

Amended pursuant to the order of HHJ Coe K.C. dated 5 July 2024

Re-amended pursuant to the order of the Honourable Mr Justice Soole dated 30 June 2026

IN THE HIGH COURT OF JUSTICE
KING'S BENCH DIVISION

CLAIM NO: KB-2024-002132

BETWEEN:-

- (1) MANCHESTER AIRPORT PLC
- (2) AIRPORT CITY (MANCHESTER) LTD
- (3) MANCHESTER AIRPORT CAR PARK (1) LIMITED
- (4) STANSTED AIRPORT LTD
- (5) EAST MIDLANDS INTERNATIONAL AIRPORT LTD

Claimants

- v -

- (1) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTEST ON THE PREMISES AT MANCHESTER AIRPORT SHOWN EDGED RED ON PLAN 1 OR ON ANY FLIGHT THEREFROM (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN **OR EXTINCTION REBELLION** OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN **OR EXTINCTION REBELLION** OR OTHERWISE)
- (2) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTEST ON THE PREMISES AT STANSTED AIRPORT SHOWN EDGED RED ON PLAN 2 OR ON ANY FLIGHT THEREFROM (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN **OR EXTINCTION REBELLION** OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR OTHERWISE)
- (3) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTEST ON THE PREMISES AT EAST MIDLANDS AIRPORT SHOWN EDGED RED ON PLAN 3 OR ON ANY FLIGHT THEREFROM (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN **OR EXTINCTION REBELLION** OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN **OR EXTINCTION REBELLION** OR OTHERWISE)

Defendants

RE-AMENDED PARTICULARS OF CLAIM

Manchester Airport

1. The First Claimant is the operator of Manchester Airport, located in Manchester M90 1QX, shown outlined in red on Plan 1 ("**Manchester Airport**"). Manchester Airport serves around 25 million travelling passengers each year with an annual revenue of approximately £425 million.
2. The First, Second and Third Claimants are the registered proprietors of the land on which Manchester Airport 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, Second and Third Claimants are entitled to an immediate right of possession occupation and control of Manchester Airport, by virtue of their respective titles as shown in the Title Schedule.
4. Plan 1A depicts the areas within Manchester Airport which are the subject of third party interests, shown thereon shaded in blue, green and brown ("**the Manchester Third Party Areas**"). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the First, Second and Third Claimants are displaced as the persons with an immediate right of occupation or possession. The brown land is a railway/ 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 certain the whole or part(s) of aircraft hangars, airline and groundhandlers offices, fuel farms, general offices, storage units and warehouses.
5. Nevertheless, access to or from the Manchester Third Party Areas by the public from outside the airport, in all instances necessarily involves the use of areas of Manchester Airport which remain unencumbered by any such arrangement and in relation to which, accordingly, the First to Third Claimants remain entitled to possession occupation and control by virtue of their interests shown in the Title Schedule.
6. Also shown on Plan 1A are the highways shown shaded in pink on Plan 1A, which run beneath the taxiway within the Airport and/or provide access to Manchester Airport to the First to Third Claimants and their licensees (including members of the public).

7. By virtue of s63 of the Airports Act 1986, the First Claimant has power to make byelaws with respect to Manchester Airport. Pursuant to the Manchester Airport Byelaws 2024, byelaw 3.36, 3.10 and 3.34, no person has a right to use any part of Manchester Airport as defined therein for protest. The plan which defines Manchester Airport for the purposes of the Byelaws is not in all respects identical to Plan 1. However, the area covered by the Byelaws includes (a) the Manchester Third Party Areas and (b) the highways therein.

Stansted Airport

8. The Fourth Claimant is the operator of Stansted Airport, located in Stansted CM24 1QW, shown outlined in red on Plan 2 ("**Stansted Airport**"). Stansted Airport serves around 25 million travelling passengers each year with an annual revenue of approximately £373 million.
9. The Fourth Claimant is the proprietor of the land on which Stansted 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 Fourth Claimant is entitled to an immediate right of possession occupation and control of Stansted Airport, by virtue of its titles as shown in the Title Schedule.
11. Plan 2A depicts the areas within Stansted Airport which are the subject of third party interests, shown thereon shaded in blue, green, purple and pink ("**the Stansted Third Party Areas**"). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the Fourth Claimant is displaced as the person with an immediate right of occupation or possession. The purple land is a railway station. The pink land is a railway tunnel. 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 certain the whole or part(s) of aircraft hangars, airline and groundhandlers offices, fuel farms, general offices, storage units and warehouses.
12. Nevertheless, access to or from the Stansted Third Party Areas by the public from outside the airport, in all instances necessarily involves the use of areas of Stansted Aiport which remain unencumbered by any such arrangement and in relation to

which, accordingly, the Fourth Claimant remains entitled to possession occupation and control by virtue of its interests shown in the Title Schedule.

