

IN THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Before: Mr Justice Cavanagh

On: 24 September 2021

B E T W E E N:

NATIONAL HIGHWAYS LIMITED

-and-

(1) PERSONS UNKNOWN CAUSING THE BLOCKING, SLOWING DOWN,
OBSTRUCTING OR OTHERWISE INTERFERING WITH THE FLOW OF
TRAFFIC ONTO OR OFF OR ALONG THE A2, A20 AND A2070 TRUNK
ROADS AND M2 AND M20 MOTORWAY FOR THE PURPOSE OF
PROTESTING



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.

UPON the Claimant’s claim in trespass and nuisance by Claim Form dated 24 September 2021 (“the Claim”)

AND UPON READING the Claim Form and the Witness Statement of Nicola Bell dated 24 September 2021

AND UPON hearing Michael Fry and Jonathan Welch, Counsel for the Claimant

AND UPON the Claimant indicating that it will provide to the Defendants copies of further evidence or other documents filed in these proceedings upon request, following the Defendants or their representatives providing contact details to the Claimant’s solicitors

AND UPON the Court accepting the Claimant’s undertaking that the Claimant 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 Defendants and apply to add them as named Defendants to this Order as soon as reasonably practicable

AND UPON the Claimant confirming that this Order is not intended to prohibit lawful protest which does not slow, obstruct, prevent or otherwise interfere with the flow of traffic onto off or along the A2, A20, A2070, M2 or M20 nor to prevent lawful use of the A2, A20, A2070, M2 or M20 by any person

IT IS ORDERED THAT:

1. For the purposes of this Order, the A2, A20, A2070, M2 and M20 (together the “Roads”) means the roads identified in the plans annexed to this Order including but not limited to the verges, central reservation, on- and off-slip roads, overbridges and underbridges and any apparatus related to that motorway.

Injunction in force

2. With immediate effect and until the earlier of (i) Trial; (ii) Further Order; or (iii) 23.59 pm on 24 March 2022, the Defendants and each of them are forbidden from:
 - 2.1 Blocking, slowing down, obstructing or otherwise interfering with the flow of traffic onto or along or off the Roads for the purpose of protesting.

- 2.2 Blocking, slowing down, obstructing or otherwise interfering with access to or from the Roads, and on any adjacent roads, slip roads or roundabouts which are not vested in the Claimant, for the purpose of protesting.
 - 2.3 Causing damage to the surface of or to any apparatus on or around the Roads including but not limited to painting, damaging by fire, or affixing any item or structure thereto.
 - 2.4 Affixing themselves (“locking on”) to any other person or object on the Roads.
 - 2.5 Erecting any structure on the Roads.
 - 2.6 Tunnelling in the vicinity of the Roads.
 - 2.7 Entering onto the Roads unless in a motor vehicle.
 - 2.8 Abandoning any vehicle or item on the Roads with the intention of causing an obstruction.
 - 2.9 Refusing to leave the area within 50m of the centre of the Roads when asked to do so by a police constable, National Highways Traffic Officer or High Court Enforcement Officer.
 - 2.10 Causing, assisting or encouraging any other person to do any act prohibited by paragraphs 2.1 – 2.9 above.
 - 2.11 Continuing any act prohibited by paragraphs 2.1 – 2.10 above.
3. The Claimant shall:
 - 3.1 Place copies of this Order and the Claim Form on the National Highways and Gov.uk website; and
 - 3.2 Send a copy of this Order and the Claim Form to Insulate Britain’s email address: Insulate Britain ring2021@protonmail.com.
 4. For the avoidance of doubt, compliance with paragraph 3 shall not constitute service.

Further directions

5. The Defendants or any other 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).
6. 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 proceedings at the same time.
7. The Claimant has liberty to apply to extend or vary this Order or for further directions.
8. The return date hearing to be listed for 10.30 am on 5 October 2021 in person.
9. Costs reserved.

