

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

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Name of court High Court of Justice (KBD)	Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
	H W F – –
Warrant no. (if applicable)	
Claimant's name (including ref.) Gatwick Airport Limited	
Defendant's name (including ref.) Persons Unknown as more particularly described in the Claim Form	
Date	

1. What is your name or, if you are a legal representative, the name of your firm?

Herbert Smith Freehills LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative
- ☐ Other (please specify)

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

(1) An injunction to restrain the Defendants from entering, occupying or remaining on the land defined in the Particulars of Claim and carrying out such other acts as specified in the draft order; and (2) An order for service of the Claim Form, the Particulars of Claim, the Application Notice, evidence in support and the Order/Injunction by alternative means pursuant to CPR 6.15, CPR 6.27, CPR 81.4(2)(c) and (d).

4. Have you attached a draft of the order you are applying for? ☒ Yes ☐ No
5. How do you want to have this application dealt with? ☒ at a hearing ☐ without a hearing
- ☐ at a remote hearing
6. How long do you think the hearing will last? 1 Hours Minutes
- Is this time estimate agreed by all parties? ☐ Yes ☒ No

7. Give details of any fixed trial date or period

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

10. What information will you be relying on, in support of your application?

- ☒ the attached witness statement
- ☐ the statement of case
- ☐ the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☒ No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

- ☐ I **believe** that the facts stated in section 10 (and any continuation sheets) are true.
- ☒ **The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature

J. Pollock

- ☐ Applicant
- ☐ Litigation friend (where applicant is a child or a Protected Party)
- ☒ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

1 8

Month

0 7

Year

2 0 2 4

Full name

Julian Pollock

Name of applicant's legal representative's firm

Herbert Smith Freehills LLP

If signing on behalf of firm or company give position or office held

Partner

Applicant's address to which documents should be sent.

Building and street

Exchange House, Primrose Street

Second line of address

Town or city

London

County (optional)

Postcode

E	C	2	A	2	E	G
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If applicable

Phone number

+44 (0)20 7374 8000

Fax phone number

+44 (0)20 7374 0888

DX number

DX28 London Chancery Lane

Your Ref.

2162/8118/31068161

Email

julian.pollock@hsf.com; matthew.bonye@hsf.com

Claim No: [...]

IN THE HIGH COURT OF JUSTICE

KING'S BENCH DIVISION

B E T W E E N:-

GATWICK AIRPORT LIMITED

Claimant

-and-

PERSONS UNKNOWN WHO, IN CONNECTION WITH THE JUST STOP OIL OR OTHER ENVIRONMENTAL CAMPAIGN, ENTER, OCCUPY OR REMAIN (WITHOUT THE CLAIMANT'S CONSENT) UPON THAT AREA OF LAND KNOWN AS LONDON GATWICK AIRPORT (AS SHOWN FOR IDENTIFICATION OUTLINED IN YELLOW AND SHADED YELLOW AND BLUE ON THE PLAN 1 ATTACHED TO THE PARTICULARS OF CLAIM)

Defendant

DRAFT ORDER FOR AN INJUNCTION

PENAL NOTICE

IF YOU, THE DEFENDANTS, DISOBEY THIS ORDER OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY A FINE, IMPRISONMENT, CONFISCATION OF ASSETS OR OTHER PUNISHMENT UNDER THE LAW OR YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH.

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 TO BE IN CONTEMPT OF COURT AND PUNISHED BY A FINE, IMPRISONMENT, CONFISCATION OF ASSETS OR OTHER PUNISHMENT UNDER THE LAW OR YOU MAY BE FOUND TO BE GUILTY OF A CRIMINAL OFFENCE FOR WHICH YOU MAY BE IMPRISONED OR FINED OR BOTH.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing certain acts. You should read it very carefully. You are advised to consult a solicitor as soon as possible.

