

IN THE HIGH COURT OF JUSTICE

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES
PROPERTY TRUSTS AND PROBATE LIST (Ch)

BEFORE MRS JUSTICE FALK DBE

TUESDAY 9 FEBRUARY 2021

B E T W E E N:

- (1) UK OIL & GAS PLC
(PREVIOUSLY KNOWN AS UK OIL & GAS INVESTMENTS PLC)
(2) UKOG (234) Ltd
(PREVIOUSLY KNOWN AS KIMMERIDGE OIL & GAS LIMITED)
(3) MAGELLAN PETROLEUM (UK) LIMITED
(4) HORSE HILL DEVELOPMENTS LTD
(5) UKOG (GB) LIMITED

Claimants

- and -

**PERSONS UNKNOWN WHO ARE PROTESTORS AGAINST THE EXPLORATION
AND/OR EXTRACTION OF MINERAL OIL OR RELATIVE HYDROCARBON OR
NATURAL GAS BY THE CLAIMANT(S) AND WHO ARE INVOLVED IN THE FOLLOWING
ACTS OR ANY OF THEM:**

- (1) ENTERING OR REMAINING WITHOUT THE CONSENT OF THE CLAIMANT(S) ON
LAND AND BUILDINGS SHOWN EDGED RED ON THE PLANS ANNEXED TO THIS
ORDER (“THE LAND”);
- (2) OBSTRUCTING OR INTERFERING WITH THE RIGHTS OF WAY AND/OR THEIR
ACCESS TO AND FROM THE LAND ENJOYED BY THE PROTECTED PERSONS
AS DEFINED IN THIS ORDER

(14) SCOTT BREEN

(15) MAVIS MACDUFF (ALSO KNOWN AS “CHRISSEY” OR “CHRISSIE”)

(16) ROZ AROO

(22) GILLIAN FLETCHER

(23) STEVE DUNN-LOWES

(24) VENETIA CARTER

(25) MARGARET MULOWSKA

(26) CHRISTOPHER SMITH

(27) SIMON SINCLAIR

Defendants

ORDER



PENAL NOTICE

IF YOU THE FIRST, SECOND, FOURTEENTH, FIFTEENTH, SIXTEENTH, TWENTY-SECOND, TWENTY-THIRD, TWENTY-FOURTH, TWENTY-FIFTH, TWENTY-SIXTH AND/OR TWENTY-SEVENTH DEFENDANTS (AS DEFINED IN THIS ORDER) DISOBEY THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED OR FINED OR HAVE YOUR ASSETS SEIZED.

FOR THE AVOIDANCE OF DOUBT NOTHING IN THIS ORDER SHALL IN ANY WAY LIMIT THE POWERS OF THE POLICE OR ANY OTHER PUBLIC AUTHORITY IN RESPECT OF PRESERVING PUBLIC ORDER PERMITTING THE FREE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC OR ANY OTHER LAWFUL PURPOSE

UPON the Claimant's application dated 1 March 2018

AND UPON HEARING from Mr Timothy Polli QC and Mr Sam Madge-Wyld, Counsel for the Claimants, and from Ms Stephanie Harrison QC, Mr Tim Baldwin and Mr Owen Greenhall, Counsel for the Seventh to Twelve Defendants and Mr Stephen Simblet for the Thirteenth Defendant on 2, 3, 4, 5 July 2018 and on 3 September 2018

AND UPON the Court making an Injunction on 3 September 2018

AND UPON the Claimants' application dated 27 September 2018 to vary the Order made by the Court on 3 September 2018

AND UPON the Court deciding on 27 November 2018 to vary the Injunction Order made on 3 September 2018 but, for the sake of clarity to lay-people trying to understand what order has been made, not to make an Order varying the Injunction made on 3 September 2018 but to re-make the Injunction in its varied form

AND UPON the Claimants and the seventh-twelfth Defendants agreeing to vary the terms of the Injunction Order of 27 November 2018 into the form of Order made on 7 May 2020

AND UPON the Claimants and the seventh-twelfth Defendants further agreeing to vary the terms of the Injunction Order of 7 May 2020 into the form of this Order

AND UPON the Claimants' application to join the 22nd to 29th Defendants as named Defendants to the proceedings and to this interim injunction

AND UPON the Claimants have reached agreement with the 28th and 29th Defendants as set out in the separate Consent Order of today's date.