Communications with the Claimant

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

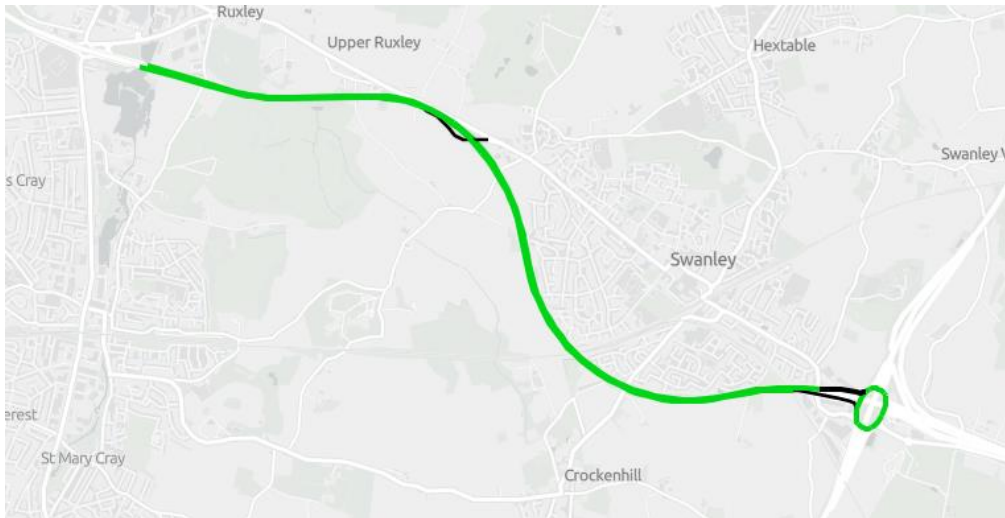
FAO Antony Nwanodi
Government Legal Department,
102 Petty France, Westminster,
London SW1H 9GL
E: tony.nwanodi@governmentlegal.gov.uk
T: 020 7210 3424

