

IN THE HIGH COURT OF JUSTICE

Claim no. PT-2025-000739

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

THIRD 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 an Of Counsel 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 the review of the injunction order of Mr Justice Mellor dated 30 July 2025 (the "**Injunction Order**") and an order that the Injunction Order remain in full force and effect for a further 24 months. I am duly authorised to make this statement on the Claimant's behalf.

3. 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.
4. There is now shown to me a bundle of documents, which I exhibit as **"GJR3"**. I confirm that the documents in those exhibits are true copies of the documents. References in this witness statement to the page numbers in GJR3 are in the format **GJR3/x**.

Injunction Order and extension

5. By the Injunction Order, the Defendants are prohibited from entering onto or remaining on any part of the 'Land' without the consent of the Claimant, the 'Land' being defined in the Injunction Order as the land shown edged in red, but excluding the land shaded in blue, on the plan at Schedule 1 to the Injunction Order. The Land is the site of the former coal-fired power station at Ratcliffe-on-Soar in Nottinghamshire (the **"Power Station"**), less a substation in the centre of the site that is leased to National Grid. The Injunction Order also prohibits the Defendants from undertaking the activities specified in paragraphs 1(b) – (d) of the Injunction Order on the Land, and further prohibits the Fifth Defendant (the defined category of persons unknown) from carrying out the activities specified in paragraph 2(a) – (e) of the Injunction Order on the Land.
6. The Injunction Order has effect until final disposal of the claim or further order or, if earlier, the date 12 months from the date of the Injunction Order (paragraphs 1 and 2). The Claimant has permission to apply to extend the Injunction Order, giving the Defendants not less than 48 hours' notice (paragraph 5).
7. This witness statement is in support of an application by the Claimant to extend the Injunction Order for a further 24 months, pursuant to paragraph 5.
8. The Claimant is aware of its continuing duty to provide full and frank disclosure to the Court and considers that this duty has been complied with through the provision of this witness statement.

Procedural steps following the Injunction Order

9. Paragraph 6 of the Injunction Order specifies the steps that were required to be taken by the Claimant to serve the Injunction Order on the Defendants, being:

- a. uploading a copy to the following page on the Claimant's website:
<https://www.uniper.energy/ratcliffe-power-station-site-injunction> (the "Website");
 - b. affixing notices in the locations marked with an 'X' on the plan at Schedule 2 to the Injunction Order that state where the Documents (as defined in the Injunction Order) can be found and obtained in hard copy, the URL of the Website and that the Injunction Order has been made;
 - c. in the case of the First, Third and Fourth Defendants, sending an electronic message to their Facebook accounts stating that the Injunction Order has been made and providing the URL of the Website; and
 - d. in the case of the Second Defendant, sending an electronic copy of the Documents (or, where necessary due to file size, the URL of the Website where the Documents can be accessed) to kayleighwilliams@outlook.com.
10. Pursuant to paragraph 6 of the Injunction Order:
- a. I am aware from an email exchange with the Claimant's Senior Project Communications Specialist that a sealed copy of the Injunction Order was uploaded to the Website on 31 July 2025.
 - b. I am aware from an email exchange with the Claimant's in-house legal team that notices were affixed in the locations marked with an 'X' on the plan at Schedule 2 to the Injunction Order in the form exhibited at **GJR3/4** on 1 August 2025. These notices specify that hard copies of the Documents can be obtained from the outer gatehouse of the Power Station (and indicated the location of this on a map) or from the offices of HSF Kramer. The URL of the Website is also stated.
 - c. I have read the First, Second and Third Witness Statements of Pamela Clarke dated 1 August 2025 (also filed with the Claimant's present application) which confirm that electronic messages were sent by the Claimant's instructed process server, DPS Investigations, to the Facebook accounts of each of the First, Third and Fourth Defendants on 1 August 2025. Each of those witness statements replicates the text of the message sent.
 - d. On 31 July 2025 an associate in my team at HSF Kramer sent an email from the email address injunctions@hsfkramer.com to kayleighwilliams@outlook.com in the form exhibited at **GJR3/5**. The email stated that the Injunction Order had been made, attached a copy and provided the URL to the Website.

