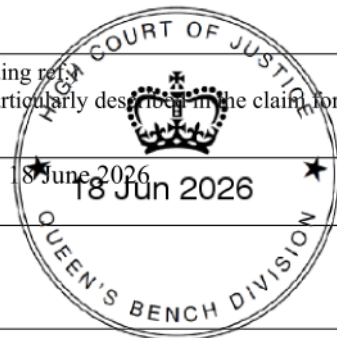


Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form:
<https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court The High Court of Justice King's Bench Division		Claim no. KB-2024-002317
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)	
PBA0087211	H W F - [] [] [] - [] [] []	
Warrant no. (if applicable)		
Claimant's name (including ref.) Leeds Bradford Airport Limited and others		
Defendant's name (including ref.) Persons unknown as more particularly described in the claim form		
Date	18 June 2026 18 Jun 2026	



1. What is your name or, if you are a legal representative, the name of your firm?

Eversheds Sutherland (International) LLP

KB-2024-002317

2. Are you a Claimant Defendant Legal Representative
 Other (please specify) [] [] [] [] [] [] [] [] [] []

If you are a legal representative whom do you represent?

The Claimants

3. What order are you asking the court to make and why?

The Claimants seek permission, pursuant to CPR 17.1, to amend the Amended Claim Form and Amended Particulars of Claim in the form accompanying this application, so as to amend:

1. the definition of the Defendants (Persons Unknown) in the Amended Claim Form and Amended Particulars of Claim;
2. the Claim Form by Substituting “Plan 2” with the annexed plan marked “Amended Plan 2”;
3. the Amended Particulars of Claim by substituting “Plan 2”, “Plan 2A” and “Plan 2B” with the annexed plans marked “Amended Plan 2”, “Amended Plan 2A” and “Amended Plan 2B”; and
4. the Amended Particulars of Claim so as to update reference within them to the London Luton Airport Byelaws 2025, which have replaced the previously applicable London Luton Airport Byelaws 2005.

The Claimants ask that this application be considered and heard at the second annual review of the injunctions granted pursuant to the order of Ritchie J dated 18 July 2024, which has been listed to take place on 30 June 2026 (together with the second annual review of the injunctions granted in actions KB-2024-002132, KB-2024-002473 and KB-2024-001765).

The Claimants will file a draft form of order ahead of such hearing, which will provide for this application.

4. Have you attached a draft of the order you are applying for? Yes No

5. How do you want to have this application dealt with?
 at a hearing without a hearing
 at a remote hearing

6. How long do you think the hearing will last? Hours Minutes
 Is this time estimate agreed by all parties? Yes No

- 7. Give details of any fixed trial date or period
- 8. What level of Judge does your hearing need?
- 9. Who should be served with this application?
- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

30 June 2026 (second annual review hearing)

High Court Judge

Defendants (Persons Unknown)

The Claimants will arrange for service on the Defendants (Persons Unknown)

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

We refer to the witness statement of Alexander James Wright dated 11 June 2026 (“**the 11 June 2026 Statement**”) which has previously been filed with the Court in these proceedings.

1. Definition of the Defendants (Persons Unknown) in the Amended Claim Form and Amended Particulars of Claim

The Claimants apply for permission to amend the Amended Claim Form and Amended Particulars of Claim in the form enclosed with this application so as to amend the definition of the Defendants (Persons Unknown) in the light of the evidence contained within the the 11 June 2026 Statement - which the Claimants respectfully submit should be reflected in the statements of case and the definition of the Defendants (Persons Unknown).

2. Substitution of the Plans appended to the Amended Claim Form and the Amended Particulars of Claim

For the below reasons, the Claimants apply for permission to amend:

- a) the Amended Claim Form by Substituting “Plan 2” with the annexed plan marked “Amended Plan 2”.
- b) the Amended Particulars of Claim by substituting “Plan 2”, “Plan 2A” and “Plan 2B” with the annexed plans marked “Amended Plan 2”, “Amended Plan 2A” and “Amended Plan 2B”.

As is more fully explained at paragraph 6 of the 11 June 2026 Statement, the extent of the land over which the London Luton Airport Byelaws 2025 apply differs from that over which the London Luton Airport Byelaws 2005 apply – the extent of the differences between them is shown on the plan exhibited at Exhibit AJW10 of the 11 June 2026 Statement.

Adopting the same definitions used in the 11 June 2026 Statement, in respect of the LTN 2025 Areas:

- 1. the land making up the area shaded purple and marked ‘Area 1’ on the enclosed plan is land on which the majority of London Luton Airport’s landing lights, but not all, are located. For the reasons explained at paragraph 6.4.1.3 of the 11 June 2026 Statement, such land is not land in respect of which the Second Claimant proposes to seek an amendment to the current London Luton Airport injunction plan;
- 2. the land making up the area shaded purple and marked ‘Area 2’ on the enclosed plan is land which is erroneously included within the scope of the London Luton Airport Byelaws 2025. It is therefore not land in respect of which the Second Claimant proposes to seek an amendment to the current London Luton Airport injunction plan; and
- 3. the land making up the area shaded purple and marked ‘Area 3’ on the enclosed plan is land which is used by the airport’s car park operator (APCOA) to store cars. This is not land in respect of which the Second Claimant proposes to seek an amendment to the current London Luton Airport injunction plan – on the basis that (a) this area of land can only be accessed by passing through the wider airport estate; and (b) such protection is considered appropriate and sufficient.

