

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION
ROYAL COURTS OF JUSTICE

BETWEEN:-

(3) NEWCASTLE INTERNATIONAL AIRPORT LIMITED
(4) NIAL SERVICES LIMITED

AND TWO OTHERS



- v -

KB-2024-002317

(3) PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT ON THE PREMISES AT NEWCASTLE INTERNATIONAL AIRPORT SHOWN EDGED RED ON PLAN 3 TO THE CLAIM FORM (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR OTHERWISE)

AND TWO OTHERS

Defendants

ORDER

PENAL NOTICE

IF YOU, THE DEFENDANTS, 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 ANY OF THEM TO

BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.

IMPORTANT NOTICE TO THE DEFENDANTS

This Order prohibits you from doing certain acts. You should read this Order very carefully. You are advised to consult a solicitor as soon as possible. You have the right to apply to the court to vary or discharge this Order (which is explained below).

BEFORE The Honourable Mr Justice Ritchie on 18 July 2024

UPON the Claimants' claim by the Claim Form issued on 16 July 2024

AND UPON the Claimants' ex parte application for an injunction issued on 16 July 2024 ("**the Application**")

AND UPON READING the Application and the witness statements of: Alexander James Wright dated 16 July 2024, 17 July 2024, (and another) 17 July 2024, dated 18 July 2024, Vincent Hodder dated 15 July 2024, Nicholas Jones dated 16 July 2024 and Alberto Martin dated 15 July 2024 ("**the Witness Statements**")

AND UPON hearing Mr Morshead K.C. and Miss Barden for the Claimants and no one attending for the Defendants

AND UPON the Third and Fourth Claimants giving and the Court accepting the undertakings set out in Schedule 2 to this Order

AND UPON the Third and Fourth Claimant informing the Court that any requests from those wishing to carry out peaceful protest to designate an area for that purpose at Newcastle International Airport, as defined by this Order, should be made by email to protestrequest@newcastleinternational.co.uk

DEFINITIONS

"Newcastle International Airport" means the land shown in red outlined in red on Plan 3 to the Claim Form, appended to this Order in Schedule 1 ("**Plan 3**").

"Warning Notice" means a notice in the form as set out in Schedule 4 to this Order (and warning of the existence and general nature of this Order, the consequences of breaching it, identifying a point of contact and contact details from which copies of the Order may be requested and identifying the website address <https://www.newcastleairport.com/about-your-airport/airport-company/injunction/> at which copies of this Order may be viewed and downloaded).

IT IS ORDERED THAT:

INJUNCTION

1. With immediate effect, unless varied, discharged or extended by further order, the Third Defendant and each of them are forbidden from entering, occupying or remaining on any part of Newcastle International Airport for the purpose of protesting about fossil fuels or the environment without the prior consent of the Third and Fourth Claimants (or either of them).
2. This Order is subject to periodic review by the Court on application by the Third and Fourth Claimants at intervals not exceeding 12 months and if such review does not take place the Order expires at 4pm on the anniversary of this Order.

SERVICE

3. Pursuant to CPR 6.15, 6.27, and r. 81.4(2)(c) and (d), the Third and Fourth Claimants shall take the following steps by way of service of copies of the Claim Form, the Application, and Witness Statements with their exhibits ("**the Claim Documents**") and this Order upon the Third Defendant:
 - a. Uploading a copy onto the following website:
<https://www.newcastleairport.com/about-your-airport/airport-company/injunction/>
 - b. Sending an email with this Order attached 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.
 - c. Affixing a notice at those locations marked with an "X" on Plan 3 setting out where these documents can be found and obtained in hard copy in the form of Schedule 4.
4. Within 2 working days of receipt of the sealed Order, it shall be provided to Reuters so that it can be used by press organisations to publicise its existence.
5. The taking of such steps set out at paragraph 3 shall be good and sufficient service of this Order and of the Claim Documents upon the Third Defendant and each of them.
6. The Court will provide sealed copies of this Order to the Third and Fourth Claimants' solicitors for service (whose details are set out below).

7. The deemed date of service of the Claim Documents shall be the date shown on the relevant certificate of service on completion of the steps described at paragraph 3. The step described at paragraph 3(c) will be completed when those notices are first affixed.
8. The deemed date of service of this Order shall be the date shown on the relevant certificate of service on completion of the steps described at paragraphs 3. The step described at paragraphs 3(c) will be completed when those notices are first affixed.

