

## Claim Form (CPR Part 8)

SEAL

In the High Court of Justice  
Chancery Division

01 Aug 2017

Claim no.	HC-2017-002125
Fee Account no.	PBA0088070 HC-2017-002125
Help with Fees – Ref no. (if applicable)	H W F - - - - -

### AMENDED CLAIM FORM PURSUANT TO THE ORDER OF MR JUSTICE MORGAN DATED 28 JULY 2017

#### Claimants

- (1) INEOS Upstream Limited (Company Number 09121775) whose registered office is at Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (2) INEOS Industries Limited (Company Number 06959146) whose registered office is at Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (3) INEOS 120 Exploration Limited (Company Number 06714831) whose registered office is at Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (4) INEOS Properties Limited (Company Number 05807165) whose registered office is at Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (5) John Barrie Palfreyman, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (6) Alan John Skepper, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (7) Janette Mary Skepper, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (8) Steven John Skepper, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (9) John Ambrose Hollingworth, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG
- (10) Linda Katharina Hollingworth, c/o Ineos Upstream Limited, Hawkslease, Chapel Lane, Lyndhurst SO43 7FG

#### Defendant(s)

- (1) Persons Unknown entering or remaining without the consent of the claimant(s) on land and buildings shown shaded red on the plans annexed to the amended claim form
- (2) Persons Unknown interfering with the First and Second Claimants' rights to pass and repass with or without vehicles, materials and equipment over private access roads on land shown shaded orange on the plans annexed to the amended claim form without the consent of the Claimant(s)
- (3) Persons Unknown interfering with the right of way enjoyed by the Claimant(s) or its affiliates and each of its and their agents, servants, contractors, sub-contractors, group companies, licensees, employees, partners, consultants, family members and friends over land shown shaded purple on the plans annexed to the amended claim form
- (4) Persons Unknown pursuing any course of conduct such as amounts to harassment of the Claimants and / or any third party contrary to the Protection from Harassment Act 1997 with the intention set out in paragraph 10 of the Order
- (5) Persons Unknown combining together to commit the unlawful acts as specified in paragraph 11 of the Order with the intention set out in paragraph 11 of the Order

Does your claim include any issues under the Human Rights Act 1998? [ ] Yes [X] No

Details of claim (see also overleaf)

Defendant's  
name and  
address

Persons unknown (various): N/A

Court fee	£
Legal representative's costs	TBA
Issue date	<u>27-07-2017</u>

For further details of the courts [www.gov.uk/find-court-tribunal](http://www.gov.uk/find-court-tribunal).

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

N208 Claim form (CPR Part 8) (06.16)

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Claim no.	
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Details of claim (*continued*)

The Claimants' claim is for an Order that:

**Site 1**

1. With immediate effect, the First Defendants and each of them are forbidden from entering or remaining upon land and buildings on the south side of Dronfield Road, Eckington, Sheffield registered at the Land Registry under title number DY359067, shown for illustration purposes shaded red on the plan annexed to Schedule 4 ("**Site 1**"), without the written consent of the First Claimant and Fifth Claimant until the conclusion of the hearing on the return date.

**Site 2**

2. With immediate effect, and save in exercise of a right to pass and repass over public footpaths or bridleways crossing the land, the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as Carr Farm, Winney Lane, Harthill, Sheffield registered at the Land Registry under title number SYK581320, shown for illustration purposes shaded red on the plan annexed to Schedule 5 ("**Site 2**"), without the written consent of the First Claimant, the Sixth, Seventh and Eighth Claimants until the conclusion of the hearing on the return date.

**Site 3**

3. With immediate effect:
  - 3.1 the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as Four Topped Oak, Farnworth Road, Penketh, Warrington, WA5 2TU as more particularly described by a lease dated 20 March 2009 made between (1) Love Brothers Limited and (2) Nexen Exploration U.K. Limited, shown for illustration purposes shaded red on the plan annexed to Schedule 6 ("**Site 3**"), without the written consent of the First Claimant until the conclusion of the hearing on the return date;
  - 3.2 the Second Defendants and each of them are forbidden from interfering with the First Claimant's rights to pass and re-pass with or without vehicles, materials and equipment over any private access roads on the land adjoining Site 3 (the "**Land Adjoining Site 3**"), shown shaded orange on the plan annexed to Schedule 6 of the Order, including any passing bays and splays for access and egress between Site 3 and the public highway until the conclusion of the hearing on the return date.

