

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

Claim No: KB-2024-002361

BETWEEN:

DRAX POWER LIMITED

Claimant

and

PERSONS UNKNOWN
AS DESCRIBED IN THE CLAIM FORM

Defendant

HEARING BUNDLE
JULY 2024

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IN THE HIGH COURT OF JUSTICE

Claim No:

KINGS BENCH DIVISION

ROYAL COURTS OF JUSTICE

BETWEEN:

DRAX POWER LIMITED

Claimant

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**

- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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

[DRAFT] ORDER

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/Mrs Justice [] on []

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

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

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

AND UPON HEARING Timothy Morshead, KC and Jacqueline Lean for the Claimant

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

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.
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.
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.
4. The Fourth Defendants must not cause or permit the flying of drones over the land shown shaded red or blue on Plan 1.
5. Nothing in paragraphs 1 to 4 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.
6. In respect of paragraphs 1 to 4, the Defendants must not (a) do it himself/herself/themselves in any other way (b) do it by means of another person acting on his/her/their behalf, or acting on his/her/their instructions.
7. The injunction set out at paragraphs 1 to 4 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 1 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 4

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, the Application for interim injunction and this Order is dispensed with, pursuant to CPR 6.16, 6.28 and 81.4(2)(c).
12. The Claim Form, Application Notice, evidence in support and a Note of the Hearing on [...] July 2024 will be 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.walkermorris.co.uk/drax-injunction/>
 - 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 a notice approximately at the locations shown marked with an X on Plans 1 and 2 setting out where these documents can be found and obtained in

hard copy — which may be done by including this information in the warning notices referred to at paragraph 14.4 below.

13. This Order shall be notified to the Defendants by the Claimant carrying out each of the following steps:

- 13.1 Uploading a copy of the Order on to the following website:
<https://www.walkermorris.co.uk/drax-injunction/>

- 13.2 Sending an email to the email addresses listed in Schedule 3 to this Order attaching a copy of this Order.

- 13.3 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.

- 13.4 Affixing warning notices of A2 size approximately at those locations marked with an X on Plans 1 and 2, substantially in the form of the notice at Schedule 4.

14. Notification to the Defendants of any further applications shall be effected by the Claimant carrying out each of the following steps:

- 14.1 Uploading a copy of the application on to the following website:
<https://www.walkermorris.co.uk/drax-injunction/>

- 14.2 Sending an email to the email addresses listed in Schedule 3 to this Order stating that an application has been made and that the application documents can be found at the website referred to above.

- 14.3 Affixing a notice approximately at the locations marked with an X on Plans 1 and 2 stating that the application has been made and where it can be accessed in hard copy and online.

15. Notification of any further documents to the Defendants may be effected by carrying out the steps set out in paragraphs 14.1 and 14.2 only.
16. In respect of paragraphs 12 to 15 above, effective notification will be deemed to have taken place on the date on which all the relevant steps have been carried out.
17. For the avoidance of doubt, in respect of the steps referred to at paragraphs 12.3, 13.3 and 14.3, effective notification will be deemed to have taken place when the documents have all been first affixed regardless of whether they are subsequently removed.
18. 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 addresses 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 are the person with control of or otherwise having access to those email addresses:

- 18.1 Karen Wildin
- 18.2 Meredith Dickinson
- 18.3 Joseph Irving
- 18.4 Diane Warner
- 18.5 Fergus Eakin
- 18.6 Molly Griffith Jones

FURTHER DIRECTIONS

19. Liberty to apply.

COSTS

20. Costs reserved.

COMMUNICATIONS WITH THE CLAIMANT

21. The Claimant's solicitors and their contact details are:

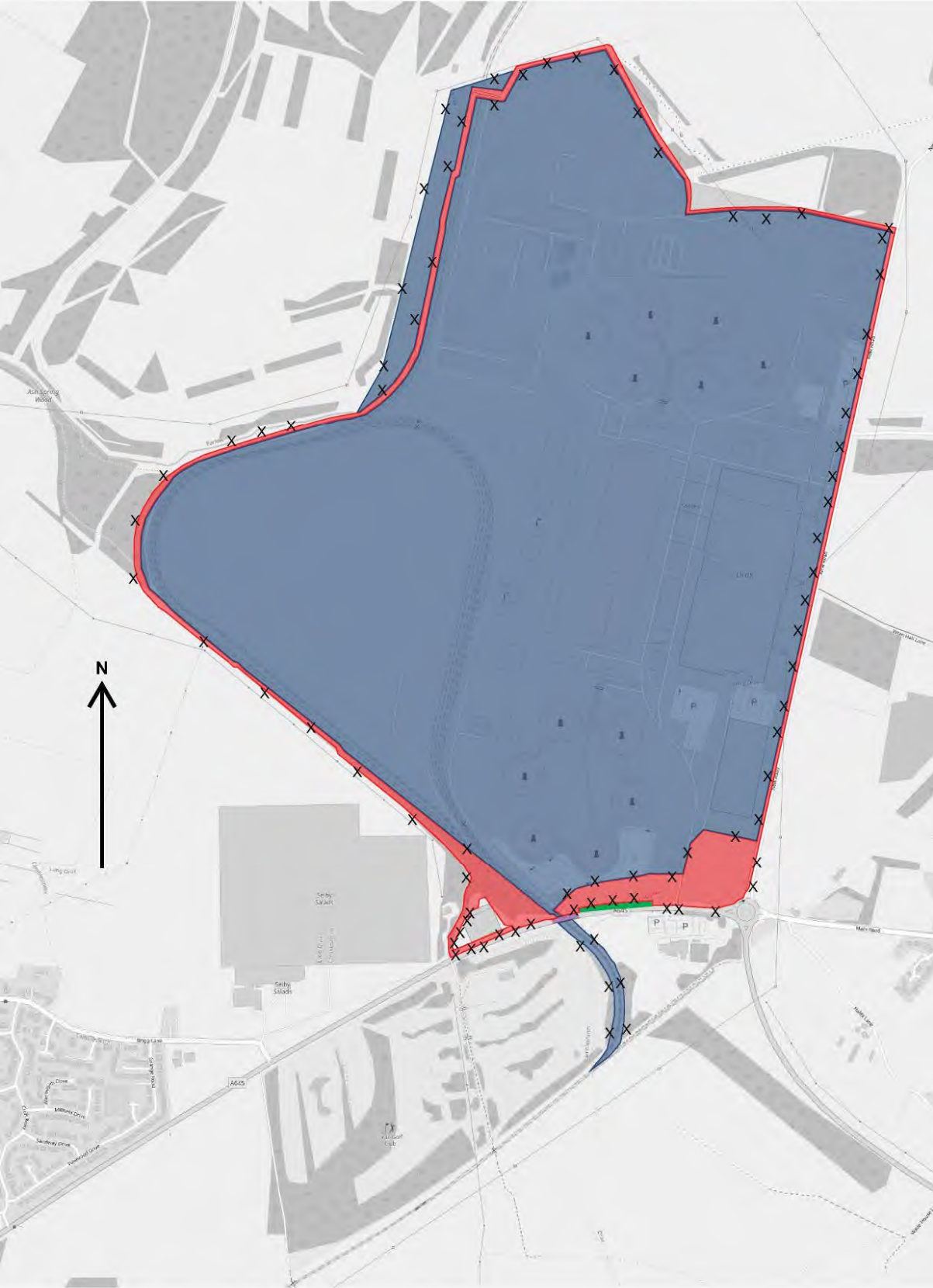
(1) Nicholas McQueen of Walker Morris LLP, email:
nick.mcqueen@walkermorris.co.uk, tel: 0113 283 2500

(2) James Damarell of Walker Morris LLP, email:
james.damarell@walkermorris.co.uk, tel: 0113 283 2500

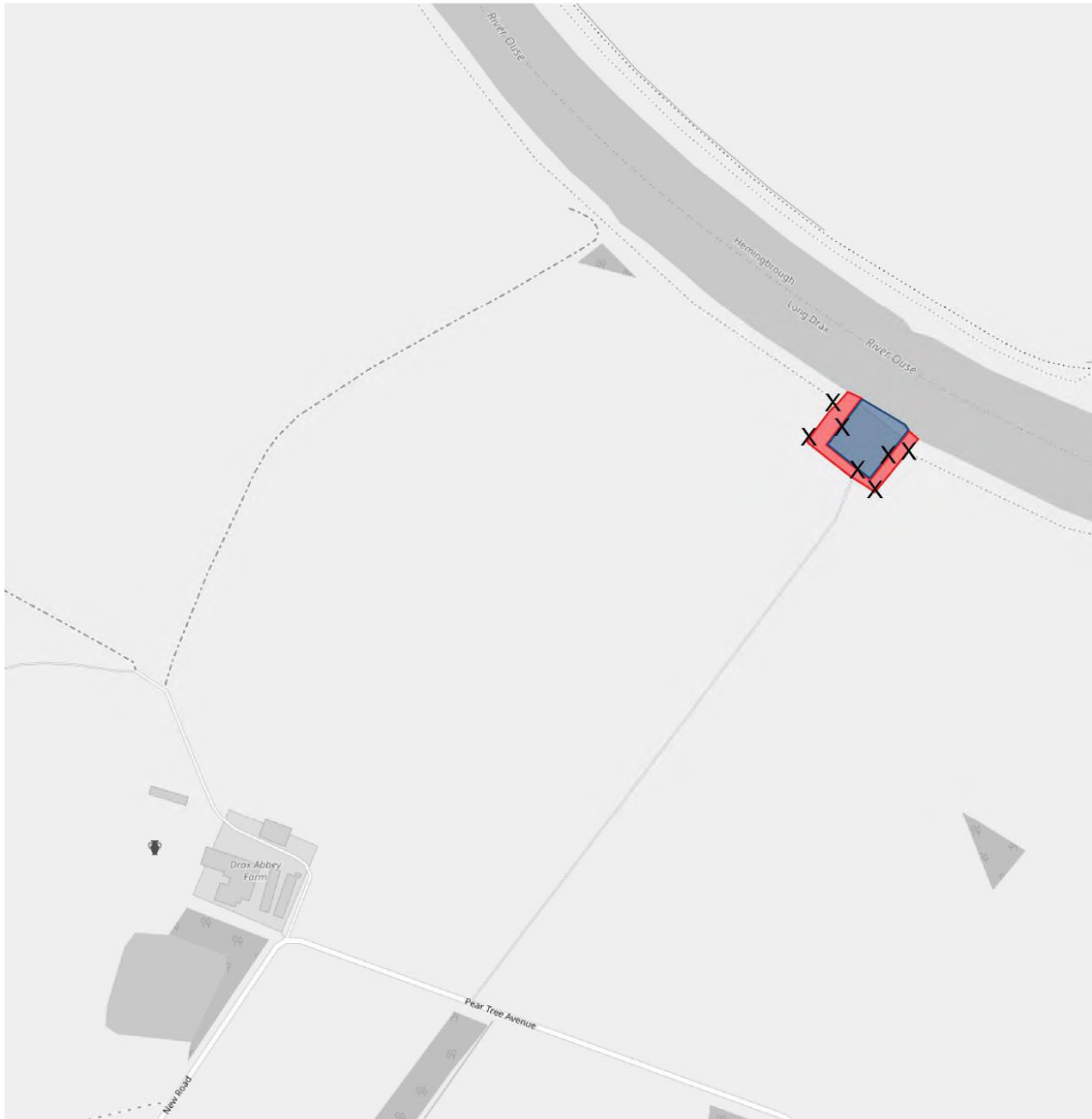
Dated: July 2024

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 [...] July 2024 as soon as practicable and no later than 5pm on [...] 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 4 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
2. press@reclaimthepower.org.uk
3. info@axedrax.uk

SCHEDULE 4 — WARNING NOTICES

WARNING NOTICE OF COURT INJUNCTION

A HIGH COURT INJUNCTION granted on [...] for [...] months exists relating to the [Drax Power Station / Drax Pumping Station].

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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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 www.walkermorris.co.uk/drax-injunction or obtained from:

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

A further hearing in relation to the Order is set for [...] at the Royal Courts of Justice, Strand, London, WC2A 2LL

WARNING NOTICE OF COURT INJUNCTION

A HIGH COURT INJUNCTION granted on [...] for [...] months exists relating to the Drax Pumping Station.

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

A copy of the Order and the legal proceedings to which it relates can be viewed at www.walkermorris.co.uk/drax-injunction or obtained from:

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

A further hearing in relation to the Order is set for [...] at the Royal Courts of Justice, Strand, London, WC2A 2LL

Application notice

For help in completing this form please read the notes for guidance form N244Notes.

Find out how HM Courts and Tribunals Service uses personal information you give them when you fill in a form: <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about/personal-information-charter>

Name of court High Court of Justice (KBD)	Claim no.
Fee account no. (if applicable)	Help with Fees – Ref. no. (if applicable)
PBA0078329	H W F - [] [] [] - [] [] []
Warrant no. (if applicable)	
Claimant's name (including ref.) Drax Power Limited	
Defendant's name (including ref.) See Schedule 1	
Date	28 July 2024 23 Jul 2024



1. What is your name or, if you are a legal representative, the name of your firm?

Walker Morris LLP

KB-2024-002361

2. Are you a Claimant Defendant Legal Representative
 Other (please specify) []

If you are a legal representative whom do you represent?

Claimant

3. What order are you asking the court to make and why?

(1) An injunction to restrain the Defendants from entering, occupying or remaining on the land defined in the Particulars of Claim and carrying out such other acts as are specified in the draft order; (2) An order to dispense with service of the Claim Form, Particulars of Claim, Application notice, evidence in support and the Order.

4. Have you attached a draft of the order you are applying for? Yes No
5. How do you want to have this application dealt with? at a hearing without a hearing
 at a remote hearing
6. How long do you think the hearing will last? 2.5 Hours [] Minutes
Is this time estimate agreed by all parties? Yes No

7. Give details of any fixed trial date or period

N/A

8. What level of Judge does your hearing need?

High Court Judge

9. Who should be served with this application?

N/A

- 9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9.

The Claimant seeks an order dispensing with service. Details of how it proposes to notify persons potentially affected are set out in the witness statement of Nicholas McQueen and the draft order

10. What information will you be relying on, in support of your application?

- the attached witness statement
- the statement of case
- the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

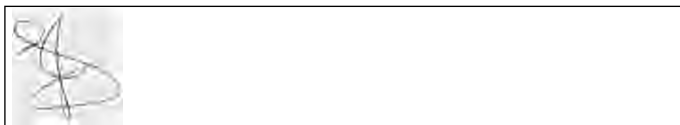
No

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person 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.

- I **believe** that the facts stated in section 10 (and any continuation sheets) are true.
- The applicant believes** that the facts stated in section 10 (and any continuation sheets) are true. **I am authorised** by the applicant to sign this statement.

Signature



- Applicant
- Litigation friend (where applicant is a child or a Protected Party)
- Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

2	3	0	7	2	0	2	4
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Full name

James Damarell

Name of applicant's legal representative's firm

Walker Morris LLP

If signing on behalf of firm or company give position or office held

Senior Associate

Applicant's address to which documents should be sent.

Building and street
33 Wellington Street

Second line of address

Town or city

Leeds

County (optional)

Postcode

L	S	1		4	D	L
---	---	---	--	---	---	---

If applicable

Phone number

0113 283 2500

Fax phone number

DX number

Your Ref.

JQD/NLM/DRA04079.36

Email

SCHEDULE 1

- (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**
- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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.**



Claim Form

In the High Court of Justice Kings Bench Division	
Fee Account no.	PBA0078329
Help with Fees - Ref no. (if applicable)	H W F - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>

You may be able to issue your claim online which may save time and money. Go to www.moneyclaim.gov.uk to find out more.

	For court use only
Claim no.	
Issue date	

Claimant(s) name(s) and address(es) including postcode
 Drax Power Limited of Drax Power Station, Selby, North Yorkshire,
 YO8 8PH



Defendant(s) name and address(es) including postcode
 Please refer to Schedule 1 attached to the Claim Form

KB-2024-002361
 RECEIVED BY
 THE COURT ON
 23-07-2024

Brief details of claim

The Claimant seeks an injunction to restrain the Defendants from acts of trespass or nuisance on or affecting the Claimant's land, as more particularly described in the Particulars of Claim.

Value

This is a non-monetary claim.

Defendant's
 name and
 address
 for service
 including
 postcode

	£
Amount claimed	
Court fee	£626
Legal representative's costs	TBC
Total amount	

For further details of the courts www.gov.uk/find-court-tribunal.

When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

You must indicate your preferred County Court Hearing Centre for hearings here
(see notes for guidance)

King's Bench Division, The Royal Courts of Justice, Strand, London WC2A 2LL

Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

- Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

- No

Does, or will, your claim include any issues under the Human Rights Act 1998?

- Yes
 No

Claim no.

Particulars of Claim

attached

to follow

Statement of truth

Note: you are reminded that a copy of this claim form must be served on all other parties.

I understand that proceedings for contempt of court may be brought against a person 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.

- I **believe** that the facts stated in this claim form and any attached sheets are true.
- The claimant** believes that the facts stated in this claim form and any attached sheets are true. **I am authorised** by the claimant to sign this statement.

Signature



- Claimant
- Litigation friend (where claimant is a child or protected party)
- Claimant's legal representative (as defined by CPR 2.3(1))

Date

Day Month Year

2 3 0 7 2 0 2 4

Full name

James Damarell

Name of claimant's legal representative's firm

Walker Morris LLP

If signing on behalf of firm or company give position or office held

Senior Associate

Claimant's or claimant's legal representative's address to which documents should be sent.

Building and street

33 Wellington Street

Second line of address

Town or city

Leeds

County (optional)

Postcode

L S 1 4 D L

If applicable

Phone number

0113 283 2500

DX number

Your Ref.

JQD/NLM/DRA04079.36

Email

SCHEDULE TO CLAIM FORM

- (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**
- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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.**

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

Claim No:

BETWEEN:

DRAX POWER LIMITED

Claimant

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**

- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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

PARTICULARS OF CLAIM

1. The Claimant is the owner and operator of the Drax Power Station, Selby, North Yorkshire, YOS 8PH (“the Power Station”). The Power Station is shown shaded blue on Plan 3 annexed to these Particulars of Claim — although within its perimeter is also a National Grid Sub-Station (“the Sub-Station”), shown outlined in green. Critical for the operation of the Power Station, among other things, is the pumping station (“the Pumping Station”) situated to its north east, shown shaded blue on Plan 2, on land within the Claimant’s wider landholding. The Power Station is part of the United Kingdom’s Critical National Infrastructure.
2. The Power Station has long been a target of environmental protest. Measures already put in place by the Claimant are judged, by the Claimant, to be sufficient to meet most of the associated risks. However, there has recently emerged a specific threat of environmental protest including a threat of damage and/or disruption to the Power Station. After consultation with the police, the Claimant considers that the level of risk is now such that it needs to call on the Court for protection by way of injunctive relief.
3. For the most part, the Power Station is clearly identifiable within its own perimeter fence, such that it is entitled to maintain a cause of action in trespass in relation to any person entering thereon without its consent.
4. Factors particular to the present case are:
 - (i) The Sub-Station is vested in National Grid Electricity Transmission PLC for the purposes of an electricity sub-station, connecting the Power Station to the national grid and enabling the onward transmission of electricity. The Claimant does not have (or does not in these proceedings seek to assert) sufficient control over the sub-station area to support a cause of action in trespass. However, it is nevertheless important that the sub-station is not treated differently by way of a carve out from the generality of the Power Station.

- (ii) The Pumping Station is located to the north east of the Power Station next to the River Ouse. It is critical to the safe operation of the Power Station.
- (iii) A permissive footpath (that is to say, one over which the public has no right of way, but merely a permission) runs near the perimeter fence of the Power Station for part of its southwestern boundary, separated from the fence by grass verge. The Claimant is entitled to maintain a cause of action in trespass in relation to this land. The Claimant is concerned by the prospect of outwardly non-disruptive protest taking place in this zone, which might mask attempts to penetrate the fence and/or other disruptive activities. The permission granted to the public for use of the permissive path does not include permission to congregate or assemble on or around the path for the purpose of protest. It desires a form of relief which will secure a sufficient “buffer zone” to guard against this risk.
- (iv) A public footpath (that is to say, one over which the public has a right of way on foot) runs near to or through a fenced channel within the perimeter fence of the Power Station for part of its north and western boundaries. The Claimant has the same concerns as have just been described in relation to the permissive footpath, but in this instance it has no right of possession and control because of the public rights which subsist over the highway. Nevertheless, the Claimant desires a form of relief which will secure a sufficient “buffer zone” to guard against this risk.
- (v) Biomass, the material which is used to generate electricity at the Power Station, is transported to the site by road and by rail. The Power Station includes an area of private rail infrastructure situated within its south-western quadrant and connecting to the mainline by a spur passing under the A645. The Claimant is concerned that disruption to this rail infrastructure, including through acts of trespass onto trains, might interfere with the delivery of materials to and from the site, and thus with the operation of the Power Station.

- (vi) The Power Station is approached by certain other highways. The Claimant is concerned that disruption on these might interfere with access to and from the Power Station.
- (vii) The Claimant has experienced a number of overflights by drones. The Claimant is concerned that these are being used, or have the potential to be used, to provide intelligence which may assist those desiring to disrupt operations at the Power Station and/or to serve as platforms for the deposit of things which would disrupt operations at the Power Station and/or to create a safety risk inadvertently.

THE LAND TO WHICH THE CLAIM RELATES

- 5. The Power Station and Pumping Station are situated wholly on land of which the Claimant is the registered freehold proprietor, title to which is registered at HM Land Registry under title number NYK223464. The relative locations of the Power Station and the Pumping Station are shown on Plan 5 annexed to these Particulars of Claim.
- 6. The land within the Claimant's ownership (and to which it is entitled to immediate possession) extends beyond the perimeter of the Power Station. It includes all that land shown shaded blue and red on Plan 1 and shaded blue and red on Plan 2 save that:
 - (i) The land shown edged green on Plan 3 is vested in National Grid Electricity Transmission PLC;
 - (ii) The verge and footway on the western side of New Road, are public highway;
 - (iii) The verge to the north of the footway on the A465 is public highway; and
 - (iv) The land shown shaded red on Plan 1 on the north and western boundaries of and running in a north-south direction through part of the Power Station (as more particularly delineated by the yellow line on Plan 3 annexed to these Particulars of Claim) carries a public right of way.

7. The highways surrounding the Power Station are more particularly delineated on Plan 3 annexed to these Particulars of Claim:
 - (i) The public right of way passing to or through the north and western boundaries of the Power Station is shown with a yellow line;
 - (ii) The permissive path to the west and south west of the Power Station is shown with an orange line;
 - (iii) New Road and the A465 are marked with brown lines.
 - (iv) The bridge carrying the highway over the railway spur line is shown shaded in purple.
8. The railway spur connecting the Power Station to the mainline railway is included within the land edged and shaded blue on Plan 1. It passes under the A645 at the point shown marked purple on Plan 3.
9. As owner of the Power Station, and the land surrounding it, the Claimant is also the owner the airspace above it, extending at least as far in the vertical plane as is necessary for the ordinary use and enjoyment of its land and the structures upon it from time to time.
10. The claim is not for injunctive relief in relation to any residential property.

THE THREAT

11. Reclaim the Power campaign is “a UK based direct action network” advocating and effecting direct action against facilities and operators associated with fossil fuels. The Axe Drax campaign is a network specifically opposed to the Power Station. As is stated on Axe Drax’s website, it “believe[s] that disruption of [Drax’s] activities and businesses as usual is crucial”.

12. The Reclaim the Power campaign is currently advertising a mass action camp targeting the Power Station, with “six days of workshops, communal living and direct action to crash Drax’s profits” which is said to be scheduled between 8 and 13 August 2024. The proposed ‘protest camp’ is also advertised on the Axe Drax website under the ‘Take Action’ tab.
13. Those specific threats are made against a background of continuing environmental campaigning in which one of the features is disruptive protest, or a threat of disruptive protest, at and/or affecting sites perceived to have a connection with forms of energy production or use which the campaigners desire to target, and especially those which are not protected by injunctions.

CAUSES OF ACTION

14. The Claimants apprehend that, unless restrained by the Court, the persons unknown who are described as the Defendants herein will conduct themselves in such a way as to amount to trespass and/or nuisance.
15. Members of the public including the persons unknown who are described as the Defendants herein have no consent or permission to enter upon the Power Station (including the spur connecting the Power Station to the mainline railway) or the Pumping Station. The Claimant has not given any permission, consent or licence to any person to enter onto the Power Station or Pumping Station other than in connection with the operation of those facilities. In particular, it has not given any permission, consent or licence to members of the public to enter onto the Power Station or the Pumping Station for the purpose of protest, direct action or other activity associated with Reclaim the Power, Axe Drax or other environmental campaign.
16. Any entry onto, occupation of, or remaining on the Power Station (including its rail infrastructure) or the Pumping Station or the climbing, cutting of or ‘locking onto’ the perimeter security fencing thereof by the First Defendants would therefore constitute a trespass, which the Claimant is entitled to injunctive relief to restrain.

17. The Claimant also seeks injunctive relief in respect of the Sub-Station. The Claimant does not in these proceedings assert that it is the person entitled to sufficient possession or control of the Sub-Station to maintain a cause of action in trespass in relation thereto. However:

- (i) the relief claimed by the Claimant in relation to the Sub-Station is no more than is necessary and proportionate in order to give effective protection to its rights as landowner to restrain trespass onto the Power Station; and
- (ii) further or alternatively, such relief is required in order to restrain acts of nuisance, or threatened nuisance, within the Sub-Station which would interfere with the Claimant's use and enjoyment of the Power Station, or which would threaten to do so.

18. The Claimant also seeks injunctive relief to secure the "buffer zones" extending beyond the perimeter fence of the Power Station and the Pumping Station as shown shaded red on Plans 1 and 2 and more particularly delineated on Plan 3. Particulars of the shaded red land are:

- (i) Permissive / public footpaths: the land shaded red to the north, west, and south west of the Power Station on Plan 1 shows the buffer zones in relation to the permissive path and the public footpath mentioned above. The permission granted to the public for use of the permissive path does not include permission to congregate or assemble on or around the path for the purpose of protest. As such any presence by the Defendants within that area would constitute a trespass and the Claimant is entitled to injunctive relief to restrain the same. In respect of the buffer areas for both the permissive path and public right of way, the Claimant seeks injunctive relief on the basis that injunctive relief is no more than is necessary and proportionate to give effective protection to its rights as landowner of the Power Station to restrain trespass onto the Power Station. Alternatively, in respect of the land comprising or including the public right of way, in order to restrain acts of nuisance on the public highway which would interfere with the Claimant's use and enjoyment of the Power Station.

- (ii) Perimeter fence set back from public highway: the land shaded yellow on Plan 3 shows the buffer zone between the perimeter fence and the A465 to the south and New Road to the east. In this area, the perimeter fence is set back more than 3 metres from the public highway. Part of the yellow land is (or may be) highway verge, notably where it adjoins New Road to the east of the Power Station. The rest of the yellow land is all within the Claimant's ownership and includes the landscaped area surrounding the south entrance to the Power Station from the A645. The Claimant seeks injunctive relief to restrain trespass and in order to give effective protection to its rights as landowner of the Power Station to restrain trespass onto the Power Station. All of that is subject to the area shown shaded green – which is an area within the Claimant's ownership which it has agreed with the Police will be made available to persons wishing to protest between 6 and 15 August 2024.
- (iii) So far as concerns the Pumping Station: the land shaded red on Plan 2 comprises a 3 metre wide buffer zone around the perimeter of the Pumping Station. Any presence by the Defendants within that area would constitute a trespass and the Claimant is entitled to injunctive relief to restrain the same.

19. Highways: the Claimant also seeks injunctive relief in relation to those parts of the highway at New Road and the A465 shown shaded red on Plan 1. Injunctive relief is sought in the form of restraining the Second Defendants from assembling or congregating on those areas of footway and the highway verge on the western side of New Road between the carriageway and perimeter fence of the Power Station and highway verge on the northern side of the A645. Injunctive relief is sought in respect of these areas on the grounds that it is no more than is necessary and proportionate to give effective protection to the Claimant's rights as landowner and operator of the Power Station; alternatively, in order to restrain acts of nuisance on the public highway which would interfere with its use and enjoyment of the Power Station.

20. Access: the Claimant also seeks injunctive relief against the Third Defendants restraining acts of private nuisance in the form of the Third Defendants obstructing or

interfering with the rights of access by the Claimant, its employees, agents, contractors or other licensees with or without vehicles (including rail traffic) into and from the Power Station to and from (i) the public highway and (ii) the railway.

21. Airspace: further, the Claimant seeks injunctive relief as against the Fourth Defendants to restrain trespass into the airspace above the Power Station, alternatively nuisance, by the flying of drones through or above that part of the airspace to required for the use and enjoyment of the Power Station and structures thereon.

HUMAN RIGHTS

22. Reliance by the Defendants of rights of freedom of expression and / assembly under Articles 10 and/or 11 of the European Convention of Human Rights would not provide a defence in the particular circumstances of this case. For the most part, the relief sought relates to private land, on which the public has no rights of any kind. To the extent that the relief sought relates to public footpaths and highways, it seeks no more relief than is proportionate to what is at stake and does not interfere materially with anyone else's Convention rights which remain capable of exercise (to the extent lawful) albeit set back by a small distance from the perimeter of the Power Station and subject only to such other constraints as are needed to vindicate the Claimant's (and others') civil rights.

THE RELIEF SOUGHT

23. The Claimant therefore seeks the following Orders:
 - (i) An order restraining the First Defendants from entering, occupying or remaining upon the land shown shaded red on Plan 1 or the land shown shaded red on Plan 2 being land at Drax Power Station and associated Pumping Station or from climbing onto, cutting, or 'locking on' to the perimeter fencing thereof;

- (ii) An order restraining the Second Defendants from congregating or assembling on those areas shown shaded red on Plan 1 and Plan 2, including any public highway or public or other way footpath or way thereon;
- (iii) An order restraining the Third Defendants from obstructing or interfering with or attempting 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;
- (iv) An order restraining the Fourth Defendants from causing or permitting the flying of drones over Drax Power Station and adjoining land as shown shaded red and blue on Plan 1.
- (v) Further or other relief as the Court sees fit
- (vi) Costs

Statement of Truth

The Claimant believes that the facts stated in these particulars of claim are true. The Claimant understands 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.

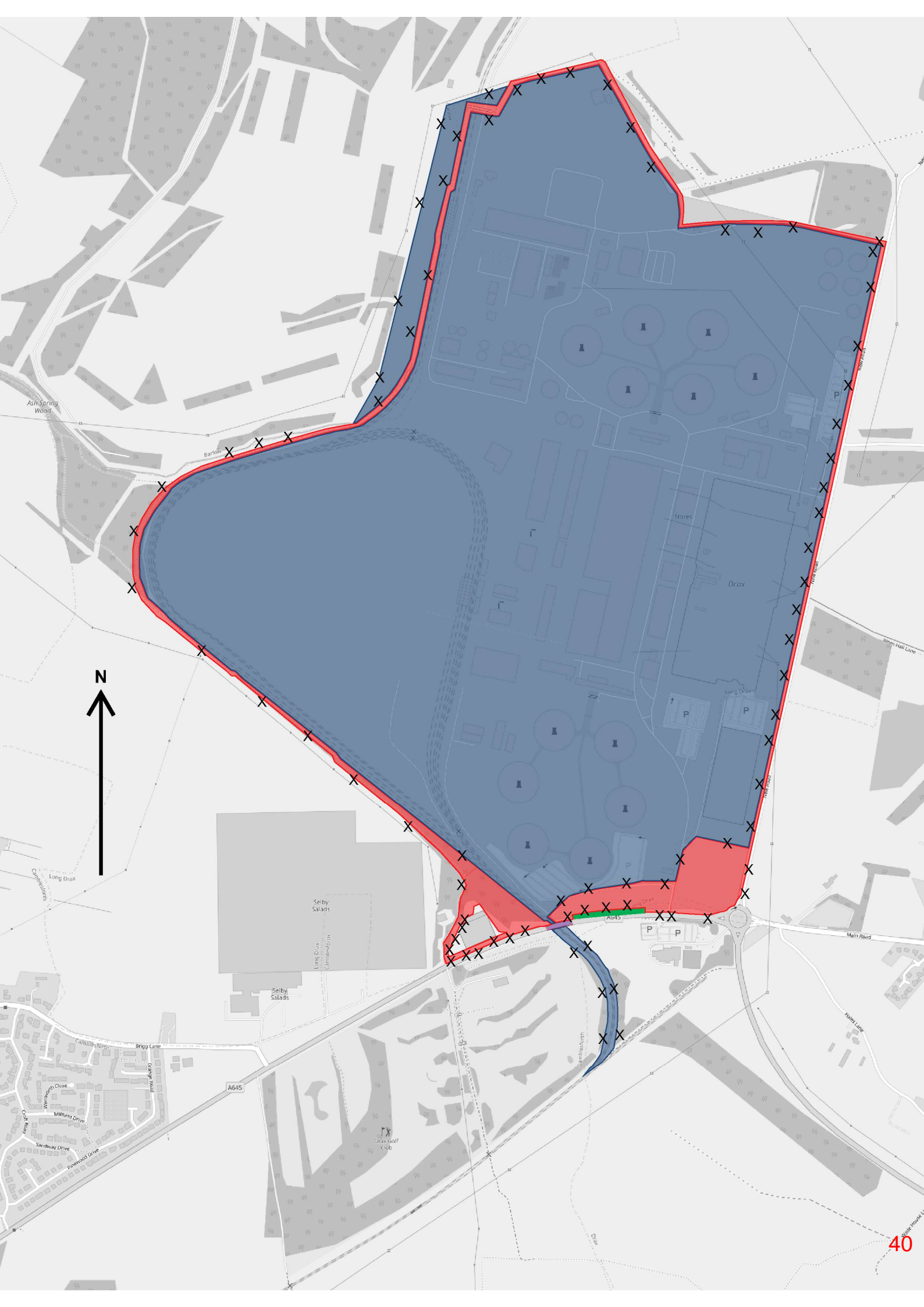
I am duly authorised by the Claimant to sign this statement.



Signed

James Damarell
Senior Associate
Walker Morris LLP
Claimant's solicitor

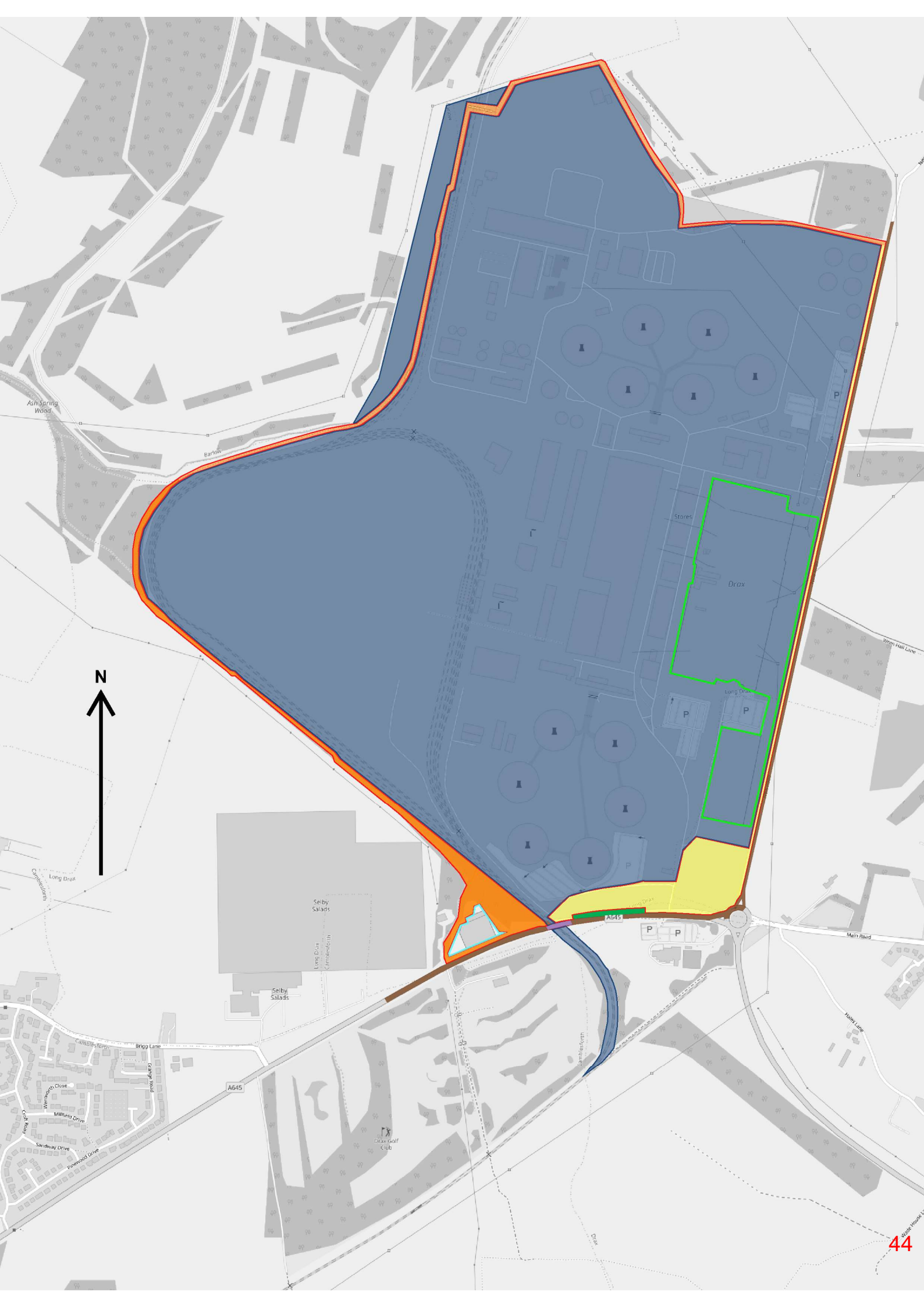
**ANNEX TO PARTICULARS OF CLAIM
PLAN 1**



PLAN 2



PLAN 3



PLAN 5



Claimant
Martin Sloan
First Witness Statement
Exhibit MS1
23 July 2024

CLAIM NO:

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

B E T W E E N :-

(1) DRAX POWER LIMITED

Claimant

- 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**
- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL
TRAFFIC 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

FIRST WITNESS STATEMENT OF MARTIN SLOAN

I, MARTIN SLOAN of Drax Power Limited, Drax Power Station, Selby, North Yorkshire, YO8 8PH
WILL SAY AS FOLLOWS:

- 1 I am the Security Director at Drax Power Station, Selby, North Yorkshire YO8 8PH and I am employed by Drax Power Limited (**Drax**).
- 2 I am duly authorised by Drax to make this witness statement in support of an application for an injunction. I have read a copy of the First Witness Statement of Nicholas McQueen.
- 3 The facts and matters referred to herein are within my own knowledge, save where it appears otherwise from the context, and are true to the best of my knowledge and belief. Where I refer to information supplied by others, the source of the information is identified facts and matters derived from other sources are true to the best of my knowledge and belief. This witness statement has been prepared through telephone and email correspondence with Walker Morris LLP, Drax's solicitors.
- 4 I now refer to a paginated bundle of documents marked Exhibit "**MS1**" containing true copies of the documents to which I shall refer in this witness statement marked [MS1/page]. References to

Plans 1 to 6 refer to those plans set out in Schedules 1 to 6 of this statement.

THE SITE

- 5 Drax is the owner of the freehold title of Drax Power Station, Selby, North Yorkshire YO8 8PH (the **Property**). The Property comprises a power station (the **Power Station**) together with a wider parcel of land which surrounds it. The Power Station is shown edged and shaded blue on Plan 1 and forms part of the land registered at HM Land Registry under Title Number NYK223464 (the **Title**) (a copy of the title register and plan are at pages [MS1/1] and [MS1/29x]).
- 6 The Power Station is a facility that generates electricity through the burning of biomass and historically coal. Drax announced the closure of its coal units for commercial generation, effective from March 2021, and the coal units were closed and generation from coal ceased in March 2023.
- 7 Biomass is transported to the Power Station by road and by rail. There is private rail infrastructure situated within the south-west quadrant of the Power Station, which is accessed via a spur from the national railway line, as shown marked purple on **Plan 6**. The Power Station is accessed by road via the A465, to the south of the site, and New Road, to the east (the **Adopted Highways**). The Adopted Highways are marked in brown on Plan 6.
- 8 The Power Station is surrounded by a perimeter security fence which is monitored by CCTV surveillance by the Drax security team. The main entrances into the Power Station through the perimeter fence are via entrances on the A645 to the south and on New Road to the east.
- 9 There is a pumping station located to the north-east of the Power Station e which is owned and operated by Drax (the **Pumping Station**). The location of the Pumping Station in relation to the Power Station is indicated by the yellow box on **Plan 5**. The Pumping Station sits alongside the river Ouse. The Pumping Station is critical to the safe operation of the Power Station, which requires pumped water in order to cool down the superheated steam generated by the Power Station. If the Pumping Station were damaged by protestors and taken offline, Drax could not operate the Power Station safely.
- 10 There is a permissive footpath to the west of the site, marked in orange on the **Plan 6**. It is my understanding that the permissive path is to be use for walking along and Drax has not granted anyone permission to go onto the land forming the permissive path for any other purpose, such as for protest. There is a Public Right of Way to the northwest and north of the site, marked in yellow

on **Plan 6**. **Plan 6** also shows the location of the perimeter fence surrounding the Power Station, marked in red.

- 11 The land shown edged light green on **Plan 3** is owned by National Grid Electricity Transmission Plc (the **National Grid Land**) and is registered at HM Land Registry under Title Number NYK324916. The National Grid Land is situated adjacent to the Power Station; however, it is within a perimeter fence which incorporates both the Power Station and the National Grid Land. The security arrangements for the Power Station cover the National Grid Land.
- 12 The land shown edged light blue on **Plan 3** is an electricity substation owned by Northern Powergrid (Yorkshire) Plc (the **Northern Powergrid Land**) and is registered at HM Land Registry under Title Number NYK375643. The Northern Powergrid Land is situated adjacent to the Power Station, and is outside of the main perimeter fence of the Power Station.

BIOMASS

- 13 Drax Group PLC the ultimate parent company of Drax, has a portfolio of generation assets and together they generated over 4% of the UK's electricity supply between October 2022 and September 2023 (the most recent period for which data is available) (the "**Drax Group**"). The Drax Group also generated 8% of the UK's renewable electricity over the same period, making the Drax Group the largest renewable generator by output. In addition, during 2023 Drax Group's assets produced on average 16% of the UK's renewables at times of peak demand and up to 67% on certain days. This underlines the important role that Drax plays in security of energy supply in the UK.
- 14 The Power Station comprises the largest asset in the Drax Group's generation fleet (2.6GW of the total 3.2GW capacity), which is capable of generating enough renewable electricity a year to power the equivalent of over eight million homes and is therefore a significant contributor to the UK energy infrastructure. Any interruption to the production of electricity at the Power Station may threaten the continuity of supply within the UK. Due to the importance of its portfolio of power stations to the UK's energy infrastructure, the Drax Group is defined by the Department for Energy Security and Net Zero (**DESNZ**) as an Operator of Essential Services (**OES**).
- 15 The Power Station uses sustainable forestry, forestry residues, residual agricultural products such as straw, sunflower seed husks and peanut husks, and purpose-grown energy crops as biomass. The biomass is delivered to the Power Station via road and rail daily. Up to 20 trains deliver biomass

to the Power Station every 24 hours (such deliveries are spread throughout the day and night). Drax engages two rail operators to make such deliveries, GBRf and DB Cargo. Drax uses a combination of its own rail wagons specifically designed for transporting biomass and wagons owned by the rail operators.

