

CLAIM NO:

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

BEFORE:

DATED:

BETWEEN:-

(1) WM MORRISON SUPERMARKETS LIMITED
(2) SAFEWAY STORES LIMITED
(3) WM MORRISON PRODUCE LIMITED

Claimants

- v -

(1) PERSONS UNKNOWN AS DESCRIBED IN THE ATTACHED SCHEDULE 1

**(2) PERSONS UNKNOWN AS FURTHER DESCRIBED IN THE ATTACHED
SCHEDULE 1**

Defendants

ORDER

PENAL NOTICE

IF YOU, THE DEFENDANTS, 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 OR ANY OF THEM TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE 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 certain acts. You should read this Order very carefully. You are advised to consult a solicitor as soon as possible. You have the right to apply to the court to vary or discharge this Order (which is explained below).

UPON the Claimants' claim by the Claim Form dated 15 January 2025

AND UPON the Claimants' application for an injunction dated 15 January 2025 ("**the Application**")

AND UPON READING the Application and the witness statement of Andrew James Todd dated 15 January 2025, the witness statement of [REDACTED] dated 15 January 2025, the witness statement of Joanna Goff dated 15 January 2025 and the witness statement of [REDACTED] [REDACTED] dated 15 January 2025 ("**the Witness Statements**")

AND UPON hearing Leading and Junior Counsel for the Claimants and no one attending for the Defendants

AND UPON the Claimants confirming that this Order is not intended to prohibit any lawful protest outside Northampton Valley RDC in so far as any such protest does not obstruct any of the pedestrian and vehicular entrances or exits to Northampton Valley RDC

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

IT IS ORDERED THAT:

DEFINITIONS

1. "**Northampton Valley RDC**" means the First Claimant's land which makes up the retail distribution centre at (A) Cob Drive, Swan Valley, Northampton NN4 9BB; (B) DC2, Swan Valley, Northampton NN4 9BD; and (C) (SV3), Upton, Northampton, the boundaries of which are generally shown coloured blue on the relevant plan appended to the Claim Form, appended to this Order in Schedule 1 ("**the Plans**").
2. "**Northampton Valley RDC Access Road**" means the roads which provide direct access to the Northampton Valley RDC shown in pink and/or orange on the Plans.

3. “**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 www.morrisons-corporate.com/injunction at which copies of this Order may be viewed and downloaded).

INJUNCTION

4. This Order shall be subject to a periodic review as set out at paragraph 8 below and shall operate with immediate effect until varied, discharged or extended by further order.
5. The Defendants and each of them must not do any of the acts listed in paragraph 6 of this Order.
6. The acts referred to in paragraph 5 of this Order are:
 - a. entering, occupying or remaining upon any part of Northampton Valley RDC without the consent of the First Claimant;
 - b. with or without vehicles, including tractors or other agricultural vehicles and equipment, creating or causing blockades, obstructions of traffic and/or otherwise impeding, preventing or interfering with the passage by the First Claimant its agents, servants, employees, licensees, invitees to, from, over and across the Northampton Valley RDC Access Road.
7. This Order is subject to periodic review by the Court on application by the First Claimant at intervals not exceeding 12 months.

SERVICE

8. Pursuant to CPR 6.15, 6.27, and r. 81.4(2)(c) and (d), service of the Claim Form, the Application, and Witness Statements with their exhibits (“**the Claim Documents**”) shall be validly effected by:
 - a. Uploading copies of the Claim Documents to the following website:
www.morrisons-corporate.com/injunction

- b. Sending an email to the email addresses listed in Schedule 3 to this Order stating that a claim has been brought and an application made, and that the Claim Documents can be found at the website referred to above.
 - c. Affixing a notice at those locations marked with an “X” on the Plans setting out where the Claim Documents can be found and obtained in hard copy.
9. Pursuant to CPR 6.27, and r. 81.4(2)(c) and (d), service of this Order shall be validly effected on the Defendants by:
 - a. Producing that a copy of the Order is uploaded to the following website: www.morrisonsonline.com/injunction
 - b. Sending an email to the email addresses listed in Schedule 3 to this Order attaching a copy of this Order.
 - c. Affixing a copy of the Order in A4 size in a clear plastic envelope at those locations marked with an “X” on the Plans.
10. The taking of such steps set out at paragraph 8 and 9 shall be good and sufficient service of this Order and of the Claim Documents upon the Defendants and each of them.
11. Pursuant to CPR 6.15(4)(b) and 6.27, 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.
12. Pursuant to CPR 6.15(4)(b) and 6.27, 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) will be completed when those documents are first affixed regardless of whether they are subsequently removed.
13. The Court will provide sealed copies of this Order to the Claimants’ solicitors for service (whose details are set out below).