**Site 4**

4. With immediate effect:
  - 4.1 the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as Wellhead Site, Givenhead Head Farm, Ebberston, Snailton, North Yorkshire as more particularly described by a lease dated 8 September 2011 made between (1) R E Gwilliam and S E Gwilliam and (2) Moorland Exploration Limited registered at the Land Registry under title number NYK391789, shown for illustration purposes shaded red on the plan annexed to Schedule 7 ("**Site 4**"), without the written consent of the Second Claimant until the conclusion of the hearing on the return date;
  - 4.2 the Second Defendants and each of them are forbidden from interfering with the Second Claimant's right to enter upon, pass over and across with or without contractors, surveyors or others and with or without motor or other vehicles, plant, apparatus or materials any private access roads on the land adjoining Site 4 (the "**Land Adjoining Site 4**"), shown shaded orange on the plan annexed to Schedule 7 of the draft Order, in order to access and egress from Site 4 until the conclusion of the hearing on the return Date.



## Details of claim (*continued*)

### Site 5

5. With immediate effect, the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as Hawkslease, Chapel Lane, Lyndhurst SO43 7FG registered at the Land Registry under title number HP335262, shown for illustration purposes shaded red on the plan annexed to Schedule 8 ("**Site 5**"), without the written consent of the Third Claimant until the conclusion of the hearing on the return date.

### Site 6

6. With immediate effect, the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as 38 Hans Crescent, London, SW1Z 0LZ as more particularly described by a lease dated 1 November 2004 made between (1) Ropemaker Knightsbridge Limited and (2) Barclays Bank Plc registered at Land Registry under BGL52268, shown for illustration purposes shaded red on the plan annexed to Schedule 9 ("**Site 6**"), without the written consent of the Fourth Claimant until the conclusion of the hearing on the return date.

### Site 7

7. With immediate effect, and save in exercise of a right to pass and repass over public footpaths or bridleways crossing the land, the First Defendants and each of them are forbidden from entering or remaining upon and buildings on the south side of Woodsetts Road, Woodsetts, Rotherham, South Yorkshire registered at the Land Registry under title number SYK362483 and land and buildings on the west side of Lindrick Road, Woodsetts, Worksop, South Yorkshire registered at Land Registry under title number SYK574844, shown for illustration purposes shaded red on the plan annexed to Schedule 10 ("**Site 7**"), without the written consent of the First Claimant, Ninth Claimant and Tenth Claimant until the conclusion of the hearing on the return date.

### Site 8

8. With immediate effect, the First Defendants and each of them are forbidden from entering or remaining upon land and buildings known as Anchor House, 15-19 Britten Street as more particularly described by a lease dated 18 July 2017 made between (1) Cadogan Estates Limited and (2) INEOS Industries Limited shown for illustration purposes shaded red on the plan annexed to Schedule 11 ("**Site 8**"), without the written consent of the Fourth Claimant until the conclusion of the hearing on the return date.

### The Exclusion Zones

9. With immediate effect, the Third Defendants and each of them are forbidden from interfering with the right enjoyed by the Claimant(s) or its affiliates and each of its and their agents, servants, contractors, sub-contractors, group companies, licensees, employees, partners, consultants, family members and friends to pass and re-pass with or without vehicles in the exclusion zones, shown shaded purple on the plans annexed to Schedules 4,5,6,7,10 and 11 of the Order (the "**Exclusion Zones**"), such zones comprising the primary access ways to Sites 1-4, 7 and 8 (as defined in Schedule 2 of the Order).

### The Supply Chain

10. The Fourth Defendants and each of them be restrained from pursuing any course of conduct against the Claimants and / or any third party such as amounts to harassment within the meaning of the Protection from Harassment Act 1997 with the intention to obstruct, impede or interfere with the lawful activities undertaken by the Claimant(s) or its affiliates and each of its and their agents, servants, contractors, sub-contractors, group companies, licensees, employees, partners and consultants in connection with the searching or boring for or getting any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata and all associated and connected activities.

Details of claim (*continued*)

11 The Fifth Defendants and each of them be restrained from combining together to commit any of the following offences or unlawful acts:

- (a) pursuing any course of conduct, with a view to compelling another person to abstain from doing or to do any act which that person has a legal right to do or abstain from doing, wrongfully and without legal authority, such as amounts to intimidation or annoyance by violence or otherwise amounts to an offence under section 241(1) of the Trade Union and Labour Relations (Consolidation) Act 1992;
- (b) pursuing any course of conduct that amounts to criminal damage pursuant to section 1 of the Criminal Damage Act 1971, or theft pursuant to section 1 of the Theft Act 1968;
- (c) obstructing the free passage along a public highway, including (but not limited to) slow walking in front of vehicles and attaching themselves to any vehicles or other objects along the public highway;
- (d) causing anything to be done on or over a road, or that which interferes with a motor vehicle, trailer or cycle, or interferes (directly or indirectly) with traffic equipment, in such circumstances that it would or could be obvious to a reasonable person that to do so would or could be dangerous;

in each case with the intention to obstruct, impede or interfere with the lawful activities undertaken by the Claimant(s) or its affiliates and each of its and their agents, servants, contractors, sub-contractors, group companies, licensees, employees, partners and consultants in connection with the searching or boring for or getting any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata and all associated and connected activities.

