

IN THE HIGH COURT OF JUSTICE

Claim No.: KB-2024-002596

KINGS BENCH DIVISION

Before: The Honourable Mrs Justice Farbey

On: 14 August 2024

BETWEEN:



- (1) LONDON SOUTHEND AIRPORT COMPANY LIMITED**
- (2) LONDON SOUTHEND SOLAR LIMITED**
- (3) THAMES GATEWAY AIRPORT LIMITED**

Claimants

-and-

PERSONS UNKNOWN WHO (IN CONNECTION WITH JUST STOP OIL OR OTHER ENVIRONMENTAL CAMPAIGN) ENTER, OCCUPY OR REMAIN (WITHOUT THE CLAIMANTS' CONSENT) UPON 'LONDON SOUTHEND AIRPORT' AS IS SHOWN EDGED RED ON THE ATTACHED PLAN A TO THE AMENDED PARTICULARS OF CLAIM (AND ALSO ATTACHED TO THIS ORDER)

Defendants

ORDER

PENAL NOTICE

IF YOU THE WITHIN DEFENDANTS OR PERSONS UNKNOWN OR ANY OF YOU 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 PERSONS UNKNOWN TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS AND PERSONS UNKNOWN

This Order prohibits you from doing the acts set out in this Order. You should read it carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.

RECITALS

UPON the Claimants having issued this Claim by a Claim Form dated 12 August 2024 (amended 14 August 2024)

AND UPON hearing the Claimants' without notice application for an interim injunction by Application Notice dated 12 August 2024

AND UPON READING the Witness Statements of Akhil Markanday dated 9 August 2024 and Marc Taylor dated 9 August 2024

AND UPON HEARING Tom Roscoe, Counsel for the Claimants

AND UPON the Claimants giving and the Court accepting the undertakings set out in Schedule 1 to this Order

AND UPON the Claimants informing the Court that any requests from those wishing to carry out peaceful protest for them to designate an area for that purpose at London Southend Airport (as more particularly described in paragraph 1 below) should be made by email to media@londonsouthendairport.com

IT IS ORDERED THAT:

INJUNCTION

1. Until 14 August 2029 or final determination of the Claim or further order in the meantime, whichever shall be the earlier, the Defendants must not, without the prior consent of the Claimants, enter, occupy or remain on London Southend Airport, Southend-On-Sea, Essex, as shown edged red on the plan annexed to this Order at Schedule 2 ("**Plan A**") in connection with Just Stop Oil or other environmental, climate or fossil-fuel campaign and/or protest.
2. In respect of paragraph 1, the Defendants must not: (a) do the prohibited acts himself/herself/themselves in any other way; or (b) do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions.

3. The injunction set out at paragraph 1 of this Order shall be reviewed annually on each anniversary of the Order (or as close to this date as is convenient having regard to the Court's list) with a time estimate of 1 ½ hours. The Claimants are permitted to file and serve any evidence in support 14 days before the review hearing. Skeleton Arguments shall be filed at Court, with a bundle of authorities, not less than 2 days before the hearing. The injunction set out at paragraph 1 of this Order shall lapse at 4pm on the anniversary of this Order (or as the case may be the anniversary of the latest annual review) unless, before then, the Claimants have applied for the review to take place.

VARIATION

4. Anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person, but they must first give the Claimants' solicitors 72 hours' notice of such application. 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.
5. Any person applying to vary or discharge this Order must provide their full name, address and address for service.
6. The Claimants have liberty to apply to vary this Order.

SERVICE AND NOTIFICATION

7. Pursuant to the guidance of the Supreme Court in *Wolverhampton CC v London Gypsies & Travellers* [2023] UKSC 47 ("**Wolverhampton**")¹, the Amended Claim Form, Amended Particulars of Claim, Application Notice, evidence in support and a Note of the Hearing on 14 August 2024 will be notified to the Defendants by the Claimants carrying out each of the following steps:

- 7.1 Uploading a copy on to the following website:
<http://londonsouthendairport.com/corporate/injunction>

¹ A copy of which, together with a "Press Summary", can be found at:
<https://www.supremecourt.uk/cases/uksc-2022-0046.html>