Adopting the same definitions used in the 11 June 2026 Statement, in respect of the LTN 2005 Area, the Second Claimant proposes an amendment to the current London Luton Airport injunction plan, so as to reflect the extent of the land over which the London Luton Airport Byelaws 2025 applies, with a further minor amendment proposed in respect of the area within the immediate vicinity of the roundabout at this location, which the Second Claimant proposes in the interests of better demarcating the geographical extent of the injunction boundary than would otherwise be the case if the London Luton Airport Byelaws 2025 was adopted without amendment. The area to the west of the roundabout at this location is a car park area.

The Claimants respectfully submit that the above should be reflected in the plans appended to the statements of case.

3. The London Luton Airport Byelaws 2025

The Claimants apply for permission to amend the Amended Particulars of Claim in the form enclosed with this application so as to refer to the provisions of the the London Luton Airport Byelaws 2025, which have replaced the the London Luton Airport Byelaws 2005 - which the Claimants respectfully submit should be reflected in the statements of case.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

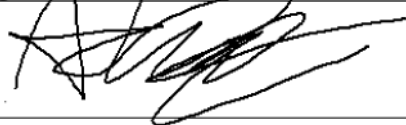
No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- I believe that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes that the facts stated in section 10 (and any continuation sheets) are true. I am authorised by the applicant to sign this statement.

Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day

18

Month

June

Year

2026

Full name

Alexander James Wright

Name of applicant's legal representative's firm

Eversheds Sutherland (International) LLP

If signing on behalf of firm or company give position or office held

Legal Director

Applicant's address to which documents should be sent.

Building and street

Two New Bailey

Second line of address

6 Stanley Street

Town or city

Salford

County (optional)

Postcode

M	3	5	G	X		
---	---	---	---	---	--	--

If applicable

Phone number

+44 750 057 8620

Fax phone number

DX number

Your Ref.

292659.000057/WRIGHTAX

Email

alexwright@eversheds-sutherland.com



Draft Re-Amended Claim Form

Claim Form

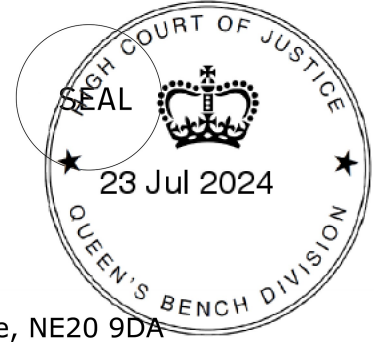
You may be able to issue your claim online which may save time and money. Go to www.moneyclaim.gov.uk to find out more.

In the	High Court of Justice Kings Bench Division
Fee Account no.	PBA 0087211
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>

	For court use only
Claim no.	
Issue date	

Claimant(s) name(s) and address(es) including postcode

- (1) **LEEDS BRADFORD AIRPORT LIMITED**
of Leeds LS19 7TU
- (2) **LONDON LUTON AIRPORT OPERATIONS LIMITED**
of Percival House, 134 Percival Way, London Luton Airport, Luton LU2 9NU
- (3) **NEWCASTLE INTERNATIONAL AIRPORT LIMITED**
of Woosington, Newcastle Upon Tyne, NE13 8BZ
- (4) **NIAL SERVICES LIMITED**
of Unit 1, Prestwick Industrial Est., Ponteland, Newcastle Upon Tyne, NE20 9DA



Defendant(s) name and Address(es) including postcode

Please refer to Schedule 1 attached to the Claim Form

KB-2024-002317
DATE OF ISSUE
16/07/24

Brief details of claim

The Claimants seek an injunction to restrain the Defendants from acts of trespass and/or private and/or public nuisance on the land edged red on Plans 1 - 3.

Value

This is a non monetary claim

Defendant's name and address for service including postcode

	£
Amount claimed	
Court fee	£626
Legal representative's costs	TBC
Total amount	

Claim no.

You must indicate your preferred County Court Hearing Centre for hearings here
(see notes for guidance)

King's Bench Division, The Royal Courts of Justice, Strand, London WC2A 2LL

Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

- Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

- No

Does, or will, your claim include any issues under the Human Rights Act 1998?

- Yes
 No

Claim no.

Particulars of Claim

attached

to follow


Statement of truth

Note: you are reminded that a copy of this claim form must be served on all other parties.

I understand that proceedings for contempt of court may be brought against a person 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.

- I **believe** that the facts stated in this claim form and any attached sheets are true.
- The claimant** believes that the facts stated in this claim form and any attached sheets are true. **I am authorised** by the claimant to sign this statement.

Signature



- Claimant
- Litigation friend (where claimant is a child or protected party)
- Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

16	07	2024
----	----	------

Full name

Alexander James Wright

Name of claimant's legal representative's firm

Eversheds Sutherland (International) LLP

If signing on behalf of firm or company give position or office held

Principal Associate

Claimant's or claimant's legal representative's address to which documents should be sent.

Building and street

One Wood Street

Second line of address

Town or city

London

County (optional)

Postcode

E | C | 2 | V | 7 | W | S

If applicable

Phone number

DX number

Your Ref.