- 12. An Order permitting service of Court documents and evidence by an alternative method.
- 13. Provision to be made for the costs of the claim.

The Claimants rely on the witness evidence referred to in Schedule 1 of the Order.



### Statement of Truth

The Claimant believes that the facts stated in these particulars of claim are true.  
I am duly authorised by the Claimant to sign this statement

Full name Daniel Owen Christopher Talfan Davies

Name of claimant's legal representative's firm Fieldfisher LLP

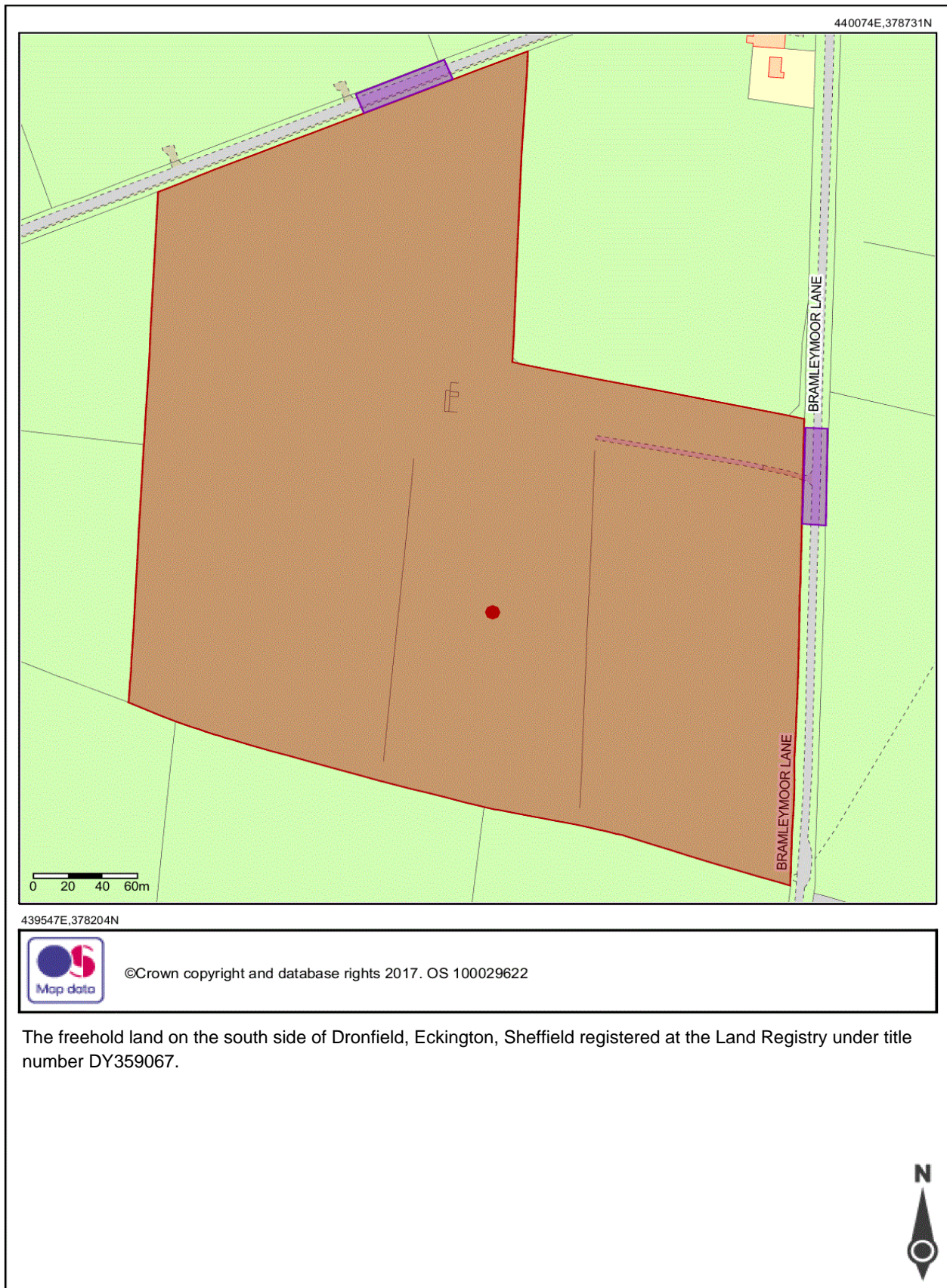
signed   
Claimant's legal representative

position or office held Partner  
(if signing on behalf of firm or company)

Fieldfisher LLP  
Riverbank House  
2 Swan Lane  
London  
EC4R 3TT  
Ref: OTD/64340.00002