FURTHER DIRECTIONS

14. Service on the Defendants of any further applications or documents in the proceedings by the Claimants shall be validly effected by carrying out each of the steps in paragraphs 8(a) and 8(b). Pursuant to CPR 6.15(4)(b) and 6.27, the deemed date of service of future documents shall be the date shown on the relevant certificate of service on completion of the steps described at paragraph 8(a) and (b).
15. Any person affected by this Order may apply to the Court at any time to vary or discharge it or so much of it as affects that person but they must first give the Claimants' solicitors 72 hours' notice of such application by email to andrewtodd@eversheds-sutherland.com. 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 48 hours in advance of any hearing.
16. Any person applying to vary or discharge this Order must provide their full name, address and address for service.
17. The First Claimant have liberty to apply to vary, extend or discharge this Order or for further directions.
18. No acknowledgment of service, admission or defence is required by any party until further so ordered.
19. Costs are reserved.

COMMUNICATIONS WITH THE CLAIMANTS

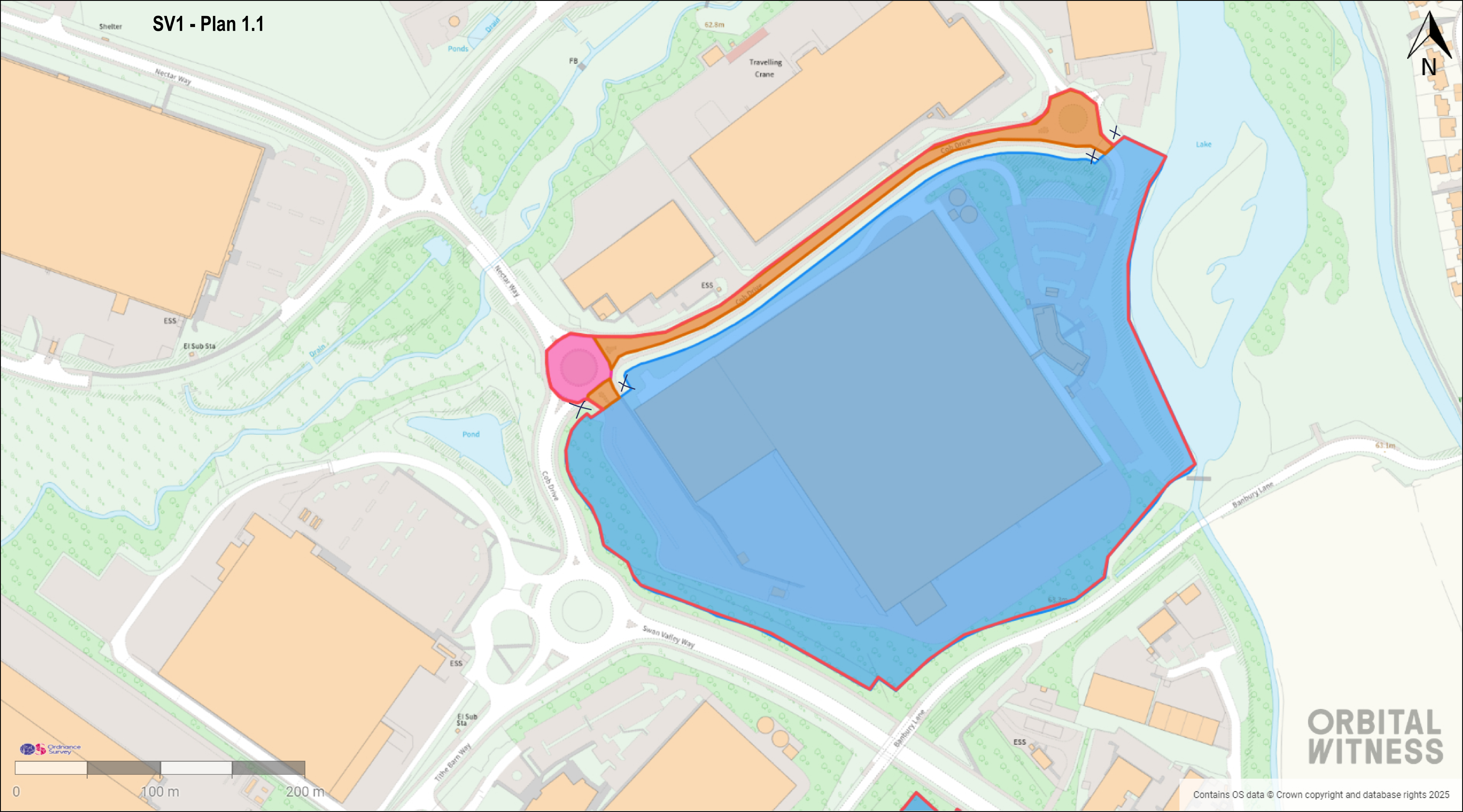
20. The Claimants' solicitors and their contact details are:

