

Claim No. QB-2022-001236

IN THE HIGH COURT OF JUSTICE

ROYAL COURTS OF JUSTICE

KING'S BENCH DIVISION

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.

BETWEEN

NORTH WARWICKSHIRE BOROUGH COUNCIL

and

- (2) THOMAS BARBER
- (3) MICHELLE CADET-ROSE
- (4) TIMOTHY HEWES
- (5) JOHN HOWLETT
- (6) JOHN JORDAN
- (7) CARMEN LEAN
- (8) ALYSON LEE
- (9) AMY PRITCHARD
- (10) STEPHEN PRITCHARD
- (11) PAUL RAITHBY
- (14) JOHN SMITH
- (15) BEN TAYLOR
- (17) ANTHONY WHITEHOUSE



(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 107 OTHERS LISTED AT SCHEDULE 1**

**Defendants**

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**ORDER**

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**BEFORE** Her Honour Judge Emma Kelly sitting as a Judge of the High Court, King's Bench Division at the Royal Courts of Justice, Strand, London, WC2A 2LL on 11 and 12 June 2024.

**UPON** hearing Mr Manning and Ms Crocombe for the Claimant and (8) Alyson Lee, (78) Joanna Hindley in person, and (115) Chloe Naldrett and (152) Alex White by remote link.

**AND UPON** Defendants (4) Timothy Hewes, (10) Stephen Pritchard, (11) Paul Raithby, (25) Marcus Bailie, (32) David Robert Barkshire, (33) Molly Berry, (37) Kate Bramfitt, (49) Zoe Cohen, (84) Ruth Jarman, (91) Charles Laurie, (93) Victoria Lindsell, (113) Christian Murray-Leslie, (125) Stephanie Pride, (135) Vivienne Shah, (150) Sarah Webb, attending in person and Defendants (46) Caroline

Cattermole, (98) Diana Martin, (121) Nicolas Onley and (137) Daniel Shaw attending by remote link.

**AND UPON** the hearing of a preliminary issue as to the need to amend the definition of the 19<sup>th</sup> Defendant in accordance with the Judgement Mr Justice Sweeting in his judgment in *North Warwickshire Borough Council v Baldwin and Others* [2023] EWHC 1719 (KB) at [153] in the light of the judgment of the Supreme Court in *Wolverhampton City Council v London Gypsies and Travellers* [2024] 2 W.L.R. 45

**AND UPON** the Claimant's applications

- (a) to dispense with re-service of the amended Claim Form and Particulars of Claim, permission to amend having been granted by Mr Justice Sweeting in his judgment in *North Warwickshire Borough Council v Baldwin and Others* [2023] EWHC 1719 (KB),
- (b) for permission to amend the name of Defendant (32) David Robert Berkshire to "(32) David Robert Barkshire", and
- (c) for approval by the Court of steps that it has taken to serve all Defendants with the Order of Soole J dated 6 December 2023 and Notice of Trial date.

**AND UPON** the Court noting that Defendants (2) Thomas Barber, (7) Carmen Lean, (9) Amy Pritchard, (22) Mary Adams, (23) Colin Aries, (30) Sarah Benn, (32) David Richard Barkshire, (36) Paul Bowers, (37) Kate Bramfitt, (38) Scott Breen, (43) George Burrow, (49) Zoe Cohen, (50) Jonathan Coleman, (53) Jeannie Donald-McKim, (56) Stephen Eeckelaers, (58) Holly June Exley, (59) Cameron Ford, (60) William Thomas Garratt-Wright, (61) Elizabeth Garratt-Wright, (68) Joanne Grounds, (69) Alan Guthrie, (70) David Gwyne, (71) Scott Hadfield, (72) Susan Hampton, (75) Gwen Harrison, (78) Joanna Hindley (79) Anna Holland, (82) Eric Hoyland, (83) Reuben James, (91) Charles Laurie, (92) Peter Lay, (97) David Mann, (99) Larch Maxey, (106) Darcy Mitchell, (111) Joanne Murphy, (122) Edward Osbourne, (129) Catherine Rennie-Nash, (130) Isabel Rock, (131) Caterine Scothorne, (133) Gregory Sculthorpe, (135) Vivienne Shah, (136) Sheila Shatford, (141) Joshua Smith, (146) Jane Touil, (151) Ian Webb, (155) Lucia Whittaker-De-Abreu, (156) Edred Wittingham and (157) Caren Wilden had not been afforded 3 clear days' notice of the trial date but that (30) Sarah Benn, (32) David Richard Barkshire, (37) Kate Bramfitt, (49) Zoe Cohen, (78) Joanna Hindley, (91) Charles Laurie, and (135) Vivienne Shah attended the hearing in person, and that (92) Peter Lay had been in contact with the Court indicating that he was aware of the trial date.