11. I confirm that, as at the date of this statement, no acknowledgment of service, admission or defence has been received from any of the Defendants, nor has anybody engaged with the present claim on behalf of the Defendants, except for the telephone call described in paragraph 19 below.

Current activities on site

12. I understand from email exchanges with the Claimant's in-house legal team and consulting HM Land Registry that the description of the land ownership at the Power Station in paragraphs 6 – 8 of my First Witness Statement remains accurate.
13. Paragraphs 7 – 10 of the Witness Statement of Stephen Foster Close dated 21 July 2025 described the Power Station site, its decommissioning and the risks and hazards on site. Following email exchanges with the Claimant's in-house legal team, I provide the following by way of update:
- a. The Power Station continues to undergo decommissioning in preparation for demolition. This includes asset removal, making plant safe, environmental remediation and preparatory works for the future demolition works. Planning for demolition will continue over the next year – the demolition contract has recently been entered into and mobilisation to begin demolishing the Power Station is expected later in 2026. Demolition of the cooling towers and the main boiler chimney is anticipated in 2029/2030.
 - b. The Power Station site still contains industrial infrastructure, heavy equipment and live electrical systems, the latter both due to generators that power the areas of the site undergoing decommissioning and the National Grid substation that continues to operate within the Power Station site (but which is not itself subject to the Injunction Order). As a result, there remain a large number of risks and hazards on the Power Station site, including the risk of shock or fire from interfering with high voltage electrical wiring. This risk is particularly acute where individuals are present on the site without authority and thus without the requisite training.
14. From email exchanges with the Claimant's in-house legal team and news articles available on the internet, there continues to be wide public interest in the Power Station, both in the decommissioning and demolition of a piece of infrastructure with perceived historical significance and in relation to the site's future use. I am aware that there has been news coverage of the approval by the relevant local planning

authority in October 2025 of the demolition of the cooling towers and other buildings on site [GJR3/7] and the local authority's consultation in December 2025 on the potential future use of the site as a data centre [GJR3/9]. Local news outlets appear to publish periodic updates on the redevelopment of the site [GJR3/13].

Incursions from travellers and/or urban explorers since the Injunction Order

15. As explained in the Witness Statement of Stephen Foster Close dated 21 July 2025, the Claimant sought the Injunction Order to prevent both (i) travellers and (ii) so-called 'urban explorers' from trespassing and/or causing a private nuisance at the Power Station. The serious threat posed by both of those groups to the Power Station, the Claimant's staff and contractors and any unauthorised persons' own safety was described in detail in Mr Close's witness statement. In the following section I provide an update on activity by these groups since the Injunction Order was made.

Travellers

16. I understand from an update provided by John Deakin, the Site Stewardship Team Leader for the Power Station, and email exchanges with the Claimant's in-house legal team that the Claimant is not aware of any unauthorised incursions onto the Power Station site by travellers since the coming into force of the Injunction Order, nor have any confirmed sightings of such groups in the vicinity of the Power Station been reported. I understand that the Claimant maintains ongoing engagement with Nottinghamshire Police in relation to potential threats, and they have not provided any specific intelligence of recent traveller activity in the vicinity of the Power Station.
17. However, the Claimant's in-house legal team has informed me that:
 - a. On 10 March 2026, employees of the Claimant discovered that unknown persons had broken into the Redhill Tunnel, a railway tunnel immediately to the north-west of the Power Station site, and removed copper from the armoured electric cables that run through the tunnel to abstraction pumps that previously provided water from the nearby river to the Power Station site during operation. Cable sheathing and armour had been stripped and approximately 600m of cable damaged, with around 7 tonnes of copper estimated to have been removed. Concrete blocks at both tunnel entrances had been moved to gain access. Suspects have not been identified by police but the Claimant considers

that the nature of the theft is consistent with that of the type of criminal gang that entered the Power Station prior to the Claimant obtaining of the Injunction Order.

- b. The Claimant suffered a break-in at the construction site for its Killingholme Low Carbon Power project in the Humber at the start of April 2026, which is located circa 70 miles away from the Power Station (as the crow flies). This involved damage to the site and theft.

