

**IN THE HIGH COURT OF JUSTICE**

**BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES**

**CHANCERY DIVISION**

**PROPERTY TRUSTS AND PROBATE LIST**

**BEFORE HHJ BARKER QC, SITTING AS A JUDGE OF THE CHANCERY DIVISION**

**Claim No. BL-2018-001973**



**BL-2018-001973**

**B E T W E E N**

**(1) ISLAND GAS LIMITED**

**(2) DART ENERGY (EAST ENGLAND) LIMITED**

**(3) ANDREW DAVID MORRELL**

**Claimants/Applicants**

**and**

**(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 CLAIM FORM**

**(2) PERSONS UNKNOWN WITHOUT THE CONSENT OF THE CLAIMANT(S) 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 BLUE ON THE PLANS ANNEXED TO THE CLAIM FORM**

**(3) PERSONS UNKNOWN INTERFERING WITH THE RIGHT OF WAY ENJOYED BY THE CLAIMANT(S) AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISTORS OVER LAND SHOWN SHADED PINK ON THE PLANS ANNEXED TO THE CLAIM FORM**

**(4) IAN ROWLAND CRANE**

**Defendants/Respondents**

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**ORDER**

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**If you the within-named Defendants, or any of you, disobey this order you may be held to be in contempt of Court and may be imprisoned, fined or have your assets seized.**

**IMPORTANT**

**You should read the terms of the Order very carefully. You are advised to consult a Solicitor as soon as possible.**

**This Order was made at a hearing with notice to the Defendants who have the right to apply to the Court to vary or discharge the Order as set out below.**

**UPON** hearing Leading Counsel for the Claimants and Counsel for the Fourth Defendant

**AND UPON** the grant of various interim injunctions by Order of Mr Justice Morgan dated 3 September 2018 following a hearing without notice on 31 August 2018 and the continuation of those interim injunctions by Order of Mr Justice Zacaroli dated 5 October 2018 ("**the Interim Order**")

**AND UPON** Leading Counsel for the Claimants identifying Sites 1, 2 and 3 by reference to the plans annexed to Schedules 4 to 6 and the associated Exclusion Zones by reference to the plans annexed to Schedules 7 to 8

**AND UPON READING** the Claimants' application and the written evidence listed in Schedule 1 and accepting the undertakings listed in Schedule 3

**AND UPON** IGas Energy Plc ("**IGas**") undertaking to the Court 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 Claimants and/or IGas will comply with any order the Court may make

**AND UPON** the Orders at paragraphs 1 to 6 inclusive being made, respectively, against the First, Second and Third Defendants alone, but on the basis that the Orders at paragraphs 1 to 6 inclusive may extend to the Fourth Defendant if his actions bring him within the descriptions of the First, Second and Third Defendants

**IT IS ORDERED THAT, until trial or further order:**

**SITE 1**

1. The First Defendant and each of them are forbidden from entering or remaining upon the land and/or buildings described in and defined as "**Site 1**" in Schedule 2 to this Order and which are shown for illustration purposes shaded red on the plan annexed to Schedule 4 ("**Site 1**"), and/or from causing damage to, or removing equipment from, Site 1, without the consent of the First Claimant.
2. The Second Defendant and each of them are forbidden from substantially interfering with the First Claimant's rights to use (with or without vehicles and at any time), carry out work on and/or construct, make up and maintain, the private access road on the land adjoining Site 1 (the "**Site 1 Access Route**"), which is shown shaded blue on the plan annexed to Schedule 4 of the Order, including any passing bays and splays for access and egress between Site 1 and the public highway.

## **SITE 2**

3. The First Defendant and each of them are forbidden from entering or remaining upon the land and/or buildings described in and defined as "**Site 2**" in Schedule 2 to this Order and which are shown for illustration purposes shaded red on the plan annexed to Schedule 5 ("**Site 2**"), and/or from causing damage to, or removing equipment from, Site 2 without the consent of the Second Claimant or the Third Claimant.

## **SITE 3**

4. The First Defendant and each of them are forbidden from entering or remaining upon the land and buildings described in and defined as "**Site 3**" in Schedule 2 to this Order and which are shown for illustration purposes shaded red on the plan annexed to Schedule 6 ("**Site 3**"), and/or from causing damage to, or removing equipment from, Site 3 without the consent of the First Claimant.
5. The Second Defendant and each of them are forbidden from substantially interfering with the rights of the First Claimant, and all others authorised by the First Claimant, to pass and re-pass (with or without vehicles and at any time) over the private access road on the land adjoining Site 3 (the "**Site 3 Access Route**"), which is shown shaded blue 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

## **THE EXCLUSION ZONES**

6. In relation to exclusion zones shown shaded pink on the plans annexed to Schedules 7 and 8 of the Order (such zones comprising the primary access ways to Sites 1 and 2) (the "**Exclusion Zones**"), the Third Defendant and each of them are forbidden from carrying out any of the following acts within any of the Exclusion Zones except that this paragraph of this Order shall not apply to any public footpath and/or pavement and/or verge within either Exclusion Zone:
  - (a) blocking the highway with persons or things with a view to slowing down or stopping traffic, and with the intention of causing inconvenience and delay to the Claimants and/or their visitors;
  - (b) slow walking in front of vehicles with the object of slowing them down, and with the intention of causing inconvenience and delay to the Claimants and/or their visitors;
  - (c) climbing onto vehicles with the intention of causing inconvenience and delay to the Claimants and/or their visitors;
  - (d) otherwise, unreasonably and/or without lawful authority or excuse, preventing the Claimants and/or their visitors from access to, and/or egress from, any of the Sites;
  - (e) otherwise, unreasonably and/or without lawful authority or excuse, obstructing the highway, with the intention of causing inconvenience and delay to the Claimants and/or their visitors.

## **IT IS FURTHER ORDERED THAT**

7. Pursuant to CPR 6.27 notice and service of this Order, the Application Notice dated 26 September 2018 and the witness statements containing exhibits relied upon by the Claimants shall be given to the First, Second and Third Defendants by providing notices in the form set out

in Schedules 9 to 13 (together, the "**Notices**"). The giving of such Notices will be effected as follows:

(a) In respect of **Site 1** by:

- (i) affixing the form of site injunction notice set out in Schedule 9 (in no smaller than A3 format in size) and the form of exclusion zone notice set out in schedule 12 (in no smaller than A4 size) (together the "**Site 1 Notices**") in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 1 and, to the extent that the Claimants have consent to do so, along and at the gate to the Site 1 Access Route. Such service is to be good and sufficient service; and
- (ii) the Claimants using all reasonable endeavours to leave copies of the Site 1 Notices at the entranceways to the protester camp known as the 'Misson Springs Protection Camp', which is located in the vicinity of Site 1 and the approximate location of which is shown for identification purposes only shaded purple on the plan attached at schedule 14, to the extent that such camp is still occupied at the time of attempted service.

(b) In respect of **Site 2** by:

- (i) affixing the form of site injunction notice set out in Schedule 10 (in no smaller than A3 format in size) and the form of exclusion zone notice set out in schedule 13 (in no smaller than A4 size) (together the "**Site 2 Notices**") in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 2. Such service is to be good and sufficient service; and
- (ii) the Claimants using all reasonable endeavours to leave copies of the Site 2 Notices at the entranceways to the protestor camp known as the 'Tinker Lane Protectors Camp Group', which is located in the vicinity of Site 2 and the approximate location of which is shown for identification purposes only shaded purple on the plan attached at schedule 15, to the extent that such camp is still occupied at the time of attempted service.

(c) In respect of **Site 3** by

affixing the form of site injunction notice set out in Schedule 11 (in no smaller than A3 format in size) (the "**Site 3 Notice**") in clearly visible locations (including at entranceways, access points, gates and attached to the perimeter fencing) around and comprising part of Site 3 and, to the extent that the Claimants have consent to do so, along the Site 3 Access Route. Such service is to be good and sufficient service.

the said documents will be deemed to be served on the date of such affixation to the said locations, such date to be verified by a certificate of service, such service to be effected within 7 working days of this Order.