13. By virtue of s63 of the Airports Act 1986, the Fourth Claimant has power to make byelaws with respect to Stansted Airport. Pursuant to the Stansted Airport Byelaws 1996, byelaws 3.17 and 3.19, no person has a right to use any part of Stansted Airport for protest.

East Midlands Airport

14. The Fifth Claimant is the operator of East Midlands International Airport, located in Castle Donnington, Derby DE74 2SA, shown outlined in red on Plan 3 ("**EMA**"). EMA served around 3.3 million travelling passengers each year with an annual revenue of approximately £81 million.
15. The Fifth Claimant is the proprietor of the land on which EMA 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.
16. Subject to those interests of third parties, the Fifth Claimant is entitled to an immediate right of possession occupation and control of EMA, by virtue of its titles as shown in the Title Schedule.
17. Plan 3A depicts the areas within EMA which are the subject of third party interests, shown thereon shaded in blue and green ("**the EMA Third Party Areas**"). In relation to all such areas, to an extent which might vary depending on the exact arrangement, the Fifth Claimant is displaced as the person with an immediate right of occupation or possession. The blue land consists of (and the green land includes) areas which are the subject of sub-leases or other occupational arrangements. By way of example, the blue and green land includes certain the whole or part(s) of aircraft hangars, airline and groundhandlers offices, fuel farms, general offices, storage units and warehouses.
18. One of those areas, namely, the East Midlands Aeropark, takes direct access from the public highway. Subject to that exception: access to or from the EMA Third Party Areas by the public from outside the airport, in all instances necessarily involves the use of areas of the EMA which remain unencumbered by any such arrangement and in relation to which, accordingly, the Fifth Claimant remains entitled to possession occupation and control by virtue of its interests shown in the Title Schedule.

19. By virtue of s63 of the Airports Act 19~~98~~⁸⁶, the Fifth Claimant has power to make byelaws with respect to EMA. Pursuant to the East Midlands Airport Byelaws ~~2001~~²⁰²⁵, byelaw ~~3.34, 3.36 and 3.37~~³⁻⁵, no person has a right to use any part of ~~East Midlands Stansted~~ Airport for protest without prior approval from the Fifth Claimant.

The Claimants' claims

20. 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 a railway station.

21. 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 at Manchester Airport 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.

22. 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 threatens to interfere substantially and unreasonably with the ordinary use and enjoyment of the Claimants' retained land.
23. Further, in respect of the highways at Manchester Airport described above: protest which occurs on these highways threatens:
- a. Unreasonably and substantially to interfere with the First, Second and Third 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 to obstruct or hinder the free passage along the highway, occasioning particular damage to the First, Second and Third Claimants; and
 - c. In respect of the tunnelled highway in pink on Plan 1A, unreasonably and substantially to interfere with the First, Second and Third Claimants' ordinary use and enjoyment of the airport, 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 Manchester Airport Byelaws 2024.

The threats

24. 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:

25. 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..."
26. 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**").
27. 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.
28. 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?"

29. 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?"

30. 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.***

..."

31. 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.

As many of you already know, this summer Just Stop Oil is taking action at airports.

That's exciting right? Well, there's more.

We won't be taking action alone.

Resistance groups across several countries in Europe have agreed to work together. That means this summer's actions will be internationally coordinated.

PICTURE OF AIRPORT ACTIONS SYMBOLISING INTERNATIONAL COMMUNITY
(<https://us02web.zoom.us/join/zoom-join?secret=7890&from=invite-link>)

People across Europe will be taking the fight to airports, the heart of the fossil economy.

This summer's actions across multiple countries will go down in history.

Want to meet the people making this happen?

Every Thursday for the next four weeks starting on the 13th of JUNE, 6.30pm

You don't want to miss this.

See you there,

Just Stop Oil"

¹ As of 27 June 2024, £24,099 had been raised on this website.