FURTHER DIRECTIONS

9. Service on the Third Defendant of any further applications or documents in the proceedings by the Third and Fourth Claimants shall be effected by carrying out each of the steps in paragraph 3.
10. Anyone 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 Third and Fourth Claimants' solicitors 72 hours' notice of such application by email to StuartWortley@eversheds-sutherland.com. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing or by email to the Third and Fourth Claimants' solicitors at least 48 hours in advance of any hearing.
11. Roger Hallam, Phoebe Plummer and/or Indigo Rumbelow shall be notified by being sent a link to the Claim Documents and this Order by email addressed to them at the addresses in Schedule 3 to this Order as soon as practicable.
12. Any person applying to vary or discharge this Order must provide their full name, address and address for service to the Third and Fourth Claimants' solicitors.
13. The Third and Fourth Claimants (or either of them) have liberty to apply to vary, extend or discharge this Order or for further directions.
14. No acknowledgment of service, admission or defence is required by any party until further so ordered.
15. Costs are reserved.

Ritchie J

Made 19.7.2024

COMMUNICATIONS WITH THE THIRD AND FOURTH CLAIMANTS

The Third and Fourth Claimants' solicitors and their contact details are:

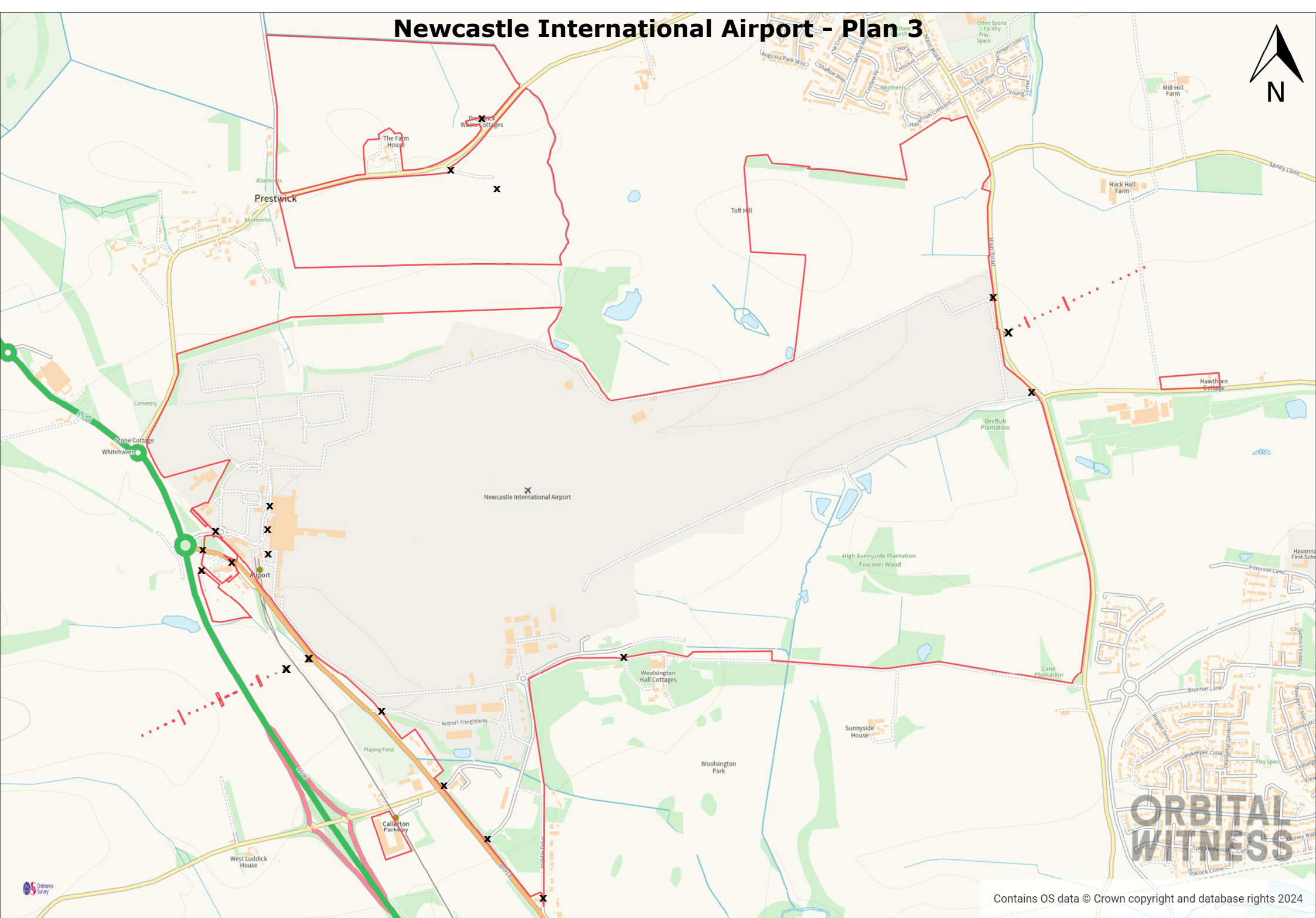
(1) Stuart Wortley
Eversheds Sutherland (International) LLP
StuartWortley@eversheds-sutherland.com
07712 881 393