**AND UPON** the Defendants (8) Alyson Lee, (78) Joanna Hindley and (115) Chloe Naldrett applying for relief from sanctions in respect of their respective failures to file an acknowledgment of service in accordance with paragraph 3(i) of the Order of Soole J dated 6 December 2023 or a Defence and written evidence in accordance with paragraph 3(iv) of the said Order, and requesting the Court's permission

to participate in the trial.

**AND UPON** the Defendant (152) Alex White having signed an undertaking by which he promises to the Court and to the Claimant that he:

1. Will not (whether by himself or by instructing, encouraging or allowing any other person):
  - (a) organise or participate in (whether by himself 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 of 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) above.
2. Agree to be bound by his undertaking until 30.01.2027 or until the expiry/discharge of any injunction granted in this claim, whichever date is the earliest.

**AND UPON** the Court reserving judgment on the Claimant’s application for a final injunction and power of arrest and adjourning the hearing of that application part heard

**AND UPON** the Court considering it necessary to clarify that the interim injunction and power of arrest granted by Sweeting J dated 6 May 2022 remains in force until the Court shall deliver its reserved judgment on the Claimant's application for a final injunction and power of arrest

**IT IS ORDERED THAT:**

1. The Claimant is required to amend the definition of the 19<sup>th</sup> Defendant within the Claim Form and Particulars of Claim so as to define that class of defendant by reference to their conduct which is alleged to be unlawful. The Claimant has permission to discontinue proceedings against the 19<sup>th</sup> Defendant and to join Defendants 19A, 19B, 19C and 19D.
2. The Claimant has permission to amend the name of Defendant (32) David Robert Barkshire.
3. The Claimant must file copies of the Amended Claim Form and Particulars of Claim by 10.30 am on 12 June 2024.
4. Service of the Amended Claim Form and Particulars of Claim is dispensed with in respect of all Defendants.
5. Service of the Order of Soole J dated 6 December 2023 and the Notice of Hearing is approved in respect of all Defendants.
6. In addition to the general liberty to apply granted by paragraph 4 of the interim injunction dated 6 May 2022, the following named Defendants: (2) Thomas Barber, (7) Carmen Lean, (9) Amy Pritchard (22) Mary Adams, (23) Colin Aries, (36) Paul Bowers, (38) Scott Breen, (43) George Burrow, (50) Jonathan Coleman, (53) Jeannie Donald-McKim, (56) Stephen Eeckelaers, (58) Holly June Exley, (59) Cameron Ford, (60) William Thomas Garratt-Wright, (61) Elizabeth Garratt-Wright, (68) Joanne Grounds, (69) Alan Guthrie, (70) David Gwyne, (71) Scott Hadfield, (72) Susan Hampton, (75) Gwen Harrison, (79) Anna Holland, (82) Eric Hoyland, (83) Reuben James, (97) David Mann, (99) Larch Maxey, (106) Darcy Mitchell, (111) Joanne Murphy, (122) Edward Osbourne, (129) Catherine Rennie-Nash, (130) Isabel Rock, (131) Caterine Scothorne, (133) Gregory Sculthorpe, (136) Sheila Shatford, (141) Joshua Smith, (146) Jane Touil, (151) Ian Webb, (155) Lucia Whittaker-De-Abreu, (156) Edred Wittingham and (157) Caren Wilden have liberty to apply to the Court for relief from sanctions in respect of their non-compliance with paragraphs 3(i) and (iv) of the Order of Soole J dated 6 December 2023, to enable them to participate in the hearing of the Claimant's application for a final injunction and power of arrest which stands adjourned part-heard, should they wish to do so, and to apply to vary or discharge the interim injunction and power

of arrest dated 6 May 2022.

