

IN THE HIGH COURT OF JUSTICE

QUEEN'S BENCH DIVISION

B E T W E E N:

(1) MULTIPLEX CONSTRUCTION EUROPE LTD

First Claimant

(2) LUDGATE HOUSE LIMITED (INCORPORATED IN JERSEY)

Second Claimant

(3) SAMPSON HOUSE LIMITED (INCORPORATED IN JERSEY)

Third Claimant

and

PERSONS UNKNOWN ENTERING IN OR REMAINING AT
THE CLAIMANTS' CONSTRUCTION SITE AT BANKSIDE YARDS WITHOUT
THE CLAIMANTS' PERMISSION

Defendants

RE-AMENDED **PARTICULARS OF CLAIM**

The Premises

1. This is a Claim for an injunction to prevent the Defendants from trespassing on the construction site owned by the Second Claimant **and the Third Claimant** known as Blackfriars Road, London SE1 9UY as shown edged red on the plan at Schedule 1 ("Bankside Yards").

The Claimants' Interests

2. The registered title to Bankside Yards is comprised in the registered titles which are vested in the Second Claimant **and the Third Claimant** and set out in the following table:-

Ludgate House 245 Blackfriars Road London SE1 9UY	Freehold	TGL62703
Invicta Plaza - airspace and pillars	Leasehold	TGL541676

Land at Hopton Street, London	Freehold	TGL583150
48 to 62 (even) Hopton Street, Sampson House, 64 Hopton Street and 1 to 110 Falcon Point, London	Freehold	TGL138850
Land Beneath The Arches, Invicta Plaza, Blackfriars Road, London	Leasehold	TGL501998
Land beneath Arches 1-8 Invicta Plaza, Blackfriars Road, London.	Leasehold	TGL467215
Land at Arches on the west side of, Hopton Street, London	Leasehold	TGL467217

3. By an early works agreement dated 30 January 2020, the Second Claimant appointed the First Claimant to undertake major construction works on Bankside Yards. Pursuant to the terms of this appointment, with effect from 3 August 2020, the First Claimant will occupy Bankside Yards and will be responsible, amongst other things, for site safety and security.

Urban Exploring

4. The Defendants are so called "urban explorers" who trespass on high rise buildings and construction sites and upload photographs and / or video recordings of their exploits to the internet for the entertainment of their subscribers or followers on social media.
5. The method by which urban explorers climb buildings under construction can be via the cranes on the site or by the use of concrete structures (unfinished stairwells) or construction lifts or hoists.
6. These activities pose serious risks to: (1) those involved; (2) construction workers below should they fall; (3) security staff; and (4) the emergency services. A trespasser on a construction site at Canary Wharf died on either 1 or 2 January 2018 and another trespasser fell off the scaffolding at a residential block at Waterloo in September 2019. Further details are provided in the witness statement of Martin Wilshire, Health and Safety Director at Multiplex Construction Europe Limited, which accompanies these Particulars of Claim.

The Defendants

7. Unknown individuals have undertaken reconnaissance or attempted to trespass upon the Bankside Yards construction site. Further details are provided in the witness statement of Mr Wilshire.
8. For the reasons given by Mr Wilshire in his witness statement, the Claimants believe that there is a real and significant risk that the Defendants will enter Bankside Yards (or attempt to do so) unless restrained from doing so by the Court.
9. There is no arguable right for the Defendants to be present on Bankside Yards.
10. Any attempts to access Bankside Yards will therefore constitute a trespass for which damages will not be an adequate remedy. The Claimants' concern is that any such trespass

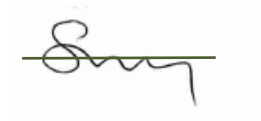
has the potential to cause very serious harm to the Defendants, construction workers and those who are responsible for the safety and security of the Properties including the emergency services.

AND THE FIRST AND SECOND CLAIMANTS CLAIM;

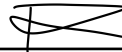
11. An injunction against the Defendants ~~retraining~~^{restraining} them from trespassing on Bankside Yards as shown on the Plan at Schedule 1;
12. Costs; and
13. Further or other relief.

The Claimants believe that the facts stated in these Particulars of Claim are true. The Claimant understands 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 authorised to sign this Statement of Truth on behalf of the Claimants.