- 7.2 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 documents can be found at the website referred to above.
 - 7.3 Either affixing a notice at the locations shown marked with a green or purple dot on the second plan attached to this Order at Schedule 4 (“Plan B”) setting out where these documents can be found and obtained in hard copy or including this information in the warning notices referred to at paragraph 8.4 below.
8. Pursuant to the guidance in *Wolverhampton*, this Order shall be notified to the Defendants by the Claimants carrying out each of the following steps:
 - 8.1 Uploading a copy of the Order on to the following website:
<http://londonsouthendairport.com/corporate/injunction>
 - 8.2 Sending an email to the email addresses listed in Schedule 3 to this Order attaching a copy of this Order.
 - 8.3 Affixing a copy of the Order in A4 size in a clear plastic envelope at each of the locations shown with a green or purple dot on Plan B.
 - 8.4 Affixing warning notices of A2 size at those locations marked with a green or purple dot on Plan B, substantially in the form of the notice at Schedule 5.
 9. Pursuant to the guidance in *Wolverhampton*, notification to the Defendants of any further applications shall be effected by the Claimants carrying out each of the following steps:
 - 9.1 Uploading a copy of the application on to the following website:
<http://londonsouthendairport.com/corporate/injunction>
 - 9.2 Sending an email to the email addresses listed in Schedule 3 to this Order stating that an application has been made and that the application documents can be found at the website referred to above.
 - 9.3 Affixing a notice at these locations marked with a green or purple dot on Plan B stating that the application has been made and where it can be accessed in hard copy and online.

10. Pursuant to the guidance in *Wolverhampton*, notification of any further documents to the Defendants may be effected by carrying out the steps set out in paragraphs 9.1 and 9.2 only.
11. In respect of paragraphs 7 to 10 above:
 - 11.1 pursuant to CPR rr. 6.15, 6.27 and 81.4(2)(c) & (d), the taking of the steps set out at that paragraphs shall amount to good and proper service and effective notification of the Claim, the Order and any future application (respectively), and personal service of those documents is dispensed with; and
 - 11.2 service of documents under each of those paragraph will be deemed to have taken place on the date and at the time at which all the relevant steps have been carried out, and shall be verified by a Certificate of Service to be filed by the Claimants.
12. For the avoidance of doubt, in respect of the steps referred to at paragraphs 7.3, 8.3 and 9.3, effective notification will be deemed to have taken place when the documents have all been 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. The Claimants have permission to amend the Claim Form and Particulars of Claim so as to update the plan attached to the Particulars of Claim (and corresponding description of the Defendants) to the same form as the plan appended to this Order in Schedule 2 as Plan A.
15. The Claimants, any person who falls within or may fall within the description of the Defendants or any other person who is or may be affected by the Claim or this Order has liberty to apply to apply to the Court to discharge or vary the Order and/or for further case-management directions.
16. No acknowledgment of service, admission or defence is required by any party until further so ordered.

COSTS

17. Costs reserved.

COMMUNICATIONS WITH THE CLAIMANTS

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

- (1) Akhil Markanday

Bryan Cave Leighton Paisner, Governor's House, 5 Laurence Pountney Hill,
London EC4R 0BR akhil.markanday@bclplaw.com / +44 20 3400 4344

- (2) Phil Spencer

Bryan Cave Leighton Paisner, Governor's House, 5 Laurence Pountney Hill,
London EC4R 0BR phil.spencer@bclplaw.com / +44 20 3400 3119

