

**Amended by Order of Her Honour Judge Emma Kelly, sitting as a Judge of the High Court, dated 13 June 2024**

**IN THE HIGH COURT OF JUSTICE**  
**QUEEN'S BENCH DIVISION**

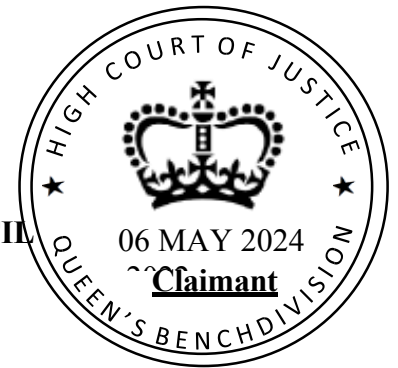
Claim No. QB-2022-001236

**In the matter of an application for an injunction under s.222, Local Government Act 1972 s.130(5), Highways Act 1980 and s.1, Localism Act 2011.**

B E T W E E N

NORTH WARWICKSHIRE BOROUGH COUNCIL

and



(2) THOMAS BARBER

(3) MICHELLE CADET-ROSE

(4) TIM HEWES

(5) JOHN HOWLETT

(6) JOHN JORDAN

(7) CARMEN LEAN

(8) ALISON LEE

(9) AMY PRITCHARD

(10) STEPHEN PRITCHARD

(11) PAUL RAITHBY

(14) JOHN SMITH

(15) BEN TAYLOR

(16) JANE THEWLIS

(17) ANTHONY WHITEHOUSE

(18) ANDREW WORSLEY

~~(19) 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, TAMWORTH B78 2HA~~

**(19A) PERSONS UNKNOWN WHO, OR WHO INTEND TO, PARTICIPATE IN PROTESTS WITHIN THE SITE KNOWN AS KINGSBURY OIL TERMINAL, TAMWORTH B78 2HA (THE "TERMINAL") AGAINST THE PRODUCTION OF FOSSIL FUELS AND/OR THE USE OF FOSSIL FUELS, AND/OR THE GRANT OF LICENCES TO EXTRACT FOSSIL FUELS,.**

**(19B) PERSONS UNKNOWN WHO, OR WHO INTEND TO, PARTICIPATE IN PROTESTS IN THE LOCALITY OF THE TERMINAL, AGAINST THE PRODUCTION OF FOSSIL FUELS AND/OR THE USE OF FOSSIL FUELS AND/OR THE GRANT OF LICENCES TO EXTRACT FOSSIL FUELS, AND WHO, IN CONNECTION WITH ANY**

**SUCH PROTEST, DO, OR INTEND TO DO, OR INSTRUCT ASSIST OR ENCOURAGE ANY OTHER PERSON TO DO, ANY OF THE FOLLOWING:**

- (A) ENTER OR ATTEMPT TO ENTER THE TERMINAL;**
- (B) CONGREGATE AT ANY ENTRANCE TO THE TERMINAL;**
- (C) OBSTRUCT ANY ENTRANCE TO THE TERMINAL;**
- (D) CLIMB ON TO OR OTHERWISE DAMAGE OR INTERFERE WITH ANY VEHICLE OR ANY OBJECT ON LAND (INCLUDING BUILDINGS, STRUCTURES, CARAVANS, TREES AND ROCKS);**
- (E) DAMAGE ANY LAND INCLUDING (BUT NOT LIMITED TO) ROADS, BUILDINGS, STRUCTURES OR TREES ON THAT LAND, OR ANY PIPES OR EQUIPMENT SERVING THE TERMINAL ON OR BENEATH THAT LAND;**
- (F) AFFIX THEMSELVES TO ANY OTHER PERSON OR OBJECT OR LAND (INCLUDING ROADS, STRUCTURES, BUILDINGS, CARAVANS, TREES OR ROCKS);**
- (G) ERECT ANY STRUCTURE;**
- (H) ABANDON ANY VEHICLE WHICH BLOCKS ANY ROAD OR IMPEDES THE PASSAGE OF ANY OTHER VEHICLE ON A ROAD OR ACCESS TO THE TERMINAL;**
- (I) DIG ANY HOLES IN OR TUNNEL UNDER (OR USE OR OCCUPY EXISTING HOLES IN OR TUNNELS UNDER) LAND, INCLUDING ROADS; OR**
- (J) ABSEIL FROM BRIDGES OR FROM ANY OTHER BUILDING, STRUCTURE OR TREE ON LAND.**