18. I am also aware from internet sources and news articles that:

- a. Crime analysts DeterTech reported in September 2025 [GJR3/6] a "*major rise in reported incidents of copper and cable theft*" across Greater Manchester and Lancashire, which they considered to be "*orchestrated by Organised Crime Groups (OCGs)*" and "*driven by the sustained high price of copper*". The report noted that cable theft from the rail network in Wigan in August 2025 resulted in economic losses of more than £1 million. The analysts advised that:

Critical infrastructure providers, particularly those with sites in the North-West of the UK, are urged to audit site security plans and to consider taking additional steps to deter unwanted attention from OCGs. The current intelligence picture points toward an on-go[i]ng direct threat to infrastructure...

- b. The Witness Statement of Stephen Foster Close noted that the incursion by travellers in April 2025 involved the theft of a significant quantity of copper from the Power Station site. I note from online sources that, as at 17 June 2026, the price of copper has increased by over 35% since 30 September 2025 [GJR3/16].
- c. A gang of ten masked thieves broke into the Blancomet Recycling UK site in Stone (less than 40 miles to the west of the Power Station) in January 2026, breaking through security gates and loading vans with stolen copper granules and metal drill bits. The gang came with equipment, HGV and a forklift [GJR3/11].

Urban explorers

- 19. I am aware from discussing with an associate in my team ("LC") that, on 28 August 2025, the HSF Kramer switchboard received a call from an individual who identified himself as the Fourth Defendant, Luke Badharee. LC spoke to him for about ten minutes, during which Mr Badharee confirmed that he was aware of the Injunction

Order and had received the associated documents. Mr Badharee confirmed that he had entered the Power Station site before but that he did not intend to return now that the Injunction Order had been made. He said that his "job" in entering the Power Station was to take photographs of it before it was demolished and that the Claimant should not be threatened by him. Mr Badharee asked LC to let the Claimant know that he did not intend to return to the Power Station and that any comments suggesting the contrary on his Facebook profile were just jokes. Mr Badharee said that he intended to publish the photographs he had previously taken of the Power Station online and in a book in future and asked whether this would constitute a breach of the Injunction Order. LC told Mr Badharee that he should take independent legal advice on that.

20. I understand from email exchanges with the Claimant's in-house legal team that there have been isolated instances of individuals loitering near access points to the Power Station site, including suspected sightings of some of the named Defendants to the Claimant's claim. However, in no such case was there any unauthorised entry on to the Power Station site and thus no breach of the Injunction Order. These incidents were:
 - a. On 8 August 2025, suspected urban explorers were observed by the Claimant's security outside the perimeter of the Power Station site. The individuals did not enter the site. The security team called the police, but no officers attended.
 - b. On 9 September 2025, two individuals were observed on CCTV outside the Power Station site perimeter. Security personnel were dispatched to the area, causing the individuals to run away.
 - c. On 7 October 2025, two individuals were observed by security loitering around the gates to the Power Station. The Claimant's security identified one of the individuals as Joshua Barter, the First Defendant. The police were called and attended the site within 15 minutes. The individuals did not enter the Power Station site and therefore there was no breach of the Injunction Order.
21. The Claimant's in-house legal team has informed me that learnings and best practice from its experiences with urban explorers at the Power Station have been shared across its fleet. The Claimant continues to identify urban exploration as a live risk across its active and decommissioning industrial sites, but the site team at the Power Station are not aware of specific incidents at other sites in the past year.