362090.000001

Email

SCHEDULE 1 TO THE CLAIM FORM

- (1) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT LEEDS BRADFORD AIRPORT SHOWN EDGED RED ON PLAN 1 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE)
- (2) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT LONDON LUTON AIRPORT SHOWN EDGED RED ON PLAN 2 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE)
- (3) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT NEWCASTLE INTERNATIONAL AIRPORT SHOWN EDGED RED ON PLAN 3 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE)

London Luton Airport - Amended Plan 2



IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION
B E T W E E N

- (1) LEEDS BRADFORD AIRPORT LIMITED
- (2) LONDON LUTON AIRPORT OPERATIONS LIMITED
- (3) NEWCASTLE INTERNATIONAL AIRPORT LIMITED
- (4) NIAL SERVICES LIMITED

Claimants

-and-

- (1) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT LEEDS BRADFORD AIRPORT SHOWN EDGED RED ON PLAN 1 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE)
- (2) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT LONDON LUTON AIRPORT SHOWN EDGED RED ON PLAN 2 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE)
- (3) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THE PREMISES AT NEWCASTLE INTERNATIONAL AIRPORT SHOWN EDGED RED ON PLAN 3 TO THE CLAIM FORM ~~OR ON ANY FLIGHT THEREFROM~~ (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE BACK THE POWER CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT OR WEALTH INEQUALITY ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP

**OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR THE TAKE
BACK THE POWER CAMPAIGN OR OTHERWISE)**

Defendants

**[DRAFT] RE-AMENDED PARTICULARS OF CLAIM
PURSUANT TO THE ORDER OF THE HONOURABLE MR JUSTICE RITCHIE
DATED 23 JULY 2024**

Leeds Bradford Airport

1. The First Claimant is the operator of Leeds Bradford Airport, located in Leeds, LS19 7TU, shown outlined in red on Plan 1 (“**LBA**”). LBA serves around 4 million travelling passengers each year with an annual revenue of approximately £43 million.
2. The First Claimant is the registered proprietor of the land on which LBA is situated as shown in red on Plan 1, through a mixture of freehold and leasehold interests as shown in the Title Schedule hereto — but subject to the interests of various third parties arising by sub-demises (and/or other occupational arrangements) over certain areas and subject also to certain highways.
3. Subject to those interests, the First Claimant is entitled to an immediate right of possession occupation and control of LBA by virtue of its titles as shown in the Title Schedule.
4. Plan 1A identifies the areas within LBA over which the First Claimant lacks (or does not in these proceedings assert) a full right of possession or control, by reason of the presence or existence thereon or thereover of third party interests (“**the LBA Third Party Areas**”) or public rights of way (“**the LBA Highways**”). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the First Claimant does not assert that it is the person with an immediate right of occupation or possession.
 - a. The LBA Third Party Areas are indicated by blue and green shading. The blue shading indicates areas within LBA which are the subject of leases or other occupational arrangements. The green shading indicates parts of LBA which include such areas. By way of example, the blue and green land includes the whole or part(s) of aircraft hangars, airline and groundhandler offices, general offices, storage units, engineering buildings, vehicle depots and warehouses.

- b. The LBA Highways are indicated by pink and purple shading. The pink highways are located at ground level and provide access to LBA to the First Claimant and its licensees (including members of the public). The purple highway runs beneath the runway at the airport.
5. As indicated on Plan 1A, there is one area shaded in blue which directly abuts the red line on the southern boundary of LBA. At that location, the boundary of LBA is not in the possession or control of the First Claimant. Apart from that exception: access to or from the LBA Third Party Areas by the public from outside the airport, involves the use of areas of LBA which remain unencumbered by any such arrangement and in relation to which, accordingly, the First Claimant remains entitled to possession occupation and control by virtue of their interests shown in the Title Schedule.
6. Plan 1B identifies the various interests held by the First Claimant in the land on which LBA is situated. At the south east, abutting the land shown hatched in pink registered under title WYK232726 at HM Land Registry, are landing lights ("**the LBA Landing Lights**"). Title to the land on which those lights are situate is registered in a third party's name. By an agreement dated 10 December 1982, a predecessor in title to the First Claimant was granted the right to erect and maintain landing lights in the relevant area of land. That agreement is unregistered.
7. By virtue of s63 of the Airports Act 1998, the First Claimant has power to make byelaws with respect to LBA. Pursuant to the Leeds Bradford Airport Byelaws 2022, byelaw 3.24, no person has a right to use any part of LBA as defined therein for protest which is likely to obstruct or interfere with the proper use of the airport or the comfort or convenience or safety of passengers or persons using the airport. The plan which defines LBA for the purposes of the byelaws does not extend in the south to the LBA Landing Lights. Apart from that, it includes all the land outlined in red on Plan 1A together with other land (shaded in yellow on Plan 1A). As at the date of commencement of this claim, the First Claimant seeks no relief in relation to the yellow land, notwithstanding that such land is within the byelaws, because the yellow land is not within the operational boundary of LBA. The First Claimant does not, however, repudiate the right to seek relief in relation to such areas, should events materialise which make that course appropriate.

London Luton Airport

8. The Second Claimant is the operator of London Luton Airport, located in Luton, LU2 9LY, shown outlined in red on Plan 2 ("**Luton Airport**"). Luton Airport serves around 16.4 million travelling passengers each year with an annual revenue of approximately £296 million.
9. The Second Claimant is the proprietor of the land on which Luton Airport is situated as shown in red on Plan 2, through the interests shown in the Title Schedule hereto—
— but subject to the interests of various third parties arising by sub-demises (and/or other occupational arrangements) over certain areas.
10. Subject to those interests of third parties, the Second Claimant is entitled to an immediate right of possession occupation and control of Luton Airport, by virtue of its titles as shown in the Title Schedule.
11. Plan 2A identifies the areas within Luton Airport over which the Second Claimant lacks (or does not in these proceedings assert) a full right of possession of control, by reason of the presence or existence thereon or thereover of third party interests ("**the Luton Third Party Areas**") or public rights of way ("**the Luton Highways**"). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the Second Claimant does not assert that it is the person with an immediate right of occupation or possession.
 - a. The Luton Third Party Areas are indicated in black, blue and green. The black land is a Direct Air-Rail Transit ("DART") and DART station. The blue land consists of (and the green land includes) other areas which are the subject of sub-leases or other occupational arrangements. By way of example, the blue and green land includes the whole or part(s) of aircraft hangars, airline and groundhandlers offices, fuel farms, general offices, storage units and warehouses.
 - b. The Luton Highways are indicated in pink. These provide access to Luton Airport to the Second Claimant and its licensees (including members of the public).
12. As indicated on Plan 2A, certain of the Luton Third Party Areas abut the red line on the western boundary of Plan 2A. At those locations, the boundary is not in the possession or control of the Second Claimant. Subject to that: access to or from the Luton Third Party Areas by the public from outside the airport, in all instances necessarily involves the use of areas of Luton Airport which remain unencumbered