8. Pursuant to CPR 6.27 notice and service of this Order, the Application Notice dated 26 September 2018 and the witness statements containing exhibits relied upon by the Claimants shall be given to the Defendants by providing the Notices to potentially interested parties. The giving of such Notices will be effected by:

- (i) posting this Order, and the Application Notice dated 26 September 2018 on IGas Energy Plc's website (being <http://IGasplc.com/>) and by posting a weblink to those documents on IGas Energy Plc's corporate social media account ([https://twitter.com/IGasEnergy?ref\\_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor](https://twitter.com/IGasEnergy?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Eauthor)); and
- (ii) posting a 'tweet' from the Twitter accounts for IGas (with the username "@IGasEnergy") reporting the existence of this Order

within 7 working days of this Order. The said documents will be deemed to be served on the date such electronic communication is made and/or effected, such date to be verified by a certificate of service, and such service shall constitute good and sufficient service.

- 9. Until service of this Order has been completed in accordance with paragraphs 7 to 8 above, the Interim Order shall remain in full force and effect save that reference to the Return Date in the Interim Order shall be construed as the date of service of this Order.

#### **DIRECTIONS**

- 10. Anyone served or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person but they must first give the Claimants' solicitors 3 working days' notice of such application. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing to the Claimants' solicitors at least 24 hours in advance of any hearing.

#### **COSTS**

- 11. The Fourth Defendant shall pay the Claimants' costs of this action assessed in the sum of £1,200 inclusive of VAT.

#### **COMMUNICATIONS WITH THE COURT**

- 12. All communications about this Order should be sent to:

Court Manager  
High Court of Justice  
Chancery Division  
Rolls Building  
7 Rolls Building  
Fetter Lane  
London  
EC4A 1NL

The telephone number is 020 7947 7501. The offices are open weekdays 10.00 a.m. to 4.30 p.m.

Out of hours telephone number is 020 7947 6260

- 13. Name and address of Claimants' legal representatives

Fieldfisher LLP  
Riverbank House  
2 Swan Lane  
London  
EC4R 3TT

Telephone: 020 7861 4000

Fax: 020 7488 0084

Out of hours telephone number: 07711 088057

Reference: OTD/2004719.1

### **SERVICE OF THE ORDER**

The Court has provided a sealed copy of this Order to the Claimants at:

Fieldfisher LLP  
Riverbank House,  
2 Swan Lane,  
London  
EC4R 3TT

Reference: OTD/2004719.1

### **GUIDANCE NOTES**

#### **Effect of this Order**

(1) A Respondent who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his incitement.

(2) A Respondent which is a corporation and which is ordered not to do something must not do it itself or by its directors, officers, employees or agents or in any other way.

#### **Interpretation of this Order**

(1) In this Order, where there is more than one Respondent, (unless otherwise stated) references to “the Respondent” means both or all of them.

(2) A requirement to serve on “the Respondent” means on each of them. However, the Order is effective against any Respondent on whom it is served.

(3) An Order requiring “the Respondent” to do or not to do anything applies to all Respondents.

## **SCHEDULE 1**

1. First witness statement of Daniel Owen Christopher Talfan Davies dated 29 August 2018;
2. Second witness statement of Daniel Owen Christopher Talfan Davies dated 29 August 2018
3. Third witness statement of Daniel Owen Christopher Talfan Davies dated 29 August 2018;
4. First witness statement of Ross David Hamilton Glover dated 29 August 2018;
5. Witness statement of Andrew David Nowell dated 20 September 2018;
6. Witness statement of Eric Ekanem dated 21 September 2018;
7. Second witness statement of Ross Hamilton Glover dated 21 September 2018;
8. Fourth witness statement of Daniel Owen Christopher Talfan Davies dated 21 September 2018;
9. Witness statement of Ian Rowland Crane dated 14 September 2018;
10. Witness statement of David Timms dated 17 September 2018;
11. Fifth witness statement of Daniel Owen Christopher Talfan Davies dated 1 October 2018;
12. Third witness statement of Ross Hamilton Glover dated 30 November 2018; and
13. Third witness statement of Andrew David Nowell dated 30 November 2018;

## SCHEDULE 2

### THE SITES

#### *Misson Springs ("Site 1")*

The leasehold land at:

1. the Rocket Site, Springs Road, Misson Springs, Nottinghamshire DN10 6ET as more particularly described by a lease dated 22 May 2015 made between (1) L. Jackson & Co Limited; (2) Island Gas Limited; and (3) IGas Energy Plc registered at the Land Registry under title number NT520551 and marked 1 on the plan annexed to Schedule 4 of this Order; and
2. Misson Springs Cottage, Misson Springs, Doncaster DN10 6ES, Chester as more particularly described by a lease dated 22 May 2015 made between (1) Andrew David Jackson and (2) Island Gas Limited and registered at the Land Registry under title number NT515056 and marked 2 on the plan annexed to Schedule 4 of this Order; and
3. Two borehole sites on the land adjoining title number NT520551, as more particularly described by a lease dated 18 July 2016 and made between (1) L. Jackson and Co Limited; (2) Island Gas Limited; and (3) IGas Energy PLC and marked 3 on the plan annexed to Schedule 4 of this Order

#### *Retford Road / Tinker Lane ("Site 2")*

Such land to the South West side of Retford Road, Worksop as forms the subject of an option agreement dated 1 July 2015 made between (1) Andrew David Morrell and (2) Dart Energy (Europe) Limited.

#### *Ellesmere Port ("Site 3")*

The leasehold land at Ellesmere Port as more particularly described by an exploration deed dated 28 April 2017 made between (1) Peel Land and Property (Ports) Ltd and (2) Island Gas Limited.

(together, the **"Sites"**)

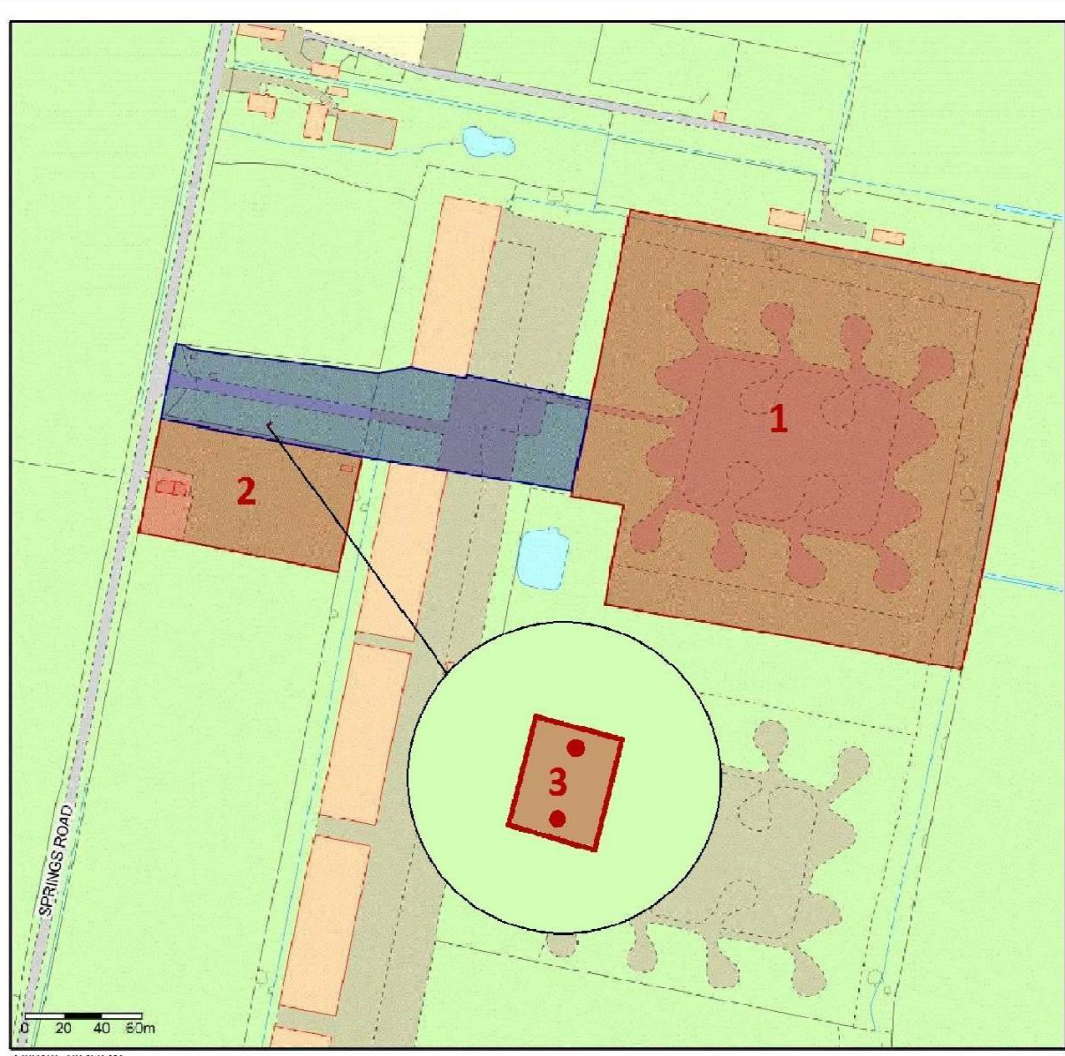


### **SCHEDULE 3**

1. On the making of this Order, the Claimants undertake as follows:
  - a) once in every three months to inspect the perimeter of the Sites, the Site 1 Access Route and the Site 3 Access Route, to ensure that any notices affixed to the perimeter of the Sites pursuant to paragraph 7 of this Order remain so affixed and, if not, to replace the notice and affix a duplicate notice in its place as soon as practicable; and
  - b) to make available to any person (who has provided their name(s) and address(es) and proof of identity to the Claimants' solicitors, Fieldfisher LLP) upon written application to the Claimant's solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