- 16 Some people object to the use of biomass as they consider it to be unsustainable, contributing to the UK's CO2 emissions and causing damage to local air quality and resulting in noise pollution. Further, some individuals contend that the burning of biomass is not sufficiently efficient to warrant the use of this natural resource. Others assert that the release of carbon emissions caused by burning biomass will have an impact on climate change and will increase pressure on both UK forests and those overseas. Drax contests these claims, and Drax and the UK government (together with a number of governments across the world) classify biomass as a renewable generation source. As set out in more detail below, in light of the above objections, there has been an increase of protest and disruptive activity directed at Drax, as well as against other power generation companies.
- 17 Drax's suppliers of biomass are independently audited against Drax's sustainability requirements and the UK government's sustainability criteria. For material received at the Power Station, monthly reports are submitted to the UK regulators, demonstrating compliance with the 'Land Criteria' and reporting on the supply chain emissions of the biomass used.

PREVIOUS DIRECT ACTION AND DISRUPTION

August 2006 – Camp for Climate Action

- 18 In August 2006, prior to my employment at Drax, Drax was targeted by a group called "Camp for Climate Action". I have been provided with the Memorandum submitted by Drax (the **Memorandum**) to the parliamentary Human Rights Joint Committee on "Demonstrating respect for rights; A human rights approach to policing protest" [**MS1/30**]. My knowledge of the injunction obtained by Drax in 2006 and the circumstances surrounding it are taken from the Memorandum. I understand that the Camp for Climate Action's website revealed that whilst many of the planned activities appeared to be lawful, some of the organisers had more threatening intentions. The website is no longer available; however, I understand that, according to the website, one of the main purposes of the Camp for Climate Action was to use direct action to shut the Power Station down by means of mass trespass and activists locking themselves to Power Station equipment.
- 19 I understand that, at the time, Drax found the activists' threats extremely concerning and responded

by seeking an interim injunction from the High Court (a) preventing the Defendants from entering or remaining upon any part of its land without its consent (b) preventing the Defendants from causing or encouraging anyone else to do the same and (c) preventing the Defendants from using the public footpath which runs around the perimeter fence for the purpose of entering the Power Station site. The injunction defined the "Defendants" as the two named spokespersons for the Climate Camp and any *"person and persons entering or remaining without the consent of the Claimant on the land the subject of this order or any part of that land or causing or encouraging people to do so"*. I understand that, although careful consideration was given to the possibility of giving notice to the Defendants, it was concluded that this might precipitate the very action that the injunction was designed to prevent and so the application was made without notice.

- 20 I understand that Drax obtained the interim injunction, endorsed by a Penal Notice [MS1/30]. I understand that, either as a result of the interim injunction or as a result of the strong police presence by the North Yorkshire Police, the activists failed to close down the Power Station. In the event, 600 demonstrators marched to the Power Station site on the "Day of Action" and no serious damage was done to the Power Station [MS1/30]. However, I understand that thirty-eight people were arrested for offences that included aggravated trespass, criminal damage and assaulting a police officer.

June 2008 – Earth First

- 21 In June 2008, again before my employment at Drax, a group known as "Earth First" hijacked a train carrying coal to the Power Station in protest against climate change. The group managed to stop the train, with the protest lasting 16 hours and causing numerous delays to freight and passenger services [MS1/33].
- 22 Accordingly, I understand again from the Memorandum, that Drax sought an injunction against persons unknown after it became aware of the hijacking given there was a real risk that the group intended to proceed from the Network Rail property to the Power Station [MS1/30].

July 2019 – Reclaim the Power

- 23 A UK based direct action network named 'Reclaim the Power' (RTP) have previously been involved in a number of direct actions and demonstrations against organisations within the energy production sector. I am aware that in 2016, RTP took direct action to shut down the Ffos-y-fran opencast mine, near Merthyr Tydfil in Wales (which is not associated with Drax). The RTP website

states: *“After an amazing camp – jam-packed with speakers, workshops, entertainment, delicious food and more – over 300 of us took action on Tuesday 3 May 2016 to shut down Ffos-y-fran mine, and no-one was arrested. It was the biggest ever mass trespass in a UK mine”* [MS1/38]. The website continues: *“It was Effective. We actually halted mine operations [...]”*.

- 24 On 30 July 2019 members of RTP targeted buildings in London they understood to be associated with Drax [MS1/43]. The activists dressed in white boiler suits and chained themselves to 41 Moorgate in London, which they understood to be Drax's headquarters, with approximately 200 activists also blocking nearby roads [MS1/58]. However, Drax's headquarters was no longer located at the building in question.
- 25 At the same time, RTP activists also took direct action at SSE Thermal's Keadby 2 power station in North Lincolnshire, occupying two cranes and stopping work on the construction of SSE's Keadby 2 gas power plant [MS1/64]. RTP's reported coverage of the event says the site: *“has been shut down, with both entrances blocked and activists occupying two cranes, stopping work on the new plant”* [MS1/72]. RTP also published an image on their website of a number of activists occupying a crane, with the caption reading: *“Activists spent 15 hours occupying a crane and blockading the entrance to the UK's only gas site currently in construction, shutting down operations for the day in Keadby”* [MS1/75].

November 2021 – Axe Drax

- 26 "Axe Drax" is described on its website [MS1/81] as a *“network that opposes Drax in it's operations. We believe that disruption of their activities and business as usual is crucial.”*
- 27 On 12 November 2021, Karen Wildin (**Ms Wildin**), a protestor and activist for the Axe Drax campaign group, halted and scaled a train carrying biomass to the Power Station [MS1/84]. Ms Wildin was photographed on top of the train waving a flag bearing the “Extinction Rebellion” logo [MS1/89]. Ms Wildin was sentenced on 22 July 2024 at Leeds Crown Court and was ordered to pay a £3,000 fine and was given a two-year discharge [MS1/99].
- 28 On 27 April 2022, an unidentified member of Axe Drax covered the Department of Business, Energy and Industrial Strategy building in London in bright orange paint using a modified fire extinguisher in protest against Drax [MS1/106]. News reports at the time indicated that the protestor also hung banners reading "Stop Burning Trees" and "Rise up for Reparations" [MS1/111].

- 29 In April 2024 activists from Axe Drax disrupted Drax's annual general meeting [MS1/122]. Activists crowded the building's entrance with banners reading: "Stop burning trees" and "Invest in green energy", and shouting "Axe Drax. Reparations now" [MS1/128].

PLANNED DIRECT ACTION AT THE POWER STATION

- 30 I am aware that RTP have organised a 'Reclaim the Power Action Camp' from 8 to 13 August 2024, at a site near to the Power Station (the **Action Camp**). RTP appears to be linked to the Axe Drax campaign group and the RTP homepage contains a link to the Axe Drax website.
- 31 The homepage of RTP's website says "*We are taking on Drax. Join us on 8-13th August 2024*" and invites website visitors to "*Join the Camp*" [MS1/138]. In advertising the Action Camp, RTP state "*Join hundreds (hopefully thousands) of others from across the country and further afield for six days of workshops, communal living and action to fight the greenwashing eco-genocide of Drax*" [MS1/144]. The "Action" page of Axe Drax's website also contains a link and an invitation to the proposed camp on 8 to 13 August 2024 [MS1/146]. The detail and precise nature of the planned action at the Action Camp is not clear from the RTP website. For instance, the RTP website does not set out where the planned Action Camp will be located or timeframes for planned action. Instead, the RTP website states: "*The site will be a squatted site, likely with grass, so we cannot announce the location until it has been occupied. There will be a full legal guide about what risk is involved in this.*" [MS1/148] I consider that it is unlikely that the RTP or the protestors will make a public announcement concerning the location, time / date of its protest. I also consider it likely that RTP and or other protestors may seek to engage in protest activity, including direct action, prior to 8 August 2024, in order to avoid Drax being prepared for the protest activity.
- 32 RTP have held gatherings with briefing talks in advance of the Action Camp, in York on 24 to 25 February 2024 [MS1/161], Bristol on 1 to 2 June 2024 [MS1/164], and Sheffield on 29 and 30 June 2024 [MS1/168], and an "Info Talk" at Wharf Chambers in Leeds on 22 June 2024 [MS1/173]. As advertised on the Wharf Chambers website, RTP have "*organised protest camps, blockades and occupations of fossil fuel infrastructure and their supply chain services*". RTP have scheduled a further "Info Talk" on 23 July 2024, the advertisement for which states, "*We will shining an unmissable spotlight on an often hidden injustice with an actions focused camp from 8th to 13th August.*" [MS1/177].
- 33 The "Who We Are" section of RTP's website states that one of their principles and values is "direct action". RTP say that this is "*where we make an intervention, often physically with our bodies, in*

order to change a situation. It's a necessary and important tactic which is being increasingly used in the struggle for environmental justice" [MS1/180].

34 On 20 April 2024, RTP released a video on YouTube entitled "We Take Action – Drax (Join Us 8th-13th August)" and accessible at the link https://www.youtube.com/watch?v=l_RE14AnR3A with the description "*As Reclaim the Power, we take action! Join us this August at our mass protest camp targeting Drax, where we'll be bringing hundreds of people together to stop this biomass power station [...]*" [MS1/186]. The video is a compilation of short video clips with the words "We Take Action" overlaid. At 0:05 ([MS1/188]), the video appears to show individuals engaging in civil disobedience, at 0:06 ([MS1/189]) the video appears to show individuals trespassing at height by scaling a cooling tower, and at 0:07 ([MS1/190]) the video appears to show an individual stood on top of a heavy goods vehicle. As a result, I believe that the risk of protestors from the Action Camp engaging in disruptive activity at the Power Station should be considered high.

35 On the basis of:

- 35.1 the previous actions undertaken by RTP and Axe Drax (as highlighted above);
- 35.2 the stated aims and objectives set out on the RTP and Axe Drax websites; and
- 35.3 recent social media posts by RTP discussing "mass direct action", "radical direct action" and "direct action to crash Drax's profits" [MS1/191 – MS1/194],

Drax has real concerns that the planned Action Camp will involve not only lawful protest, but also unlawful direct action, including but not limited to:

- (a) people cutting through, scaling or otherwise circumventing the perimeter fence at the Power Station and / or the National Grid Site and / or the Pumping Station, to gain access to those areas;
- (b) people locking on to the perimeter fence and / or other key infrastructure at the Power Station and / or the National Grid Site and / or the Pumping Station;

(c) people assembling and /or congregating in areas abutting the perimeter fence in a manner that might conceal or disguise other persons trying to climb / cut / lock on to the fence. The site perimeter fence is covered by CCTV, however, if activists were to congregate at or near to the perimeter fence, there is a real risk that such actions would be shielded from view of the CCTV;

(d) people congregating and / or otherwise blocking the highway leading into the Power Station in order to prevent access into or out of the Power Station; and

(e) people boarding in-bound trains or otherwise disrupting the rail access into the Power Station.

36 As set out above, the above actions are consistent with the previous actions taken by members of, and individuals associated with RTP and Axe Drax and I consider that the threat of direct action to be very real.

37 At present Drax does not know the names of any individual activists who intend to commit unlawful protest at the Power Station or Pumping Station, and it is not currently possible to name or identify them. I understand that a number of named individuals are associated with Axe Drax, however it is not currently clear whether these individuals intend to commit unlawful protest at the Power Station or Pumping Station. These individuals include:

37.1 Karen Wildin;

37.2 Meredith Dickinson;

37.3 Joseph Irving;

37.4 Diane Warner;

37.5 Fergus Eakin; and

37.6 Molly Griffith Jones.

38 I understand that the above-named individuals are associated with Axe Drax and are contactable via email addresses associated with Axe Drax. Accordingly, they will be provided notice of the injunction in accordance with the proposed notice by email to info@axedrax.uk , as set out in more

detail in the First Witness Statement of Nicholas McQueen.

39 In addition, following discussions between the Drax security team and the Police, I understand that environmental activist groups have, in the past used the unauthorised flying of drones in the airspace of target premises to (a) film the activity of activity of protestors; (b) cause disruption to the activity of target sites, and (c) monitor the location of Drax security staff and the police, so protestors can be directed to areas with less security presence to maximise the impact of disruptive activity. Unplanned, low level drone flights over the Power Station pose obvious safety issues, including:

39.1 Risk of collision with vehicles and personnel on site, causing injury; and

39.2 Risk of collision with the Power Station equipment causing interruption to the electricity generation at the Facility.

40 Drone activity at the Power Station is monitored because of concerns about drones flying over it. There have recently been a number of unauthorised drones recorded flying over the Power Station and I consider that there is a clear risk of this happening in connection with the Action Camp.

RISKS AND HARMS

41 In terms of the potential impacts that could result from the actions identified above – and in particular trespass onto the Power Station, I anticipate that the following issue would likely arise:

41.1 Physical Harm to Protestors and / or employees

41.1.1 There is a range of hazardous plant, machinery and equipment located at the Property including moving heavy goods vehicles and trains on site, all of which is necessary for the day-to-day operation of the Power Station and in respect of which the employees of Drax are trained to use in a safe manner.

- 41.1.2 If protestors were to enter the Power Station, they would be unaware of many of the hazards associated with the Power Station and the precise nature of the dangers. Activists may miss safety signs warning of accessing hazardous areas and (due to lack of training etc.) not realise the dangers. In missing the safety signs, protestors may come into contact not only with equipment which could be dangerous is misused but also, if they ventured into particular areas within the Power Station, with harmful materials/gases (for example, where the biomass fuel is stored).
- 41.1.3 Certain parts of the site are designated as mandatory Personal Protective Equipment (PPE) and Respiratory Protective Equipment (RPE) areas in the risk assessments for those areas, due to the activities carried out in those locations and the materials handled in them. If protestors entered those areas without the proper PPE and RPE they could be exposed to harm.
- 41.1.4 The Power Station is also a Control of Major Accident Hazard regulated site and has large volumes of oil and diesel fuels on site. If protestors who are untrained in the strict protocols on site regarding the handling and use of these materials were to enter the Power Station and access these stores, this could pose a fire risk.
- 41.1.5 The Power Station includes a cooling water system with a flow of approximately 40 miles per hour. If protestors were to enter this part of the Power Station, there is a risk of drowning if they were to fall into the cooling water system.
- 41.1.6 The overhead cables at the Power Station carry over 400,000 volts. If protestors enter the Power Station and climb structures within the Power Station, there is a risk of electrocution. There is also a risk that if protestors were to fly drones over the Power Station, that the drones would hit the overhead cables.
- 41.1.7 The biomass domes and other areas at the Power Station include non-life sustaining atmospheres due to the nature of the chemicals contained in them (i.e. domes filled with nitrogen to help prevent fire). If protestors were to enter the Power Station and access the biomass domes or certain other areas on the Power Station, there is a serious risk of harm.

41.1.8 If protestors were to enter the Power Station and climb structures within the Power Station, protestors are at risk of falling and suffering significant injury.

41.1.9 The emergency services and Drax's own team members may have to put themselves at risk in order to remove and / or rescue protestors.

41.1.10 I anticipate that if protestors were to enter onto the Power Station this would have a significant negative impact upon Drax employees, who could have legitimate concerns regarding their safety during protest activity within the Power Station.

41.2 Disruption to National Electricity Supply

41.2.1 The Power Station is part of the UK's Critical National Infrastructure ("CNI") and any disruption to Drax's generating capacity could have a serious impact in the UK, particularly in Northern England.

41.2.2 The Power Station is highly flexible and is relied upon to provide a rapid response when there are increased demands on the National Grid, including during low wind and low sunlight conditions, where it is not possible to rely on renewable sources of electricity. In 2023, the Drax Group's generation assets produced on average 16% of the UK's renewables at times of peak demand and up to 67% on certain days. This underlines the important role that Drax plays in security of electricity supply in the UK.

41.2.3 As set out above, if certain infrastructure at the Power Station or the Pumping Station were damaged as a result of the anticipated direct action this could directly impact upon Drax's ability to operate this operation and supply the required electricity to the National Grid. If Drax's supply to the National Grid is affected, this could have a negative impact upon the stability of the National Grid.

41.3 Damage to Environment

41.3.1 There are many types of hazardous materials on site and personal protective equipment is mandatory in many areas of the site. If protestors were to disrupt or interfere with any plant, equipment and materials then it could lead to the release of noxious gases or hazardous substances which would constitute an uncontrolled release of emissions.

41.4 Financial Impact on Drax

41.4.1 In relation to the financial impact of the potential protestor activity on Drax, I have liaised with my colleagues at Drax and this is the basis of my knowledge of these matters. I understand that if the protestors were to gain access to certain areas of the Power Station, Drax would need to reduce or stop generation for health and safety purposes. In addition, if protestors were to access the Power Station and damage certain infrastructure, then this could potentially impact Drax's ability to generate electricity.

41.4.2 Drax sells power in advance to obtain certainty as to power prices. For power sold in any given week, if Drax had an unplanned outage or reduced generation due to protest activity Drax would default on those forward sales and would have to pay damages (buying the power back at the market price). For any capacity that has not been forward sold there would be an opportunity cost for the lost generation. In each case it is impossible to quantify as it would be dependent on the market price at the relevant time, however an unplanned outage on a single unit at the site could easily result in losses to Drax of tens of millions of pounds.

41.4.3 The cost to Drax of repairing and dealing with any damage caused to its infrastructure, for example in repairing the perimeter fence, equipment or on-site infrastructure, or any damages caused by protestors for example climbing cooling towers could potentially be very high.

41.5 Further impacts

41.5.1 If protestors were to access the Power Station, National Grid Site or Pumping station additional police resources would likely have to be diverted to these areas to deal with any such incidents.

THE NEED FOR THE INJUNCTION

- 42 Drax has taken extensive measures to protect the Power Station. A perimeter security fence, built to the National Protective Security Authority's (NPSA) relevant standards and specifications, surrounds the Power Station (marked red on **Plan 6**). There are three gatehouses manned by security, together with three large gates, at various locations around the Power Stations' boundary. Several turnstiles, operated by scanning one's security pass, provide further pedestrian access to the Power Station for authorised persons. Drax have also engaged security guards for the railway line into the Power Station.
- 43 The Drax team are in ongoing discussions with the North Yorkshire Police and the British Transport Police regarding the planned Action Camp and the advice from the police arising from those discussions is to consider applying for an injunction. In particular, the British Transport Police requested that the injunction Drax seeks includes the area along the railway line as it extends out of the Power Station.
- 44 I understand that, in relation to the footpaths around the Power Station:
- 44.1 Drax intends to give notice to close the permissive footpath to the south of the Power Station, marked in orange on Plan 6, between the dates 6 and 15 August 2024 in response to the planned Action Camp;
- 44.2 The Police have asked the local council to close the Public Right of Way to the west and north of the Power Station marked in yellow on Plan 6, between the dates 6 and 15 August 2024 in response to the planned Action Camp.
- 45 Notwithstanding the above measures, I consider that there is a compelling need, and justification for, the injunction, which is sought, and that the other measures or actions which may be available would not provide adequate or effective protection to avoid the acts and harms I have discussed above:
- 45.1 the Power Station is an obvious target for protestors given that it has been targeted before and given the factors referred to in paragraphs 30 to 34 above unless an injunction is granted, there is a serious risk of disruption at the power station.;

- 45.2 as noted above, it is very unlikely that there will make a public announcement concerning the location, time / date of any intended or planned direct action. In particular, I consider there is a real risk that the this could take place prior to the advertised dates of 8 to 13 August 2024, in order to avoid Drax being prepared for protest activity and to cause as much disruption as possible;
- 45.3 whilst Drax has put in place a number of measures ahead of the planned Action Camp – and has been liaising with the police regarding the same, and whilst there may be criminal sanctions for some if not all the sort of activities threatened, I do not consider that these are a sufficient deterrent in themselves. I understand that there are examples elsewhere of people associated with such campaigns being willing to risk criminal prosecution to carry out such acts;
- 45.4 the grant of an injunction would, in my view, provide an effective deterrent for activists who might otherwise contemplate direct action (given that the breach of such an order would carry the risk of imprisonment for contempt of court);
- 45.5 if the actions which the injunction is sought to restrain were to occur, damages would not be an adequate remedy for Drax having regard to: -
- 45.5.1 the health and safety risks to staff, the emergency services and the protestors themselves referred to above;
 - 45.5.2 the potential disruption to the supply of power (as set out above);
 - 45.5.3 the potential harm to the environment caused by protests (as set out above);
 - 45.5.4 the consequential risk of financial loss; and
 - 45.5.5 the fact that the Defendants are a class of unknown individuals – but even if individual protestors could be identified I have seen no evidence to suggest and I have no reason to believe that the Defendants would be able meet any award of damages.
- 46 I respectfully suggest that these same factors demonstrate that there is a compelling need for an injunction to restrain unlawful trespass and nuisance at the Power Station.

47 In seeking an injunction:

47.1 Drax does not seek to stifle debate concerning climate issues. In that regard:

47.1.1 I do not consider the injunction would preclude the debate/protest activity at the planned Action Camp itself (but would instead simply prevent direct action directed at disrupting the Power Station); and

47.1.2 following conversations with the police, as detailed above regarding restraining the assembly of protestors on the highway, the Police have asked Drax to identify an area where protest could be safely accommodated and identifying. In response to that request, Drax has identified an area alongside the A465 on land owned by Drax outside of the Power Station where people could gather to protest. This is shown marked on **Plan 3**. The area will be marked out with fencing ahead of 8 August 2024 and remain in place until the Action Camp finishes. This area:

(a) is in an area where protestors can protest that would not obstruct the highway / cause risks to other users or the highway and/or

(b) is in an area which is sufficiently distance from the perimeter fence of the Power Station (as can be seen from the plan) that the concerns which are discussed above about congregation/assembly having the effect of potentially concealing people cutting / scaling the fence is not engaged in the same way as for the other areas shown.

(c)

47.2 Drax merely wish to ensure that there are no health and safety issues at the Power Station and that Drax's operations are not disrupted by unlawful behaviour (particularly in the light of Drax's experience in 2006, 2008 and 2021).

CROSS-UNDERTAKING IN DAMAGES

48 Although I cannot foresee any way in which anyone affected by the injunction could suffer loss or damage, I am authorised on behalf of the Claimant to provide the necessary cross-undertaking to pay any sum which the Court considers appropriate to compensate anyone affected by the proposed

injunction if it is subsequently determined that the Claimant is not entitled to the order which they seek.

49 The audited accounts for the Claimant for year ending 31 December 2023 [MS1/195] show the following:


	For the year ending 31 December 2023		Balance sheet as at 31 December 2023
	Revenue (£m)	Gross Profit (£m)	
Drax Power Limited	6,790.2	624.8	2,578.6

STATEMENT OF TRUTH

I believe that the facts set out in this Witness Statement are true.

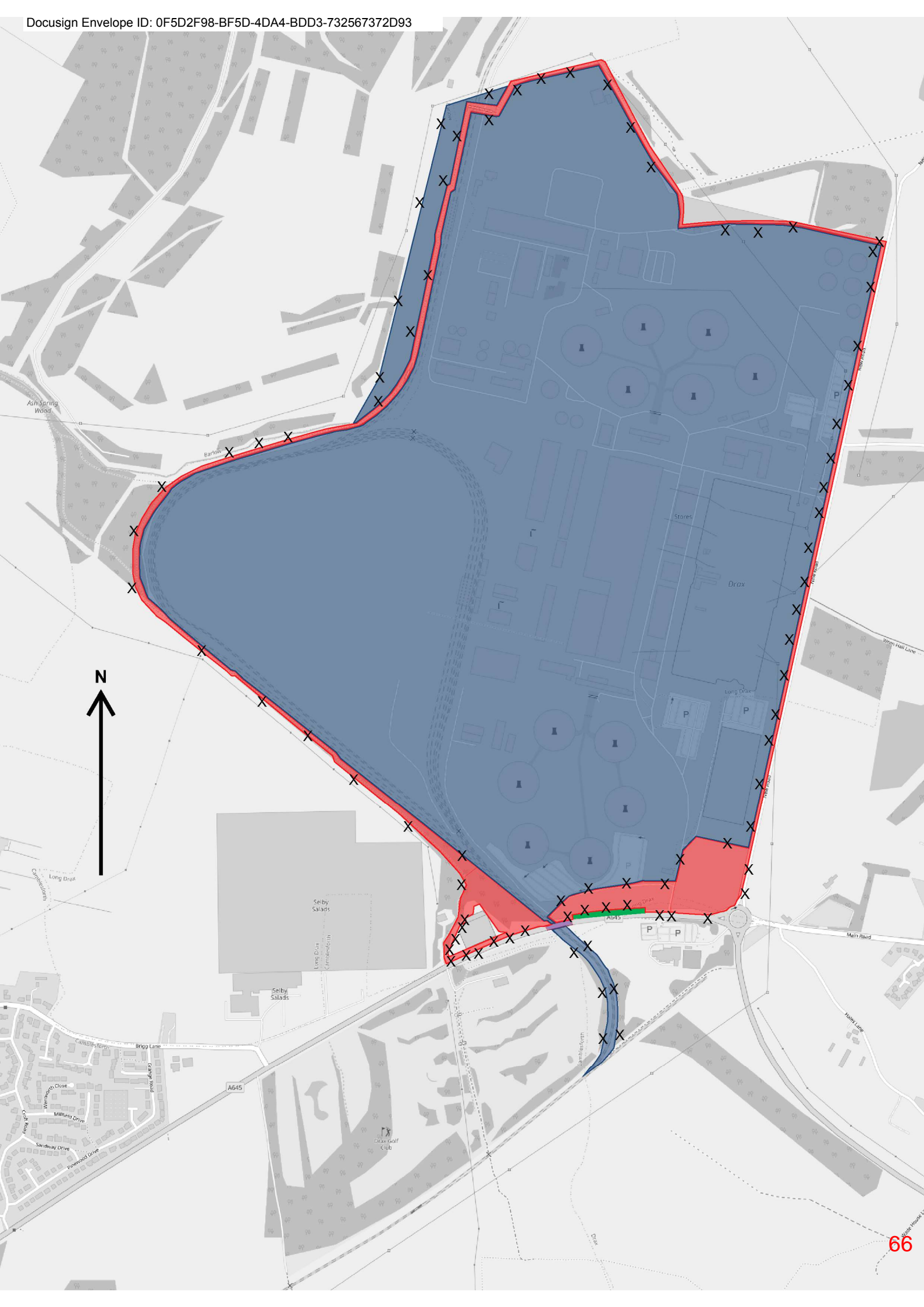
I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

I am duly authorised to make this statement on behalf of the Claimant.

Signed by:

23C24C9798A046B.....

Dated this 23rd day of July 2024

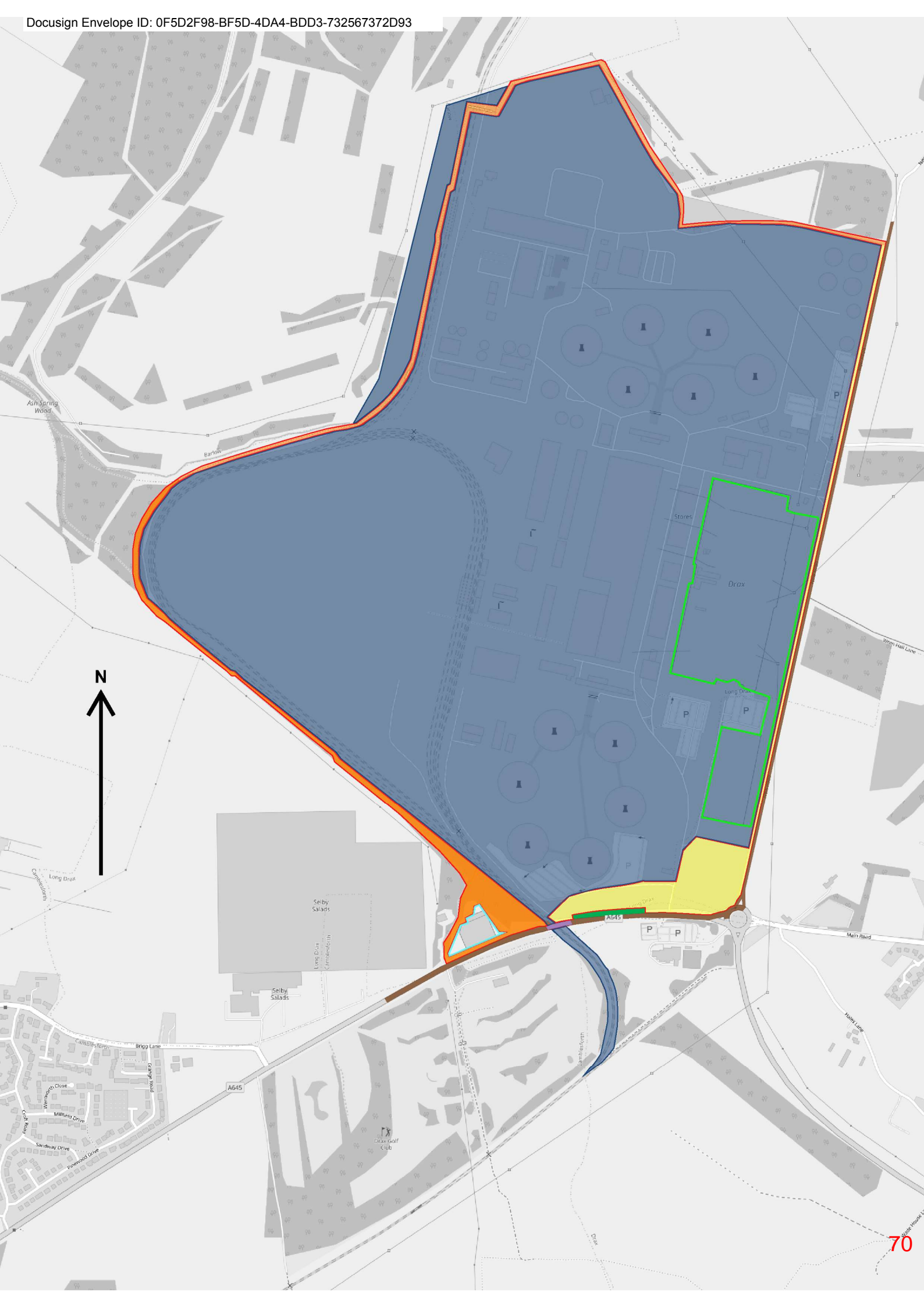
Schedule 1 – Plan 1



Schedule 2 – Plan 2



Schedule 3 – Plan 3



Schedule 4 – Plan 4



Schedule 5 – Plan 5



Schedule 6 – Plan 6

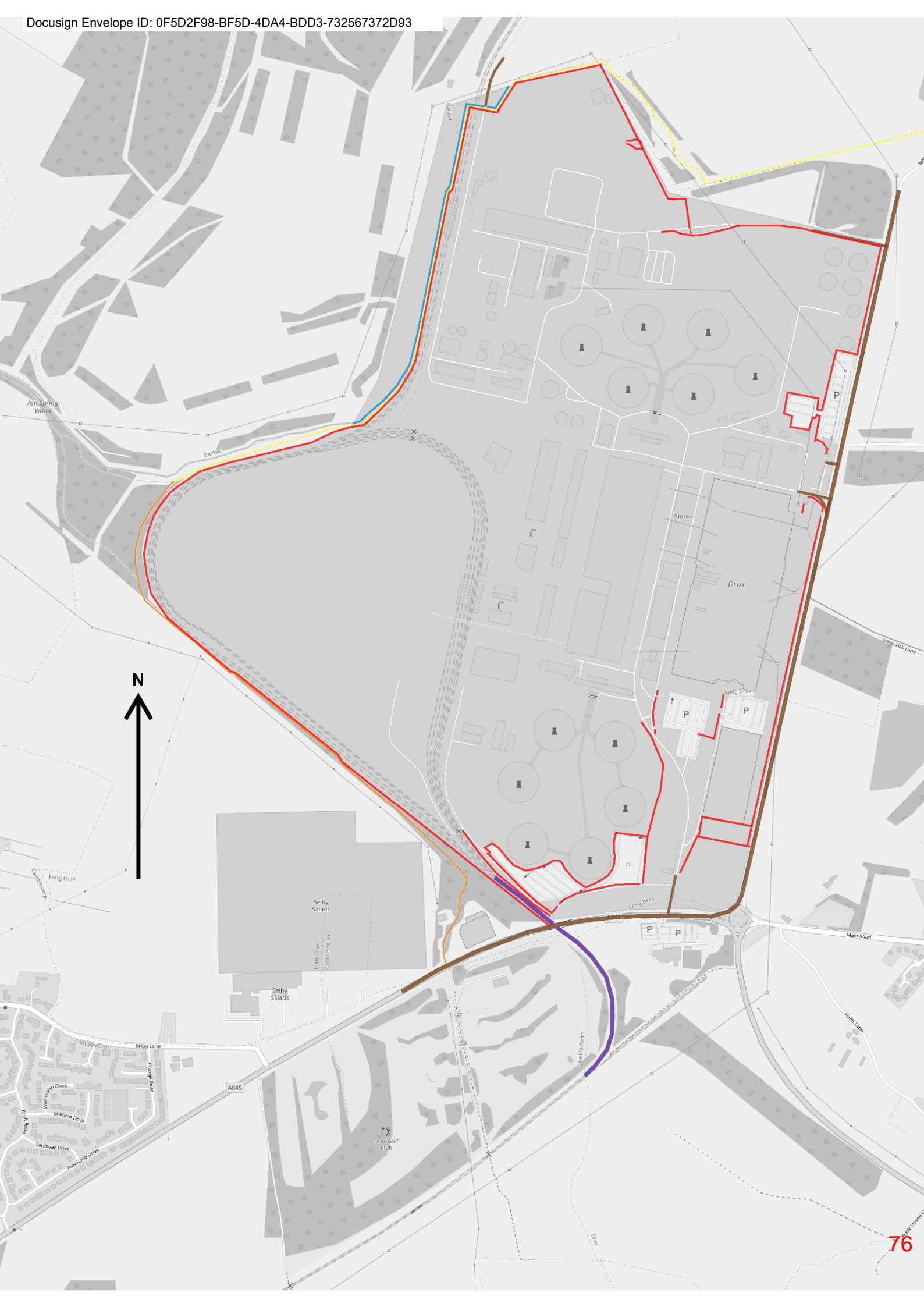


EXHIBIT MS1

No.	Document	Pages
1.	HM Land Registry under Title Number NYK223464	1 – 28
2.	Title Plan under Title Number NYK223464	29
3.	Memorandum to the parliamentary Human Rights Joint Committee on "Demonstrating respect for rights; A human rights approach to policing protest"	30 - 32
4.	"Drax coal train hijackers sentenced" Guardian website article dated 4 September 2009	33 - 37
5.	"End Coal Now" Reclaim the Power website article	38 – 42
6.	"Climate change activists 'target wrong building'" The Standard website article dated 30 July 2019	43 - 57
7.	"Hundreds in climate camp protest and gas power station shut down" Reclaim the Power website article dated 30 July 2019	58 – 63
8.	"Climate protesters target Lincolnshire gas power station" BBC News article dated 30 July 2019	64 – 71
9.	"Power beyond borders" Reclaim the Power website article dated 10 July 2019	72 – 80
10.	Extract from Axe Drax's website entitled "About"	81 - 83
11.	"Drax wood pellet train halted by protest" Axe Drax website article dated 12 November 2021	84 - 88
12.	"Protester climbs on top of train to Drax power station" BBC news article dated 12 November 2021	89 - 98
13.	"Grandmother fined for climbing on freight train" BBC news article dated 22 July 2024	99 - 105
14.	"Young Activist Scales Government Department" Axe Drax website article dated 27 April 2022	106 - 110
15.	"Climate activist douses government building in orange paint" Independent article dated 27 April 2022	111 - 121
16.	"Drax AGM met by protests and disruption across UK" Axe Drax website article dated 25 April 2024	122 – 127
17.	"Climate protesters target BP and Drax shareholder meeting" Independent article dated 25 April 2024	128 – 137
18.	Extract from Reclaim the Power's home page	138 – 143
19.	Extract from Axe Drax's website entitled "Take Action"	144 - 145
20.	Extract from Action Network's website in relation to the Action Camp	146 - 147
21.	Extract from Reclaim the Power's website in relation to the Action Camp	148 - 160
22.	Extract from Reclaim the Power's website regarding the York Gathering	161 - 163
23.	Extract from Reclaim the Power's website regarding the Bristol Gathering	164 - 167
24.	Extract from Reclaim the Power's website regarding the Sheffield Gathering	168 - 172
25.	Extract from Wharf Chambers' website	173 - 176
26.	Extract from Reclaim the Power's website regarding the info talk on 23 July 2024	177 – 179
27.	Extract from Reclaim the Power's website entitled "Who we are"	180 - 185
28.	Video posted on Reclaim the Power youtube account	186 - 187
29.	Clips from Video posted on Reclaim the Power youtube account	188 – 190
30.	Post on social media by Reclaim the Power, dated 4 April 2023 https://x.com/reclaimthepower/status/1775849842826166372	191

31.	Post on social media by Reclaim the Power, dated 10 May 2024 https://x.com/reclaimthepower/status/1788941953758879913?s=46	192 – 193
32.	Post on social media by Reclaim the Power, dated 10 July 2024 https://x.com/reclaimthepower/status/1811020425847025769?s=46	194
33.	Drax Power Limited Annual Report for year ended 31 December 2023	195 – 273



Official copy of register of title

Title number NYK223464 Edition date 25.04.2022

- This official copy shows the entries in the register of title on 25 October 2022 at 14:13:58.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 10 July 2024.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title, see www.gov.uk/land-registry.
- This title is dealt with by HM Land Registry Durham Office.

A: Property register

This register describes the land and estate comprised in the title.

NORTH YORKSHIRE

- 1 (31.08.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Drax Power Station and Drax Abbey Farm, Drax, Selby.

NOTE 1: The land tinted green on the title plan is not included in this title.

NOTE 2: In so far as the land in this title includes highways maintainable at public expense those parts of the highways which are vested in the relevant highway authority are not included in the registration.

NOTE 3: The overhead road bridge comprised within the part edged and numbered 107 in blue on the title plan is excluded from the registration.

- 2 (31.08.1999) The mines and minerals are excepted from the land edged and numbered 8 and 9 in blue on the title plan.

- 3 (31.08.1999) The mines and minerals of ironstone and fireclay are excepted from the land edged and numbered 20, 29, 30, 31, 76 and 107 in blue on the title plan.

- 4 (31.08.1999) The mines and minerals of ironstone and fireclay are excepted with provision for compensation in the event of damage caused thereby from the land edged and numbered 18, 19, 32, 33, 34, 74, 75, 81 and 82 in blue on the title plan.

- 5 (31.08.1999) The mines and minerals together with ancillary powers of working are excepted with provision for compensation in the event of damage caused thereby from the land edged and numbered 2, 3, 35, 36, 37, 38, 39, 40, 48, 49, 99 and 109 in blue on the title plan.

A: Property register continued

- 6 (31.08.1999) The mines and minerals are excepted with provision for compensation in the event of damage caused thereby from the land edged and numbered 41,42,71,and 106 in blue on the title plan.
- 7 (31.08.1999) The mines and minerals below 91.44m (100 yards) together with ancillary powers of working are excepted with provision for compensation in the event of damage caused thereby from the land edged and numbered 21,22,23,24,25,43,44,47,50,58,60,61,62,87,88 89 and 108 in blue on the title plan.
- 8 (31.08.1999) The mines and minerals are excepted from the land edged and numbered 45 in blue on the title plan.
- 9 (31.08.1999) The land edged and numbered 26,57 and 103 in blue on the title plan has the benefit of the rights granted by a Deed of Grant dated 26 February 1968 made between (1) The Queen's Most Excellent Majesty (2) The Crown Estate Commissioners and (3) The Central Electricity Generating Board.

NOTE: Original filed.

- 10 (31.08.1999) The land has the benefit of the rights granted by a Deed of Grant dated 10 June 1968 made between (1) Clifford Priestley and (2) The Central Electricity Generating Board.

NOTE 1: The land coloured pink hatched blue on the Deed plan lies between the land edged and numbered 6 in blue and the land edged and numbered 103 in blue on the title plan

NOTE 2: Original filed.

- 11 (31.08.1999) There are excluded from this registration the mines and minerals excepted by the Conveyance dated 23 June 1969 referred to in the Charges Register in the following terms:-

"There are not included in this Conveyance any mines or minerals under the property except in so far as the same were expressly conveyed to the Board's predecessors on the acquisition of the property for the purposes of a railway and are not now vested in the National Coal Board."

- 12 (31.08.1999) The Conveyance dated 10 October 1972 referred to in the Charges Register contains the following provision:-

"THIS Conveyance shall not include or confer in favour of the Purchaser any easement liberty or privilege over or in respect of the retained land except such easements as are hereby expressly granted.

NOTWITHSTANDING anything in the conveyance hereinbefore contained the Vendor or other the owner or owners for the time being of the retained land or any part thereof shall be at liberty to erect such buildings or erections on any part of the retained land and to alter or add to or use the same or any existing buildings or erections on the retained land in such manner as he or they may think fit notwithstanding that the access and use of light and air now or at any time hereafter enjoyed by the Purchaser or its successors in title from and over the retained land may be thereby obstructed diminished or destroyed and any such access and use of light and air as aforesaid shall notwithstanding this conveyance be deemed henceforth to be enjoyed by the Purchaser and its successors in title with the consent of the owner or owners of the retained land subject to the provisions of this clause and not otherwise."

A: Property register continued

13 (31.08.1999) The Conveyance dated 9 October 1974 referred to in the Charges Register contains provisions identical to those contained in the Conveyance dated 10 October 1972 referred to above.

14 (31.08.1999) The land edged and numbered 43 in blue on the title plan has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 21 May 1982 referred to in the Charges Register:-

"TOGETHER ALSO with full right and liberty for the Purchaser and its successors in title the owners occupiers of the property and their respective servants and licensees to use the drains ditches and watercourses now on the retained land hereinafter defined and which serve the property hereby conveyed together with all appropriate rights easements and privileges to enter onto the said retained land or any part thereof for repairing maintaining renewing or removing the same (such rights of entry not to be exercised without the Purchaser giving to the Vendor at least 48 hours prior notice in writing save in emergency when as much notice as is practicable shall be given) Reserving nevertheless to the Vendor the right to the free passage of electricity gas water and soil through all cables wires pipes drains and channels (if any) in on or over the property hereby conveyed and serving the said retained land to and from such retained land together with all appropriate easements rights and privileges for repairing maintaining renewing and removing the same."

15 (31.08.1999) The Conveyance dated 28 July 1982 referred to in the Charges Register contains the following provision:-

"IT is hereby agreed and declared that nothing herein contained shall be taken to imply that any of the conducting media between main services and the property hereby conveyed meet with the requirements of the appropriate Authority or that they are suitable for the purposes for which they are at present used."

16 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 32 Park Lane, Barlow dated 3 August 1982 made between (1) The Secretary of State for Defence and (2) Graham James Buckle and Louise Buckle

NOTE: Original filed under NYK143507.

17 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 48 Park Lane, Barlow dated 19 November 1982 made between (1) The Secretary of State for Defence and (2) Ian Muir and Margaret Muir

NOTE: Copy filed under NYK74443.

18 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 30 Park Lane, Barlow dated 19 November 1982 made between (1) The Secretary of State for Defence and (2) Graham Peter Smith and Denise Ann Smith

NOTE: Original filed under NYK57262.

19 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 46 Park Lane, Barlow dated 31 January 1983 made between (1) The Secretary of State for Defence and (2) Derek Holland and Helen Anna Holland

NOTE: Duplicate filed.

A: Property register continued

- 20 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 26 Park Lane, Barlow dated 19 April 1983 made between (1) The Secretary of State for Defence and (2) Alan Terence Render

NOTE: Original filed under NYK39826.

