

**IN THE HIGH COURT OF JUSTICE**  
**KINGS BENCH DIVISION**  
**ROYAL COURTS OF JUSTICE**

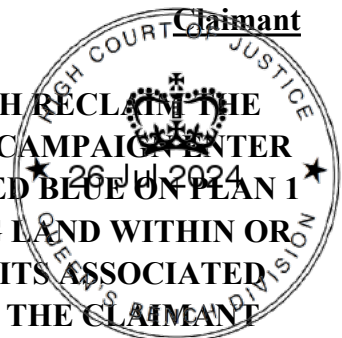
**Claim No: KB-2024-002361**

**BETWEEN:**

**DRAX POWER LIMITED**

**and**

**(1) PERSONS UNKNOWN WHO IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN ENTER OCCUPY OR REMAIN ON THE LAND SHOWN SHADED BLUE ON PLAN 1 OR LAND SHOWN SHADED BLUE ON PLAN 2 BEING LAND WITHIN OR ADJOINING DRAX POWER STATION, SELBY AND ITS ASSOCIATED PUMPING STATION WITHOUT THE CONSENT OF THE CLAIMANT**



**KB-2024-002361**

**(2) PERSONS UNKNOWN WHO IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN CONGREGATE OR ASSEMBLE ON THE LAND SHOWN SHADED RED ON PLAN 1 AND PLAN 2 INCLUDING:**

- (A) THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY AND**
- (B) VERGE TO THE NORTH OF THE FOOTWAY ON THE A645 AND**
- (C) PUBLIC FOOTPATH TO THE NORTH AND WEST OF AND PASSING IN A FENCED CHANNEL THROUGH DRAX POWER STATION**

**(3) PERSONS UNKNOWN WHO IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN OBSTRUCT AND/OR INTERFERE WITH OR ATTEMPT TO OSBTRUCT AND/OR INTERFERE WITH ACCESS TO OR EGRESS FROM DRAX POWER STATION ON FOOT, BY VEHICLE OR BY RAIL BY THE CLAIMANT, ITS AGENTS, EMPLOYEES, CONTRACTORS OR OTHER LICENSEES**

**(4) PERSONS UNKNOWN CAUSING OR PERMITTING THE FLYING OF A DRONE OR DRONES ABOVE THE LAND SHOWN SHADED BLUE AND SHADED RED ON PLAN 1 BEING DRAX POWER STATION AND ADJOINING LAND.**

**Defendants**

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**ORDER**

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## PENAL NOTICE

**IF YOU THE WITHIN DEFENDANTS OR PERSONS UNKNOWN OR ANY OF YOU DISOBEY THIS ORDER OR INSTRUCT OR ENCOURAGE OTHERS TO BREACH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING WHICH HELPS OR PERMITS THE DEFENDANTS OR PERSONS UNKNOWN TO BREACH THE TERMS OF THIS ORDER MAY ALSO BE HELD IN CONTEMPT OF COURT AND MAY BE IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

### **IMPORTANT NOTICE TO THE DEFENDANTS AND PERSONS UNKNOWN**

**This Order prohibits you from doing the acts set out in this Order. You should read it carefully. You are advised to consult a solicitor as soon as possible. You have the right to ask the Court to vary or discharge this Order.**

**BEFORE** the Honourable Mr Justice Ritchie on 25 July 2024.

**UPON** the Claimant having issued this Claim by a Claim Form dated 23 July 2024.

**AND UPON** hearing the Claimant's application for an interim injunction by Application Notice dated 23 July 2024.

**AND UPON READING** the Witness Statements of Martin Sloan dated 23 July 2024 and Nicholas McQueen dated 23 July 2024.

**AND UPON HEARING** Timothy Morshead, KC and Jacqueline Lean for the Claimant, the Defendants not appearing.

**AND UPON** the Claimant giving and the Court accepting the undertakings set out in Schedule 2 to this Order.

### **DEFINITIONS:**

"The Power Station" means Drax Power Station (including the sub-station thereon and the railway leading thereto) shown edged and shaded blue on Plan 1 in Schedule 1

"The Pumping Station" means the pumping station shown edged and shaded blue on Plan 2 in Schedule 1

### **IT IS ORDERED THAT:**

#### **INJUNCTION**

##### **Entering etc.**

1. The First Defendants must not, without the consent of the Claimant, enter, occupy or remain on any part of the Power Station or the Pumping Station, including by means of climbing onto, cutting or 'locking on' to the perimeter fencing thereof.