## SCHEDULE 4

Plan of *Misson Springs* ("**Site 1**")



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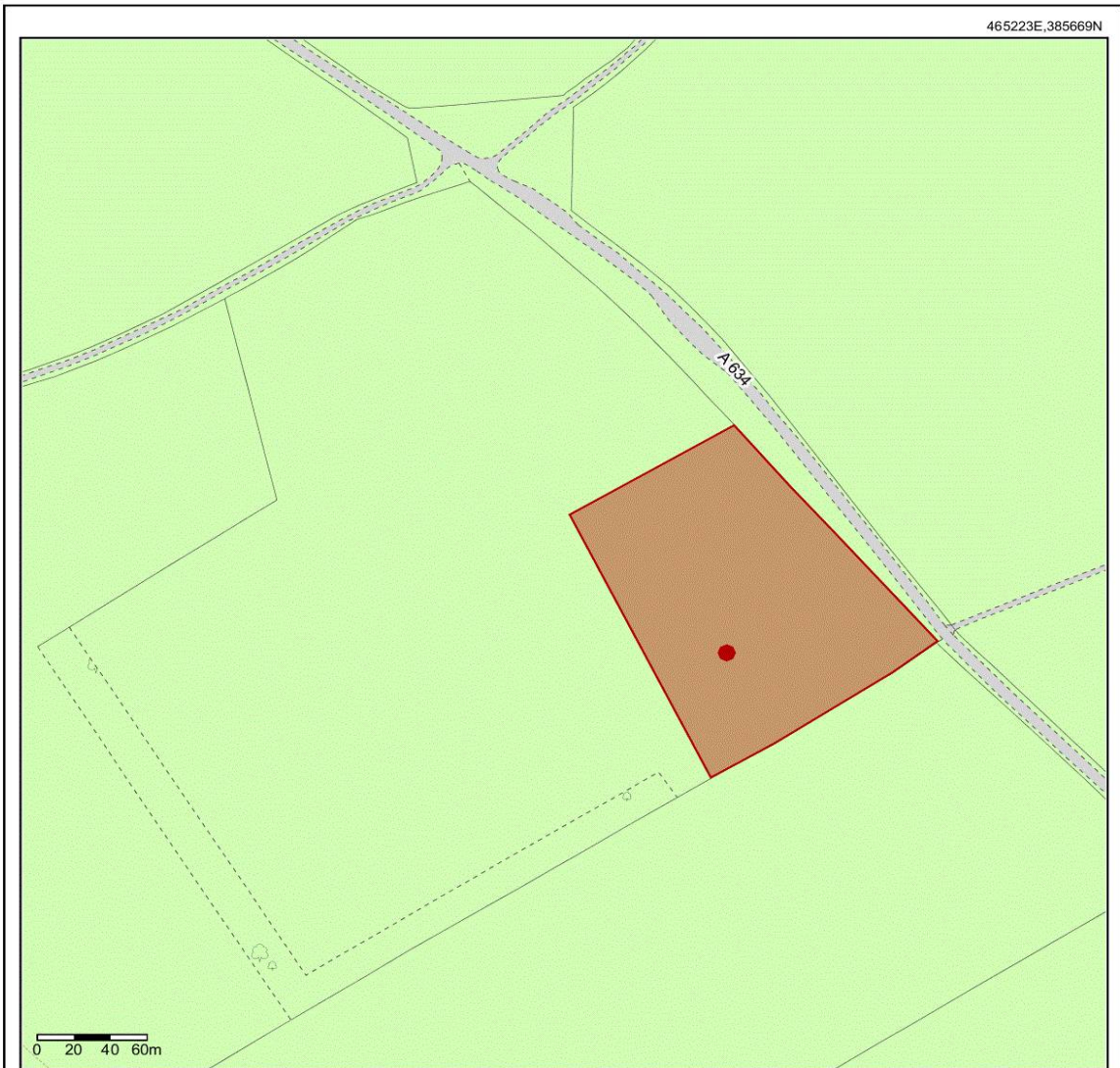
Land at the Rocket Site, Springs Road, Mission Springs  
Nottinghamshire  
DN10 6ET



Case Reference: 64340.00023/Site 1

## **SCHEDULE 5**

Plan of *Retford Road / Tinker Lane* ("**Site 2**")



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Land at Retford Road  
Worksop

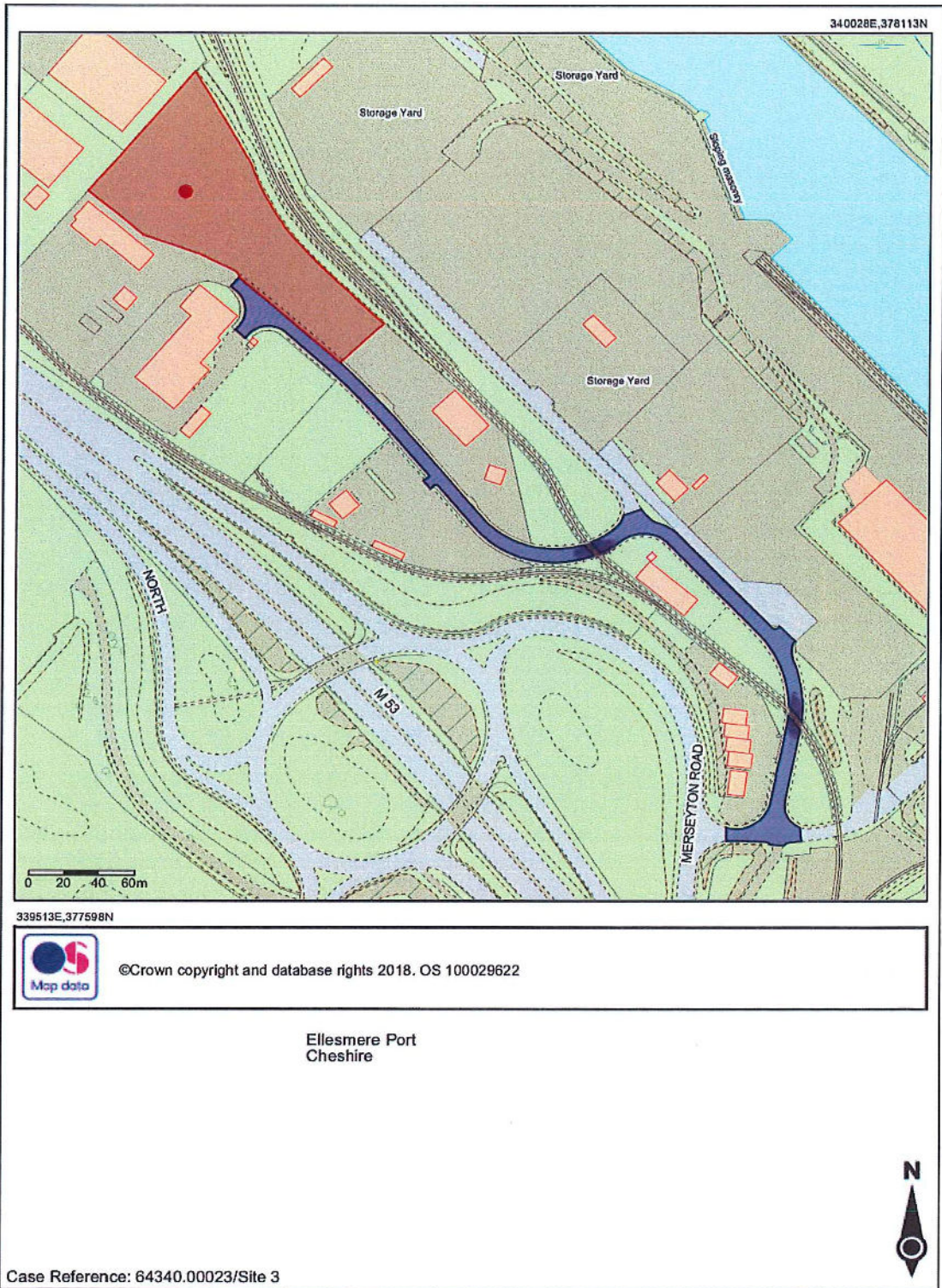


Case Reference: 64340.00023/Site 2

## SCHEDULE 6

Plan of *Ellesmere Port* ("**Site 3**")



