

**ORDER AMENDED UNDER THE SLIP RULE UNDERLINED IN RED THIS 7TH NOVEMBER 2022
PURSUANT TO CPR 40.12 WITH THE APPROVAL OF MR. JUSTICE CHAMBERLAIN**

Claim no: KB-22-XXXX

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
BEFORE THE HONOURABLE MR JUSTICE CHAMBERLAIN

Between:



NATIONAL HIGHWAYS LIMITED

Claimant

-and-

(1) JUST STOP OIL

(2) PERSONS UNKNOWN ENTERING OR REMAINING WITHOUT THE
CONSENT OF THE CLAIMANT ON, OVER, UNDER, OR ADJACENT TO A
STRUCTURE ON THE M25 MOTORWAY

Defendants

ORDER

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

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing the acts set out in this Order. You should read it very carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

A Defendant who is an individual who is ordered not to do something must not do it himself/herself or in any other way. He/she must not do it through others acting on his/her behalf or on his/her instructions or with his/her encouragement or assistance.

UPON the Claimant's urgent application without notice dated 5 November 2022

AND UPON Mr Justice Chamberlain considering the witness statement of Mr Sean Martell dated 5 November 2022 and the Claimant's skeleton argument dated 5 November 2022

AND UPON the Claimant's undertaking given through Counsel to file a claim by Wednesday 9 November at 5pm.

AND UPON the Claimant indicating that it will provide to any Defendant a copy of any further evidence or other documents filed in these proceedings upon request, following the provision of a name and contact details (including valid email address) to the Claimant's solicitors

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful protest, public rights of way or any other lawful use of the M25 Motorway

AND UPON the Court accepting the Claimant's undertaking that it will comply with any order for compensation which the Court might make in the event that the Court later finds that this Order has caused loss to a Defendant and the Court finds that the Defendant ought to be compensated for that loss

AND UPON the Claimant undertaking to identify and name Persons Unknown and to apply to add them as named Defendants to the proceedings as soon as reasonably practicable

AND UPON hearing Counsel for the Claimant

IT IS ORDERED THAT:

Definitions

1. Pursuant to CPR rules 6.15(3)(b) and 23.4(2)(c), permission for the Application to be heard without notice is granted.
2. The Defendants have the right to make an application to set aside or vary this Order under CPR rule 23.10 within 7 days of the date on which this Order is served upon them.
3. In this Order, the following defined terms shall apply:
 - a. "M25 Motorway" means the London Orbital Motorway and shown in red on the plans at Appendix 1 annexed to this Order, which description and plans include:
 - i. The A282

ii. The Dartford Crossing iii. The Queen Elizabeth II Bridge iv. the carriageways, hard shoulders, central reservations, verges, slip roads, roundabouts including those at junctions providing access to and from the M25 Motorway,

- b. “Structure” means any gantries, traffic tunnels, traffic bridges and other highway structures whether over, under or adjacent to the M25 Motorway, together with all supporting infrastructure including all fences and barriers, road traffic signs, road traffic signals, road lighting, communications installations, technology systems, police observation points/park up points, and to which the general public has no right of access.

Injunction in force

4. With immediate effect, and until 23.59 on 10 December 2022 unless varied, discharged or extended by further order, the Defendants and each of them are forbidden from:
- a. entering or remaining upon or affixing themselves or any object to any Structure on the M25 Motorway.
 - b. causing, assisting, facilitating or encouraging any other person to enter or remain upon or affix themselves or any object to any Structure on the M25 Motorway.

Service by Alternative Method

5. The Court will provide sealed copies of this Order to the Claimant’s solicitors for service (whose details are set out below).
6. Pursuant to CPR r.6.27 and r.81.4(c) and (d):
- a. The Claimant shall serve this Order upon the Defendants by:
 - i. Emailing a copy of the Order to:
 - 1. juststopoil@protonmail.com; and
 - 2. juststopoilpress@protonmail.com
 - ii. Providing a direct link to this Order on the National Highways Injunctions website at:

<https://nationalhighways.co.uk/about-us/high-court-injunctions-formotorways-and-major-a-roads/>

- iii. Publishing a social media post on the National Highways’ twitter feed advertising the existence of this Order and providing a link to the National Highways Injunctions website.

- iv. Sending a notification of the existence of this Order to the Press Association.
7. Service in accordance with paragraph 6 above shall:
- a. be verified by certificates of service to be filed with Court; and
 - b. be good and sufficient service of this Order on the Defendants and each of them and the need for personal service be dispensed with.
8. Further, without prejudice to paragraph 7, while this Order is in force, the Claimant shall take reasonably practicable steps to effect personal service of the Order upon any Defendants of whom it becomes aware is, or has been, on a M25 Motorway Structure without the consent of the Claimant from the date of this Order and shall verify any such service with further certificates of service (where possible if persons unknown can be identified) to be filed with the Court.

Third Party Disclosure

9. Pursuant to CPR 31.17, the Chief Constables for those forces listed in Schedule 1 to this Order shall procure that the officers within their forces disclose to the Claimant:
- 9.2 all of the names and addresses of any person who has been arrested by one of their officers in the course of, or as a result of, protests on the M25 Motorway; and
 - 9.3 all arrest notes, body camera footage and/or all other photographic material relating to possible breaches of this Order.
10. Without the permission of the Court, the Claimant shall not make use of any document disclosed by virtue of paragraph 9 of this Order, other than for one or more of the following uses:
- 10.1 applying to name and join any person as a named defendant to these proceedings and to serve the said person with any document in these proceedings;
 - 10.2 investigating, formulating, pleading and prosecuting any claim within these proceedings arising out of any alleged breach of this Order; and
 - 10.3 use for purposes of formulating, pleading and prosecuting any application for committal for contempt of court against any person for breach of any order made within these proceedings.

11. Until further Order, the postal address and/or address for service of any person who is added as a defendant to these proceedings shall be redacted in any copy of any document which is served other than by means of it being sent directly to that person or their legal representative.

Further Directions

12. Any person affected by this Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Claimant's solicitors immediately (and in any event not less than 48 hours before the hearing of any such application) via the contact details set out below.
13. Any person applying to vary or discharge this Order must provide their full name and address, an address for service, and must also apply to be joined as a Named Defendant to the Claim at the same time (unless they are already named as a defendant).
14. The Claimant otherwise has liberty to apply to extend or vary this Order or for further directions.
15. The return date hearing to be listed for 10.30am on [21] November 2022 in person.
16. Costs reserved.