**(19C) PERSONS UNKNOWN WHO, OR WHO INTEND TO, ORGANISE, PUBLICISE OR PROMOTE ANY PROTEST WITHIN THE TERMINAL AGAINST THE PRODUCTION OF FOSSIL FUELS AND/OR THE USE OF FOSSIL FUELS AND/OR THE GRANT OF LICENCES TO EXTRACT FOSSIL FUELS.**

**(19D) PERSONS UNKNOWN WHO, OR WHO INTEND TO, ORGANISE, PUBLICISE OR PROMOTE ANY PROTEST IN THE LOCALITY OF THE TERMINAL, AGAINST THE PRODUCTION OF FOSSIL FUELS AND/OR THE USE OF FOSSIL FUELS AND/OR THE GRANT OF LICENCES TO EXTRACT FOSSIL FUELS, AT WHICH PROTEST THEY INTEND OR FORESEE OR OUGHT TO FORESEE THAT ANY OF THE ACTS DESCRIBED AS PART OF THE DESCRIPTION OF DEFENDANT 19B WILL BE CARRIED OUT.**

**(20) JOHN JORDAN  
AND 106 OTHERS LISTED AT SCHEDULE 3**

**Defendants**

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**INTERIM INJUNCTION ORDER**

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## **PENAL NOTICE**

**IF YOU THE WITHIN NAMED DEFENDANTS OR ANY OF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH 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 TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED**

On the 5 May, 2022, before Mr Justice Sweeting, sitting at the Birmingham Magistrates' Court, Victoria Law Courts, Birmingham B4 6PH, the Court considered an application by the Claimant to continue, in an amended form, an injunction granted by the Court on 14 April 2022.

UPON hearing the Claimant's said application and an application to discharge the injunction brought by Mr Jake Handling and Ms Jessica Branch (the "Applicants")

AND UPON hearing counsel Mr Manning and Ms Crocombe for the Claimant, and Counsel, Mr Simblet QC for the Mr Jake Handling and Ms Jessica Branch, with no other party attending;

AND UPON considering an application for an interim injunction brought by the Claimant pursuant to the above statutory provisions, inviting the Court to exercise its discretion to grant injunctive relief pursuant to s.37(1) Senior Courts Act 1981

AND FURTHER UPON the Court being satisfied for the purposes of section 12(2) of the Human Rights Act 1998 that the Claimant has taken all practicable steps to notify the Defendants of this application.

AND FURTHER UPON the Court having previously been satisfied for the purposes of section 12(3) of the Human Rights Act 1998 that the Claimant is likely to establish at the trial of this claim that any publication restrained by this Order should not be allowed.

AND FURTHER UPON the Court having particular regard to the importance of the Convention right to freedom of expression but finding in the circumstances, having previously been satisfied that it is just and convenient, and proportionate, to grant injunctive relief in the terms set out herein, pending the trial of this claim.

AND FURTHER UPON the Court having previously been satisfied for the purposes of s.27(3), Police and Justice Act 2006, that there is a significant risk of harm to a person or persons from

the conduct prohibited by this Order and that a power of arrest should therefore be granted.

AND pending the court giving its judgment and reaching its decision on the applications mentioned above considering it appropriate to maintain the current position in relation to there being an injunction and a power of arrest until judgment or further order on the applications before the court.