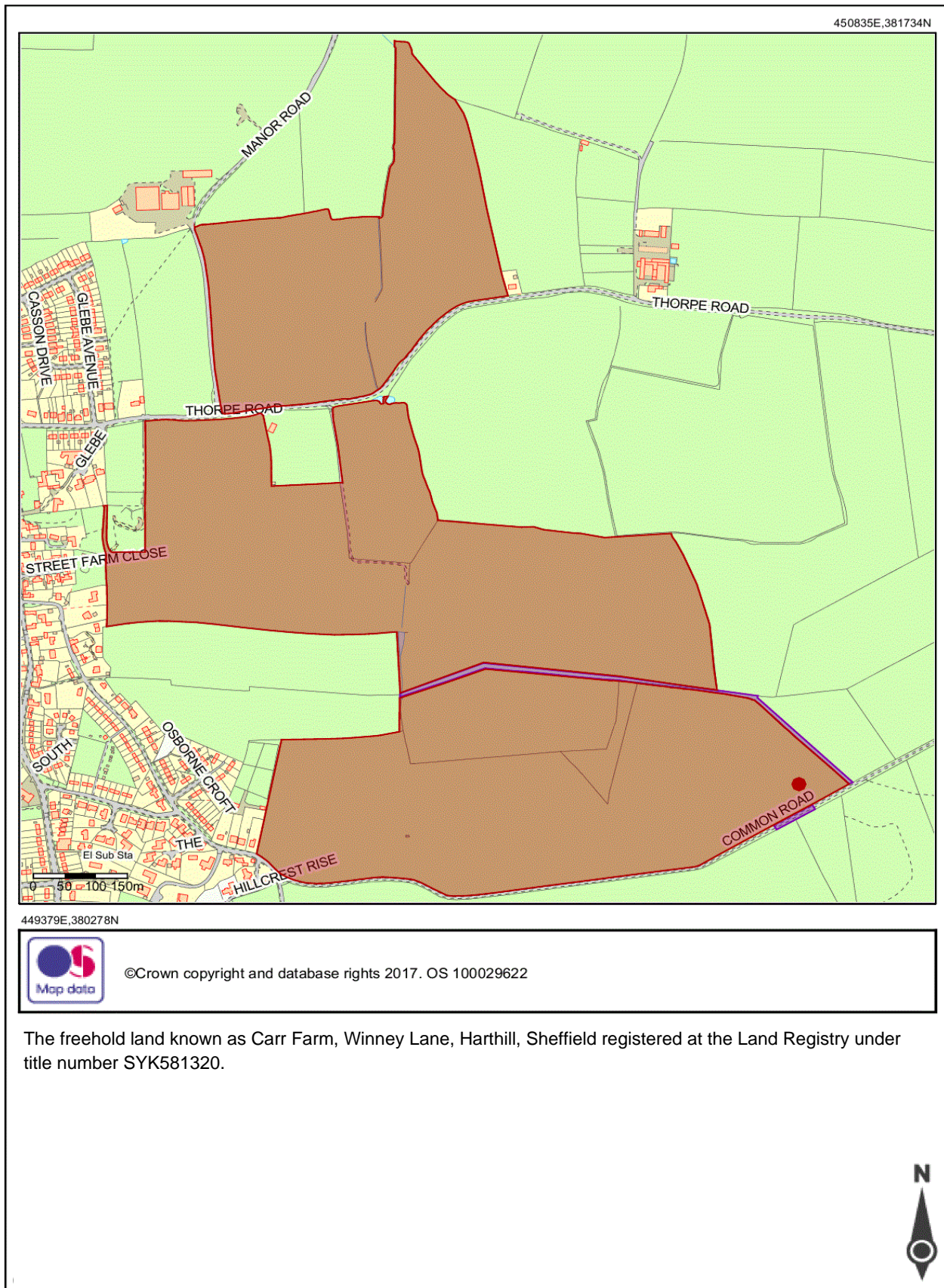
Claimant's or claimant's legal representative's  
address to which documents should be sent if  
different from overleaf. If you are prepared to accept  
service by DX, fax or e-mail, please add details.