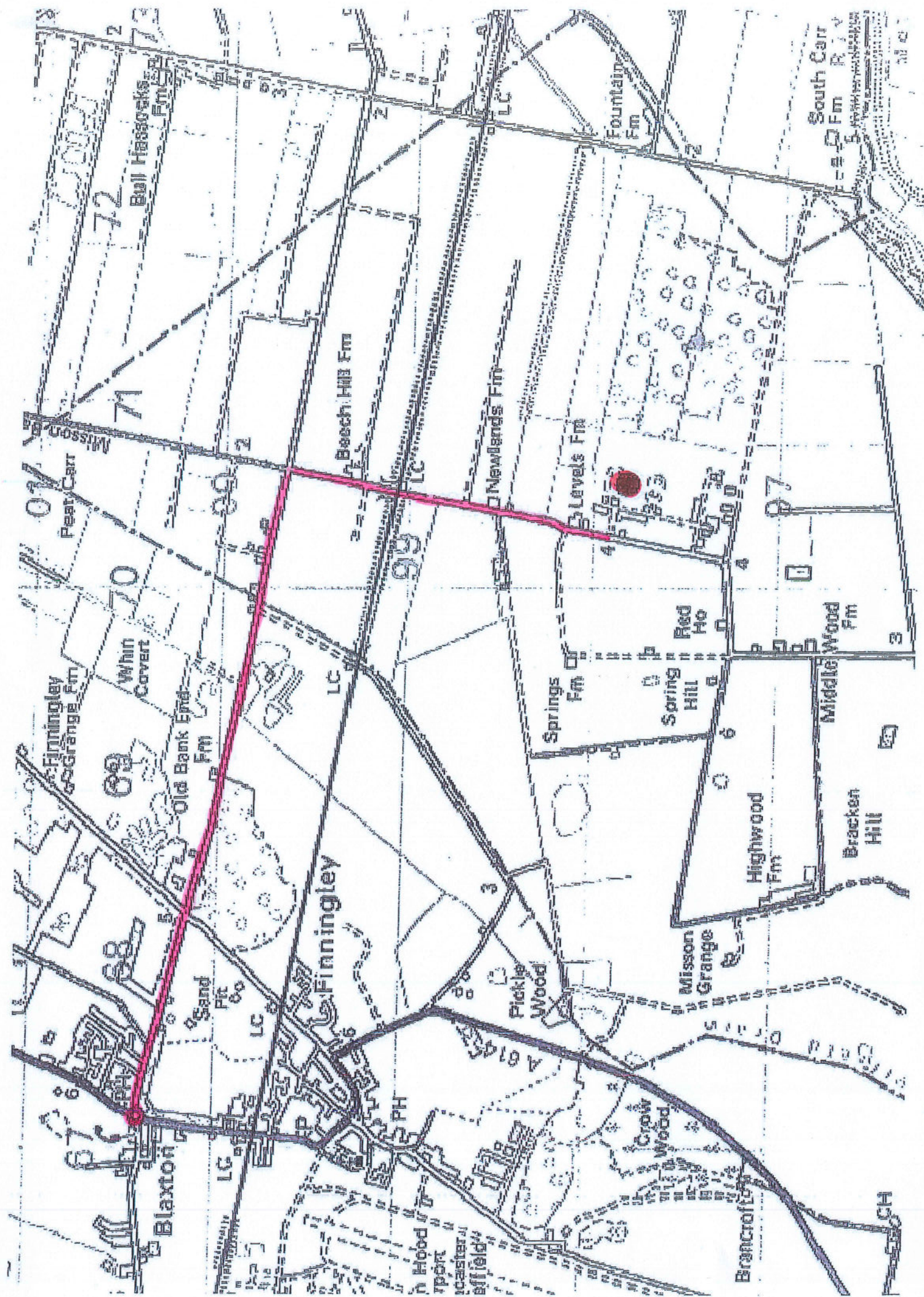


## **SCHEDULE 7**

Plan showing Exclusion Zones at Site 1

*(Mission Springs)*



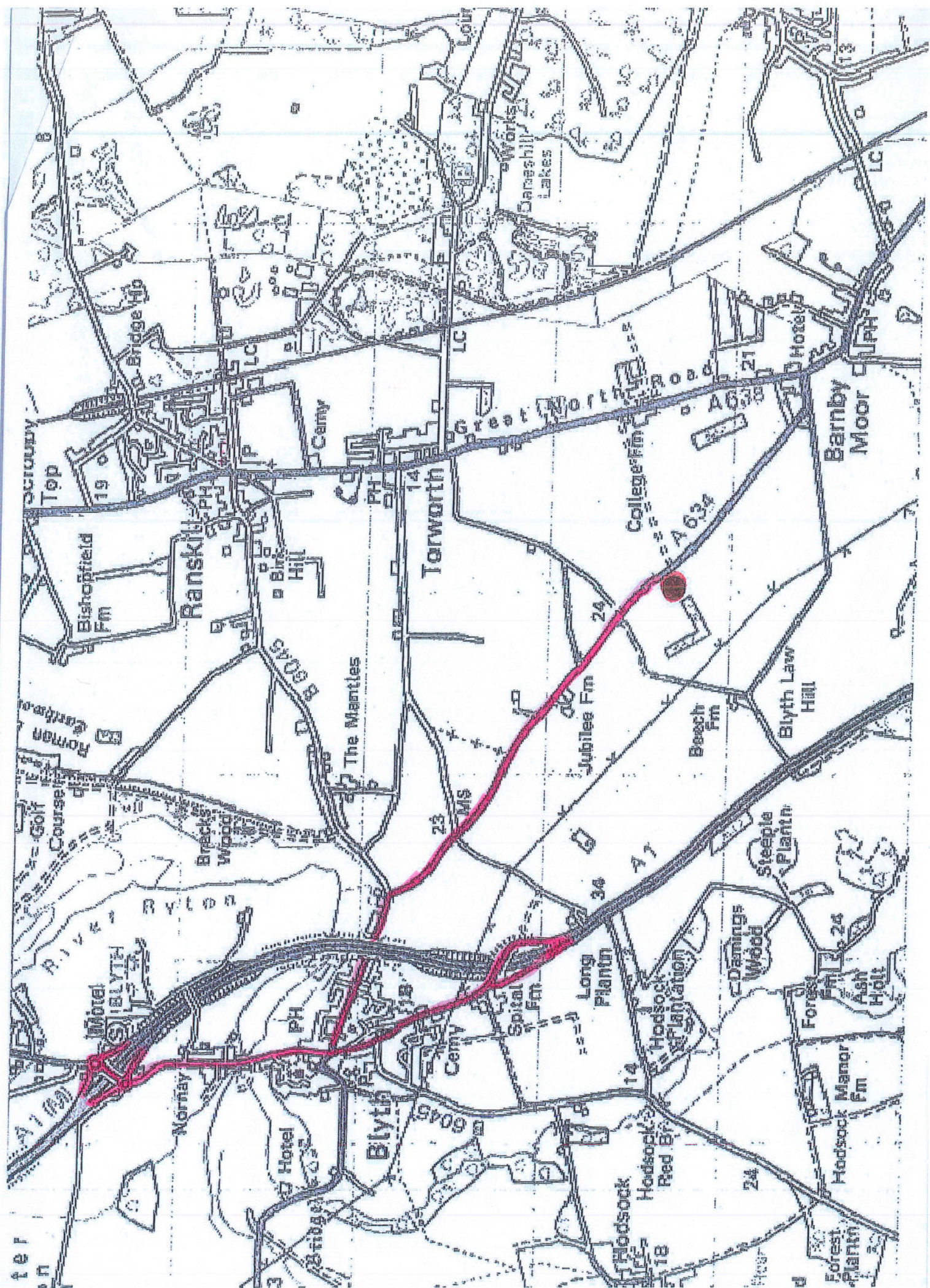


## **SCHEDULE 8**

Plan showing Exclusion Zones at Site 2

*(Retford Road / Tinker Lane)*







**SCHEDULE 9**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 1 INJUNCTION  
IN NO SMALLER THAN A3 FORMAT

# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 28 DECEMBER 2018

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

**TO:** PERSONS UNKNOWN AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE FIRST AND SECOND DEFENDANT IN THE ORDER (THE "DEFENDANTS")