by any such arrangement and in relation to which, accordingly, the Second Claimant remains entitled to possession occupation and control by virtue of its interests shown in the Title Schedule.

13. Plan 2B identifies the various interests held by the Second Claimant in the land on which Luton Airport is situated. To the east of the land shown hatched green, are various landing lights some of which are situate on the land shown shaded in blue registered under title HD544934 at HM Land Registry (which the Second Claimant has a proprietary interest in). The remainder of the landing lights are shown in red but are not situate on the land shaded in blue ("**the Luton Landing Lights**"). Title to the land on which the Luton Landing Lights are situate is registered in a third party's name. The Second Claimant does not assert paper title to the land on which the Luton Landing Lights are situated. However, the Second Claimant has exclusive possession of the land in question by virtue of the installation of the lights, without consent from any person, and which have been in that location for around 20 years.
14. By virtue of s63 of the Airports Act 1998, the Second Claimant has power to make byelaws with respect to Luton Airport. Pursuant to the London Luton Airport Byelaws ~~2025~~ 2005, byelaw ~~8.8 2.16~~, no person, without permission, shall organise or take part in any public assembly, protest, demonstration or procession ~~no person has a right to use any part of Luton Airport for protest which is likely to obstruct or interfere with the proper use of the airport or the comfort or convenience or safety of passengers or persons using the airport.~~ Save for the Luton Landing Lights, the plan which defines Luton Airport for the purposes of the byelaws includes all the land outlined in red on Plan 2A.

Newcastle Airport

15. The Third Claimant is the operator of Newcastle International Airport, located in Woolsington, Newcastle upon Tyne, NE13 8BZ, shown outlined in red on Plan 3 ("**Newcastle Airport**"). Newcastle Airport serves around 5 million travelling passengers each year with an annual revenue of approximately £65 million.
16. The Third and Fourth Claimants are the proprietors of the land on which Newcastle Airport is situated as shown in red on Plan 3, through the interests shown in the Title Schedule hereto—but subject to the interests of various third parties arising by sub-demises (and/or other occupational arrangements) over certain areas.

17. Subject to the aforesaid interests of third parties, the Third and Fourth Claimants are entitled to an immediate right of possession occupation and control of Newcastle Airport, by virtue of its titles as shown in the Title Schedule and the agreements dated 21 January 2005; 4 May 2023; 20 October 1999; and 31 August 2020.
18. Plan 3A identifies the areas within Newcastle Airport over which the Third and Fourth Claimants lack (or do not in these proceedings assert) a full right of possession of control, by reason of the presence or existence thereon or thereover of third party interests ("**the Newcastle Third Party Areas**") or public rights of way ("**the Newcastle Highways**"). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the Third and Fourth Claimants do not assert that they are the person with an immediate right of occupation or possession.
 - a. The Newcastle Third Party Areas are indicated in black, blue and green. The black land is a railway station. The blue land consists of (and the green land includes) other areas which are the subject of sub-leases or other occupational arrangements. By way of example, the blue and green land includes the whole or part(s) of aircraft hangars, airline and groundhandlers offices, fuel farms, general offices, storage units and warehouses.
 - b. The Newcastle Highways are indicated in pink. These provide access to Newcastle Airport to the Third and Fourth Claimants and their licensees (including members of the public).
19. As indicated on Plan 3A, parts of the Newcastle Third Party Areas, being those areas shaded in blue which abut the red line at the north of Plan 3A and on the eastern and western boundary of Plan 3A. At those locations, the boundary is not in the possession or control of the Third and/or Fourth Claimants. Subject to that: access to or from the Newcastle Third Party Areas by the public from outside the airport, in all instances necessarily involves the use of areas of Newcastle Airport which remain unencumbered by any such arrangement and in relation to which, accordingly, the Third and Fourth Claimant remain entitled to possession occupation and control by virtue of its interests shown in the Title Schedule.
20. Plan 3B identifies the Third and Fourth Claimants' various registered interests in the land on which Newcastle Airport is situated. On the western and eastern boundaries of the land registered under title number TY433695 at HM Land Registry, are landing lights ("**the Newcastle Landing Lights**"). Title to the land on which those lights are situate is registered in a third party's name. By agreements dated 21 January

2005; 4 May 2023; 20 October 1999; and 31 August 2020, the Third Claimant was granted rights to erect and maintain landing lights in the relevant areas of land. Such rights or interests thereby granted are unregistered.