# Plan of Bramley Moor (Site 1)



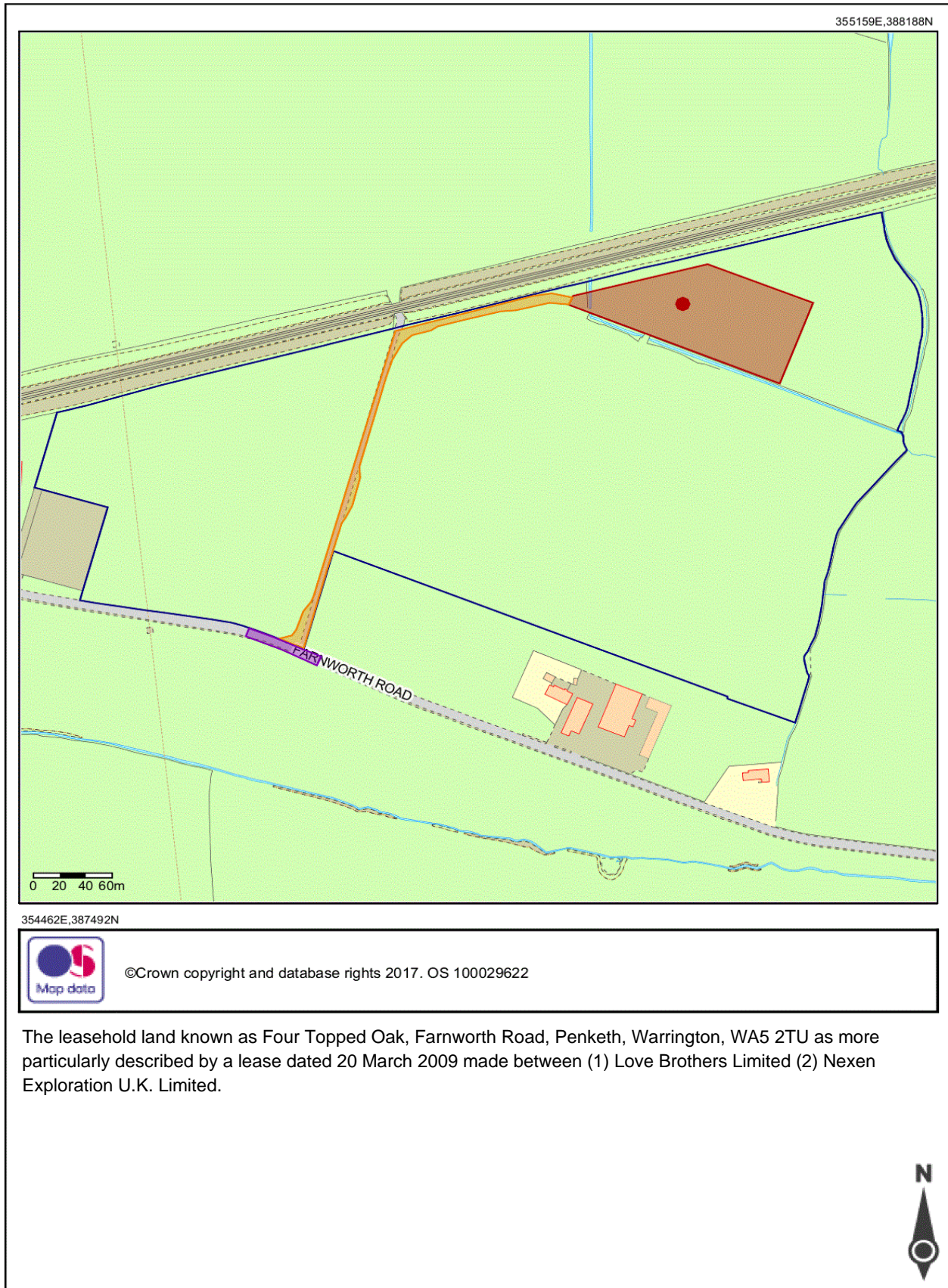


## Plan of Harthill (Site 2)



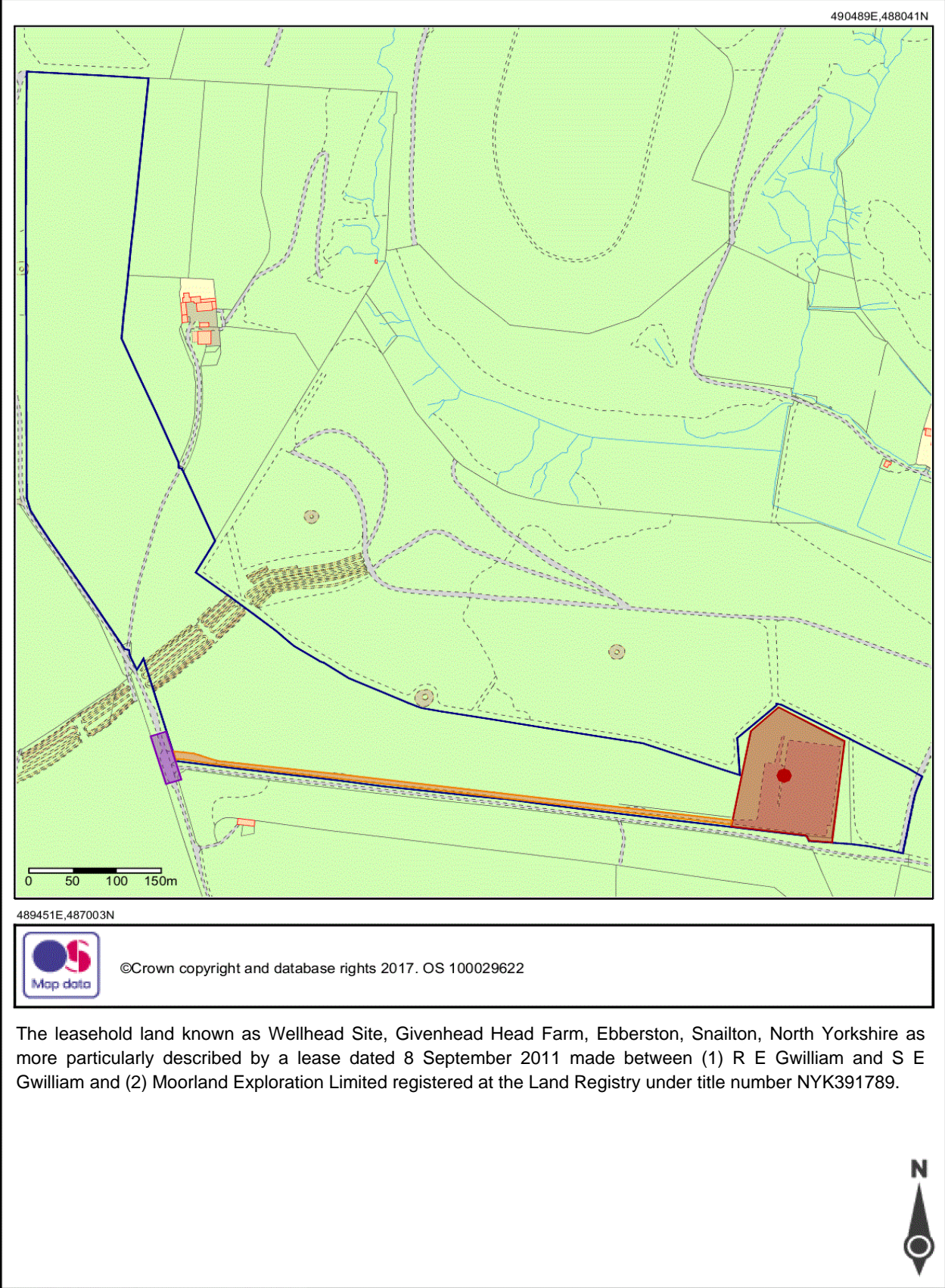