Communications with Claimant

17. The Claimant's solicitors and their contact details are:

FAO: NATIONAL HIGHWAYS TEAM

DLA PIPER UK LLP

1 St Paul's Place

Sheffield

S1 2JX

E: NH-Injunctions@dlapiper.com

T: 0114 283 3312

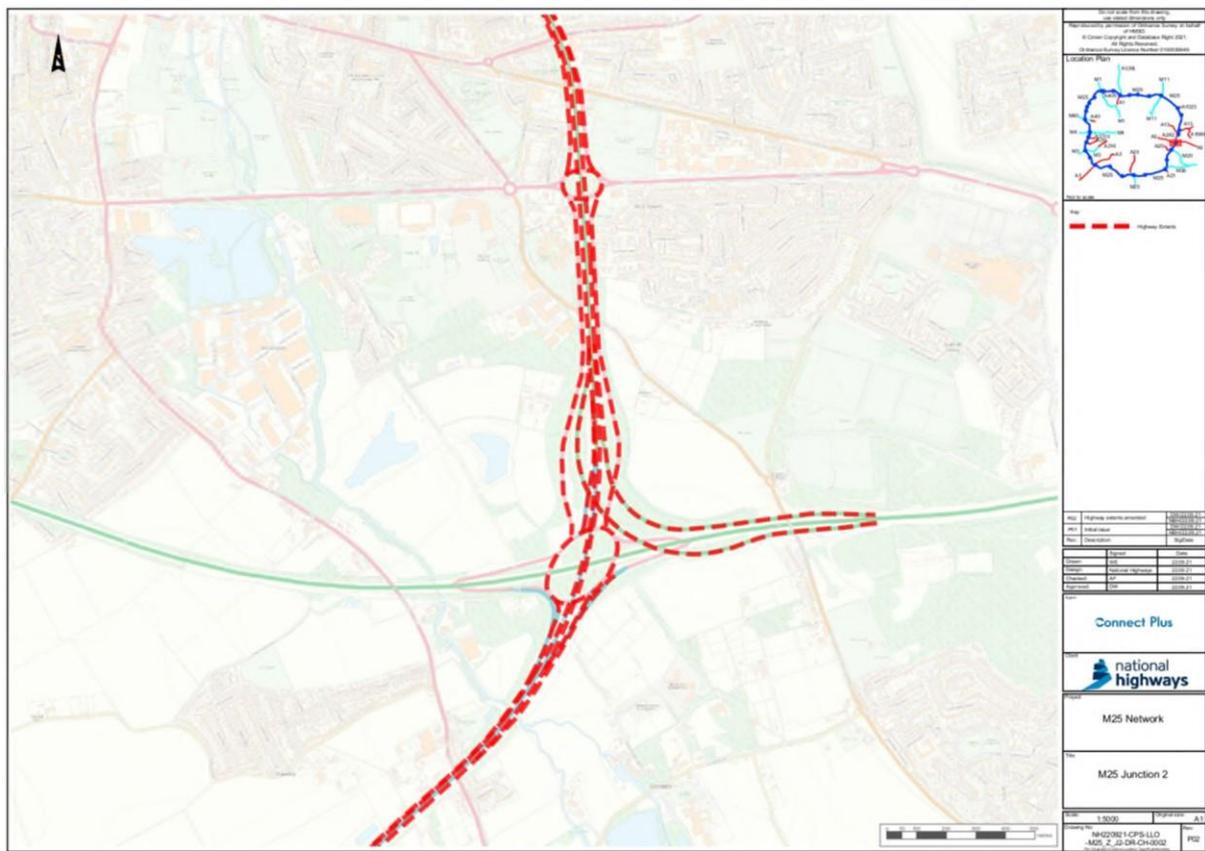
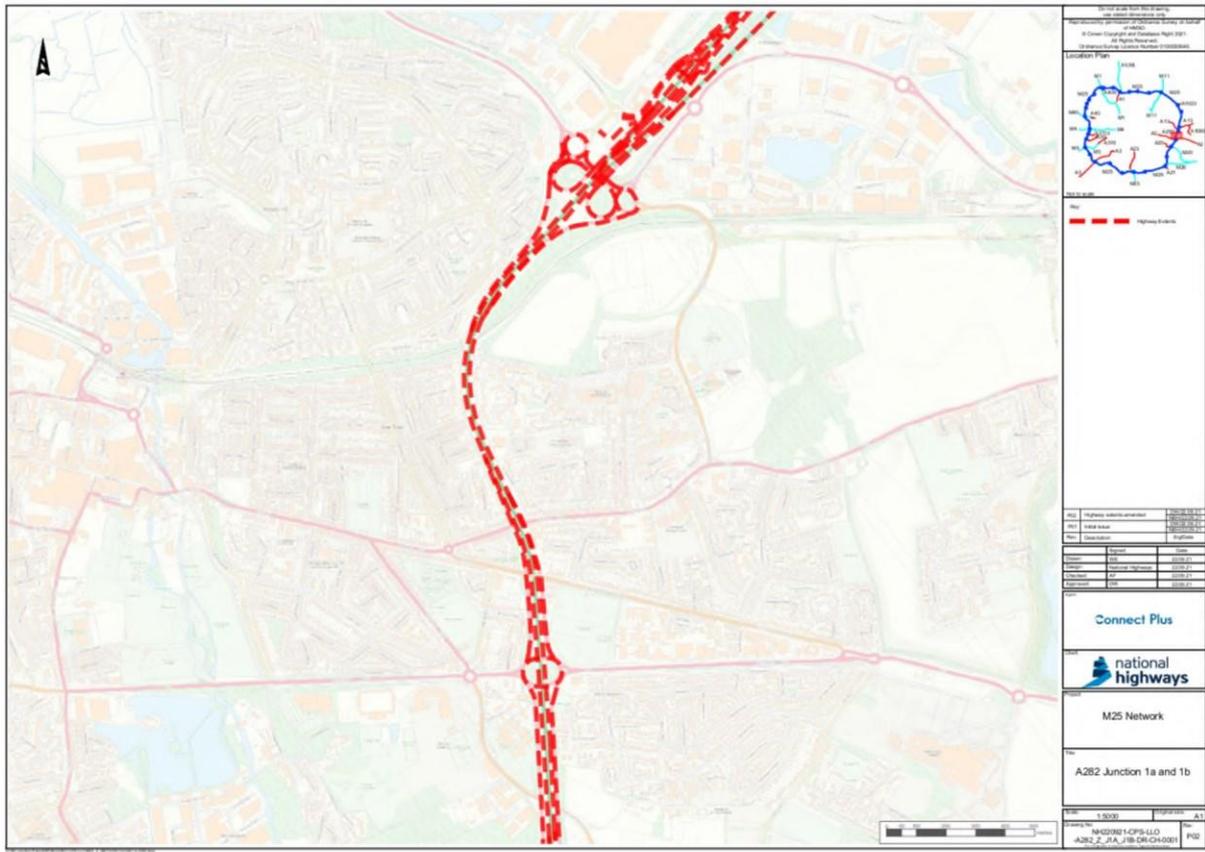
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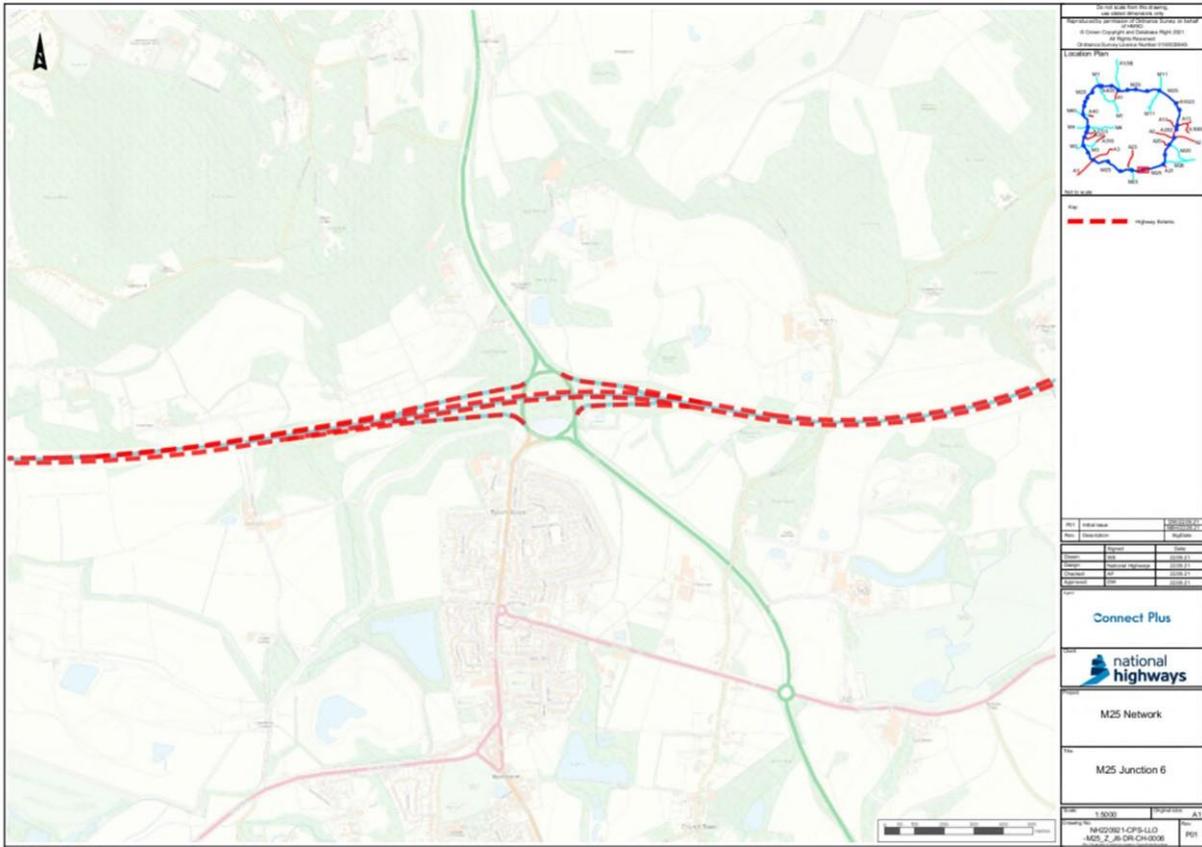
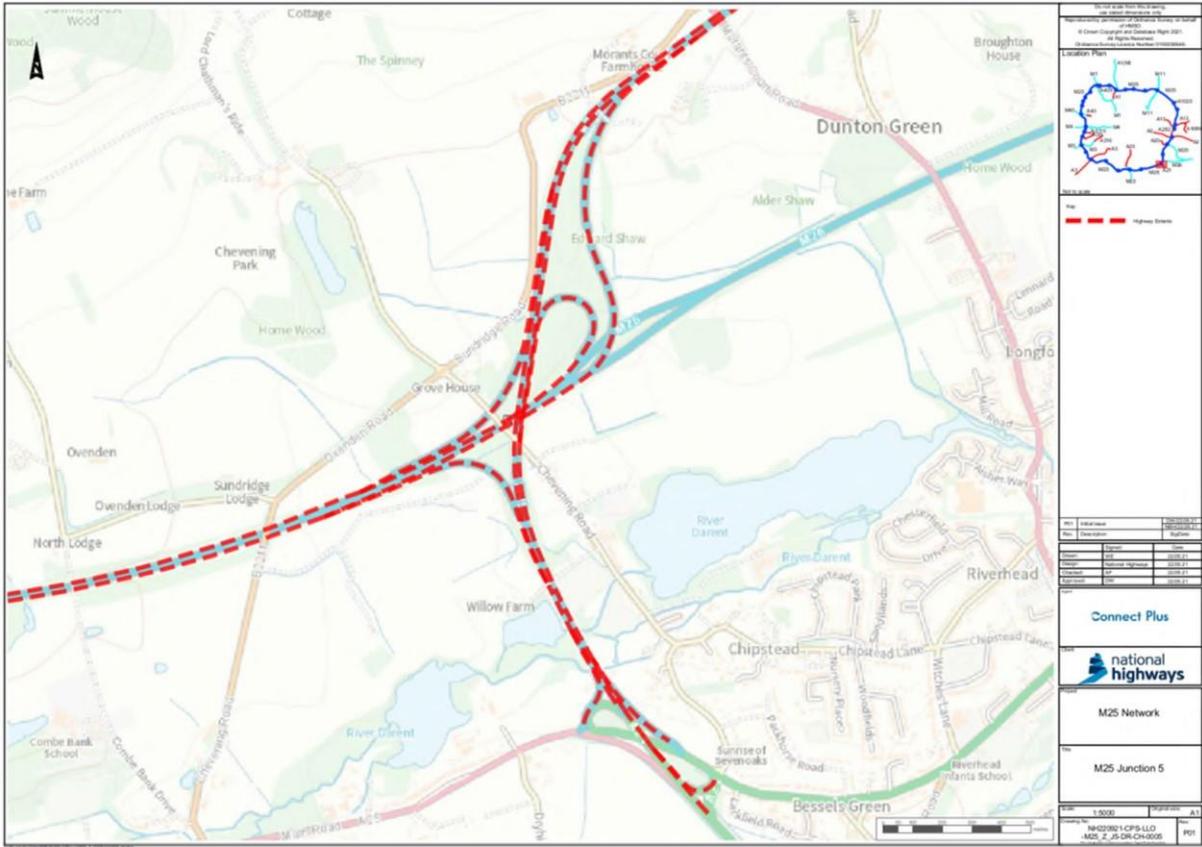