**FROM:** (1) ISLAND GAS LIMITED AND OTHERS (THE "CLAIMANTS")

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

IT IS ORDERED THAT, UNTIL TRIAL OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM:

- ENTERING OR REMAINING UPON THE LAND SHADED RED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN") AND / OR FROM CAUSING DAMAGE TO, OR REMOVING EQUIPMENT FROM THE LAND SHADED RED ON THE PLAN, WITHOUT THE CONSENT OF THE CLAIMANTS; AND
- SUBSTANTIALLY INTERFERING WITH THE CLAIMANTS' RIGHTS TO USE (WITH OR WITHOUT VEHICLES AND AT ANY TIME), CARRY OUT WORK ON AND/OR CONSTRUCT, MAKE UP AND MAINTAIN, THE PRIVATE ACCESS ROAD ON THE LAND SHADED BLUE ON THE PLAN, INCLUDING ANY PASSING BAYS AND SPLAYS FOR ACCESS AND EGRESS BETWEEN THE LAND SHADED RED ON THE PLAN AND THE PUBLIC HIGHWAY

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

**Court communications:** all communications about this Order should be sent to the Court Manager, High Court of Justice (Ref: BL-2018-001973) (details found at <https://courtribunalfinder.service.gov.uk/courts/rolls-building>).

**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com)). The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

**Weblink to:** Order dated 28 December 2018, Application Notice dated 26 September 2018 and Claim Form can be found at <https://www.igasplc.com/>



The leasehold land at:

- the Rocket Site, Springs Road, Misson Springs, Nottinghamshire DN10 6ET as more particularly described by a lease dated 22 May 2015 made between (1) L. Jackson & Co Limited; (2) Island Gas Limited; and (3) IGas Energy Plc registered at the Land Registry under title number NT520551 and marked 1 on the plan above;
- Misson Springs Cottage, Misson Springs, Doncaster DN10 6ES, Chester as more particularly described by a lease dated 22 May 2015 made between (1) Andrew David Jackson and (2) Island Gas Limited and registered at the Land Registry under title number NT515056 and marked 2 on the plan above; and
- Two borehole sites on the land adjoining title number NT520551, as more particularly described by a lease dated 18 July 2016 and made between (1) L. Jackson and Co Limited; (2) Island Gas Limited; and (3) IGas Energy PLC and marked 3 on the plan above.

**SCHEDULE 10**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 2 INJUNCTION  
IN NO SMALLER THAN A3 FORMAT



# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 28 DECEMBER 2018

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

**TO:** PERSONS UNKNOWN AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE FIRST DEFENDANT IN THE ORDER (THE "DEFENDANTS")

**FROM:** (2) DART ENERGY (EAST ENGLAND) LIMITED AND (3) ANDREW DAVID MORRELL AND ANOTHER (THE "CLAIMANTS")

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

IT IS ORDERED THAT, UNTIL TRIAL OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS:

- FROM ENTERING OR REMAINING UPON THE LAND SHADED RED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN"); AND/OR
- FROM CAUSING DAMAGE TO, OR REMOVING EQUIPMENT FROM, THE LAND SHADED RED ON THE PLAN WITHOUT THE CONSENT OF THE CLAIMANTS.

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

**Court communications:** all communications about this Order should be sent to the Court Manager, High Court of Justice (Ref: BL-2018-001973) (details found at <https://courttribunalfinder.service.gov.uk/courts/rolls-building>).

**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com)). The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

**Weblink to:** Order dated 28 December 2018, Application Notice dated 26 September 2018 and Claim Form can be found at <https://www.igasplc.com/>.



Such land to the South West side of Retford Road, Worksop as forms the subject of an option agreement dated 1 July 2015 made between (1) Andrew David Morrell and (2) Dart Energy (Europe) Limited.

**SCHEDULE 11**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 3 INJUNCTION  
IN NO SMALLER THAN A3 FORMAT



# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 28 DECEMBER 2018

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**TO:** PERSONS UNKNOWN AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE FIRST AND SECOND DEFENDANT IN THE ORDER (THE "DEFENDANTS")

**FROM:** (1) ISLAND GAS LIMITED AND OTHERS (THE "CLAIMANTS")

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

IT IS ORDERED THAT, UNTIL TRIAL OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM:

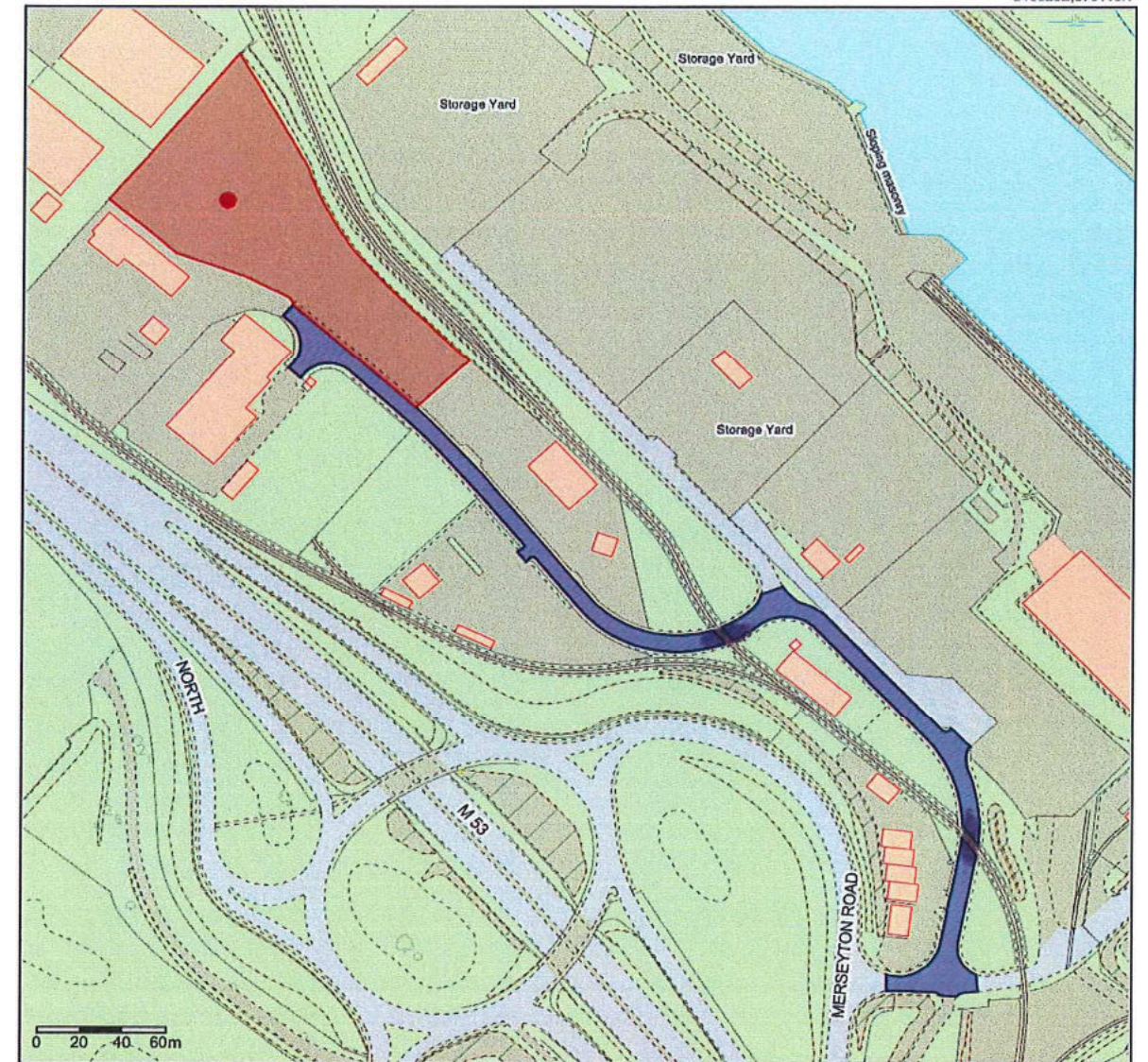
- ENTERING OR REMAINING UPON THE LAND SHADED RED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN") AND / OR FROM CAUSING DAMAGE TO, OR REMOVING EQUIPMENT FROM THE LAND SHADED RED ON THE PLAN, WITHOUT THE CONSENT OF THE CLAIMANTS; AND
- SUBSTANTIALLY INTERFERING WITH THE RIGHTS OF THE CLAIMANTS, AND ALL OTHERS AUTHORISED BY THE CLAIMANTS, TO PASS AND RE-PASS (WITH OR WITHOUT VEHICLES AND AT ANY TIME) OVER THE PRIVATE ACCESS ROAD ON THE LAND SHADED BLUE ON THE PLAN, INCLUDING ANY PASSING BAYS AND SPLAYS FOR ACCESS AND EGRESS BETWEEN THE LAND SHADED RED ON THE PLAN AND THE PUBLIC HIGHWAY