If you do not obey this order, you will be guilty of contempt of court and you may be fined, sent to prison, have your assets confiscated or otherwise punished in accordance with the law or may be guilty of a criminal offence for which you may be fined or sent to prison or both.

You have the right to ask the Court to vary or discharge this Order.

RECITALS

UPON the Claimant's claim by the Claim Form dated 18 July 2024

AND UPON the Claimant's application notice for an injunction dated 18 July 2024

AND UPON hearing Leading Counsel for the Claimant and [the Defendants not appearing]

AND UPON reading the witness statements of Neil Harvey and Julian Pollock dated 18 July 2024

AND UPON the Claimant giving and the Court accepting the undertakings set out in Schedule 2 to this Order

IT IS ORDERED THAT:

DEFINITIONS

1. **"London Gatwick Airport"** means the land shown outlined in yellow and shaded yellow and blue on Plan 1 to the Particulars of Claim, appended to Schedule 1 of this Order ("**Plan 1**").
2. **"Warning Notice"** means a notice in the form as set out in Schedule 4 to this Order (and warning of the existence and general nature of this Order, the consequences of breaching it, identifying a point of contact and contact details from which copies of the Order may be requested and identifying the website address:
(<http://www.gatwickairport.com/injunction.html> at which copies of this Order may be viewed and downloaded).

THE INJUNCTION

3. With immediate effect, unless varied, discharged or extended by further order, the Defendants and each of them are forbidden, whether by themselves or by instructing or encouraging any other person, from entering, occupying or remaining on any part of Gatwick Airport without the consent of the Claimant.
4. This order is subject to periodic review by the Court on application by the Claimant at intervals not exceeding 12 months.

VARIATION OR DISCHARGE OF THIS ORDER

5. Any person may apply to vary or discharge this Order upon giving 48 hours' notice in writing to the Claimant's solicitors at Herbert Smith Freehills LLP; Exchange House, Primrose Street, London EC2A 2EG (ref Matthew Bonye: tel 0207 466 2162; email matthew.bonye@hsf.com).
6. Any person who wishes to vary or discharge this Order must provide their full name and address (an address for service) to the Court and the Claimant's solicitors.

INTERPRETATION OF THIS ORDER

7. A Defendant who is ordered not to do something must not do it him/herself or in any other way. He/she must not do it through another acting on his/her behalf or on his/her instruction or with his/her consent.

SERVICE OF THE ORDER

8. Pursuant to CPR r.6.15 and 6.27 and 81.42(c) and (d), the Claimant shall take the following steps by way of service of copies of the Claim Form and the Application Notice, the Witness Statements and their exhibits and the Particulars of Claim (the "**Claim Documents**") and a note of the hearing on [] July 2024:
 - A. Uploading a copy of the Claim Documents to the following website:
<http://www.gatwickairport.com/injunction.html>.
 - B. Sending an email to the email addresses set out in Schedule 3 this Order stating that a claim has been brought and an application made, and that the documents can be found at the website referred to above:
 - C. Affixing a notice at regular intervals around the perimeter fence and at suitable entrances/exits setting out where these documents can be found.
9. Pursuant to CPR 6.27 and 8.4(2)(c) and (d), this Order shall be served by the Claimant on the Defendants by carrying out each of the following steps:
 - A. By uploading a copy of the Order onto the following website:
<http://www.gatwickairport.com/injunction.html>.
 - B. Sending an email to the email addresses listed in Schedule 3 of this Order attaching a copy of the Order.
 - C. Affixing a copy of the Order in A4 clear plastic envelopes at regular intervals around the perimeter fence and at suitable entrances/exits.
 - D. Affixing Warning Notices of A2 size at regular intervals around the perimeter fence and at suitable entrances/exits.
10. Pursuant to CPR 6.15, the steps identified in paragraphs 8 and 9 shall be as good service of the Order and the Claim Documents upon the Defendants and each of them.
11. The Court will provide sealed copies of this Order to the Claimant's solicitors for service (whose details are set out below).
12. The deemed date of service of the Claim Documents shall be the date shown on the relevant certificate of service on completion of the steps described at paragraph 8. The step described at paragraph 8(C) will be completed when those documents are first affixed regardless of whether they are subsequently removed.
13. The deemed date of service of this Order shall be the date shown on the relevant certificate of service on completion of the steps described at paragraph 9. The step described at paragraphs 9(C)-(D) will be completed when those documents are first affixed regardless of whether they are subsequently removed.

