

N244


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.

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

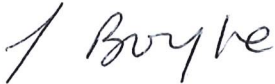
Statement of Truth

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