BY THE COURT

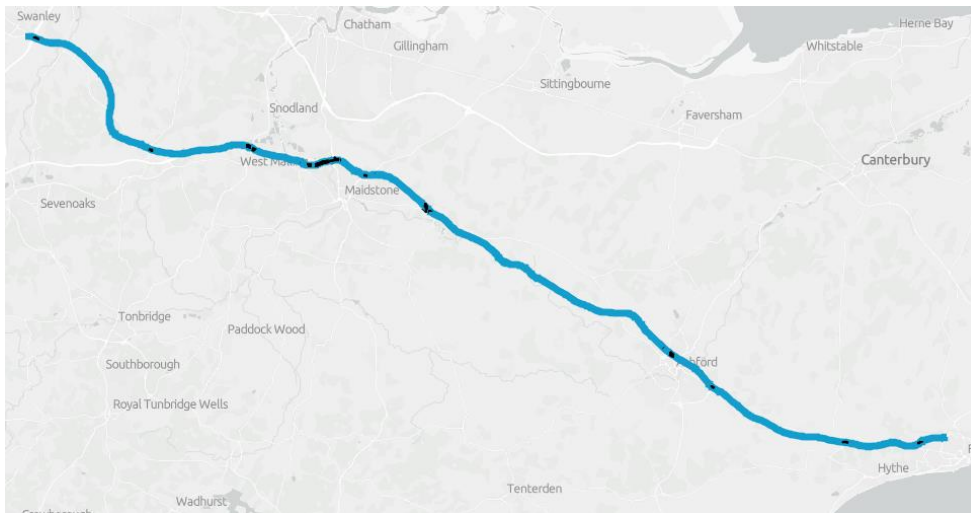
Dated: 24 September 2021

ANNEX TO THE ORDER OF MR JUSTICE CAVANAGH DATED 24 SEPTEMBER 2021

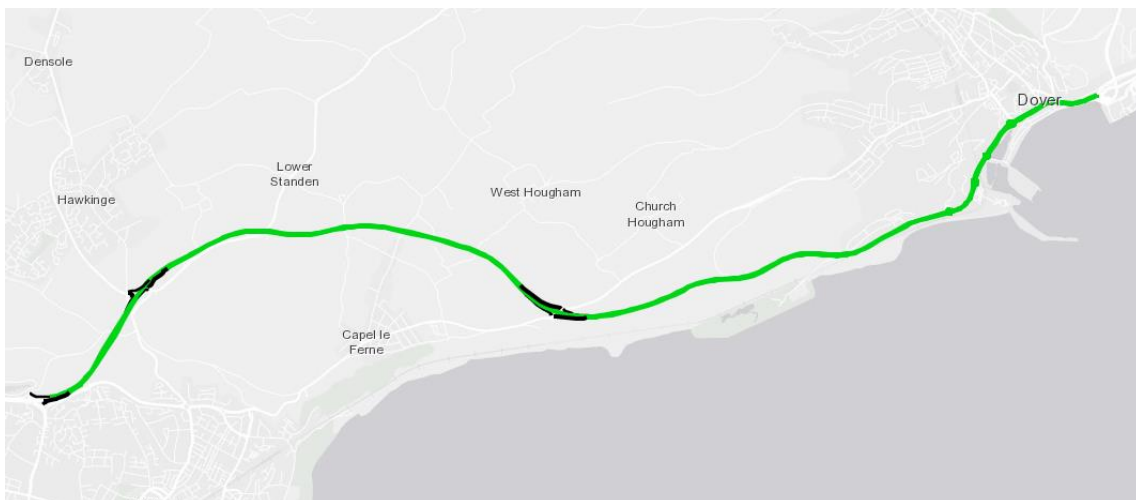
A20 London - M25



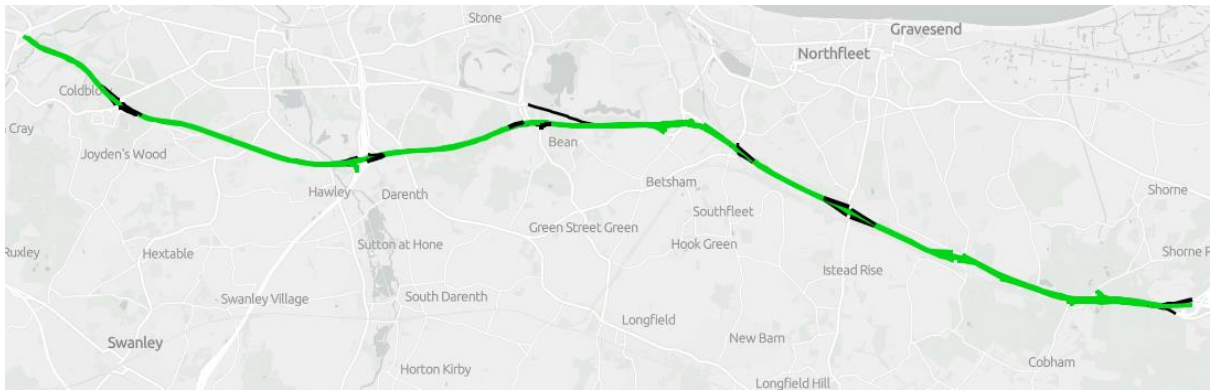
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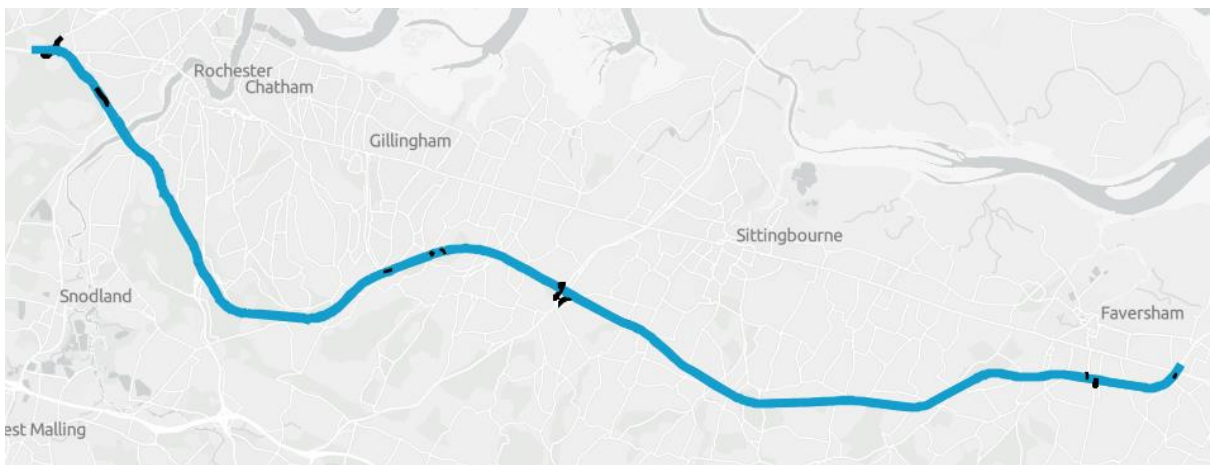
A20 Coast Section



