

**IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION**

Claim No. QB-2022-001317

In the matter of an application for an injunction made pursuant to the Local Government Act 1972, s222 and the Highways Act 1980, s130(5)

B E T W E E N :

(1) THURROCK COUNCIL

(2) ESSEX COUNTY COUNCIL

Claimants

-and-

(1) MADELINE ADAMS

(2)-(222) OTHER NAMED DEFENDANTS AS LISTED AT SCHEDULE 1 TO THE CLAIM FORM

(223) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH THE FREE FLOW OF TRAFFIC ON TO, OFF OR ALONG THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM

(224) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, AND WITHOUT THE PERMISSION OF THE REGISTERED KEEPER OF THE VEHICLE, ENTERING, CLIMBING ON, CLIMBING INTO, CLIMBING UNDER, OR IN ANY WAY AFFIXING THEMSELVES OR AFFIXING ANY ITEM TO ANY VEHICLE TRAVELLING ON TO, OFF, ALONG OR WHICH IS ACCESSING OR EXITING THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM

(225) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH VEHICULAR ACCESS TO, INTO OR OFF ANY PETROL STATION OR ITS FORECOURT WITHIN THE ADMINISTRATIVE AREA OF THURROCK (AS MARKED ON THE MAP AT ANNEXE 2 TO THE CLAIM FORM)

(226) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, CAUSING THE BLOCKING, ENDANGERING, SLOWING DOWN, OBSTRUCTING, PREVENTING OR OTHERWISE INTERFERING WITH VEHICULAR ACCESS TO OR FROM ANY PETROL STATION OR ITS FORECOURT WITHIN THE ADMINISTRATIVE AREA OF ESSEX (AS MARKED ON THE MAP AT ANNEXE 3 TO THE CLAIM FORM)

(227) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, BLOCKING, PREVENTING OR OTHERWISE INTERFERING WITH THE OFFLOADING BY DELIVERY TANKERS OF FUEL SUPPLIES AND/OR THE REFUELLING OF VEHICLES AT ANY PETROL STATION WITHIN THE ADMINISTRATIVE AREA OF THURROCK (AS MARKED ON THE MAP AT ANNEXE 2 TO THE CLAIM FORM)

(228) PERSONS UNKNOWN, WHO ARE FOR THE PURPOSE OF PROTESTING, BLOCKING, PREVENTING OR OTHERWISE INTERFERING WITH THE OFFLOADING BY DELIVERY TANKERS OF FUEL SUPPLIES AND/OR THE REFUELLING OF VEHICLES AT ANY PETROL STATION WITHIN THE ADMINISTRATIVE AREA OF ESSEX (AS MARKED ON THE MAP AT ANNEXE 3 TO THE CLAIM FORM)

(229) PERSONS UNKNOWN WHO ARE TRESPASSING ON, UNDER OR ADJACENT TO THE ROADS LISTED AT ANNEXE 1 TO THE CLAIM FORM BY UNDERTAKING EXCAVATIONS, DIGGING, DRILLING AND/OR TUNNELLING WITHOUT THE PERMISSION OF THE RELEVANT HIGHWAY AUTHORITY

Defendants

EXHIBIT AA3/6

WITNESS STATEMENT

Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: Peter Wright

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Highways Strategic Lead

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signature: [Signature] (witness) Date: 22/11/2022

Further to my statement provided on 21st October 2022, I wish to provide a further statement.

I am the strategic lead for THURROCK COUNCIL HIGHWAYS. It is my role to organise the roads to be repaired if they are damaged, assess how the repairs will be completed, organise having highways maintained and repaired. I have worked within this role for 7 years and I am responsible for the management and maintenance of the highway network within GRAYS and THURROCK.

The incident occurred on ST CLEMENTS WAY, GRAYS, ESSEX, on MONDAY 5TH SEPTEMBER 2022, at approximately 1025 hours. ST CLEMENTS WAY is a single carriageway bridge which leads to and from various industrial estates within GRAYS. The bridge also leads over live train tracks that connect to LONDON. Over the recent months the road has been a site for several JUST STOP OIL protests, the most recent of which was when JUST STOP OIL PROTESTORS dug a tunnel beneath the road surface, into the structure of the bridge.

On MONDAY 5TH SEPTEMBER 2022, at approximately 1000 hours, I was asked to attend ST CLEMENTS WAY in order to assess the tunnel and the road structure and to form a plan as to how to proceed with repairing the damage in a cost effective and efficient manner. Between the 23RD AUGUST 2022 and 4TH SEPTEMBER 2022, JUST STOP OIL PROTESTORS had dug a hole in the embankment and into the bridge, beneath the road surface of ST CLEMENTS WAY.