- 21 (31.08.1999) The land edged and numbered 60,61 and 89 in blue on the title plan has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 7 December 1983 referred to in the Charges Register :-

"TOGETHER with (i) the right in common with the Vendor and all others now or hereafter entitled to the like right to the free passage running of electricity water and soil from the Property in and through all cables wires pipes channels mains sewers and drains (if any) serving the Property and lying and being in over or under the adjoining and neighbouring land of the Vendor shown edged green on the plan numbered 2 annexed hereto (which land is hereafter called "the retained land") and any neighbouring land formerly owned by the Vendor subject to the Purchaser paying a fair proportionate part of the cost of repairing maintaining and if necessary renewing or relaying the said cables wires pipes drains mains sewers and channels (ii) the right to enter upon the Retained Land during the daytime and on previous notice except in case of emergency for the purpose of repairing renewing cleaning and maintaining the said cables wires pipes channels sewers mains and drains (if any) the person exercising such right doing as little damage as possible and making good all damage actually occasioned thereby.

EXCEPTING AND RESERVING in fee simple out of this Conveyance unto the Vendor and his successors in title or other the owners and occupiers of the Retained Land and each and every part thereof or of any neighbouring land formerly owned by the Vendor that is capable of benefiting therefrom (i) the right of drainage and running of water and soil and free passage of electricity and water from the Retained Land and any neighbouring land formerly owned by the Vendor through so much of all water and electricity pipes wires or cables soil and surface water drains as are in over or under the Property (ii) the right to enter upon the Property during the daytime and on previous notice except in case of emergency for the purpose of repairing renewing cleansing and maintaining any of the said mains pipes sewers water and electricity wires or cables soil and surface water drains the person exercising such right making good all damage occasioned thereby

.....
AND SUBJECT ALSO to all rights and privileges in the nature of rights and all liberties privileges and similar matters hitherto used and enjoyed by or over the Property or any part thereof without any liability on the part of the Vendor to define the same."

NOTE: The land edged and numbered 51,52,54,56,63,64,67,72,90,91,92,93 and 94 in blue on the title plan comprises that part of the Retained Land not included in the land in this title.

- 22 (31.08.1999) The Conveyance dated 7 December 1983 referred to above contains the following provision:-

"IT IS HEREBY AGREED AND DECLARED

(a) That the Vendor and his successors in office or any other Government Department and their successors in title shall be at liberty to erect such

A: Property register continued

buildings or erections on any part of the Retained Land or any other adjacent or neighbouring land of the Vendor or any other Government Department and to alter add to or use the same or any existing buildings or erections on such land in such manner as he or they may think fit notwithstanding that the access and use of light and air now or at any time hereafter enjoyed by the Purchaser or its successors in title from and over the Retained Land or such adjoining or neighbouring land may be thereby obstructed diminished or destroyed and that any such access and use of light and air as aforesaid shall be deemed thenceforth to be enjoyed by the Purchaser and its successors in title with the consent of the owner or owners of the Retained land such adjoining or neighbouring land subject to the provisions of such declaration and not otherwise

(b) That this Conveyance shall not include or confer any easement liberty or privilege over or affecting the Retained Land or any other adjacent or neighbouring land of the Vendor or any other Government Department except such easements as are thereby expressly granted

.....
(e) That nothing herein contained shall be taken to imply that any of the conducting media between the main services and the Property meet with the requirements of the appropriate Authorities or that they are suitable for the purposes for which they are at present used,"

23 (31.08.1999) The land edged and numbered 47,50,58,62,87 and 97 in blue on the title plan has the benefit of the following rights reserved by a Conveyance of the land edged and numbered 52 in blue on the title plan dated 31 December 1984 made between (1) The Secretary of State for Defence (Vendor) and (2) Thomas Malcolm Campbell and Lynda Jane Campbell (Purchasers):-

"EXCEPTING AND RESERVING in fee simple unto the Vendor and his successors in title owners and occupiers of that part of the retained land shown edged in green on plan number 2 annexed hereto the right to pass and repass with or without vehicles and animals at all times of the day and night and for all purposes over or along that part of the property shown coloured pink and hatched black on the said plan Number 1 as lies between the points lettered C and D but subject to the Vendor or his successors in title as the case may be contributing a fair proportion (according to use) of the cost of the repair and maintenance of the said piece of land AND ALSO EXCEPT AND RESERVING unto the Vendor and his successors in title owners and occupiers of the retained land or any part thereof (and in so far as the same have already been created subject to)

(a) the right of drainage and running of water and soil and free passage of electricity to and from the retained land through such pipes cables wires channels mains sewers and drains (if any) as lie in over or under the property

(b) the right to enter upon the property during the daytime and on previous notice except in case of emergency for the purpose of repairing renewing cleansing and maintaining the said pipes wires cables channels mains sewers and drains referred to in clause (a) of this Schedule the person exercising such right making good all damage occasioned thereby."

NOTE: The land edged and numbered 47,50,58,62,87 and 97 in blue on the title plan comprises that part of the retained land falling within the land in this title. The part of the property coloured pink hatched black between the points lettered C and D referred to is cross hatched blue on the title plan.

A: Property register continued

- 24 (31.08.1999) The part of the land affected thereby has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 54 and 58 Park Lane, Barlow dated 4 December 1985 made between (1) The Secretary of State for Defence and (2) Roger Byron-Collins and Sylvie Byron-Collins

NOTE: Original filed under NYK43639.

- 25 (31.08.1999) The land has the benefit of the rights reserved by but is subject to the rights granted by a Conveyance of 25 Park Avenue, Barlow dated 11 April 1986 made between (1) the Central Electricity Generating Board and (2) Lynn Claire Hudson

NOTE: Original filed under NYK206712.

- 26 (31.08.1999) The land has the benefit of the following rights reserved by a Conveyance of the land edged and numbered 65 in blue on the title plan dated 15 September 1986 made between (1) The Central Electricity Generating Board (Board) and (2) Lynn Claire Hudson:-

"EXCEPT AND RESERVING UNTO the board in fee simple for the benefit of its adjoining property the boundary of which is shown by a green verge line on the said plan and as appurtenant to its undertaking

(a) The right of support from the blue land for the said property of the Board including the towers lines structures buildings and works erected or to be erected thereon

(b) All (if any) rights of drainage eavesdropping passage of light air and water and all liberties privileges and advantages now used or enjoyed (whether as easements quasi-easements or otherwise and whether or not continuous apparent or reasonably necessary) with the said property of the Board."

NOTE: Copy plan filed.

- 27 (31.08.1999) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Conveyance of the land edged and numbered 66 and 67 in blue on the title plan dated 7 August 1987 made between (1) The Central Electricity Generating Board (Vendor) and (2) Alan Joseph Hardwick and Julie Anne Hardwick (Purchasers):-

"except and reserving unto the Vendor in fee simple for the benefit of its said adjoining property shown edged blue on the said plan annexed hereto and as appurtenant to its undertaking

(a) The right for the Vendor and its successors and assigns and all persons authorised by it or them to enter upon the part of the said land two metres in width shown hatched black on the said Plan at all reasonable times and with or without workmen plant scaffolding and equipment for the purposes only of inspecting repairing maintaining and decorating the buildings walls and structures now erected or hereafter to be erected upon the said adjoining property of the Vendor shown edged blue on the said plan together with the foundations thereof the Vendor causing as little damage as possible in the exercise of such right and forthwith making good any damage so caused

(b) The right for the Vendor its successors and assigns to construct and use for the passage and running of surface water from the said adjoining property of the Vendor shown edged blue on the said plan a surface water drain in the approximate position shown by a purple line on the said Plan

A: Property register continued

TOGETHER WITH

.....
(b) The right to construct and use for the passage and running of sewage water and soil a foul sewer or drain in the approxiamate position shown by an orange line on the said Plan and to connect the same to the existing foul sewer or drain in Park Avenue

AND SUBJECT TO:

All public rights of way or otherwise and any rights of any public or other authority in respect of cables wires conduits or apparatus for telegraph telephone electricity or water supply purposes and drainage."

NOTE: Copy plan filed.

- 28 (31.08.1999) The land has the benefit of but is subject to the rights granted by a Deed dated 31 March 1990 made between (1) National Power PLC and (2) The National Grid Company PLC.

The said Deed also contains restrictive covenants.

NOTE: Original filed.

- 29 (31.08.1999) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Conveyance of the land edged and numbered 73 in blue on the title plan dated 4 October 1990 made between (1) National Power PLC (Vendor) and (2) Barlow Parish Council (Council):-

"together also with the rights contained in paragraph (A) of Clause 2 hereof together also with the right for the Council and its successors in title and all others authorised by it or the owners or occupiers for the time being of the property hereby conveyed or any part or parts thereof in common with the Vendor and all other persons so entitled to pass and repass on foot or by vehicle at all times and for all purposes connected with the use and enjoyment of the property hereby conveyed to or from the public highway over and along the roads and paths coloured brown on the plan annexed hereto but EXCEPT AND RESERVING unto the Vendors for the benefit of the Vendor's adjoining property..... (hereinafter called "the Vendors' adjacent property") the rights contained in Paragraph (B) of Clause 2 hereof together with the right to pass and repass on foot or by vehicle at all times and for all purposes connected with the use and enjoyment of the Vendors' adjacent property over and along the land coloured pink and hatched black on the plan annexed hereto

2. (A) There is included in the Conveyance FULL AND FREE RIGHT for the Council and the successors in title of the Council (in common with the Vendors and all others now entitled or hereafter to become entitled to exercise the same) to use and repair the sewers drains wires cables and pipes constructed in upon or under any part of the Vendors' adjacent property for the benefit of the property hereby conveyed TOGETHER with the right to enter upon the Vendors' adjacent property or any part thereof in exercise of the said right making good any damage thereto resulting from the exercise of such right.

(B) There is excepted and reserved from this Conveyance unto the Vendors and their successors in title in fee simple.

the FULL AND FREE RIGHT (in common with the Council and all others now entitled or hereafter to become entitled to exercise the same) for the

A: Property register continued

Vendors and their successors in title or owners or occupiers for the time being of the Vendors' adjacent property or any part thereof to lay, use and repair the sewers drains wires cables pipes in upon or under the property hereby conveyed for the benefit of the Vendors' adjacent property TOGETHER with the right to enter upon the property hereby conveyed in exercise of the said right making good any damage to the property hereby conveyed resulting from the exercise of such right."

NOTE: The paths coloured brown referred to are hatched mauve on the title plan. The land coloured pink hatched black referred to is cross hatched mauve on the title plan.

- 30 (31.08.1999) The land edged and numbered 1,46,100,101 and 102 in blue on the title plan has the benefit of the following rights granted by a Deed of Exchange thereof dated 28 March 1991 made between (1) Dan Lobley and (2) National Power PLC:-

"TOGETHER ALSO WITH the benefit of a right of way at all times and for all purposes with or without motor vehicles over the route shown with the broken brown line on plan 3 attached hereto."

NOTE: Copy plan filed under NYK105115.

- 31 (31.08.1999) The Conveyance dated 8 August 1991 referred to in the Charges Register contains the following provision:-

"(i) The Purchasers release the Board from all obligations to provide or maintain accomadation and other works (including fencing) for the benefit of the adjoining land of the Purchasers and indemnify the Board against any liability in respect thereof

(ii) the Purchasers indemnify the Board from and against any liability in respect of any culverts and the bridge over the drain on the property."

- 32 (06.02.2003) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

- 33 (06.02.2003) The land has the benefit of the following rights reserved by the Transfer dated 27 January 2003 referred to in the Charges Register:-

"Rights reserved for the benefit of the Retained Land

1. The free and uninterrupted right of passage and running of services through and along the conducting media now or to be laid in on over or under the Property subject to the Transferor or its successors in title paying a fair proportion of the cost of keeping the conducting media in good repair and condition.

2. The right to enter onto the Property so far as may be reasonably necessary on giving reasonable prior notice (except in the case of emergency) for the purpose of laying inspecting repairing maintaining and renewing the conducting media and any building or boundary wall erected on the Retained Land the person or persons exercising such rights doing as little damage to the Property and causing as little inconvenience to the Transferee or its successors in title as reasonably practicable and making good forthwith all damage occasioned therby.

3. To the extent that any building on the Retained Land is attached to any building on the Property a right of lateral support for such building from the building erected on the Property

A: Property register continued

4. The right to have the foundations eaves roofs gutters fall pipes and any other such projection of the buildings now erected or to be erected on the Retained Land underlying or overhanging the Property.

5. All rights of passage of light and air now used to enjoy (whether as easements quasi easements or otherwise and whether or not continuous apparent or reasonably necessary) by the Retained Land over the Property."

34 (04.03.2004) The hatched brown on the title plan is no longer of any significance and should be ignored since the entries in the register which gave rise to the reference have been cancelled.

35 (04.03.2004) The land has the benefit of the following rights reserved by the Transfer dated 30 January 2004 referred in the Charges Register:

" Part 2

The Transferor excepts and reserves for the benefit of the Retained Property the following rights:-

(1) For the Transferor its successors in title the owners and occupiers for the time being of the Retained Property and persons authorised by the Transferor at all times by day or night to pass and repass with or without motor vehicles to and from the Retained Property for all purposes connected with the use and enjoyment of the Retained Property and each and every part thereof over and along the road known as Stable Road shaded brown on the plan

(2) The free and uninterrupted right of passage and running of the Services through and along the Conducting Media now or to be laid in on over or under the Property

(3) The right to enter onto the Property so far as may reasonably be necessary on giving reasonable prior notice (except in the case of emergency when no notice shall be required) for the purpose of laying inspecting repairing maintaining and renewing the Conducting Media and any building or boundary wall erected on the Retained Property the person or persons exercising such rights doing as little damage to the Property and causing as little inconvenience to the Transferee or its successors in title as reasonably practicable and making good forthwith all damage occasioned thereby"

NOTE: Copy plan filed.

36 (11.10.2007) The title plan has been amended as to the boundary lying to the west of New Road.

37 The references numbered 109 and 110 in blue on the title plan are no longer of any significance and should be ignored since the entries in the register which gave rise to the references have been cancelled.

38 (14.08.2014) The land has the benefit of the rights reserved by but is subject to the rights granted by the Transfer dated 27 May 2014 referred to in the Charges Register.

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (19.01.2004) PROPRIETOR: DRAX POWER LIMITED (Co. Regn. No. 04883589) of Drax Power Station, Drax, Selby YO8 8PJ.
- 2 (19.01.2004) The value as at 19 January 2004 was stated to be over £1,000,000.
- 3 (19.01.2004) The Conveyance dated 20 February 1967 referred to in the Charges Register contains purchasers personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

- 4 (19.01.2004) A Conveyance of the land edged and numbered 13 in blue on the title plan dated 10 May 1968 made between (1) The County Council of the West Riding of Yorkshire (Council) and (2) The Central Electricity Generating Board (Purchaser) contains purchaser's personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

- 5 (19.01.2004) The Conveyance dated 27 June 1969 referred to in the Charges Register contains purchasers personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

- 6 (19.01.2004) The Conveyance dated 8 August 1991 referred to in the Charges Register contains purchasers personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

- 7 (19.01.2004) A Deed of Indemnity dated 30 November 1999 made between (1) National Power Drax Limited and (2) National Power PLC contains personal covenants.

NOTE 1: Original filed

NOTE 2: Copies filed

NOTE 3: The land in titles NYK61814, NYK112477 and NYK105115 now forms part of the land in this title

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.

- 8 (19.01.2004) A Transfer of the land in this title dated 22 December 2003 made between (1) Drax Power Limited and (2) Drax Opco Limited contains purchasers personal covenants.

NOTE: Copy filed.

B: Proprietorship register continued

- 9 (09.01.2013) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 20 December 2012 in favour of Deutsche Bank AG referred to in the Charges Register.
- 10 (26.05.2017) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 5 May 2017 in favour of Deutsche Bank AG referred to in the Charges Register or their conveyancer.
- 11 (08.05.2018) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 26 April 2018 in favour of DEUTSCHE BANK AG (LONDON BRANCH) referred to in the Charges Register or their conveyancer.
- 12 (17.01.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 21 December 2018 in favour of Deutsche Bank AG referred to in the Charges Register or their conveyancer.
- 13 (14.11.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 24 July 2019 in favour of Deutsche Bank Ag referred to in the Charges Register.
- 14 (01.02.2021) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 18 August 2020 in favour of Deutsche Bank AG referred to in the Charges Register or their conveyancer.

Schedule of personal covenants

- 1 The following are details of the personal covenants contained in the Conveyance dated 20 February 1967 referred to in the Proprietorship Register:-

"The Purchasers hereby covenant with the Vendor as follows:-

 - (1) To complete the construction of a metalled road over those parts of Ordnance Survey Parcels numbered 142 153 153a and 153b hereby conveyed
 - (2) To inform the Vendor in the event of any damage being caused to any underground drain in the course of the development being undertaken by the Purchasers or as a result of the maintenance of the works being carried out by the Purchasers and to make good from time to time any such damage to the satisfaction of the Vendor,"
- 2 The following are details of the personal covenants contained in the Conveyance dated 10 May 1968 referred to in the Proprietorship Register:-

"2, THE Council hereby covenants with the Purchaser that the Council and its successors in title will maintain the quick thorn hedge situate on the north western boundary of the said land for a period of Five years from the First day of March one thousand nine hundred and sixty six

Schedule of personal covenants continued

THE Purchaser hereby covenants with the Council that the Purchaser and its successors in title will maintain the existing post and four rail fence situate on the north western boundary of the said land and will also maintain the said quick thorn hedge after the Council's obligations have ceased as set out in clause 2 hereof."

- 3 The following are details of the personal covenants contained in the Conveyance dated 27 June 1969 referred to in the Proprietorship Register:-

"The Purchasers hereby release the Vendors from all obligations (if any) to provide or maintain accommodation works or fencing on the property hereby conveyed for the benefit of any adjoining land of the Purchasers and hereby covenant with the Vendors to maintain any accommodation works and fencing on the property hereby conveyed made for the benefit of the remainder of the lands immediately adjoining the same and to indemnify the Vendors from and against any liability for such maintenance.

THE Purchasers hereby further covenant with the Vendors as follows :-

(a) At their own expense within six months of the date hereof and to the satisfaction of the Vendors to erect and at all times thereafter to maintain fences of a design to be approved by the Vendors (such approval not to be unreasonably withheld) between the points marked A and B and between the points marked C and D on the plan annexed hereto

(b) That in the case of default by the Purchasers in maintaining the said accommodation works and the said fences pursuant to their covenants in that behalf herein contained they will repay to the Vendors on demand the cost incurred by the Vendors in carrying out any necessary maintenance to such accommodation works and fences."

NOTE: The points A,B,C and D referred to are shown by points W,X,Y and Z respectively on the title plan.

- 4 The following are details of the personal covenants contained in the Conveyance dated 8 August 1991 referred to in the Proprietorship Register:-

"THE Purchasers covenant with the Board to perform the stipulations set out in the Schedule hereto

THE SCHEDULE

The Purchasers covenant with the Board as follows:-

(i) within three months of the date hereof to erect and afterwards maintain a fence of wooden post and four rail construction between the points marked A-B on the plan

(ii) at all times to maintain repair and cleanse all drains culverts and watercourses situate on the property if any."

NOTE: The north eastern boundary of the land edged and numbered 45 in blue on the title plan comprises the boundary between points A and B referred to.

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 (31.08.1999) By a Conveyance dated 20 June 1923 made between (1) Sir W G Armstrong Whitworth and Company Limited (Vendors) (2) William Lisle Bentham and others and (3) Harold Otho Lobley the land edged and numbered 1 and 46 in blue on the title plan and other land was conveyed subject as follows:-

"Subject to

the reservations covenants and restrictions contained in an Indenture dated the Thirteenth day of August One thousand nine hundred and thirteen made between The Right Honourable William Francis Henry Earl of Londesborough of the first part Edmund Royds Patrick William Evelyn Scott George Herbert Evans and Cecil Lloyds Anstruther of the second part and the Vendors of the third part."

NOTE: No further details of the Deed dated 13 August 1913 were supplied on first registration.

- 2 (31.08.1999) A Conveyance of the land edged and numbered 2 and 3 in blue on the title plan and other land dated 6 April 1936 made between (1) Robert Huchinson and Cuthbert Morrell (Vendors) and (2) Richard Liddle Walker (Purchasers) contains the following covenants:-

"The Purchaser covenants with the Vendors that he the Purchaser will not at any time hereafter excavate or disturb or permit to be excavated or disturbed the graves of persons buried in the Quakers Burial Ground marked on the said plan and that he the Purchaser will not remove or interfere with or permit to be removed or interfered with the Grave Stones in such Quakers Burial Ground."

NOTE: The Quakers Burial Ground referred to is edged and numbered 3 in blue on the title plan.

- 3 (31.08.1999) By a Conveyance dated 11 January 1939 made between (1) British Breda Silk Limited (Vendor) and (2) His Majesty's Principal Secretary Of State For The War Department (the Secretary of State) the land edged and numbered 21,22,23,24,25,43,44,47,50,58,60,61,62,87,88,89 and 108 in blue on the title plan and other land was conveyed subject as follows:-

"Subject as to the parts thereof (if any) respectively subject thereto to the following annual payments (that is to say) the sum of Ten pounds to the Incumbent of Selby the sum of Thirty pounds to the Vicar of Brayton and the sum of Forty one pounds four shillings and eight pence to Mr. Humphrey Brook Firman but with the benefit of the covenants for indemnity contained in the said Indentures mentioned in the Second Schedule hereto against all proceedings costs claims and expenses on account of any omission by the said Earl of Londesborough his heirs and assigns owners for the time being of the residue of the said Earl of Londesborough's Selby Estate (upon which estate the said annual payments were by the said Indentures thenceforth charged in exoneration of the property hereby conveyed).

SECOND SCHEDULE

22 July 1913

CONVEYANCE of this date made between the said Earl of Londesborough of the one part and Arthur Fenteman of the other part.

23 July 1913

CONVEYANCE of this date made between the said Earl of Londesborough of the one part and Walter Shepherd of the other part.

C: Charges register continued

30 July 1913 CONVEYANCE of this date made between the said Earl of Londesborough of the first part Edmund Royds Patrick William Evelyn Scott George Herbert Evans and Cecil Lloyd Anstruther of the second part and William Wood of the third part.

13 August 1913 CONVEYANCE of this date made between the said Earl of Londesborough of the first part Edmund Royds Patrick William Evelyn Scott George Herbert Evans and Cecil Lloyd Anstruther of the second part and Sir W.G. Armstrong Whitworth and Company Limited of the third part.

15 August 1913 CONVEYANCE of this date made between the said Earl of Londesborough of the one part and Thomas Almack and Ada Mary Almack of the other part.

NOTE: No further particulars of the payments referred to nor of the said Conveyances were lodged on first registration.

- 4 (31.08.1999) The parts of the land affected thereby are subject to the following rights granted by a Conveyance of land lying to the south of the land edged and numbered 11,12,78 and 98 in blue on the title plan dated 3 April 1951 made between (1) Bertha Bouskill and Horace Bouskill (Vendors) and (2) Fred Burton (Purchaser):-

TOGETHER with a right of way in common with the Vendors and all persons entitled thereto with or without horses cattle carts motors and other vehicles for all purposes to and from Brigg Lane over and along the accommodation road coloured green on the said plan the upkeep of the said accommodation road being the sole liability of the Purchaser.

NOTE: The accommodation road coloured green referred to is tinted blue on the title plan so far as it falls in the land in this title.

- 5 (31.08.1999) The land edged and numbered 4 and 5 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 23 March 1965 made between (1) Percival Chatterton Thompson C.B.E. (Vendor) and (2) The Central Electricity Generating Board:-

"EXCEPT AND RESERVED unto the Vendor and his successors in title for the benefit of the adjoining property retained by him on the North and South sides of the land hereby conveyed FULL AND FREE RIGHT AND LIBERTY for the Vendor and his successors in title and his and their tenants and occupiers for the time being of the adjoining property and all persons authorised by him or them to pass and repass with or without horses or other animals or vehicles of all descriptions across the land hereby conveyed but so however that the weight of any such vehicles shall not exceed Ten tons when fully laden AND ALSO full and free right and liberty for the passage of surface water through the land drains now laid or hereafter to be laid under the land hereby conveyed."

- 6 (31.08.1999) The land edged and numbered 6 and 7 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 20 May 1965 made between (1) Clifford Walker (Vendor) and (2) The Central Electricity Generating Board:-

"Except and reserved unto the Vendor and his successors in title a right of

C: Charges register continued

way at all times and for all purposes over and along the strip of land shown coloured green on the said plan."

NOTE: The land coloured green referred to is edged and numbered 7 in blue on the title plan.

- 7 (31.08.1999) The land edged and numbered 8,9,10 and 85 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 8 July 1965 made between (1) Martha Shipley and Phyllis Elizabeth Fretwell and (2) The Central Electricity Generating Board:-

"there is excepted and reserved all rights of way water light and other easements as are now subsisting."

- 8 (31.08.1999) The land edged and numbered 11,12,78 and 98 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 19 July 1965 made between (1) Bertha Bouskill (Vendor) and (2) The Central Electricity Generating Board:-

"EXCEPTING AND RESERVING to the Vendor and her successors in title the owner or occupiers for the time being of all or any part of that portion of Oak Farm which lies to the south of the land hereby conveyed and also their respective servants and licensees (in common with all other persons (if any) having the like rights) a right of way at all times and for all purposes with or without vehicles and animals over and along the accommodation roads coloured blue and green on the plan attached hereto between Brigg Lane and the railway line."

NOTE: The accommodation road coloured green referred to is tinted blue on the title plan so far as it falls in the land in this title. The accommodation road coloured blue referred to adjoins the most westerly western boundary of the land edged and numbered 11,12,78 and 98 in blue on the title plan.

- 9 (31.08.1999) A Conveyance of the land edged and numbered 13 in blue on the title plan and other land dated 16 February 1966 made between (1) Bentleys Yorkshire Breweries Limited (Company) (2) Frank Milligan Watson and Baring Brothers & Co. Limited and (3) The County Council of the West Riding Of Yorkshire (Council) contains the following covenants:-

"The Council hereby covenant with the Company that they the Council will:

Not carry on any trade manufacture or business for the sale of beer or spirituous liquors on so much of the said plot of land as is not utilised in the construction of the proposed road or in any buildings now or hereafter to be erected thereon."

- 10 (31.08.1999) The land edged and numbered 26,27,28 and 57 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 20 February 1967 made between (1) Brigadier Ian Darsie Watson (Vendor) and (2) The Central Electricity Generating Board (Purchasers):-

"EXCEPT AND RESERVING out of the Conveyance hereby made the right for the Vendor his Agent licencees and successors in title to pass and repass with or without agricultural equipment and vehicles the gross laden weight of which shall not be more than Ten tons over those portions of the Ordnance Survey Parcels numbered 123 128 128a and 143 hereby conveyed but subject nevertheless to any obstructions which may result from the development being undertaken by the Purchasers TO HOLD the same EXCEPT AND RESERVED as aforesaid unto the Purchasers in fee simple subject nevertheless to the Purchasers (a) completing the construction of a metalled road over those portions of the Ordnance Survey Parcels numbered 142 153 153a and 153b

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which are included in the property hereby conveyed the Vendor his agents licensees and successors in title having the right to use such road with or without vehicles and agricultural equipment in order to get to and from the adjoining land retained by the Vendor and (b) making good so much of the top soil of the portions of the Ordnance Survey Parcels numbered 123 128 128a 143 142 153 153a and 153b as shall be possible without detriment to the development being undertaken by the Purchasers and (c) filling in those parts of the two dykes between the Ordnance Survey Parcels numbered 153 and 153a and 153a and 153b (the same being shown coloured blue on the plan hereto annexed) which traverse the property hereby conveyed the Vendor undertaking to use his best endeavours to obtain the consent of the appropriate Drainage Authorities to the regrading of the said dykes with a view to their discharging into the drain shown on the said plan known as Lendall Drain the Vendor at the cost of the Purchasers and subject only to all needful consents and approvals being secured hereby undertaking to regrade such dykes as aforesaid."

NOTE: Copy plan filed.

- 11 (31.08.1999) The parts of the land affected thereby are subject to the following rights granted by a Deed of Exchange of the land edged and numbered 14 and 15 in blue the title plan dated 27 October 1967 made between (1) Walter Burton (First Party) and (2) The Central Electricity Generating Board:-

"TOGETHER with the benefit of the right for the First Party and his successors in title owners or occupiers for the time being of all or any portion of the said property now in description and also their respective servants and licensees (in common with all other persons having like rights) of a right of way at all times and for all purposes with or without vehicles and animals over and along such part of the accommodation road as is coloured green on the said plan annexed hereto."

NOTE: The accommodation road coloured green referred to is hatched blue on the title plan.

- 12 (31.08.1999) The land edged and numbered 16 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 27 March 1969 made between (1) Robert Wild (2) Yorkshire Bank Limited and (3) The Central Electricity Generating Board:-

"subject to all rights of way and other easements (if any) now affecting the same."

- 13 (31.08.1999) The land edged and numbered 17,18,29,30,31,32,33,34,74, 75 and 76 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 23 June 1969 made between (1) The British Railways Board (Board) and (2) The Central Electricity Generating Board (Purchasers):-

"EXCEPT AND RESERVING unto the Board the right to enter on the property for the purpose of inspecting and if necessary in the opinion of the Board for repairing and maintaining any accommodation works and fences.

PROVIDED ALWAYS and it is hereby agreed and declared as follows that the Board shall exercise the rights hereby excepted and reserved only when accompanied by a representative of the Purchasers whose reasonable directions shall be complied with and in conformity of all rules regulations or orders relating to sites maintained by the Purchasers and on each occasion on which the Board wish to exercise such rights they should make firm arrangements with the Purchasers and in so doing the Board shall

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cause as little inconvenience to the Purchasers as possible and shall make good any damage thereby occasioned to the Purchasers adjoining land."

- 14 (31.08.1999) The land edged and numbered 19,20,80,81,82,83,86 and 107 on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 27 June 1969 made between (1) British Railways Board (Vendors) and (2) The Central Electricity Generating Board (Purchasers):-

"EXCEPT AND RESERVING unto the Vendors the right upon giving the Purchasers reasonable notice to enter on the property hereby conveyed for the purpose of inspecting and if necessary in the opinion of the Vendors for maintaining any accommodation works and fences hereinafter mentioned following upon default by the Purchasers in maintaining the same pursuant to the covenants on their part in that behalf hereinafter contained."

NOTE: The covenants referred to are set out in the Schedule of Personal Covenants hereto.

- 15 (31.08.1999) A Conveyance of the land edged and numbered 21,22,23,24 and 88 in blue on the title plan and other land dated 10 October 1972 made between (1) The Secretary of State for Defence (Vendor) and (2) The Central Electricity Generating Board (Purchaser) contains the following covenants:-

The Purchaser hereby covenants with the Vendor to the intent that the burden of this covenant may run with and bind the property hereby conveyed and every part thereof into whosoever hands the same may come and to the intent that the benefit thereof may be annexed to and run with the retained land and every part thereof that neither the property hereby conveyed nor any part thereof shall be used for any noisy noxious or offensive trade or business or for any purpose which may be or become a nuisance damage or annoyance to the Vendor or other the owners or occupiers for the time being of the retained land or any part thereof."

- 16 (31.08.1999) The land edged and numbered 21,22,23,24 and 88 in blue on the title plan is subject to the following rights reserved by the Conveyance dated 10 October 1972 referred to above:-

"RESERVING in fee simple out of this Conveyance for the benefit of so much of the adjoining or neighbouring land of the Vendor as is not comprised in this Conveyance and is shown edged green on the plan No. 2 annexed hereto (hereafter called "the retained land") and the estate owner or owners for the time being of the retained land and the occupiers thereof the following things and rights that is to say:-

The cables wires pipes drains and channels in or over the property hereby conveyed and serving the retained land and the right to the free passage of electricity gas water and soil through the same to and from the retained land together with all appropriate easements rights and privileges for repairing maintaining renewing and removing the same."

NOTE: Copy plan filed.

- 17 (31.08.1999) The part of the land affected thereby is subject to the rights granted by a Deed of Grant dated 16 September 1974 made between (1) The

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Central Electricity Generating Board and (2) The Council for the District of Selby.

NOTE 1: The land coloured green referred to is shown by a blue broken line on the title plan

NOTE 2: Original filed.

- 18 (31.08.1999) The part of the land affected thereby is subject to the rights granted by a Deed of Grant dated 16 September 1974 made between (1) The Central Electricity Generating Board and (2) The Council for the District of Selby.

NOTE 1: The land coloured red referred to is shown by a yellow broken line on the title plan

NOTE 2: Original filed.

- 19 (31.08.1999) A Conveyance of the land edged and numbered 25, 44 and 108 in blue on the title plan and other land dated 9 October 1974 made between (1) The Secretary of State for Defence (Vendor) and (2) The Central Electricity Generating Board (Purchaser) contains the following covenants:-

"THE Purchaser hereby covenants with the Vendor to the intent that the burden of this covenant may run with and bind the property hereby conveyed and every part thereof into whosoever hands the same may come and to the intent that the benefit thereof may be annexed to and run with the retained land and every part thereof :-

That neither the property hereby conveyed nor any part thereof shall be used for any noisy noxious or offensive trade or business or for any purpose which may be or become a nuisance damage or annoyance to the Vendor or other the owners or occupiers for the time being of the retained land or any part thereof PROVIDED ALWAYS that the use of the property hereby conveyed or any part thereof in a proper manner for the purposes of the Purchaser's undertaking shall not constitute a breach of this covenant or give rise to any claim by the Vendor or other the person or persons entitled to the benefit of this covenant against the Purchaser thereunder."

- 20 (31.08.1999) The land edged and numbered 25, 44 and 108 in blue on the title plan is subject to the following rights reserved by the Conveyance dated 9 October 1974 referred to above:-

"RESERVING in fee simple out of this Conveyance for the benefit of so much of the adjoining or neighbouring land of the Vendor as is shown edged green on the said plan (hereinafter called "the retained land") and the estate owner or owners for the time being of the retained land and the occupiers thereof (i) a right of way at all times and for all purposes with or without vehicles over and along the roadway coloured brown on the said plan between the points marked C-E thereon..... (iii) the installations serving the retained land specified in the Schedule hereto and all other cables wires pipes drains and channels (if any) now installed in or over the property hereby conveyed and serving the retained land (iv) the right in common with all other persons so entitled to the free passage of electricity gas water and soil to and from the retained land through the said installations and any such cables wires pipes drains and channels as aforesaid or through such installations cables wires pipes drains and channels as may from time to time during the period of eighty years from the date hereof be provided by the Purchaser or its successors in title upon the property hereby conveyed in substitution for the same (as it or

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they are hereby empowered to do) together with all appropriate easements rights and privileges for repairing maintaining renewing and removing the said installations and any such cables wires pipes drains and channels as aforesaid or any installations cables wires pipes drains and channels substituted for the same as aforesaid

THE SCHEDULE above referred to

The watercourse in Carr Lane in the approximate position shown by a broken blue line in the plan annexed hereto between the points marked E-F thereon."

NOTE: Copy Conveyance plan filed.

- 21 (31.08.1999) The land edged and numbered 46,47 and 100 in blue on the title plan is subject to the rights granted by a Deed of Grant dated 21 January 1980 made between (1) Dan Lobley and (2) Yorkshire Water Authority.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed under NYK105115.

- 22 (31.08.1999) The land edged and numbered 48 and 49 in blue on the title plan is subject to the rights granted by a Deed of Grant dated 11 February 1980 made between (1) Brigadier Ian Darsie Watson and (2) Yorkshire Water Authority.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Original filed under NYK61824.

- 23 (31.08.1999) A Conveyance of the land edged and numbered 43 in blue on the title plan dated 21 May 1982 made between (1) The Secretary of State for Defence (Vendor) and (2) The Central Electricity Generating Board (Purchaser) contains the following covenants:-

THE Purchaser hereby covenants with the Vendor to the intent that the burden of this covenant may run with and bind the property hereby conveyed and every part thereof into whosoever hands the same may come and to the intent that the benefit thereof may be annexed to and run with the retained land and every part thereof that neither the property hereby conveyed or any part thereof shall be used for any noisy noxious or offensive trade or business or for any purpose which may be or become a nuisance damage or annoyance to the owner or occupiers for the time being of the retained land or any part thereof PROVIDED ALWAYS that the use of the property hereby conveyed or any part thereof in a proper manner for the purposes of the Purchaser's undertaking shall not constitute a breach of this covenant or give rise to any claim by the Vendor or other the person or persons entitled to the benefit of this covenant against the Purchaser hereunder.

THE Purchaser hereby covenants with the Vendor to the intent that the benefit of this covenant may be annexed to and run with the retained land and each and every part thereof:-

Within Six months of completion where necessary to erect and for ever after maintain good and substantial fences to the satisfaction of the Vendor on

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those boundaries of the property hereby conveyed lying between the points marked K-L-M on the said plan."

NOTE 1: The part of the retained land not included in this title is edged and numbered 51,52,53,54,55,56,59,63,67,70,72,73,90,91,92,93,94,95,96,104 and 105 in blue on the title plan

NOTE 2: The points K-L-M referred to are shown by points A-B-C respectively on the title plan.

- 24 (31.08.1999) The land edged and numbered 57 in blue on the title plan is subject to the rights granted by a Deed of Grant dated 23 June 1982 made between (1) The Central Electricity Generating Board and (2) Yorkshire Water Authority.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Original filed.

- 25 (31.08.1999) The land edged and numbered 58 in blue on the title plan is subject to the rights granted by a Deed of Grant of Easement dated 26 July 1982 made between (1) The Secretary of State for Defence and (2) Yorkshire Water Authority.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Original filed.

- 26 (31.08.1999) The land edged and numbered 60,61 and 89 in blue on the title plan is subject to the following rights granted by a Conveyance of Park House, Park Lane, Barlow dated 28 July 1982 made between (1) The Secretary of State for Defence (Vendor) and (2) Gordon Alexander Hanley and Carolyn Hanley (Purchasers):-

"together with the rights set out in the Schedule hereto.

THE SCHEDULE above referred to

(Rights granted to the Purchasers)

(a) the right in common with all others now or hereafter entitled to the like right to the free passage and running of electricity water and soil from the said property in and through all cables wires pipes channels mains sewers and drains (if any) serving the said property and lying and being in over or under the retained land subject to the Purchasers paying a fair proportionate part of the cost of repairing maintaining and if necessary renewing or relaying the said cables wires pipes drains mains sewers and channels."

NOTE: The land edged and numbered 60,61 and 89 in blue on the title plan comprises that part of the retained land falling in the land in this title.

- 27 (31.08.1999) A Conveyance of the land edged and numbered 60,61 and 89 in blue on the title plan and other land dated 7 December 1983 made between (1) The Secretary of State for Defence (Vendor) and (2) The Central Electricity Generating Board (Purchaser) contains the following covenants:-

"The Purchaser hereby covenants with the Vendor to the intent that the burden of this covenant may run with and bind the Property and every part thereof into whosoever hands the same may come and to the intent that the

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benefit thereof may be annexed to and run with the Retained Land and every part thereof

that neither the Property nor any part thereof shall be used for any noisy noxious or offensive trade or business or for any purpose which may be or become a nuisance damage or annoyance to the Vendor or other the owners or occupiers for the time being of the Retained Land or any part thereof Provided always that the use of the Property or any part thereof in a proper manner as roads a community centre licensed social club and public open space shall not constitute a breach of this covenant or give rise to any claim by the Vendor or other the person or persons entitled to the benefit of this covenant against the Purchaser thereunder."

- 28 (31.08.1999) The parts of the land affected thereby are subject to the following rights granted by a Conveyance of the sewage works edged and numbered 64 in blue on the title plan dated 20 November 1985 made between (1) The Secretary of State for Defence and (2) Yorkshire Water Authority:-

"Together with

(a) the benefit of the rights

(i) in respect of the roadways shown coloured brown on the plan reserved out of the Conveyances specified in Part I of the Schedule and

(ii) in respect of the said mains and pipes reserved out of the Conveyances specified in Part I and in Part II of the Schedule and

(iii) reserved out of the Conveyance specified in Part III of the Schedule so far as such rights relate to or affect the mains and pipes shown by blue lines between points A-B on the plan."

NOTE 1: The Conveyances dated 10 October 1972, 9 October 1974 and 21 May 1982 referred to in the Property and Charges Registers are the Conveyances specified in the Schedule referred to so far as they affect the land in this title. The Conveyance dated 10 October 1972 is set out in Part II of the Schedule. The Conveyance dated 9 October 1974 is set out in Part I of the Schedule. The Conveyance dated 21 May 1982 is set out in Part III of the Schedule

NOTE 2: Copy plan filed.

- 29 (31.08.1999) By a Conveyance dated 14 May 1986 made between (1) The Secretary of State for Defence (Vendor) and (2) The Central Electricity Generating Board the land edged and numbered 47,50,58,62 and 87 in blue on the title plan and other land was conveyed subject as follows:-

"Subject Also to all rights and privileges in the nature of rights of light air water drainage passage and all other like liberties privileges easements and quasi-easements hitherto used and enjoyed over on or through the property or any part thereof without any liability on the part of the Vendor to define the same."

- 30 (31.08.1999) A Conveyance of the land edged and numbered 68,69 and 70 in blue on the title plan dated 14 September 1987 made between (1) The Central Electricity Generating Board and (2) Yorkshire Water Authority contains restrictive covenants by the Vendor.

NOTE: Original filed.

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- 31 (31.08.1999) The land is subject to the rights granted by the Conveyance dated 14 September 1987 referred to above.
- 32 (31.08.1999) An Agreement dated 30 March 1990 made between (1) The Central Electricity Generating Board and (2) The Yorkshire Electricity Board relates to the retention use removal relocation replacement maintenance and security of and access to assets and the provision of services on or in land in this title.

NOTE: Copy filed.

- 33 (31.08.1999) An Interface Agreement dated 30 March 1990 made between (1) The Central Electricity Generating Board and (2) The Yorkshire Electricity Board relates to the retention use removal relocation replacement maintenance and security of and access to assets and the provision of services on or in land in this title.

NOTE: Copy filed.

- 34 (31.08.1999) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 35 (31.08.1999) An Interface Agreement dated 31 March 1990 made between (1) The National Grid Company PLC and (2) National Power PLC relates to the retention use removal relocation replacement maintenance and security of and access to assets and the provision of services on or in land in the title.

NOTE: Copy filed under HS270485.

- 36 (31.08.1999) An Agreement dated 31 March 1990 made between (1) National Power PLC (2) Powergen PLC (3) Nuclear Electric PLC and (4) The National Grid Company PLC relates to berthing facilities and the loading and unloading and transportation of cargoes from vessels.

NOTE: Copy filed.

- 37 (31.08.1999) The land is subject to the rights granted by a Deed of Grant dated 31 March 1990 made between (1) National Power PLC and (2) The National Grid Company PLC.

The said Deed also contains restrictive covenants by the grantor.

NOTE 1: Original filed

A Deed of Covenant dated 8 July 1999 made between (1) National Power Drax Limited and (2) The National Grid Company PLC contains a covenant and release of the obligations and covenants contained in the Deed dated 31 March 1990 referred to above upon the terms as therein mentioned.

NOTE 2: Copy filed.

- 38 (31.08.1999) The land edged and numbered 45 in blue on the title plan is subject to the following rights reserved by a Conveyance thereof dated 8 August 1991 made between (1) British Railways Board (Board) and (2) National Power PLC (Purchasers):-

"THERE is reserved unto the Board the right at all reasonable times to enter onto the property with or without workmen machinery and plant to obtain access to and egress from their retained land such right to cease upon such the Board disposing of such retained land

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THIS Conveyance is:-

.....
subject to all rights of way whether public or private affecting the property in particular that part of the property shown coloured blue hatched blue being a public highway".

NOTE: The land coloured blue hatched blue referred to is the part of Carr Lane included in the land edged and numbered 45 in blue on the title plan.