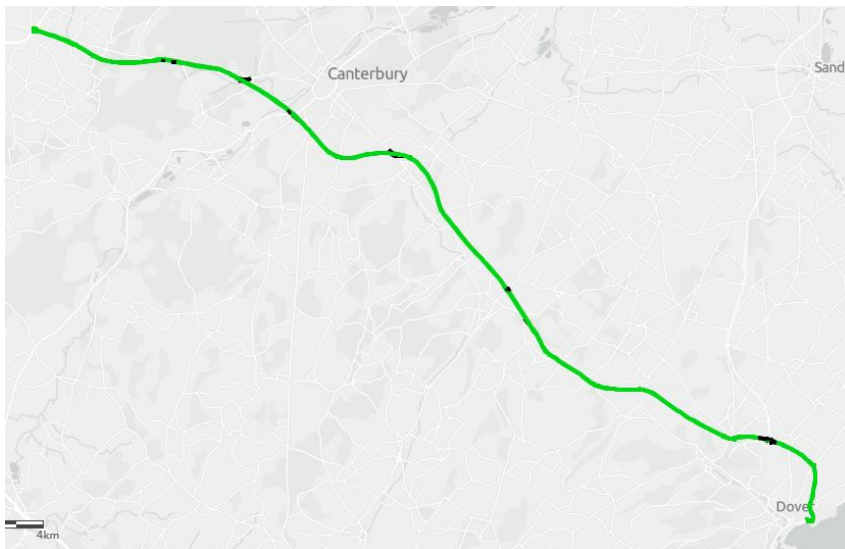
A2 London – M2 Section



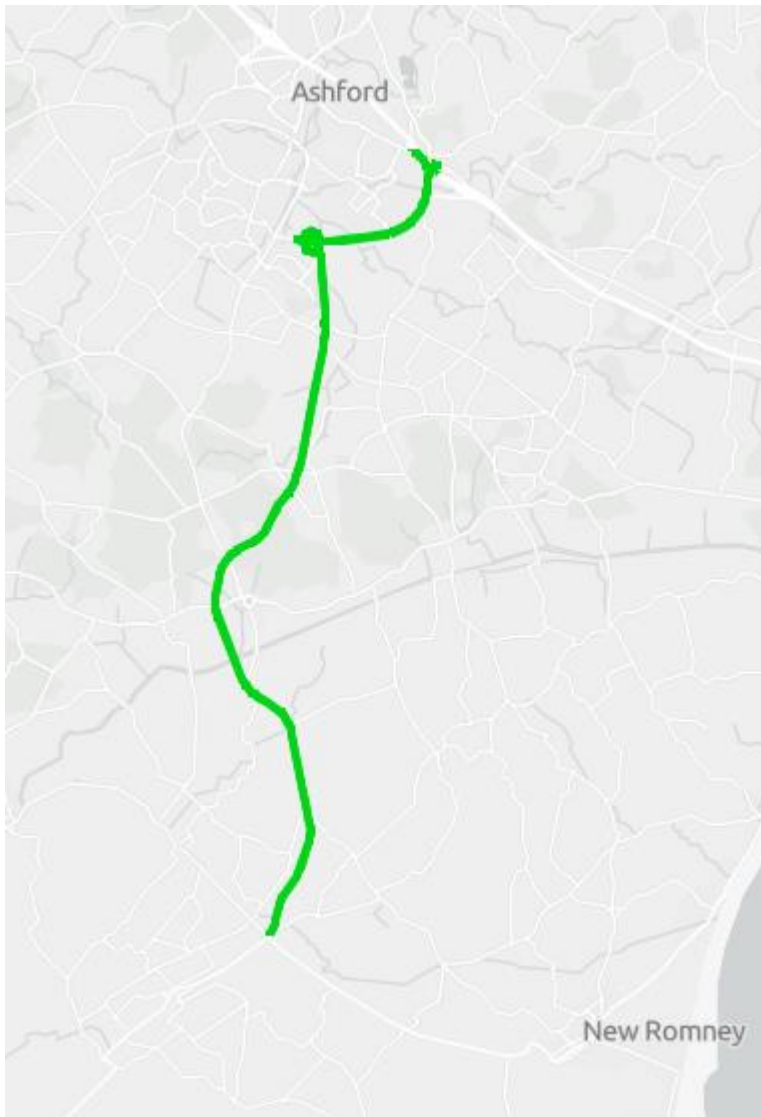
M2



A2 M2 - Dover Section



A2070



Kent & Surrounding areas SRN

