

Party	Claimant
Name of Witness	G J Robertson
No. of statement	First
Exhibits	"GJR1"
Date	18 July 2025

IN THE HIGH COURT OF JUSTICE

Claim no. []

BUSINESS AND PROPERTY COURTS OF ENGLAND AND WALES

PROPERTY TRUSTS AND PROBATE LIST (ChD)

B E T W E E N :

UNIPER UK LIMITED

Claimant

-and-

(1) JOSHUA BARTER

(2) SAM WILLIAMS

(3) IAN JOHNSON

(4) LUKE BADHAREE

**(5) PERSONS UNKNOWN WHO ENTER OR REMAIN UPON ANY PART OF THE LAND
AT THE RATCLIFFE-ON-SOAR POWER STATION (AS DEFINED IN THE
PARTICULARS OF CLAIM) WITHOUT THE CONSENT OF THE CLAIMANT**

Defendants

WITNESS STATEMENT OF GRAEME JAMES ROBERTSON

I, **GRAEME JAMES ROBERTSON**, of Herbert Smith Freehills Kramer LLP, Exchange House, Primrose Street, London EC2A 2EG **WILL SAY** as follows:

1. I am a Senior Associate in the firm of Herbert Smith Freehills Kramer LLP ("**HSF Kramer**"). I have conduct of this matter on behalf of the Claimant, Uniper UK Limited.
2. I make this witness statement in support of the Claimant's application for an injunction to prevent both (i) travellers and (ii) so-called 'urban explorers' from trespassing and/or causing a private nuisance at the Ratcliffe-on-Soar power station, which is located to the south-west of Nottingham. I am duly authorised to make this statement on the Claimant's behalf.

3. I have read the Particulars of Claim and the final drafts of the witness statements of Stephen Foster Close and Andrew James Skelton for the Claimant. I adopt the definitions as in the witness statement of Stephen Foster Close.
4. Save where I indicate to the contrary, the facts and matters within this statement are within my own knowledge and are true. Where they are not within my knowledge, I have identified the source of the information and believe such facts and matters to be true.
5. There is now shown to me a bundle of documents, which I exhibit as "**GJR1**". I confirm that the documents in those exhibits are true copies of the documents. References in this witness statement to the page numbers in GJR1 are in the format **GJR1/x**.

Titles

6. I exhibit at **GJR1/3** a plan showing the registered titles at and immediately adjacent to the Ratcliffe-on-Soar Power Station (the "**Power Station**"):
 - a. The area edged and shaded green is the Claimant's freehold title, registered number NT422266.
 - b. The area edged and hatched blue is an electricity substation which the Claimant has let to National Grid Electricity Transmission plc on a long lease. The leasehold title is registered number NT318974.
 - c. The area edged and hatched red is a qualified freehold title owned by British Gypsum Limited, registered number NT513968. This relates only to the mines, beds, veins, seams, strata and deposits of gypsum in under or upon the land.
7. I exhibit at **GJR1/4, 12** the official copy title register and title plan for the Claimant's freehold title, registered number NT422266.
8. I exhibit at **GJR1/13** a plan showing the extent of the Power Station site over which the injunction is sought, being the area edged red but excluding the areas shaded blue (the "**Land**"). The Claimant has an immediate right to legal possession and control of the Land.

Service

First to Fourth Defendants

9. I understand from the witness statement of Stephen Foster Close that the First to Fourth Defendants to the Claimant's claim are individuals that the Claimant has identified from social media posts (and, for the First Defendant, from information from Nottinghamshire Police that he was previously arrested for entering the site) as having entered the Land without consent on previous occasions and who the Claimant considers will attempt to enter the Land again in future.
10. As these individuals have been identified solely from social media posts (save for the First Defendant), it has not been possible for the Claimant to identify a postal address or email address at which the Claimant is confident that they can be served with the claim documents.
11. The Claimant engaged the services of an enforcement company to attempt to trace such an address, and this resulted in the following addresses being identified:
 - a. for a Mr Joshua John Barter (possibly the First Defendant), 139 Wike Gate Road, Thorne, Doncaster DN8 5JH; and
 - b. for a Mr Luke William Badharee (possibly the Fourth Defendant), 11 Grove Road, Northampton NN1 3LH.
12. I exhibit the official copy title registers for the freehold of each of those addresses at **GJR1/14, 17**. Neither is registered to a Joshua Barter or a Luke Badharee. There are no registered leasehold interests shown on either of the titles. Whilst it is possible that the First and Fourth Defendants are short-term tenants at these addresses and thus their occupation is not reflected on the register, the Claimant has no information about this and cannot be sure that they would be notified of its claim and application if court documents were served solely at those addresses. The Claimant therefore intends, prior to the hearing of its application, to:
 - a. Send the claim documents by post, courier or by hand to the addresses identified in paragraph 11 above;
 - b. Upload a copy of the claim documents to the following page on the Claimant's website: <https://www.uniper.energy/ratcliffe-power-station-site-injunction> (the "**Website**");

- c. Affix notices in the locations shown marked with an 'X' on the plan exhibited at **GJR1/19** that state where the claim documents can be found and obtained in hard copy and state the URL of the Website where digital copies can be obtained. The Claimant intends that hard copies will be made available at one of the gatehouses at the perimeter of the site and also at the offices of HSF Kramer LLP, and both locations will be stated on the notices; and
 - d. Send an electronic message to each of the Facebook accounts of the First to Fourth Defendants stating that a claim has been brought and an application made and providing the URL of the Website where the claim documents can be accessed.
13. The Claimant will seek an order from the Court that the measures at paragraphs 12.b - 12.d constitute good service of the claim documents, pursuant to CPR 6.15(2).

Fifth Defendant

14. The Fifth Defendant is "persons unknown". The Claimant proposes, prior to the hearing of its application, to carry out the steps at paragraphs 12.b and 12.c to bring the claim and application to the attention of such persons unknown who may be in the vicinity of the Power Station site or who may access the Claimant's website to obtain information about the site. Again, the Claimant will seek an order from the Court that these measures constitute good service of the claim documents.
15. If an order is made by the Court, the Claimant intends to serve this in the manner described in paragraph 12 (for the First to Fourth Defendants) and 14 (for the Fifth Defendant).

Undertaking in damages

16. I cannot think of a situation where someone affected by the injunction sought could suffer loss or damage as a result of it. I am nonetheless authorised on behalf of the Claimant to provide the necessary cross-undertaking to pay any sum that the Court considers appropriate to compensate the Defendants for any loss if it is subsequently determined that the Claimant is not entitled to the order which they seek.
17. The Claimant's company accounts filed on 13 September 2024 show a net profit for the financial year ending 31 December 2023 of £427 million (following a net profit of

£1,522 million in the financial year ending 31 December 2022) and net current assets of £1,859 million (following £1,572 million in 2022).

Statement of Truth

I believe that the facts stated in this witness statement are true. I 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.

SIGNED *Graeme Robertson*
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GRAEME JAMES ROBERTSON

DATED **18 July 2025**