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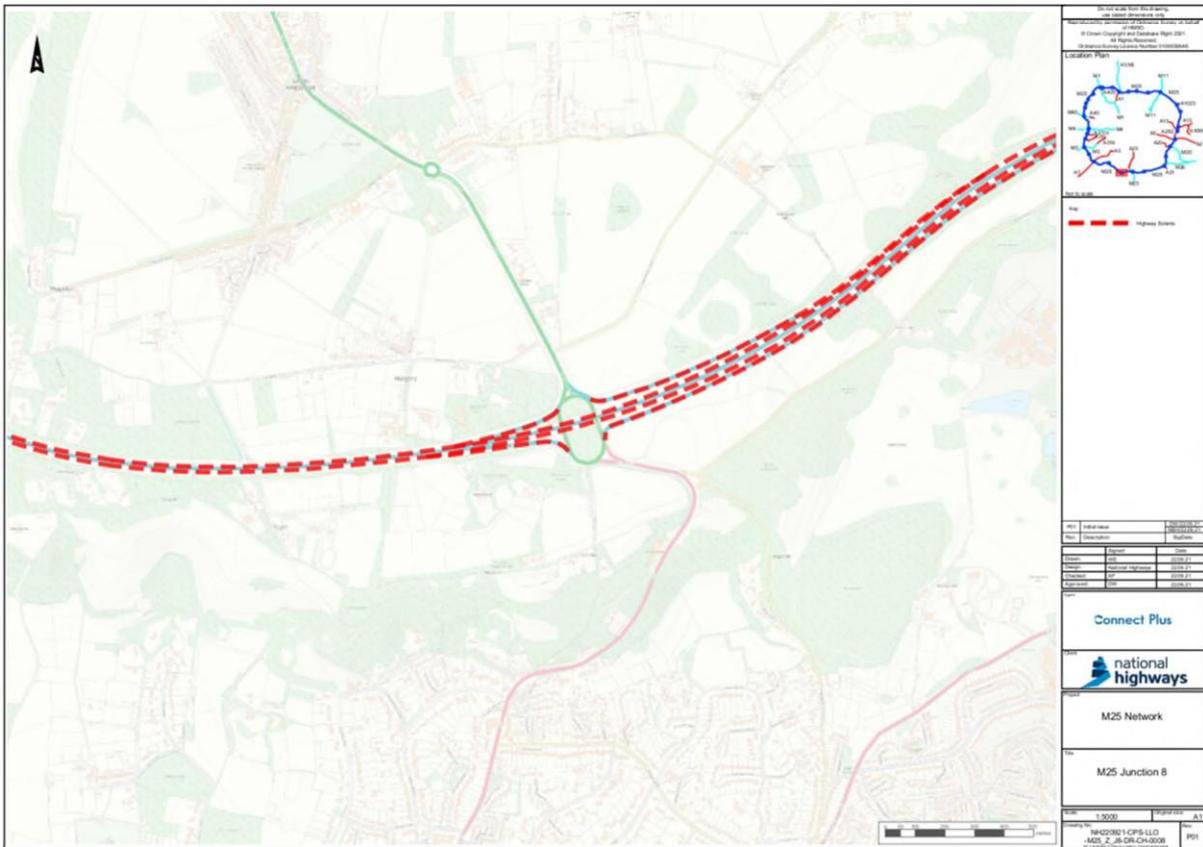
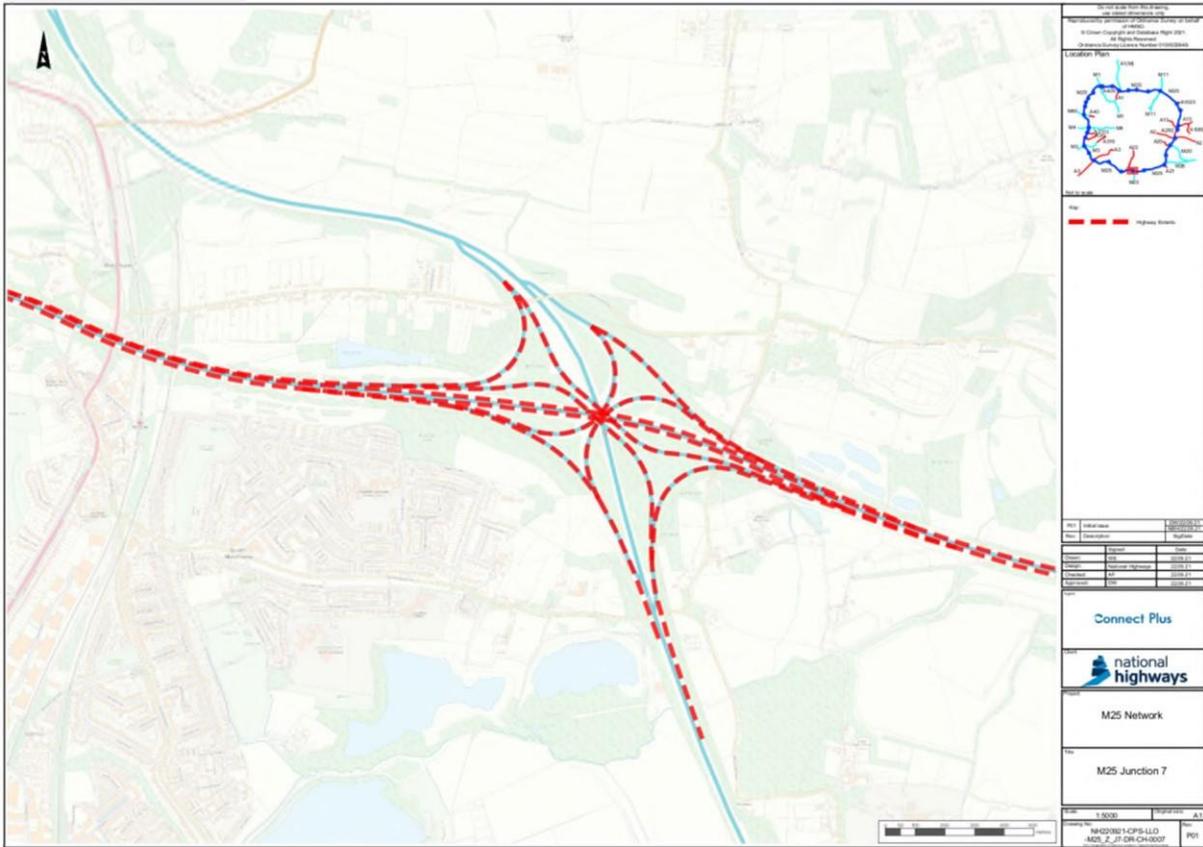
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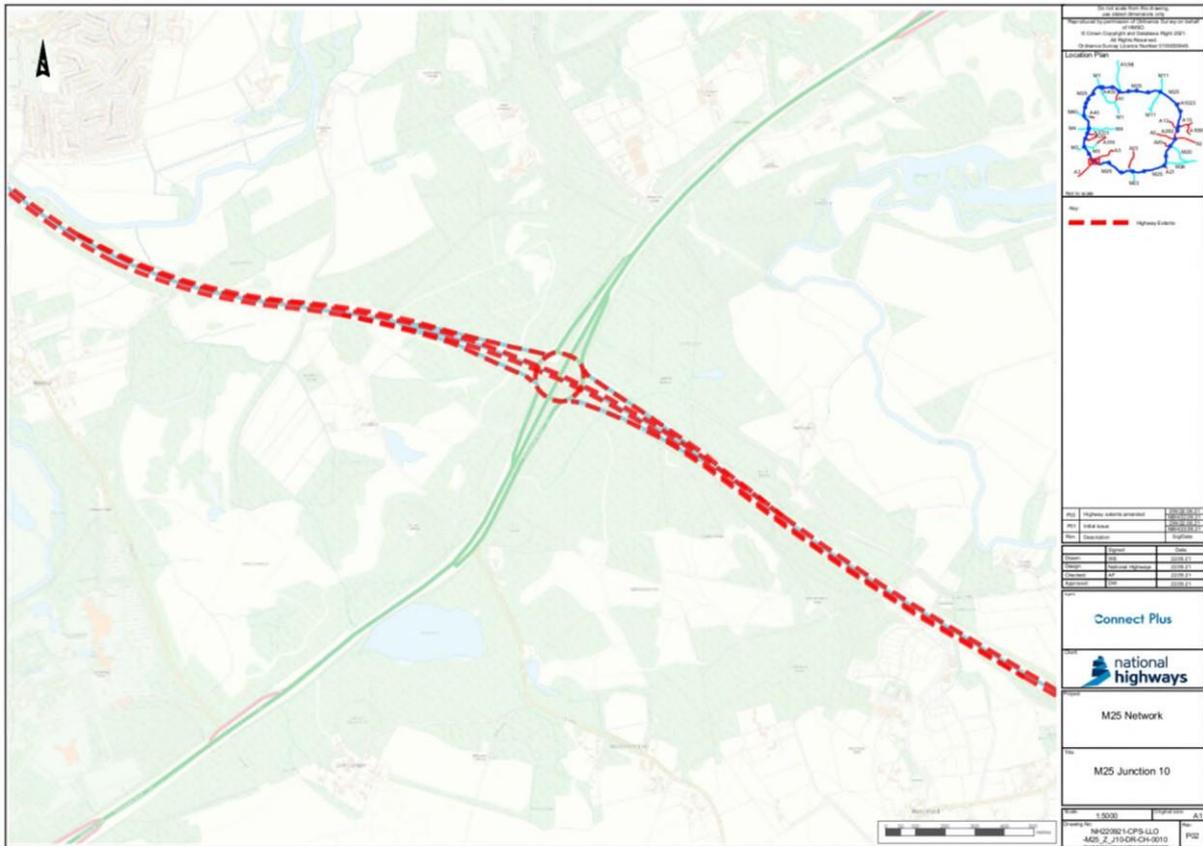