## Plan of Doe Green Well Site (Site 3)



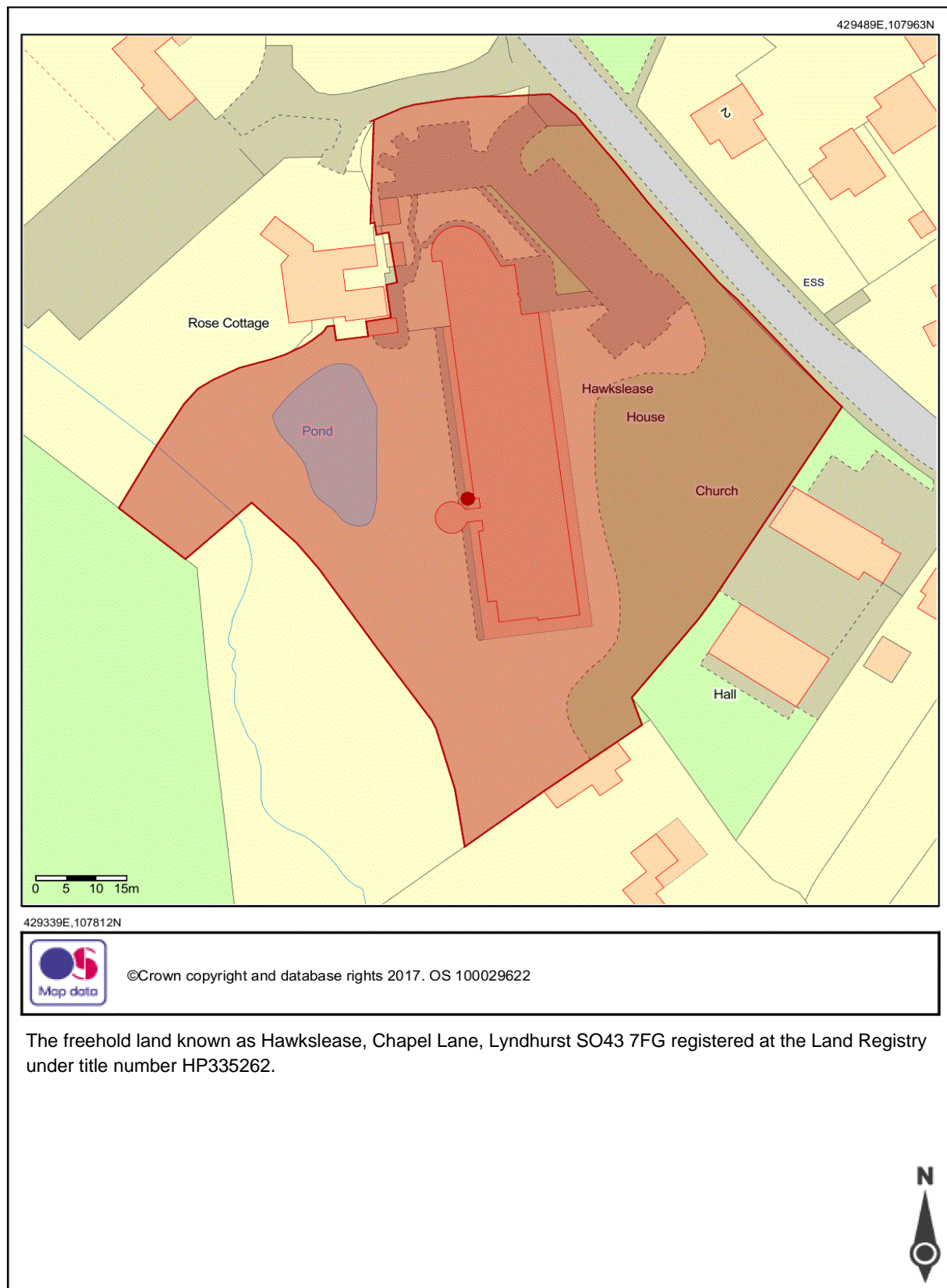


Plan of Ebberston Prospect (Moorland site) / Ebberston South 1 (**Site 4**)