##### **Assembling etc.**

2. The Second Defendants must not congregate or assemble on the land shown shaded red on Plan 1 or on Plan 2, including any public highway or public or other way footpath or way on that red shaded land.

**Obstructing etc.**

3. The Third Defendants must not obstruct or interfere with or attempt to obstruct or interfere with access to and egress from the Power Station with or without vehicles (including rail traffic) by the Claimant, its employees, agents, contractors or other licensees.

**Drone flying etc.**

4. The Fourth Defendants must not cause or permit the flying of drones over the land shown shaded red or blue on Plan 1.

**Causing etc.**

5. In respect of paragraphs 1 to 4, the Defendants must not (a) contravene the injunction himself/herself/themselves or (b) cause another person to breach the injunctions.

**Permitted space**

6. Nothing in paragraphs 1 to 5 above shall preclude the Defendants, or other persons, from assembling or congregating on the area to the north of the A645 shown shaded green on Plan 1 for the purpose of peaceful protest during the period 6 August to 15 August 2024.

**REVIEW**

7. The injunction set out at paragraphs 1 to 5 of this Order shall be reviewed annually on each anniversary of the Order (or as close to this date as is convenient having regard to the Court's list) with a time estimate of 2 ½ hours. The Claimant is permitted to file and serve any evidence in support 14 days before the review hearing. Skeleton Arguments shall be filed at Court, with a bundle of authorities, not less than 2 days before the hearing. The injunction set out at paragraphs 1 to 5 of this Order shall lapse at 4pm on the anniversary of the order (or as the case may be the latest annual review) unless, before then, the Claimant has applied for the review to take place.

**VARIATION**

8. Anyone served with or notified of this Order may apply to the Court at any time to vary or discharge this Order or so much of it as affects that person but they must first give the Claimant's solicitors 72 hours' notice of such application. If any evidence is to be relied upon in support of the application the substance of it must be communicated in writing to the Claimant's solicitors at least 48 hours in advance of any hearing.
9. Any person applying to vary or discharge this Order must provide their full name, address and address for service.

10. The Claimant has liberty to apply to vary this Order.

#### **SERVICE AND NOTIFICATION**

11. Service of the Claim Form and the Application for injunction is dispensed with, pursuant to CPR 6.16, 6.28 and 81.4(2)(c).
12. This Order, the Claim Form, Application Notice, evidence in support will be served on and notified to the Defendants by the Claimant carrying out each of the following steps:
  - 12.1 Uploading a copy on to the following website:  
<https://www.drax.com/dpsinjunction>
  - 12.2 Sending an email to the email addresses listed in Schedule 3 to this Order stating that a claim has been brought and an application made and that the documents can be found at the website referred to above.
  - 12.3 Affixing the appropriate notice in Schedule 4 approximately at the locations shown marked with an X on Plans 1 and 2 setting out where the documents can be found and obtained in hard copy — which may be done by including this information in the warning notices.
  - 12.4 Affixing a copy of the Order in A4 size in a clear plastic envelope approximately at each of the locations shown with an X on Plans 1 and 2.
  - 12.5 A Note of the Hearing shall be uploaded onto <https://www.drax.com/dpsinjunction> as soon as reasonably practicable.
13. Service on and notification to the Defendants of any further applications or documents shall be effected by the Claimant carrying out the steps in paragraphs 12.1 and 12.2 above and affixing at least one physical notice at the location of any protest camp near to the Power Station.
14. In respect of paragraphs 12 to 13 above, effective service and notification will be deemed to have taken place on the date on which all the relevant steps (save for paragraph 12.5) have been carried out.
15. For the avoidance of doubt, in respect of the steps referred to at paragraphs 12.3 and 13, effective service and notification will be deemed to have taken place when the documents have all been first affixed regardless of whether they are subsequently removed.
16. The Claimant shall further notify the following named persons, being persons known to be actively involved with the Axe Drax and/or Reclaim the Power

campaigns of the Claim Form, Application Notice, evidence in support, Note of Hearing and the Order by sending them by email to the third email address listed in Schedule 3, being the only contact details for those individuals known to the Claimant and it being the Claimant's understanding that those individuals have access to or are contactable by that email address:

- 16.1 Karen Wildin
- 16.2 Meredith Dickinson
- 16.3 Joseph Irving
- 16.4 Diane Warner
- 16.5 Fergus Eakin
- 16.6 Molly Griffith Jones

#### **FURTHER DIRECTIONS**

- 17. Liberty to apply.