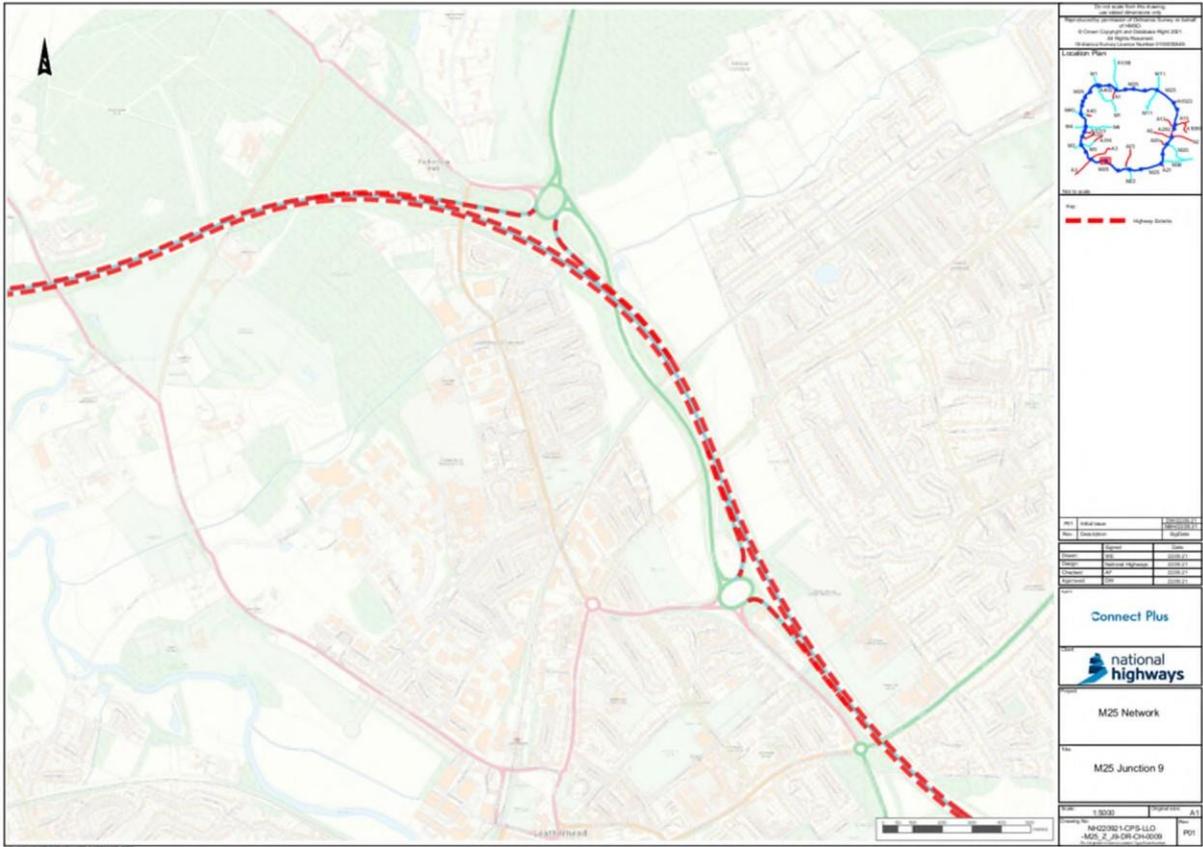
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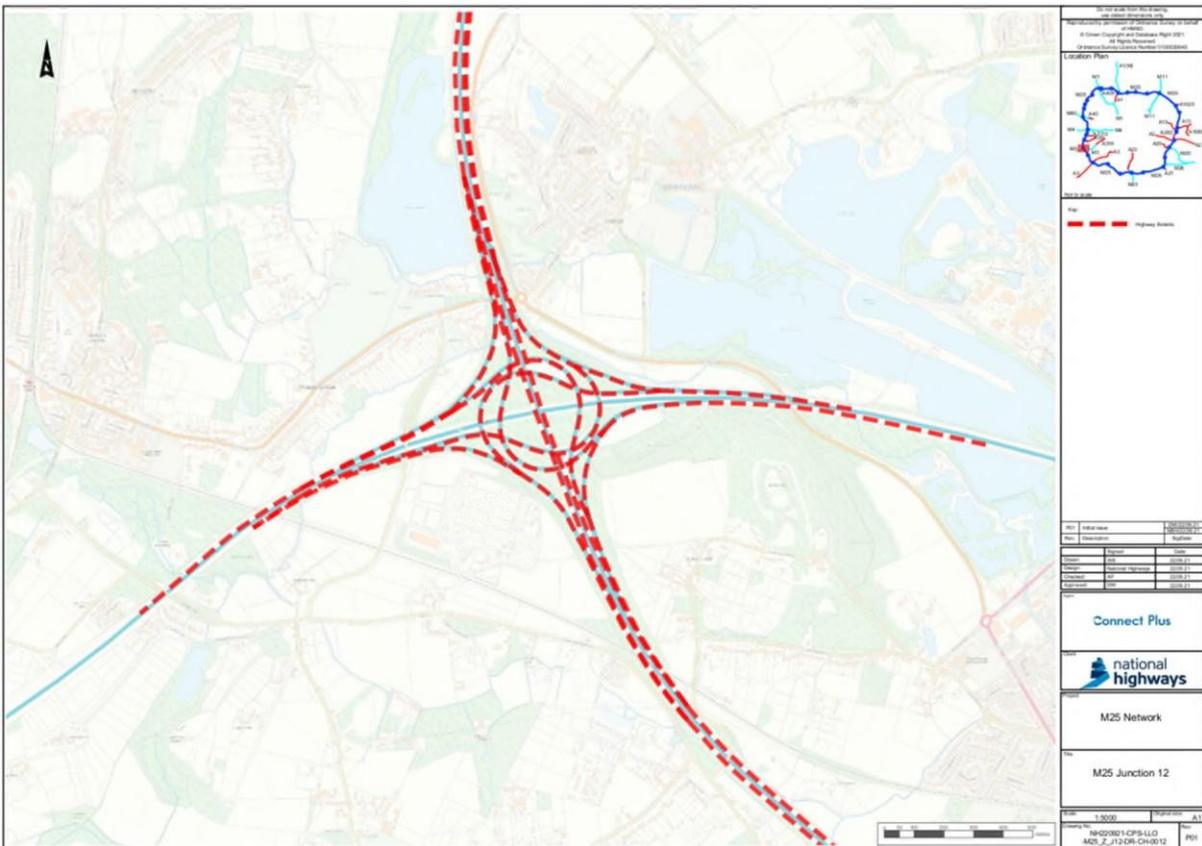
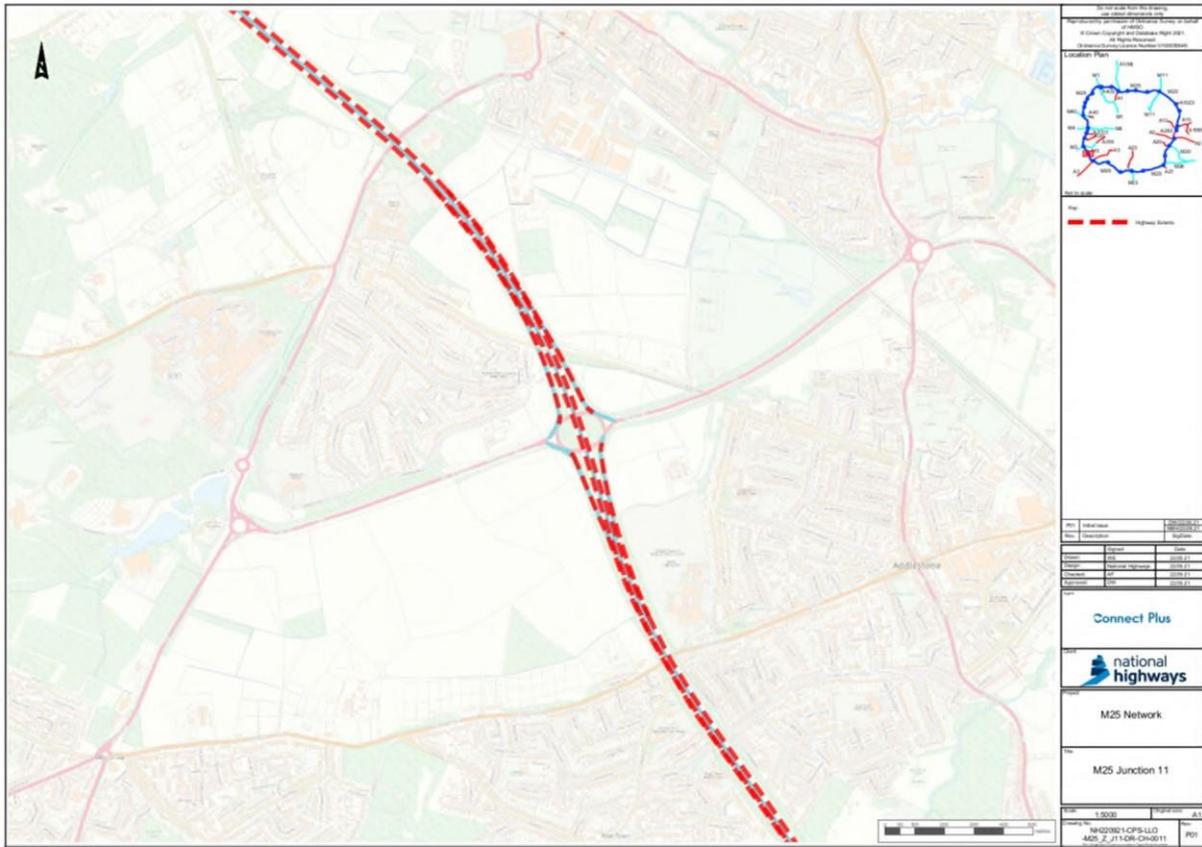
APPENDIX 1 Mapping