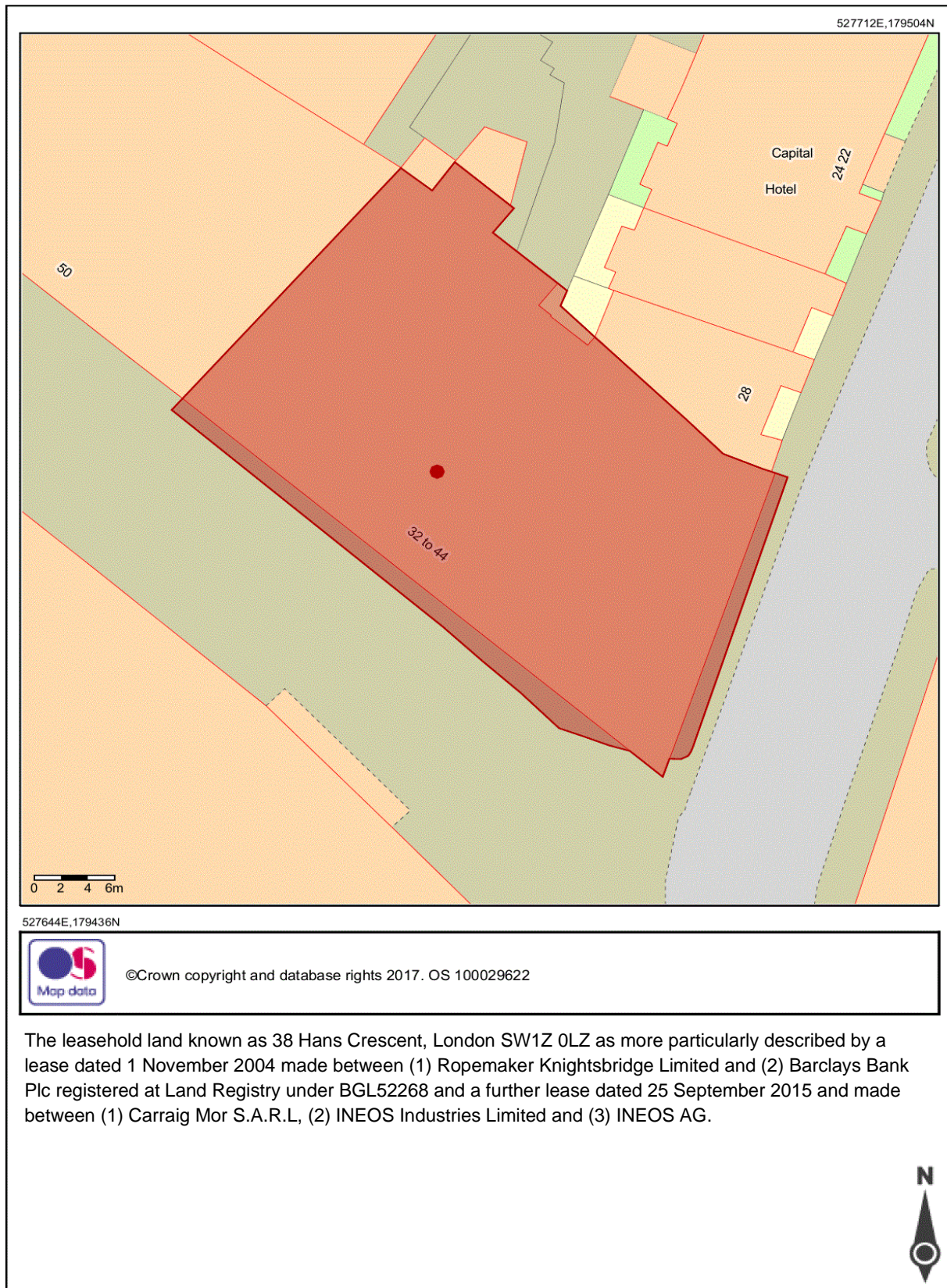


# Plan of Hawkslease, Lyndhurst, Hampshire (Site 5)



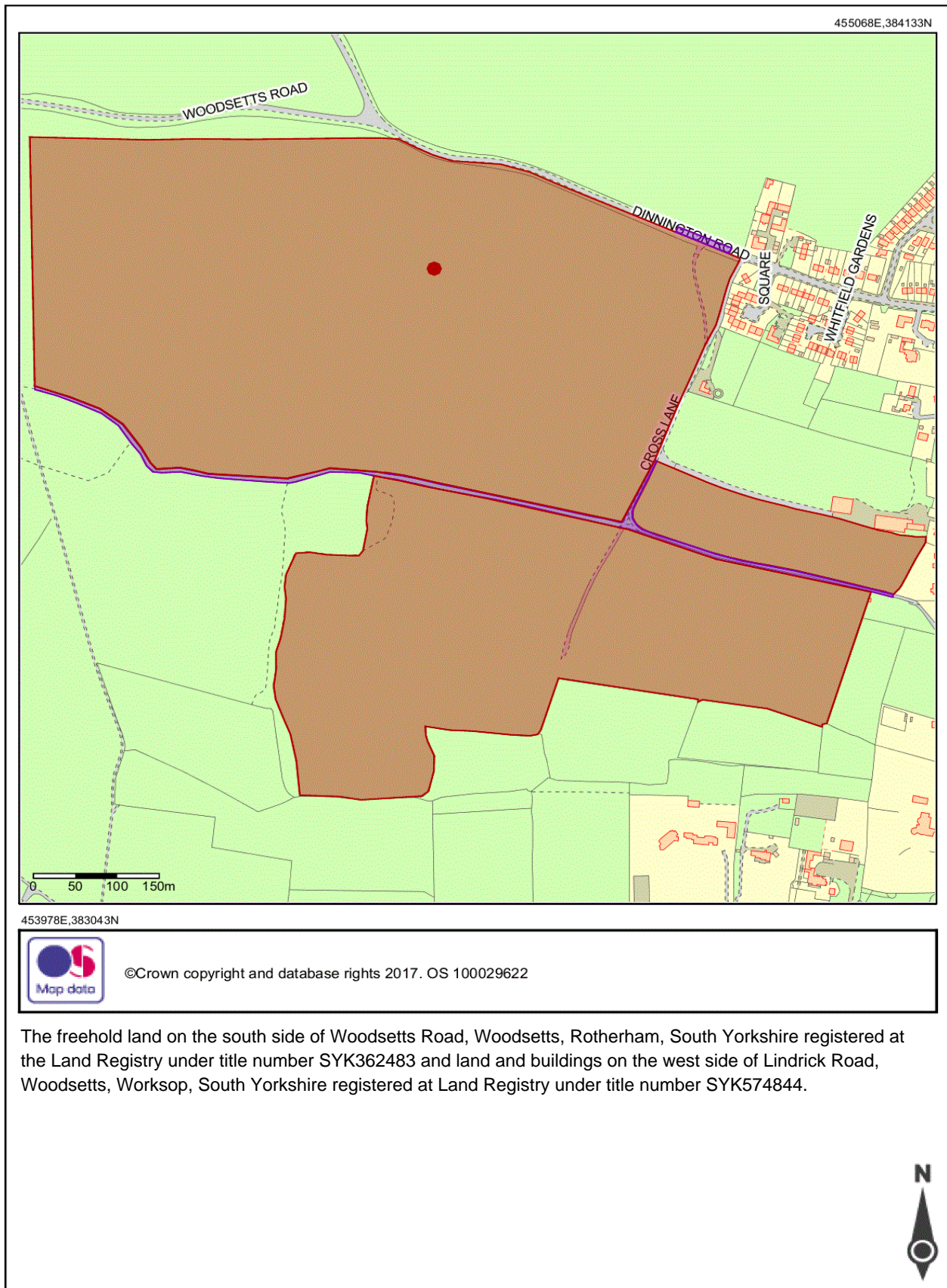


## Plan of 38 Hans Crescent, London (**Site 6**)





## Plan of Woodsetts (Site 7)





## Plan of Anchor House (**Site 8**)