#### **COSTS**

- 18. Costs reserved.

**Ritchie J**

**Made: 25.7.2024**

#### **NOTE**

##### **COMMUNICATIONS WITH THE CLAIMANT**

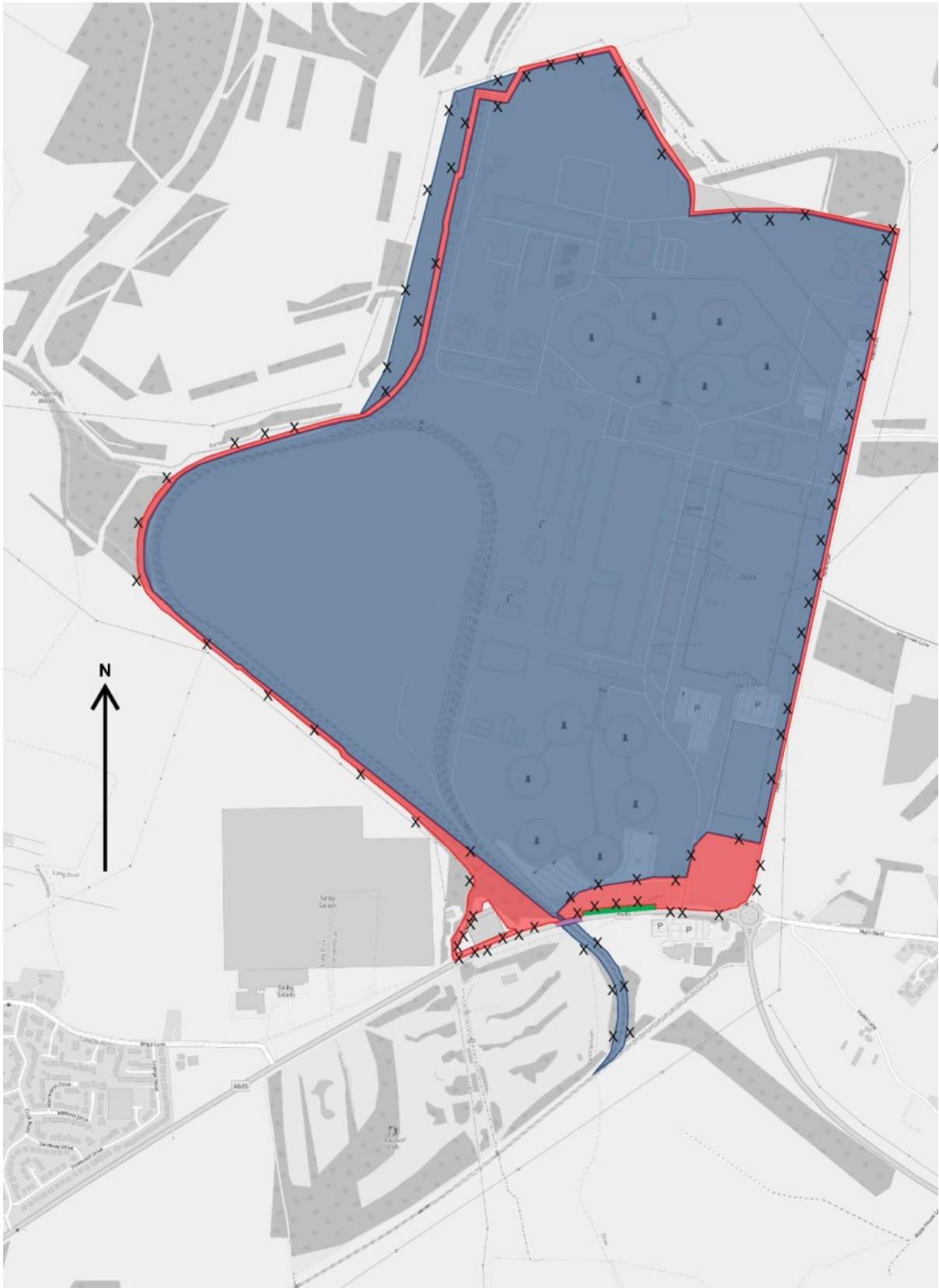
The Claimant's solicitors and their contact details are:

- (1) Nicholas McQueen of Walker Morris LLP, email: [nick.mcqueen@walkermorris.co.uk](mailto:nick.mcqueen@walkermorris.co.uk), tel: 0113 283 2500
- (2) James Damarell of Walker Morris LLP, email: [james.damarell@walkermorris.co.uk](mailto:james.damarell@walkermorris.co.uk), tel: 0113 283 2500