- 39 (31.08.1999) The land edged and numbered 74,75 and 76 in blue on the title plan is subject to the following rights granted by a Transfer of the land adjoining the northern boundary thereof and other land dated 13 January 1998 made between (1) National Power PLC (Vendor) and (2) North Yorkshire County Council (Council):-

"TOGETHER ALSO with the right for the Council to construct an embankment to support the highway on the adjoining land to maintain that embankment and to enter upon and excavate in the embankment in 6184 square metres of the said disused railway line and shown coloured blue on the said plan."

NOTE: The land shown coloured blue referred to is edged and numbered 74, 75 and 76 in blue on the title plan.

- 40 (17.12.1999) An Overage Deed relating to the land edged and numbered 10,12,19,77,79,80,81,84 and 86 in blue on the title plan dated 30 November 1999 made between (1) National Power Drax Limited and (2) National Power PLC contains provisions relating to the payment of additional moneys as therein mentioned which will subsist for a period of 10 years from 30 November 1999

NOTE: Copy filed.

- 41 (06.02.2003) The land is subject to the following rights granted by a Transfer of the land edged and numbered NYK276618 in green on the title plan dated 27 January 2003 made between (1) AES Drax Power Limited (Transferor) and (2) Stephen Hudson and Jacqueline Smith (Transferee):-

"Rights granted for the benefit of the Property

1. The right to enter on to the Retained Land so far as may be reasonably necessary on giving reasonable prior notice (except in the case of emergency when no notice shall be required) for the purpose of constructing repairing maintaining and renewing the boundary wall to be erected on the Property the person or persons exercising such right doing as little damage to the Retained Land and causing as little inconvenience to the Transferor or its successors in title as reasonably practicable and making good forthwith all damage occasioned thereby

Definitions

Retained Land - means all the remaining land (excluding the Property) comprised in title number NYK223464 and each and every part thereof"

- 42 (14.08.2003) The parts of the land affected thereby are subject to the rights granted by a Transfer of the land edged and numbered NYK283977 in green on the title plan dated 1 July 2003 made between (1) AES Drax Power Limited and (2) Yorkshire Electricity Distribution PLC.

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The said Transfer also contains restrictive covenants by the Transferor.

NOTE: Copy filed under NYK283977.

- 43 (22.12.2003) The land is subject to the following rights granted a Transfer of the land edged and numbered NYK288821 in green on the title plan dated 17 November 2003 made between (1) Drax Power Limited (Transferor) and (2) DJG Developments Limited (Transferee):-

"DEFINITIONS

"the Retained Land": Drax Power Station, Drax, being all the land registered under title number NYK223464 as is not comprised in the Property

"the Perpetuity Period" the period of eighty years from the date of this Transfer which shall be the Perpetuity Period for the purposes of the Perpetuity Period and Accumulations Act 1964

13.1 The Property is transferred to the Transferee with the benefit of the following rights:

Rights in common with the Transferor and all other persons who have or may have the like rights

13.1.1 the free and uninterrupted right to passage and running of gas water electricity and other appropriate services ("the Services") including water and soil through and along the pipes cables sewers drains and other conducting media ("the Conducting Media") now or to be laid in or over or under the Retained Land within the Perpetuity Period subject to approval by the Transferor of the plans identifying the siting and specifications thereof the Transferee paying for the cost of installation of the Services and thereafter a fair proportion of the cost of keeping the Conducting Media in good repair and condition

13.1.2 to enter upon any part of the Retained Land so far as may be reasonably necessary on giving reasonable prior notice (except in case of emergency when no notice shall be required) for the purpose of laying inspecting repairing maintaining and renewing the conducting media and any boundary wall or buildings erected on the Property the person or persons exercising such rights doing as little damage to the Retained Land and causing as little inconvenience to the Transferor or his successors in title as reasonably practicable and making good forthwith all damage occasioned thereby"

- 44 (04.03.2004) The land is subject to the following rights granted by a Transfer of the land edged and numbered NYK291949 in green on the title plan dated 30 January 2004 made between (1) Drax Power Limited (Transferor) and (2) Church Hill Developments Limited (Transferee):

"In this clause unless the contrary intention appears the following definitions apply:-

Retained Property - means the remainder of land in Title No: NYK223464

Perpetuity Period - means for the purposes of the rights granted and excepted and reserved the perpetuity period for the vesting in possession of future rights is 80 years from the date of this Transfer

Services - means gas, water, electricity and other service media

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Conducting Media - means the pipes, cables, sewers, drains and other conducting media for the Services serving the Property and the Retained Property

Transfer and Transferee - shall include successors in title and (if appropriate) all others entitled to the like rights

Part I - Rights Granted

The Transferor grants to the Transferee for the benefit of each and every part of the Property the following rights:-

(1) the free and uninterrupted right and passage of the Services through the Conducting Media now laid or to be laid in, on, over or under such parts of the Retained Property as shall be approved by the Transferor in the Perpetuity Period subject to the approval by the Transferor of the plans identifying the siting and specifications thereof the Transferee paying for the cost of installation of the Services and thereafter a fair proportion of the cost of keeping the Conducting Media in good repair and condition

(2) the right to enter upon the Retained Property so far as may be reasonably necessary on giving reasonable prior notice (except in the case of emergency when no notice shall be required) for the purpose of laying, inspecting, repairing, maintaining or renewing the Conducting Media and any boundary wall or buildings erected on the Property the person or persons exercising such rights doing as little damage to the Retained Property as possible and causing as little inconvenience to the Transferor as reasonably practicable and making good forthwith all damage occasioned thereby

(3) a right of way at all times by day or night to pass and repass with or without motor vehicles to and from the Property for all purposes connected with the use and enjoyment of the Property and each and every part thereof over and along the road known as Park Lane shaded yellow on the plan together with a further right for the Transferee to enter upon the Retained Property to upgrade that part of Park Lane shaded yellow to the standard of a publicly maintained highway and for this purpose to bring onto the Retained Property all plant and equipment necessary to do so causing as little inconvenience to the Transferor as possible in the exercise of these rights and making good any damage caused to the Retained Property as soon as reasonably possible"

NOTE: Copy plan filed.

- 45 (09.02.2005) The land is subject to the rights granted by a Deed of Grant dated 14 January 2005 made between (1) Drax Power Limited and (2) National Grid Company plc.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

- 46 (10.02.2010) The land is subject to the rights granted by a Deed dated 4 February 2010 made between (1) Drax Power Limited (2) Yorkshire Electricity Distribution Plc and (3) John Pricket .

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed.

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- 47 (16.04.2010) Deed of Rectification dated 15 April 2010 made between (1) Drax Power Limited (2) John Prickett (3) Barclays Bank PLC and (4) Yorkshire Electricity Distribution PLC supplemental to the Deed of Grant dated 4 February 2010 referred to above.
- NOTE: Copy filed.*
- 48 (09.01.2013) REGISTERED CHARGE dated 20 December 2012.
- 49 (09.01.2013) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 50 (09.01.2013) The proprietor of the Charge dated 20 December 2012 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 51 (14.06.2013) UNILATERAL NOTICE affecting the land edged yellow on the title plan in respect of a liability to repair the chancel of St. Wilfrid's Parish Church, Brayton.
- 52 (14.06.2013) BENEFICIARY: The Parochial Church Council of St. Wilfrid's Parish Church, Brayton of St. Wilfrid's Parish Church, Doncaster Road, Brayton, Selby YO8 9HE.
- 53 (14.08.2014) A Transfer of the land edged and numbered NYK416931 in green on the title plan dated 27 May 2014 made between (1) Drax Power Limited and (2) National Grid Electricity Transmission PLC contains restrictive covenants by the Transferor.
- NOTE: Copy filed under NYK416931.*
- 54 (26.05.2017) REGISTERED CHARGE contained in a Security Amendment Agreement dated 5 May 2017.
- 55 (26.05.2017) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 56 (26.05.2017) The proprietor of the Charge dated 5 May 2017 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 57 (08.06.2018) REGISTERED CHARGE contained in a Supplemental Debenture dated 26 April 2018.
- 58 (08.06.2018) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 59 (08.06.2018) The proprietor of the Charge dated 26 April 2018 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 60 (17.01.2019) REGISTERED CHARGE contained in a Supplemental Debenture dated 21 December 2018.
- 61 (17.01.2019) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.

C: Charges register continued

- 62 (17.01.2019) The proprietor of the Charge dated 21 December 2018 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 63 (24.07.2019) REGISTERED CHARGE contained in a Supplemental Debenture dated 16 May 2019 affecting also other titles.
NOTE: Charge reference EGL566844.
- 64 (24.07.2019) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) London Branch of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 65 (14.11.2019) REGISTERED CHARGE contained in a Supplemental Debenture dated 24 July 2019 affecting also other titles.
NOTE: Charge reference ESX233433.
- 66 (14.11.2019) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) of London Branch, Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 67 (14.11.2019) The proprietor of the Charge dated 24 July 2019 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 68 (01.02.2021) REGISTERED CHARGE contained in a Debenture dated 18 August 2020 affecting also other titles.
NOTE: Charge reference ESX233433.
- 69 (01.02.2021) Proprietor: DEUTSCHE BANK AG (incorporated in Germany) (UK Regn. No. FC007615) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 70 (01.02.2021) The proprietor of the Charge dated 18 August 2020 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.
- 71 (25.04.2022) The parts of the land affected thereby are subject to the rights granted by a Lease dated 9 September 1982 referred to in the schedule of leases hereto.
NOTE: Copy lease filed under NYK375643.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	31.08.1999 edged and numbered 71 and 86 (part of) in blue (NSE)	land and buildings at Drax Power Station	30.03.1990 from 30.3.1990	999 YEARS LESS 3 DAYS
NOTE 1: By a Deed dated 2 November 1990 made between (1) The National Power				

Schedule of notices of leases continued

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
	PLC and (2) Yorkshire Electricity Group PLC the terms of the Lease were expressed to be varied.			
	<i>NOTE 2: Copy Deed filed</i>			
2	23.01.2014	land at Drax Power Station	23.12.2013	NYK412042
	edged and numbered 1 and 2 in brown		from 1.10.2013 to 31/12/2030	
	NOTE: This lease is not affected by the concurrent lease dated 16 February 2022 referred to below.			
3	03.02.2010	land lying to the south of	09.09.1982	NYK375643
	Edged and numbered 86 in blue (part of)	Brigg Lane	50 years (less 3 days) from 25 March 1979	
	NOTE: See entry in the charges Register relating to the rights granted by this lease			
4	25.04.2022	Drax Sports and Social Club	16.02.2022	NYK499352
	Edged and numbered 10, 19, 80, 84 and 85 (part of) in blue		10 years from 16 February 2022 ending on 15 February 2032	
	NOTE 1: The lease comprises also other land			
	NOTE 2: This lease is not affected by the concurrent lease dated 16 February 2022 referred to below			
5	25.04.2022	Drax Golf Course	16.02.2022	NYK494901
	Edged and numbered 11, 12, 77, 81 and 86		Ten years starting on 16 February 2022 and ending on 15 February 2032	
	NOTE: Unless otherwise stated, this lease takes effect as a concurrent lease in relation to the leases referred to above.			

End of register

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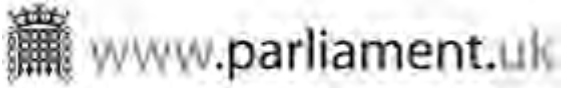
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Memorandum submitted by Drax Power Limited

INTRODUCTION

1. Drax Power Limited ("Drax") welcomes the opportunity to contribute towards the Joint Committee on Human Rights' inquiry into the human rights issues arising from policing and protest.
2. Drax is the owner of Drax Power Station, the largest power station in the UK. Drax considers this an important opportunity to share with the Committee some of the practical challenges that it has faced, and continues to face, from radical environmental protestors who have made it clear that their intention is not only to trespass onto Drax's land but also to shut down the power station.
3. Drax wishes to make clear at the outset that it recognises and supports the importance of freedom of expression and peaceful assembly in a democratic society. As such, it wishes to be clear that its concerns relate not to what happens outside the power station's perimeter fence in terms of protestors exercising their lawful right of peaceful protest. Rather, its concerns relate to the threats from a radical minority of protestors who are determined to enter the power station and shut it down.

DRAX'S SPECIFIC CONCERNS REGARDING TRESPASS BY PROTESTORS

4. Before setting out the details of Drax's experience of trespass and protest, it may be helpful to set out Drax's specific concerns regarding trespass onto the power station site by protestors.
5. Although Drax has invested significantly in security measures in recent years, there remains a risk that radical protestors who are intent on shutting the power station down may have a reasonable chance of success.
6. Drax's main concern about the power station being shut down is that it would have a dramatic effect on the nation's electricity supply. Drax is the largest power station in the UK and provides enough electricity to meet 7% of the UK's electricity needs. Consequently, it is a critical piece of the nation's infrastructure and its loss, even for a matter of hours, would likely have a major impact on the nation's electricity supply. Whilst it is difficult to predict the duration or geographical extent of the disruption, it is probable that one or more geographical regions of the country would completely lose their electricity supply.
7. Drax also has very real concerns about the safety implications of having protestors on its site, especially in circumstances where they are intent on causing damage to the site. The power station site is hazardous to those who have not been trained in the company's health and safety procedures and there is a real risk that protestors may expose themselves to death or physical injury. Drax also fears that the protestors' actions in this regard might put its employees, contractors and visitors at risk.
8. Drax is also concerned that if the power station is shut down, it will suffer large and irrecoverable financial losses.

9. Drax has been the target of environmental protests three times in the last two years, in August 2006, September 2006 and in June 2008. Its experience of being on the receiving end of protest on these occasions is set out below.

CAMP FOR CLIMATE ACTION IN AUGUST 2006

10. In August 2006, Drax was targeted by the Camp for Climate Action. The Camp's website revealed that whilst many of the planned activities appeared to be lawful, some of the organisers had more threatening intentions. According to the website, one of the main purposes of the Camp was to use direct action to shut Drax Power Station down by means of mass trespass and protestors locking themselves to the power station equipment. Worryingly, the organisers seemed to anticipate violent clashes with the police and widespread arrests. It seemed clear that although many protestors were planning to take part in a week of peaceful protest, a more radical contingent was planning to risk clashes with the police to shut the power station down.

11. For the reasons that are set out in the previous section, Drax found the protestors' threats extremely concerning and responded by seeking an injunction from the High Court (a) preventing the Defendants from entering or remaining upon any part of its land without its consent (b) preventing the Defendants from causing or encouraging anyone else to do the same and (c) preventing the Defendants from using the public footpath which runs around the perimeter fence for the purpose of entering the power station site. The injunction defined the "Defendants" as the two named spokespersons for the Climate Camp and any "person and persons entering or remaining without the consent of the Claimant on the land the subject of this order or any part of that land or causing or encouraging people to do so"^[42]. Although careful consideration was given to the possibility of giving notice to the Defendants, it was concluded that this might precipitate the very action that the injunction was designed to prevent and so the application was made without notice.

12. Having obtained the injunction (endorsed with a Penal Notice), Drax emailed it to the Climate Camp email address and placed it in clear plastic envelopes fixed to the fence in conspicuous places and at both ends of the footpath. The Penal Notice stated: "If you, the within intended Defendants, disobey this order you may be found guilty of contempt of court and liable to imprisonment or a fine". Its legal effect was that any one entering the power station without Drax's permission, or causing or encouraging others to do so, committed the offence of "contempt of court". The reason that Drax sought an injunction was because it felt that it might deter law-abiding protestors from breaking the law.

13. Whilst it realised that some hard-core protestors might be prepared to disobey the injunction, Drax hoped that most people would obey its terms. It also thought that the injunction might help the police respond to mass trespass on the site. At meetings with the North Yorkshire Police before the Camp took place, the police had concerns about their authority to take any action against trespassers on the power station's site. The reason for their concern stemmed from the fact that trespass per se is a civil tort, rather than a criminal offence. Drax hoped that the injunction would reinforce the police's position and give them more authority to direct the protestors off the land.

14. Whether as a result of the injunction or as a result of what turned out to be a strong police presence by the North Yorkshire Police, the protestors failed to close down the power station and the Camp was a relatively peaceful event. In the event, 600 demonstrators marched to the power station site on the "Day of Action" and no serious damage was done to the power station. Thirty eight people were arrested for offences that included aggravated trespass, criminal damage and assaulting a police officer.

15. Some two weeks later in the wake of Camp for Climate Action 2006, a further attack was made on the perimeter fence of the power station's site. Police presence was able to contain the incident and following a search, during which cutting and climbing equipment were discovered, the protestors were arrested and security of the site was not compromised any further.

16. It should be noted that the policing costs for both of the above incidents were considerable, the majority of which was funded by the North Yorkshire Police Force.

TRAIN HIJACKING IN JUNE 2008

17. On 13 June of this year, twenty nine climate campaigners claiming to be part of a group called "Leave it in the Ground!" hijacked a train taking coal to Drax Power Station. The protestors posed as rail staff wearing fluorescent jackets and directed the driver of the train to halt with red flags. They then used an iron girder bridge and climbing equipment to scale the 12 feet high wagons. Once on top of the train, some of the protestors chained themselves to the vehicle, while others proceeded to shovel some of the train's contents onto the railway line. They had brought food, water and a portable lavatory with them and they stated that they hoped to stay on the train for several days.

18. It was clear from the protestors' statements that Drax was the ultimate target of the protest. A protestor interviewed by the BBC stated "We have stopped this train to prevent it delivering a 1,000 tonnes of coal to burn at Drax and then be released to the atmosphere"^[43].

19. Fearing that the protestors might proceed from their location on Network Rail property to the power station, Drax sought an injunction in similar terms to the injunction that it had sought in August 2006 to deter the protestors from entering the site. As in 2006, it was concerned that if the protestors entered the site, there was a real risk that they might shut the power station down.

20. In the event, the protestors were removed from the train by the police and twenty nine of them are facing charges of obstructing the railway in York Magistrate's Court.

GENERAL CONTEXT OF ENVIRONMENTAL PROTEST AGAINST COAL-FIRED POWER STATIONS

21. It is clear that the incidents above are not isolated incidents but part of a well organised and continuing campaign of direct action that is being conducted against coal-fired power stations across the UK. Other similar incidents are as follows:

— In November 2006, around 25 environmental protestors entered Didcot Power Station threatening to shut it down. They scaled the chimney on the site and chained themselves to various pieces of equipment.

— In October 2007, 50 Greenpeace protestors took over Kingsnorth Power Station stating that they wished to shut it down. One group immobilised the huge conveyor belts carrying coal into the plant then chained themselves to the machinery. A second group climbed a 200 metre ladder up the chimney, with supplies, intending to force the power station off the National Grid.

— In August 2008, Kingsnorth Power Station was the target for the Camp for Climate Action and the organisers announced that it was their intention to force the power station to shut down.

22. On 10 September 2008, the six climate change activists who were involved in the protest at Kingsnorth Power Station in October 2007 were cleared of causing £30,000 of criminal damage to the power station chimney. Their defence was that they had "lawful excuse"

because they were acting to protect property around the world "in immediate need of protection" from the impacts of climate change, caused in part by burning coal.

CONCLUSION

23. In the light of the above, Drax feels that it is likely to be only a matter of time before it is targeted again by radical climate protesters who wish to shut it down. On this basis, and on the basis of Drax's critical importance to the nation's power supply, Drax considers it important that the law provides the site of the power station with greater security than is currently the case. Drax's recommendation to the Joint Committee on Human Rights in this regard is that the site of the power station (excluding the public footpath) should be made a designated or protected site under s128 of the Serious Organised Crime and Police Act 2005 ("SOCPA").

24. Drax believes that, alongside a strong police presence, the injunction sought before the 2006 Camp for Climate Action ensured a relatively peaceful protest. However, in the event that less information is provided about the intentions of environmental protesters, it may prove difficult for Drax to seek an injunction before the protesters arrive at the site.

25. In Drax's view, the fact that trespass on the power station site is not a criminal offence exposes the power station to a real risk of being shut down by radical climate protesters. It does not take much imagination to see how a mass occupation of the site by protesters—however peaceful—could allow a small radical group of protesters to take advantage of the situation to shut the power station down. In this situation, there is a significant risk that the police would not be able to respond quickly enough to protect the power station from being shut down.

26. To remove trespassers from its land in such a situation, Drax would have to seek an interim possession order from the Court. This relatively slow court procedure would give trespassers a significant opportunity to impede the operation of the site before they could be served with a possession order requiring them to leave. On the basis that Drax is critically important for the security of the nation's electricity supply, Drax considers that there are strong arguments for the site of the power station (not including the public footpath) to become a "protected" or "designated" site under s128 of SOCPA. This would enable police to arrest trespassers at the point at which they enter the site in instances where no injunction is in place and no further criminal offence has been committed. It would also create a deterrent to protesters considering trespassing on the power station's site and thereby greatly increase the security of the nation's electricity supply.

27. Importantly, Drax does not believe that including the power station within s128 of SOCPA would constitute a restraint on any protesters' ability to exercise peaceful and lawful protest. Rather, it considers that the measure would be an important defence against unlawful trespass on a site that is of critical importance to the nation's electricity supply and would afford some protection to protesters, employees, contractors and visitors alike in terms of their own safety.

September 2008

42 This wording was deemed to be in accordance with *Bloomsbury Publishing Group Ltd v Newsgroup Newspapers Ltd* [2003], EWHC 1205, *Hampshire Waste Services Ltd & Ors v "Persons intending to trespass and/or trespassing upon incinerator sits at" certain addresses* [2003] EWHC 1738 and *South Cambridge District Council v Persons Unknown* [2004] EWCA Civ 1280 [Back](#)

43 BBC, 13 June 2008, http://news.bbc.co.uk/2/hi/uk_news/england/north_yorkshire/7452395.stm [Back](#)

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Environmental activism

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Drax coal train hijackers sentenced

Judge orders fines, unpaid work and conditional discharges for group of activists including senior lecturer, teachers and preacher

Helen Carter

Fri 4 Sep 2009 17.57 BST

Environmental protesters who hijacked a freight train carrying coal to one of Europe's largest power stations were today sentenced to community service and ordered to pay costs and compensation to Network Rail.

The group had taken part in a non-violent protest against climate change at the giant **Drax** power station near Selby, North Yorkshire, in June last year when they halted a train carrying 1,000 tonnes of coal.

Twenty nine people were **convicted in July following a four-day jury trial** at Leeds crown court. Today, at the same court, Judge James Spencer QC, ordered five, who had previous convictions, to do 60 hours unpaid work and three were ordered to pay £1,000 in costs and £500 compensation to Network Rail. The judge said the loss to the company had been almost £37,000. Twenty one members of the group were given conditional discharges for 12 months.

Judge Spencer told them: "You were involved in an elaborate plan to interfere with other people going about their lawful business. Each one of you were involved in this

scheme to disrupt the influx of coal to Drax power station." He said they did it by criminal means.

The campaigners had hoped to repeat the [Kingsnorth Six judgment](#) a year ago, when [activists who defaced a power station chimney](#) were acquitted by a jury in Kent, after arguing that their act was necessary to prevent the greater crime represented by carbon pollution. But in the Drax case, the trial judge refused to admit similar arguments.

Beth Stratford, who was given a conditional discharge, said after the judgment: "If the same standards were applied to the Drax board members then they would have to serve several life term's worth of community service penalties to repay their debt to society. We have a duty to respect the law but we have an even greater duty to protect human life from misery."

The trial had been told how the train was stopped by two men purporting to be Network Rail staff, wearing fluorescent orange jackets and hard hats and holding a red flag. Moments later [the train and a nearby bridge were scaled by the protesters](#) wearing white paper boiler suits and carrying banners.

The protest lasted 16 hours, causing delays to numerous freight and passenger services and a costly clean-up operation as they had shovelled coal off the train.

The defendants were convicted in July of obstructing an engine or carriage using a railway.

Among the group are a senior university lecturer, teachers a preacher and a filmmaker. Most of the group receive only modest incomes and many had large student loans outstanding.

One of them, Grainne Gannon, 26, has a previous conviction for gluing herself to the Department of Transport.

The preacher, Reverend Malcolm Carroll, 53, from Stafford, has previous convictions for other political protests dating back five years. He was ordered to complete 60 hours unpaid work.

The court was told that none of the protesters had been violent and that the train driver did not feel threatened. He described the group as 'friendly and polite'.

Following the trial, chief crown prosecutor for Yorkshire Rob Turnbull said: "This was not a peaceful demonstration about the environment, but a well-planned and executed crime."

[Speaking at the trial, protester Jonathan Stevenson](#), who was ordered to pay costs and compensation, said: "The prosecution have not challenged the facts we presented to you on oath about the consequences of burning coal at Drax: 180 human lives lost every year, species lost forever. There is a direct, unequivocal, proven link

between the emissions of carbon dioxide at this power station and the appalling consequences of climate change."

Among those who were ordered to complete unpaid work were Rev Carroll, Robin Gillett, Paul Morozzo and Paul Mellett and Christopher Ward. Kristina Jones, Jasmine Karalis, Bryan Farrelly, Ellen Potts, Melanie Evans, Jonathan Stevenson, Sam Martingell, Amy Clancy, Paul Chatterton, Bertie Russell, Felix Wight, Elizabeth Whelan, Thomas Spencer, Matthew Fawcett, Thomas Johnstone, Graine Gannon and Clemmie James were given conditional discharges. So were Theo Bard, Theo Brown, Beth Stratford and Bryn Hoskins.

Of the group, Chatterton, Farrelly and Stevenson, were each ordered to pay £1,000 in court costs and compensation.

Two other protesters will be sentenced next month and another woman who was too ill to attend court will also be sentenced on October 2.

This article was amended on 21 October 2009. The original located Selby in "north Yorkshire". This has been corrected to the county's proper name.

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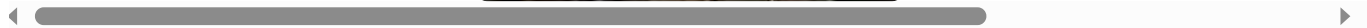
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This is only the beginning of a relationship that will last – you guessed it – until we win!

WHAT NEXT?

We hope you've come away from End Coal Now feeling invigorated and inspired to take more action (after you've showered and slept, that is). **So what next?? Here's a few ideas...**

- Get yourself to **Ende Gelände!!!** [More information here.](#)
- Come to the **RtP debrief** – 11th June, [Facebook event here.](#)
- Come along to the **Welsh debrief** to reflect and talk about next steps – **18th June** near Merthyr, [Facebook event here.](#)
- Follow the rest of the **Break Free** mobilisations – our action kicked off weeks of international action taking on the fossil fuel industry, [check it out!](#)
- Get involved with **Groundswell** – Groundswell kicked off with a bang earlier in the year and now it's re-booted, complete with actions map to track and add to! [Get involved in a year of direct action for justice.](#)
- Get involved in your **local Reclaim the Power network** – RTPers are spread across the UK, check the [calendar](#) and [Facebook](#) for information on local meetings.

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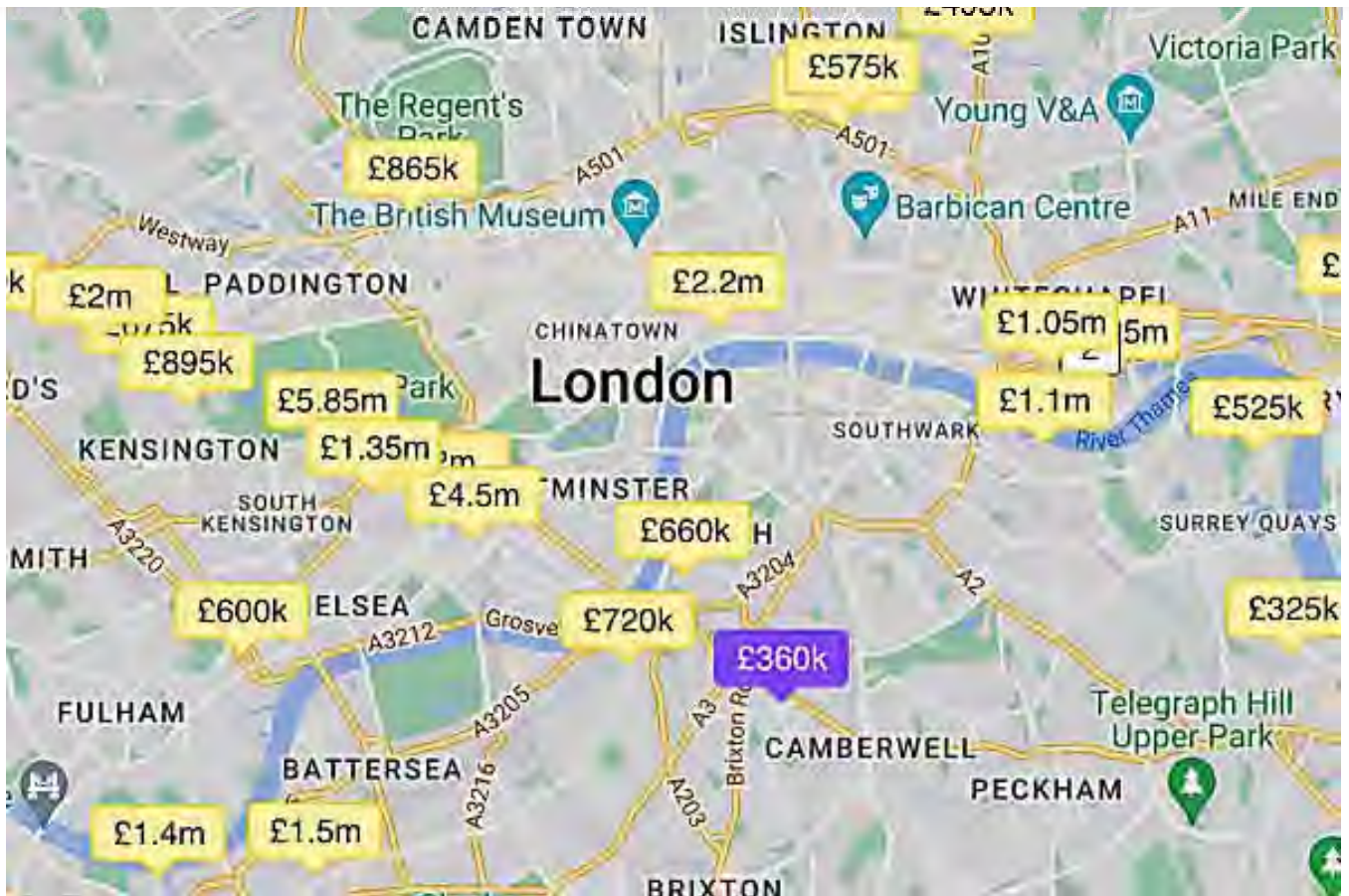
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Climate change activists brought traffic to a standstill in the City of London today after mistakenly targeting a building which contains the offices of a leading renewable energy company.

Members of protest group Reclaim the Power dressed in white boiler suits and swarmed Moorgate during rush hour, unfurling a banner reading: “No Borders, No Nations, No Gas Power stations.”



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The group was protesting against energy company Drax over plans to build a new power station in north Yorkshire.

However, although formerly based in Moorgate, Drax has had its London headquarters in nearby Noble Street since last year.



PROTESTERS IN THE CITY THIS MORNING

RECLAIM THE POWER

One of the companies still based at 41 Moorgate is Statkraft, a Norwegian hydropower company which describes itself as “Europe’s largest generator of renewable energy”.

An employee at the company, who asked not to be named, said protesters had chained themselves to doors at the front of the building.

He told the Standard: “They’re protesting against Drax, but they don’t live here anymore. I understand [the protester’s aims] but it helps if they check the facts.”

The employee said there were about 200 protesters blocking the road. Videos from the protest showed demonstrators chanting at what they appeared to think was Drax's headquarters.



A PROTESTER OUTSIDE THE BUILDING IN MOORGATE THIS MORNING
RECLAIM THE POWER

They sung: “No more fossil fuels keep it in the ground, merrily merrily merrily merrily we will shut you down.”

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Reclaim the Power later told the Standard "we started at a building owned by Drax" and that the protest was "moving to another Drax office".

The Standard was unable to reach the Met for information on whether any arrests had been made.

At the same time, 180 miles away in Lincolnshire, Reclaim the Power activists also blocked SSE's new Keadby 2 gas power plant.

The group said protesters occupied two cranes, stopping work on the new plant, which is said to be the only one under construction in the UK.

Reclaim the Power said they were protesting Drax's and SSE's "role in driving the climate crisis".

Milo Phillips, speaking at the protest in London, said: "Drax and Keadby are the first in a possible wave of a new generation of dirty mega projects, built to pollute for decades."

A Drax spokeswoman responded: "Everyone has a right to peaceful protest. Climate change is the biggest challenge the world faces.

"Natural gas has an important role to play in supporting the growth of renewables like wind and solar, enabling the transition to a net zero carbon economy. When the wind doesn't blow and the sun doesn't shine, gas power stations can provide the electricity we need.

"Building new, more efficient gas power stations will help the UK to meet its climate objectives while ensuring homes and businesses have the power they need at a price they can afford."

An SSE spokesman said: "We are aware that a group of protesters have gained access to the construction site of Keadby 2 Power Station. Our priority is to ensure the safety of all those on the site and we are working with the police and relevant authorities to resolve the situation.

"SSE's business strategy addresses the challenge of climate change at its core, as the leading developer, owner and operator of renewable energy across the UK.

However, we understand that flexible thermal generation will play a critical role in the transition to 'net zero' emissions, particularly with the emerging potential for carbon capture and storage technologies.



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"When completed, we expect Keadby 2 to be the cleanest and most-efficient gas-fired power station in Europe, displacing less efficient plant from the system, complementing our renewable assets, and safeguarding customers' power supplies."

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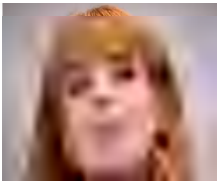
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BREAKING: HUNDREDS IN CLIMATE PROTEST AND GAS POWER STATION SHUT DOWN

by Cal HS | Jul 30, 2019 | Press Releases | 0 comments



Lincolnshire – Activists ‘lock on’ at SSE’s Keadby 2 construction site, shutting it down.

FOR IMMEDIATE RELEASE

**** Contact:** interviews available – press@reclaimthepower.org.uk, 07834 363408 **

PHOTOS/VIDEO

London & Lincolnshire – In the early hours of this morning activists from direct action group *Reclaim the Power* [1] stopped construction at a new gas power station in Lincolnshire and held a hundreds-strong protest at energy company Drax’s London office (10 Noble Street), to protest their attempt to build a new gas power station in a climate crisis.

The site of SSE's [2] new Keadby 2 gas power plant in Lincolnshire has been shut down, with both entrances blocked and activists occupying two cranes, stopping work on the new plant, the only currently in construction in the UK. SSE have plans to develop more gas power stations, supported heavily by government subsidies. SSE are one of the dirtiest energy suppliers in the UK: 65% of the energy they sell comes from polluting gas [3].

Hundreds of activists gathered at Drax's offices in London, dressed in white boiler suits and with a four-metre high model gas tower. They are protesting Drax's proposed new gas plant in Yorkshire, which would be responsible for as much as 75% of the emissions budget for the entire UK power sector [4]. New Energy Secretary Andrea Leadsom is due to make a decision on the proposal by October. To stay within national legally binding climate targets, we cannot afford to build any additional fossil fuel infrastructure in the UK [5]. Activists have also targeted branches of Deloitte and Barclays who provide services to the gas industry – more actions are expected. [6]

Speaking from Keadby, Ellie Groves said:

"New gas spells climate disaster, that's why we're here today at Keadby.

"Temperatures hit 38 degrees in the UK last week, and extreme weather is already devastating many parts of the world. We're standing with the people most impacted by the climate crisis.

"Polluting gas power stations like Keadby line the pockets of Big Six energy bosses at our expense. We need clean, cheap, community-controlled renewable power."

Speaking from the protest in London, Milo Phillips said:

"The government's promises to act on climate change are meaningless while dirty gas power stations are still being built.

"Drax's gas plant in North Yorkshire would be the largest gas power station ever built in the UK. Drax and Keadby are the first in a possible wave of a new generation of dirty mega projects, built to pollute for decades."

"Today we're sending a clear message. We can't afford any new climate-wrecking gas plants."

Despite industry claims, research shows that additional gas capacity is not necessary for the UK's energy supply – surging renewables are directly replacing old coal [7]. Further actions against the gas industry are expected today, as part of *Reclaim the Power's* Power Beyond Borders occupation camp in Essex [8].

NOTES TO EDITORS:

1. *Reclaim the Power* is a grassroots direct action network campaigning for social and environmental justice – www.reclaimthepower.org.uk

2. Keadby 2 is the only new gas fired power station currently under construction in the UK at the moment. SSE have plans to develop more gas power stations, supported heavily by government subsidies.

3. (www.electricityinfo.org).

4. <https://www.clientearth.org/lawyers-reveal-massive-climate-impact-of-new-drax-gas-plant/>

5. <https://e360.yale.edu/digest/to-hold-warming-to-1-5-degrees-study-says-nations-must-stop-building-new-fossil-fuel-infrastructure-immediately>

6. Deloitte audit Drax. Barclays provide Drax with banking services.

7. sandbag.org.uk/project/coal-to-clean/

8. 600 people gathered in Essex for Power Beyond Borders, which has a dual focus on the climate crisis and migrant rights.

- Keadby 2 power station won't be operational until at least 2022, and could operate for over 30 years – well into the 2050s. Planning permission for Keadby 2 was originally granted in 1993.
- The [Committee on Climate Change](#), the government's official climate adviser, reported recently that it could be cheaper in the new few years to build new renewables than to keep running existing gas plants (<https://www.carbonbrief.org/cc-c-new-uk-renewables-could-be-cheaper-than-existing-gas-plants-by-2030>).

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Climate protesters target Lincolnshire gas power station

🕒 30 July 2019



Protesters blocked the gates at Keadby power station in North Lincolnshire

Climate change protesters have blocked the entrance and climbed cranes at

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The group claims the new power station would be a "climate disaster".

SSE, which owns the site, said: "Our priority is to ensure the safety of all those on the site and we are working with the police and relevant authorities to resolve the situation."

Humberstone Police said a woman had been arrested on suspicion of obstruction of the highway and obstruction of a police officer.

The new £350m power station is being constructed alongside an existing facility near Scunthorpe.

SSE said the new station, which will produce 840MW of electricity, would be "the cleanest and most-efficient gas-fired power station in Europe, displacing less efficient plant from the system, complementing our renewable assets, and safeguarding customers' power supplies."



CHRIS ALLEN / GEOGRAPH

| The new £350m power station is being built next to an existing gas-fired plant

However, protester Ellie Groves said "new gas spells climate disaster."

"We need clean, cheap, community-controlled renewable power," she said.

The group has also been picketing outside the London offices of Drax, which has a power plant in North Yorkshire.

Speaking at the protest in London, Milo Phillips said: "The government's

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"Drax's gas plant in North Yorkshire would be the largest gas power station ever built in the UK."

A Drax spokesperson said gas power stations were needed to "help the UK to meet its climate objectives".

"Natural gas has an important role to play in supporting the growth of renewables like wind and solar, enabling the transition to a net zero carbon economy," a statement from the company added.

Follow BBC East Yorkshire and Lincolnshire on [Facebook](#), [Twitter](#), and [Instagram](#). Send your story ideas to yorkslincs.news@bbc.co.uk.

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POWER BEYOND BORDERS: AGAINST NEW GAS AND THE HOSTILE ENVIRONMENT

by Cal HS | Jul 10, 2019 | Power Beyond Borders 2019 | 0 comments

For five days in July 2019 we gathered in the shadow of Rye House power station to live as a community, learn from each other and take action on the hostile environment and against new gas infrastructure.

Power Beyond Borders Camp + Actions

We did it! Over six hundred people came together for Power Beyond Borders to learn and take action together! Check out what went down during our camp + actions!

Geplaatst door [Reclaim The Power](#) op Zaterdag 3 augustus 2019

SKILLING UP ON ANTI-RACISM

We know that in order to be effective allies we need to educate ourselves and so we had a jam-packed weekend of training and workshops lead by amazing groups like [All African Women's Group](#), [Anti-Raids Network](#), [End Deportations](#), [Resist + Renew](#), [North East London Migrant Action](#), and many many more. We had some difficult conversations about white privilege, cultural appropriation and class solidarity and tried to engage with these complicated issues with humility and contemplation. Anti-oppression is not something that can be done in a weekend; it needs to be an ongoing process of learning and reflection that informs every aspect of how we organise.



MONDAY - DAY OF ACTION ON THE HOSTILE ENVIRONMENT



We shut down a Hallmark coaches London Heathrow depot for their part in transporting detainees to deportation charter flights, using three tripods to demand they end their contract with the Home Office and stop profiting from the UK's brutal and racist immigration policy.



We served the Home Office their notice. With 600 people outside, we demanded they meet the demands of the migrant-led World Without Borders project, including an end to detention and deportations, and end the hostile environment. If they don't meet these demands, we'll be back in October, hopefully you with us.



If that wasn't enough mass action for you, you should know that we had a day of action against gas infrastructure too...

TUESDAY – DAY OF ACTION ON NEW GAS INFRASTRUCTURE



Activists spent 15 hours occupying a crane and blockading the entrance to the UK's only gas site currently in construction, shutting down operations for the day in Keadby and taking over regional news with our message: Gas ain't green!



Meanwhile, in the heart of the City of London, the dirty financing of fossil fuels was made very visible as we told them again: no new gas. Barclay's and Deloitte's position as investors was called out as groups blocked their entrances, buildings which house gas and oil companies were locked on to and we brought Moorgate to a standstill as we reclaimed the streets with our giant gas tower and our bodies.



We set up a pipeline in Standard Chartered's entrance lobby, to let them know how we feel about their funding of the TransAdriatic pipeline which is tearing communities' land

from them and locking us into fossil fuels for decades to come.



At base camp near Drax-owned Rye House power station, we took a canoe along the river to let their security know: 'Gas won't keep us afloat'.

WHERE DO WE GO FROM HERE?

Bringing together activists to learn and skill up on climate and migrant justice was every bit as important as the actions that we took. With this camp, we have begun to take steps so that we can take effective action, in solidarity with activists on the sharpest end of the UK's racist treatment of migrants. From here we'll continue learning together and put it into action. [Check out our reading list for some suggested articles on anti-oppression.](#)

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ABOUT

WHO ARE AXE DRAX?

We are the network that opposes Drax in its operations. We believe that disruption of their activities and business as usual is crucial,

WE ARE DECENTRALISED.

Anyone can take action against Drax. We have no leaders. You don't need to ask permission.

That being said, if you want help with an action or other plan then send an email to info@axedrax.uk and someone will try and link you up to other people.

WE FOCUS ON ACTIONS.

We believe we need to stay focused on organising and taking part in actions.

This does not mean everyone needs to be taking to the streets, as all actions needs a range on roles from media, to support, to training and recruitment.

Our demands

We have 3 simple demands:

1. Tell the Truth: Biomass \neq Green
2. Defund Biomass
3. Fund Real Solutions

TELL THE TRUTH: BIOMASS \neq GREEN

Governments and corporations be honest: biomass causes irreparable damage to the health of people and our life support systems. Classifying burning trees as renewable is a scam and the government is making us pay for it.

DEFUND BIOMASS

Remove the ££ billions in subsidies given to Drax and other biomass power stations in the UK. This money funds death and destruction around the world, harming POC and poorer communities the most whilst corporations profit. If we stop the money, we stop the destruction.

FUND REAL SOLUTIONS

The £ billions given to biomass should be used to fund a just transition: furlough; retrain and transfer workers in the biomass industry; invest in education, affordable housing and health; fund genuine renewable energy. We must develop a plan of moving away from profit motives, which are fuelling the climate crisis, towards community based solutions.

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DRAX WOOD PELLET TRAIN HALTED BY PROTEST

Nov 12, 2021

An activist from the Axe Drax coalition has just halted a wood pellet train going to Drax Power Station outside Selby. Dressed in bright orange hi vis and carrying a Extinction Rebellion flag the activist has climbed on top of the train to send a clear message to COP26: stop the fell. Banners emblazoned with the words 'Forests Are Not Fuel' and 'Moratorium on Tree Felling' line the tracks. The activists have created a visually striking and physically disruptive demonstration against the ecocidal use of biofuels.

