

SECTION 222 LOCAL GOVERNMENT ACT 1972 INJUNCTION - POWER OF ARREST

Under section 27, Police and Justice Act, 2006. Claim no

IN THE HIGH COURT OF JUSTICE QUEEN'S BENCH DIVISION

NORTH WARWICKSHIRE BOROUGH COUNCIL	Claimant
18 NAMED DEFENDANTS AND PERSONS UNKNOWN LISTED ON THE INJUNCTION ORDER DATED 14 APRIL 2022.	Defendant

The court orders that a power of arrest under section 27, Police and Justice Act 2006, applies to the following paragraph of an order made on 05 May 2022.

(Here set out those provisions of the order to which this power of arrest is attached and no others)

*(Where marked * delete as appropriate)*

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 not within the buffer zone
 - (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) obstructing any highway
 - (vi) 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
 - (vii) affixing themselves to any other person or object or land (including structures, buildings, caravans, trees or rocks)
 - (viii) erecting any structure
 - (ix) abandoning any vehicle
 - (x) digging any holes in or tunnelling under (or using or occupying existing tunnels under) land, including roads;
 - (xi) abseiling from bridges or from any other building, structure or tree on land or
 - (xii) instructing, assisting, encouraging or allowing any other person to do any act prohibited by paragraphs (b)(i)-(xi) of this Order.

Power of Arrest	<p>The court thinks that there is a significant risk of harm to a person.</p> <p>A power of arrest is attached to the order whereby any constable may (under the power given by section 27 Police and Justice Act 2006) arrest without warrant a person if he or she has reasonable cause to suspect that the person is in breach of the provision.</p>
This Power of Arrest	<p>Shall continue until the hearing of the Claim unless previously varied or discharged by further Order of the Court.</p>
Note to the Arresting Officer	<p>Where a person is arrested under the power given by section 27, Police and Justice Act 2006, the section requires that:</p> <ul style="list-style-type: none">• A constable who arrests a person for breach of the injunction must inform the person who applied for the injunction.• A person arrested for breach of the injunction must, within the period of 24 hours beginning with the time of the arrest, be brought before—<ol style="list-style-type: none">(a) a judge of the High Court or a judge of the county court, if the injunction was granted by the High Court;(b) a judge of the county court, if—<ol style="list-style-type: none">(i) the injunction was granted by the county court, or(ii) the injunction was granted by a youth court but the respondent is aged 18 or over;(c) a justice of the peace, if neither paragraph (a) nor paragraph (b) applies.<ul style="list-style-type: none">• In calculating when the period of 24 hours ends, Christmas Day, Good Friday and any Sunday are to be disregarded.• The judge before whom a person is brought under subsection (3)(a) or (b) may remand the person if the matter is not disposed of straight away.• The justice of the peace before whom a person is brought under subsection (3)(c) must remand the person to appear before the youth court that granted the injunction.
Ordered by	<hr/> <i>Mr Justice Sweeting</i>
On	<hr/> 6 th May 2022 <hr/>