32. On 2 June 2024, Extinction Rebellion environmental activists blocked access to Farnborough Airport.
33. On 20 June 2024, supporters of "Just Stop Oil" carried out direct action at Stansted Airport, in one of the Third Party Areas (an area which is subject to an occupational arrangement with a third party), as part of a series of protests on climate change. This included:
 - a. an individual using an angle grinder to cut a hole in the perimeter fence of the airport;
 - b. two individuals trespassing the perimeter fence; and
 - c. spray painting two aircrafts orange using a fire extinguisher.
34. As a result of this direct action:
 - a. Notwithstanding that the protest took place on a Third Party Area, it was necessary to suspend operations on the runway on the Fourth Claimant's retained land in Stansted Airport for approximately 50 minutes: three aircraft departures were affected.
 - 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.
35. In view of the circumstances described above, unless restrained by the Court, there is a strong probability that Persons Unknown will, for Manchester Airport, Stansted Airport and/or East Midlands Airport:
 - a. trespass on the Airport and/or
 - b. by protest conducted on or from the Third Party Areas, 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 on Plan 1A, obstruct those occasioning particular damage to the First, Second and Third Claimants and/or interfere with the First, Second and Third Claimants' right of access

to Manchester Airport via those highways, so as to cause a nuisance actionable by the First, Second and Third Claimants.

36. The Claimants seek injunctive relief to prevent the apprehended trespasses and public and/or private nuisances.
37. There is a compelling need for such relief which in outline (but not exhaustively) includes these matters:
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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 tens or hundreds of 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.

- e. 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.
- f. 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.
- g. Additionally, there is a risk of protest activity being used as cover for actual terrorist attacks.

AND THE FIRST, SECOND AND THIRD CLAIMANTS CLAIM AGAINST THE FIRST DEFENDANT:

- (1) Subject to periodic review by the Court on application by the Claimants at intervals not exceeding 24 months or such other period as the Court may determine, an order that the First Defendants must not, without the consent of the First, Second and

Third Claimants (or either of them), enter, occupy or remain upon the land outlined in red on Plan 1.

AND THE FOURTH CLAIMANT CLAIMS AS AGAINST THE SECOND DEFENDANT:

- (2) Subject to periodic review by the Court on application by the Claimants at intervals not exceeding 24 months or such other period as the Court may determine, an order that the Second Defendants must not, without the consent of the Claimants, enter, occupy or remain upon the land outlined in red on Plan 2.

AND THE FIFTH CLAIMANT CLAIMS AGAINST THE THIRD DEFENDANT:

- (3) Subject to periodic review by the Court on application by the Claimants at intervals not exceeding 24 months or such other period as the Court may determine, an order that the Third Defendants must not, without the consent of the Claimants, 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.



Stuart Sherbrooke-Wortley-Alexander James Wright

Partner-Legal Director

Eversheds Sutherland (International) LLP

Claimants' solicitor

7 July 2026

Title Schedule to the Particulars of Claim

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

Registered Title	Freehold / Leasehold
GM408669	Leasehold
GM724915	Leasehold
GM839013	Leasehold
MAN315638	Leasehold
CH373359	Leasehold
CH408609	Leasehold
CH408610	Leasehold
CH414019	Leasehold
CH469834	Leasehold
CH469835	Leasehold
CH593537	Leasehold
GM827720	Leasehold
GM869598	Leasehold
GM874357	Leasehold
GM874715	Leasehold
GM923439	Leasehold
MAN157825	Leasehold
MAN404429	Leasehold
MAN8976	Leasehold
MAN348640	Leasehold
MAN359310	Leasehold

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

Registered Title	Freehold / Leasehold
GM513511	Freehold
MAN371404	Leasehold
MAN269014	Leasehold
MAN270740	Leasehold

