

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

SECOND 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 the same Graeme James Robertson who gave a first witness statement dated 18 July 2025 in these proceedings.
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 (the "**Power Station**"). 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 "**GJR2**". I confirm that the documents in those exhibits are true copies of the documents. References in this witness statement to the page numbers in GJR2 are in the format **GJR2/x**.

Service of the claim and application documents

5. Following the filing of the Claimant's claim and application on 21 July 2025, sealed copies of the Claim Form and Application Notice (the latter endorsed with the hearing date) were provided by the Court via the CE-File to Herbert Smith Freehills Kramer LLP ("**HSF Kramer**") on 22 July 2025.
6. On 22 July 2025, the Claimant filed a slightly amended version of the Particulars of Claim that corrected two typographical errors, amended an incorrect cross-reference and appended the plans referenced in paragraphs 1 and 2 of the Particulars of Claim, which were previously in evidence but not appended to the Particulars of Claim. As the document had not yet been served, it was amended pursuant to CPR 17.1(1).
7. The Claimant then took the following steps:

Hard copies

- a. On 22 July 2025, hard copies of the following documents were sent via Royal Mail Special Delivery to the addresses stated in paragraph 11 of my first witness statement (that may be the addresses of the First and Fourth Defendants):
 - i. Sealed Claim Form
 - ii. Amended Particulars of Claim
 - iii. Sealed Application Notice
 - iv. Draft Order
 - v. Witness Statement of Graeme James Robertson dated 18 July 2025 and Exhibit GJR1

- vi. Witness Statement of Stephen Foster Close dated 21 July 2025 and Exhibit SC1;
 - vii. Witness Statement of Andrew James Skelton dated 21 July 2025; and
 - viii. Form N9 Response Pack and Notes for Defendant,
(the "**Claim Documents**").
- b. I understand from an associate in my team who reviewed the Royal Mail tracking website that delivery was attempted on 23 July 2025 but was unsuccessful at both addresses because there was no one present. Delivery was re-attempted on 24 July 2025 and was successful at the address in Doncaster that may be the address of the First Defendant, being signed for by "Josh" [GJR2/5]. Delivery was again unsuccessful at the address in Northampton that may be the address of the Fourth Defendant because there was no one present [GJR2/6].
- c. Because delivery of the hard copies had not been successful by Royal Mail Special Delivery by 23 July 2025, the Claimant instructed a process server to hand deliver hard copies of the Claim Documents to the two addresses. I understand from reviewing the statements of Gary Da Costa [GJR2/7-12] and Philip Tyler [GJR2/13-18] (the Claimant's instructed process servers) that hand delivery was attempted at the address in Northampton at 15:25 on 23 July 2025 and at the address in Doncaster at 15:45 on 23 July 2025. The statements report that no one answered the door at either address and so the process servers posted the documents through the respective letterboxes.

Electronic copies

- d. In the early hours of 23 July 2025, I was informed by the Claimant's Senior Project Communications Specialist that the following website page had been published with links to view and download each of the Claim Documents: <https://www.uniper.energy/ratcliffe-power-station-site-injunction> (the "**Website**"). A screenshot of the Website as at 24 July 2025 is exhibited at **GJR2/24**.
- e. The Claimant instructed Equivo, an enforcement company/process server to assist with the sending of messages to the First to Fourth Defendants via Facebook. I understand from discussing with an associate in my team, who had a series of telephone calls and email exchanges with the Director of Equivo, that on 23 July 2025 Equivo attempted to send a Facebook message to each of the

First, Second, Third and Fourth Defendants in the terms exhibited at **GJR2/4**. The Director of Equivo confirmed to the associate in my team that he had successfully sent messages to each of the First, Third and Fourth Defendants, but was unable to send a message to the Second Defendant as this option was not available to him on the Facebook profile page of the Second Defendant.

- f. Given this, Equivo attempted to locate alternative contact information for the Second Defendant. I understand from the associate in my team that on 23 July 2025 the Director had a telephone conversation with a Kayleigh Williams, who indicated that she is the Second Defendant's mother. Ms Williams provided an email address to Equivo to which the Claim Documents could be sent and the associate in my team subsequently sent an email to Ms Williams on 24 July 2025 **[GJR2/25]** attaching a copy of the Sealed Claim Form, Amended Particulars of Claim, Application Notice and Draft Order, with a link to the Website where the rest of the Claim Documents are available to view and download.

Warning notices

- g. On 23 July 2025 I was informed by the Claimant's Services Team Leader for the Power Station that the Claimant had completed the affixing of hard copy warning notices in the locations described in paragraph 12.c of my first witness statement. A copy of the warning notice is exhibited at **GJR2/3**. As per the warning notice, the Claimant has made available hard copies of the Claim Documents at the main outer gatehouse to the power station site and hard copies can also be obtained from the offices of HSF Kramer.

Further Facebook posts from the Defendants

8. I exhibit Facebook posts dated 23 July 2025 from the First Defendant **[GJR2/19]**, Fourth Defendant **[GJR2/20]** and the "Urbex Lost & Found" Facebook Group (which, I understand from the Witness Statement of Stephen Foster Close dated 21 July 2025, is suspected by the Claimant to be run by the Third Defendant) **[GJR2/21-23]**. Each post is a photograph of an internet meme with the text "BRACE YOURSELF... INJUNCTION EXPERTS ARE COMING BACK FOR MORE".
9. On the First Defendant's post **[GJR2/19]**, various individuals including the First, Second, Third and Fourth Defendants appear to discuss the Claimant's injunction application. In one comment chain, the Second Defendant states "*ha well atleast we didn't spend 10 hours in a cell again* 🤔". The First Defendant states "*haha wonder*

how many more visits we did after that lol stupid dog patrol wot a waste of money".
The Fourth Defendant states *"That is written in the paperwork too. 🤔🤔"*. The First Defendant states *"i gotta sit down and read all this shite"*. The Fourth Defendant responds *"It'll take you all day 🤔🤔"*. This indicates that at minimum the First and Fourth Defendants have received and/or are able to access the documents relating to the Claimant's application.

10. On the post on the "Urbex Lost & Found" group page **[GJR2/21-23]**, the Fourth Defendant comments *"Just another day in the office mate"*. The page responds *"exactly mate it's more off [sic] a challenge now lol... game on lol..."*. A Robin Hickmott comments separately *"The Injunction hasn't gone through the courts yet. Best get those engines revin [sic] boys"* and the page responds *"on route lol"*. Another page ("B&R Urban Explorers Uk") comments *"Which one we've one lined up sat I think"* and the Urbex Lost & Found page responds *"Ratcliffe been many times upset them to much lol"*.

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

24 July 2025