

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

Mr Justice Soole

30 July 2020

B E T W E E N:

(1) MULTIPLEX CONSTRUCTION EUROPE LTD  
(2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)



and

QB-2020-002633

PERSONS UNKNOWN ENTERING IN OR REMAINING AT  
THE CLAIMANTS' CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT  
THE CLAIMANTS' PERMISSION

Defendants

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**ORDER FOR AN INJUNCTION**

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**PENAL NOTICE**

**IF YOU, THE DEFENDANTS DISOBEY 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.**

**If you disobey this Order you may be found guilty of contempt of court and you may be sent to prison or your assets seized.**

**You have the right to apply to the court to vary or discharge this order (which is explained below)**

**RECITALS**

UPON the Claimants' application notice dated 27 July 2020 for a without notice interim injunction

AND UPON HEARING Counsel for the Claimants and the Defendants not appearing

AND UPON READING the witness statement of Martin Philip Wilshire dated 27 July 2020

AND UPON the Claimants giving the undertaking to the Court set out in Schedule 2 to this Order

**IT IS ORDERED THAT:**

**THE INJUNCTION**

- (1) Until 4pm 29 January 2021, or further order, the Defendants must not without the consent of the Claimants, enter or remain upon any part of the construction site at Blackfriars Road, London SE1 9UY ("Bankside Yards") as shown edged red on the plan at Schedule 3 to this Order as demarcated from time to time by hoarding or security fencing.

**VARIATION OR DISCHARGE OF THIS ORDER**

- (2) The Defendants may apply to vary or discharge this Order upon giving 48 hours' notice in writing to the Claimant's solicitors at Eversheds Sutherland (International) LLP, One Wood Street, London, EC2V 7WS (Ref: Stuart Wortley tel: 020 7919 0969; email: [stuartwortley@eversheds-sutherland.com](mailto:stuartwortley@eversheds-sutherland.com)).

**INTERPRETATION OF THIS ORDER**

- (3) A Defendant who is ordered not to do something must not do it him/herself or in any other way. He/she must not do it through another acting on his/her behalf or on his/her instructions or with his/her encouragement.

**SERVICE OF THIS ORDER**

- (4) Service of this Order may be effected in the manner set out in paragraphs (5) and (6) below and personal service of the order is dispensed with.

- (5) The Claimant shall post notice of the existence of this Order by 4pm, 5 August 2020:-
- (a) at all main entrances to the Bankside Yards construction site;
  - (b) at a minimum of 5 prominent locations around the perimeter of the Bankside Yards construction site.
- (6) The said notice shall include a statement that copies of this Order, the Claim Form, the Particulars of Claim, the Claimant's application notice dated 27 July 2020 and the Witness Statement (with exhibits) of Mr Wilshire submitted to the Court in support of the Claim, may be viewed:
- (a) at a website the URL of which is specified in the notice;
  - (b) at a physical location which is specified in the notice,
- and may be obtained from the Claimant's Solicitor, whose contact details shall be included.

#### **ISSUE AND SERVICE OF CLAIM WITHOUT NAMED DEFENDANTS**

- (7) For the avoidance of doubt, the Claimant is granted retrospective permission (if the same is required) pursuant to CPR 8.2A to issue this claim without naming a defendant.
- (8) Pursuant to CPR 6.15, the steps identified in paragraphs (5) and (6) shall stand as good service of the Claim Form and Particulars of Claim upon any person who shall, by knowingly breaching the terms of this Order, automatically become a defendant to this action.
- (9) Save as set out above, pursuant to CPR 6.16 service of the Claim Form, Response Pack, Application and Witness Statements in support are dispensed with in respect of any person who shall become a defendant to this Claim as aforesaid.

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

- (10) All communications to the Court about this Order should be sent to:
- Queen's Bench Division, Royal Courts of Justice, Strand WC2A 2LL.

The offices are open between 10.00 a.m. and 4.30 p.m. Monday to Friday (except Bank Holidays).

- The telephone number is 020 7947 6000
- The email address is [qbjudgeslistingoffice@justice.gov.uk](mailto:qbjudgeslistingoffice@justice.gov.uk)

## **SCHEDULE 1**

### **Witness Statements**

The Judge read the following Witness Statement before making this Order:

Witness Statement of Martin Philip Wilshire dated 27 July 2020 together with the Exhibits marked "MPW1" - "MPW7".

## **SCHEDULE 2**

### **Undertakings given to the Court by the Claimants**

To pay any damages which the Defendants (or any other party served with or notified of this Order) shall sustain which the Court considers the Claimants should pay.

## **SCHEDULE 3**

### **Plan**

