the Esso case was approximately three to four months and  
 directions for trial were given in that case.

C Now, it may be they made directions for trial; I don't know whether – on what basis it was  
 directions for trial but here, we have a Part 7 claim which is susceptible to a default  
 judgment and that seems to be the most acceptable course and the Court's officers and the  
 D from the perception of costs of actually coming back to Court to get the final order – so, that  
 is why it is a period in relation to that type of application to which I'm referring, rather than  
 directions for trial. If, for any reason, that changed, I'd probably have to come back to  
 Court and tell you something different.

MR JUSTICE RAJAH: Well, if you chose that shorter timescale than a year, that would be an  
 encouragement to your – objectively speaking, I can see that that is an encouragement to  
 E your clients to get on with making an application-

MS HOLLAND: And it's our duty to progress the proceedings.

MR JUSTICE RAJAH: Yes. It also will send a message to the next Judge as the direction of travel  
 if you have-

MS HOLLAND: Yes, My Lord.

F MR JUSTICE RAJAH: Sorry, just give me a moment.

**Pause.**

MR JUSTICE RAJAH: Right so, how long do you think is appropriate – do you suggest is  
 appropriate?

G MS HOLLAND: Might I just mention something else while it is my head before I directly answer  
 the question?

MR JUSTICE RAJAH: Yes.

MS HOLLAND: If one goes to the – I just feel that I want to do this, to explain our position, is  
 H that, if one goes to – no, it's a bad point; I'm sorry. Well, if we adopted the course of Esso,

A that would be three to four months.

MR JUSTICE RAJAH: Well, how long would it take you to make an application for default judgment; to deal with an application or deal with resistance to that application or an application to set aside?

B MS HOLLAND: So-

MR JUSTICE RAJAH: You may say, how long is – that is asking you long is a piece of string. Well, let us take it – make is simpler; how long to make an application for default judgment?

C MS HOLLAND: I anticipate, My Lord, that there will be no resistance. Under the orders, the reason I say that is, when one goes to the original order in the matter, on page 64 of the bundle, at paragraph 16, a period for service and acknowledgement of service admission on defence was given at 56 days and we've never had any form of response in that period subsequently. So, although it's crystal ball gazing, being realistic; I don't anticipate that we will have any resistance to that application. If a period of – given the bank holidays of four to six weeks in relation to the preparation of that application was allowed, and on the footing that we would be asking for it come back before the Court and I wouldn't want to be unfair to an applications Judge of listing it for less than two hours, that would involve coming back to this Court, probably with a time estimate similar to today of three hours for the application for judgment in default, potentially combined with an application for summary judgment and, if, for any reason, an issue arose regarding the default judgment application, then, we would apply to you and the liberty to apply to say, actually, we need some directions for trial and for it then to come on as a trial.

D  
E  
F So, it may be that the actual period is indicated by reference to when we think a three-hour hearing might come on in this Court and taking all matters in the round, although, on the Esso case, the trial was for the first available date after 12 June – so, that allowed about three to four months, I would have thought a period of four to five months would enable the application for judgment – summary judgment to be progressed and listed. The reason I suddenly hesitate is, if we went for summary judgment, I think we have to allow 28 days before we're allowed to issue the application, from recollection. So, perhaps, if I could ask for a period of five months?

G MR JUSTICE RAJAH: Well, I would suggest six.

H MS HOLLAND: I'm most grateful.

A MR JUSTICE RAJAH: I do not know what the state of listing is; and leave it to the recognition on your client's part that they must progress this; it is their duty to do so. I think, going from one year to six months underlines that point; it really needs to be dealt with.

B MS HOLLAND: So, might I suggest that when we have the injunction hearing, it would be for a period of six months or until a final determination of this claim in the meantime? So, it ends whichever is the earlier of those two?

MR JUSTICE RAJAH: Yes.

C MS HOLLAND: Thank you. And if we've got final determination, that will cover judgment default, summary judgment or trial. Thank you very much for that, My Lord. I'm very grateful, thank you.

MR JUSTICE RAJAH: Before we look at the order, you were also going to just update me on what other injunctions there are which affect this site?

D MS HOLLAND: So, so far as I understand it, I ask those instructing me to correct me if I'm wrong on this; there is no element of the site which, in terms of underground or on the surface involves any overlap. So, there is no physical overlap in titles affected by the injunction.