Police have now arrived at the scene and the protestor remains in good spirits and committed to why they've felt the need to take this action.

This trainline only goes to Drax so no other trains have been impacted.

Coffee, currently on top of the train: We need to keep the trees in the ground, we need a U-turn on the decision to phase out deforestation by 2030, we need to slam on the breaks. Halt the felling. Bring a moratorium on tree felling for six months whilst a plan is made for a future world economy.

This follows a wave of anti-biofuel and Drax specific protests at COP26 where protestors have been standing up against the destructive greenwashing biofuel industry [15]. Drax Power Station, located in Yorkshire, burns 12 million tonnes of trees every year [2]. Despite being legally classified as 'renewable' by the UK government, Drax remains the largest carbon emitter in the UK [1,3], taking advantage of a carbon accounting loophole [4]. In 2019 Drax emitted almost 13 million tonnes of CO₂ from burning wood, and yet over the last year Drax received £832 million in 'renewable subsidies' [5], and are expecting to receive billions more.

This is a grave misuse of public money and just one example of the destructive biofuel industry.

The protestors are calling for:

1. An international moratorium on all tree felling for 6 months whilst a plan is devised to adequately tackle deforestation and dismantle the biofuel industry
2. Furlough for all impacted workers: COVID19 demonstrated that it is possible for governments to take drastic action when required; which the climate and ecological crisis urgently requires
3. Stop the Lies: end what is possibly the most comprehensive and dangerous greenwashing campaign the UK has seen

The UK's environment minister, Zac Goldsmith, acknowledged concerns that large-scale burning of wood for energy in UK power stations harms forests and produces carbon emissions [14]. His admission came after the Daily Telegraph revealed that Britain will continue to burn the equivalent of 25 million trees a year [13], despite a pledge from the UK Government and other world leaders last week at COP26 to help end the destruction of forests [9].

Research demonstrates that the biofuel industry is more carbon intensive than coal [16] and yet is posed as an ecologically sustainable solution by policy makers. This is greenwashing, pure and simple. Coming off the back of COP26 where we have seen a truly astounding amount of greenwashing and representation of corporate interests [12], governments around the world seem to show little intention on stopping the greenwash. The COP26's Global Forest Finance [6] pledge puts aside USD\$12 billion for reforestation, yet the UK government plan to spend over \$1 billion more than that on propping up Drax's forest burning project [7].

Biomass production harms both people and planet. Aside from being highly carbon intensive, deforestation is linked to an increase in flooding, soil degradation, biodiversity and habitat loss, noise and air pollution for local communities and environmental racism [17].

It is time we demand an end to corporate and government greenwashing.

We are starting to see small steps towards an end to deforestation, with British Columbia recently banning logging in an ecologically sensitive area along the US border [8]. However, logging continues across Canada, with wood pellets being shipped from Canada to the UK for Drax to incinerate. This demonstrates one thing – where there is political will it is possible to stop deforestation. However that political will is currently severely lacking.

World leaders at COP26 initially pledged to end deforestation by 2030 [9], which firstly is far too late, and secondly, countries such as Brazil (the world's second largest biofuel producer [10]) have already begun to backtrack on this agreement before the

conference is even over [11]. Furthermore, the previous deal agreed in 2014 on deforestation has 'failed to slow deforestation at all' [9].

Drax is literally burning away some of our last hopes of ensuring we have a liveable planet, with 3 to 4 years to avert this crisis we can't afford to be burning forests. I am terrified of a future in climate breakdown, and horrified at the effects of this crisis ripping through the global south. We've run out of time, and we must act as fast as we can.

- Joe, 21

Given that the UK government has pledged to end deforestation by 2030 and pursue a restoration to forest loss and land degradation we believe it is our duty as active citizens to help them with this goal. It is our view that a good first step would be to stop burning trees for fuel. Forests are not fuel. This is why we believe we are left with little choice other than to take action to prevent further planetary destruction.

NOTES FOR EDITORS

Here is a precise what3words address for where the activist is, made of 3 random words. Every 3 metre square in the world has its own unique what3words address. [//flamenco.contacts.craziest](https://www.what3words.com/what3words/flamenco.contacts.craziest) <https://w3w.co/flamenco.contacts.craziest>

Photos and videos:

https://drive.google.com/drive/folders/1obF4lkIPZDaZivrWHnbqe1lZXby_xfCn?usp=sharing

Social media: FB – Axe Drax / Instagram – Axe_Drax / Twitter – Axe_Drax

SOURCES

1. Drax's own reported emissions: <https://www.drax.com/sustainability/carbon-emissions/#carbon-emissions>
2. BiofuelWatch website: <https://www.biofuelwatch.org.uk/axedrax-campaign/#easy-footnote-1-9267>
3. Carbon emissions from biomass: <http://www.pfpi.net/carbon-emissions>
4. Page 11 of this Partnership for Policy Integrity document
5. 2020 subsidies summary: <https://ember-climate.org/commentary/2021/02/25/drax-biomass-subsidies/>
6. COP26 Global Forest Finance pledge <https://ukcop26.org/the-global-forest-finance-pledge/>
7. Details on UK biomass subsidies: <https://ember-climate.org/project/the-burning-question/>
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9. <https://ukcop26.org/glasgow-leaders-declaration-on-forests-and-land-use/>
10. <https://www.euractiv.com/section/energy-environment/video/media-partnership-the-road-to-cop26-what-is-the-role-of-biofuels/>
11. <https://www.msn.com/en-gb/news/world/cop26-deforestation-brazil-backtracks-on-forests-pledge-before-conference-is-even-over/ar-AAQybsp>
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15. <https://www.biofuelwatch.org.uk/2021/cop26-biomass-pr/>
16. <https://wwfcee.org/what-we-do/climate/most-forest-biomass-worse-for-climate-than-fossil-fuels-eu-commission-report>
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Protester climbs on top of train to Drax power station

🕒 12 November 2021

COP26



AXE DRAX

Campaign group Axe Drax said one of its activists "halted the train", which was carrying wood pellets and heading to Drax power station

A protester has climbed on top of a train near a power plant in North Yorkshire.

The Axe Drax campaign group said one of its activists "halted the train", which was carrying wood pellets and heading to Drax Power station in Selby.

Images on social media show the activist, dressed in orange, waving a flag bearing the Extinction Rebellion logo. It comes as the COP26 climate summit in Glasgow draws to an end.

Drax said there had been "no impact".



AXE DRAX

In a video message posted on Twitter, the activist said the biofuel industry was more carbon intensive than coal

Axe Drax said the demonstration was being carried out "to send a clear message to COP26 - stop the fell".

It said no other trains had been affected.

'Halt the felling'

The activist, who goes by the name of Coffee, said: "We need to keep the trees in the ground, we need a U-turn on the decision to phase out deforestation by 2030, we need to slam on the brakes.

"Halt the felling. Bring a moratorium on tree felling for six months whilst a plan is made for a future world economy."



PA MEDIA

Drax switched from using coal to burning wood pellets instead at its power plant in Selby

A Drax spokesperson said: "Everyone has the right to peaceful protest but trespassing on railway lines puts the safety of train staff, as well as the protesters themselves, at risk."

"Drax Power Station has not been impacted by this action - it continues to generate renewable power for millions of homes and businesses."

The company said the power station had "slashed our emissions from power generation by 90%" since converting from using coal to "sustainable biomass".

It added Drax was "helping the UK's electricity system to decarbonise faster than any other major economy".

But in a tweet, the activist said the biofuel industry was more carbon intensive than coal.

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Analysis

By Paul Murphy, BBC Look North environment correspondent

Drax is one of the UK's most controversial power stations and has been on the receiving end of environmental protest and direct action for more than a decade.

Campaigners originally targeted it because of the huge quantities of coal it burned to make electricity. But now protesters are focused on Drax's use of wood pellets to generate power.

Drax calls this fuel "sustainable biomass" and says it's good for the planet because the CO₂ produced from burning wood is absorbed by the replenishment of forests where the wood comes from.

But scientists disagree over whether this process works as well as it should.

This direct action against a Drax freight train follows several days of environmental protest against the power station at the COP26 summit in Glasgow.



AXE DRAX

Campaigners have called for "a moratorium on tree felling for six months"

In the COP26 climate summit's first major deal, **more than 100 world leaders promised to end and reverse deforestation by 2030**, including Brazil where stretches of the Amazon rainforest have been cut down.

Axe Drax said biomass production "harms both people and planet" and linked deforestation to "an increase in flooding, soil degradation, biodiversity and habitat loss, noise and air pollution for local communities".

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Grandmother fined for climbing on freight train



EXTINCTION REBELLION

| Karen Wildin climbed on top of the train and waved an orange Extinction Rebellion flag

Rachel Russell

BBC News

7 hours ago

A grandmother who climbed on top of a freight train as part of a climate protest has escaped a prison sentence.

Karen Wildin, 60, managed to stop the goods train as it travelled to Drax power station in North Yorkshire on 11 November 2021.

The wagons were transporting wood pellets which Wildin objected to being burned for fuel.

She appeared at Leeds Crown Court on Monday and was told to pay a £3,000 fine.

The private tutor, from Leicester, waved an Extinction Rebellion flag during the protest, which took place during the COP26 climate change conference.

Judge Guy Kearn also handed her a two-year discharge, but said she was of "good character" despite showing no remorse.

Wildin's actions did not damage the train and she came down from the wagon voluntarily.

Judge Kearn told the court: "You walked along in front of the train with an orange flag and as the train approached you started to wave the flag to stop the train.

"You talked to the driver and told him it was a non-violent protest before climbing on top of the train carriage for hours.



| Karen Wildin sat on the goods wagon for hours before voluntarily coming down

"You did not cause disruption to the line as the train was only going to Drax."

Network Rail had to pay £16,400 in compensation to rail operators for the delays caused, and 16 police officers were required to attend.

Judge Kearn added that the mother of four was "obviously community-minded and a loving mother, grandmother and teacher".

Mira Hammad, defending Ms Wildin, said: "She was very clear that she was peaceful and she talked in a civil way to the train driver before also removing herself voluntarily."

Wildin has a previous conviction for wilful obstruction of a highway.

Drax, which predominantly burns biofuel since converting from coal, said its operations were not affected by Wildin's demonstration. She was affiliated to the Axe Drax campaign group.

A month after the incident, an Extinction Rebellion activist stopped another train travelling to the power station, which was empty and scheduled to collect ash.

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YOUNG ACTIVIST SCALES GOVERNMENT DEPARTMENT AND COVERS IN ORANGE PAINT CALLING FOR AN END TO TREE BURNING SUBSIDIES

Apr 27, 2022

At 7am this morning a member of Axe Drax covered the Department for Business Energy and Industrial Strategy (BEIS) in bright orange paint using a modified fire extinguisher, hanging banners banners that read "Stop Burning Trees" and "Rise Up for Reparations". He has now scaled the entrance. This is the beginning of a series of

protests today against Drax Group on their annual general meeting, as campaigners gather in Liverpool, Leeds, York, Hull and outside Drax's AGM in London.

Just weeks after Extinction Rebellion scientists targeted BEIS for their financing of fossil fuels, Axe Drax is here to demonstrate that it's renewable policies are dangerously harmful too. They give huge amounts of subsidies to the ecocidal biomass industry, particularly Drax Power Station. By 2027 the biomass industry as a whole will have received £13billion in renewable subsidies, and £10billion of that has gone directly to Drax. BEIS is funding pollution and destruction around the world.

Drax is the UK's **single largest carbon emitter**, yet received **£832 million in renewable subsidies last year** which is more than £2 million per day. In the last year they were **removed from the Green Energy Index**, despite this, they continue to receive huge amounts of renewable subsidies. Biomass is one of the **most carbon intensive forms of biofuel**, yet this is ignored by politicians so Drax can be called the **main supplier of 'renewable energy' in the UK**.

The criminal injustice of Drax fills me with despair and needs to stop. Drax power station is accelerating the climate crises, whilst being labelled as the solution, costing taxpayers in their energy bills and is in court with the HSE for their work conditions. There are so many layers of injustice in this, it's surreal they still receive public money. The government energy strategy must see through the bullshit of Drax and cancel the funding.

- The person who doused the department building in paint

Axe Drax is calling on the government to:

1. **Tell the Truth:** Governments and corporations must be honest: biomass causes irreparable damage to the health of people and our life support systems. It is not a clean source of fuel, it is time to stop the greenwashing.
2. **Defund Biomass:** Remove the £billions in subsidies given to Drax and other biomass power stations around the UK. This money is used to fund death and destruction around the world, harming POC and poorer communities the most whilst corporations profit. If we stop the money we stop the train of destruction.
3. **Fund Community Solutions:** The £billions given to biomass should be used to fund a just transition: furlough, retrain and transfer workers in the biomass industry; invest in education, affordable housing and health; fund genuine renewable energy; develop a plan of degrowth moving away from profit motives fuelling the climate crisis towards community based solutions.

In the BEIS November 2021 Biomass Policy Statement, they suggest that biomass has a core role to play in decarbonisation. Per unit of energy generated, biomass is **worse than coal**, producing 40-60% more carbon than modern coal stations. We cannot allow

this inefficient and destructive form of fuel to continue being classed as renewable. Research has demonstrated that it takes **40-100 years** to reabsorb the carbon emitted from burning trees for fuel. The most recent IPCC report suggests that we have 3-4 years to avert climate catastrophe, 100 years is a death sentence.

We are looking at millions of people dying at an increasing rate across the global south, and communities are directly being harmed now by the insane biomass industry that this government funds. By 2027 Drax will have received £10billion in renewable subsidies, coming straight out of our fuel bills and given to them by BEIS. This is a disgusting misuse of public money. We have to stop burning trees now.

- Rosie, 24, another member of Axe Drax involved

Drax is currently asking for more public money to fund BECCS, which is estimated to cost **over £31billion**. BECCS has never been shown to work on the scale required to make biomass carbon neutral. Even if BECCS did work, studies have found that demand for biomass would increase to such a degree that we would face **global food shortages and desertification**. BEIS cannot continue funding climate catastrophe.

Axe Drax and many other groups have been peacefully campaigning against biomass for years. We have signed petitions, written letters, held protests, lobbied decision makers, but this destructive industry is being allowed to continue funded by public money. Harm is being felt right now by the BIPOC people on the front lines of Drax's business of destruction. Our climate is on the brink of tipping points that would put every society at risk of collapse, with those in the global south already feeling disastrous, irreparable loss of and damage to life, home, stability and knowledge.

ENDS

NOTES FOR EDITORS

- Address: Department Of Business, Energy and Industrial strategy, 1 Victoria St, London SW1H 0ET
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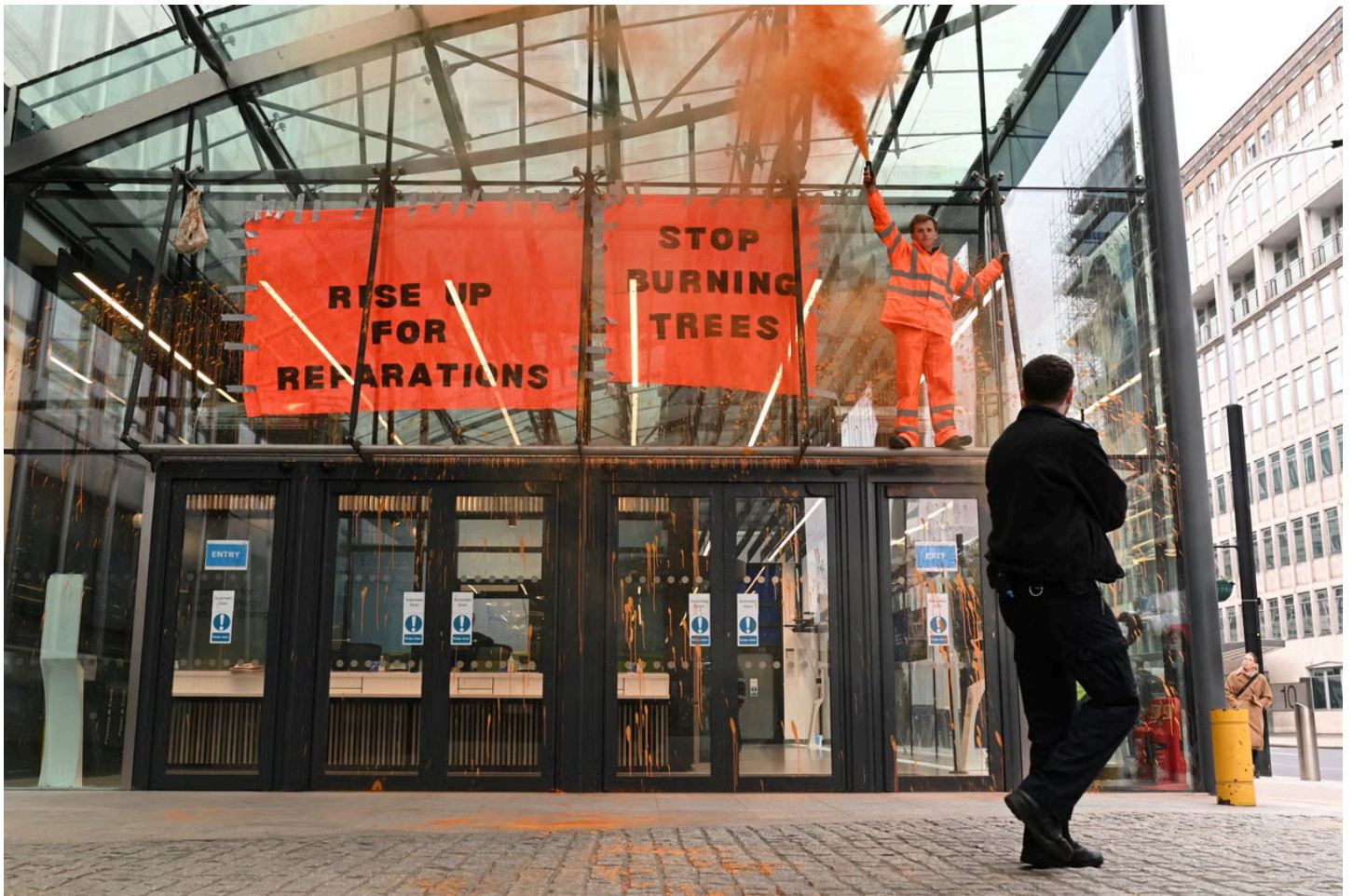


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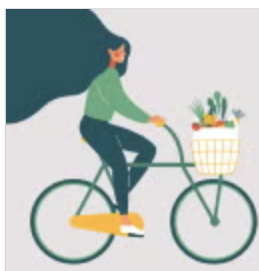
Climate activist douses government building in orange paint in protest against Drax energy giant

A photo showed the glass doors of the Department for Business, Energy and Industrial Strategy dripping with orange paint

Saphora Smith Climate Correspondent • Wednesday 27 April 2022 17:45 BST • 16 Comments



An Axe Drax protester outside the Department for Business, Energy and Industrial Strategy. (Axe Drax)



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A climate protester scaled a government department Wednesday **spraying the building with orange** paint in protest against the energy giant Drax Group.

A photo showed the glass doors of the Department for Business, Energy and Industrial Strategy dripping with orange paint. The protester, dressed in orange, stood above the glass doors next to a banner that read: “Stop Burning Trees.”

The protest by **campaign group Axe Drax** comes on the day of the Drax Group’s annual general meeting and **the Argus Biomass Conference in London**, which Drax and other biomass companies are due to attend. Protests have been planned in London, York, Leeds, Hull and Liverpool.

The Axe Drax activist group is part of the Stop Burning Trees coalition, which also includes groups such as Friends of the Earth and **Extinction Rebellion**. The coalition has said it’s taking action Wednesday against the “destructive biomass industry” and demands that companies like Drax stop burning trees.

Joe Irving, a spokesperson for Axe Drax, said the plan Wednesday was to protest outside the location where Drax’s annual general meeting will be heard, before

marching on the Argus Biomass Conference where he said biomass companies would discuss “how to make money from burning trees”.

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“The only thing we can do is disrupt from the outside, by making as much noise as possible,” he added.

Drax is a global energy company which has a power station near Selby in North Yorkshire that is fuelled by biomass pellets. The group says using the pellets reduces its carbon emissions by 80 per cent compared to coal, and that the company generates 12 per cent of the UK’s renewable power.

Earlier this year, **climate think tank Ember said** new data shows that Drax received £893 million in subsidies for burning biomass last year.

The Metropolitan police said Wednesday that at approximately 8 a.m. two protesters sprayed paint on a building in Victoria Street. A man and a woman were arrested for criminal damage, the police added.

A spokesperson for Drax said converting Drax power station in North Yorkshire to use sustainable biomass has transformed it into the UK’s largest producer of secure, renewable power.



“Drax does not cut down trees,” the spokesperson said. “Our pellets are produced from the waste material that is left behind from the construction and furniture making industries, such as sawdust from sawmills, off-cuts, tree-tops and smaller, diseased, or misshapen trees that have little commercial value.”

“If we didn’t take this material it would mostly be sent for disposal, burned by the side of the road, or left to rot on the forest floor,” the spokesperson added.

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RavenRapt

April 28, 2022

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More to the point, regulate and tax domestic wood burning stoves. They pollute neighbourhoods with their smell and smoke. Often, those that have them can more than afford climate friendly fuels, maybe warmed by their smugness.

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BritElsewhere

April 28, 2022

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Shame the activists hot air can't be harnessed as wind power. That said well done for proving once again that there are few greater motivators in life than endorphins!

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MabCymru

April 27, 2022

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One would hope that it was water-based paint - though it appears to be an aerosol, propelled by a compressed gas. If so, hardly "climate friendly"

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Donkzilla404

April 27, 2022

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Trees are a renewable green energy resource. Well done indy, keep giving these idiots more rope.

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0 3

5

SHOW OLDER REPLIES



Donkzilla404

April 28, 2022

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Good question. After 1989 technically the 2nd world ceased to exist except for China. I need to do a lot more research it could take a year or two to seriously get on top of this. I think technically China is classified as a developing country for the purposes of the climate credits scam but I'm not certain.

[Reply](#)

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Donkzilla404

April 28, 2022

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BTW yes i am trying to help the 3rd world the sight of the poverty i saw first hand in the early 80s shook me to my core, but also I'm a chancer like every other scammer out there I'm looking at ways i can get rich from carbon credits ;-)

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SteveHill

April 27, 2022

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Build more jails. These people are ridiculous.

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SHOW OLDER REPLIES



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Reply to

Educated people know that trees are a green renewable energy resource but certain uneducated climate hoaxers are intent on censoring such knowledge.

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SteveHill

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April 27, 2022

Reply to

I am educated. I know the climate emergency is serious. So do my kids.

I have no interest in "educating" my kids into committing mindless crimes and acts of vandalism.

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DRAX AGM MET BY PROTESTS AND DISRUPTION AC ROSS UK

Apr 25, 2024



Drax's AGM took place under a cloud of scandal and public outrage. Shareholders and board members were greeted by disruption and theatrical demonstration, including from TV presenter and naturalist Chris Packham, calling for an end to Drax's destruction of the living planet. Axe Drax members stormed the stage, stood up and shouted over the chair of the event. This was followed by a choir singing a rendition of "Hit the road Drax". Four shareholders were denied access as Drax suspected they would disrupt the event. Chris Packham joined the disruption, confronting the CEO of Drax about why he did not reply to a request for an interview.

Drax Power Station is the UK's single largest carbon emitter and world's biggest tree burner [1]. Despite this, Drax receives hundreds of millions of pounds in green energy subsidies every year, at the expense of forests, communities and our planet. In the last year Drax made record profits of £1.2bn, whilst receiving nearly £2m in subsidies per day [2]. Campaigners argue that this money should be spent on genuine renewable energy and climate action, not funding dirty tree burning energy.

A recent BBC investigation found that Drax has continued sourcing from primary, rare and old-growth forests in British Columbia; following the 2022 investigation by BBC Panorama on Drax's logging of primary and old-growth forests [3,4]. Drax has been repeatedly accused of driving environmental racism in the Southern US, with low income, black and brown communities suffering severe and ongoing health issues linked to their proximity to Drax's pellet production sites [5].

In January, the UK Government launched a consultation on extending subsidies for burning wood, suggesting giving up to £2.5 billion yearly in subsidies to Drax and Lynemouth (the only two generators eligible), with no clear end date [6].

There has been strong opposition to the Government's proposals for new wood-burning subsidies from NGOs, MPs, scientists and the general public. Campaigners argue that if these subsidies are approved, the UK could be locked into many years of tree burning, at huge cost to forests, wildlife, communities and the climate [7,8,9].

Quotes:

Our living world is being burned alive, and Drax is fueling the fire. Drax's operations are destroying the precious and irreplaceable habitats of many endangered species. In a global biodiversity crisis you cannot justify felling and transporting wood from some of the planets most precious natural resources. It's a disgrace that Drax is receiving huge subsidies meant for genuine renewables, it is past time to stop funding Drax's destruction.

Chris Packham, presenter and naturalist

We cannot continue to allow Drax to keep polluting communities, burning biodiverse forests, and raking in billions from the public. It's an outrage that our Government is considering handing billions more to this dirty tree burning scam. Drax's operations come at the cost of our bills, communities health and vital forests around the world. We need real solutions to the climate crisis, a just transition and investment in genuine renewables, not greenwashed corporate scams.

Merry Dickinson, 26, Axe Drax

This is the year we must start the transition at Drax, close down this ancient power station, furlough and retrain workers, and pay reparations to the communities severely harmed by Drax's operations here and overseas. We took a stand today because business as usual is destroying the living world, and it is time to get in its way. Drax must fall, and it's time we start building a world for people and planet, not profit of a few.

Joe Irving, 23, Axe Drax

NOTES FOR EDITORS

Axe Drax is a network that actively opposes Drax through disruptive direct action.

Stop Burning Trees is a coalition made up of grassroots groups in Yorkshire and the North, working to disrupt Drax's greenwash and towards a just transition.

[1] Drax is the UK's single largest carbon emitter. The power station emitted over 12 million tonnes of CO2 in 2022: <https://ember-climate.org/insights/research/drax-co2-emissions-biomass/>

[2] Drax Annual Report for 2023: https://www.drax.com/wp-content/uploads/2024/03/Drax_AR23_Interactive.pdf

[3] 2024 BBC Investigation: <https://www.bbc.co.uk/news/science-environment-68381160>

[4] BBC Panorama: <https://www.bbc.co.uk/programmes/m001cw6z>

[5] Environmental Racism: <https://unearthed.greenpeace.org/2022/09/26/drax-accused-environmental-racism-further-pollution-claims-against-wood-pellet-mills-us/>

[6] Government consultation on whether to grant new subsidies to wood-burning power stations when their current subsidies end in 2027. The consultation closed on the 29th of February 2024: Transitional support mechanism for large-scale biomass electricity generators – GOV.UK

[7] More than 50 UK and international campaign groups – including Greenpeace, the RSPB and Friends of the Earth – signed letters sent to the Secretary of State for Energy Security and Net Zero last week, calling on the Government not to grant new subsidies for burning trees. Government urged to end subsidies as Drax accused of burning old forest wood | The Independent

[8] 30 MPs have signed a cross-party letter requesting a meeting with the Secretary of State for Energy Security and Net Zero to discuss the Government's proposals for new subsidies for wood burning in power stations: <https://www.thetimes.co.uk/article/drax-power-plant-burning-rare-forest-wood-despite-6bn-subsidies-m2qwf9c88>

[9] Over 165 scientists from universities around the world have signed a letter opposing Government proposals for new biomass subsidies to the Department for Energy Security and Net Zero (DESNZ): cutcarbonnotforests.org/wp-content/uploads/2024/02/ccnf-scientist-consultation-letter-signed-27Feb2024.pdf

- [Privacy Policy](#)



Business

Climate protesters target BP and Drax shareholder meetings

The energy companies both held their annual general meetings on Thursday.

Rebecca Speare-Cole • Thursday 25 April 2024 18:16 BST



Broadcaster Chris Packham and members of the Axe Drax campaign group protesting outside the Drax AGM (Merry Dickinson/PA) (PA Media)



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Climate protesters have targeted British energy firms BP and Drax as they held their annual shareholder meetings.

Broadcaster **Chris Packham** and members of the Axe Drax campaign group gathered outside the meeting at 133 Houndsditch in the City of London on Thursday.

Dozens of protesters crowded the building's entrance with banners reading: "Stop burning trees" and "Invest in green energy", and shouting "Axe Drax. **Reparations now**".

The firm, which runs the UK's largest power station in North Yorkshire and burns wood pellets to generate electricity, has been accused of causing environmental destruction and pollution across its supply chain.

As the meeting began, chief executive Will Gardiner and chairwoman Andrea Bertone were repeatedly interrupted by protesters who were then carried from the **207**

room by members of the security team.

RECOMMENDED

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Powered by Taboola

The chaotic scene saw people trying to storm the stage and delivering a choir rendition of “Hit the Road Drax”.

Meanwhile, four people were arrested as members of campaign group Fossil Free London tried to disrupt BP's meeting at its offices in **Sunbury-on-Thames**, Surrey.

Protesters had planned to interrupt chief executive Murray Auchincloss's opening remarks but they were blocked from entering the building by security teams.

Shouting could still be heard from outside as chairman Helge Lund opened the meeting, with protesters chanting: “Shut down BP. You've got blood on your hands.”

Surrey Police said one man and two women were arrested for conspiracy to commit criminal damage and another woman was arrested on suspicion of criminal damage and common assault on a security officer.

The force said red liquid was thrown during a routine search by security staff as the four tried to enter the building.

During the meeting, a woman representing Hussein Julood, who is threatening legal action against the oil giant over the death of his 21-year-old son Ali, confronted the board.

Mr Julood claims that flaring – the burning off of gas at the BP-run Rumaiła oil field in Iraq – caused his son’s leukaemia.

In a statement read out by the woman, he said: “You claim to have reduced gas flaring but a huge amount is still ongoing, filling the sky with thick black smoke.”

“While I seek reparations for my son’s death, Ali’s mother and I can never be compensated for the pain in our hearts,” he added.

Mr Lund said he would not comment on legal claims at the meeting, but added: “I want to repeat our condolences and how deeply saddened we are to hear of Ali’s passing.”

Investors at both Drax and BP’s meetings voted in favour of all resolutions with no shareholder revolts.

Environmental protesters have been increasingly targeting the annual general meetings (AGMs) of companies associated with or accused of producing high emissions.

Ahead of the Drax AGM, Mr Packham said: “In a global biodiversity crisis, you cannot justify felling and transporting wood from some of the planet’s most precious natural resources.

“It’s a disgrace that Drax is receiving huge subsidies meant for genuine renewables, it is past time to stop funding Drax’s destruction.”

The company receives money funded by energy bill payers because the electricity produced from burning wood pellets is classified as renewable.

But critics say this can only create carbon-neutral energy if companies use sustainable wood in their boilers.

Investigations by the BBC and others alleged that Drax sources from environmentally important forests.

Elsewhere, the firm has faced claims that pollution from wood pellet plants has caused health issues among residents of nearby local communities in the US.

Krystal Martin, a resident of Gloster, Mississippi – where Drax operates a pellet plant, travelled from the US to the UK for the meeting to confront Mr Gardiner.

Ahead of the meeting, she said: “We are tired of false promises and being ignored. **People** in my town are being harmed and we want the UK government to wake up and pay attention.

“If they give Drax more money, more people will be harmed. They must listen to us now before it’s too late.”

Drax has said it is confident its biomass is sustainable and disputed claims that its operations are having adverse impacts on communities.

On Tuesday, the company announced 250,000 (£200,000) dollars to create a fund for Gloster as part of ongoing community engagement efforts.

But Ms Martin said: “This is really an insult especially after the many years of physical, mental, emotional, and financial harm they have caused to the people in the community.”

In a statement, a Drax spokesperson said: “AGMs are the cornerstone of shareholder democracy.

“Unfortunately, some activists, who set out to disrupt the event and intimidate attending shareholders and Drax employees, were removed or prevented from attending the meeting. Safety and environmental compliance are our top priority.

RECOMMENDED

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“Drax is committed to ensuring the biomass we source delivers positive outcomes for the climate, for nature and for the communities in which we operate.”

210

Responding to the protests, a BP spokesperson said: “Our priority continues to be the safety and security of all attendees.”

More about: [PA Ready](#) [Chris Packham](#) [AGM](#) [People](#) [Reparations](#) [Sunbury-on-Thames](#) [Protesters](#)

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RECLAIM *The* POWER



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WE ARE TAKING ON DRAX.

JOIN US ON 8-13TH AUGUST 2024.

JOIN THE CAMP

**THE GLOBAL CLIMATE CAMP MOVEMENT BEGAN AT
DRAX IN 2006, WHEN OUR DEMAND TO END COAL
POWERED STATIONS WAS DISMISSED AS IMPOSSIBLE.
AS THE LAST COAL FIRED PLANT IN THE UK PREPARES
TO CLOSE THIS SEPTEMBER,
WE'RE BACK TO FINISH OUR BUSINESS.**

JOIN THE CAMP

DONATE

SIGN UP BELOW FOR CAMP UPDATES

NAME

First

Last

YOUR EMAIL ADDRESS **(REQUIRED)**

YOUR PHONE NUMBER

WHERE ARE YOU BASED?

ZIP / Postal Code

Country

LIFT SHARING TO CAMP

- I would like a lift from my town
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A No Dash For Gas Production | 2022

RECLAIM *The* POWER

Reclaim the Power Action Camp: 8-13th August

Reclaim the Power is back this summer with a mass protest camp for climate justice. As a decade old direct action network we will welcome new faces and old to a mass action camp targeting Drax - the biggest emitter in the UK, the world's biggest burner of trees and a key driver of environmental racism.

Join hundreds (hopefully thousands) of others from across the country and further afield for six days of workshops, communal living and action to fight the greenwashing eco-genocide of Drax. We will be camping from the 8-13th of August and attendance is entirely free, supported by donations.

Sign up here to get organised, stay up to date and join the camp.

SPONSORED BY



Reclaim the Power

JOIN THE CAMP

LIFT SHARING TO CAMP

- I would like a lift from my town
- I can offer a lift from my town

Not in GB?

- I consent to receive emails from Reclaim the Power that are not related to this action

If you are not already subscribed, would you like to receive email updates from Reclaim the Power? *

- Yes, opt in to email updates No, do not opt in

Note: If you subscribed earlier, this will not unsubscribe you. You can unsubscribe using the link provided in emails you receive. You can always take action without opting in.

JOIN




TAKE ACTION

Join an upcoming event or action:



RECLAIM THE POWER CAMP TARGETING DRAX

 **Date:** Aug 8 - 13, 2024

 **Time:** All Day Event

 **Category:** Action

 **Website:** [View Events Website](#)

MORE INFO 

- [Privacy Policy](#)



017 : 03 : 33 : 11
Day(s) Hour(s) Minute(s) Second(s)



DONATE



RECLAIM THE POWER CAMP 2024 INFO PACK

JOIN THE CAMP

SUPPORT



JOIN THE CAMP

NAME

First

Last

YOUR EMAIL ADDRESS (REQUIRED)

YOUR PHONE NUMBER

WHERE ARE YOU BASED?

ZIP / Postal Code

Country

LIFT SHARING TO CAMP

- I would like a lift from my town
- I can offer a lift from my town

COUNT ME IN



KEY INFO

DATE: 8-13TH AUGUST

The camp will start from the morning of **Thursday 8th August to Tuesday 13th August**. The first and last day will be reserved for setting up camp and taking it down. From the 9th to 12th August there will be the programmed activities.

LOCATION: TRAVEL TO LEEDS

The camp will be located in Yorkshire, with the nearest station for national travellers being Leeds. The camp should be around an hour further travelling away.

An exact pin of where the camp is will be announced publicly and to everyone who has signed up to the camp, on our social media, in any internal group chats and to our wider email list.

The site will be a squatted site, likely with grass, so we cannot announce the location until it has been occupied. There will be a full legal guide about what risk is involved in this.

ACCESSIBILITY

Read all the access information on [this access and food page](#), and contact us on info@reclaimthepower.org.uk if you have any more questions.

DOGS

Assistance dogs welcome are welcome on the site. Other dogs are discouraged for potential livestock and broader participant access reasons. Well behaved dogs on a lead can attend if needed.

LEGAL RISK

We will have a full legal briefing before the camp. Watch this space (and sign up for updates). For now, make sure you attend any upcoming "Know your Rights" training's with Green and Black Cross.

WHY TARGET DRAX?

Drax is a wood biomass power station located near Selby, in Yorkshire. It is a former coal-power station that converted to biomass, and now [entirely burns wood biomass](#). Drax is the [UK's single largest carbon emitter](#) and [world's biggest tree burner](#). Their actions have been repeatedly linked to [fueling environmental racism](#) and causing huge amounts of harm to [communities](#), [forests](#) and [biodiversity](#).

This is a very expensive project, and we are paying for it. Our bills subsidise Drax by nearly £2 million a day, while they made over £1 billion in profits in 2023. Drax admits they rely on subsidies to survive, and is currently trying to get them renewed, so this is a *crucial time act*.

Drax is neither sustainable or renewable. It burns more trees than any other power station in the world, and is the UK's largest single source of carbon emissions. Drax and the government claim that these emissions 'don't count' because the trees are grown in other countries, and because one day far in the future another tree will store that carbon. But it's common sense that *they do count, right here and right now* – they are contributing to catastrophic climate breakdown today. We need a real plan for reducing emissions, not a fantasy based on false accounting.

On top of that, Drax is toxic and dangerous. Drax power station is one of the highest emitters of particulate pollution in Europe, which causes lung disease and other respiratory problems, and it has been accused of endangering the health of their workers. The production of wood pellets in North America creates dangerous dust and pollution, which is destroying the health of people in marginalised communities and is a devastating injustice.





WHAT'S ON?

We have a packed program of workshops, entertainment, games, a kids space, and hopefully lots of actions! The full program will be released 3 weeks before the camp, and a few announcements will be made before then. Make sure you are signed up for updates to stay in the loop!

Reclaim the Power is a do-it-yourself space, which means everyone who turns up is expected to pitch in (according to their ability). Every morning there will be a meeting where anyone can pick up key work to keep the camp running.

TRAVEL

CARS AND VANS

The exact location of the camp will be announced on the morning, and the expected region is Yorkshire.

You **will not** be able to park on site, so please expect to have to carry your stuff in bags from outside the site. When we have more information this page will be updated, but for now we don't know how long that walk will be.

PUBLIC TRANSPORT

Ideally, people should arrive to camp via public transport.

The nearest train station to book your tickets to will be announced weeks before the leadup to the camp.

COACHES

If there is enough interested we can organise coaches from cities across the UK. Please fill in this form.





KIDS SPACE

There will be a dedicated kids space open between 9:00 and 5:30 every day of the camp (excluding setup and packdown), where children can be left while parents attend the programme etc. This will have a programme of kids activities (most likely two per day, one aimed at older kids and one aimed at younger kids) as well as having some toys, games, art materials, etc that are available all the time.

SUPPORT THE CAMP

DONATE TO THE CROWDFUNDER

Please chip in to make sure this happens, just £5 could cover food for one person for a day.

DONATE HERE

SIGN HERE TO SHOW SUPPORT

Sign on behalf of yourself or your organisation to support the camp. You would be supporting:

1. We demand an end to bill payer subsidies to burning trees for energy
2. A worker led transition to a green economy
3. Reparations for the communities harmed by Drax's operations.

ADD YOUR ORG





ADD YOUR NAME

UPCOMING EVENTS

23
July



[INFO TALK] RECLAIM THE POWER CLIMATE CAMP AGAINST DRAX

-  **Date** 23 July 2024
-  **Time** 12:30 pm - 2:00 pm
-  **Venue** Online
-  **Category** Talk

MORE INFO



09
August

DRAX 101

 **Date** 9 August 2024

 **Location** Drax Power Station, North Yorkshire, UK

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NATIONAL GATHERING IN YORK

by Reclaim the Power | Dec 23, 2023 | Event, News | 0 comments



Reclaim the Power have their next gathering from 24th to 25th Feb 2024. The exact location of the gathering will be emailed to you a week before. The nearest station is York station which it is a short walk away (5-10 mins).

We are focusing on Drax, with a planned mass action camp on 8th-13th August 2024. The gathering will be focusing on decisions on the run up to the camp, and is aimed for new people who have never come to anything in RtP as well as those who have been here for years. In short, *all are welcome*.

WHO ARE RECLAIM THE POWER?

Reclaim the Power is a UK based direct action network fighting for social, environmental and economic justice. We aim to build a broad based movement, working in solidarity with frontline communities to effectively confront environmentally destructive industries and the social and economic forces driving climate change.

WHAT IS DRAX?

Drax is a wood biomass power station located near Selby, in Yorkshire. It is a former coal-power station that converted to biomass, and now [entirely burns wood biomass](#). Drax is

the [UKs single largest carbon emitter](#) and [world's biggest tree burner](#). Their actions have been repeatedly linked to [driving environmental racism](#) and causing huge amounts of harm to [communities](#), [forests](#) and [biodiversity](#).

WHAT IS A GATHERING?

We organise two-day national gatherings to make collective decisions. These are held at different towns and cities across the country. We use them to make important decisions, but they also serve as spaces for learning, developing skills and getting to know people.

All our gatherings provide crash space, childcare, and cheap and vegan food. All our meeting venues are wheelchair accessible.

We try to make our gatherings as inclusive as possible for newcomers, including the use of a friendly "buddy" system, so don't worry if you've never been to anything like this before!

ACCESSIBILITY AND COVID-19

The meeting room is level access, and is a square, toilets on another and a raised stage on the far wall which we will not use. During the meeting time, the toilets will not be gendered, and outside of meeting time the accessible toilet is not gendered.

Please test for Covid-19 using a lateral flow test **before arriving at the gathering**, and do not attend if you have a positive test. There will be limited tests on arrival as we have low budget for this gathering and Covid tests are shamefully expensive. If possible, wear an N95/KN95/KF94 grade face mask while inside. We will do our best to keep the meeting room ventilated.

This action is not currently available.

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RECLAIM *The* POWER



[All Events](#)

BRISTOL NATIONAL GATHERING

1 June 2024 - 2 June 2024

9:30 am - 5:00 pm

[Bristol](#)[ADD TO CALENDAR](#)

Reclaim the Power (RtP) have their next gathering from Saturday 1st June to Sunday 2nd June 2024.

Come along to get involved with two days of organising ahead of this summers planned mass action camp. We particularly welcome those who are brand new or returning to Reclaim the Power. We haven't hosted a national gathering in Bristol for a long time, so this is a great opportunity to get involved if you are based in or around the South and South West.

The exact location of the gathering will be emailed to you a week before.

We are focusing on Drax, with a planned mass action camp on 8th-13th August 2024. The gathering will focus on decisions in the run-up to the camp and is for both new people who have never come to anything in RtP as well as those who have been here for years. In short, *all are welcome*.

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THIS ACTION IS NOT CURRENTLY AVAILABLE.



NAME

First

Last

YOUR EMAIL ADDRESS **(REQUIRED)**

YOUR PHONE NUMBER

WHERE ARE YOU BASED?

ZIP / Postal Code

Country

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RECLAIM *The* POWER



[All Events](#)

SHEFFIELD GATHERING JUNE 2024

29 June 2024 - 30 June 2024

9:00 am - 5:00 pm

[Sheffield](#)[ADD TO CALENDAR](#)

Reclaim the Power have their next gathering in Sheffield from Saturday 29th June to Sunday 30th June 2024.

Come along to get involved with two days of organising ahead of this summer's planned mass action camp. We particularly welcome those who are brand new or returning to Reclaim the Power.

The exact location of the gathering will be emailed to you a week before.

We are focusing on Drax, with a planned mass action camp on 8th-13th August 2024. The gathering will focus on decisions in the run-up to the camp and is for both new people who have never come to anything in RtP as well as those who have been here for years. In short, *all are welcome*.