COMMUNICATIONS WITH THE COURT

14. All communications to the Court about this Order should be sent to: King's Bench Division, Royal Courts of Justice, Strand, London WC2A 2LL. The offices are open between 10.00am and 4.30pm Monday to Friday except bank holidays. The telephone number is 020 7947 6000.

FURTHER DIRECTION

15. Unless otherwise ordered by the Court, service by the Claimant on the Defendants of any application or Order or other document that should be served in these proceedings may be effected by carrying out each of the steps in paragraph 8(A) and 8(B).
16. The Court will consider whether to join the person served to the proceedings as a named Defendant and whether to make any further order.
17. The Claimant has liberty to apply to vary, extend or discharge this Order or for further directions.
18. No acknowledgement of service, admission or defence is required by any party unless further so ordered.

COSTS

19. Costs are reserved.

COMMUNICATIONS WITH THE CLAIMANTS

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

Herbert Smith Freehills LLP
Exchange House
Primrose Street
London EC2A 2EG
Attn: Matthew Bonye/Graeme Robertson
E: matthew.bonye@hsf.com; graeme.robertson@hsf.com
02074662162/02074662793

21. The court has sent sealed copies of this order to the Claimant's solicitors.

SCHEDULE 1: PLAN



SCHEDULE 2: UNDERTAKINGS GIVEN BY THE CLAIMANT

1. The Claimant will take steps to serve the Defendants with the Claim Documents, a note of the hearing dated [] and the Order as soon as practicable.
2. The Claimant will comply with any order for compensation which the Court might make in the event that the Court later finds that the injunction in paragraph 3 of this Order has caused a loss to a Defendant and the Court finds that the Defendant ought to be compensated for that loss.

SCHEDULE 3 – EMAIL ADDRESSES

info@juststopoil.org

juststopoilpress@protonmail.com

enquiries@extinctionrebellion.uk

SCHEDULE 4 – WARNING NOTICE

HIGH COURT CLAIM NO:

High Court Injunction in Force

NOTICE OF HIGH COURT ORDER DATED []

TO: Persons Unknown who, in connection with the Just Stop Oil or other environmental campaign, enter, occupy or remain (without the claimant's consent) upon that area of land known as London Gatwick Airport (as shown for identification outlined in yellow and shaded yellow and blue on the plan 1 attached to this notice (the "**Defendants**")

FROM: Gatwick Airport Limited ("the Claimant")

This notice relates to the land known as London Gatwick Airport, Gatwick RH6 0NP which is shown outlined in yellow and shaded yellow and blue on the Plan below (the "**Airport**")

The Order prohibits:

1. Entering, occupying or remaining upon any part of the Airport without the consent of the Claimant
2. You must not do any of the above acts either yourself or by means of another person acting on your behalf, instructions or encouragement.

You must not contravene the terms of the Order and if you do, you may be in contempt of Court and sent to prison, fined or have your assets seized

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 by email to the address specified below 72 hours before making such application of the nature of such application and the basis for it.

The Order, copies of the Claim Documents which relate to the Order and a note of the hearing on [] may be viewed at: 5th Floor, Destinations Place, Gatwick Airport, Gatwick, West Sussex, RH6 0NP or online at <http://www.gatwickairport.com/injunction.html>.

Copies may also be obtained from the Information Desk or by contacting Matthew Bonye of Herbert Smith Freehills LLP at Exchange House, Primrose Street, London EC2A 2EG, on 0207 466 2162 or by email at matthew.bonye@hsf.com.