Updates on urban explorers

Named Defendants

22. Screenshots obtained by LC of Facebook posts made by the named Defendants suggest that these individuals seem to continue to be involved in, or at least interested in, urban exploration.
23. As at 19 May 2026, when LC obtained a screenshot, the Facebook profile of the First Defendant continues to feature a photograph of an individual in a control room as the profile photo and a photograph of the First Defendant on top of a high structure overlooking cooling towers as the cover photo [GJR3/17]. Since the obtaining of the Injunction Order the First Defendant appears to have restricted public access to the remainder of his posts.
24. As at 19 May 2026, when LC obtained a screenshot, the Facebook profile of the Second Defendant features a photograph of the Second and First Defendants at the top of a chimney overlooking an industrial site, uploaded on 26 January 2026, as the profile photo [GJR3/18]. A comment from the First Defendant on that photograph reads *"live site... chimney disused tho"* [GJR3/25]. When LC first reviewed the Facebook profile of the Second Defendant on 19 May 2026 to assist with the preparation of this statement, a number of other posts were accessible, including:
 - a. a post dated 2 December 2025 with various photographs of the Second Defendant inside what the Second Defendant described as *"Scunthorpe steel works blast furnace / cooling tower and gas power station"* [GJR3/19]. This post included photographs of the Second Defendant inside what appears to be a turbine hall [GJR3/22] and an active cooling tower [GJR3/20-21], as well as a video of the movement of hot hazardous materials taken from height [GJR3/23]; and
 - b. a post dated 6 December 2025 of three photographs appearing to show the Second Defendant inside the West Burton A power station, wearing EDF-branded person protective equipment [GJR3/24].
25. When LC attempted to re-review the Facebook profile of the Second Defendant on 12 June 2026, the Second Defendant appeared to have restricted public access to his posts.
26. As at 19 May 2026, when LC obtained a screenshot, the Facebook profile for the Third Defendant continues to associate him with the group *"Urbex Lost & Found"*

[GJR3/26]. The Third Defendant's profile photo is dated 19 February 2026 and shows the Third Defendant with an unidentifiable other person within some form of industrial facility **[GJR3/30]**. A comment on the photo by the Third Defendant states *"you no [sic] I love my industrial Explore's [sic] lol..."*. Other posts on the Third Defendant's Facebook profile include:

- a. a photo dated 10 October 2025 of the Third Defendant standing next to what appears to be a disused turbine. A comment by the Third Defendant states *"power station I smile lol..."* **[GJR3/28]**;
- b. a photo dated 7 December 2025 of the Third Defendant standing at the top of a structure in what appears to be an active industrial facility. A comment by the Third Defendant in response to another comment states *"Scunthorpe mate"* **[GJR3/29]**; and
- c. a post dated 15 May 2026 **[GJR3/31]** includes a selection of photographs of what the Third Defendant describes as an *"[o]ld steelworks that sadly ran into trouble..."*. Comments on the post include:
 - i. a comment from an Allen Wright Jnr stating *"was a class night this mate, walking into the active one was a bit mental tho... was great meeting you!"*, to which the Third Defendant replied *"was a class night mate we had to check it out lol... and we saw that control room that made it mate"*
 - ii. a comment from a Natalie Langley stating *"That looks like industrial heaven"* to which the Third Defendant replied *"most definitely was sneaking around made it more fun lol..."*
 - iii. a comment from the Third Defendant stating *"we went off hunting and found people working on the other site time to leave lol..."*, to which Natalie Langley responded *"that's just standard for you ain't it..."* and the Third Defendant responded *"trying parts we should not lol... all good fun..."*

27. As at 19 May 2026, when LC obtained a screenshot, the Facebook profile for the Fourth Defendant **[GJR3/33]** now displays his name as "Luke Williams", though the profile URL remains "www.facebook.com/luke.badharee". As the Claimant has no information to suggest that the Fourth Defendant has legally changed his name, it does not propose to amend the Claim Form or Particulars of Claim in this matter at this time.

28. As at 19 May 2026, the Fourth Defendant's Facebook profile has a profile photo dated 18 April 2026 of two unidentifiable individuals in front of a large chimney [GJR3/38]. Other posts on the profile include:
- a. a photograph dated 12 October 2025 showing the Fourth Defendant and another unidentifiable individual in front of what appears to be a turbine [GJR3/35];
 - b. a photograph dated 9 February 2026 of the Fourth Defendant in what appears to be some sort of control room [GJR3/36]; and
 - c. a post of multiple videos on 24 March 2026 showing what the Fourth Defendant described as *"Infiltrating the last major power station in the country that used coal in Dec 2024 and again in Jan 2025"* [GJR3/37]. These videos appear to show the Fourth Defendant inside the Power Station site, albeit seemingly prior to the Injunction Order having been applied for. The Second Defendant commented on the post to say *"Some right videos there luke [sic]"* and the Fourth Defendant replied *"Thanks bud. This is how we do it ain't it"*, to which the Second Defendant responded *"100%"*.

