

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

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 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.

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**.

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: DocuSigned by:
 Dated:
3C9737B4C1C3477...

Peter Malcolm Davis