Signature: [Signature] Signature witnessed by:

The PROTESTORS They had since been removed from the tunnel and I was asked to assess the damage. I arrived on site at approximately 1025 hours, and began assessing the tunnel. The protestors had created a small hole in the road surface in order to keep the road closed whilst their protest was ongoing. In order to fully assess and repair the hole, we had to make this hole bigger. There was the concern that as the tunnel went down and then veered off at 90 degrees, there was a living area that the PROTESTORS had formed and had been staying, which wouldn't fill fully if we were to pour concrete into the tunnel as an air bubble may form. We needed to get the road open as soon as possible as it had been closed for almost 2 weeks by this point. We managed to get a camera down the tunnel to assess the full depth of it and whether the concrete would fill the tunnel sufficiently. The living area the PROTESTORS had made was to the left of the tunnel and was more into the embankment, not directly under the road surface. I determined that filling the tunnel with concrete should be sufficient to repair the damage and the tunnel was later filled with concrete, however there is still uncertainty as to whether it was fully filled. I proceeded to take images of the tunnel before the repairs, which show the damage to the tunnel and the road surface.

I was on site for approximately an hour and half, and left at approximately 1200 hours.


When the bridge was built many years ago, the cost effective method at the time was to build the structure up and infill it with polystyrene blocks. When the protestors dug into the bridge, they dug down into the embankment and into the polystyrene. Whilst the road itself is secure, the protestors removed quite a lot of the polystyrene, however there is still a lot within the structure that remains.

To repair the bridge itself, cost £8282, which is included in the figure of £20,520.81 I previously provided and is shown within the breakdown of costs I previously exhibited as PGW/01. The £8282 covers the back fill and reinstatement, it does not cover earlier vegetation clearances and highways attendances.

As a result of this incident, I can produce the following exhibit:
 PGW/02 – photographs taken from ST CLEMENTS WAY compiled in a word document.

Signature:  Signature witnessed by:

I can confirm that this statement recorded via telephone with PC 79838 ROBINSON is a true and accurate account what was discussed and a true and accurate account of the events/facts. This statement I have made of my own freewill and I support the police in their investigation

Signature:.....

Signature witnessed by:

Sunday 28th Aug	Vegetation Clearance - St Clements Way Tunnel entrance	H&T	£983.06
Monday 29th Aug	Tunnel securing - Stoneness Road	H&T	£824.33
Tuesday 30th Aug	Infill works - Stoness Road (plus TM signs)	H&T	£4,825.86
	Vegetation Clearance - Stoneness Rd plus additional St Clements	H&T	
31/08, 1/09, 5/09, 8/09 & 9/09	St Clements Tunnell backfill and carriageway reinstatement		£8,282.00
Throughout Overtime	Tactile Group work - ST & PGW overtime	TBC	£2,028.80
	Out of hours Highway support	TBC	£3,576.57
			£20,520.61

Protesters - Highways Operations Costs (JSO - August 2022)

Date	Description / Reason and Comment	Site / Location	Staff Costs	Staff	Contractor / Material Costs / Vehicle & Plant	Contractor
23/08/2022	Traffic Management Services - 2 way Temporary Traffic Lights 23rd > 31st August 2022	St Clements Way	0.00	<i>blank</i>	£967.76	Marlborough Highways
23/08/2022	Traffic Management Callout Premium	<i>n/a</i>	0.00	<i>blank</i>	£120.97	Marlborough Highways
23/08/2022	Highway Inspector - Initial Site Inspection - from 13:00 (2.5hrs) - in hours	St Clements Way & Stoneness Road	97.92	Bryan Betts & Peter Loxton		
24/08/2022	Highway Inspector - Follow Up Morning Site Inspection - from 07:30 (1.5hrs) - in hours	Stoneness Road	58.75	Bryan Betts & Peter Loxton		
24/08/2022	Highway Operations Manager - On Site with Essex Police - from 12:00 (3hrs) - in hours	St Clements Way & Stoneness Road	85.80	Luke Love		
25/08/2022	Highway Inspector - Site Meeting with National Highways for GPR survey from 15:30 (3hrs) - additional hours	St Clements Way & Stoneness Road	50.31	Jake Smith		
29/08/2022	Callout Pavior - Site Inspection Monitoring (photographs) 3 x 2hr callouts - additional hours	St Clements Way & Stoneness Road	164.04	Lee McClean		
WC 23/08/2022	Highways Operations Manager - Officer Time focused on Protestor related work & enquiries (est. 8hrs)	St Clements Way & Stoneness Road	228.80	Luke Love		
WC 23/08/2022	Operations Supervisor - Officer Time focused on Protestor related work & site visits (est. 5hrs)	St Clements Way & Stoneness Road	100.30	Neil Rampling		
WC 23/08/2022	Highways Officer - Officer Time focused on Protestor related work & enquiries (est. 2hrs)	St Clements Way & Stoneness Road	33.54	Nicolle Colledge		
WC 23/08/2022	6 Operational Staff for Vegetation Clearance to enable site access (4hrs)	St Clements Way & Stoneness Road	337.20	<i>Grounds Maintenance & H'way Staff</i>	£0.00	
WC 23/08/2022	3 Operational staff for waste & rubbish removal (2hrs)	St Clements Way & Stoneness Road	84.30	<i>Grounds Maintenance & H'way Staff</i>	£0.00	
WC 23/08/2022	Contribution to waste disposal / tipping fees				£225.00	
	TOTALS		1,240.96		£1,313.73	
	OVERALL TOTAL		2554.69			