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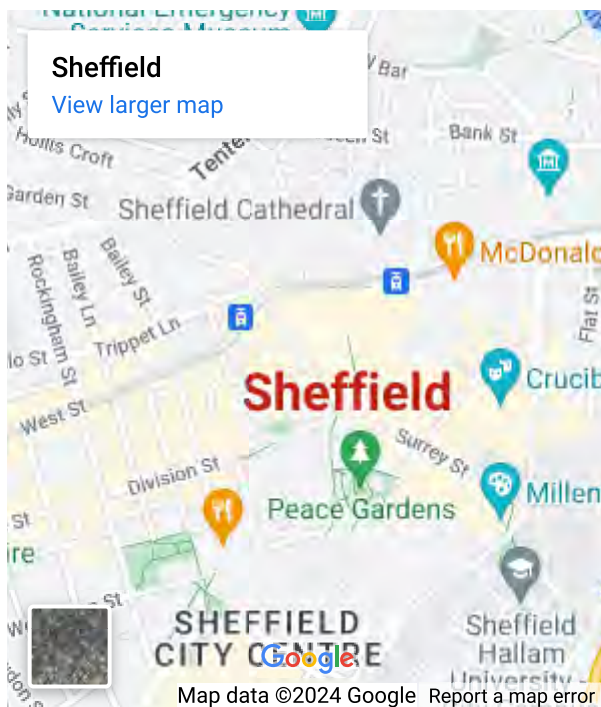
WHAT IS A GATHERING?

We organise two-day national gatherings to make collective decisions. These are held at different towns and cities across the country. We use them to make important decisions, but they also serve as spaces for learning, developing skills and getting to know people.

All our gatherings provide crash space, childcare, and cheap and vegan food. All our meeting venues are wheelchair accessible.

We try to make our gatherings as inclusive as possible for newcomers, including the use of a friendly "buddy" system, so don't worry if you've never been to anything like this before!

This action is not currently available.



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MENU



WHARF CHAMBERS

23-25 WHARF STREET, LEEDS LS2 7EQ

This event has passed.

RECLAIM THE POWER INFO TALK: CLIMATE ACTION CAMP IN 2024 TO TARGET DRAX 📄🏕️



JUNE 22 @ 3:00 PM - 5:00 PM



“
Want to hear about the re-energised Reclaim the Power network, and our exciting plans for summer of 2024? How do we build power in a time of crisis? What role do climate camps play in the climate movement? What is Drax, and why is it driving environmental racism & greenwashing? Come along to our action talk to find out!
”
“

Reclaim the Power (RtP) is a UK-based direct action network fighting for social, environmental and economic justice. Active since 2013, RtP have helped with successful campaigns against coal, gas and fracking as well as organising the first migrant justice and climate justice protest camp in 2019. We've organised protest camps, blockades and occupations of fossil fuel infrastructure and their supply chain services. RtP practices anti-hierarchical organising methods, building power within our collective rather than over each other.

”

“

”

“

RtP are mobilising for a camp around Drax, the biggest emitter in the UK, world's biggest tree burner and driver of environmental racism. We will be shining a spotlight on an often hidden injustice with an action-focused camp from 8th to 13th August.

”

DETAILS

Date:

June 22

Time:

3:00 pm – 5:00 pm



Admission to licenced events is for members and guests only. Become a member [here](#).

**Wharf Chambers
23–25 Wharf Street
Leeds LS2 7EQ**

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RECLAIM *The* POWER



[All Events](#)

[INFO TALK] RECLAIM THE POWER CLIMATE CAMP AGAINST DRAX

23 July 2024

12:30 pm - 2:00 pm

[Online](#)**ADD TO CALENDAR**

Want to hear about the re-energised Reclaim the Power network, and the exciting plans for summer of 2024? How do we build power in a time of crisis? What role do climate camps play in the climate movement? What is Drax, and why is it driving environmental racism & greenwashing? Come to the talk to find out.

👤 WHO ARE RECLAIM THE POWER?

Reclaim the Power (RtP) are a UK-based direct action network fighting for social, environmental and economic justice. Active since 2013, RtP have helped with successful campaigns against coal, gas and fracking as well as organising the first migrant justice and climate justice protest camp in 2019. We've organised protest camps, blockades and occupations of fossil fuel infrastructure and their supply chain services.

RtP practice anti-hierarchical organising methods, building power within our collective rather than over each other.

🌍 WHAT IS HAPPENING?

RtP are mobilising for a camp around Drax, the biggest emitter in the UK, world's biggest tree burner and driver of environmental racism. We will shining an unmissable spotlight on an often hidden injustice with an actions focused camp from 8th to 13th August.

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Last

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YOUR PHONE NUMBER

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RECLAIM THE POWER

8 to 13 Aug



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WHO WE ARE

Reclaim the Power is a UK based direct action network fighting for social, environmental and economic justice. We aim to build a broad based movement, working in solidarity with frontline communities to effectively confront environmentally destructive industries and the social and economic forces driving climate change.



HISTORY

Reclaim the Power formed from the No Dash for Gas action group that occupied West Burton gas-fired power station in 2012. The following summer in 2013, climate and economic justice groups came together to connect the dots and challenge the undemocratic, unjust and unsustainable system that is forcing us towards the climate catastrophe whilst imposing austerity politics on the most vulnerable in society.

Since 2013, we have held large action camps in solidarity with frontline communities affected by fracking and fossil fuel extraction. We also support our movement allies working on fuel poverty, anti-racism, tax justice as well as opposing unjust trade deals such as TTIP (the Transatlantic Trade and Investment Partnership).

Reclaim the Power has its roots in the alter-globalisation movement of the 1990s and the Climate Camp network a decade later.

[Find out more about how we organise here.](#)

OUR PRINCIPLES & VALUES

DIRECT ACTION

Direct action is about taking responsibility for the world around us – rather than deferring that responsibility to someone else such as a politician. It's where we make an intervention, often physically with our bodies, in order to change a situation. It's a necessary and important tactic which is being increasingly used in the struggle for environmental justice, particularly where legal, political and economic factors are stacked against us.

DIRECT DEMOCRACY

Reclaim the Power uses consensus-based decision making to give everyone an equal say, in contrast to majority voting whereby a large minority of people may have to live with decisions they completely disagree with. A consensus based system aims to reach

decisions that reflect and synthesise diverse viewpoints as far as possible, thereby maximising people's willingness to carry out those decisions.

ANTI-HIERARCHICAL

We don't have Chief Executives, Managers or Presidents. We aspire to organise non-hierarchically with decisions being devolved to working groups as appropriate. The working groups will sometimes select temporary spokespersons to make decisions on particular projects. We recognise, though, that unspoken hierarchies can still arise due to any one of the many ways that different privileges manifest themselves – and challenging these is a constant process .

ALL OPPRESSIONS ARE LINKED

We actively aim to challenge oppression both inside and outside of our organisation. We recognise that the same systems of domination, unearned privilege, exclusion and institutional violence underpin many different forms of oppression. This is reflected by the aims and narratives of our actions and how we engage with people outside our organisation.

Within our network we aim to be open, welcoming and accessible to all. We also recognise that each of us is vulnerable to either consciously or unconsciously acting out oppressive behaviour towards others. Reclaim the Power operates a Safer Spaces Policy in order to begin to address some of these issues.

WE NEED TO TALK ABOUT CAPITALISM

Climate change and environmental collapse are the products of an economic system based on infinite growth on a planet of finite resources, on colonial plundering and on the many inequalities of a class based system. The fight for climate justice cannot be removed from this social and economic context.

OUR ROLE WITHIN A DIVERSE MOVEMENT

We recognise that social change involves many different roles, tactics, strategies and organisations. Whilst we are committed to building a direct action movement, we are happy to work with any group that shares our goals whilst upholding these principles.

WHAT WE MEAN BY:

Frontline Communities: We recognise that some communities disproportionately face the harsh impacts of environmental degradation and climate change. We work in support of such communities in Britain and in solidarity with those elsewhere where possible.

Consensus Based Decision Making: Consensus decision making is a creative and dynamic way of reaching agreement between all members of a group. Instead of simply voting for an item and having the majority of the group getting their way, a group using consensus is committed to finding solutions that everyone actively supports, or at least can live with.

Get all our latest updates

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If you are not already subscribed, would you like to receive email updates from Reclaim the Power? *

Yes, opt in to email updates No, do not opt in

Note: If you subscribed earlier, this will not unsubscribe you. You can unsubscribe using the link provided in emails you receive. You can always take action without opting in.

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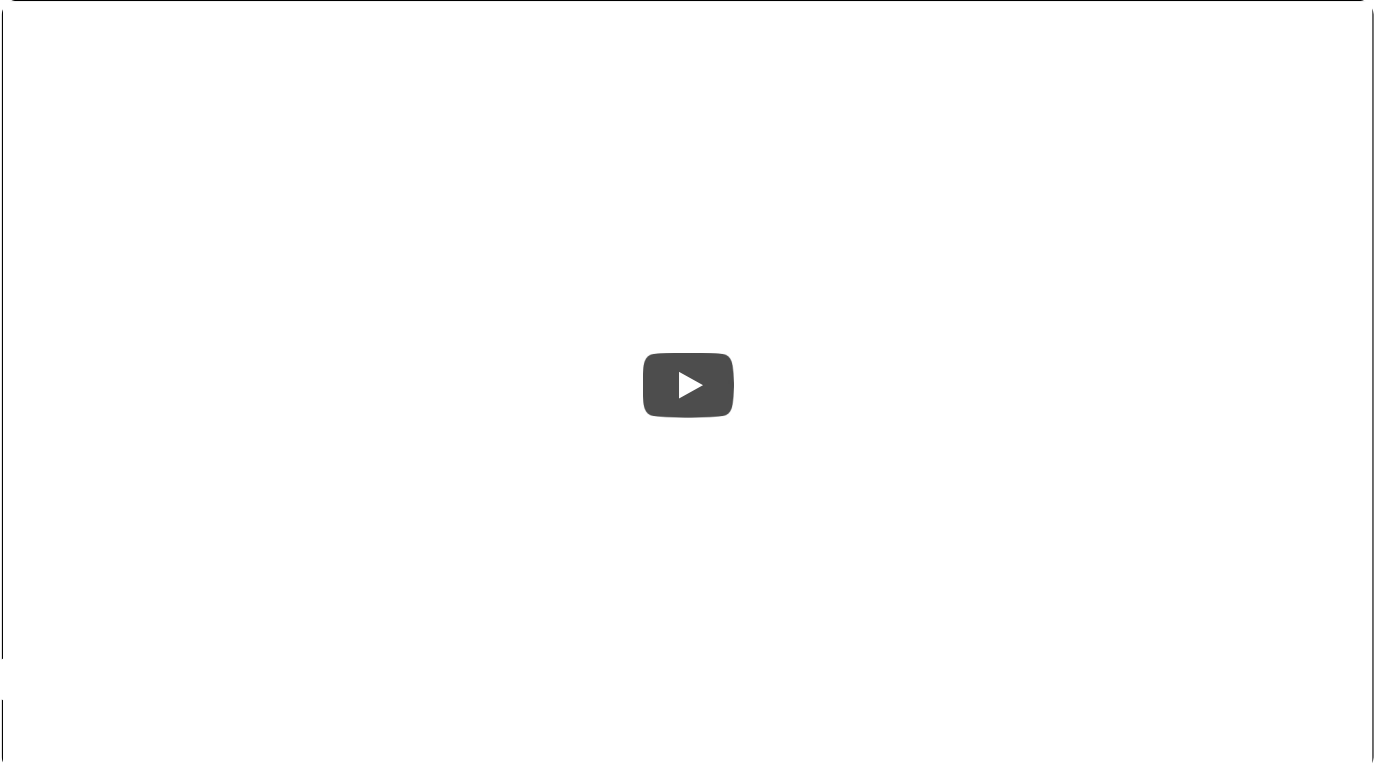


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We Take Action - Drax (Join Us 8th-13th August)

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As Reclaim the Power, we take action! Join us this August at our mass protest camp targeting Drax, where we'll be bringing hundreds of people together to stop this biomass power station which is the UK's largest single CO2 emitter!

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📅 Save the date!! 📅

📅 Reclaim the Power action camp 8th-13th August

Join us this summer as we camp, learn, and take mass direct action together against Drax - the UK's largest carbon emitter.

Sign up to hear more 📧 reclaimthepower.org.uk



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We still need to raise over £3,500 to help put together a mass action camp against Drax this summer. Watch this to find out why you should contribute to our crowdfunder here ko-fi.com/reclaimthepower



0:02 / 0:34

Reclaim The Power @reclaimthepower · May 8

We've got big plans for this summer, but we can't do them alone. We need to raise £5,000 to help put together a mass action camp against Drax - the UK's largest climate emitter. Donate now at ko-fi.com/reclaimthepower to help out, and ask your friends to do the same.

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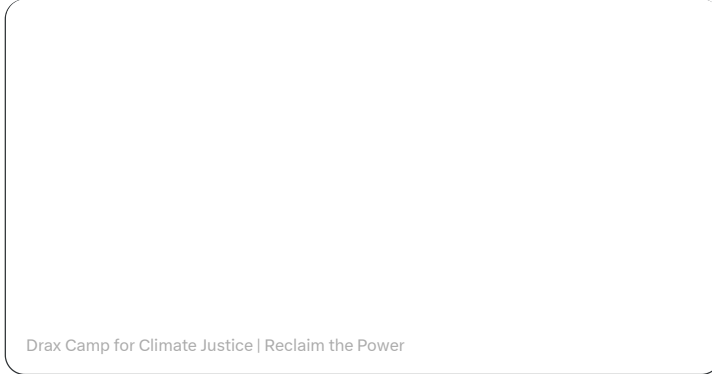
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In 4 weeks, you could join hundreds in a mass action camp targeting Drax, the worlds biggest tree burning power station 🔥

There will be six days of workshops, communal living and direct action to crash Drax's profits 🙌

Sign up to get more info 📩



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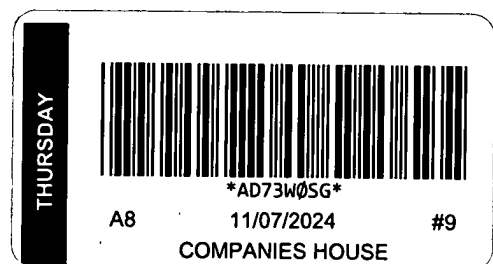
Drax Power Limited

Annual Report and Financial Statements

For the Year Ended

31 December 2023

Company Number 04883589



Drax Power Limited

Officers and Professional Advisers

Directors	Will Gardiner Andy Skelton Penelope Small Paul Sheffield
Company secretary	Brett Gladden
Registered number	04883589
Registered office	Drax Power Station Selby North Yorkshire YO8 8PH
Independent auditor	Deloitte LLP Statutory Auditor 2 New Street Square London EC4A 3HQ

Drax Power Limited

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Drax Power Limited

Strategic Report For the Year Ended 31 December 2023

Business review

The Directors present their Strategic Report for Drax Power Limited (the Company) for the year ending 31 December 2023.

The Company is part of the Drax Group plc group of companies (the Group).

Our business today

The Company is a power generation business running Drax Power Station, the UK's largest single source of renewable electricity by output.

The Company's primary objective remains to run a safe, reliable, flexible and profitable power station using biomass as its primary fuel source. An important part of this is working as a team to execute agile decisions and capture value in a market where stability is becoming increasingly important.

The Company purchases biomass from both European and international suppliers. The Company also enters into a substantial number of foreign currency exchange contracts to hedge the foreign exchange risk associated with the exposure against the fixed price of commodities, primarily biomass.

In 2020, following discussions with National Grid, Ofgem and the UK Government, the Group Board and the Company decided to end coal generation at Drax Power Station. Commercial generation from coal ended in March 2021 and the units were due to close in September 2022. In June 2022, the Company entered into an agreement with National Grid pursuant to which our two, legacy, coal fired units at Drax Power Station were made available from October 2022 to the end of March 2023. The units did not generate commercially during this time and only operated when instructed to do so by National Grid. At the end of March 2023, the coal units closed and generation from coal ceased. During 2024, the process to decommission the coal units was started.

The coal closure provision as at 31 December 2023 is £9.9 million (2022: £12.6 million). This provision consists of redundancy, pension costs, and other closure costs. Other closure costs include a provision for work to ensure the safety of the site and employees following the closure of the coal units. All costs associated with the closure of the coal units have been treated as operating and administrative expenses in the income statement.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

Business model

The Company's purpose is to enable a zero carbon, lower cost energy future and this informs its strategy through which the Company aims to build a long-term future for sustainable biomass. There are several steps in the Company's value chain, with each one providing incremental value to the business and ultimately maximising that value and delivering gross profit. Further details are provided from page 2 of the 2023 Drax Group plc Annual report and accounts. These financial statements may be obtained from Drax Power Station, Selby, North Yorkshire YO8 8PH, or on the Group's website at www.drax.com.

Key Performance Indicators

The Company's board of Directors (the Board) monitors the progress of the overall strategy and the individual strategic elements by reference to the following financial and non-financial indicators.

KPI	2023	2022
Total recordable injury rate ⁽¹⁾	0.22	0.15
Biomass unit availability ⁽²⁾	90%	87%
Adjusted gross profit ⁽³⁾	£1,015.6m	£679.1m
Operating and administrative expenses ⁽⁴⁾	£345.4m	£160.4m
Adjusted EBITDA including Electricity Generator Levy ⁽⁵⁾	£670.2m	£518.7m
Adjusted EBITDA excluding Electricity Generator Levy ⁽⁶⁾	£851.6m	£518.7m

(1) Total Recordable Injury Rate (TRIR) is defined as total fatalities, lost time injuries and medical treatment injuries per 100,000 hours worked.

(2) Biomass availability is measured as the percentage of time the biomass units are able to generate power, compared with the total time available after taking account of planned outages.

(3) Adjusted gross profit is defined as gross profit excluding the impact of exceptional items and certain remeasurements

(4) Operating and administrative expenses represent operating and administrative expenses as per the income statement.

(5) Adjusted EBITDA including Electricity Generator Levy is defined as earnings before interest, tax, depreciation and amortisation, excluding the impact of exceptional items and certain remeasurements

(6) Adjusted EBITDA excluding Electricity Generator Levy is defined as earnings before interest, tax, depreciation and amortisation, excluding the impact of exceptional items, certain remeasurements and Electricity Generator Levy

The Company's key non-financial performance indicators during the period are total recordable injury rate and biomass availability.

The Board monitors health and safety performance through regular reporting by local management teams and the Executive Committee. Each incident is comprehensively analysed and reviewed, lessons learned are shared with employees and actions are taken to mitigate the risk of future occurrences. At Drax Power Station, a weekly safety update is uploaded to the Company's intranet and the Board receives monthly reports which include the Total Recordable Injury Rate (TRIR) (defined as total fatalities, lost time injuries and medical treatment injuries per 100,000 hours worked).

In 2023, there was a change in the way TRIR information was collated and reviewed. Incidents and hours are now recorded by employee, by business unit. In 2022, the reporting was more aligned to statutory entities. This means that the 2023 figure takes account of incidents and hours at Drax Power Station as a whole, so could include employees not directly employed by Drax Power Limited. The impact of these employees does not materially change the TRIR presented above. The figure presented for 2022 has not been restated.

Biomass availability is measured as the percentage of time the biomass units are able to generate power, compared with the total time available after taking account of planned outages. In 2023, the availability of the biomass units was 90% (2022: 87%), including a strong performance from the Contract for Difference (CFD) unit, with an availability of 96% (2022: 83%), offsetting a higher forced outage rate on the Renewable Obligation (RO) units.

The Company's key financial performance indicators during the period are Adjusted gross profit, operating and administrative expenses and Adjusted EBITDA. The Company's financial performance for the period, measured in accordance with IFRS, is shown on the face of the Income Statement. Exceptional items and certain remeasurements are deducted from this financial performance in arriving at the Adjusted Results for the year. Adjusted EBITDA is defined as earnings before interest, tax, depreciation and amortisation, excluding the impact of exceptional items and certain remeasurements, see note 2.27 and note 12 for further information. These key financial performance indicators are further discussed in the financial review on pages 4 to 5.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

A Review of the business in 2023

The Company's ambition is to become carbon negative by 2030, using technologies such as bioenergy with carbon capture and storage ("BECCS") to remove more carbon from the atmosphere than we produce throughout our direct business operations (scope 1 and 2). Subject to agreeing the right regulatory and investment framework with the UK Government, the Company plans to transform Drax Power Station into one of the world's leading carbon capture projects, using BECCS to permanently remove 4Mt of carbon emissions from the atmosphere each year by 2030. The project is well developed and the technology is proven within the industry, however some uncertainty still exists over the deployment of large scale BECCS. See note 3 for further details.

Operational performance

The Company performed well operationally during 2023, underpinned by strong system support and generation performance, providing high levels of dispatchable renewable and low carbon power. A higher achieved power price and value from system support was able to offset incrementally higher biomass fuel costs.

In July and November 2023, the Company successfully completed outages on two of its renewable obligation scheme units (2022: no outages). It is now expected that these units will benefit from efficiency improvements and lower maintenance costs, incrementally reducing the cost of biomass generation at Drax Power Station.

The Company's biomass units produced 11.5 TWh (2022: 12.3 TWh), equating to 8% (2022: 10%) of the UK's renewable electricity, making Drax the UK's largest renewable generator by output. The period-on-period reduction is reflective of the planned outages discussed above.

As previously reported during 2022, upstream inflationary pressures in certain aspects of our supply chain led to some biomass cost increases in 2023, in addition to an increase in labour costs at Drax Power Station adding to the fixed cost base of the plant. The impacts of higher biomass prices are largely mitigated by our long-term hedging strategy which ensures a high proportion of the contracts in place have agreed pricing out to 2027, and in some cases longer term.

Regulation

Changes to government policy at a regional and national level may increase the cost to operate our business. Global economic challenges and volatility in commodity markets have created the potential for an accelerated timeline of political and regulatory reform, as governments and regulatory bodies seek to ensure fiscal policy and regulation, including regulation surrounding biomass, remains fit for purpose.

As part of their response to current heightened energy prices, the UK Government announced an Electricity Generator Levy (EGL), which applies to the Company's generating assets under the Renewable Obligation scheme from 1 January 2023 to 31 March 2028. The levy will apply to the three biomass units operating under the Renewables Obligation (RO) scheme. However, it does not apply to the Contract for Difference (CfD) biomass unit. EGL for the year ended 31 December 2023 of £181.4 million was charged to the income statement.

On 31 May 2023, Ofgem announced the opening of an investigation into the Company's annual biomass profiling reporting under the Renewables Obligation scheme. Ofgem's announcement stated that the opening of an investigation does not imply any finding of non-compliance. Ofgem separately confirmed that they have not established any non-compliance that would affect the issuance of ROCs to the Company, and therefore the associated financial benefit. Like all energy generators, the Company receives regular requests from Ofgem and continues to cooperate fully throughout this process. The investigation is currently ongoing.

Capacity Market

The results for the full year ended 31 December 2023 include £0.9 million (2022: £8.1 million) of capacity market income. The reduction in capacity market income is driven by a reduction in the clearing price between periods. The Capacity Market continues to be an important cornerstone energy policy, a cost-effective safeguard for security of supply and necessary to underpin the development of new generation projects.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

Commodity markets

The Company's profitability is primarily influenced by the bark spread (the difference between the power price and the cost of biomass net of renewable support). Bark spreads are driven by a number of factors, such as underlying commodity prices (e.g., oil, gas, power, biomass including exchange rates and carbon), the availability of generating capacity on the electricity system, and the positions taken by market participants.

Whilst commodity markets have become less volatile when compared to the previous period, in the most part, prices are still above historic levels. The Company actively manages the liquidity requirements associated with the hedging of power and other commodities, and this has helped to mitigate the impact of this volatility. Please refer to commodity risk on page 12 for further information regarding the management of this volatility.

Financial review

Gross profit performance

Total gross profit of £1,261.9 million (2022: £441.1 million) includes the year-on-year movement in the mark to market position of derivative financial instruments, which resulted in gains of £246.3 million (2022: losses of £238.0 million).

Adjusted gross profit of £1,015.6 million (2022: £679.1 million) reflects a strong year operationally. This performance is reflective of strong renewable power generation as well as a strong operational performance, which effectively mitigated the increased risk of an unplanned outage during periods of high-power prices.

Operating and administrative expenses

Operating costs (excluding financial instruments) of £345.4 million (2022: £160.4 million), are £185.0 million higher than prior year.

This is reflective of higher levels of intercompany recharges of £129.8 million (2022: £10.2 million) due to a change in corporate cost allocation, significantly higher plant maintenance costs of £95.8 million (2022: £41.4 million) due to two planned outages being undertaken in 2023 (2022: no planned outages) and higher staff costs of £62.5 million (2022: £58.4 million) due to an increase in head count.

Adjusted EBITDA including EGL and Adjusted EBITDA excluding EGL

For the year ended 31 December 2023, the company uses Adjusted EBITDA both including and excluding EGL. Management believes that providing both measures provides useful information, as it enables readers to compare, on a consistent basis, the current period Adjusted EBITDA to prior periods in which the EGL was not applicable, and also to see the impact of EGL, which is relevant for comparison in future periods. Adjusted EBITDA excluding EGL (defined on page 2) of £851.6 million (2022: Adjusted EBITDA of £518.7 million) is higher than the previous year. This reflects a strong system support and renewable power generation performance, providing high levels of dispatchable renewable and low-carbon electricity and system support services, more than offsetting incrementally higher biomass cost. Adjusted EBITDA including the EGL charge of £181.4 million was £670.2 million.

Profit before tax

Profit before tax of £863.7 million (2022: £205.5 million) is £658.2 million higher than in the previous year primarily reflecting the increase in EBITDA referenced above.

Financial instruments

A key component of the Company's (and the Group's) risk management strategy is the use of forward contracts to secure and de-risk the future cash flows of the business. Whilst these contracts are all entered into for risk management purposes, a proportion of the Company's portfolio is not designated into a hedge accounting relationship in accordance with IFRS 9. Where this is the case, the unrealised gains and losses arising from the change in market value of these contracts is recognised in the Income Statement.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

Profit for the financial year included unrealised gains of £246.0 million (2022: losses of £238.0 million) within the Income Statement in respect of outstanding contracts for future delivery, that were not hedge accounted under IFRS 9. In the Company's statement of other comprehensive income, a gain of £1,805.8 million (2022: gain of £1,072.2 million) was recognised in the hedge reserve, for items hedge accounted under IFRS 9.

These gains reflect favourable movements in the valuation of power, gas, carbon, oil and inflation contracts, offset by adverse movements in the valuation of our foreign exchange portfolio, as sterling strengthened during 2023.

In addition to hedging foreign currency commitments the Company also forward purchases oil, gas and carbon, and forward sells power as required. Power prices fell significantly during 2023 but remained higher than historical levels. This led to fair value gains being recognised in the hedge reserve. The Company has hedges in place covering the majority of forecast power sales throughout 2024 and 2025, mitigating the risk of falling power prices.

The term for which the Company can hedge is limited by available credit lines and market liquidity. The Company's existing portfolio of currency hedges extend to 2027, which gives rise to fuel price volatility for the Company's unhedged exposures beyond this date. The Company remains focused on reducing the long-term cost of biomass fuel to preserve gross profits beyond the current foreign currency hedge period.

The accounting for these contracts is set out in further detail in notes 2.17 and 17 to the financial statements.

Capital expenditure

Capital expenditure on property, plant and equipment of £122.0 million (2022: £67.4 million) relating mainly to the two biomass unit outages that occurred during 2023. No biomass unit outage occurred in 2022.

The Company maintains a positive outlook regarding the future prospects of the generating assets. Furthermore, the Company will invest in the generating units' reliability and flexibility to ensure they can continue to provide the essential services required by the grid and maximise the value of the generation business.

In January 2024, the UK Government approved the Development Consent Order (DCO) for BECCS at Drax Power Station. The DCO is a milestone in our project to convert two of our biomass units at Drax Power Station to the carbon removals technology BECCS as it provides planning consent for its development.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

Principal risks and uncertainties

The effective management of risks within the Company underpins the delivery of key priorities.

The Company has a comprehensive structure of governance controls in place to manage risks. Policies have been established in key areas of the business such as trading, treasury, production and health and safety to ensure that these risks are managed in a controlled manner and in accordance with the policies set by the Group Board.

The Group Board has identified nine Principal Risk categories which have the potential to have a material adverse impact on the operational or financial performance of the Group, or its compliance with laws and regulations. These and other key risks are assessed within an established risk management programme by which management, the Executive Committee and the Board review the risk, how it may evolve, and the Group's ability to respond by implementing appropriate mitigating controls.

As part of its annual risk review processes, the Board has considered reports from management reviewing the Principal Risks and uncertainties, and how these had evolved over recent months leading up to the publication of the 2023 Drax Group plc Annual report and accounts. This review took account of changing external factors, such as cyber risk, volatility in energy prices, risks relating to the pricing and availability of biomass, political and regulatory uncertainty, developments in government policy and the ongoing security impacts of geopolitical unrest in regions such as Russia, Ukraine and the Middle East.

These factors, with the potential to materially affect the Company's risk exposure, are discussed further below.

Cyber risk - Geopolitical uncertainty has been known to create not only volatile market conditions, particularly for energy, but also threats to operational activities; for example, from attacks on our systems and those of suppliers on whom the Company relies for integrity of service. In the prior year, it was concluded that due to the war in Ukraine, the cyber security risk facing the Company was materially heightened. Conflict in areas such as the Middle East, combined with the ongoing war in Ukraine, means that cyber security risk continues to be higher than historical norms.

It is acknowledged that cyber-attacks are increasing in sophistication and complexity, requiring ongoing assessment and response to address any emerging vulnerabilities. Whilst currently we believe the mitigations in place sufficiently remediate the gross risk to the Company, emerging threats require enhancement of key controls and investment to support a proportionate but effective response.

Market price volatility – During 2023 and early 2024, current and forward energy prices experienced a significant reduction from the highs of 2022, on the back of mild weather and reducing risk premiums associated with European gas storage levels. Despite prices remaining higher than historical long-term averages, the reduction reflects a material decrease in the risk associated with having to buy back power at current energy prices should the Company experience an unplanned outage. The significant changes in price can also present optimisation opportunities.

As a result, the Board concluded that the Trading and Commodity principal risk has significantly reduced from the heightened level reported in the 2022 Annual Report and Accounts. This assessment reflects information available at the time of reporting, including the fair value of forward power hedges as detailed in note 17; however, the Board and management recognise the need for continuous monitoring given the inherent volatility in commodity markets which could materially alter the Company's exposure.

Biomass availability - The global biomass market remains under pressure, and while most of the third-party biomass we use is under long-term contracts, financial pressures on suppliers create risks to their ongoing viability. This is being monitored closely, and regular discussions are being held with key suppliers to understand the potential impact on their operations. In some instances, it has been necessary to incur additional costs to underpin the resilience of our supply chain; this could continue to be a factor for the remainder of 2024.

UK Power BECCS - Generation from biomass has continued to play a crucial role in UK energy security, and the case for the future role of BECCS in supporting UK energy independence and its net zero ambitions strengthened during 2023. However, achievement of the Company's strategic aim to become a global leader in carbon removals remains subject to significant Government support.

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Strategic Report (continued) For the Year Ended 31 December 2023

UK Power BECCS (continued) - The UK Government's Biomass Strategy was published in 2023, reaffirming support for biomass, whilst also explaining the potential design of a Power BECCS business model, which includes a 15-year CfD with a dual payment mechanism linked to both low-carbon electricity and negative emissions.

During 2023, the UK Government also provided an update on the next steps of the cluster sequencing for carbon capture, usage and storage (CCUS) programme, being the Track-1 expansion and Track-2 cluster deployment for both of which the Group is eligible, and under which support contracts could be negotiated and awarded over the coming years

The UK Government has confirmed that they intend to facilitate the transition from biomass to BECCS to support biomass generation after the expiry of existing subsidies until biomass generators have been able to transition to support under the power-BECCS business model. The 'bridging mechanism', as this is now known, is currently the topic of a public consultation launched in January 2024.

Despite this positive public support by the UK Government during 2023, both the bridging mechanism and cluster sequencing process remain subject to ongoing processes with the current UK Government, and the risk remains that the Company is not successful in either application. The Board does not believe there has been a material change in this risk during 2023.

Political and regulatory risk - A UK General Election is scheduled for July 2024. A change in Government could result in delays or changes to policy or regulation that could increase the cost to operate our businesses, impact investment or financial support, reduce operational efficiency, and affect our ability to realise our corporate strategy. We continue to see strong support from UK Government officials in our areas of operation and in our prospective strategic goals; however, this level of increased uncertainty has resulted in the Board concluding that, as at the time of approval of these financial statements, political risk is heightened.

Regulators continue to apply a high level of scrutiny to the energy market, partly as a result of recent volatility in commodity markets. This includes ensuring the Company uses sustainable biomass, as its electricity generation from biomass benefits from public subsidies. This is particularly relevant to the Company given the potential expansion of the use of biomass for the purposes of BECCS. The Company remains confident in its compliance as regulations continue to evolve. The Board does not believe there has been a material change in the risk of compliance since the release of the 2022 Annual report and accounts.

Potential escalation of Middle East conflict - The Company is cognisant of the ongoing conflict in the Middle East and the potential for this to escalate further. The possible impacts on the Company, based on the status of the conflict in the region at the time of signing these financial statements, have been considered including market volatility, supply chain disruption and pricing pressures. Because of the mitigations and contingencies in place, the Board does not currently expect these impacts to be material. However, the Board note that future events are uncertain, and any escalation of the Middle East conflict could change this assessment.

The assessment of the most significant risks and uncertainties which could impact long term performance is detailed below, including those noted above. These risks are not set out in any order of priority, and they do not comprise all the risks and uncertainties the Company faces.

Further detail can be found on pages 94 to 107 of the 2023 Drax Group plc Annual report and accounts.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

STRATEGIC RISK

Context

The business' purpose is to enable a zero carbon lower cost energy future, with an ambition to become a carbon negative company by 2030. The Company has strategic pillars that underpin its purpose and ambition. Strategic risks are defined as those that could materially undermine any of the Company's strategic aims, and thereby prevent the business from delivering its stated outcomes and fulfilling its purpose.

Strategic pillar: To be a global leader in carbon removals

To be a leader in the emerging carbon removals market, the Company is working to prepare Drax Power Station for BECCS. This requires the development of an economically attractive business model and adequate fiscal and legislative support from the UK Government.

Risk and impact

- There is a risk that current or future UK governments do not provide the fiscal and legislative framework required to support the scale of the BECCS programme and Drax's future investment decision. This could result in the potential impairment of £42.8m of capitalised UK BECCS development costs.
- The process and timetable in the UK for BECCS remains dependent on Government timelines, this could slow down the Company's ability to execute its strategy.
- There is a risk that Drax cannot build the right asset portfolio at sufficient scale to achieve a leading position.

Key mitigations

- The Company has developed options for the UK BECCS project at Drax Power Station and are in ongoing engagement with UK Government and other stakeholders to secure the right commercial model for continued operation and bridging support in the interim.

Strategic pillar: To be a UK leader in dispatchable, renewable power

To maintain the position as the leading provider of UK dispatchable, renewable power requires the right portfolio of assets and associated business models. These must operate within a system that values the dispatchable characteristics of those assets at the right economic levels.

Risk and impact

- There is a risk that our asset portfolio is not appropriately valued by the market, is excluded from effective participation in power markets, or might be outperformed by a future technology.
- There is a risk that Drax Power Station does not receive the right economic support post 31 March 2027 required to operate and invest in assets which provide the dispatchable renewable power.
- There is a risk that unexpected changes to electricity supply and demand could reduce both demand and volatility, and therefore limit the market for dispatchable renewable assets.
- Some of the Company's assets are significantly aged and, as plants age, despite an established maintenance programme, their operational reliability and integrity is expected to reduce which may result in unplanned outages.

Key mitigations

- We maintain and invest in our market modelling capability and embed it into planning, option assessment and test and/or cross check against third-party scenarios. We continue to actively engage with relevant UK Government departments and regulators in relation to obtaining the best mechanism through which we can provide dispatchable renewable power from Drax Power Station.
- We continually evaluate the current and projected performance of our own portfolio of assets, and the value gained from changing the composition of the asset portfolio in line with the business' view of the outlook for the market and emerging technologies.
- A comprehensive plant investment and reliability programme has been implemented.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

Strategic enabler: Capital

Delivering any one of the strategic aims requires the ability to access and effectively allocate the capital required, whilst maintaining a corporate credit rating in the BB range, to support power trading.

Risk and impact

- There is a risk that the business is unable to raise sufficient finance to fund the ongoing business or remain compliant with existing financing agreements due to poor performance, illiquid capital markets or poor credit rating leading to lack of investor appetite for the business' credit and/or equity.
- The Company continues to lack a longer-term view of support mechanisms post 2027 exposing the Company to increasing costs of financing.
- Wider economic or geopolitical challenges may impact the availability of financing due to changes in market liquidity and costs of capital.

Key mitigations

- The Company's financial position including working capital and cash resources is strictly controlled.
- We continue to run a full investor relations programme, covering equity and debt markets.
- The Company's capital allocation process provides rigour and consistency in assessing the technical, financial, and strategic justification and performance of new projects across the business, in particular for investments in new and emerging technologies.
- We are consciously managing the business and investment to accommodate a range of possible outcomes for Government support at Drax Power Station post-2027.

HEALTH, SAFETY AND ENVIRONMENT RISK

Context

The health and safety of our employees and contractors, and effective management of our environmental impact remain priorities for the Company. Maintaining high operational and procedural safety standards is also an important contributor to the continued success of the business across all aspects of our activities. Safe, compliant, and sustainable operations are integral to the delivery of our strategy and crucial for sustained long-term performance. Safety and environmental management are foundational to our operational philosophy, and we continue to work across the business to identify, implement and maintain high standards supported by a positive culture of safe working. We seek to respond proactively to emerging legislation and regulatory changes in both safety and environmental aspects.

Risk and impact

- Our operations involve a range of potential hazards which could affect colleagues, contractors, others attending our sites, and the wider environment, that arise from the materials and equipment we use and the processes we perform. This includes heavy plant and machinery used in the generation of electricity from different sources, including biomass.
- The biomass we use to generate electricity, and the particulates that can occur if the biomass pellets degrade, are highly combustible.
- In the generation of electricity, supplied to the National Grid at up to 400kV, we operate various plants at high temperatures and pressures. These are inherent attributes of our operations which contribute to Health, Safety and Environment (HSE) risk.
- The day-to-day operation of the Company's assets includes maintenance work on plant and machinery that is large and comprised of numerous parts. Work of this nature carries risks to our colleagues and contractors. The planned outage performed on two of the Power Station's biomass units during 2023, involved capital expenditure of £49 million, and was executed successfully and safely.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

Key mitigations

- Continued investment in safety equipment, environmental mitigation, and plant equipment and its regular maintenance.
- Maintaining robust management systems which are subject to periodic review and are refreshed as appropriate.
- Effective governance framework including an executive-level Group HSE Committee, chaired by the CEO, to review and challenge the management of HSE across the business.
- We report our safety performance including our total recordable incident rate (TRIR) monthly and share this with the Board regularly. This measure forms part of the safety metric in the Company's bonus calculation.
- Adoption of our HSE IT reporting system for tracking and reporting events and near misses, prompt investigations, and timely implementation of corrective actions by directing attention and encouraging continuous improvement.
- A programme of training, which aims to provide colleagues with an appropriate level of competence, enabling them to contribute to the effective management of HSE risks.
- Health and Safety awareness events were held, including a two-day pre-outage event for employees and contractors at Drax Power Station.
- Raising awareness through shared experiences of events or near misses with colleagues and seeking to adopt improved practices in response to incidents.

POLITICAL AND REGULATORY RISK

Context

Generation of electricity using sustainable biomass has continued to play a crucial role in UK energy security, and the case for the future role of BECCS in supporting UK energy independence and its net zero ambitions has continued to strengthen. During 2023, the UK Government published its Biomass Strategy in which it outlined the potential extraordinary role that biomass can play within power, heating and transport, including a priority role for BECCS, which is seen as critical for meeting net zero targets set by the UK Government due to its ability to facilitate large-scale carbon removals.

However, the Company remains conscious of the ongoing discussion associated with biomass (refer to Biomass Acceptability Principal Risk) and the need for further commitment and financial support from the UK Government, and other critical partners, in order to deliver the decarbonisation of UK power generation and enable the Company to realise its negative emissions strategy.

Global economic challenges and volatility in commodity markets have created the potential for an accelerated timeline for the UK Government's continuing review and reform of the detailed legislation and regulation that underpins the electricity market. In 2023, this included continuing work on the Review of Electricity Market Arrangements (REMA) and the commencement of the Electricity Generator Levy (EGL). Through 2023 the UK Government also consulted on further reforms to the Capacity Market, in particular to strengthen the security of supply and provide greater clarity around the transition to net zero.

Risk and impact

- The cost-of-living crisis, compounded by the residual effects of Covid-19 and other geopolitical issues, continues to have an impact on social and economic policy as well as UK Government funding. This has resulted in delays to the introduction of new legislation to deliver investment frameworks that support reducing carbon emissions. This could adversely impact the investment needed to support BECCS, which may result in material delays in the ability to realise the Company's strategy around carbon removals.
- A UK General Election is scheduled for July 2024. Any resultant changes or delays to government policy at a regional and national level in the countries in which we operate, may increase the cost to operate our businesses, reduce operational efficiency, and affect our ability to realise our strategy.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

POLITICAL AND REGULATORY RISK (continued)

- The UK Government, in their Biomass Strategy, confirmed that they intend to facilitate the transition from biomass to BECCS. In January 2024, the UK Government launched a public consultation on a bridging mechanism. Alongside this, the UK Government provided an update to industry on the next steps of the CCUS cluster sequencing programme (under which support contracts will be negotiated and awarded). Both the bridging mechanism and cluster sequencing process remain subject to ongoing processes with the current UK Government, and there is a risk that the Company is not successful in either application.
- Given the industry in which the Company operates, it is subject to a large number of regulations which are broad ranging in nature. As a matter of course, there are many areas where regulators may see fit to request information on compliance frameworks, reporting processes, internal/external assurance and/or market interactions in relation to our regulatory obligations. For example, in May 2023, Ofgem opened an investigation into the Company's compliance with reporting requirements under the Renewables Obligation.

Key mitigations

- Engaging with politicians and Government officials, to both listen to and inform understanding and perception of the Company's business. This includes our commitments on sustainability and the creation of socioeconomic value (including jobs, training, and investment in communities), plus the critical role that the Company's strategy will play in supporting the UK's committed target to achieve net zero by 2050 and ensuring security of supply.
- Working with regulators and industry bodies to understand their priorities, provide constructive feedback that may contribute to their strategic direction, and undertake scenario planning and commercial impact analysis in response to potential reforms, and in preparedness for ensuring compliance.
- Ensuring our compliance frameworks and internal guidance remain robust and continue to focus on best practice as regulation evolves and the business further expands its global operations.
- Investment in knowledge and experience through recruitment into the business to best support our operations.

BIOMASS ACCEPTABILITY RISK

Context

The use of sustainable biomass is a significant element of Drax's business and is important in the delivery of longer-term strategic objectives, enabling the Company to meet its carbon removal target and the UK to realise its net zero goal. During 2023, The Company sourced and shipped to the UK, 6.0Mt of biomass for use in the operational activity of generating electricity at Drax Power Station.

Biomass Acceptability risk relates to the Company's exposure to unfavourable changes to biomass-specific Government policy or regulation as a result of high-profile campaigning by anti-biomass groups against the use of biomass. There continues to be clear and reiterated acceptance and recognition by the UK Government and other key organisations of the importance of biomass in enabling security of supply and in tackling climate change, seen predominantly within the supportive Biomass Strategy which was published during 2023.