~~28 July 2020~~ ~~18 August 2021~~ 20 December 2024



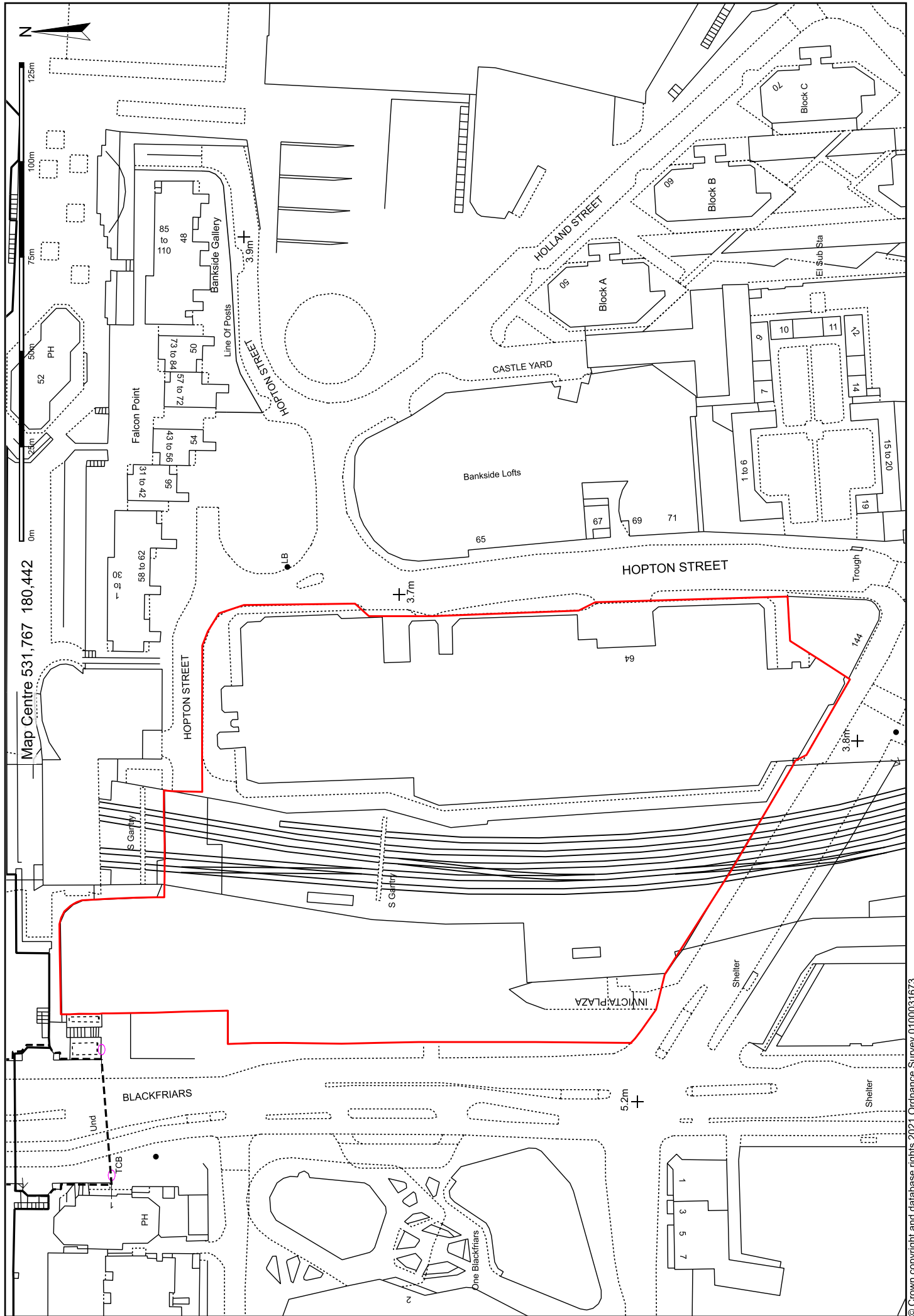
~~Stuart Sherbrooke Wortley
Partner, Eversheds Sutherland (International) LLP~~



Emma Margaretha Florence Pinkerton
Partner
CMS Cameron McKenna Nabarro Olswang LLP

SCHEDULE 1

Plan



Map Centre 531,767 180,442