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

**Court communications:** all communications about this Order should be sent to the Court Manager, High Court of Justice (Ref: BL-2018-001973) (details found at <https://courtribunalfinder.service.gov.uk/courts/rolls-building>).

**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com)). The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

**Weblink to:** Order dated 28 December 2018, Application Notice dated 26 September 2018 and Claim Form can be found at <https://www.igasplc.com/>.



The leasehold land at Ellesmere Port as more particularly described by an exploration deed dated 28 April 2017 made between (1) Peel Land and Property (Ports) Ltd and (2) Island Gas Limited.

**SCHEDULE 12**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 1 EXCLUSION ZONE

INJUNCTION IN NO SMALLER THAN A4 FORMAT



# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 28 DECEMBER 2018

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

**TO:** PERSONS UNKNOWN AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE THIRD DEFENDANT IN THE ORDER (THE "DEFENDANTS")

**FROM:** (1) ISLAND GAS LIMITED AND OTHERS (THE "CLAIMANTS")

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

IT IS ORDERED THAT, UNTIL TRIAL OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM CARRYING OUT ANY OF THE FOLLOWING ACTS WITHIN THE EXCLUSION ZONE (AS MORE PARTICULARLY DEFINED AND DESCRIBED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN")), EXCEPT THAT THIS ORDER SHALL NOT APPLY TO ANY PUBLIC FOOTPATH AND/OR PAVEMENT AND/OR VERGE WITHIN THE EXCLUSION ZONE:

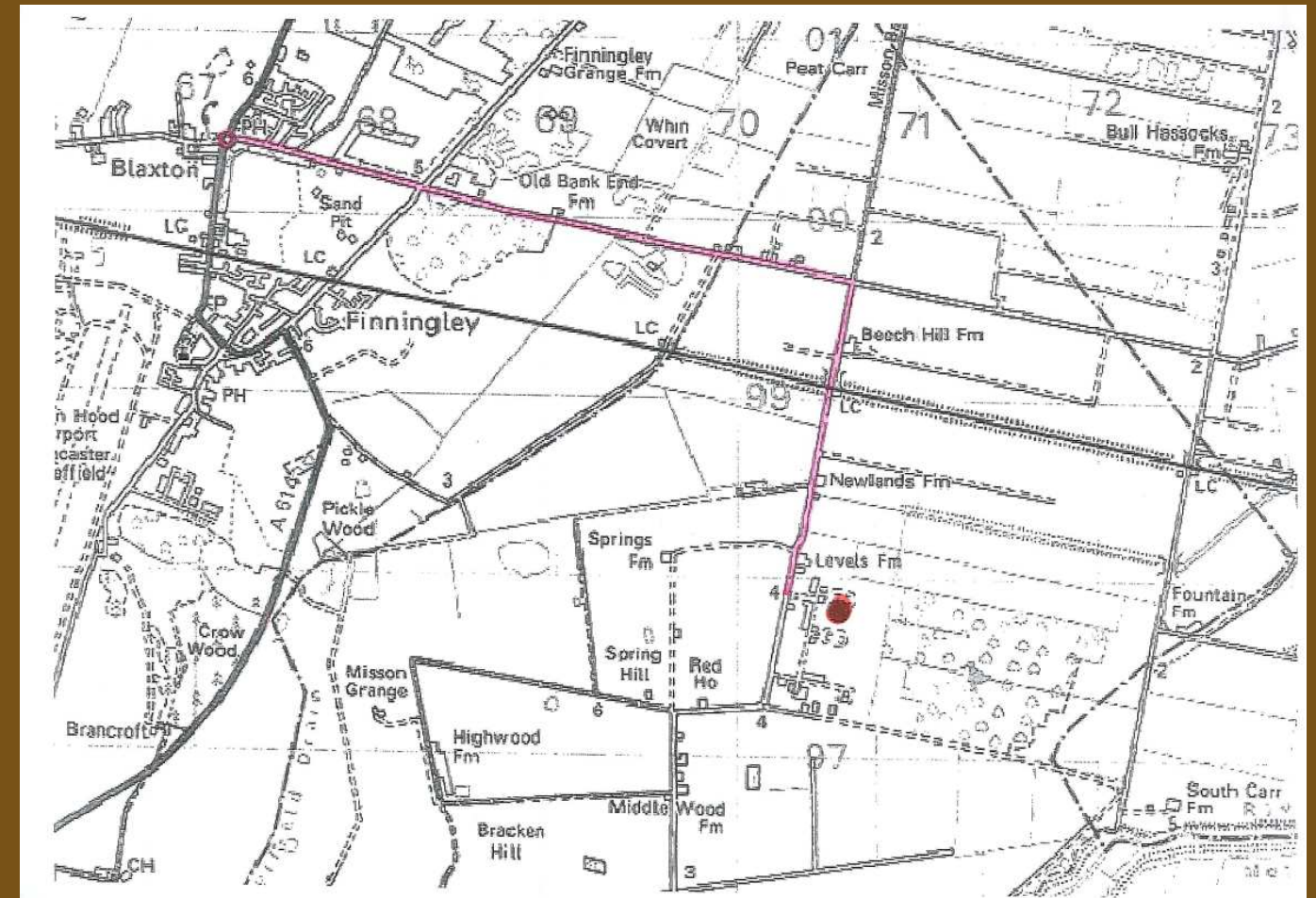
- BLOCKING THE HIGHWAY WITH PERSONS OR THINGS WITH A VIEW TO SLOWING DOWN OR STOPPING THE TRAFFIC, AND WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS;
- SLOW WALKING IN FRONT OF VEHICLES WITH THE OBJECT OF SLOWING THEM DOWN, AND WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS;
- CLIMBING ONTO VEHICLES WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND /OR THEIR VISITORS;
- OTHERWISE, UNREASONABLY AND/OR WITHOUT LAWFUL AUTHORITY OR EXCUSE, PREVENTING THE CLAIMANTS AND/OR THEIR VISITORS FROM ACCESS TO, AND/OR EGRESS FROM, SITE 1 (AS MORE PARTICULARLY DEFINED AND DESCRIBED ON THE PLAN);
- OTHERWISE, UNREASONABLY AND/OR WITHOUT LAWFUL AUTHORITY OR EXCUSE, OBSTRUCTING THE HIGHWAY, WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS.

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

**Court communications:** all communications about this Order should be sent to the Court Manager, High Court of Justice (Ref: BL-2018-001973) (details found at <https://courttribunalfinder.service.gov.uk/courts/rolls-building>).

**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com)). The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

**Weblink to:** Order dated 28 December 2018, Application Notice dated 26 September 2018 and Claim Form can be found at <https://www.igasplc.com/>



The leasehold land at:

- the Rocket Site, Springs Road, Misson Springs, Nottinghamshire DN10 6ET as more particularly described by a lease dated 22 May 2015 made between (1) L. Jackson & Co Limited; (2) Island Gas Limited; and (3) IGas Energy Plc registered at the Land Registry under title number NT520551; and
- Misson Springs Cottage, Misson Springs, Doncaster DN10 6ES, Chester as more particularly described by a lease dated 22 May 2015 made between (1) Andrew David Jackson and (2) Island Gas Limited and registered at the Land Registry under title number NT515056; and
- two borehole sites on the land adjoining title number NT520551, as more particularly described by a lease dated 18 July 2016 and made between (1) L. Jackson and Co Limited; (2) Island Gas Limited; and (3) IGas Energy PLC

shown for illustration purposes shaded red ("Site 1")

The part of Springs Road that runs Northbound from Site 1 and the stretch of the B1396 (Bank End Road) that runs from Springs Road up to, and including, the roundabout at Blaxton, shown for illustration purposes shaded pink (the "Exclusion Zone").