AND UPON the First Claimant undertaking that if the Court later finds that this order has caused loss to the Defendants, and decides that the Defendants should be compensated for that loss, the First Claimant will comply with any order the court may make

AND UPON the Court being satisfied that it is appropriate and proportionate on an interim basis to make the Injunction Order below at common law.

AND UPON READING the Witness Statements listed in Schedule 1 to this Order

IT IS ORDERED THAT:

DEFINITIONS

This Order shall be construed in accordance with the following Orders and/or

Definitions:-

- (i) In this Order “**Horse Hill Site**” shall mean that land on the West side of Horse Hill, Horley more particularly shown for illustration purposes edged in red (when presented in colour) on the plan annexed at Schedule 3 (“**Horse Hill Site Plan**”).
- (ii) In this Order “**Protected Persons**” shall mean the Claimants, their Group Companies, their Contractors and Sub-Contractors and/or the servants or agents of any of them working at or visiting the Horse Hill Site.
- (iii) In this Order “**Contractors**”, “**Sub-Contractors**” and/or “**Group Companies**” shall mean the persons named in Schedule 5 to this Order. Schedule 5 may be updated by the Claimants from time to time by uploading a revised Schedule 5 to the Dropbox folder name “*UKOG Injunction PT-2018-000160 (Horse Hill & Broadford Bridge): List of protected suppliers and contractors*” at [https://www.dropbox.com/sh/gj9z03rvpxd9o83/AAC74KsgBlfeVo5IOMYL0jCNa/20.%20UKOG%20Injunction%20PT-2018-000160%20\(Horse%20Hill%20%26%20Broadford%20Bridge\)%20-%20List%20of%20protected%20suppliers%20and%20contractors?dl=0&subfolder_n_av_tracking=1](https://www.dropbox.com/sh/gj9z03rvpxd9o83/AAC74KsgBlfeVo5IOMYL0jCNa/20.%20UKOG%20Injunction%20PT-2018-000160%20(Horse%20Hill%20%26%20Broadford%20Bridge)%20-%20List%20of%20protected%20suppliers%20and%20contractors?dl=0&subfolder_n_av_tracking=1) and such revision shall take effect from the date on which the revised Schedule 5 is so uploaded
- (iv) In this Order “**Defendant**” or “**Defendants**” shall mean the parties listed in the heading to this Order. For the avoidance of doubt, any Protestor or Protestors who breaches this order shall thereby become one or more of the First or Second Defendants as defined above.
- (v) In this order “**Demonstrating**” and “**Demonstrate**” means carrying out any activity as part of or in furtherance of the campaign against the exploration and/or extraction of mineral oil or relative hydrocarbon or natural gas by the Claimants
- (vi) In this Order “**Form of Notice**” means the document at Schedule 2 which relates to the Site(s) specified on a given Form of Notice
- (vii) In this Order “**Notice of Order**” means the document at Schedule 4.

- (viii) In this Order “**Protestor**” or “**Protestors**” shall mean any person who Demonstrates or intends to Demonstrate

IT IS ORDERED THAT:

1. The Injunction dated 7 May 2020 is discharged.

THE INJUNCTION ORDER

AND IT IS FURTHER ORDERED THAT:

2. With immediate effect, and until trial or further order, the First, Second, Fourteenth, Fifteenth, Sixteenth, Twenty-Second, Twenty-Third, Twenty-Fourth, Twenty-Fifth, Twenty-Sixth and Twenty-Seventh Defendants and each of them are forbidden from:
 - a. Entering or remaining on the Horse Hill Site;
 - b. Climbing onto vehicles belonging to or in the possession of any of the Protected Persons, or onto trailers attached to any such vehicles, as those vehicles are seeking to access or to exit from the Horse Hill Site;
 - c. Obstructing the entrance to the Horse Hill Site with persons or things on the area coloured blue on the plan in Schedule 6 to this Order and thereby preventing any of the Protected Persons from having access to or egress from the Horse Hill Site.