Risk and impact

- Some parties, including certain environmental non-governmental organisations (eNGOs) continue to argue against the use of biomass. These groups seek to influence and challenge policy and lawmakers, which may result in reduced political, business, public, and financial support for the utilisation of biomass in energy generation.
- A UK General Election is scheduled for July 2024. There may be increased protester activity immediately before and after the election with anti-biomass sentiment seeking to influence decisions associated with biomass and the Company's business model.
- The UK Government has demonstrated their awareness of additional policy decision-making that will be required as a result of the support shown for biomass in the UK Government's Biomass Strategy published in 2023, in particular, how biomass sustainability can be assured when the CfD regime closes to biomass from 2027 onwards. If the UK Government's support for biomass as a renewable technology changes, this may negatively impact the Company's UK operations and revenues.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

BIOMASS ACCEPTABILITY RISK (continued)

- Regulatory frameworks associated with the sourcing of biomass materials are under development, including in regions where we currently conduct business and others where we may seek to develop our business in the future. It is possible that future regulatory frameworks may conflict with our strategy. This could result in reduced support for certain types of biomass as a renewable energy source, increased costs of doing business, or the introduction of barriers to entry which may adversely impact our growth plans and financial returns versus expectations. For example, the EU has completed its 'Fit for 55' legislative package, including updates to the Renewable Energy Directive (REDIII) and a new EU Deforestation Regulation. Both pieces of legislation impose additional restrictions and requirements that may impact our ability to supply biomass to Europe. The EU Deforestation Regulation is entering into application in December 2024. REDIII, as a Directive, will need to be transposed into national legislation of the EU Member States by 21 May 2025; Member States will have some flexibility in implementing REDIII requirements.
- A new proposal on Certification of Carbon Removals (including BECCS) is currently going through the EU legislative process. We continue to engage with EU policymakers to reflect the Company's perspective during the implementation phase of the legislation and offer views for consideration in finalising the certification legislation.
- Reputation and market risks related to the transition to a low-carbon economy include increased activity by eNGOs; the potential for reduced investor and customer confidence; delays to our strategy (for example, more stringent qualifying regimes or approval processes linked to developing existing or new facilities, risk from legal challenge by eNGOs to our development or operational activities, or to government action which is supportive of BECCS and sustainable biomass through the use of judicial review); and challenges with employee recruitment and retention.

Key mitigations

- Engagement with stakeholders via a new global biomass campaign, to understand their requirements and expectations around sustainability as well as improving readiness to produce evidence of compliance.
- Where possible, seeking engagement with eNGOs to discuss issues of contention and potential areas of common ground, in support of more constructive engagement on delivering change that is responsible and sustainable. Equally, where we believe the views of eNGOs are inaccurate or misleading, providing robust challenge.
- The Independent Advisory Board (IAB) made up of experts in the field of forestry and associated disciplines provide the Company with advice on sustainable biomass and its role in the Company's transition to net zero emissions. The IAB provides feedback on the Company's approach to sourcing, including feedstock options, procurement practices, forest science and how the Company can optimise carbon benefits. Using the latest scientific analysis, the IAB make recommendations on the Company's approach to sustainable biomass sourcing, helping it become climate, nature and people positive. The Company has also commissioned analysis by third parties to analyse the business' BECCS strategy, such as the recently published report 'The Value of BECCS at Drax Power Station' which was authored by Baringa.
- Targeted planning and engagement with the REDIII negotiation process and via Trade Associations suggesting alternative policy and regulatory solutions, to ensure workable outcomes.
- New governance structure introduced, consisting of the Sustainability Council and Biomass Leadership Team. Both are concerned with the oversight and deliverability of the Company's activity on sustainability of biomass and BECCS.
- Continued assessment of new markets from which to source sustainable biomass.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

TRADING AND COMMODITY RISK

Context

The Company is exposed to volatility across a range of commodity prices, impacting both revenues and expenditures. Effectively managing these fluctuations, their interconnections, and the resulting balance of opportunity and risk is fundamental to the successful financial performance of the Company. Despite remaining above historical levels, system prices have significantly reduced since 2022 and, therefore, the level of exposure to the Company of an unplanned outage was materially lower during 2023. However, this remains under continuous scrutiny given the recent volatility in commodity markets.

Our portfolio strategy focuses on optimising assets to extract maximum value while adhering to our risk management framework, which comprehensively addresses the unique aspects of each commodity. We use forward hedging of varying lengths to mitigate the impact of commodity price fluctuations on both revenue and expenses. Furthermore, we have implemented multiple routes for market access to effectively manage liquidity constraints.

Risk and impact

- The risk that the present CfD subsidy regime concludes in 2027 without being extended or a suitable alternative being implemented would fundamentally impair the ability of the Company to be operationally profitable. The uncertainty associated with this could increase the price and supply risk of the associated biomass fuel for the power station.
- Despite power prices reducing materially since their peak at the end of 2022, they remain subject to significant volatility. Short-term elevated power prices in excess of hedged rates may result in losses should an unplanned outage occur on one or more of the Company's generating units, as the Company could be required to buy back at spot rates (or the current market price) which could be higher than the price that the Company had originally been paid for supplying that power.
- Falling power prices can lead to increased market exposures across market participants, which could potentially reduce the market's appetite to trade.
- There remains a risk to the availability of sufficient volumes of biomass due to supply chain challenges. Inflation and other cost increases have inversely impacted several suppliers. As a result, the Company could face shortages in the biomass needed to maintain the generating operations at Drax Power Station and/or significant additional costs which could materially impact its operational and financial performance.
- The Company may fail to secure future system support services contracts or the value in providing those services may reduce due to increased competition.

Key mitigations

- We are in discussions with the Department for Energy Security and Net Zero on the extension of Drax Power Station beyond March 2027 and a potential support mechanism.
- Our hedge levels for 2024 to 2026 are above historical levels and we continue to build on these high levels of forward power hedges (sales). The CfD on one of our biomass generation units also helps to reduce our exposure to volatility.
- Under our hedging strategy, our exposure to buying back power at higher prices in the short term is mitigated by holding back a percentage of generation. This provides back-up should there be an unplanned outage.
- Real-time monitoring of the Company's credit exposure, both cash and non-cash, and identification of a number of levers that could be utilised should the Company's market exposure move outside of our defined levels.
- Operating three biomass units under a single ROC cap for Drax Power Station provides increased opportunities for flexibility of generation and can create additional value.
- Foreign exchange risk is mitigated by significant hedging of forecast exposures over a five-year horizon.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

PEOPLE RISK

Context

During 2023, we continued to face significant challenges due to the competitive markets in which we operate. Resources for certain skill sets remain scarce and salaries for in-demand skills are increasing.

Plans to understand the long-term skills and capabilities required are underway, such as supporting work on new technologies like BECCS. Whilst addressing these market pressures and growth plans, keeping our colleagues safe is paramount in our planning and decision-making. It is imperative that our workforce has the skills required as the Company grows and evolves. The UK political uncertainty, and high-profile and heightened campaigning by anti-biomass groups during 2023 have the potential to impact our reputation, engagement with prospective candidates, and workforce attrition.

Risk and impact

- In addition to ensuring we retain the core skills that will be required to run our business, the growth plans of the organisation will require new skills and capabilities. We require people with skills and capabilities which are adaptable to addressing new and emerging aspects of sustainable power generation. Our performance and the delivery of our strategy is dependent upon having a robust talent pipeline at all levels of the organisation which importantly also reflects the diversity in the wider societies in which we operate.
- Union organisation could lead to complex pay negotiations with an associated cost of establishing appropriate contingencies to mitigate against any threat of potential strike action.
- Changing ways of working allows colleagues more choice about where and how they work. This means we have to be competitive on all fronts with our employee value proposition. The failure to adequately respond to changing colleague expectations could result in the loss of existing colleagues or not attracting new colleagues with the skills the business needs for future growth.
- The Company is undertaking significant change associated with implementing our strategy and improving operational effectiveness. Such change can have an impact on employee engagement, wellbeing, stress, and retention, with subsequent impacts on colleague turnover and productivity.
- Reputation and market risks related to the transition to a low-carbon economy may result in challenges with employee recruitment and retention. Refer to Climate Change risk on pages 14 and 15.

Key mitigations

- We are progressing our employee value proposition and strategic workforce planning approach to fulfil our growth plans. Current growth needs are being met by increasing the overall capacity of the resourcing team and outsourcing recruitment processes where required to manage the increased demand.
- Working with colleagues across all aspects of our business to understand and determine our skills and capability needs, for the near, medium and longer term. Supporting the more immediate needs through reskilling programmes whilst also looking at the medium/longer term through our early careers offering.
- Contingencies are in place to mitigate against the risk of outage caused by strike action.
- Enhancing our diversity and inclusion strategy to ensure it is responsive to stakeholder views, provides equality of opportunity and aligns to our organisational vision and goals.
- Introduction of an Inclusive Leadership Programme, and an Inclusive Management Programme, aligning to the business' strategy to educate and inspire colleagues to make Drax a more inclusive place to work.
- Regular reviews of our succession and key talent cover, mapped to our development programmes and talent offering.
- Broadening of our benefits and wellbeing offering to help colleagues take more preventative measures in areas such as financial wellbeing.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

CLIMATE CHANGE RISK

Context

Given the pervasive nature of the potential impact of climate change on various parts of the business and its Principal Risks, the resilience of the Company's strategy and operations to climate risks is important to the functioning and long-term value creation of the Company. We identify climate risks in two main categories – physical and transitional. Physical impacts of climate change include event-driven, acute impacts such as flooding, and chronic impacts such as sea-level and temperature rises which may pose challenges to our operations. Transitional impacts of climate change include policy, regulatory, technology and market-related changes associated with the transition to a low-carbon economy that could affect the Company's business model, but also serve as opportunities for growth. In the analysis of the risks, we therefore assess differing factors: those where the Company needs to mitigate against adverse events which could impact our ability to conduct our business, and those where, through effective and constructive engagement with third parties, the Company will be able to deliver a combination of commercial and sustainability benefits through its activities.

Risk and impact

- Physical risks to our Generation operations and supply chain include increased frequency and severity of extreme weather events, such as heavy rainfall, flooding and high winds, with potential to cause damage to assets and impact on transport infrastructure that could restrict or reduce access to sites.
- Policy and regulatory risks related to the transition to a low-carbon economy include changes in government climate or emissions policies that may negatively impact our Generation business. Refer to Political and Regulatory and Biomass Acceptability risks on pages 11 and 12.
- Technology risks related to the transition to a low-carbon economy include technology and innovation, such as BECCS, not developing as expected, impacting delivery of the business' carbon negative ambition and business strategy as well as faster than expected development of competing technologies, such as direct air capture, impacting delivery of the Group's carbon negative ambition and business strategy.

Key mitigations

- The Company's carbon negative ambition underpins a business strategy consistent with UK climate change policies. Discussions with governments and policymakers continue with increasing recognition of the role the Company's strategy can play in combatting the adverse effects from climate change.
- Sourcing from a wide geographical range of third-party biomass suppliers; and continued evaluation of alternative fuels, using different feedstock types and considering wider sourcing geographies.
- Constructively challenging the views of eNGOs where we believe those views are inaccurate or misleading. Seeking engagement with eNGOs on carbon accounting and reporting and liaising with the UK Government on future policies. Establishment of an internal Science and Evidence function to collate and examine the science underpinning our activities related to BECCS and biomass.
- An internal Innovation team track technology advances and the development of new technologies and compare this against the Company's projects.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

PLANT OPERATIONS RISK

Context

The reliability and safe operation of our facilities is critical to our ability to create value for the business as well as fulfil our contracted obligations in the generation of power for the UK power system. The Plant Operations risk profile is influenced by a number of key activities including the safe management of ageing assets, building inherent reliability and safety by design for new installations, management of change, and operating equipment within intended design limits and parameters. The business' facilities are highly complex and require careful management, identification, control, and mitigation of risk to operate safely throughout the full life cycle (from design through to decommissioning). The operational risk profile is varied and continually changing due to growth in the business, with the construction of new assets and decommissioning of older assets.

Risk and impacts

- Severe weather events in the UK could result in interruption to operations and hinder the supply of required materials to operate our assets. Refer to Climate Change risk on page 15.
- Drax Power Station, located in Selby in Yorkshire, was built approximately 50 years ago. As plants age, their operational reliability and integrity is expected to reduce. Furthermore, there is an inherent linkage between physical infrastructure and the systems that play an integral role in supporting them. These systems also require continuous upgrade and investment to ensure operational reliability. Refer to Information Systems and Security risk on page 17.
- Loss of experience due to planned restructuring or leavers could lead to loss of knowledge and increasing reliance on processes and procedures to operate plant and maintain quality.
- An inherent risk of handling biomass is the potential for fire and explosion during its storage, production, transportation and its on-site delivery, which has the potential to cause significant disruption to operations. Refer also to Health, safety and environment risk on pages 9 and 10.
- There are also threats across our supply chain due to the reliance on the complex co-ordination of transportation at various stages of the process. Therefore, Drax could be exposed to unplanned disruption.
- Decommissioning and demolition activities on a site that remains operational brings unique challenges which may introduce additional safety and operational risk to people, plant and the environment. Such work is ongoing at Drax Power Station, following cessation of coal operations.
- Cyber security threats to networks and systems continue to be heightened as a result of geopolitical tensions, with the potential to compromise key plant and equipment. Refer to Information Systems and Security risk on pages 16 and 17.

Key mitigations

- Business continuity plans are in place which cover weather impacts and other factors. This enables Drax to respond to normal and one-off weather events.
- A comprehensive plant investment and reliability programme has been implemented, including successful major outages of generating units 2 and 4 at Drax Power Station.
- The potential cost of an outage is considered when determining the running regime of our generation plant. For example, when prices are higher, lower risk running options will be utilised whereas when prices are lower, we may look to take the opportunity to perform short maintenance outages.
- Maintaining stringent safety procedures in place for sourcing, acceptance, and handling biomass, and the control of dust management from both a respiratory, health, and fire and explosion perspective are assessed for their compliance with our policies.
- Maintaining plant standards and investment in plant to As Low As Reasonably Practicable (ALARP) standards, such as chemical suppression systems at Drax Power Station have been established. In areas of the plant where engineering controls cannot yet meet required standards, Personal Protective Equipment (PPE) is used to ensure individuals are not exposed to harmful levels of dust.
- Increased physical security presence is in place. Security policies and procedures are in place for each site/region in addition to a plan of adherence.
- Insurance is in place to cover potential losses from plant failure, where possible.
- Maintaining robust management systems, designed to identify and mitigate risk and manage process safety across operating assets.
- Providing the required training and development to equip our colleagues in conjunction with recruiting people with the right skills and experience.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

INFORMATION SYSTEMS AND SECURITY RISK

Context

Our Information and operational technology systems and the integrity of the data we use are essential to supporting the day-to-day business operations of the Company, in addition to contributing to the delivery of our growth strategy. As part of the UK's critical national infrastructure, we are required to maintain availability of our systems and the capability to adapt and respond to evolving external threats. We have a clearly defined technology and security roadmap, which sets out the means by which the Company should invest and enhance further its available technology to ensure it is capable of meeting current and projected future requirements and ensuring our financial, legal, regulatory and compliance obligations are met.

Managing these risks in an environment where threats and challenges are continually evolving requires careful understanding and assessment. We use internal and external expertise, including engagement with regulators, auditors and industry groups to update our understanding of the IT and Security risk environment.

Risk and impact

- Geopolitical tensions have in the past been known to result in increased cyber-related threats. The ongoing conflicts in Russia-Ukraine and the Middle East have increased the Company's risk exposure to attacks from private groups, including so-called cyber-criminals, state-sanctioned attacks on our systems and those of suppliers on whom we rely for integrity of service.
- Successful cyber-attacks have the potential to compromise our systems, affecting the confidentiality, integrity and availability of our data (including personal data). Current attack methodologies seek to deny access, which may cause operational and financial impacts and regulatory non-compliance.
- Evolving regulatory requirements present ongoing challenges and costs to the Company. We are required to broaden the scope of systems that are deemed 'at risk' and focus continues to be placed on establishing adequate resilience, the capability to respond and recover quickly from disruptions, and ensuring the continuation of safe and secure operations.
- Our partnerships with third parties support our information and operational systems. If those businesses were themselves to suffer systems failure, cyber-attack or financial difficulties, this could in turn impact our business, operations and performance.
- Legacy systems are more difficult to maintain and are more susceptible to cyber-attacks. Subsequent operational issues, such as reduced performance, may impact the availability of systems, data, and facilities, affecting our operations adversely.
- The availability of experienced IT and Security personnel in the labour market has tightened. This may result in not being able to retain and/or hire people with the necessary skills to manage these risks.

Key mitigations

- As an Operator of Essential Services, the Company is obliged to meet the security of Network and Information Systems (NIS) Regulations and is subject to regulatory inspection by a competent authority to ensure we meet control requirements.
- We seek to maintain a close working relationship with Ofgem and other Government agencies, responding quickly to changing threat levels and responding to such agencies' advice and requirements.
- Maintenance of effective and up-to-date cyber security measures, including a prevent, protect, detect, respond and recover strategy, which evolves to address known and emerging threats.
- We work with external experts and also develop our internal capabilities so that we are able to respond to changing regulations and standards. We continue to develop technology, security controls, and resilience measures to maintain compliance.
- Regular campaigns and training events are undertaken to improve cyber security awareness.
- Maintenance of a robust supplier onboarding methodology.
- Periodic internal and independent external assessment of the integrity, adequacy and compliance status of our IT and cyber security controls.
- Exercising and refreshing of business continuity, disaster recovery and crisis management plans.
- Periodic technical refresh programmes to address legacy infrastructure and systems, and adoption of secure-by-design principles and design patterns.

Drax Power Limited

Strategic Report (continued) For the Year Ended 31 December 2023

In addition to the significant commercial and operational risks above, the Company is exposed to the following financial risks:

Counterparty risk

As the Company relies on third party suppliers and counterparties for the delivery of currency, sustainable biomass and other goods and services, it is exposed to the risk of non-performance by these third-party suppliers. If a large supplier were to fall into financial difficulty and/or fail to deliver against its contract with the Company, there would be additional costs associated with securing the lost goods or services from other suppliers, or from lost generation.

The Company enters into contracts for the sale of power to a number of counterparties. The failure of one or more of these counterparties to perform their contractual obligations may cause the Company financial distress or increase the risk profile of the Company.

Liquidity risk

The Group Treasury function is responsible for liquidity, funding and settlement management under policies approved by the Group Board. Liquidity needs are monitored using regular forecasting of operational cash flows and financing commitments. The Company maintains a mixture of cash and cash equivalents, committed facilities and uncommitted facilities in order to ensure sufficient funding for business requirements.

Foreign currency risk

Foreign currency exchange contracts are entered into to hedge the majority of the Company's fixed price international biomass purchases in US dollars, Canadian dollars, and euros. Exchange rate exposures are managed within approved policy parameters utilising foreign currency exchange contracts.

Credit risk

The Company's risk arises from treasury, trading and energy procurement activities, as well as the sale of by-products from generation activities. Wholesale counterparty credit exposures are monitored by individual counterparty and by category of credit rating. Counterparty credit exposures are subject to approved limits. The Company uses master netting agreements to reduce credit risk and net settles payments with counterparties where net settlement provisions exist. In addition, the Company employs a variety of other methods to mitigate credit risk: margining, various forms of parent company guarantee, deed of charge, cash collateral, letters of credit and surety bonds. The majority of the Company's credit risk is with counterparties in related energy industries or with financial institutions. In addition, where deemed appropriate, the Company has historically purchased credit default swaps.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

COMPANIES ACT, S172 STATEMENT

The Directors have a duty to promote the success of the Company, having regard to a range of matters and stakeholders. The Board is responsible for ensuring effective engagement with stakeholders it recognises that decisions taken today will have an impact upon stakeholders, as well as shape the longer-term performance of the business. Appropriate consideration is important in enabling Drax to deliver positive outcomes for the climate, nature and people, and to deliver sustainable value creation.

Examples of how the Board have had regard to the matters set out in Section 172 are set out below. Comprehensive details in respect of stakeholders identified across the Drax Group plc group (the "Group" or "Drax") and how we engage with them and have regard to their interests, can be found from page 33 to 36 in the Drax Group plc 2023 Annual Report and Accounts.

The likely consequences of any decision in the long term

Our purpose is to enable a zero carbon, lower cost energy future. With multi-year time horizons for many of our strategic and investment decisions, we recognise that these decisions can have an impact far beyond our business and well into the future. Our decisions support the Group's long-term strategy: to be a global leader in sustainable biomass pellets; to be a global leader in carbon removals; and to be a UK leader in dispatchable, renewable power.

The interests of the Company's workforce

Engaging with our colleagues is a priority and starts with listening to, and better understanding, their views. Established in 2019, our workforce engagement forums ("MyVoice Forums") are a valuable way for the Board and senior management to undertake such engagement. The MyVoice Forums are made up of colleague members from each part of our business, to ensure representation for every function. They provide us with a view of colleague sentiment and key topics that are on colleagues' minds. In 2023, to support the implementation of our listening strategy, we moved to a new colleague survey platform that will help us track cultural metrics which we believe can help identify areas of improvement for colleague experience. In addition, during 2023, we worked on responding to our key actions from 2022 through our new Wellbeing, Diversity, Equity and Inclusion and Community strategies.

A member of the senior leadership team and an HR representative support these forums and attend each meeting. The MyVoice Forum chairs meet with the Chair and CEO of the Group to discuss colleague sentiment and to provide feedback on key topics. Each of these meetings features a discussion about the feedback on topics previously agreed to be important to the workforce. Topics discussed in 2023 included BECCS, the ongoing cost-of-living crisis, wellbeing of employees, and the new community strategy.

We also maintain regular dialogue with our workforce through our colleague briefings, weekly updates from the Group CEO with a question-and-answer section responding to colleague questions, our engagement surveys, and communication about the Group's strategy, plans and performance. During 2023, communications included updates about progress against the Group-wide scorecard, which includes KPIs in relation to financial, strategic, safety and sustainability performance. Annual bonuses for colleagues are linked to the scorecard performance, ensuring that employee reward and Group performance are aligned. We actively encourage participation in the Group-wide all-employee Sharesave scheme, offering the maximum discount of 20% and waiving any length of service requirements.

The need to foster the Company's business relationships

Suppliers

Our relationships with relevant suppliers are governed by contracts that include compliance with relevant regulatory and legal requirements, anti-bribery and corruption, modern slavery and supplier code of conduct, to which suppliers are expected to adhere. These are regularly reviewed by our Procurement, Legal, and Business Ethics functions. Drax has also signed up to the Prompt Payment Code, and monitors performance to both continue to improve payment performance and maintain positive supplier relationships.

Regulators and network operators

Engagement with Ofgem, DESNZ, and the Electricity System Operation allows us to promote the delivery of a secure, reliable energy system offering best value for consumers. Engagement with Ofgem, environmental agencies and the ICO enables us to promote best practice and ensure we remain compliant with latest guidance.

Drax Power Limited

Strategic Report (continued)
For the Year Ended 31 December 2023

The impact of the Company's operations on the community and the environment

Tackling climate change is at the heart of our purpose, and our strategic objectives are aligned to global renewable energy and decarbonisation agendas. Our Group ambition is to become carbon negative by 2030. For more information see pages 50 to 55 in the Drax Group plc 2023 Annual Report and Accounts.

We believe strong community relationships and effective engagement strengthen our ability to operate effectively. We engage regularly with communities through supporting local initiatives and holding drop-in sessions. To read more about our positive social impact across the Group, see pages 33 to 39 in the Drax Group plc 2023 Annual Report and Accounts.

Drax is committed to being a good neighbour in the communities where we operate. We achieve this by combining active community engagement with corporate giving. In 2023, the Drax Foundation was established to provide grant funding for non-profit organisations that share our commitment to improving equitable access to STEM education, community green spaces, and renewable energy. We prioritise projects and programmes that support underrepresented and underserved groups.

The desirability of the Company for maintaining a reputation for high standards of business conduct

At Drax, we are committed to conducting business ethically, with honesty and integrity. We do not condone any behaviour that could lead to actual or perceived bribery or corruption.

Our business ethics compliance framework identifies the behaviours expected from colleagues on a broad range of topics. In 2023, we strengthened our Ethical Due Diligence programme by establishing a second line assurance structure and activity plan. Additional training was provided on Business Ethics and Privacy to 'high risk' teams to reinforce our resilience. For more details on how the business ethics programme is managed, see pages 70 to 71 of the Drax Group plc 2023 Annual Report and Accounts.

The need to act fairly as between members of the Company

Our ultimate parent company is Drax Group plc and therefore we act in the best interests of our immediate and ultimate parent companies and, in doing so, in the best interest of the investors and shareholders of the Group. This ensures that the interests of all relevant stakeholders, and the need to act fairly between members of the Company, are considered during decision-making.

Engagement with shareholders of the Group allows us to understand the concerns and priorities of current and prospective investors, in areas such as climate change; sustainability; executive pay; dividends; longer-term capital allocation policy; and strategy, which are taken into account in our decision making.

This report was approved by the Board on 26 June 2024 and signed on its behalf.



Andy Skelton
Director

Drax Power Limited

Directors' Report For the Year Ended 31 December 2023

The Directors present the Annual Report and the Financial Statements of Drax Power Limited (the "Company") for the year ended 31 December 2023.

Results and dividends

The profit for the year after taxation amounted to £624.8 million (2022: profit of £204.6 million). Further information in respect of the Company's performance during the year has been provided in the Strategic Report above.

An interim dividend of £147.5 million was paid during the year (2022: £185.0 million)

The Directors do not recommend the payment of a final dividend (2022: £Nil).

Post balance sheet events

For post balance sheet events, please see note 29 to the financial statements

Matters covered in the Strategic Report

The Company's business activities, together with the factors likely to affect future developments, performance and position including principal risks and uncertainties are set out in the Strategic Report above. In addition, a statement on the Company's engagement with stakeholders is also included in the Strategic Report within the S172 Statement.

Going concern

In assessing going concern, the Directors have assessed the prospects of the Company over the 12-month period after the date that these financial statements were authorised for issue. The Directors have also considered any significant events, including any committed outflows beyond this period, in forming their conclusion. The going concern assessment primarily focuses on cash flow forecasts and available facilities. This assessment has considered the level of funding available to the Company, other forms of internal support, where applicable, credit metrics and the current and future economic climate. The Directors have also considered the principal risks faced by the Company, including climate change.

The Company's financial performance in 2023 was strong, delivering improved profitability due to strong system support and operational performance. The Company's financial position and liquidity remained strong also. At 31 December 2023 the Company had cash and cash equivalents of £49.8 million (2022: £34.6 million), net current assets of £1,828.2 million (2022: £565.7 million) and is expected to generate positive cash flows from operations for the 12-month period following the date that these financial statements were authorised for issue.

The Company has access to various resources to manage its working capital such as supply chain financing facilities, deferred letters of credit, the Group's cash pool and intra-group term loans. These facilities help to ensure that the Company has adequate resources to meet its obligations as they fall due and to continue in operational existence for the foreseeable future. Therefore, the Directors have a reasonable expectation that the Company has adequate resources to continue in operational existence for at least 12 months after the date of signing. Accordingly, the Directors continue to adopt the going concern basis in preparing the financial statements.

Drax Power Limited

Directors' Report (continued) For the Year Ended 31 December 2023

Directors

The Directors who served during the year and up to the date of signing were:

Will Gardiner
Andy Skelton
Penelope Small
Paul Sheffield

Third party indemnity insurance

The Company has the appropriate indemnity insurance cover in place in respect of potential legal action against the directors of the Company. This cover was in place throughout the year.

Carbon emissions

The Company is exempt from disclosing an SECR report required under part 7A to schedule 7 of SI 2008/410 of the Companies Act 2006 as these figures are included within the ultimate parent company's disclosure. The Group Carbon emissions report and Task Force on Climate Related Financial Disclosures (TCFD) report can be found on pages 50 to 55 and 78 to 90 of the 2023 Annual report and accounts of Drax Group plc, respectively.

Disabled employees and equal opportunities

It is the Company's policy to give full and fair consideration to suitable applications for employment from people with disabilities having regard to their particular aptitudes and abilities. In the event of a member of staff becoming disabled every practicable effort is made to ensure that their employment with the Company continues and that appropriate training and rehabilitation is provided. It is the policy of the Company that the training, career development and promotion of disabled persons should, as far as possible, be identical with that of other employees.

The Company is committed to a policy of equal opportunities and ensures that country of origin, colour, gender, religious belief, sexual orientation, age or disability are not barriers to working at the Company. The Company provides a wide range of development opportunities to help employees develop the necessary skills, knowledge and experience to realise their performance potential.

Governance arrangements

Good governance is a key factor in securing the long-term success of our business. During 2023, the Company applied its own corporate governance arrangements. As a minimum, the Company has arrangements in place that largely mirror the Wates Principles, however, some of the arrangements take into account the need to comply with the UK Corporate Governance Code which is applied throughout the Drax Group plc group ("Group").

Drax Power Limited

Directors' Report (continued) For the Year Ended 31 December 2023

Our purpose

Our purpose is to enable a zero carbon, lower cost energy future. Our three strategic aims – to be a global leader in sustainable biomass pellets; to be a global leader in carbon removals; and to be a UK leader in dispatchable, renewable generation – are aligned with a number of global energy policies. These objectives are closely aligned with our ambition to be a carbon negative company and we continue to develop options for bioenergy with carbon capture and storage (BECCS) which we believe, alongside the use of sustainable biomass and flexible, renewable generation and energy systems, can make an important contribution to decarbonising and protecting energy security. Responding to climate change is a core component of the Group's purpose. This is reflected in our governance – from our Board through our Executive Committee and their leadership to our business units and their functions. The Group CEO regularly reports to the Drax Group plc Board on Environmental, Social and Governance performance, including climate-related matters. Climate change factors are considered in decisions taken by the Drax Group plc Board.

Culture and values

Our values are driven by our culture, fundamental to which is acting with integrity – what we call “doing the right thing”. This belief underpins our People strategy which encompasses all aspects of a colleague's experience, including the systems we use, the values we live by, our policies, and the culture we foster. Our approach is to ensure the Group has the diversity, capability, and experience to deliver our strategic aims. We want each of our colleagues to feel a valued member of a winning team on a worthwhile mission.

The safety and health of our people remains a key priority for the Group and the Board. Safety is a long-held and central commitment of our operational philosophy. We believe that safe and compliant operations are integral to the delivery of our strategy, and we continue to work across the Group to identify, implement and maintain high standards supported by a positive culture of safe working. For more information see pages 67 and 68 of the Drax Group plc 2023 Annual Report and Accounts.

We are committed to a supportive, diverse and inclusive working environment and continue to enhance Diversity, Equity and Inclusion (DEI) across the Group. Additionally, the Group CEO regularly reports DEI progress updates and People Reports to the Board. For more information see pages 65 and 113 of the Drax Group plc 2023 Annual Reports and Accounts.

We are committed to conducting business ethically, with honesty and integrity. We have established a number of Business Ethics programmes to support this commitment.

Our business ethics and privacy documentation framework identifies the expected behaviours from colleagues and relevant individuals working on our behalf on a broad range of topics. In 2023, we strengthened our Ethical Due Diligence programme by establishing a second line assurance structure and activity plan. The Business Ethics team also commenced work on creating dedicated programmes to support our Anti-Fraud and Political Engagement policies. Furthermore, we continued our annual eLearning refreshers and provision of additional training to certain 'high risk' teams to reinforce our resilience. For more details on how the business ethics programme is managed across the Drax Group, see pages 70 to 71 of the Drax Group plc 2023 Annual Report and Accounts.

Leadership and Succession

Investing in the development of our people is essential to the delivery of our business strategy. We are committed to supporting colleagues to develop skills and capabilities to fulfil their career aspirations. Our Potential and Succession processes enable senior leaders to identify individuals with the skills and capability needed for critical roles. Individuals identified can be nominated for our Future Creators programme. Our Future Creators programme is designed to support the development, retention and growth of our future leadership pipeline. Each individual has a personal development plan and a Drax Group plc Executive Committee sponsor.

We are committed to developing new talent and providing our colleagues with the skills and capabilities to support them in fulfilling their career aspirations. Our senior leaders continue to participate in our Inclusive Leadership Programme, which supports managers in helping to improve diversity outcomes across the Group.

Further information on leadership, succession and diversity can be found on page 64 of the Drax Group plc 2023 Annual Report and Accounts.

Drax Power Limited

Directors' Report (continued) For the Year Ended 31 December 2023

Effectiveness and accountability

Management meet regularly to discuss strategic and operational matters. Management regularly reviews safety performance and monthly KPIs which include Total Recordable Injury rate (TRIR) and Lost Time Injury Rate (LTIR) as well as financial and environmental KPIs. Throughout the year management also reviewed HR data, risk matters and feedback from stakeholders. There is open debate and constructive discussion at the meetings and there are formal and robust processes in place to ensure the data provided to management is reliable. Those who submit information to management must include considerations of key stakeholders.

Risk management

The Board is responsible for the management of all risks at the Company. The Company operates a three lines of defence model to facilitate the effective operation of the Drax Group's Risk Management Framework. This model provides a standardised risk management process that defines the accountability and ownership of risk across the business. The Drax Group Risk Management Framework ensures each of the Company's principal risks have appropriate oversight.

Oversight of each principal risk is delegated to a specialist committee and each committee conducts a regular 'deep dive' of the underlying risks related to its Principal Risk category. All relevant risks are recorded on an appropriate risk register and are mapped to one of Drax Group's Principal Risk categories.

The internal control environment is based on Group-level financial, operational and compliance controls supported by controls within each business unit and independent assurance from internal and external audit. The effectiveness of internal controls at the Company is supported by a control risk self-assessment process and reported to the Drax Group Executive Committee and Audit Committee.

Remuneration

The remuneration of those directors who are also executive directors of Drax Group plc are subject to the Drax Directors Remuneration Policy (Policy) which is approved by Drax Group plc shareholders. The implementation of the Policy is the responsibility of the Drax Remuneration Committee (a Committee of the Drax Group plc Board). The Remuneration Committee may choose to apply discretion to the remuneration of those directors if they believe the formulaic outcomes of variable pay programmes do not appropriately reflect company performance. In the event any discretion is applied, the justification is clearly stated in the Annual Report for the relevant financial year. The Remuneration Committee considers external market benchmarking data to inform executive remuneration decisions, as well information and insight from shareholders, industry bodies and employees.

A key priority for Drax is to ensure fair and appropriate remuneration decisions for directors and the wider workforce. Details of the Drax Remuneration Policy, which was approved at the 2023 AGM, can be found on page 148 in the Drax Group plc 2023 Annual Report and Accounts.

Whilst the rate of inflation generally decreased during the course of 2023, the cost-of-living remained a challenge for many colleagues, particularly in the UK. For the 2024 pay review budget (effective from 1 January 2024) a budget of 5% applied for our UK colleagues. Additionally, as in previous years, all colleagues were eligible to take part in the annual bonus programme, unless precluded by alternative arrangements with their respective trade union group or acquisition agreement. The bonus award is designed to reward the delivery of targets and objectives directly linked to the financial and strategic performance of the Group.

The directors, the Group Executive Committee members and all others in senior management roles also participated in a Long-Term Incentive Share Plan. In line with the current Directors Remuneration Policy, an award from the Long-Term Incentive Share Plan is subject to the achievement of Total Shareholder Return relative to the FTSE 350 and Cumulative Adjusted Earnings Per Share; both are measured over a three-year performance period. These performance measures are linked to the Group's strategy and aligned with long-term creation of value for the Group's shareholders.

The Drax Diversity and Inclusion Steering Group monitors diversity and inclusion across the Group, including the gender pay gap. The gender pay gap is monitored across individual business units so that actions to address the pay gap can be appropriately considered for each business unit. The working group works with the HR function and wider leadership teams to identify, develop and implement initiatives to promote diversity.

Drax Power Limited

Directors' Report (continued) For the Year Ended 31 December 2023

Working with our stakeholders

Engaging with our stakeholders is fundamental to our success. We recognise that to achieve our purpose, we need to listen to, and work with, a diverse range of interested parties. For more information on our stakeholders, how we engage with them and have regard to their interests, please refer to the Companies Act, Section 172 statement.

Directors' responsibilities statement

The Directors are responsible for preparing the Annual Report and financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law), including FRS 101 "Reduced Disclosure Framework". Under Company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the Company and of the profit or loss of the Company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Company will continue in business.

The Directors are responsible for keeping adequate accounting records that are sufficient to show and explain the Company's transactions and disclose with reasonable accuracy at any time the financial position of the Company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the Company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Directors are responsible for the maintenance and integrity of the corporate and financial information included on the company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Drax Power Limited

Directors' Report (continued) For the Year Ended 31 December 2023

Auditor and the disclosure of information to the auditor

Each of the persons who is a Director at the time when this Directors' Report is approved has confirmed that:

- so far as the Director is aware, there is no relevant audit information of which the Company's auditor is unaware, and
- the Director has taken all the steps that ought to have been taken as a Director in order to make himself/herself aware of any relevant audit information and to establish that the Company's auditor is aware of that information.

This confirmation is given and should be interpreted in accordance with the provision of section 418 of the Companies Act 2006.

Deloitte LLP, who have performed the role of external auditor of the Drax Group plc (the Company's parent undertaking) continuously since its listing in 2005, will step down as the external auditor upon completion of their work for the financial year ended 31 December 2023. Deloitte LLP will therefore also resign as the Company's auditor.

Following a tender process in 2021, PricewaterhouseCoopers LLP (PwC) were appointed as the new external auditor. Resolutions were approved at the Drax Group plc 2024 AGM for the appointment of PwC as the auditor of the Group, to take effect from, and including the financial year ending 31 December 2024. PwC has also therefore been appointed as auditor of the Company.

Approved by the board on 26 June 2024 and signed on its behalf by



Andy Skelton
Director

Drax Power Limited

Independent Auditor's Report to the Members of Drax Power Limited

Report on the audit of the financial statements

Opinion

In our opinion the financial statements of Drax Power Limited (the 'company'):

- give a true and fair view of the state of the company's affairs as at 31 December 2023 and of its profit for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice, including Financial Reporting Standard 101 "Reduced Disclosure Framework"; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

We have audited the financial statements which comprise:

- the income statement;
- the statement of other comprehensive income;
- the balance sheet;
- the statement of changes in equity; and
- the related notes 1 to 32.

The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 101 "Reduced Disclosure Framework" (United Kingdom Generally Accepted Accounting Practice).

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report.

We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the Financial Reporting Council's (the 'FRC's') Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

In auditing the financial statements, we have concluded that the directors' use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Our evaluation of the directors' assessment of the company's ability to continue to adopt the going concern basis of accounting included:

- evaluating the availability of adequate funding.
- assessing the assumptions used in the forecasts, including performing sensitivity analysis in relation to assumptions for future commodity prices.
- checking the amount of headroom in the forecasts.
- assessing the historical accuracy of forecasts prepared by management.
- testing mathematical accuracy of the model used to prepare the forecasts.
- assessing whether the Directors have considered the impact of climate risk on the company's going concern.

Based on the work we have performed, we have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the company's ability to continue as a going concern for a period of at least twelve months from when the financial statements are authorised for issue.

Our responsibilities and the responsibilities of the directors with respect to going concern are described in the relevant sections of this report.

Other information

The other information comprises the information included in the annual report, other than the financial statements and our auditor's report thereon. The directors are responsible for the other information contained within the annual report. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

Drax Power Limited

Independent Auditor's Report to the Members of Drax Power Limited (continued)

Our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the course of the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

Responsibilities of directors

As explained more fully in the directors' responsibilities statement, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the directors determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the FRC's website at: www.frc.org.uk/auditorsresponsibilities. This description forms part of our auditor's report.

Extent to which the audit was considered capable of detecting irregularities, including fraud

Irregularities, including fraud, are instances of non-compliance with laws and regulations. We design procedures in line with our responsibilities, outlined above, to detect material misstatements in respect of irregularities, including fraud. The extent to which our procedures are capable of detecting irregularities, including fraud is detailed below.

We considered the nature of the company's industry and its control environment and reviewed the company's documentation of their policies and procedures relating to fraud and compliance with laws and regulations. We also enquired of management and the directors about their own identification and assessment of the risks of irregularities, including those that are specific to the company's business sector

We obtained an understanding of the legal and regulatory frameworks that the company operates in, and identified the key laws and regulations that:

- had a direct effect on the determination of material amounts and disclosures in the financial statements. These included UK Companies Act, Pensions legislation, tax legislation, and Regulations established by regulators in the key markets in which the group operates, including the Office of Gas and Electricity Markets (Ofgem); and
- do not have a direct effect on the financial statements but compliance with which may be fundamental to the company's ability to operate or to avoid a material penalty.

We discussed among the audit engagement team including relevant internal specialists such as tax, pensions, financial instrument and IT specialists regarding the opportunities and incentives that may exist within the organisation for fraud and how and where fraud might occur in the financial statements.

As a result of performing the above, we identified the greatest potential for fraud in the following area, and our procedures performed to address it are described below:

- Cut-off of bilateral sales has been determined a significant risk due to it carrying the greatest potential for fraud. Our audit procedures involve substantive procedures over accrued income at year end to agree to post year end bank statements, confirmation of the period to which the revenue relates and testing post-year end settlements.

Drax Power Limited

Independent Auditor's Report to the Members of Drax Power Limited (continued)

In common with all audits under ISAs (UK), we are also required to perform specific procedures to respond to the risk of management override. In addressing the risk of fraud through management override of controls, we tested the appropriateness of journal entries and other adjustments; assessed whether the judgements made in making accounting estimates are indicative of a potential bias; and evaluated the business rationale of any significant transactions that are unusual or outside the normal course of business.

In addition to the above, our procedures to respond to the risks identified included the following:

- reviewing financial statement disclosures by testing to supporting documentation to assess compliance with provisions of relevant laws and regulations described as having a direct effect on the financial statements;
- performing analytical procedures to identify any unusual or unexpected relationships that may indicate risks of material misstatement due to fraud;
- enquiring of management and external legal counsel concerning actual and potential litigation and claims, and instances of non-compliance with laws and regulations; and
- reading minutes of meetings of those charged with governance.

Report on other legal and regulatory requirements

Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the strategic report and the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the strategic report and the directors' report have been prepared in accordance with applicable legal requirements.

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified any material misstatements in the strategic report or the directors' report.

Matters on which we are required to report by exception

Under the Companies Act 2006 we are required to report in respect of the following matters if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit.

We have nothing to report in respect of these matters.

Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.



Makhan Chahal FCA (Senior statutory auditor)

For and on behalf of Deloitte LLP

Statutory Auditor

London, United Kingdom

9 July 2024

Drax Power Limited

Income Statement For the Year Ended 31 December 2023

	Note	2023 £m	2022 £m
Revenue	4	6,790.2	6,784.1
Fuel costs in respect of generation		(2,063.0)	(1,917.9)
Costs of power purchases		(3,240.7)	(4,292.3)
Grid charges		(43.2)	(132.8)
Electricity Generator Levy		(181.4)	-
Cost of sales		(5,528.3)	(6,343.0)
Gross profit		1,261.9	441.1
Operating and administrative expenses		(345.4)	(160.4)
Depreciation and amortisation		(78.7)	(73.4)
Gain/(loss) on disposal of fixed assets		0.2	(1.8)
Operating profit	5	838.0	205.5
Interest receivable and similar income	9	44.2	10.5
Interest payable and similar expenses	10	(18.5)	(10.5)
Profit before tax		863.7	205.5
Tax charge on profit	11	(238.9)	(0.9)
Profit for the financial year		624.8	204.6

The notes on pages 35 to 76 form part of these financial statements.