Dated: 14 August 2024

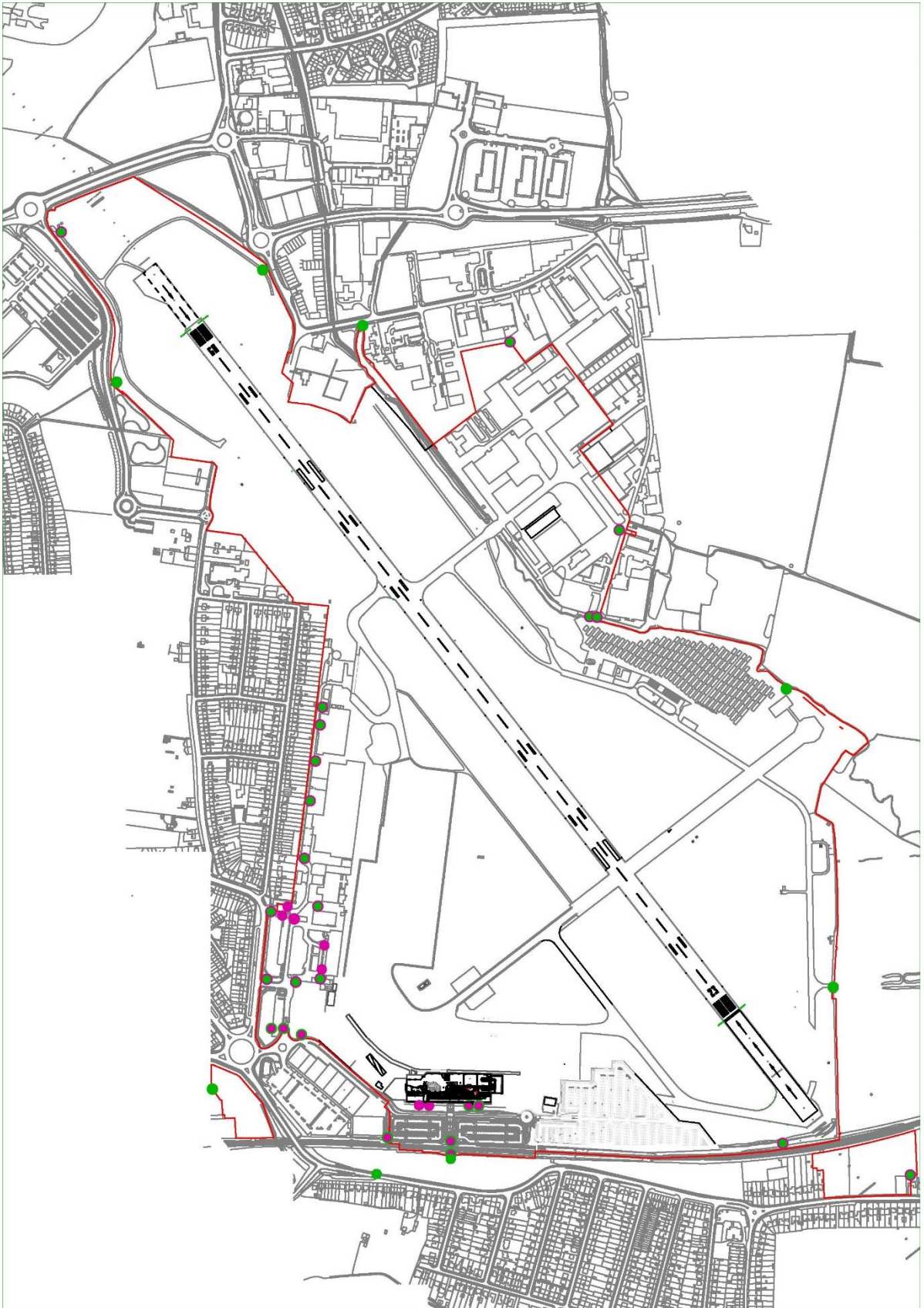
SCHEDULE 1 – CLAIMANTS’ UNDERTAKINGS TO THE COURT

1. The Claimants will take the steps set out in paragraphs 7 and 8 of the Order to notify Defendants of the Amended Claim Form, Amended Particulars of Claim, Application Notice, evidence in support, the Order and a Note of the Hearing on 14 August 2024 as soon as practicable and no later than 5pm on 20 August 2024.
2. The Claimants 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 1 of this Order has caused loss to a future Defendant and the Court finds that the future Defendant ought to be compensated for that loss.