FURTHER ORDER

IT IS FURTHER ORDERED THAT:-

1. The requirement that this Order be personally served on the Defendants against whom it is made is dispensed with. Service shall, instead, be as set out in paragraphs 2 to 4 below.
2. This Order may be served on the 14th to 16th Defendants as follows:
 - a. By sending an electronic copy of the document or documents concerned by Facebook Direct Message to the Fourteenth, Fifteenth and Sixteenth Defendants, at:

- i. <https://facebook.com/scott.breen.14>.
 - ii. <https://facebook.com/mavis.mcduff>; and
 - iii. <https://facebook.com/profile.php?id=100009418380750>.
 - b. For the avoidance of all doubt, the Facebook account used to comply with paragraph (a) above must not be an account in an alias name.
 - c. Each of the Fourteenth, Fifteenth and Sixteenth Defendants shall be deemed served with this Order one clear day after paragraphs (a) and (b) above have been complied with.
3. This Order may be served on the 22nd to 27th Defendants by posting the same to them.
4. Save as provided in paragraphs 2 and 3 aforesaid,
 - a. Notice and service of this Order may be given to any persons by handing or attempting to hand the Notice of Order at or in the close vicinity of the Horse Hill Site, and this Order will be deemed served at the moment of such handing or, if later, at the moment that they are made available in the Dropbox Folder at <https://www.dropbox.com/sh/gj9z03rvpxd9o83/AADkT5tWFzVBhxLJBvnhR6V4a?dl=0>. For the avoidance of doubt this Order shall be deemed served at the moment that the Notice of Order is proffered whether or not a person has accepted the handing of it.
 - b. Notice and service of this Order may also be given by affixing the Form of Notice in clearly visible locations at the entrance to the Horse Hill Site and on the perimeter fence to the Horse Hill Site (in no smaller than A3 format in size) and by uploading a copy of this Order in the Dropbox Folder at <https://www.dropbox.com/sh/gj9z03rvpxd9o83/AADkT5tWFzVBhxLJBvnhR6V4a?dl=0>.
4. The Claimants must:
 - 4.1 Remove all the Forms of Notice that were displayed pursuant to the Injunction Order of 7 May 2020 at any of the Claimants' Sites (as defined in that Order of 7 May 2020) as soon as is practicable and, in any event, within 7 days;
 - 4.2 Within 2 working days of receipt of a sealed version of this Order remove the out of date version of the Order from their website, and replace it with a copy

of this Order (and take the same steps in relation to any other variations by the court of this order);

- 4.2 Display a copy of the Form of Notice appended to this Order at the Horse Hill Site, as soon as is practicable and, in any event, within 14 days.
5. This Order shall continue in force until 31 October 2021 unless varied or discharged by an earlier order of the Court.
6. No order as to costs.

GUIDANCE NOTES

INTERPRETATION OF THIS ORDER

- I In this Order, where there is more than one Defendant, (unless otherwise stated) references to “the Defendant” means all or any of them.
- II A requirement to serve on “the Defendant” means on each of them. However, the Order is effective against any Defendant and Protestor on whom it is served.
- III An Order requiring “the Defendant” to do or not to do anything applies to any and all Defendants.

SCHEDULE 1

Evidence: The Court read the following Witness Statements:

Of the Claimants:-

The witness statements of Kevin Aidan Lee dated 28 February 2018, 6 February 2020, 30 March 2020, 3 February 2021 and 8 February 2021.

The witness statements of James Court dated 27 February 2018, 23 August 2018, 25 September 2018 and 27 September 2018;

The witness statements of Stephen Sanderson dated 27 February 2018, 17 May 2018, 21 June 2018 and 25 September 2018;

The witness statement of Mark Judd dated 23 March 2020;

The witness statements of Helen Evans dated 18 February 2020, 23 March 2020, 19 May 2020, and 22 January 2021.

Of the Defendants:-

The witness statement of Michael Oswald dated 16 March 2018

The witness statement of Constance Whiston dated 3 May 2018

The witness statement of Elizabeth Hutchins dated 4 April 2018

The witness statement of Jacqui Hamlin dated 3 May 2018

The witness statement of Sue Jameson dated 2 May 2018 and 31 March 2020

The witness statement of Kevin Blowe dated 2 May 2018

The witness statement of Keith Taylor MEP dated 2 May 2018

The witness statement of Vicki Elcoate, dated 3 May 2018, 29 March 2020 and 2 February 2021

The witness statement of Ann Stewart dated 2 May 2018

The witness statement of Natasha Doane dated 1 May 2018, 12 November 2018

The witness statement of Dr Julian Neal dated 27 April 2018

The witness statement of Lorraine Inglis dated 23 May 2018, 30 March 2020, 4 May 2020 and 2 February 2021