##### **COMMUNICATIONS WITH THE COURT**

Kings Bench Division, The Royal Courts of Justice, The Strand, London, WC2A 2LL by the Court's E-Filing service at <https://efile.cefile-app.com>

**SCHEDULE 1  
PLAN 1**



PLAN 2





## **SCHEDULE 2 – UNDERTAKINGS**

1. The Claimant will take steps to notify Defendants of the Claim Form, Application Notice, evidence in support, the Order and a Note of the Hearing on 25 July 2024 as soon as practicable and no later than 5pm on 1 August 2024.
2. The Claimant will comply with any order for compensation which the Court might make in the event that the Court later finds that the injunction in paragraphs 1 to 5 of this Order has caused loss to a future Defendant and the Court finds that the future Defendant ought to be compensated for that loss.

## **SCHEDULE 3 – EMAIL ADDRESSES**

1. [info@reclaimthepower.org.uk](mailto:info@reclaimthepower.org.uk)
2. [press@reclaimthepower.org.uk](mailto:press@reclaimthepower.org.uk)
3. [info@axedrax.uk](mailto:info@axedrax.uk)

**SCHEDULE 4 — WARNING NOTICES**  
**WARNING NOTICE OF COURT INJUNCTION**

**A HIGH COURT INJUNCTION granted in Claim No KB-2024-002361 on 25 July 2024 exists relating to the Drax Power Station, Selby, North Yorkshire.**

**The injunction means you may not:**

- 1. IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN ENTER OCCUPY OR REMAIN ON THE LAND SHOWN SHADED BLUE ON PLAN 1**
- 2. IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN CONGREGATE OR ASSEMBLE ON THE LAND SHOWN SHADED RED ON PLAN 1 INCLUDING (A) THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, (B) VERGE TO THE NORTH OF THE FOOTWAY ON THE A645 AND (C) PUBLIC FOOTPATH TO THE NORTH AND WEST OF AND PASSING IN A FENCED CHANNEL THROUGH DRAX POWER STATION**
- 3. IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN OBSTRUCT AND/OR INTERFERE WITH OR ATTEMPT TO OSBTRUCT AND/OR INTERFERE WITH ACCESS TO OR EGRESS FROM DRAX POWER STATION ON FOOT, BY VEHICLE OR BY RAIL BY THE CLAIMANT, ITS AGENTS, EMPLOYEES, CONTRACTORS OR OTHER LICENSEES**
- 4. CAUSE OR PERMIT THE FLYING OF A DRONE OR DRONES ABOVE THE LAND SHOWN SHADED BLUE AND SHADED RED ON PLAN 1**

**[Plan 1]**

**ANYONE BREACHING THE TERMS OF THIS COURT ORDER OR ASSISTING ANY OTHER PERSON IN BREACHING THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE THEIR ASSETS SEIZED**

A copy of the Order and the legal proceedings to which it relates can be viewed at <https://www.drax.com/dpsinjunction> or obtained from:

Walker Morris LLP, 33 Wellington Street, Leeds LS1 4DL (0113 283 2500) (reference JQD/NLM/DRA04079.36)

The website will also have copies of all future applications or documents.

A further hearing in relation to the Order will take place at the Royal Courts of Justice, Strand, London, WC2A 2LL not later than 25 July 2025.

## **WARNING NOTICE OF COURT INJUNCTION**

**A HIGH COURT INJUNCTION granted in Claim No KB-2024-002361 on 25 July 2024 exists relating to the Drax Pumping Station, Selby, North Yorkshire.**

**The injunction means you may not:**

- 1. IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN ENTER OCCUPY OR REMAIN ON THE LAND SHOWN SHADED BLUE ON PLAN 2**
- 2. IN CONNECTION WITH RECLAIM THE POWER, AXE DRAX OR OTHER ENVIRONMENTAL CAMPAIGN CONGREGATE OR ASSEMBLE ON THE LAND SHOWN SHADED RED ON PLAN 2**

**[Plan 2]**

**ANYONE BREACHING THE TERMS OF THIS COURT ORDER OR ASSISTING ANY OTHER PERSON IN BREACHING THE TERMS OF THIS ORDER MAY BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE SENT TO PRISON, FINED OR HAVE THEIR ASSETS SEIZED**

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A further hearing in relation to the Order will take place at the Royal Courts of Justice, Strand, London, WC2A 2LL not later than 25 July 2025.

**END**