**Discussion sotto voce.**

MS HOLLAND: So, what I've said is incorrect, My Lord. Might I ask you to go to page 102, My Lord, of the bundle? And I apologise for what I said earlier.

E MR JUSTICE RAJAH: Do not worry. 102 – is there a tab number?

MR VANDERMAN: 22 – Tab 22.

MS HOLLAND: Thank you.

MR JUSTICE RAJAH: Where are we going to?

F MS HOLLAND: So, could I ask you to take it from paragraph 1.9, a third of the way down to page 103, please, and could I ask you to read all the way up to paragraph 1.24?

MR JUSTICE RAJAH: Yes.

**Pause.**

G MR JUSTICE RAJAH: Yes. Yes. Is that the only order we are concerned with? And that is only in relation to Kingsbury?

MS HOLLAND: Yes, so, in the witness statement – My Lord, could I ask you to go to divider 30, and page 45?

MR JUSTICE RAJAH: Yes. Divider 30?

H MS HOLLAND: Divider 30, page 45 and, at paragraph (c).



A MR JUSTICE RAJAH: Yes.  
**Pause.**  
 MS HOLLAND: And if you to page 85, behind tab 33. So far as Kingsbury is concerned, on page 89-

B MR JUSTICE RAJAH: Sorry, did I-  
 MS HOLLAND: Tab 33.  
 MR JUSTICE RAJAH: Yes?  
 MS HOLLAND: There, there's an injunction which relates to the general location; the extent of which is shown in red on the exhibit in annex (d) and if you go to that, at page 105, and then,

C if one goes to the – may I just turn my back one moment?  
**Discussion sotto voce.**  
 MR JUSTICE RAJAH: It does not look to me like it overlaps.  
**Discussion sotto voce.**  
 MS HOLLAND: My Lord, could I ask you to look at page – page 37 so, the plan for-

D MR JUSTICE RAJAH: I am looking at the draft order.  
 MS HOLLAND: Thank you, right, so, the plan for Kingsbury and if you can compare it with the photograph for the Valero injunction-

E MR JUSTICE RAJAH: Yes?  
 MS HOLLAND: - and I am just going to hand up a scribble to you-  
 MR JUSTICE RAJAH: I think I can see it.  
 MS HOLLAND: You can see it, can you?  
 MR JUSTICE RAJAH: Yes.

F MS HOLLAND: So, if you go to the bottom of the photograph, where it says, "British Pipeline Agency"-  
 MR JUSTICE RAJAH: Correct, yes.  
 MS HOLLAND: Exactly-

G MR JUSTICE RAJAH: Yes, that is the pink shaded on the left-  
 MS HOLLAND: Exactly.  
 MR JUSTICE RAJAH: - and across the road, where the ponds are, that is Piccadilly Way and Trinity Row – that is the orange shaded-

H MS HOLLAND: I'm most grateful to you.  
 MR JUSTICE RAJAH: - the Valero bit is just off the plan to the north-

A MS HOLLAND: Exactly. Yes. I'm most grateful for your observancy skills there, My Lord, in spotting that. Thank you very much for that so, it doesn't affect it and we rely upon the – as far as the Warwickshire Local Authority injunction is concerned, on the submissions that we made and are recorded-

B MR JUSTICE RAJAH: They are unaffected by the fact that the Extinction Rebellion is applying to set them aside, are they not? It makes no difference.

MS HOLLAND: So, it makes no difference for the same reasons as they are irrelevant; if they exist, they must be irrelevant for that exercise as well, I think.

C MR JUSTICE RAJAH: They were not irrelevant when they existed. I think it was – there was an issue; there might have been an issue as to whether this injunction is necessary because there is already an existing injunction-

MS HOLLAND: Yes, you are right, irrelevant is the wrong word. Yes.

MR JUSTICE RAJAH: A better point, which found favour with Mr Knox was-

D MS HOLLAND: They don't detract from our rights.

MR JUSTICE RAJAH: They do not detract from your rights. There is no reason why your rights should not be protected. Yes, okay.

MS HOLLAND: Shall I then take you to the revised draft order?

MR JUSTICE RAJAH: Yes, please.

E MS HOLLAND: So, the descriptions of the parties has remained the same; the penal notice is the same. The recitals are, essentially, the same. The evidence which is recorded as being updated and then, in paragraph one, we will change that to – so, we will – six months from today is – I think, is that 20 October of this year, is that right? So, until 20 October 2023 or final determination of this claim if earlier.