The witness statement of David Timms dated 12 June 2018 and 3 July 2018

The witness statement of Debra Mallard, dated 12 November 2018

The witness statement of Steve Tremmel, dated 12 November 2018

The witness statement of Patricia Smith, dated 24 March 2020

The witness statement of Alice Owen, dated 25 March 2020

The witness statement of Lucy Barford, dated 25 March 2020

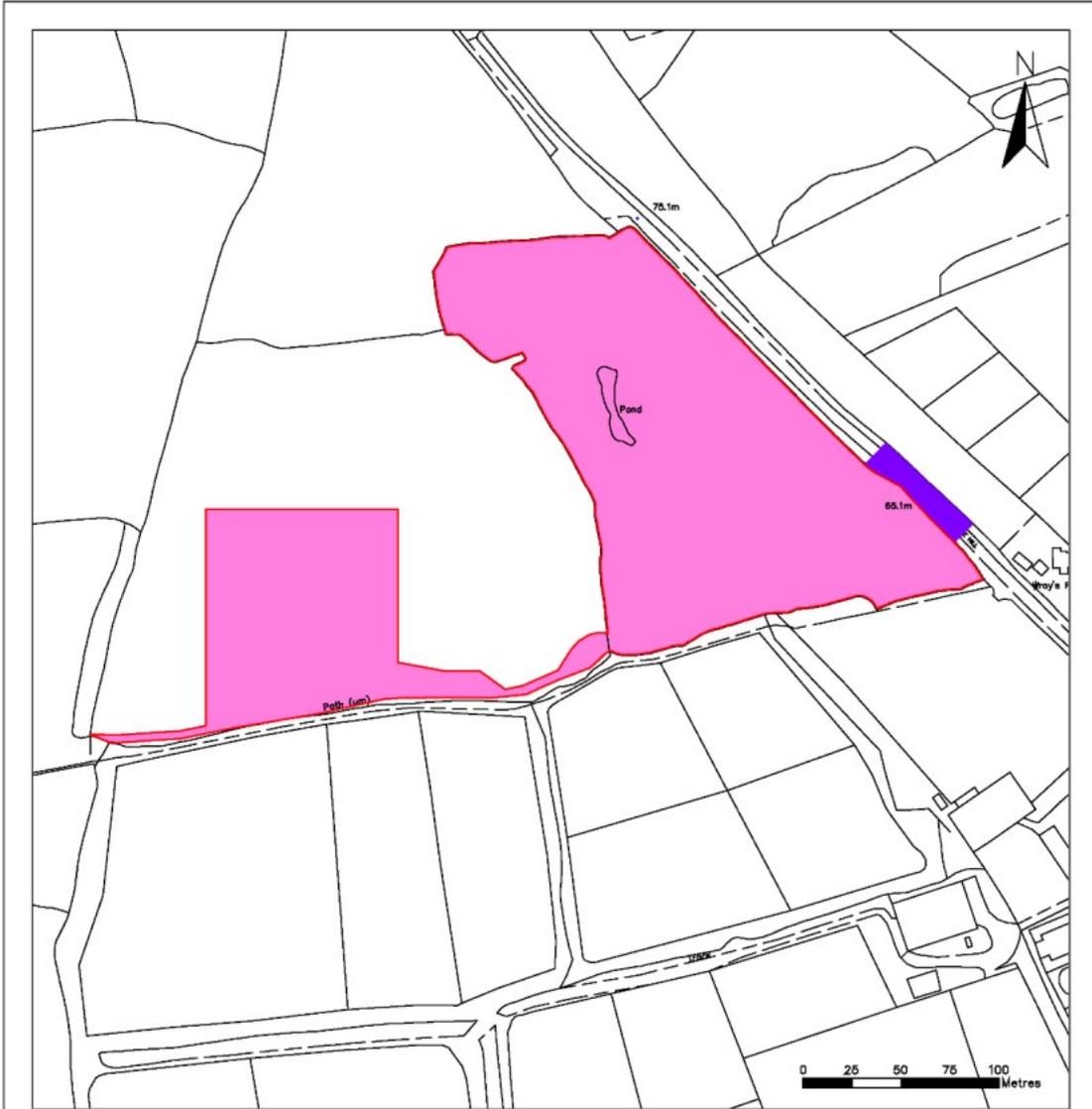
The witness statement of Sarah Finch, dated 26 March 2020

The witness statement of James Knapp, dated 27 March 2020

SCHEDULE 2 – Form of Notice (to be produced no smaller than A3)

SCHEDULE 3 – Horse Hill Site Plan.