**SCHEDULE 13**

SEE ATTACHED NOTICE AND SERVICE OF ORDER OF THE SITE 2 EXCLUSION ZONE

INJUNCTION IN NO SMALLER THAN A4 FORMAT



# HIGH COURT INJUNCTION IN FORCE

## NOTICE OF HIGH COURT ORDER DATED 28 DECEMBER 2018

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

**TO:** PERSONS UNKNOWN AS MORE PARTICULARLY DEFINED IN AND DESCRIBED AS THE THIRD DEFENDANT IN THE ORDER (THE "DEFENDANTS")

**FROM:** (2) DART ENERGY (EAST ENGLAND) LIMITED AND (3) ANDREW DAVID MORRELL AND ANOTHER (THE "CLAIMANTS")

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

IT IS ORDERED THAT, UNTIL TRIAL OR FURTHER ORDER, THIS INJUNCTION PROHIBITS THE DEFENDANTS FROM CARRYING OUT ANY OF THE FOLLOWING ACTS WITHIN THE EXCLUSION ZONE (AS MORE PARTICULARLY DEFINED AND DESCRIBED ON THE PLAN SET OUT IN THIS NOTICE (THE "PLAN")), EXCEPT THAT THIS ORDER SHALL NOT APPLY TO ANY PUBLIC FOOTPATH AND/OR PAVEMENT AND/OR VERGE WITHIN THE EXCLUSION ZONE:

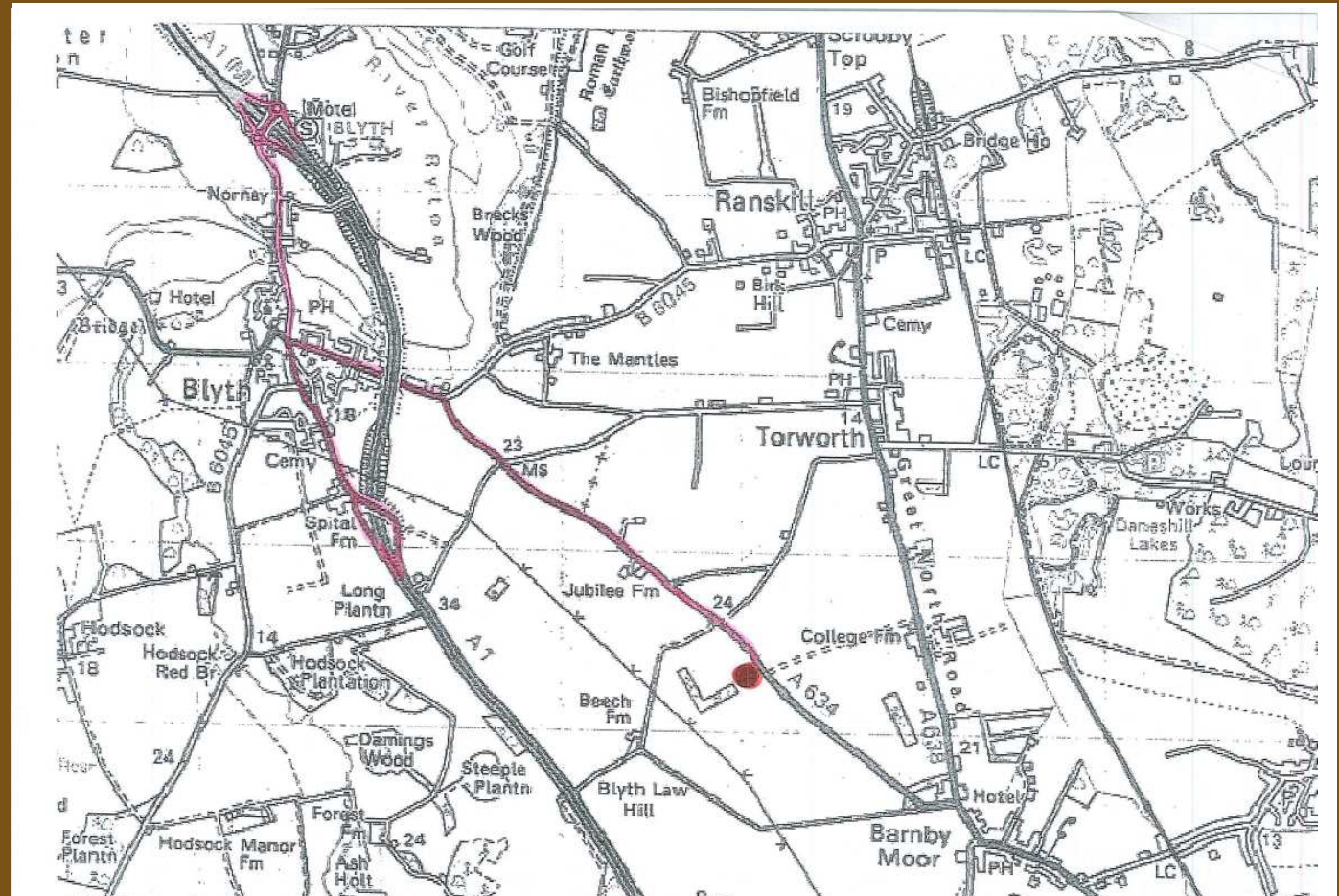
- BLOCKING THE HIGHWAY WITH PERSONS OR THINGS WITH A VIEW TO SLOWING DOWN OR STOPPING THE TRAFFIC, AND WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS;
- SLOW WALKING IN FRONT OF VEHICLES WITH THE OBJECT OF SLOWING THEM DOWN, AND WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS;
- CLIMBING ONTO VEHICLES WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND /OR THEIR VISITORS;
- OTHERWISE, UNREASONABLY AND/OR WITHOUT LAWFUL AUTHORITY OR EXCUSE, PREVENTING THE CLAIMANTS AND/OR THEIR VISITORS FROM ACCESS TO, AND/OR EGRESS FROM, SITE 2 (AS MORE PARTICULARLY DEFINED AND DESCRIBED ON THE PLAN);
- OTHERWISE, UNREASONABLY AND/OR WITHOUT LAWFUL AUTHORITY OR EXCUSE, OBSTRUCTING THE HIGHWAY, WITH THE INTENTION OF CAUSING INCONVENIENCE AND DELAY TO THE CLAIMANTS AND/OR THEIR VISITORS.

REFERENCES TO THE 'CLAIMANT' OR 'CLAIMANTS' IN THIS ORDER MEANS ONE OR MORE OF THE AFOREMENTIONED CLAIMANTS AND EACH OF ITS AND THEIR AGENTS, SERVANTS, CONTRACTORS, SUB-CONTRACTORS, GROUP COMPANIES, LICENSEES, EMPLOYEES, PARTNERS, CONSULTANTS AND OTHER VISITORS.

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**Claimants' solicitors:** Fieldfisher LLP whose address is Riverbank House, 2 Swan Lane, London EC4R 3TT (Telephone number: 0207 861 4000; email address: [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com)). The Claimants will make available to any person (who has provided their name(s), address(es) and proof of identity to the Claimants' solicitors) upon written application to the Claimants' solicitors (either in writing at their said offices or by email to [IGasTeam@fieldfisher.com](mailto:IGasTeam@fieldfisher.com) and in either case quoting reference OTD/IGas), using an encrypted online file hosting service, the Court documents, witness evidence and exhibits, as soon as possible thereafter and in either case within two clear working days from the first working day on which such written application is received.

**Weblink to:** Order dated 28 December 2018, Application Notice dated 26 September 2018 and Claim Form can be found at <https://www.igasplc.com/>.



Such land to the South West side of Retford Road, Worksop as forms the subject of an option agreement dated 1 July 2015 made between (1) Andrew David Morrell and (2) Dart Energy (Europe) Limited, shown for illustration purposes shaded red ("Site 2").