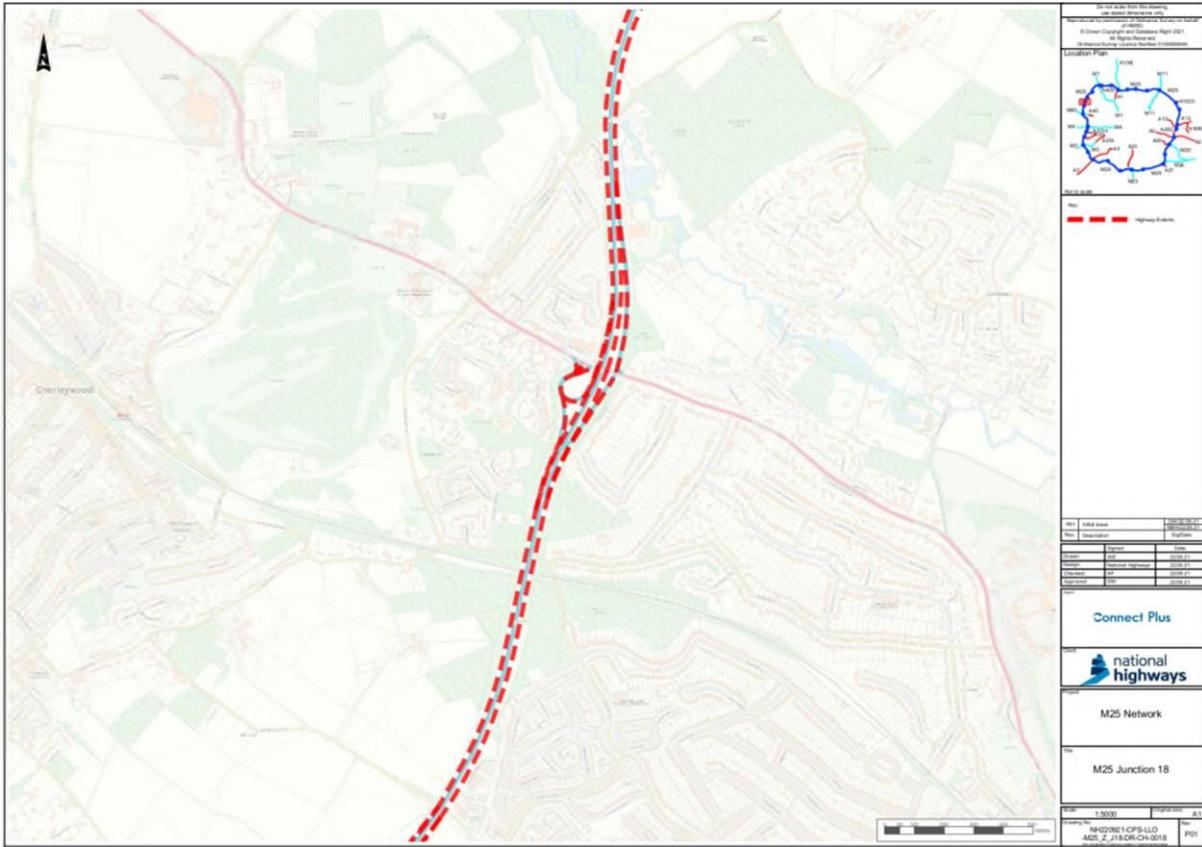


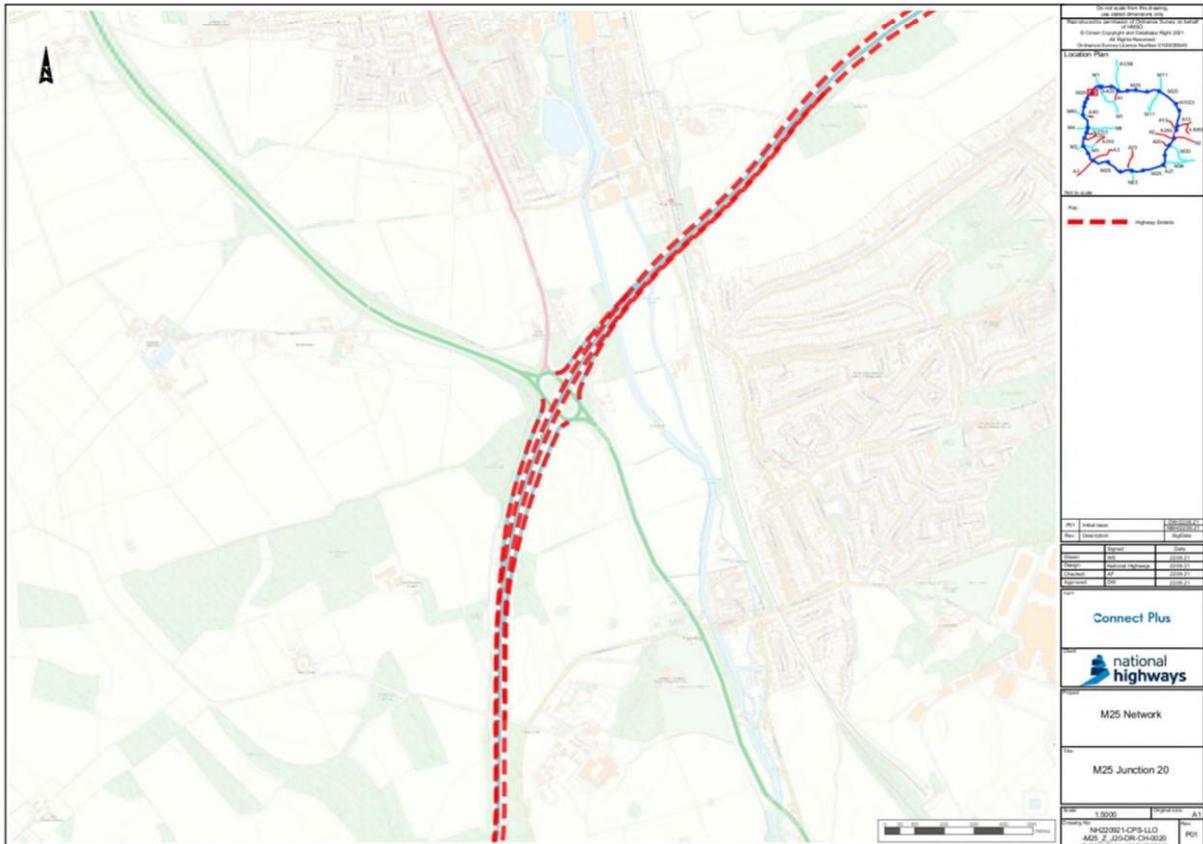
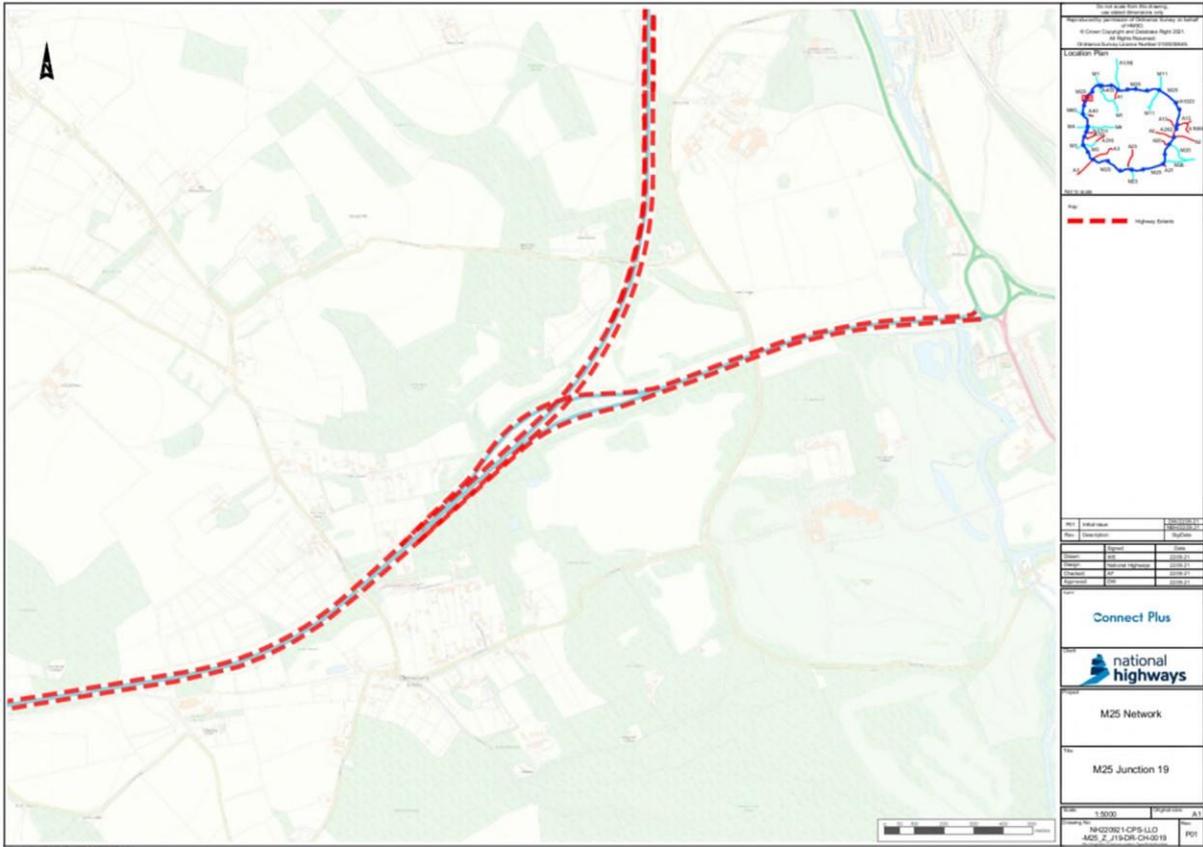