21. By virtue of s63 of the Airports Act 1986, the Third Claimant has power to make byelaws with respect to Newcastle Airport. Pursuant to the Newcastle Airport Byelaws 2021, byelaw 4.12 and 4.18, no person has a right to use any part of Newcastle Airport for protest which is likely to obstruct or interfere with the proper use of the airport or the comfort or convenience or safety of passengers or persons using the airport. Save for the Newcastle Landing Lights, the plan which defines Newcastle Airport for the purposes of the byelaws includes all the land outlined in red on Plan 3A.

The Claimants' claims

22. Each of the airports described above consists of many facilities which (without attempting an exhaustive list) include car parks, terminal buildings with facilities for the processing of passenger and other freight traffic, retail areas, lounge/ café/ refreshment areas, border control facilities, security points, customs and excise facilities, runways and taxiways, fuel facilities, management/ airline facilities, and (save at LBA) a railway station.
23. In relation to each airport:
 - a. Members of the public have implied consent to enter for normal air-travel and directly related purposes (principally dropping-off and picking-up passengers). Others with lawful business at the airports also have implied or actual consent (principally those whose ordinary work duties involve them in being present at the airport, or who are present as the contractors and/or lawful licensees/invitees/agents of such persons).
 - b. No wider consent subsists; and (subject to the highways described above) no public right of access, or way, subsists over the airports.
 - c. In particular, nobody has the Claimants' consent to enter, remain on or occupy the airports for the purposes of protest (whether by taking part in any demonstration, procession or public assembly or otherwise within the perimeter of the airport, or on any onward flight). No person has the consent of the Claimants to enter the airports for any of the purposes intimated by Just Stop Oil or for variations of those protest activities.

- d. Accordingly, any person entering the airports for any such purpose is a trespasser; as is any person who, being on the airports (whether or not having entered with any such purpose) in fact protests.
24. In relation to the Third Party Areas at each airport:
- a. The Claimants are not (or do not seek to show that they are) entitled to possession sufficient to support a claim in trespass. However, in order for their rights in relation to the other parts of the airports (in relation to which they are entitled to possession) to be effectively vindicated and protected, it is necessary and (or alternatively) proportionate and appropriate for the Court to make an order which does not distinguish between the airports generally (as shown outlined in red on the various plans) and the Third Party Areas within them;
 - b. Further or alternatively, protest which occurs on the Third Party Areas interferes and/or threatens to interfere substantially and unreasonably with the ordinary use and enjoyment of the Claimants' retained land.
25. In relation to the landing lights:
- a. For the LBA Landing Lights and/or the Newcastle Landing Lights, paragraph 23 above applies mutatis mutandis.
 - b. Alternatively and/or in respect of the LBA Landing Lights and/or the Luton Landing Lights and/or the Newcastle Landing Lights, paragraph 24a above applies mutatis mutandis and/or protest which occurs on the land on which the lights are situate interferes and/or threatens to interfere substantially and unreasonably with the ordinary use and enjoyment of the First and/or Second and/or Third Claimants' land, insofar as a need might arise to close off the runway for safety reasons in the event that the landing lights became compromised or threatened.
26. Further, in respect of the LBA Highways, the Luton Highways and the Newcastle Highways described above: protest which occurs on these highways interferes and/or threatens to interfere:
- a. Unreasonably and substantially, with the Claimants' right of access to their land via the highway for themselves and their licensees including members of the travelling public;

- b. Unreasonably and substantially, with (and/or to obstruct or hinder) the free passage along the highway, occasioning particular damage to the Claimants; and
- c. Further, in respect of the tunnelled highway in pink on Plan 1A, unreasonably and substantially, with the First Claimant's ordinary use and enjoyment of LBA, insofar as a need might arise to close off the runway for safety reasons; and
- d. In any event, protest (at least, any protest causing disruption) is unlawful by reason of the byelaws.

The threats

27. The Claimants' airports have become explicit targets for environmental protest. The situation is dynamic and may be particularised further in the evidence: but as at the date of drafting these Particulars of Claim the Claimants identify and rely on the following non-exhaustive PARTICULARS:
28. In a tweet, dated 13 September 2023, the Just Stop Oil account stated, in relation to protests on highways: "Disruption is frustrating, but we have no other choice. Fossil fuel companies have taken out private injunctions that makes protests impossible at oil refineries, oil depots and even petrol stations..."
29. On 9 March 2024, at a meeting in Birmingham, supporters of the campaigning movement called "Just Stop Oil" discussed a new campaign to undertake direct action at airports across the UK in the summer of 2024 (the "**Airports Campaign**").
30. At this meeting, a co-founder of Just Stop Oil was reported to have advocated:
 - Cutting through fences and gluing themselves to runway tarmac;
 - Cycling in circles on runways;
 - Climbing on to planes to prevent them from taking off;
 - Staging sit-ins at terminals 'day after day' to stop passengers getting inside airports.

31. Since that meeting, Just Stop Oil has announced the following on its website:

"SO WHAT'S THE PLAN?"

*Our Government doesn't give a f*** about its responsibilities. The country is in ruins. You know it, I know, they know it. That means it's up to us to come together and be the change we need.*

We need bold, un-ignorable action that confronts the fossil fuel elites. We refuse to comply with a system which is killing millions around the world, and that's why we have declared airports a site of nonviolent civil resistance."

We can't do this alone, we have a plan for this Summer, are you willing help make this happen?"

32. It says, further:

"This summer, Just Stop Oil will be taking action at airports.

As the grass becomes scorched, hosepipe bans kick in and the heat of the climate crisis enters peoples' minds, our resistance will put the spotlight on the heaviest users of fossil fuels and call everyone into action with us.