(2) Nawaaz Allybokus
Eversheds Sutherland (International) LLP
NawaazAllybokus@eversheds-sutherland.com
07920 590 944

(3) Alexander Wright
Eversheds Sutherland (International) LLP
alexwright@eversheds-sutherland.com
07500 578620

SCHEDULE 1

Newcastle International Airport - Plan 3



ORBITAL
WITNESS

**SCHEDULE 2 - UNDERTAKINGS GIVEN BY THE THIRD AND FOURTH
CLAIMANTS**

- (1) The Third and Fourth Claimants will take steps to serve the Third Defendant with a note of the hearing which took place on 18 July 2024 by 1 August 2024.
- (2) The Third and Fourth 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 Defendant and the Court finds that the Defendant ought to be compensated for that loss.

SCHEDULE 3 – EMAIL ADDRESSES

- juststopoil@protonmail.com
- juststopoilpress@protonmail.com
- info@juststopoil.org
- enquiries@extinctionrebellion.co.uk

SCHEDULE 4 – WARNING NOTICE

High Court Injunction in Force

NOTICE OF HIGH COURT ORDER DATED 18 JULY 2024 ("the Order")

TO: PERSONS UNKNOWN WHOSE PURPOSE IS OR INCLUDES PROTESTING ABOUT FOSSIL FUELS OR THE ENVIRONMENT ON THE PREMISES AT NEWCASTLE INTERNATIONAL AIRPORT SHOWN EDGED RED ON PLAN 3 TO THE CLAIM FORM (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR OTHERWISE) AND WHO ENTER UPON THOSE PREMISES; AND PERSONS UNKNOWN WHO PROTEST ABOUT FOSSIL FUELS OR THE ENVIRONMENT ON THOSE PREMISES (WHETHER IN CONNECTION WITH THE JUST STOP OIL CAMPAIGN OR EXTINCTION REBELLION CAMPAIGN OR OTHERWISE) (the "**Defendants**")

FROM: Newcastle International Airport Limited and NIAL Services Limited (the "**Third and Fourth Claimants**")

This notice relates to the land known as Newcastle International Airport which is shown edged red on the Plan below (the "**Airport**")

The Order prohibits entering, occupying or remaining upon any part of the Airport for the purpose of protesting about fossil fuels or the environment without the prior consent of the Third and Fourth Claimants.

You must not do any of the above acts either yourself or by means of another person acting on your behalf, instructions or encouragement.

You must not contravene the terms of the Order and if you do, you may be in contempt of Court and sent to prison, fined or have your assets seized

Any person affected by the Order may apply to the Court at any time to vary or discharge it but if they wish to do so they must inform the Third and Fourth Claimants' solicitors by email to the address specified below 72 hours before making such application of the nature of such application and the basis for it.

The Order, copies of the Claim Documents which relate to the Order and a note of the hearing on 18 July 2024 may be viewed at: <https://www.newcastleairport.com/about-your-airport/airport-company/injunction/>

Copies may also be obtained from the Information Desk or by contacting Stuart Wortley of Eversheds Sutherland on 0771 288 1393 or by email stuartwortley@eversheds-sutherland.com.