The exclusion zone includes:

- that part of the A634 (Retford Road) that runs northbound from Site 2 up to the roundabout where the A634 (also known as Retford Road) meets the High Street at Blyth; and
- both directions along the High Street:
  - turning left at the roundabout, the High Street runs Southward until it joins the A1 (Blythe Road) via Spital Road; and
  - turning right, the High Street runs North until it joins the A1(M) at the Blyth Roundabout via Bawtry Road (the B6045).

shown for illustration purposes shaded pink (the "Exclusion Zone").

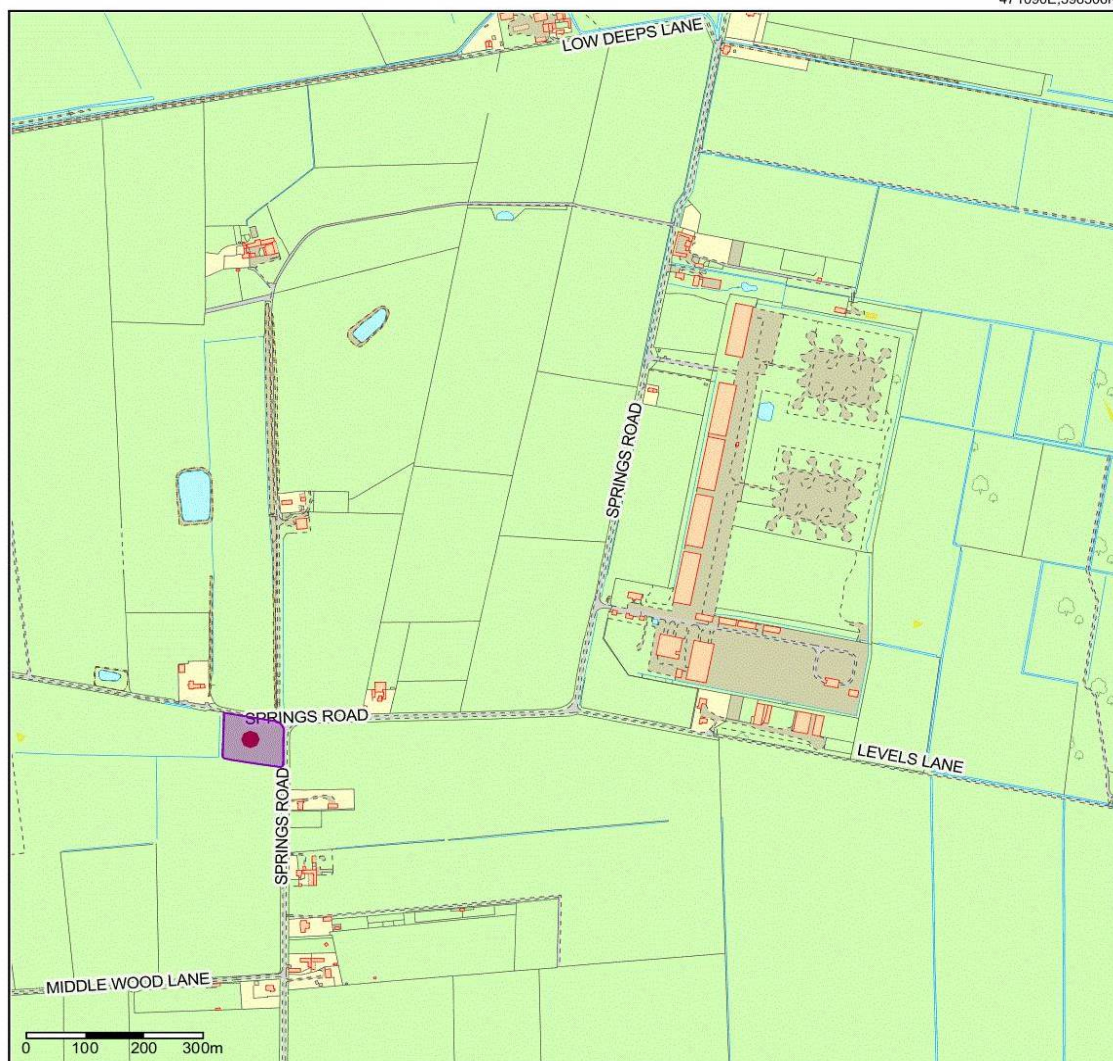
#### **SCHEDULE 14**

Plan showing approximate location of the 'Misson Springs Protection Camp', which is located in the vicinity of Site 1

*(Springs Lane)*



47 1090E, 398506N



469208E, 396624N



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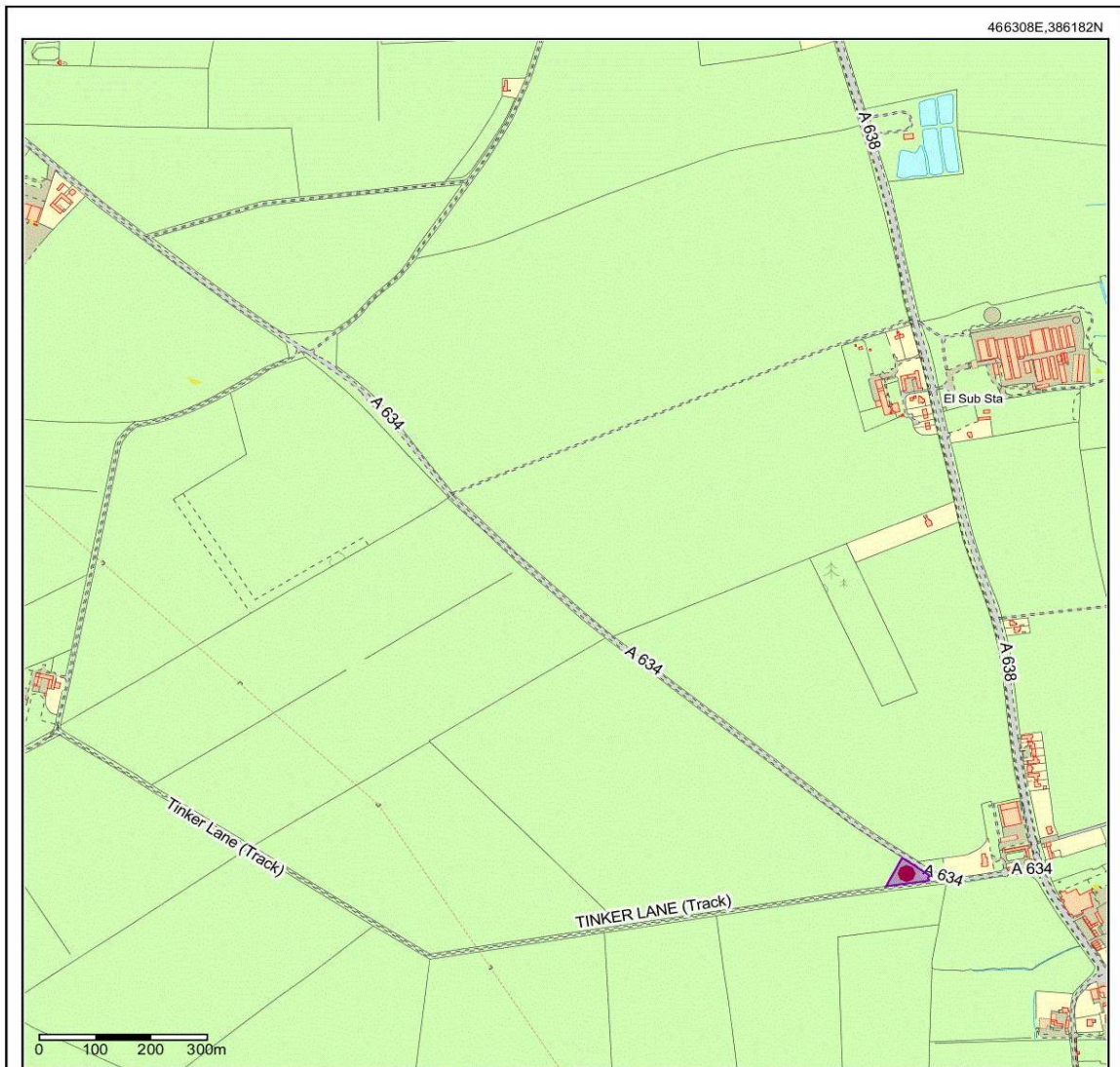


## **SCHEDULE 15**

Plan showing approximate location of the 'Tinker Lane Protectors Camp Group', which is located in the vicinity of Site 2

(*Tinker Lane*)





464374E,384249N



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