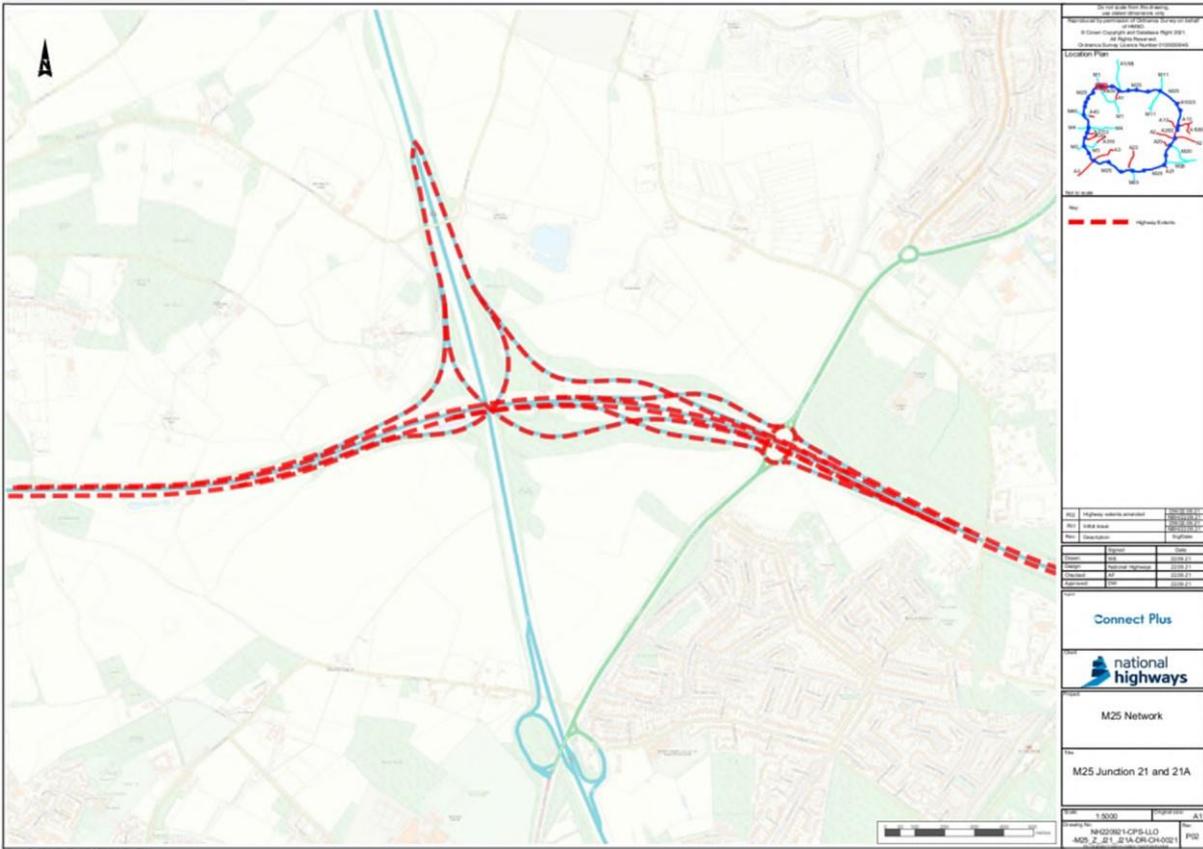


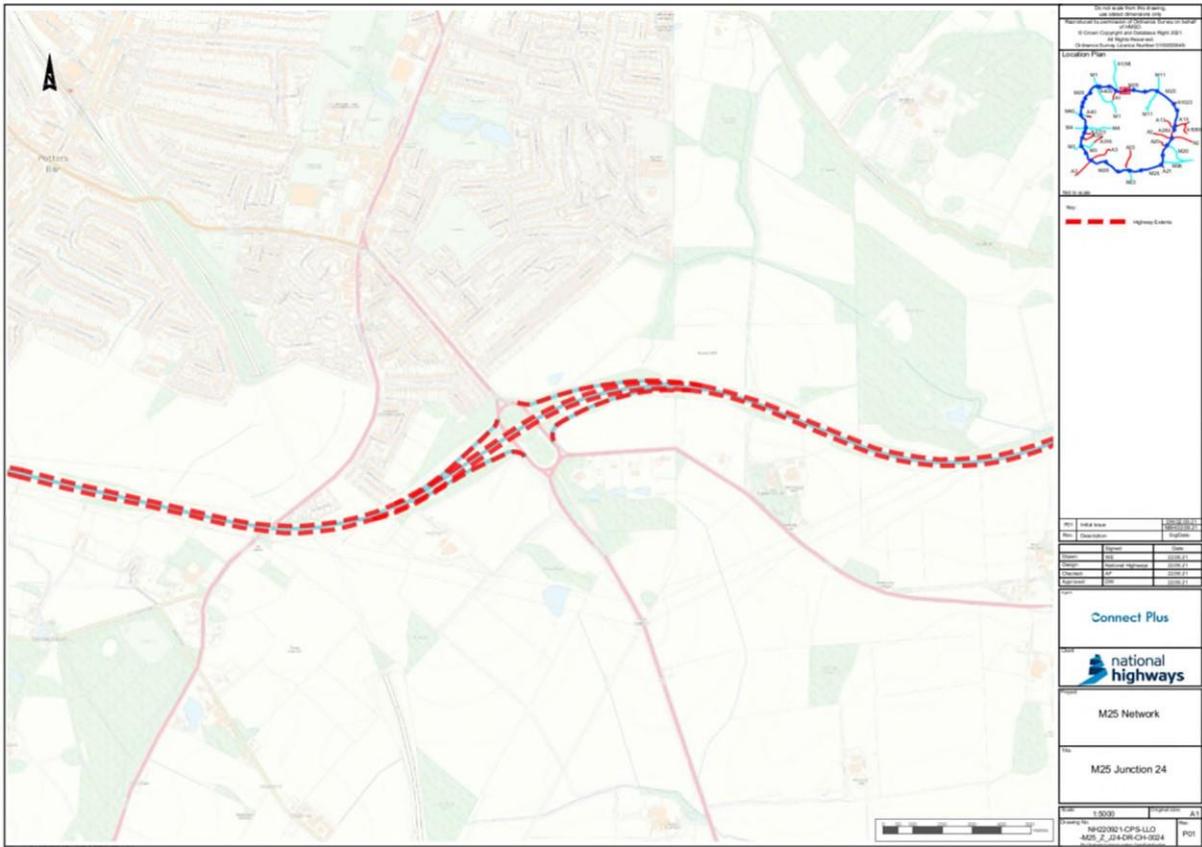
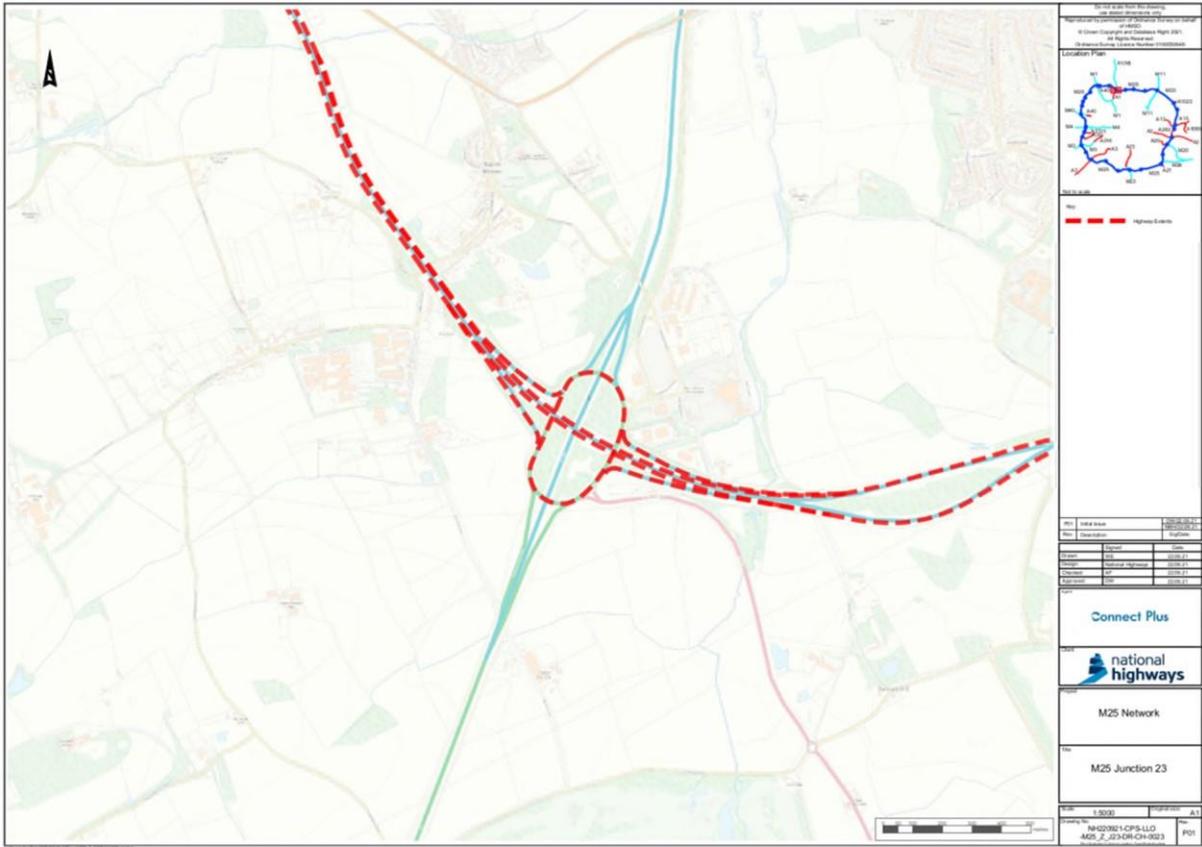