IT IS ORDERED THAT

1. The Defendants SHALL NOT (whether by themselves or by instructing, encouraging or allowing any other person):
  - (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.
  - (b) in connection with any such protest anywhere in the locality of the Terminal perform any of the following acts:
    - (i) entering or attempting to enter the Terminal
    - (ii) congregating or encouraging or arranging for another person to congregate at any entrance to the Terminal
    - (iii) obstructing any entrance to the Terminal
    - (iv) climbing on to or otherwise damaging or interfering with any vehicle, or any object on land (including buildings, structures, caravans, trees and rocks)
    - (v) damaging any land including (but not limited to) roads, buildings, structures or trees on that land, or any pipes or equipment serving the Terminal on or beneath that land
    - (vi) affixing themselves to any other person or object or land (including roads, structures, buildings, caravans, trees or rocks)
    - (vii) erecting any structure
    - (viii) abandoning any vehicle which blocks any road or impedes the passage any other vehicle on a road or access to the Terminal
    - (ix) digging any holes in or tunnelling under (or using or occupying existing tunnels under) land, including roads;
    - (x) abseiling from bridges or from any other building, structure or tree on land or
    - (xi) instructing, assisting, or encouraging any other person to do any act prohibited by paragraphs (b)(i)-(x) of this Order.
2. A power of arrest, pursuant to s.27 Police and Justice Act 2006 shall apply to paragraph 1(a) and (b) above.
3. This Order and power of arrest shall continue until the ~~hearing of~~ **delivery of Judgment on** the Claim unless previously varied or discharged by further Order of the Court.
4. Any person served with a copy of, or affected by, this Order may apply to the Court to

vary or discharge it, on 48 hours written notice to the Claimant at the address set out at the foot of this Order.

5. Pursuant to CPR rules 6.15, 6.27 and 81.4(2) (c) and (d), the Claimant shall be permitted to serve the Claim Form and supporting documents relied on, and this Order and power of arrest, by the alternative methods specified at Schedule 2 to this Order. Reservice of the Claim Form and supporting documents is dispensed with.
6. The deemed date of service of the documents referred to at paragraph 5 above shall be the date of the relevant certificate of service on completion of the steps described in Schedule 2 to this Order.

**If you do not fully understand this Order you should go to a solicitor, Legal Advice Centre or Citizens' Advice Bureau.**