Wider community

29. The Witness Statement of Stephen Foster Close dated 21 July 2025 identified the Facebook group "Abandoned UK" as part of the wider urban explorer community. At the time of that statement the group had around 239,000 followers. It now has around 255,000 [GJR3/39]. The group posted a photograph of the Power Station from a distance on 15 June 2026 and a larger set of images (which appear to be those taken by the named Defendants during an incursion prior to the date of the Injunction Order) on 29 July 2025 [GJR3/40-41]. A comment from a Kruiol Trismegistus on the latter stated *"Nice, was going to go and check it out myself soon, wasn't sure if anyone was still on site though. Guess there are some security knocking around though?"* [GJR3/42]. I consider that this shows ongoing interest by the urban explorer community in entering the Power Station site.

Benefit of the Injunction Order

30. I am aware from Mr Deakin, the Site Stewardship Team Leader for the Power Station, that it is the view of the Claimant that:

- a. the Injunction Order has had a clear deterrent effect, providing the Claimant with a legal mechanism to prevent and respond promptly to attempted trespass or interference;
- b. site security arrangements have operated more effectively since the Injunction Order was granted, supported by the clarity and enforceability it provides;
- c. the absence of further incursions by urban explorers or unlawful encampments is attributable, at least in part, to the Injunction Order being in force;
- d. without the Injunction Order, the Claimant believes there is a real risk that unauthorised incursions would resume, given the Power Station's profile, location and history; and
- e. the continued effect of the Injunction Order provides clarity to third parties that unauthorised access will not be tolerated and that legal consequences may follow.

Conclusion

- 31. The question of whether the injunction continues to be necessary is one for the Court. However, in light of the continued public interest in the Power Station, indications of ongoing criminal activity in the north of England and around the Power Station and continued interest and engagement in urban exploration by the named Defendants, I understand from Mr Deakin that the Claimant remains concerned that there is a subsisting risk of unauthorised incursions at the Power Station were the Injunction Order to lapse.
- 32. There have been no further incursions at the Power Station from travellers or urban explorers since the Injunction Order was made. However, there are indications of criminal activity in the vicinity of the Power Station and at other facilities nearby, and there has been general industry commentary about an increase in copper thefts at infrastructure sites across the north of England. The named Defendants appear to continue to be interested and engaged in urban exploration, and the security team at the Power Station has observed a number of 'near-misses' where individuals identified as urban explorers have loitered near the boundary of the land covered by the Injunction Order.
- 33. I am aware from email exchanges with the Claimant's in-house legal team that it is the view of the Claimant that the operation of the Injunction Order serves as an

effective deterrent against unauthorised individuals entering the Power Station and that this is demonstrated by the conversation described at paragraph 19 above. The Claimant considers there to be a real risk that the Power Station would come back into focus as a primary target for incursions if the Injunction Order were to be lifted, and that this is particularly so given the ongoing public interest in the decommissioning and demolition of the Power Station and the active community debate as to the future use of the site.

Service of the Claimant's application and notice of the hearing

34. Paragraph 6 of the Injunction Order provides that the Claimant has permission to serve any application made under paragraph 5 to extend the Injunction Order by the methods set out in paragraph 6(a) – (d). The Claimant therefore intends to:
- a. upload copies of the sealed application notice, draft order and this witness statement to the Website;
 - b. affix revised notices in the locations shown marked with an 'X' on the plan at Schedule 2 to the Injunction Order that state that an application has been made, that the application documents can be obtained in hard copy from the outer gatehouse of the Power Station or from the offices of HSF Kramer and state the URL of the Website where they can be obtained digitally;
 - c. attempt to send Facebook messages to each of the First, Third and Fourth Defendants stating that an application has been made and providing the URL of the Website: and
 - d. for the Second Defendant, sending an email to kayleighwilliams@outlook.com stating that the application has been made and attaching electronic copies of the application documents (provided the file size is sufficiently low, otherwise the URL of the Website will be sent instead).

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 J. Robertson*
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GRAEME JAMES ROBERTSON

DATED 30 June 2026
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