We'll work in teams of between 10-14 people willing to risk arrest from all over the UK. We need to be a minimum of 200 people to make this happen, but we'll be prepared to scale in size as our numbers increase. Exact dates and more details are coming.

Our plan can send shockwaves around the world and finish oil and gas. But we need each other to make it happen. Are you ready to join the team?"

33. Just Stop Oil has also organised a fundraising page on the website <https://chuffed.org/project/just-stop-oil-resisting-against-new-oil-and-gas>, which says the following:¹

"Cat's out the bag. Just Stop Oil will take action at airports

The secret is out — and our new actions are going to be big.

*We're going so big that we can't even tell you the full plan, but know this — Just Stop Oil will be taking our most radical action yet this summer. We'll be taking action at sites of key importance to the fossil fuel industry; **super-polluting airports.***

..."

34. On 6 June 2024, an email was sent from info@juststopoil.org to a subscriber list stating:

"This is the most exciting email I've ever sent.

¹ As of 11 July 2024, £24,275 had been raised on this website.

- b. the two individuals (known as Jenifer Kowalski and Cole Macdonald) were arrested and charged with causing criminal damage, aggravated trespass and interference with the use or operation of national infrastructure.
38. Further, in respect of LBA and Luton Airport:
- a. in the period between 2019 and 2022, Extinction Rebellion repeatedly carried out protests about the planned expansion of LBA, including on highways and/or accessways to LBA. In September 2023, the First Claimant commenced construction works at LBA in order to expand the airport.
 - b. in the period between 2020 and 30 May 2024, various environmental protest groups carried out protests against the expansion of Luton Airport.
39. In view of the circumstances described above, unless restrained by the Court, there is a strong probability that Persons Unknown will, for LBA, Luton Airport and/or Newcastle Airport
- a. trespass on the airports and/or
 - b. by protest conducted on or from the Third Party Areas and/or on or from the land on which the LBA Landing Lights, Luton Landing Lights and/or Newcastle Landing Lights are situate, substantially interfere with the ordinary use and enjoyment of the airports so as to cause a nuisance actionable by the Claimants; and/or
 - c. by protest conducted on or from the highways, obstruct those occasioning particular damage to the Claimants and/or interfere with the Claimants' right of access to the airports via those highways, so as to cause a nuisance actionable by the Claimants.
40. The Claimants seek injunctive relief to prevent the apprehended trespasses and public and/or private nuisances.
41. There is a compelling need for such relief which in outline (but not exhaustively) includes these matters:
42. Airports are particularly vulnerable, because of the potential for even relatively slight disruption to produce significant adverse consequences for large numbers of innocent members of the travelling public. Even when all that a protester achieves is relatively

modest delay to a flight, the knock-on effects can be significant for the travelling public, not only because of the multitude of individual travel plans thereby immediately disturbed but also because of the risks (by way of example only) of aeroplanes missing take-off and/or landing slots, leading to flights failing to reach their intended destinations in timely fashion with knock-on effects for other flights, or because the delays might exhaust the time allowable before flight/cabin crews must be relieved, but with the relief crews in the wrong places and no alternatives readily to be found.

43. Non-disruptive forms of protest might at any moment escalate into forms of protest which are disruptive — by which point harm may already have occurred.
44. Even normal operations at airports include matters which are potentially dangerous, especially to untrained persons such as protesters who might be unaware of the extent of the hazards to which their activities expose themselves and others.
45. The assets normally present at airports include, notably, aeroplanes: each passenger jet of the kind typically used by the travelling public at these airports is worth many millions of £GBP. Each aircraft has multiple vulnerabilities and because of the risk that any unauthorised activity on or near an aircraft might have caused damage (perhaps unobserved at the time, even by the person causing it: such as ingestion of material into an engine) there is an enhanced risk that even the entirely passive presence of unauthorised persons near an aircraft may require the flight to be delayed and/or the aircraft to be taken out of service for inspection.
46. The airports in the present case are all the subject of byelaws. These include prohibitions which would have the effect of prohibiting the protest of which the Claimants are fearful. The general criminal law (offences of aggravated trespass under s68 of the Criminal Justice and Public Order Act 1994 and/or interference with use or operation of key national infrastructure under s7 of the Public Order Act 2023) would also embrace some of what is intimated by the protest campaigns summarised above. But breach of the Byelaws attracts a modest penalty (a fine) and neither the byelaws nor the general law were sufficient to deter the activities which have already taken place at Stansted Airport. The explicit threats mentioned above indicate that breaching the general criminal law is regarded more as a goal, than as a deterrent, by at least some campaigners. By comparison, bespoke relief in the form of an injunction responding to the particular threats which have emerged, appears to be viewed differently by potential protesters in comparable matters and has shown itself

to be an effective way of vindicating the private law rights of those whose lawful interests are threatened by unlawful acts.

47. Airports operate under heightened security for a mixture of reasons including counter-terrorism. They are also environments in which stress levels tend to be high. This combination makes protest activity, and any activity which is out of the normal, especially dangerous. It might have an ambiguous appearance and carries the risk of being mis-interpreted as an outright security threat, potentially provoking a response from the police or security forces which would be disproportionate if the purposes of the protesters were to be taken at face value.
48. Additionally, there is a risk of protest activity being used as cover for actual terrorist attacks.

AND THE FIRST CLAIMANT CLAIMS AGAINST THE FIRST DEFENDANT:

- (1) Subject to periodic review by the Court on application by the First Claimant at intervals not exceeding 12 months or such other period as the Court may determine, an order that the First Defendants must not, without the consent of the First Claimant enter, occupy or remain upon the land outlined in red on Plan 1.

