

Mrs Justice Tipples

Wednesday 10 July 2024

B E T W E E N:

- (1) ESSO PETROLEUM COMPANY, LIMITED
(2) EXXONMOBIL CHEMICAL LIMITED

Claimants

-and-

- (1) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT) UPON ANY OF THE FOLLOWING SITES ("THE SITES")

- (A) THE OIL REFINERY AND JETTY AT THE PETROCHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN FOR IDENTIFICATION EDGED RED AND GREEN BUT EXCLUDING THOSE AREAS EDGED BLUE ON THE ATTACHED 'MARSH PLAN')
- (B) HYPHE OIL TERMINAL, NEW ROAD, HARDLEY SO45 3NR (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'HYPHE PLAN')
- (C) AVONMOUTH OIL TERMINAL, ST ANDREWS ROAD, BRISTOL BS11 9BN (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'AVONMOUTH PLAN')
- (D) BIRMINGHAM OIL TERMINAL, WOOD LANE, BIRMINGHAM B24 8DN (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'BIRMINGHAM PLAN')
- (E) PURFLEET OIL TERMINAL, LONDON ROAD, PURFLEET, ESSEX RM19 1RS (AS SHOWN FOR IDENTIFICATION EDGED RED AND BROWN ON THE ATTACHED 'PURFLEET PLAN')
- (F) WEST LONDON OIL TERMINAL, BEDFONT ROAD, STANWELL, MIDDLESEX TW19 7LZ (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'WEST LONDON PLAN')
- (G) HARTLAND PARK LOGISTICS HUB, IVELY ROAD, FARNBOROUGH (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'HARTLAND PARK PLAN')
- (H) ALTON COMPOUND, PUMPING STATION, A31, HOLLYBOURNE (AS SHOWN FOR IDENTIFICATION EDGED RED ON THE ATTACHED 'ALTON COMPOUND PLAN')

- (2) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER OR REMAIN (WITHOUT THE CONSENT OF THE FIRST CLAIMANT OR THE SECOND CLAIMANT) UPON THE CHEMICAL PLANT, MARSH LANE, SOUTHAMPTON SO45 1TH (AS SHOWN FOR IDENTIFICATION EDGED PURPLE ON THE ATTACHED 'FAWLEY PLAN')

- (3) PERSONS UNKNOWN WHO, IN CONNECTION WITH THE 'EXTINCTION REBELLION' CAMPAIGN OR THE 'JUST STOP OIL' CAMPAIGN, ENTER ONTO ANY OF THE CLAIMANTS' PROPERTY AND OBSTRUCT ANY OF THE VEHICULAR ENTRANCES OR EXITS TO ANY OF THE SITES (WHERE "SITES" FOR THIS PURPOSE DOES NOT INCLUDE THE AREA EDGED BROWN ON THE PURFLEET PLAN)

- (4) PAUL BARNES
(5) DIANA HEKT

Defendants

ORDER

RECITALS

UPON the Order of Linden J, dated 18 July 2023 (as amended on 21 July 2023 and 16 October 2023) granting the Claimants final injunctive relief until 11 July 2028 (the “**Linden Order**”)

AND UPON the Order of Ellenbogen J, dated 29 January 2024, maintaining the relief granted in the Linden Order but superseding that Order following a review in light of the Supreme Court judgment in *Wolverhampton CC v London Gypsies & Travellers* [2024] 2 WLR 45 (the “**Ellenbogen Order**”)

AND UPON a review hearing being listed on 10 July 2024 for a review of the Linden Order, pursuant to paragraph 10 of Linden Order, and the Ellenbogen Order, pursuant to paragraph 8 of the Ellenbogen Order (the “**Review Hearing**”)

AND UPON reading the evidence and the Claimants’ skeleton argument

AND UPON hearing Timothy Morshead KC and Yaaser Vanderman for the Claimants and the Defendants not appearing

AND UPON the Court being satisfied that proper and effective service of the Ellenbogen Order, pursuant to paragraph 12 of the Ellenbogen Order, and the documents prepared for the Review Hearing, pursuant to the steps set out in paragraph 15 of the Ellenbogen Order, had been effected on all Defendants

AND UPON the Court reviewing the Linden and Ellenbogen Orders and being satisfied that, in respect of the First to Third Defendants, there had been no material change in circumstances warranting amendments to, or the setting aside of, the relief granted in the Linden and Ellenbogen Orders

AND UPON the Claimants having received assurances from Diana Hekt that she does not intend to breach any injunction covering the Sites (as defined in the Ellenbogen Order) but not having received any response from Paul Barnes

IT IS ORDERED THAT:

1. Subject to the below, no order be made as to the continuing effect of the Ellenbogen Order.

2. In view of the assurance given by her mentioned above, expiring on 30 June 2025, the Fifth Defendant (Diana Hekt) is not to be subject to the injunctions set out in the Linden and Ellenbogen Orders, without further order.
3. The Fourth Defendant (Paul Barnes) is not to be subject to the injunctions set out in the Linden and Ellenbogen Orders, but the Claimants have liberty to apply to make him subject to those injunctions in the absence of receiving assurances from him to like effect as those given by him in June 2023 and lasting until at least 30 June 2025.
4. This Order shall be served on the First to Third Defendants pursuant to paragraph 15 of the Ellenbogen Order.
5. This Order shall be served on the Fourth and Fifth Defendants by email, pursuant to paragraphs 2 and 3 of the Consent Order sealed on 19 July 2023.

Signed: Mrs Justice Tipples DBE

Dated: 10 July 2024