**Name and Address of the Claimant's Legal Representatives**

**Ms Annie Ryan**

**The Council House**

**South Street**

**Atherstone**

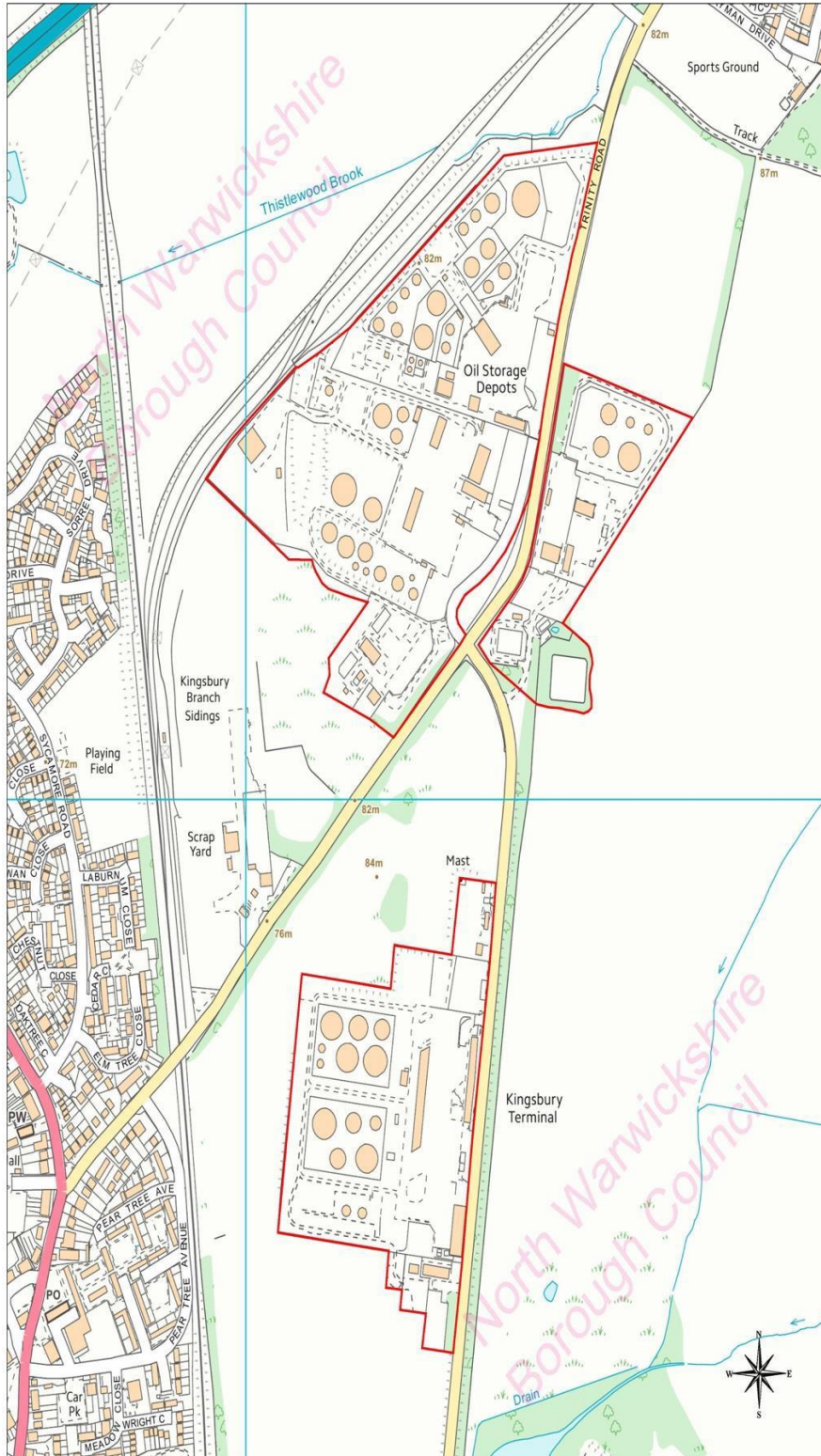
**Warwickshire CV9 1DE**

**Email:**

**clivetobin@northwarks.gov.uk**

**annieryan@northwarks.gov.uk**

# SCHEDULE 1



North Warwickshire  
Borough Council

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Ordnance Survey 100017910



Operator:	xxxxxx
Department:	xxxxxx
Drawing No:	nnnnnn
Date:	06/05/2022
Scale:	1:5000

## SCHEDULE 2

1. Service of the Claim Form and this Order shall be effected by
  - (i) placing signs informing people of
    - (a) this Claim,
    - (b) this Order and power of arrest, and the area in which they have effect and
    - (c) where they can obtain copies of the Claim Form. Order and power of arrest, and the supporting documents used to obtain this Orderin prominent locations along the boundary of the buffer zone referred to at para.1 of this Order and particularly outside the Terminal and at the junctions of roads leading into the zone,
  - (ii) placing a copy prominently at the entrances to the Terminal;
  - (iii) posting a copy of the documents referred to at para.1(i)(c) above Order on its website, and publicising it using the Claimant's facebook page and twitter account, and posting on other relevant social media sites including local police social media accounts, and/or.
  - (iv) any other like manner as the Claimant may decide to use in order to bring the Claim Form and this Order and power of arrest to the attention of the Defendants and other persons likely to be affected.
2. If the Claimant intends to take enforcement proceedings against any person in respect of this Order, the Claimant shall, no later than the time of issuing such proceedings, serve on that person,
  - (i) a copy of the Claim Form and all supporting documents relied on to obtain this Order; and
  - (ii) a copy of this Order and power of arrest.
3. The Court will consider whether to join the person served to the proceedings as a named Defendant and whether to make any further Order.