AND THE SECOND CLAIMANT CLAIMS AS AGAINST THE SECOND DEFENDANT:

- (2) Subject to periodic review by the Court on application by the Second Claimant at intervals not exceeding 12 months or such other period as the Court may determine, an order that the Second Defendants must not, without the consent of the Second Claimant, enter, occupy or remain upon the land outlined in red on Plan 2.

AND THE THIRD AND FOURTH CLAIMANTS CLAIM AGAINST THE THIRD DEFENDANT:

(3) Subject to periodic review by the Court on application by the Third and Fourth Claimants at intervals not exceeding 12 months or such other period as the Court may determine, an order that the Third Defendants must not, without the consent of the Third and Fourth Claimants (or either of them), enter, occupy or remain upon the land outlined in red on Plan 3.

STATEMENT OF TRUTH

The Claimants believe that the facts stated in these ~~Re-Amended~~ particulars of claim are true. The Claimants 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.

I am duly authorised by the Claimants to sign this statement.

Alexander James Wright

~~Principal Associate~~ Legal Director

Eversheds Sutherland (International) LLP

Claimants' solicitor

Dated: ~~16~~ 23 July 2024

TITLE SCHEDULE TO THE PARTICULARS OF CLAIM

1. **The First Claimant is the registered proprietor of the following titles:-**

Title number	Freehold / Leasehold
WYK232726	Freehold
WYK269721	Freehold
WYK275282	Freehold
WYK461796	Freehold
WYK500833	Freehold
WYK500834	Freehold
WYK512407	Freehold
WYK547070	Freehold
WYK547071	Freehold
WYK570873	Freehold
WYK574741	Freehold
WYK624715	Freehold
WYK657177	Freehold
WYK657180	Freehold
WYK698270	Freehold
WYK698436	Freehold
WYK706576	Freehold
WYK775942	Freehold
WYK723309	Freehold
WYK806314	Freehold
WYK831477	Freehold
WYK857105	Freehold
WYK857106	Freehold
WYK395678	Freehold
WYK657178	Leasehold
WYK501284	Leasehold

2. **The Second Claimant is the registered proprietor of the following titles:-**

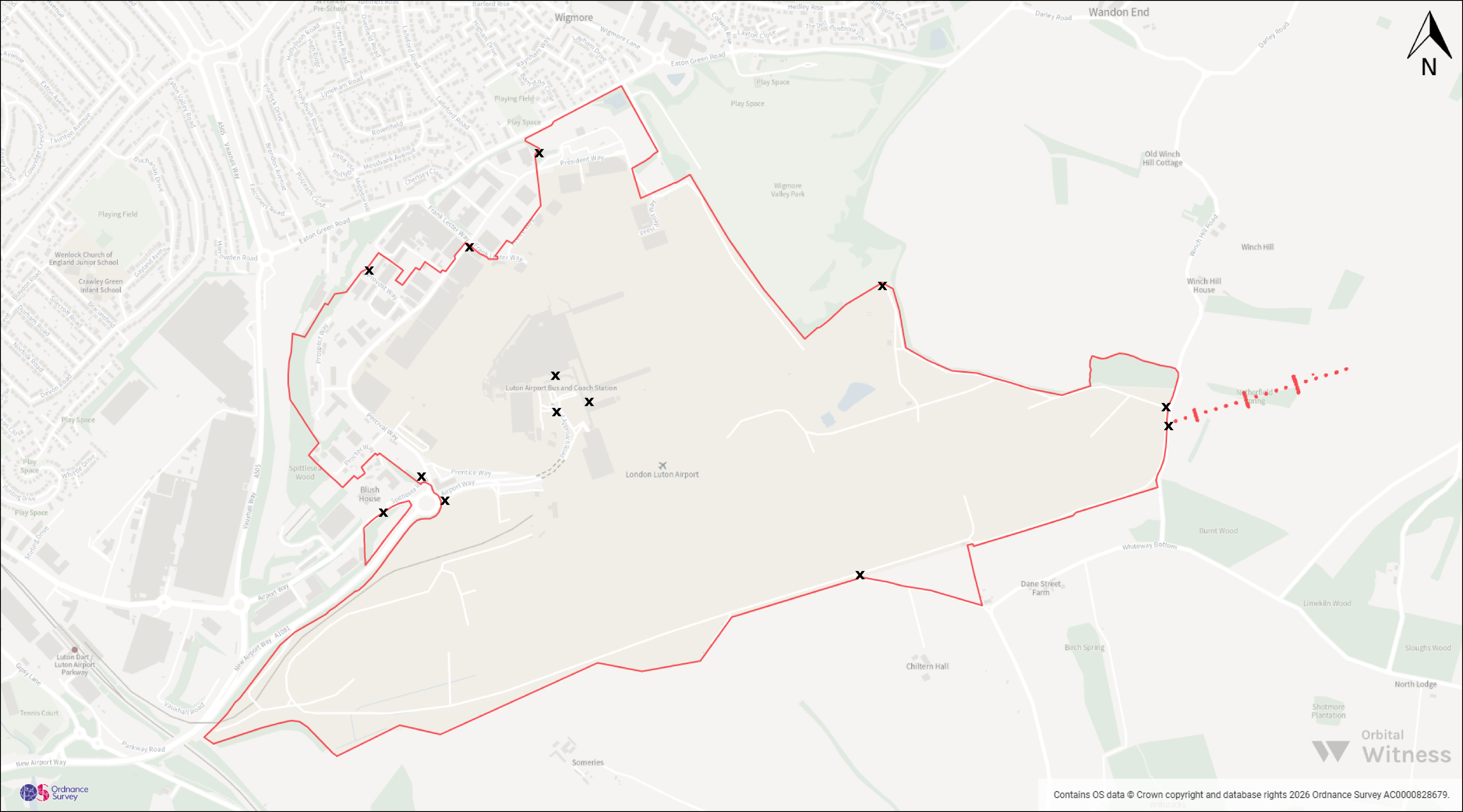
Title number	Freehold / Leasehold
BD235078	Leasehold
BD206048	Leasehold
BD339131	Leasehold
BD332840	Leasehold
BD216008	Leasehold
HD544934	Leasehold

