

SAN SIRO: THE REGIONAL ADMINISTRATIVE COURT OF MILAN DISMISSES FIVE ACTIONS CHALLENGING THE SALE PROCEDURE TO INTER AND MILAN; CONTINUATION OF THE PROCESS FOR THE NEW STADIUM AND DISPOSAL OF THE MEAZZA CONFIRMED

On 6 October, the Regional Administrative Court of Lombardy-Milan issued its judgment on the complaints brought in 2022 and 2025 by local residents, associations and committees, as well as by a member of the City Council of Milan, seeking the annulment of the measures relating to the procedure for the sale of the San Siro stadium to AC Milan and FC Internazionale and, consequently, of the project for the construction of the new stadium.

The five judgments were delivered by the Fifth Chamber following deliberation in chambers on 23 June 2026, and are numbered 4475, 4477, 4478, 4479 and 4480 of 2026. The proceedings were determined by separate judgments, as the Court found that there were no grounds for their consolidation, notwithstanding the substantial identity of the factual and legal issues arising in each case.

The actions challenged the resolution of the City Council approving the essential terms of the sale and purchase of the property complex comprising the Giuseppe Meazza Stadium, the resolution of the City Executive approving the draft framework agreement and the guidelines for completion of the sale and purchase, and the executive determination approving the draft sale and purchase agreement. The complainants also challenged the procedures for convening the City Council Committees tasked with considering the resolution concerning the sale and purchase, the handling of a sub-amendment tabled during the debate before the City Council, and the decision to declare lapsed those amendments which had not yet been considered by the end of the sitting.

As regards the applications lodged in 2022, the Court noted that the composition of the group of applicants was uncertain and changed during the proceedings. This prevented the Court from verifying whether the conditions for bringing a collective action were met. Such an action requires a strict assessment of whether the applicants are in the same substantive and procedural situation and whether there are any conflicts of interest between them. This is also necessary in view of the enforcement of the judgment, which requires the parties to the proceedings, and therefore those entitled to seek enforcement of the judicial decision, to be clearly identified.

The complaints brought in 2025 were, by contrast, dismissed for lack of legal interest in bringing proceedings, on the ground that the applicants had failed to challenge measures adopted beforehand and constituting a prerequisite for those under challenge, as well as fundamental subsequent measures adopted in connection with the same proceedings.

The fifth claim, brought by a City Councillor, was ultimately determined against the complainant on the merits. The Court held that neither the alleged impairment of the Councillor's statutory prerogatives nor the alleged breach of the rules governing the conduct of the proceedings before the City Council had been established.

It follows that none of the measures challenged in the proceedings, forming part of the procedural sequence relating to the sale of the stadium complex, has been set aside by the Court. Accordingly, as matters currently stand, no judicial order prevents the continuation of the procedure for the disposal of the property complex and the administrative procedure concerning the demolition of the existing Giuseppe Meazza Stadium.

The judgments under consideration bring the present stage of the litigation to an end, without prejudice to the right of the unsuccessful parties to appeal the judgments before the Council of State. Further litigation may still arise in connection with measures adopted at subsequent stages of the administrative process. These include the completion of the strategic environmental

assessment procedure concerning the proposed implementation plan, the subsequent adoption of the plan, and the further procedural steps relating to the submission and approval of the technical and economic feasibility project, which will be considered at the services conference convened by the Lombardy Region.

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