7. The applications for relief from sanction by (8) Alyson Lee, (78) Joanna Hindley and (115) Chloe Naldrett are granted to the limited extent that:
  - (i) They must file and serve upon the Claimants a document setting out the key points that they wish to raise by 9:30am on 12 June 2024, and
  - (ii) They have permission to participate in the oral hearing by way of closing submissions of no more than 10 minutes in length.
8. The interim injunction and power of arrest dated 6 May 2022 are discharged against (152) Alex White.
9. The application for an injunction against (152) Alex White dated 13 April 2022 is adjourned generally with liberty to restore. If not restored by either 30 January 2027 or the expiry/discharge of any injunction granted in this claim, whichever is the earliest, the application shall stand dismissed with no order as to costs.
10. The Claimant has permission to vary the interim injunction dated 5 May 2022 to clarify that it is to remain in force until the delivery of judgment on the application or further order.
11. Pursuant to CPR rule 6.38, the Claimant has permission to serve this Order and the amended interim Order on the 142<sup>nd</sup> Defendant outside of the jurisdiction.
12. Pursuant to CPR Rules 6.15, 6.27 and 81.4(2)(c) and (d), the Claimant shall be permitted to serve this Order and the amended interim injunction:
  - (a) On the Defendants numbered 2, 7, 22, 23, 30, 32, 36, 37, 38, 43, 49, 50, 53, 56, 58, 59, 60, 61, 69, 70, 71, 72, 75, 79, 82, 83, 92, 97, 99, 101, 103, 110, 114, 117, 118, 119, 121, 122, 124, 125, 127, 128, 129, 130, 131, 133, 135, 136, 141, 146, 151, 155, 156, and 157, by the alternative method of recorded first class post.
  - (b) On the Defendants numbered 4, 6, 8, 10, 11, 17, 20, 24, 25, 28, 29, 33, 34, 40, 44, 46, 48, 55, 65, 68, 76, 78, 81, 84, 85, 88, 90, 93, 94, 98, 102, 104, 106, 107, 108, 111, 113, 115, 120, 123, 137, 138, 139, 150, 153, and 158 by email,
  - (c) On the Defendants numbered 3, 5, 9, 14, 15, 19A, 19B, 19C, 19D, 31, 42, 62, 64, 73, 77, 86, 87, 91, 100, 105, 109, 112, 138, 142, and 145 by the alternative methods specified at Schedule 2 to this Order.

13. The deemed date of service of this Order and the amended interim injunction on the Defendants numbered 3, 5, 9, 14, 15, 19A, 19B, 19C, 19D, 31, 42, 62, 64, 73, 77, 86, 87, 91, 100, 105, 109, 112, 138, 142, and 145 shall be the date of completion of the steps described in paragraph 7(iii) of the Order of Soole J dated 6 December 2023. The completion of those steps is to be verified by a witness statement to be filed at Court and uploaded to the Claimant's dedicated webpage within 7 days of completing those steps. Service of the said witness statement on the Defendants is dispensed with.
14. Costs in the case.

## SCHEDULE 1

- (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 CATTERMOLLE
- (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**  
**(152) ALEX WHITE**

- (153) WILLIAM WHITE**
- (155) LUCIA WHITTAKER-DE-ABREU**
- (156) EDRED WHITTINGHAM**
- (157) CAREN WILDEN**
- (158) MEREDITH WILLIAMS**

## SCHEDULE 2

1. Service of this Order and the Amended Injunction shall be effected on the Defendants listed at paragraph 12(c) of this Order by:
  - a. Posting a copy of those documents on its dedicated webpage for these proceedings (<https://www.northwarks.gov.uk/council-business-2/just-stop-oil-high-court-injunction>).
  - b. Publicising those documents and the link through which they can be obtained using the Claimant's Facebook page and Twitter account,
  - c. Using its best endeavours to ensure that a link to those documents is posted on the local police social media accounts.
  - d. Posting a link to those documents to the Facebook, Twitter, LinkedIn, YouTube and Instagram accounts of Just Stop Oil.
  - e. Emailing a link to those documents to the following email addresses:
    - (1) [Ring2021@protonmail.com](mailto:Ring2021@protonmail.com)
    - (2) [juststopoil@protonmail.com](mailto:juststopoil@protonmail.com)
    - (3) [youthclimateswarm@protonmail.com](mailto:youthclimateswarm@protonmail.com)
  - f. Displaying a notice setting out the nature of those documents and indicating how a hard copy of the documents can be obtained at public entrances of the Claimant's main offices and at the entrances to Kingsbury Oil Terminal.
  - g. Any other like manner as the Claimant may decide to use in order to bring the documents to the attention of the Defendants and other persons likely to be affected.