### SCHEDULE 3

- (22) MARY ADAMS
- (23) COLLIN ARIES
- (24) STEPHANIE AYLETT
- (25) MARCUS BAILIE
- (28) PAUL BELL
- (29) PAUL BELL
- (30) SARAH BENN
- (31) RYAN BENTLEY
- (32) DAVID ROBERT BARKSHIRE
- (33) MOLLY BERRY
- (34) GILLIAN BIRD
- (36) PAUL BOWERS
- (37) KATE BRAMFITT
- (38) SCOTT BREEN
- (40) EMILY BROCKLEBANK
- (42) TEZ BURNS
- (43) GEORGE BURROW
- (44) JADE CALLAND
- (46) CAROLINE CATTERMOLE
- (48) MICHELLE CHARLESWORTH
- (49) ZOE COHEN
- (50) JONATHAN COLEMAN
- (53) JEANINIE DONALD-MCKIM
- (55) JANINE EAGLING
- (56) STEPHEN EECKELAERS
- (58) HOLLY JUNE EXLEY
- (59) CAMERON FORD
- (60) WILLIAM THOMAS GARRATT-WRIGHT
- (61) ELIZABETH GARRATT-WRIGHT
- (62) ALASDAIR GIBSON
- (64) STEPHEN GINGELL
- (65) CALLUM GOODE
- (68) JOANNE GROUNDS
- (69) ALAN GUTHRIE
- (70) DAVID GWYNE
- (71) SCOTT HADFIELD
- (72) SUSAN HAMPTON
- (73) JAKE HANDLING
- (75) GWEN HARRISON
- (76) DIANA HEKT
- (77) ELI HILL
- (78) JOANNA HINDLEY
- (79) ANNA HOLLAND
- (81) JOE HOWLETT
- (82) ERIC HOYLAND
- (83) REUBEN JAMES
- (84) RUTH JARMAN
- (85) STEPHEN JARVIS
- (86) SAMUEL JOHNSON
- (87) INEZ JONES
- (88) CHARLOTTE KIRIN
- (90) JERRARD MARK LATIMER
- (91) CHARLES LAURIE
- (92) PETER LAY
- (93) VICTORIA LINDSELL
- (94) EL LITTEN

(97) DAVID MANN  
(98) DIANA MARTIN  
(99) LARCH MAXEY  
(100) ELIDH MCFADDEN  
(101) LOUIS MCKECHNIE  
(102) JULIA MERCER  
(103) CRAIG MILLER  
(104) SIMON MILNER-EDWARDS  
(105) BARRY MITCHELL  
(106) DARCY MITCHELL  
(107) ERIC MOORE  
(108) PETER MORGAN  
(109) RICHARD MORGAN  
(110) ORLA MURPHY  
(111) JOANNE MURPHY  
(112) GILBERT MURRAY  
(113) CHRISTIAN MURRAY-LESLIE  
(114) RAJAN NAIDU  
(115) CHLOE NALDRETT  
(117) DAVID NIXON  
(118) THERESA NORTON  
(119) RYAN O TOOLE  
(120) GEORGE OAKENFOLD  
(121) NICOLAS ONLAY  
(122) EDWARD OSBOURNE  
(123) RICHARD PAINTER  
(124) DAVID POWTER  
(125) STEPHANIE PRIDE  
(127) SIMON REDING  
(128) MARGARET REID  
(129) CATHERINE RENNIE-NASH  
(130) ISABEL ROCK  
(131) CATERINE SCOTHORNE  
(133) GREGORY SCULTHORPE  
(135) VIVIENNE SHAH  
(136) SHEILA SHATFORD  
(137) DANIEL SHAW  
(138) PAUL SHEEKY  
(139) SUSAN SIDEY  
(141) JOSHUA SMITH  
(142) KAI SPRINGORUM  
(145) HANNAH TORRANCE BRIGHT  
(146) JANE TOUIL  
(150) SARAH WEBB  
(151) IAN WEBB  
(153) WILLIAM WHITE  
(155) LUCIA WHITTAKER-DE-ABREU  
(156) EDRED WHITTINGHAM  
(157) CAREN WILDEN  
(158) MEREDITH WILLIAMS

Signed *Mr Justice Sweeting*

Dated 6<sup>th</sup> May 2022