SCHEDULE 3 – EMAIL ADDRESSES

1. juststopoil@protonmail.com
2. juststopoilpress@protonmail.com
3. info@juststopoil.org

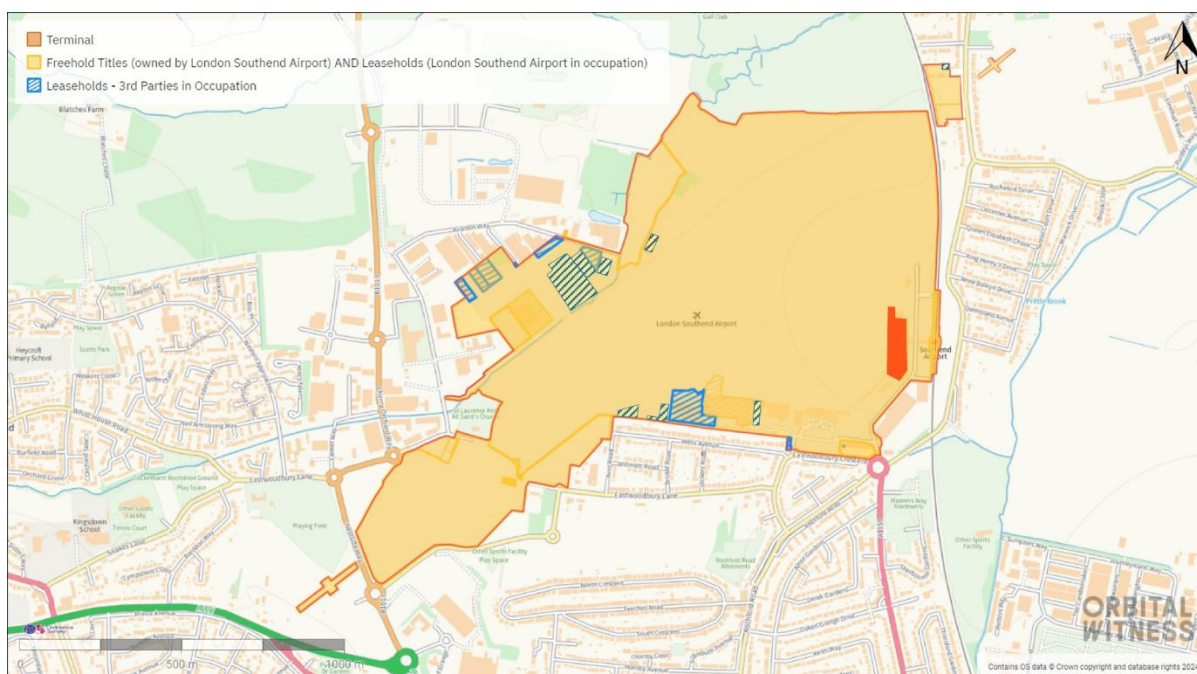
SCHEDULE 4 – PLAN B



SCHEDULE 5 – NOTICE
WARNING – NOTICE OF COURT INJUNCTION

A HIGH COURT INJUNCTION granted in Claim No. KB-2024-002596 granted on 14 August 2024 until 14 August 2029 or final determination of the Claim or further order in the meantime, whichever shall be the earlier, now exists in relation to London Southend Airport. The injunction means you may NOT without the express consent of (1) LONDON SOUTHEND AIRPORT COMPANY LIMITED, (2) LONDON SOUTHEND SOLAR LIMITED OR (3) THAMES GATEWAY AIRPORT LIMITED:

IN CONNECTION WITH JUST STOP OIL OR OTHER ENVIRONMENTAL CAMPAIGN ENTER, OCCUPY OR REMAIN UPON 'LONDON SOUTHEND AIRPORT' AS IS SHOWN EDGED RED ON THE PLAN BELOW:



ANYONE BREACHING THE TERMS OF THIS COURT ORDER OR ASSISTING ANY OTHER PERSON IN BREACHING THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED, OR HAVE THEIR ASSETS SEIZED.

A copy of the legal proceedings (including the Order, Amended Claim Form, Amended Particulars of Claim, Application Notice, evidence in support and a note of the hearing on 14 August 2024) can be viewed at <http://londonsouthendairport.com/corporate/injunction> or obtained from:

- (1) Ticket Office, Southend Airport Train Station, Southend-on-Sea, Essex SS2 6YF, which is open between 9am-5pm Monday-Friday; or
- (2) Bryan Cave Leighton Paisner LLP, Governor's House, 5 Laurence Pountney Hill, London EC4R 0BR (Reference: AMRK/PSPE/3014634.1; Telephone: 020 3400 3119).

Anyone notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it affects that person but they must first give the Claimants' solicitors 72 hours' notice of such application. The address of the Court is the Royal Courts of Justice, Strand, London WC2A 2LL.