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

Registered Title	Freehold / Leasehold
MAN371404	Leasehold

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

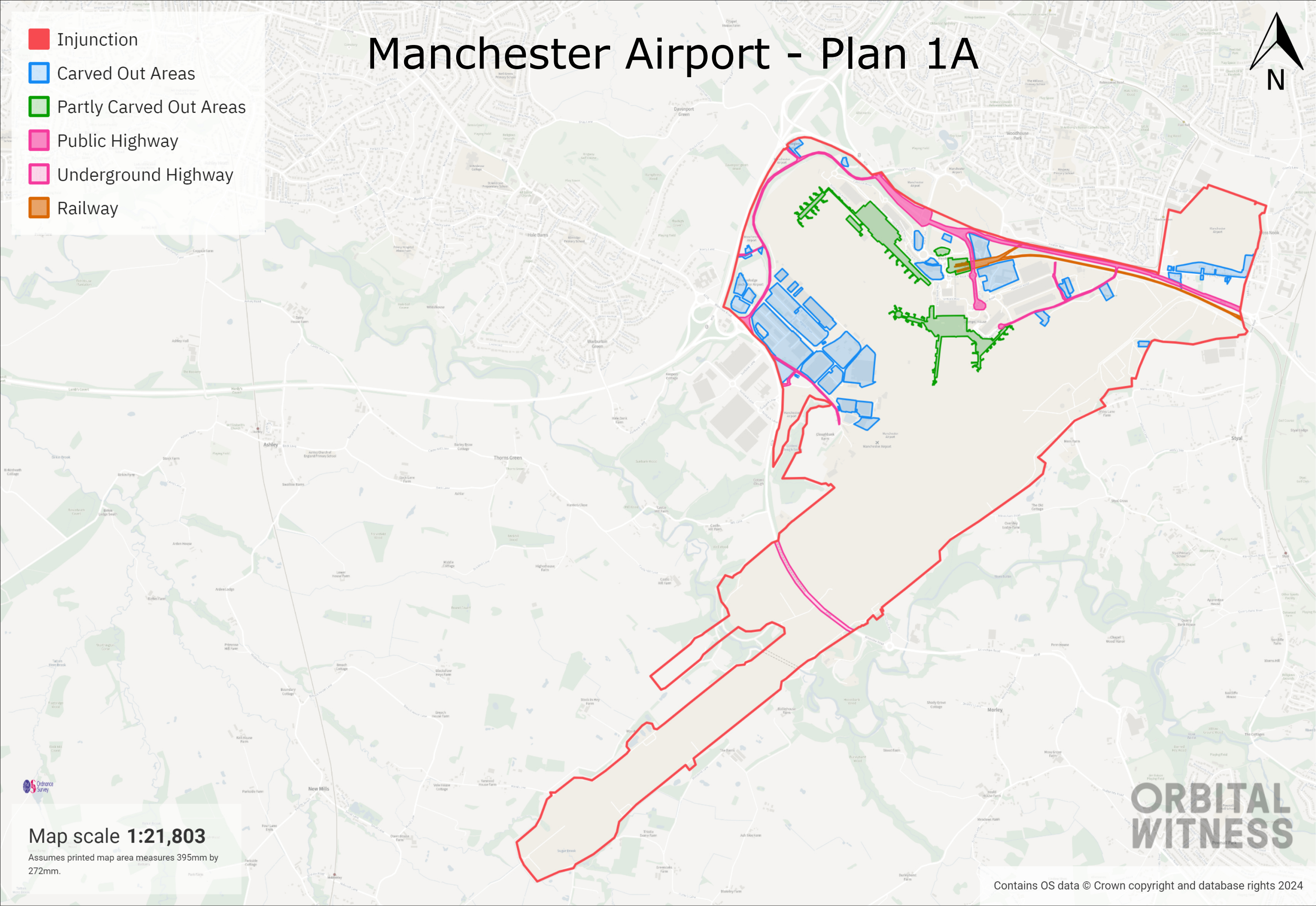
Registered Title	Freehold / Leasehold
EX438482	Freehold
EX574488	Freehold
EX574502	Freehold
EX574498	Freehold
EX574495	Freehold
EX574482	Freehold
EX574485	Freehold
EX574491	Freehold
EX574504	Freehold
EX574508	Freehold
EX574523	Freehold
EX948708	Freehold
EX574513	Freehold
EX640482	Freehold
EX574507	Freehold
EX574477	Freehold
EX574473	Freehold
EX438486	Freehold
AA7858	Leasehold
EX900137	Leasehold
EX976114	Leasehold

5. The Fourth Claimant also has a lease of the buildings known as 6002 and 6003 at Stansted Airport granted on 20 September 2022 and made between Airport Industrial GP Limited and Airport Industrial Nominees Limited which is unregistered and is shown coloured brown on Plan 2.
6. The Fifth Claimant is the registered owner of the following titles:-

Registered Title	Freehold / Leasehold
LT113826	Freehold
LT300968	Freehold
LT305941	Freehold
LT325861	Freehold
LT289774	Freehold

- Injunction
- Carved Out Areas
- Partly Carved Out Areas
- Public Highway
- Underground Highway
- Railway