(1) Andrew Todd
Eversheds Sutherland (International) LLP
andrewtodd@eversheds-sutherland.com

(2) Alex Wright
Eversheds Sutherland (International) LLP
alexwright@eversheds-sutherland.com

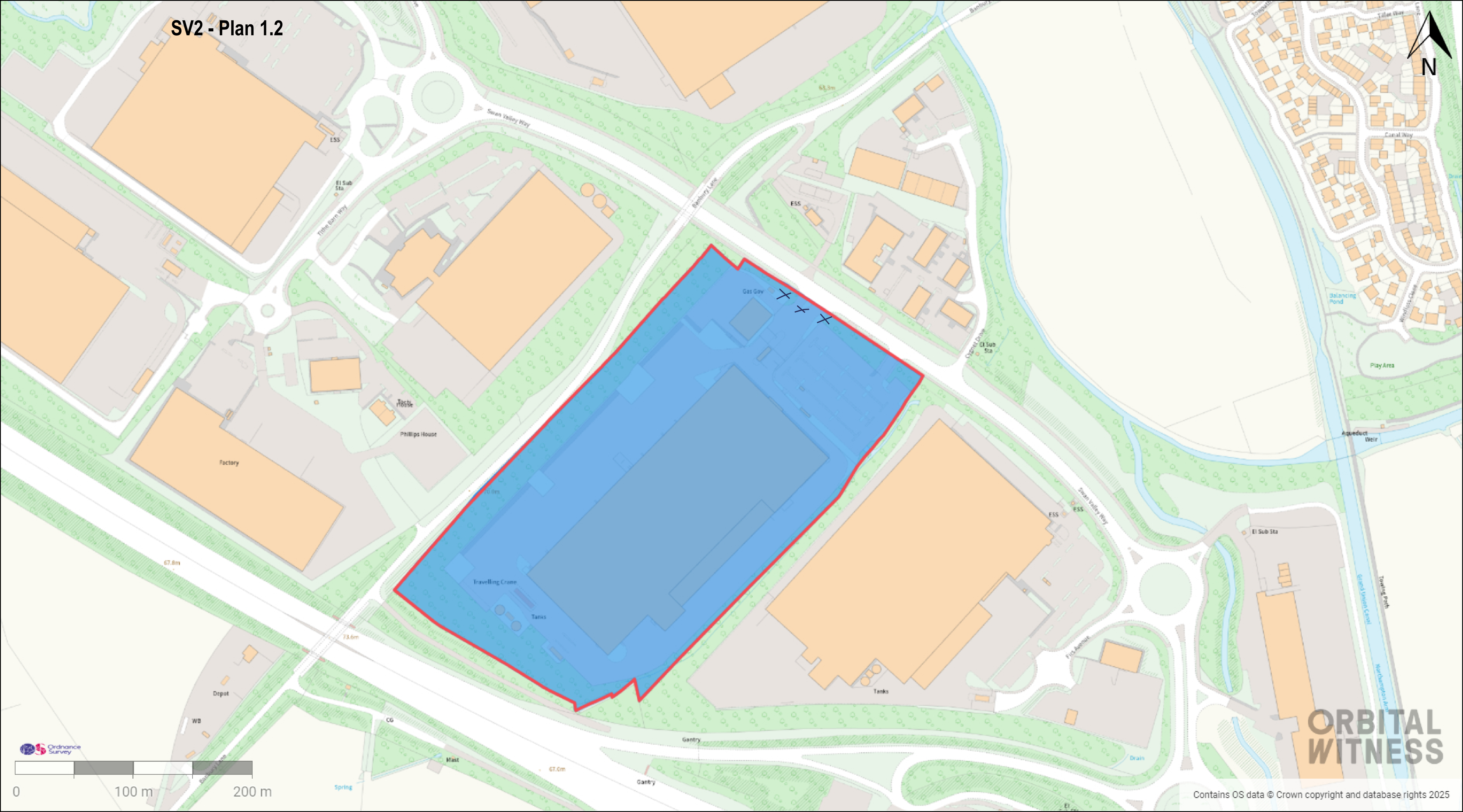
SCHEDULE 1

SV1 - Plan 1.1

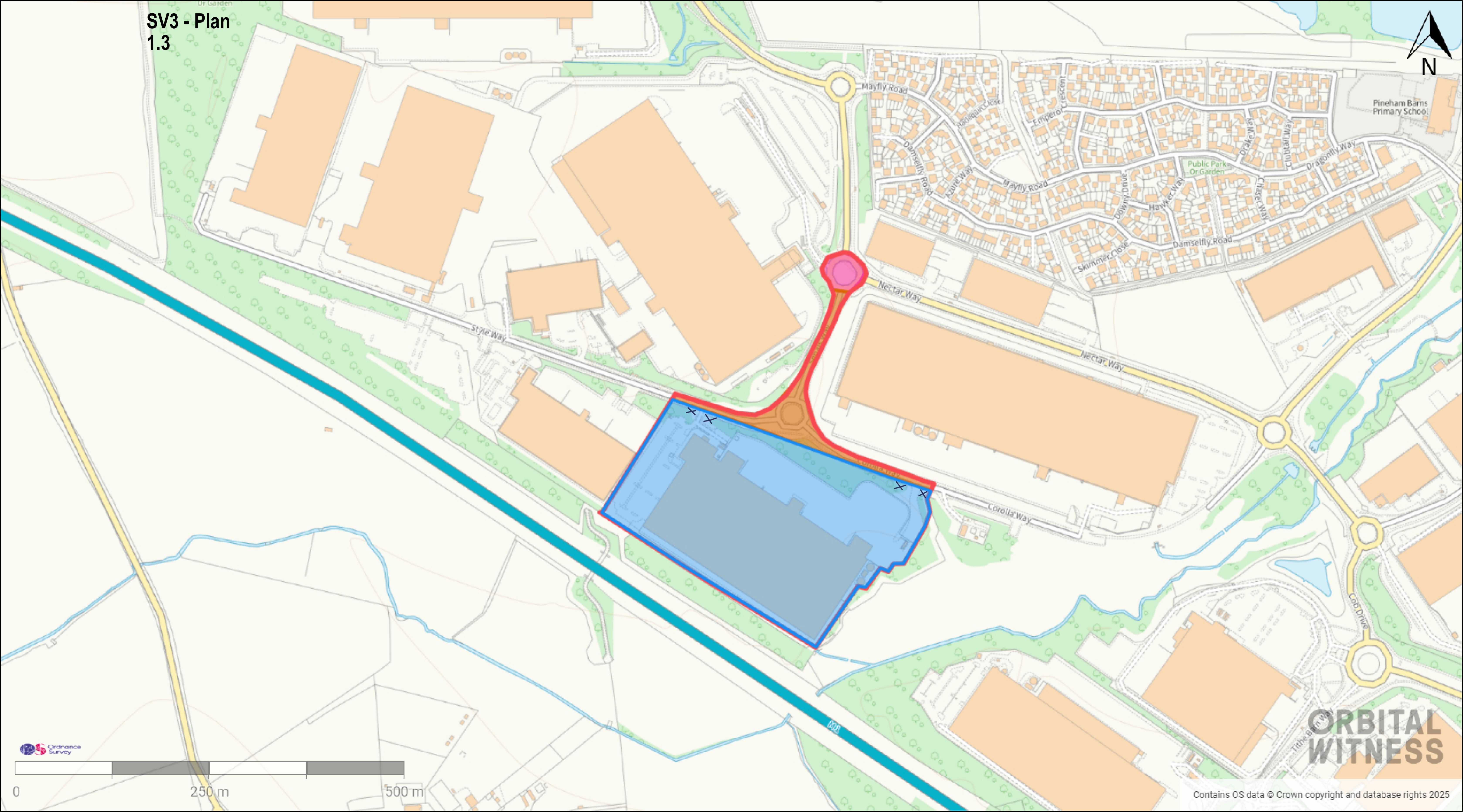


ORBITAL WITNESS

SV2 - Plan 1.2



**ORBITAL
WITNESS**



Pineham Barns
Primary School

Public Park
Or Garden

Mayfly Road

Emperor

Dragonfly Way

Mayfly Road

Damselfly Road

Skimmer Close

Nectar Way

Nectar Way

Style Way

Corolla Way

Cob Drive

**ORBITAL
WITNESS**



SCHEDULE 2 - UNDERTAKINGS GIVEN BY THE CLAIMANTS

- (1) The Claimants will take steps to serve the Defendants with a note of the hearing dated [] January 2025 within 14 days of the date of this Order.

- (2) The First 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 5 of this Order has caused loss to a Defendant and the Court finds that the Defendant ought to be compensated for that loss.

SCHEDULE 3 – EMAIL ADDRESSES

info@farmerstoaction.org

SCHEDULE 4 – WARNING NOTICE