

Claim No: QB-2022-001236

Filed on behalf of the Claimant
Steven Maxey
Third Witness Statement
Exhibits SM/9

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION
ROYAL COURTS OF JUSTICE

B E T W E E N

NORTH WARWICKSHIRE BOROUGH COUNCIL

Claimant

and

(16) JANE THEWLIS,
(21) THOMAS ADAMS,
(26) MAIR BAIN,
(27) JEREMY BAYSTON,
(35) RACHEL JANE BLACKMORE,
(41) TOMMY BURNETT,
(45) OLWEN CARR,
(47) IAN CAVE,
(51) PAUL COOPER,
(52) CLARE COOPER,
(57) SANDRA ELSWORTH,
(63) ALEXANDRA GILCHRIST,
(66) KATHRYN GRIFFITH,
(67) FIONA GRIFFITH,
(74) FIONA HARDING,
(80) BEN HOMFRAY,
(96) RACHEL MANN,
(116) JANE NEECE,
(126) HELEN REDFERN,
(132) JASON SCOTT-WARREN,
(134) SAMUEL SETTLE,
(148) ISABEL WALTERS,
(149) CRAIG WATKINS
(158) PAMELA WILLIAMS

Defendants

THIRD WITNESS STATEMENT OF STEVEN MAXEY

I, STEVEN MAXEY, WILL SAY AS FOLLOWS:

1. I am employed by North Warwickshire Borough Council (“the Council”) as the Chief Executive. In addition to being the Council’s statutory Head of Paid Service, I am the Council’s representative on the Strategic Coordinating Group of the Warwickshire Local Resilience Forum (“the LRF”). I am duly authorised on behalf of the Defendant to make this witness statement.
2. Save where the source of my knowledge is expressly stated the facts set out in this witness statement are from within my own knowledge. Where they are outside my direct knowledge, they are true to the best of my knowledge, information and belief.
3. The Defendants (16) Jane Thewlis, (21) Thomas Adams, (26) Mair Bain, (27) Jeremy Bayston, (35) Rachel Jane Blackmore, (41) Tommy Burnett, (45) Olwen Carr, (47) Ian Cave, (51) Paul Cooper, (52) Clare Cooper, (57) Sandra Elsworth, (63) Alexandra Gilchrist, (66) Kathryn Griffith, (67) Fiona Griffith, (74) Fiona Harding, (80) Ben Homfray, (96) Rachel Mann, (116) Jane Neece, (126) Helen Redfern, (132) Jason Scott-Warren, (134) Samuel Settle, (148) Isabel Walters, (149) Craig Watkins are all known to the Claimant, but have not at any time breached the terms of the injunction.
4. The Defendant (158) Pamela Williams has exceptional circumstances known to the Claimant and the Claimant has agreed to accept an undertaking from her.
5. Each Defendant to whom this application refers has provided a signed undertaking (exhibited to this N244) to the Claimant by which they promise to the Court that they:
 1. Will not (whether by themselves or by instructing, encouraging or allowing any other person):
 - (a) organise or participate in (whether by themselves or with any other person), or encourage, invite or arrange for any other person to participate in any protest against the production or use of fossil fuels, at Kingsbury Oil Terminal (the “Terminal”), taking place within the areas the boundaries of which are edged in red on the Map attached to this undertaking at Schedule 1.
 - (b) in connection with any such protest anywhere in the locality of the Terminal perform any of the following acts:

- (i) entering or attempting to enter the Terminal;
- (ii) congregating or encouraging or arranging for another person to congregate at any entrance to the Terminal;
- (iii) obstructing any entrance to the Terminal;
- (iv) climbing on to or otherwise damaging or interfering with any vehicle, or any object on land (including buildings, structures, caravans, trees and rocks);
- (v) damaging any land including (but not limited to) roads, buildings, structures or trees on that land, or any pipes or equipment serving the Terminal on or beneath that land;
- (vi) affixing themselves to any other person or object or land (including roads, structures, buildings, caravans, trees or rocks);
- (vii) erecting any structure;
- (viii) abandoning any vehicle which blocks any road or impedes the passage of any other vehicle on a road or access to the Terminal;
- (ix) digging any holes in or tunnelling under (or using or occupying existing tunnels under) land, including roads;
- (x) abseiling from bridges or from any other building, structure or tree on land or
- (xi) instructing, assisting, or encouraging any other person to do any act prohibited by paragraphs (b)(i)-(x) of the undertaking.

2. Agree to be bound by these promises until 30.01.2027 or until the expiry/discharge of any injunction granted in this claim, whichever date is the earliest.

I exhibit copies of the signed undertakings received from the Defendants as **Exhibit SM/9**.

6. I confirm that these undertakings are acceptable to the Claimant.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone 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.

Signed:  _____

Date: 20 February 2024

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Defendants

This is the exhibit SM/9 referred to in the Witness Statement of Steven Maxey.

Signed _____

Dated 20th February 2024