3. **The Third Claimant is the registered proprietor of the following titles:-**

Title number	Freehold / Leasehold
TY349352	Freehold
TY476495	Freehold
TY433695	Freehold


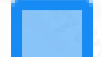

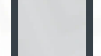

4. **The Fourth Claimant is the registered proprietor of the following titles:-**

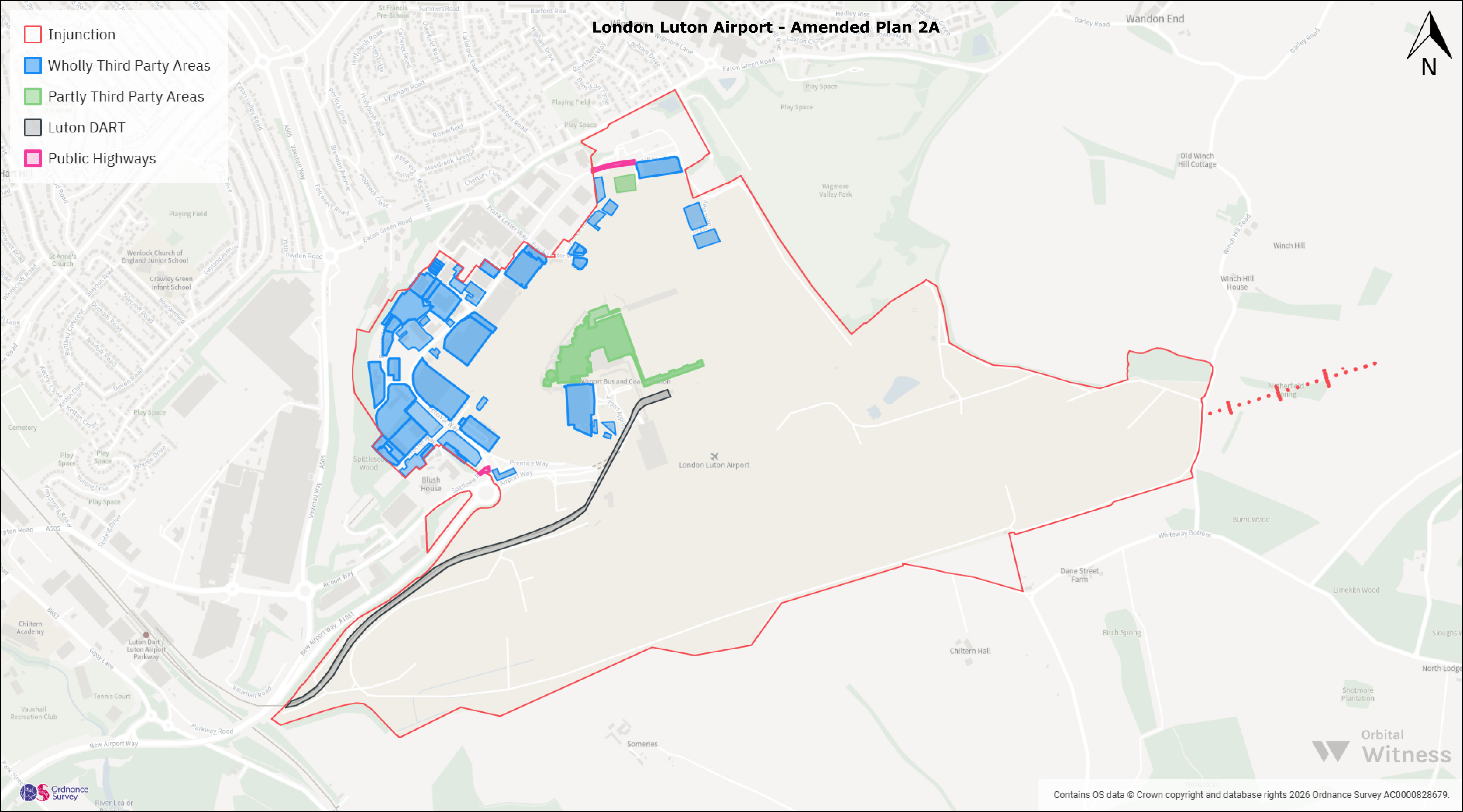
Title number	Freehold / Leasehold
ND75730	Freehold



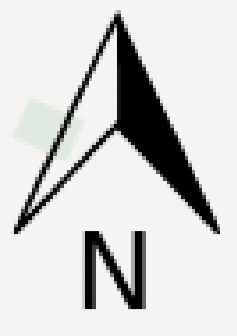
London Luton Airport - Amended Plan 2A



-  Injunction
-  Wholly Third Party Areas
-  Partly Third Party Areas
-  Luton DART
-  Public Highways



London Luton Airport - Amended Plan 2B



- HD544934
- BD216008
- BD206048
- BD235078
- BD332840
- BD339131
- BD230068