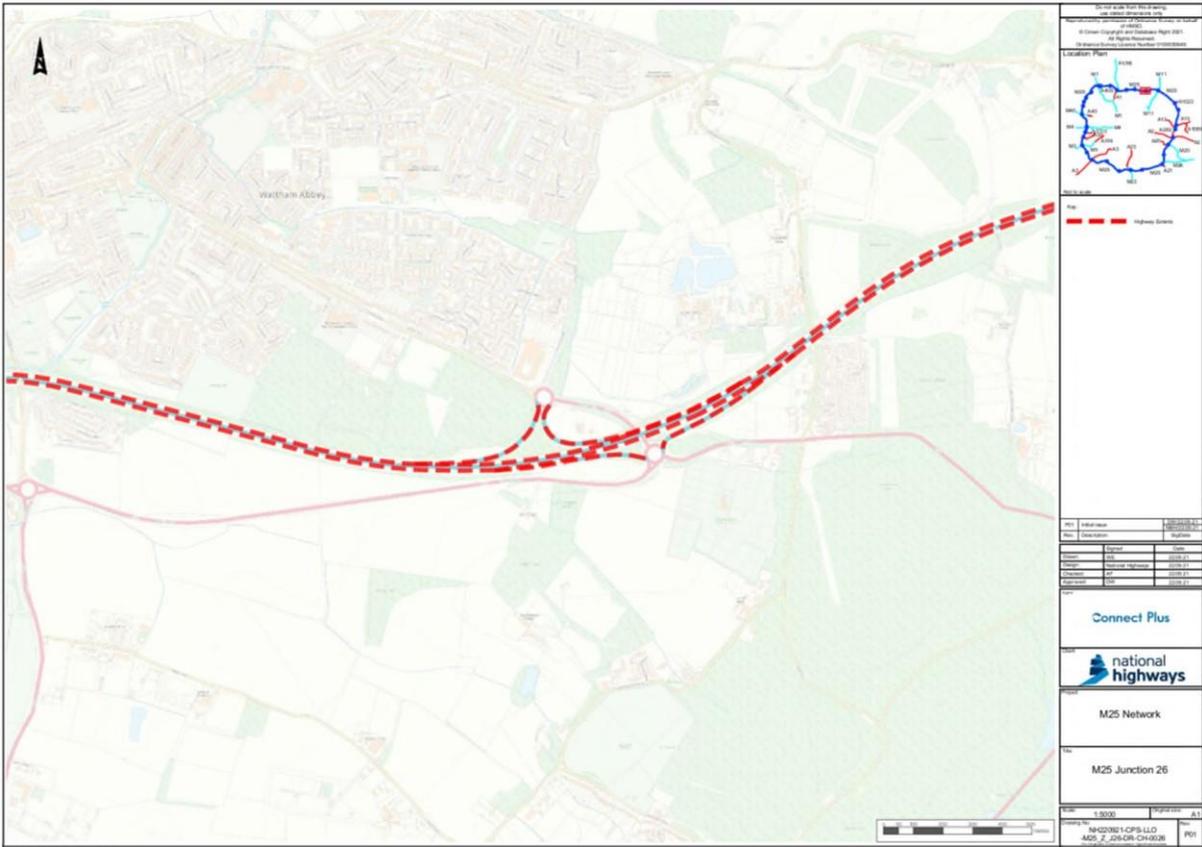
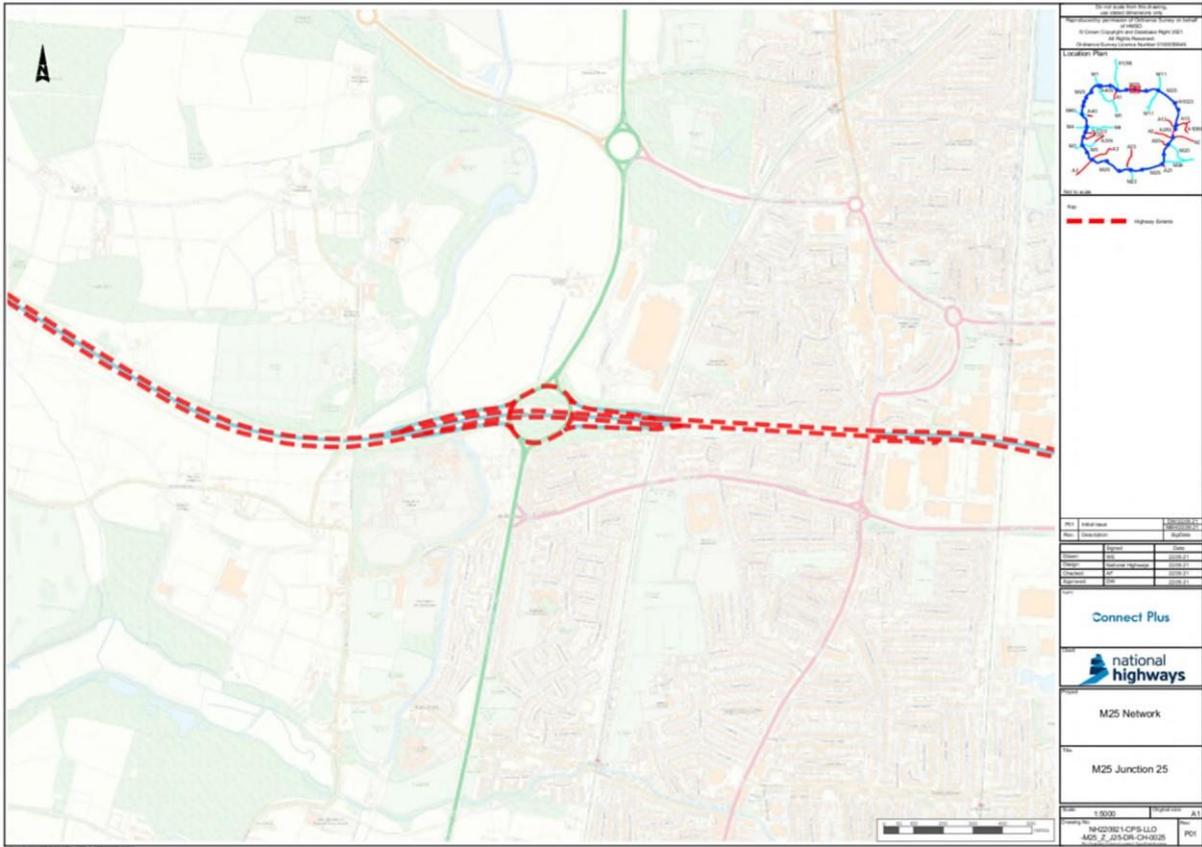














SCHEDULE 1
CHIEF CONSTABLES OF THE FORCES OF:

City of London Police

Metropolitan Police Service

Avon and Somerset Constabulary

Bedfordshire Police

Cambridgeshire Constabulary

Cheshire Constabulary

Cleveland Police

Cumbria Constabulary

Derbyshire Constabulary Devon

& Cornwall Police

Dorset Police

Durham Constabulary

Essex Police

Gloucestershire Constabulary

Greater Manchester Police

Hampshire Constabulary

Hertfordshire Constabulary

Humberside Police

Kent Police

Lancashire Constabulary

Leicestershire Police

Lincolnshire Police

Merseyside Police

Norfolk Constabulary

North Yorkshire Police

Northamptonshire Police

Northumbria Police

Nottinghamshire Police

South Yorkshire Police

Staffordshire Police

Suffolk Constabulary

Surrey Police Sussex

Police

Thames Valley Police

Warwickshire Police

West Mercia Police

West Midlands Police

West Yorkshire Police

Wiltshire Police