F MR JUSTICE RAJAH: Whichever is the earliest.

MS HOLLAND: Whichever is the earliest. Or further order in the interim; we had better put that in as well, just in case we have to come back to you. Then, the content of the injunction remains the same. The provision in paragraph two for variation on 48 hours' notice and the

G communication of evidence, 24 hours.

MR JUSTICE RAJAH: Is this an amendment?

MS HOLLAND: Oh, sorry, no.

H MR JUSTICE RAJAH: Sorry, sorry, just take me back, if you would; doing a further – when we were looking for dates, 20 October 2023 for final determination; was that an amendment to

A paragraph one?

MS HOLLAND: Yes.

MR JUSTICE RAJAH: Instead of the return date?

MS HOLLAND: Yes.

B MR JUSTICE RAJAH: I see, yes; that makes more sense.

MS HOLLAND: My Lord, I don't know whether you've got to paragraph five yet?

**Pause.**

MR JUSTICE RAJAH: Yes?

MS HOLLAND: My suggestion, in the light of your decision is that, paragraph five goes. The

C essence of what you're saying – you'll have to come and start over again, rather than there being an adjourned hearing, if you haven't had it determined by way of trial or final determination before 20 October 2023?

MR JUSTICE RAJAH: Yes.

MS HOLLAND: So, paragraph six and seven would go as well.

D **Pause.**

MR JUSTICE RAJAH: Is there any other significant change to this order?

MS HOLLAND: I just need to draw your attention to the heading at the bottom of page four, "Alternative Service Provisions for Future Applications by the Claimants in this Claim".

E Now, that's a repetition of the previous order. We have actually already had an order for future applications but given that this is a new injunction which gets rid of the last order, that's why we've repeated it and then, there will be no ambiguity when we make our application for summary judgment – judgment in default that we are allowed to do it that way but I just thought I had best bring that to your attention.

F MR JUSTICE RAJAH: Yes, do we need to revisit the-

MS HOLLAND: Email addresses?

MR JUSTICE RAJAH: Yes.

MS HOLLAND: I think we probably do, My Lord.

G MR JUSTICE RAJAH: There is no harm, it seems to be me, getting a bounce back but what I am – if we have got addresses which used to work; they may start to work again; who knows? The real question is whether there should be an obligation on you to try and find the latest addresses.

MS HOLLAND: Would it assist you if we looked at that out of Court to make sure that we have

H

A got that absolutely right and put them in the draft order when we send it to you with, if necessary, an explanatory note on those emails, or would you like to do it in Court now?

MR JUSTICE RAJAH: No, no, that is absolutely fine. What I am thinking about is this-

MS HOLLAND: Yes?

B MR JUSTICE RAJAH: - we can put down in this order now, your understanding of which emails work. It looks like, over the past year, that they are quite good at changing emails. I am not sure why; why the emails change. They are changing and what I would – what I am trying to get to is that, if you know that the emails have changed or if you can find out that the emails have changed, you must serve on the changed emails.

C MS HOLLAND: Yes, I understand. That is very clear. My Lord, just two other things; these are really bringing it to your attention, if that's all right. So, on the draft order for the return date, which is at tab 28 of the bundle-

MR JUSTICE RAJAH: Yes?

D MS HOLLAND: - in the draft order – this is a change which hasn't shown up so, on the draft order, in paragraph nine, there had been a move away from four methods of service, to three, which was the – the documents on site was removed; obviously, it has its problems, both in terms of costs and administration and, in particular, very difficult to police on an ongoing basis because the documents can be taken away so, when the application was made, that method of service was removed. Now, I think that the Court needs to grant an order for documents on site and it has gone back in but I do need to raise a practicality issue, just for the avoidance of doubt on it, that having put that extra protection in for the defendants, on our amendment, so that there will be service on site in the boxes, but nevertheless, we aren't under a duty to keep going back and putting further copies in the boxes on the site, whenever they're taken. We only need to do it once, when we serve-

MR JUSTICE RAJAH: Is it actually happening that way – that they are disappearing?

MS HOLLAND: I'll take instructions but that is my understanding.

**Discussion *sotto voce*.**

G MS HOLLAND: My instructions are, they are secured by cable ties but they have been removed more than once.