Horse Hill Site Plan



Ordnance Survey (c) Crown Copyright 2018. All rights reserved. Licence number 100022432

Leasehold land at Horse Hill, Horely, Surrey, registered with title number SY800371

SCHEDULE 4 – Notice of Order

**HIGH COURT INJUNCTION IN FORCE
HIGH COURT CLAIM NO: PT-2018-000160**

NOTICE OF HIGH COURT INJUNCTION ORDER DATED 7 MAY 2020 (“ORDER”)

A COPY OF THE ORDER CAN BE FOUND VIA THE WEBLINK LISTED BELOW

TO: PERSONS UNKNOWN WHO ARE PROTESTORS AGAINST THE EXPLORATION AND/OR EXTRACTION OF OIL OR GAS BY THE CLAIMANTS AND ARE INVOLVED IN CERTAIN ACTS, AS MORE PARTICULARLY DEFINED AND DESCRIBED IN THE ORDER (“DEFENDANTS”)

FROM: UK OIL & GAS PLC & OTHERS (“CLAIMANTS”)

IF YOU THE WITHIN-NAMED DEFENDANTS OR ANY OF YOU, DISOBEY THE ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.

ON 9 FEBRUARY 2021 THE COURT MADE AN INJUNCTION ORDER IN THE FOLLOWING TERMS

- 1. With immediate effect, and until 31 October 2021 or further order of the Court if earlier, the First, Second, Fourteenth, Fifteenth, Sixteenth, Twenty-Second, Twenty-Third, Twenty-Fourth, Twenty-Fifth, Twenty-Sixth and Twenty-Seventh Defendants and each of them are forbidden from:
 - a. Entering or remaining on the Horse Hill Site**
 - b. Climbing onto vehicles belonging to or in the possession of the Protected Persons, or onto trailers attached to any such vehicles, as those vehicles are seeking to access or exit from the Horse Hill Site**
 - c. Obstructing the entrance to the Horse Hill Site with persons or things on the area coloured blue on the plan in Schedule 6 to this Order and thereby preventing any of the Protected Persons from having access to or egress from the Horse Hill Site****

THE COURT HAS ORDERED THAT SERVICE OF INJUNCTION ORDER CAN BE PROVIDED TO THE DEFENDANTS BY WAY OF THIS NOTICE. IF YOU ARE A DEFENDANT, YOU ARE ADVISED TO SEEK LEGAL ADVICE AND ACCESS A FULL COPY OF THE ORDER. COPIES OF THE APPLICATION AND SUPPORTING DOCUMENTS CAN BE FOUND AT:

<https://www.dropbox.com/sh/gj9z03rvpxd9o83/AADkT5tWFzVBhxLJBvnhR6V4a?dl=0>

Court communications: all communications about this order should be sent to the Court manager, High Court of Justice (ref PT-2018-000160) details found at (<https://courtribunalfinder.service.gov.uk/courts/rolls-building>)

Claimants' solicitors: Hill Dickinson LLP The Broadgate Tower, Primrose street, London EC2A 2EW (t: 0207 280 9350/ 0161 817 9280/0207 283 9033) (email:ukogteam@hilldickinson.com).

SCHEDULE 5 – A List of group companies, contractors and sub-contractors covered by paragraph 2 of this order

- **Eclipse Strategic Security Limited**
- **BKP Waste & Recycling Limited**
- **Moorhouse Petroleum Limited (trading as Moorhouse Drilling and Completions)**
- **Cloughton Limited**
- **Independent Well Examiners Limited**
- **Pragmatic Security Solutions Limited**
- **PW Well Testing & Production Services**
- **FBG Limited**
- **County Clean (?)**
- **S Lyon & Son**
- **Expro Group**
- **Terranova Group**
- **Freeland Freight Service Ltd**

Schedule 6 – Plan showing area at Entrance to the Horse Hill Site not to be Obstructed when vehicles are seeking to enter or to exit the Horse Hill Site