Manchester Airport - Plan 1A



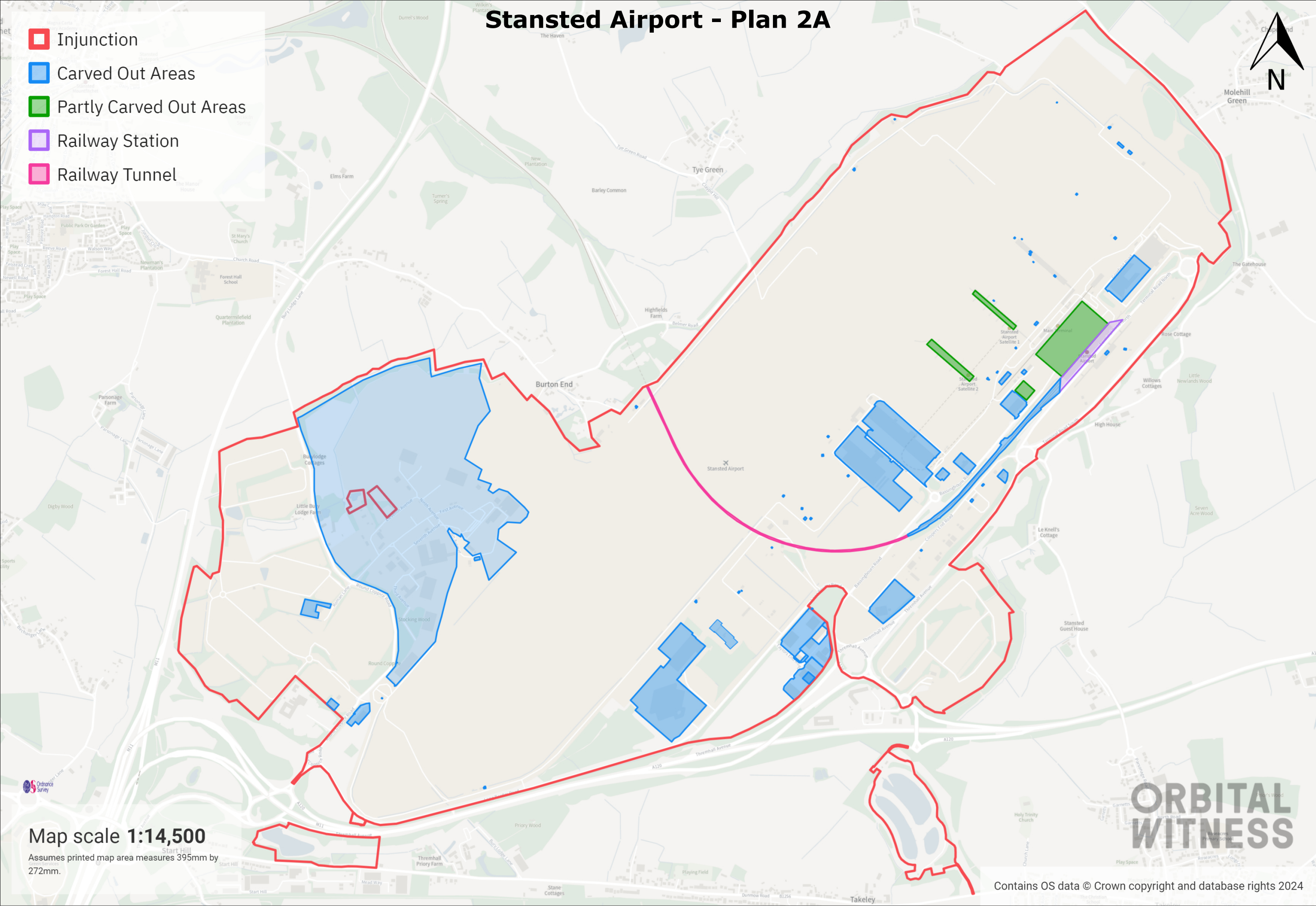
Map scale 1:21,803

Assumes printed map area measures 395mm by 272mm.

ORBITAL
WITNESS

Stansted Airport - Plan 2A

-  Injunction
-  Carved Out Areas
-  Partly Carved Out Areas
-  Railway Station
-  Railway Tunnel



Map scale **1:14,500**

Assumes printed map area measures 395mm by 272mm.

**ORBITAL
WITNESS**

- Injunction Area
- Carved Out Areas
- Partly Carved Out Areas

East Midlands Airport - Plan 3A



ORBITAL
WITNESS

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