MR JUSTICE RAJAH: The boxes are secured by cable ties; I can see that-

MS HOLLAND: Yes.

MR JUSTICE RAJAH: - in the photograph but the documents obviously are not.

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A MS HOLLAND: The documents are not and so, our concern is, we don't want to be under an obligation, given that – you know, in relation to an injunction, to keep putting it back in.

MR JUSTICE RAJAH: Well, if I may say, the removal of the documents shows that it works because they have been taken away to be read.

B MS HOLLAND: Absolutely, yes.

MR JUSTICE RAJAH: And to bring it to the attention to those who are interested. So, I – I agree, if I may say so, with your instinct that, that should remain and I do not have any objection to them only being filled once. Obviously, the timing is when they are placed, they need to be there at the right time, you know, with sufficient notice for-

C MS HOLLAND: Yes, and, obviously, this order isn't effective until we have served it in that way – this order as well so – but that's most helpful and the other point was a very small point; just to draw your attention to a change in the evidence; it is a really small point but in the evidence of – divider 29 – yes, which was the second statement from Mr Davies-

MR JUSTICE RAJAH: Yes?

D MS HOLLAND: - in paragraph 10, he recites an explanation of the entrance at site one.

MR JUSTICE RAJAH: Right.

MS HOLLAND: But then, you will see, in paragraph 11, that there is a change in the position of the gate.

E MR JUSTICE RAJAH: Yes. Noted.

**Discussion sotto voce.**

MS HOLLAND: If one goes to page 353, My Lord. Which is at tab 34.

MR JUSTICE RAJAH: Oh, right, so that is just showing where the gates are moving from and to?

MS HOLLAND: That's correct, My Lord, yes.

F MR JUSTICE RAJAH: Who owns this? Is this an access way or is this on your land?

MS HOLLAND: It's on our land.

**Pause.**

MS HOLLAND: Sorry, My Lord, I just want to clarify-

G **Discussion sotto voce.**

MS HOLLAND: I'm sorry about this, My Lord.

MR JUSTICE RAJAH: Well, just so you know, I was just trying to clarify which part of the injunction-

MS HOLLAND: It is the Buncefield-

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A MR JUSTICE RAJAH: - access – whether it went to interference with access way.  
 MS HOLLAND: This goes to trespass.  
 MR JUSTICE RAJAH: Right, as long as it remains on your land, it is not material where the gate is.

B MS HOLLAND: So, I'm told the gates actually aren't on our land but, looking at the plan for Buncefield, they are, therefore – I think it's outside the red line and so, therefore, they don't actually affect the injunction. It was just a correction to updating the evidence; that's all it was.  
 MR JUSTICE RAJAH: I see. I see.

C MS HOLLAND: My Lord, I'm so grateful to you; thank you very much. Is there anything else I can assist you with?  
 MR JUSTICE RAJAH: No, Ms Holland, but I feel I ought to give a short judgment.  
 MS HOLLAND: Yes.

D **Judgment transcribed separately.**  
 MS HOLLAND: Thank you very much, My Lord.  
 MR JUSTICE RAJAH: Is there anything else?  
 MS HOLLAND: In terms of sending the order, shall we send it through the usual channels or is there a specific email address?

E MR JUSTICE RAJAH: You can send it to my clerk, who is Nicholas Salengi[?]. I am afraid giving you his email address – it can be done, actually.  
 MS HOLLAND: Oh, we have it already, I'm told.  
 MR JUSTICE RAJAH: You have it already?  
 MS HOLLAND: Thank you very much.

F MR JUSTICE RAJAH: Can I give you back these bundles?  
 MS HOLLAND: Yes.  
 MR JUSTICE RAJAH: Thank you very much. They were, in fact – Ms Holland, you can collect them later; you do not have to come and get them now. That was extremely helpful because the technology – I am still getting used to it and it did not work.

G MS HOLLAND: Well, My Lord-  
 MR JUSTICE RAJAH: This would have taken a lot longer if we had not had the paper bundles.  
 MS HOLLAND: Thank you so much for dealing with it so efficiently and all the pre-reading you have done. We really are most grateful; thank you very much.

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**A** MR JUSTICE RAJAH: All right. I will not keep the bundles. I will have them electronically.

MS HOLLAND: Yes. Thank you.

MR JUSTICE RAJAH: I will rise.

**Court rises at 12.34pm.**

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