Drax Power Limited

Statement of Other Comprehensive Income For the Year Ended 31 December 2023

	Note	2023 £m	2022 £m
Profit for the financial year		624.8	204.6
Items that will not be reclassified subsequently to profit or loss:			
Actuarial losses on defined benefit pension scheme	29	-	(25.3)
Deferred tax credit attributable to actuarial gains on defined benefit pension scheme	23	-	6.4
Net fair value gains/(losses) on cost of hedging	26	7.9	(16.9)
Deferred tax (charge)/credit on cost of hedging	23	(1.9)	1.7
Net fair value (losses)/gains on cash flow hedges	26	(80.5)	207.5
Deferred tax credit/(charge) on cash flow hedges	11	20.8	(50.5)
Items that may be subsequently reclassified to profit or loss:			
Net fair value gains/(losses) on cash flow hedges	26	2,748.8	(1,241.6)
Net (losses)/gains on cash flow hedges reclassified to the Income Statement	26	(862.5)	2,106.3
Deferred tax charge on cash flow hedges	11	(471.6)	(171.8)
Other comprehensive income		1,361.0	815.8
Total comprehensive income for the year		1,985.8	1,020.4

All other comprehensive income for the current and preceding financial years is attributable to continuing operations.

The notes on pages 35 to 76 form part of these financial statements.

Drax Power Limited

Balance Sheet As at 31 December 2023

Company Number 04883589

		2023	2022 (restated) (1)	2022 opening balances (restated) (1)
	Note	£m	£m	£m
Fixed assets				
Intangible assets	14	13.5	13.5	13.0
Negative goodwill	14	(56.5)	(60.3)	(64.1)
Property, plant and equipment	15	1,027.3	956.3	979.0
Right-of-use assets	16	18.7	15.7	13.2
Derivative financial instruments	17	538.8	436.1	265.7
Trade and other receivables and contract-related assets		-	-	14.4
Retirement benefit surplus	29	-	32.4	44.0
Deferred tax	23	-	125.9	282.5
		1,541.8	1,519.6	1,547.7
Current assets				
Inventories	18	255.5	283.0	144.1
Derivative financial instruments	17	914.5	580.9	469.6
Trade and other receivables and contract-related assets	19	1,697.4	1,153.8	895.4
Renewable certificate assets	20	169.0	184.4	297.5
Cash and cash equivalents		49.8	34.6	37.5
		3,086.2	2,236.7	1,844.1
Current liabilities				
Derivative financial instruments	17	(263.1)	(935.6)	(1,571.1)
Trade and other payables and contract related-related liabilities	21	(862.2)	(731.1)	(658.5)
Lease liabilities	16	(6.4)	(4.0)	(3.7)
Borrowings	22	(120.0)	-	-
Provisions	24	(6.3)	-	-
		(1,258.0)	(1,670.7)	(2,233.3)
Net current assets/(liabilities)		1,828.2	566.0	(389.2)
Total assets less current liabilities		3,370.0	2,085.6	1,158.5
Non-current liabilities				
Derivative financial instruments	17	(322.9)	(1,195.7)	(1,033.6)
Lease liabilities	16	(13.1)	(12.3)	(10.2)
Provisions	24	(68.3)	(56.9)	(84.9)
Deferred tax liabilities	23	(387.1)	-	-
		(791.4)	(1,264.9)	(1,128.7)
Net assets		2,578.6	820.7	29.8

Drax Power Limited

Balance Sheet (continued) As at 31 December 2023

Company Number 04883589

		2023	2022 (restated) ⁽¹⁾	2022 opening balances (restated) ⁽¹⁾
	Note	£m	£m	£m
Capital and reserves				
Called up share capital	25	799.6	799.6	799.6
Hedge reserve	26	722.7	(599.1)	(1,420.3)
Cost of hedging reserve	26	19.0	40.0	76.7
Merger reserve	26	(0.5)	(0.5)	(0.5)
Retained earnings	26	1,037.8	580.7	574.3
Total equity		2,578.6	820.7	29.8

(1) Comparative amounts have been restated to reflect the Company's revised application of the offsetting criteria regarding physically settled derivative contracts see note 2.1.1 on page 33 for further details on this restatement.

The financial statements were approved and authorised for issue by the board and were signed on its behalf on 26 June 2024.



Andy Skelton
Director

The notes on pages 35 to 76 form part of these financial statements.

Drax Power Limited

Statement of Changes in Equity For the Year Ended 31 December 2023

	Called up share capital £m	Merger reserve £m	Hedge reserve £m	Cost of hedging £m	Retained earnings £m	Total equity £m
At 1 January 2022	799.6	(0.5)	(1,420.3)	76.7	574.3	29.8
Profit for the financial year	-	-	-	-	204.6	204.6
Other comprehensive (expense)/income for the year	-	-	849.9	(15.2)	(18.9)	815.8
Total comprehensive income/(expense) for the year	-	-	849.9	(15.2)	185.7	1,020.4
Dividends paid (note 13)	-	-	-	-	(185.0)	(185.0)
Movements on cash flow hedges released directly from equity	-	-	(38.2)	-	-	(38.2)
Deferred tax on cash flow hedges released directly from equity	-	-	9.5	-	-	9.5
Movements on cost of hedging released directly from equity	-	-	-	(28.6)	-	(28.6)
Deferred tax on cost of hedging released directly from equity	-	-	-	7.1	-	7.1
Movement in equity associated with share-based payments (note 27)	-	-	-	-	2.4	2.4
Deferred tax on share-based payments	-	-	-	-	3.3	3.3
At 31 December 2022	799.6	(0.5)	(599.1)	40.0	580.7	820.7
Profit for the financial year	-	-	-	-	624.8	624.8
Other comprehensive income for the year	-	-	1,352.3	6.0	-	1,358.3
Total comprehensive income for the year	-	-	1,352.3	6.0	624.8	1,983.1
Dividends paid (note 13)	-	-	-	-	(147.5)	(147.5)
Movements on cash flow hedges released directly from equity (note 26)	-	-	(40.7)	-	-	(40.7)
Deferred tax on cash flow hedges released directly from equity (note 23)	-	-	10.2	-	-	10.2
Movements on cost of hedging released directly from equity (note 26)	-	-	-	(36.0)	-	(36.0)
Deferred tax on cost of hedging released directly from equity (note 23)	-	-	-	9.0	-	9.0
Transfer of retirement benefit surplus to other group undertaking (note 29)	-	-	-	-	(33.2)	(33.2)
Deferred tax on transfer of retirement benefit surplus to other group undertaking (note 29)	-	-	-	-	8.1	8.1
Movement in equity associated with share-based payments (note 27)	-	-	-	-	1.7	1.7
Deferred tax on share-based payments (note 23)	-	-	-	-	(1.1)	(1.1)
Current tax on share-based payments	-	-	-	-	4.3	4.3
At 31 December 2023	799.6	(0.5)	722.7	19.0	1,037.8	2,578.6

Drax Power Limited

Notes to the Financial Statements For the Year Ended 31 December 2023

1. General information

Drax Power Limited ("the Company") is incorporated in England and Wales under the Companies Act 2006. The principal activity of the Company is that of power generation, as set out in the Strategic Report. The Company is a private Company limited by shares and is registered at the address shown on the Officers and Professional Advisers page.

2. Accounting policies

2.1 Basis of preparation of financial statements

The financial statements have been prepared on the historical cost basis, except for certain assets and liabilities that are measured at fair value (principally derivative financial instruments) and the assets and liabilities of the Company's defined benefit pension schemes (measured at fair value and using the projected unit credit method respectively), unless otherwise specified within these accounting policies and in accordance with Financial Reporting Standard 101 'Reduced Disclosure Framework' and the Companies Act 2006.

The preparation of financial statements in compliance with FRS 101 requires the use of certain critical accounting judgements and key sources of estimation uncertainty. It also requires management to exercise judgement in applying the Company's accounting policies (see note 3).

The presentation and functional currency used is sterling. Amounts have been presented in millions ("£m"), unless stated otherwise.

2.1.1 Offsetting

IAS 32 requires financial assets and financial liabilities to be offset and the net amount presented in the balance sheet when the Company has both a current legally enforceable right to offset the recognised amounts, and also has the intention to settle on a net basis. The offsetting requirements and relevant guidance is based on the principle of reflecting the entity's expected future cash flows and requires careful assessment around how the requirements should be applied to derivative contracts that will be settled in part through physical delivery of a non-financial asset.

Previously, the Company did not consider derivatives that resulted in physical delivery of a non-financial asset and were not settled solely in cash or another financial instrument to meet the requirements for offsetting. During the current year, the Company has revised its application of how the offsetting criteria are applied to derivative contracts that are physically settled. The Company has applied offsetting based on a contract level of account. This has resulted in a number of physically settled derivatives now being deemed to meet the offsetting criteria.

The balance sheet for the comparative periods have been restated to reflect the revised application. Given this change has a material impact on the opening balances of the comparative period, a third balance sheet has been presented showing the impact on 31 December 2021 balances, as required by IAS 1. The impact of this change is summarised in the tables below. There is no impact from this change on the Company's net assets or shareholders equity, nor any impact on the income statement, statement of other comprehensive income or statement of changes in equity.

	As at 31 December 2022		As at 31 December 2022	
	Previously reported	Restatement	Restated	
	£m	£m	£m	
Derivative financial instruments				
Non-current assets	687.3	(251.2)	436.1	
Current assets	1,479.3	(898.4)	580.9	
Current liabilities	(1,834.6)	898.4	(936.2)	
Non-current liabilities	(1,446.3)	251.2	(1,195.1)	
Total	(1,114.3)	-	(1,114.3)	

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.1.1 Change in accounting policy – offsetting (continued)

	As at 31 December 2021		As at 31 December 2021	
	Previously reported £m	Restatement £m	Restated £m	
Derivative financial instruments				
Non-current assets	483.5	(217.8)		265.7
Current assets	1,053.9	(584.3)		469.6
Current liabilities	(2,155.4)	584.3		(1,571.1)
Non-current liabilities	(1,251.4)	217.8		(1,033.6)
Total	(1,869.4)	-		(1,869.4)

See the note 3 below for further details on the Company's offsetting of financial assets and financial liabilities.

2.2 Financial reporting standard 101 - reduced disclosure exemptions

The Company has taken advantage of the following disclosure exemptions under FRS 101:

- the requirements of paragraphs 45(b) and 46-52 of IFRS 2 Share-based payments
- the requirements of IFRS 7 Financial Instruments: Disclosures
- the requirement in paragraph 38 of IAS 1 'Presentation of Financial Statements' to present comparative information in respect of:
 - paragraph 73(e) of IAS 16 Property, Plant and Equipment;
 - paragraph 118(e) of IAS 38 Intangible Assets;
- the requirements of paragraphs 10(d), 16, 38A, 38B, 38C, 38D, 111 and 134-136 of IAS 1 Presentation of Financial Statements
- the requirements of IAS 7 Statement of Cash Flows
- the requirements of paragraphs 30 and 31 of IAS 8 Accounting Policies, Changes in Accounting Estimates and Errors
- the requirements of paragraph 17 and 18A of IAS 24 Related Party Disclosures
- the requirements in IAS 24 Related Party Disclosures to disclose related party transactions entered into between two or more members of a group, provided that any subsidiary which is a party to the transaction is wholly owned by such a member
- the requirements of paragraphs 134(d)-134(f) and 135(c)-135(e) of IAS 36 Impairment of Assets.
- the requirements of paragraphs 91-99 of IFRS 13 Fair Value Measurement
- the requirements of the second sentence of paragraph 110 and paragraphs 113(a), 114, 115, 118, 119(a) to (c), 120 to 127 and 129 of IFRS 15 Revenue from Contracts with Customers
- the requirements of paragraph 52, the second sentence of paragraph 89, and paragraphs 90, 91 and 93 of IFRS 16 Leases
- the requirements of paragraph 33(c) of IFRS 5 Non-current Assets Held for Sale and Discontinued Operations

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.2 Financial reporting standard 101 - reduced disclosure exemptions (continued)

This information is included in the Annual report and accounts of Drax Group plc as at 31 December 2023 and these financial statements may be obtained from Drax Power Station, Selby, North Yorkshire YO8 8PH, or on the Group's website at www.drax.com.

2.2.1 Adoption of new accounting standards

The following amendments became effective for the first time in 2023. The Company adopted the following from 1 January 2023:

- IFRS 17 – Insurance Contracts – effective from 1 January 2023
- IAS 1 (amended) – Disclosure of Accounting Policies – effective from 1 January 2023
- IAS 8 (amended) – Definition of Accounting Estimates – effective from 1 January 2023
- IAS 12 (amended) – Income Taxes – Deferred Tax related to Assets and Liabilities arising from a Single Transaction – effective from 1 January 2023
- IAS 12 (amended) – International Tax Reform – Pillar Two Model Rules – effective from 1 January 2023

The adoption of these amendments in the current year has not had a material impact on the financial statements.

At the date of approval of this report, the following new or amended standards and relevant interpretations, which have not been applied in these financial statements, were in issue but not yet effective:

- IFRS 10 (amended) – Consolidated Financial Statements – effective date deferred indefinitely⁽¹⁾
- IAS 28 (amended) – Investments in Associates and Joint Ventures (2011) – effective date deferred indefinitely⁽¹⁾
- IFRS 16 (amended) – Lease Liability in a Sale and Leaseback – effective from 1 January 2024
- IAS 1 (amended) – Classification of Liabilities as Current or Non-Current – effective from 1 January 2024
- IAS 1 (amended) – Non-current Liabilities with Covenants – effective from 1 January 2024
- IAS 7 (amended) and IFRS 7 (amended) – Supplier Finance Arrangements – effective from 1 January 2024
- IAS 21 (amended) – Lack of Exchangeability – effective from 1 January 2025⁽¹⁾

⁽¹⁾ Pending endorsement by the UK Endorsement Board (UKEB).

Adoption of these new or amended standards and relevant interpretations in future periods is not expected to have a material impact on the financial statements of the Company. The Company will continue to monitor the developments of these new or amended standards as and when they are endorsed for use in the United Kingdom.

2.3 Going concern

In assessing going concern, the Directors have assessed the prospects of the Company over the 12-month period after the date that these financial statements were authorised for issue. The Directors have also considered any significant events, including any committed outflows beyond this period, in forming their conclusion. The going concern assessment primarily focuses on cash flow forecasts and available facilities. This assessment has considered the level of funding available to the Company, other forms of internal support, where applicable, credit metrics and the current and future economic climate. The Directors have also considered the principal risks faced by the Company, including climate change.

The Company's financial performance in 2023 was strong, delivering improved profitability due to strong system support and operational performance. The Company's financial position and liquidity remained strong also.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2.3 Going Concern (continued)

At 31 December 2023 the Company had cash and cash equivalents of £49.8 million (2022: £34.6 million), net current assets of £1,828.2 million (2022: £565.7 million) and is expected to generate positive cash flows from operations for the 12-month period following the date that these financial statements were authorised for issue.

The Company has access to various resources to manage its working capital such as supply chain financing facilities, deferred letters of credit, the Group's cash pool and intra-group term loans. These facilities help to ensure that the Company has adequate resources to meet its obligations as they fall due and to continue in operational existence for the foreseeable future. Therefore, the Directors have a reasonable expectation that the Company has adequate resources to continue in operational existence for at least 12 months after the date of signing. Accordingly, the Directors continue to adopt the going concern basis in preparing the financial statements.

2.4 Revenue

Revenue represents amounts receivable for goods or services provided to customers in the normal course of business, net of trade discounts, VAT and other sales-related taxes. Revenue is presented gross in the Income Statement as the Company controls the specified good or service prior to the transfer to the customer.

The Company has contracts for wholesale electricity sales. Performance obligations, being the supply of electricity, are met either via generation or through the procurement of electricity from counterparties. The performance obligations for these contracts are deemed to be a series of distinct goods that are substantially the same and transfer consecutively. Control is deemed to have transferred at the point that the electricity has been supplied in accordance with contractual terms.

Revenues from sales contracts fulfilled through generation are measured based upon metered output at rates specified under contract terms. These are recognised under the output method, whereby revenue is recognised based on the value transferred to the customer. Revenue from sales contracts fulfilled through procured electricity is recognised at the point at which this electricity is supplied to the counterparty in accordance with the contractual terms at rates specified under the contract.

The Company recognises the income or costs arising from the Contract for Difference (CfD) (see below) in the Income Statement as a component of revenue at the point the Company meets its performance obligation under the CfD contract. This is considered to be the point at which the relevant generation is delivered, and the payment becomes contractually due.

Other revenues derived from the provision of services to National Grid are recognised by reference to the stage of completion of the contractual performance obligations. Most such contracts are for the delivery of a service either continually or on an ad-hoc basis over a period of time and thus stage of completion is calculated by reference to the amount of the contract term that has elapsed. Depending on the contract terms this approach may require judgement in estimating probable future outcomes.

Other revenues derived from the sale of goods (for example, by-products from electricity generation such as ash and gypsum) are recognised at the point the control of the goods is transferred to the customer, typically at the point of delivery to the customer's premises.

CfD payments

The Company is party to a CfD with the Low Carbon Contracts Company (LCCC), a Government-owned entity responsible for delivering elements of the Government's Electricity Market Reform Programme. Under the contract, the Company makes or receives payments in respect of electricity dispatched from a specific biomass-fuelled generating unit. The payment is calculated by reference to a strike price of £100 per MWh. The base year for the strike price was 2012 and it increases each year in line with the UK Consumer Price Index and changes in system balancing costs. The strike price at 31 December 2023 was £132.47 per MWh (2022: £126.37).

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.4 Revenue (continued)

When market prices (based on average traded prices in the preceding season) are above/below the strike price, the Company makes/receives an additional payment to/from LCCC equivalent to the difference between that market power price and the strike price, for each MWh produced from the generating unit supported by the CfD. Such payments are in addition to amounts received from the sale of the power in the wholesale market and either increase or limit the total income from the power dispatched from the relevant generating unit to the strike price in the CfD contract.

Renewable certificate sales

Renewables Obligation Certificates (ROCs) and Renewable Energy Guarantees of Origin (REGOs) are sold to counterparties at a point in time. External ROC and REGO sales are recognised at the point the relevant certificates are transferred to the counterparty. The generation and sale of renewable certificates, primarily ROCs and REGOs, is a key driver of the Company's financial performance.

The Renewables Obligation (RO) scheme places an obligation on electricity suppliers to source an increasing proportion of their electricity from renewable sources. Under the RO scheme, ROCs are issued to generators of renewable electricity which are then sold bilaterally to counterparties, including suppliers, to demonstrate that they have fulfilled their obligations under the RO scheme. ROCs are managed in compliance periods (CPs), running from April to March annually. CP1 commenced in April 2002. At 31 December 2023 the Company is operating in CP22.

To meet its obligations a supplier can either submit ROCs or pay the buy-out price at the end of the CP. The buy-out price rises annually in line with the UK Retail Price Index (RPI). The buy-out price for CP22 is £59.01 (2022: CP21 £52.88). ROCs are typically procured in arm's-length transactions with renewable generators at a market price slightly lower than the buy-out price for that CP. At the end of the CP, the amounts collected from suppliers paying the buy-out price form the recycle fund, which is distributed on a pro-rata basis to the suppliers who presented ROCs during the CP.

The financial benefit of a ROC recognised in the income statement at the point of generation is comprised of two parts: the expected value to be obtained in a sale transaction with a third-party supplier relating to the buy-out price, and the expected value of the recycle fund benefit to be received at the end of the CP. During the year, the Company also made sales and related purchases of ROCs to help optimise its working capital position.

REGOs are certificates that enable suppliers to prove that energy supplied to their customers came from a renewable source. One REGO is issued to a generator for every MWh of renewable energy they generate. The primary use of REGOs is for the Fuel Mix Disclosure that requires licensed electricity suppliers to disclose to potential and existing customers the mix of fuels used to generate the electricity supplied. REGOs are managed in compliance periods (CPs), running from April to March annually. CP1 commenced in April 2002. At 31 December 2023 the Company is operating in CP22.

The financial benefit of a REGO is recognised in the income statement at the point of generation based on the expected value to be obtained in a sale transaction with a third-party supplier. If the Company has already agreed sales contracts covering the REGOs generated in a period, the expected value is recognised at the point of generation based on the contracted price. The expected value of REGOs not covered by agreed sales contracts are recognised at the point of generation based on published third-party market price assessments

2.5 Electricity Generator Levy (EGL)

In December 2022, the UK Government confirmed the details of a windfall tax – the Electricity Generator Levy (EGL) – on renewable and low-carbon generators, for implementation in 2023. The levy applies to the Company's three biomass units operating under the Renewables Obligation (RO) scheme. It does not apply to the Group's CfD biomass unit. The EGL applies at a rate of 45% to receipts from in-scope forms of wholesale electricity generation that exceed a defined benchmark level, after the deduction of certain costs, from 1 January 2023 to 31 March 2028.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.5 Electricity Generator Levy (EGL) (continued)

After consideration of the legislation underpinning the EGL, the Company has determined that it should be treated as a levy under IFRIC 21 'Levies', rather than as a tax under IAS 12 'Income taxes'. Therefore, the cost is recognised within cost of sales. Due to the materiality of the charge, in terms of both its quantum and nature (being the first year of applicability), it was determined that the EGL should be presented as a separate line on the face of the income statement. A reconciliation of Adjusted EBITDA including EGL to Adjusted EBITDA excluding EGL can be found in note 12.

In accordance with IFRIC 21, a liability for a levy is recognised once the obligating event, being the activity that triggers the payment of the levy, has occurred. A liability to pay a levy is recognised progressively if the obligating event occurs over time. If an obligation to pay a levy is triggered when a minimum threshold is reached the corresponding liability is recognised only when that minimum activity threshold is reached. The EGL is triggered based on average generation receipts for in-scope revenue schemes over a reporting period being higher than the threshold set in the legislation. A liability is therefore recognised if the average actual generation receipts to date in a financial period are above the threshold. The threshold for 2023 is £75 per MWh. The assessment is based on receipts above this threshold after adjusting for allowable costs.

2.6 Interest receivable

Interest receivable is recognised in the Income Statement using the effective interest method.

2.7 Interest payable

Interest payable is charged to the Income Statement over the term of the debt using the effective interest method so that the amount charged is at a constant rate on the carrying amount. Issue costs are initially recognised as a reduction in the proceeds of the associated capital instrument.

2.8 Intangible assets – negative goodwill

On acquisition of the trade and certain assets and liabilities of the Drax Power Station from Drax Ouse in December 2003, fair values were attributed to the net assets acquired. The cost of acquisition was less than the value attributed to such net assets and accordingly the difference was treated as negative goodwill.

The negative goodwill is being released to the Income Statement on a straight-line basis over a period of 35 years, being the approximate period over which the related non-monetary assets are being depreciated.

2.9 Intangible assets - carbon

Carbon assets arise upon the purchase of carbon emissions allowances in excess of the amount allocated and required for the current financial year and are recognised at cost, net of any impairment. Given their short tenor, carbon assets are not amortised.

The charge to the Income Statement, within fuel costs, reflects the cost of emissions allowances required to satisfy the Company's obligation for the current year and considers generation and market purchases allocated to the current financial year, and, to the extent further purchases are required, the market price at the balance sheet date.

2.10 Intangible assets – computer software

Computer software includes those acquired in the ordinary course of business, which principally reflect ongoing investment in business systems. Computer software is measured at cost which comprises the purchase price (net of any discount or rebate) and any directly attributable costs to bring the asset into the condition and location required for use as intended by management. Software assets are amortised on a straight-line basis over estimated useful lives. The average remaining useful life of software assets is seven years.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2.11 Property, plant and equipment

Property, plant and equipment are initially measured at cost. Cost comprises the purchase price (after deducting trade discounts and rebates), any directly attributable costs of bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management, and the estimate of the present value of the costs of dismantling and removing the item and restoring the site. Property, plant and equipment are stated at cost less accumulated depreciation and any provision for impairment in value.

Assets constructed as part of long-term development projects and in the course of construction are not depreciated until they are ready to use in the way intended.

Depreciation is provided on a straight-line basis to write down assets to their residual value evenly over the useful economic lives (UELs) of the assets from the date of acquisition. The table below shows the average useful life at the balance date of an asset in the main categories of asset we own in years:

	Average UEL remaining
Freehold buildings	16
Plant and machinery	
- Electricity generation plant	13
- Biomass-specific assets	15
- Other plant, machinery and equipment	13
- Decommissioning asset	16
Plant spare parts	16

Freehold land, held at cost, is considered to have an unlimited useful life and is not depreciated.

Electricity generation plant refers to core electricity generation assets which are fuel agnostic. Biomass-specific assets are those assets that are only necessary to support electricity generation from biomass and include relevant fuel storage and distribution systems.

Within the plant and equipment categories shorter lives are attributed to components that are overhauled and upgraded as part of the rolling outage cycles.

Plant spare parts are depreciated over the remaining useful life of the power station.

Costs relating to major inspections, overhauls and upgrades to the power station are included in the asset's carrying amount or recognised as a separate asset, as appropriate, if the recognition criteria are met; namely, when it is probable that future economic benefits associated with the item will flow to the Company and the cost of the item can be measured reliably. All other repairs and maintenance costs are expensed as incurred.

Estimated useful lives and residual values are reviewed periodically, taking into account regulatory change and commercial and technological obsolescence as well as normal wear and tear. Residual values are based on prices prevailing at each balance sheet date. Any changes are applied prospectively.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2.12 Impairment of fixed assets

The Company reviews its fixed assets (or, where appropriate, groups of assets known as cash-generating units (CGUs)) whenever there is an indication that an impairment loss may have been suffered. The Company assesses the existence of indicators of impairment annually.

Within the Company there are two CGUs, one for biomass generation assets and one for coal generation assets. As a result of the decision to cease coal generation, the coal CGU was fully written down in prior years.

If an indication of potential impairment exists, the recoverable amount of the asset or CGU in question is assessed with reference to the present value of the future cash flows expected to be derived from the continuing use of the asset or CGU (value in use) or the expected price that would be received to sell the asset to another market participant (fair value less costs to sell). The initial assessment of recoverable amount is normally based on value in use.

Where value in use is calculated, the assessment of future cash flows is based on the most recent approved business plan and includes all of the necessary costs expected to be incurred to generate the cash inflows from the CGU's assets in their current state and condition, including an allocation of centrally managed costs. Central costs are only allocated where they are necessary for and directly attributable to the CGU's activities. Future cash flows include, where relevant, contracted cash flows arising from our cash flow hedging activities and as a result the carrying amount of each CGU includes the mark-to-market value of those cash flow hedges.

The additional value that could be obtained from enhancing or converting the Company's assets is not reflected, nor the potential benefit of any future restructuring or reorganisation. In determining value in use, the estimate of future cash flows is discounted to present value using a pre-tax rate reflecting the specific risks attributable to the CGU in question.

If the recoverable amount is less than the current carrying amount in the financial statements, a provision is made to reduce the carrying amount of the asset or CGU to the estimated recoverable amount. Impairment losses are recognised immediately in the Income Statement.

2.13 Inventories

The Company's fuel inventories are valued at the lower of the weighted average cost to purchase and net realisable value.

The cost of fuel inventories includes all direct costs and overheads incurred in bringing the fuel to its present location and condition, including the purchase price, import duties and other taxes (including amounts levied on coal under the UK carbon price support mechanism) and transport or handling costs.

2.14 Renewable certificate assets

Renewable certificates, principally ROCs and REGOs, are recognised as current assets in the period they are generated and are initially measured at fair value based on anticipated sales prices. The value of renewable certificates earned is recognised in the Income Statement as a reduction in fuel costs in that period.

At each reporting date the Company reviews the fair value of renewable certificate assets generated but not sold against updated anticipated sales prices including, where relevant, agreed forward sale contracts. Any impairments required are recognised in the Income Statement in the period incurred.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.15 Trade and other receivables

Trade and other receivables are initially measured at the transaction price. The company holds the trade receivables with the objective of collecting the contractual cash flows and therefore measures them subsequently at amortised cost using the effective interest rate method. A provision for impairment of trade receivables is measured at an amount equal to the lifetime expected credit loss.

A provision for the impairment of other receivables, including amount owed by Group undertakings, is measured at an amount equal to the lifetime expected credit losses where there has been a significant increase in credit risk since initial recognition. If the credit risk of the financial instruments has not increased significantly since initial recognition, the Company recognises a 12-month expected credit loss provision.

2.16 Cash and cash equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours.

2.17 Derivatives and financial instruments

Where appropriate, the Company has taken advantage of the own use exemption which allows qualifying contracts to be excluded from fair value mark-to-market accounting. This applies to certain contracts for physical commodities entered into and held for the Company's own purchase, sale or usage requirements.

Contracts which do not qualify for the own use exemption – principally power, gas, financial oil, carbon emissions allowances and forward foreign currency exchange contracts – are accounted for as derivatives and recorded in the balance sheet at fair value, with changes in fair value reflected through the hedge reserve to the extent that the contracts are designated as effective hedges in accordance with IFRS 9, or the Income Statement where hedge accounting requirements are not met.

2.18 Trade and other payables

Trade and other payables represent amounts owed to suppliers for trade purchases and ongoing costs, tax authorities and other creditors that are due to be paid in the ordinary course of business. Accruals are made for amounts that will fall due for payment in the future as a result of activities in the current year. Trade and other payables are initially recognised at fair value and subsequently measured at amortised cost using the effective interest method.

2.19 Foreign currency translation

Transactions and balances

Foreign currency transactions are translated into the functional currency, pounds sterling, using the spot exchange rates at the dates of the transactions. At each period end foreign currency monetary items are translated using the closing rate. Non-monetary items measured at historical cost are translated using the exchange rate at the date of the transaction.

Foreign exchange gains and losses resulting from the settlement of transactions and from the translation at period-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the Income Statement except when deferred in other comprehensive income as qualifying cash flow hedges.

Foreign exchange gains and losses that relate to borrowings and cash and cash equivalents are presented in the Income Statement within 'interest receivable' or 'interest payable'. All other foreign exchange gains and losses are presented in the Income Statement within 'operating and administrative expenses'.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.20 Dividends

Equity dividends are recognised when they become legally payable. Interim equity dividends are recognised when paid. Final equity dividends are recognised when approved by the shareholders at an annual general meeting.

2.21 Share-based payments

The ultimate parent Company issues equity-settled share-based payments (the cost of which is then recharged back to the Company at year end), to certain employees, which are measured at fair value (excluding the effect of non-market based vesting conditions) at the date of grant and expensed on a straight-line basis over the relevant vesting period, based on an estimate of the number of shares that will ultimately vest and adjusted for the effect of non-market based vesting conditions, which are revised at each balance sheet date.

2.22 Pensions

Defined contribution pension plan

The Company operates a defined contribution plan for its employees. Payments to defined contribution plans are recognised as an expense when employees have rendered services that entitle them to the contributions. The Income Statement charge for the defined contribution scheme represents the total contributions to be paid by the Company in respect of the current period.

Defined benefit pension plan

Until 31 January 2023, the Company operated a defined benefit plan for certain employees. From 1 February 2023, the plan assets and liabilities were transferred to another Group Company. A defined benefit plan defines the pension benefit that the employee will receive on retirement, usually dependent upon several factors including but not limited to age, length of service and remuneration.

The asset recognised in the prior year Balance Sheet in respect of the defined benefit plan was the present value of the defined benefit obligation at the end of the balance sheet date less the fair value of plan assets at the balance sheet date (if any) out of which the obligations are to be settled.

The defined benefit obligation was calculated using the projected unit credit method. Annually the Company engaged independent actuaries to calculate the obligation. The present value was determined by discounting the estimated future payments using market yields on high quality corporate bonds that are denominated in sterling and that have terms approximating to the estimated period of the future payments ('discount rate').

The fair value of plan assets was measured in accordance with the IFRS fair value hierarchy and in accordance with the Company's policy for similarly held assets. This included the use of appropriate valuation techniques.

Actuarial gains and losses arising from experience adjustments and changes in actuarial assumptions were charged or credited to other comprehensive income. These amounts together with the return on plan assets, less amounts included in net interest, were disclosed as 'Actuarial gains/(losses) on the defined benefit pension scheme'.

The cost of the defined benefit plan, recognised in profit or loss as employee costs, except where included in the cost of an asset, comprised:

- a) the increase in net pension benefit liability arising from employee service during the period; and
- b) the cost of plan introductions, benefit changes, curtailments and settlements.

The net interest income/cost was calculated by applying the discount rate to the net balance of the defined benefit obligation and the fair value of plan assets. This income/cost was recognised in profit or loss as interest receivable and similar income or interest payable, respectively.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.22 Pensions (continued)

Another Group company, Drax Hydro Limited, is now the sponsoring employer of the Scheme in which this Company is a participant. As there is no formalised policy for the allocation of the defined benefit cost between the companies, the full cost is accounted for in Drax Hydro Limited, with the contributions payable by the Company expensed to the Income Statement as they become payable. Details of the Drax 2019 scheme can be found in the financial statements of Drax Hydro Limited whose registered office is Drax Power Station, Selby, North Yorkshire, United Kingdom, YO8 8PH.

2.23 Decommissioning provision

A provision is made for the estimated decommissioning costs at the end of the useful economic life of the Company's generating assets, when a legal or constructive obligation arises, on a discounted basis. The amount provided represents the present value of the expected costs. No allowance is made within the provision for expected proceeds on disposal of scrap or assets to third parties, as the uncertainty over market prices at the estimated decommissioning date mean such an asset would not be virtually certain at the balance sheet date. The discount rates used are risk free pre-tax rates, reflecting the fact that the estimated future cash flows have built in risks specific to the liability. An amount equivalent to the initial discounted provision is capitalised within non-current assets (Property, plant and equipment) and is depreciated over the useful lives of the related assets. Changes in the estimated cost of the decommissioning provision are recognised as changes to the decommissioning asset. The unwinding of the discount is included in interest payable and similar charges.

2.24 Current and deferred taxation

The tax expense for the year comprises current and deferred tax. Tax is recognised in the Income Statement, unless the charge is attributable to an item of income or expense recognised as other comprehensive income or an item that is recognised directly in equity, then the associated tax is recognised in other comprehensive income or directly in equity, respectively.

The current income tax charge is calculated on the basis of tax rate and laws that have been enacted or substantively enacted by the balance sheet date in the United Kingdom, where the Company operates and generates income.

Deferred tax balances are recognised in respect of all timing differences that have originated but not reversed by the Balance Sheet date, except that:

- The recognition of deferred tax assets is limited to the extent that it is probable that they will be recovered against the reversal of deferred tax liabilities or other future taxable profits; and
- Any deferred tax balances are reversed if and when all conditions for retaining associated tax allowances have been met.

Deferred tax balances are not recognised in respect of permanent differences except in respect of business combinations, when deferred tax is recognised on the differences between the fair values of assets acquired and the future tax deductions available for them and the differences between the fair values of liabilities acquired and the amount that will be assessed for tax. Deferred tax is determined using tax rates and laws that have been enacted or substantively enacted by the balance sheet date.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.25 Reserves

The Company's capital and reserves are as follows:

Share capital

Called up share capital represents the nominal value of shares issued.

Hedge reserve

Changes in the fair value of the Company's derivative commodity, financial and currency contracts are recognised in the hedge reserve, to the extent that they qualify as effective hedges under IFRS 9. The cumulative gains and losses unwind and are released as the related contracts mature, and the Company take delivery of the associated commodity or currency.

Cost of hedging reserve

Changes in the fair value of the forward element of the Company's hedged currency contracts are recognised in the cost of hedging reserve. The cumulative gains and losses unwind and are released as the related contracts mature, and the Company take delivery of the associated currency.

Merger reserve

The merger reserve arose on the restructuring of the Group's operations which took place in 2020.

Retained earnings

Retained earnings represents cumulative profits or losses, net of dividends paid and other adjustments.

2.26 Leases

IFRS 16 determines a control model to distinguish between lease agreements and service contracts on the basis of whether the use of an identified asset is controlled by the Company. If the Company is deemed to have control of an identified asset, then a lease is recognised on the balance sheet. A right-of-use asset and a corresponding lease liability are recognised.

The right-of-use asset is initially measured at cost comprising the amount of the initial measurement of the lease liability, any lease payments made at or before the commencement date less any lease incentives received, any direct cost and restoration costs. It is subsequently measured at cost less accumulated depreciation and accumulated impairment losses.

The lease liability is initially measured at the present value of the future lease payments discounted using the discount rate that is implicit in the lease. If this discount rate cannot be determined from the agreement, the liability is discounted using an incremental borrowing rate. The liability is subsequently adjusted for interest, repayments and other modifications. Lease modifications are accounted for as a separate lease where the scope of the lease increases through the right to use one or more underlying assets and where the consideration of the lease increases by an amount that is equivalent to the standalone price of the increase in scope. Where a modification decreases the scope of the lease, the carrying amount of the right-of-use asset is adjusted and a gain or loss is recognised in proportion to the decrease in scope of the lease. All other modifications are accounted for as a reassessment of the lease liability with a corresponding adjustment to the right-of-use asset.

Lease extension or termination options are included within the lease term when the Company as the lessee has the discretion to exercise the option and where it is probable that the option will be exercised.

Leases with a term shorter than 12 months or where the identified asset has a value below £3,500 are expensed to the Income Statement on a straight-line basis over the duration of the agreement.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.27 Alternative performance measures (APMs)

The Company uses APMs throughout the Annual report and financial statements that are not defined within IFRS but provide additional information about financial performance and position that is used by the Board to evaluate the Company's performance. These measures have been defined internally and may therefore not be comparable to similar APMs presented by other companies. Additionally, certain information presented is derived from amounts calculated in accordance with IFRS but is not itself a measure defined by IFRS. Such measures should not be viewed in isolation or as an alternative to the equivalent IFRS measure.

Adjusted results

The Company's financial performance for the period, measured in accordance with IFRS, is shown on the face of the Income Statement. Exceptional items and certain remeasurements are deducted from the Total Results in arriving at the Adjusted Results for the year. The Company's Adjusted Results are consistent with the way the Board assess the performance of the Company. Adjusted Results are intended to reflect the underlying trading performance of the Company's business and are presented to assist users of the accounts in evaluating the Company's trading performance, and performance against strategic objectives.

Adjusted EBITDA including EGL and Adjusted EBITDA excluding EGL

The Company previously presented Adjusted EBITDA. Due to the introduction of EGL in the current year, the Company is presenting both Adjusted EBITDA including EGL and Adjusted EBITDA excluding EGL to enable comparability between prior and future periods. Both Adjusted EBITDA including EGL and Adjusted EBITDA excluding EGL are primary measures used by the Board and Executive management to assess the financial performance of the Company as they provide a comparable assessment of the Company's trading performance period-on-period.

Adjusted EBITDA including EGL is earnings before interest, tax, depreciation, amortisation, other gains or losses and impairment of non-current assets, excluding the impact of exceptional items and certain remeasurements (defined below). Adjusted EBITDA including EGL excludes any earnings from associates and Adjusted EBITDA directly attributable to non-controlling interests. Adjusted EBITDA excluding EGL is consistent with the definition of Adjusted EBITDA including EGL, apart from it does not include the cost of EGL.

Certain remeasurements and exceptional items

Exceptional items are those transactions that, by their nature, do not reflect the trading performance of the Company in the period. For a transaction to be considered exceptional, management considers the nature of the transaction, the frequency of similar events, previous precedent and commercial context. Exceptional items are approved by the Audit Committee in accordance with an agreed policy. There has been no change to the policy during the year ended 31 December 2023.

Certain remeasurements comprise fair value gains and losses on derivative forward contracts to the extent those contracts do not qualify for hedge accounting, or hedge accounting is not effective, which under IFRS are recorded in revenue, cost of sales or foreign exchange gains/(losses) as described above. Management believes adjusting for fair value gains and losses recognised on derivative contracts provides readers of the accounts with useful information as this removes the volatility caused by movements in market prices over the life of the derivative. The Company regards all of its forward contracting activity to represent economic hedges and therefore the contracted price at delivery or maturity is relevant to the Company and its performance, rather than how the contracted price compares to the current market price, as the Company is not seeking to make trading profits through market price movements.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

2. Accounting policies (continued)

2.27 Alternative performance measures (continued)

The impact of excluding these fair value remeasurements is to reflect commodity sales and purchases at contracted prices (the price paid or received in respect of delivery of the commodity in question), taking into account the impact of financial trading (such as forward foreign currency purchases), in Adjusted results. The result of this adjustment shows the impact in revenue, cost of sales and foreign exchange gains/losses at the time the transaction takes place.

Further information on exceptional items and certain remeasurements in the current and previous period is included in note 12 to the financial statements.

3. Judgements in applying accounting policies and key sources of estimation uncertainty

The preparation of financial statements requires judgement to be applied in forming the Company's accounting policies. It also requires the use of estimates and assumptions that affect the reported amounts of assets, liabilities, income and expenses. Actual results may subsequently differ from these estimates.

Estimates and underlying assumptions are reviewed on an ongoing basis, with revisions recognised in the period in which the estimates are revised and in any future periods affected.

The judgements which have the most significant effect on the amounts recognised in the financial statements, and the key estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year, are set out below. Further detail, including sensitivity analysis, where appropriate, for the key estimates and assumptions, is included in the related notes.

Critical accounting judgements

The critical judgements made in the process of applying the Company's accounting policies during the year that have the most significant effect on the amounts recognised in the financial statements are set out below.

Certain remeasurements and exceptional items – Each year management confirms the judgements made regarding transactions to exclude from the Adjusted Results of the Company, as described under Alternative performance measures, in note 2.27 above. The judgement as to whether a transaction or group of transactions should or should not be classified as a certain remeasurement or an exceptional item can have a significant impact on the Adjusted Results of the Company. An internal policy governs the judgements made by management and in all instances, these judgements are approved by the Audit Committee.

Accounting for biomass purchase and sale contracts – The Company buys and sells biomass for operational requirements. The Company's risk management policies also permit some flexibility in trading activity to optimise the overall portfolio position and potentially release value in certain circumstances. As such, the Company undertook an assessment of whether contracts to buy and sell biomass for optimisation purposes brought the Company's biomass contracts within the scope of IFRS 9. If the contracts were deemed to be within the scope of IFRS 9, this would result in these contracts being recognised at fair value as derivative financial instruments from inception.

The Company assessed both biomass purchase and sale contracts and concluded that the nature of these contracts means they cannot be readily net settled in cash or other financial instruments and, as a result, they remain outside of the scope of IFRS 9. The Company concluded this due to the contractual terms having no net settlement provisions and the highly illiquid nature of the biomass market meaning contracts cannot be readily converted into cash. The lack of an active spot market means market participants cannot readily seek to make trading profits from short-term price fluctuations as prices and contracts are negotiated bilaterally with no active market price and no guarantee there will be a willing buyer or seller to trade with. Accordingly, biomass contracts are not recognised in the financial statements until delivery, consistent with the accounting in prior years.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

3. Judgements in applying accounting policies and key sources of estimation uncertainty (continued)

Had the Company concluded biomass contracts were within the scope of IFRS 9, a £1 per tonne increase or decrease in the market price of biomass purchases would result in a £23.7 million fair value gain or loss respectively being recognised. The Company continues to assess developments in the biomass market on an ongoing basis to identify any impact on this assessment.

Capitalisation of development project costs – As the Company executes its strategy, significant investment is likely to be required in large development projects such as UK BECCS. In accounting for this expenditure, judgements are required to determine whether these costs meet the criteria to be capitalised, or whether they should be expensed as incurred. The capitalisation of costs under IAS 16 and IAS 38 are based around the expectation that it is probable that economic benefit will flow to the Company as a result of the costs incurred to bring the asset into working condition. This judgement can be complex as it is dependent on several qualitative factors, including technological feasibility, economic feasibility and availability of finance.

At 31 December 2023, the Company had capitalised £41.8 million relating to the UK BECCS development project, including £17.3 million in 2023 (2022: £19.1 million). Had it been judged that the criteria for capitalisation had not yet been met, these costs would have been expensed as incurred. Should expectations around the qualitative factors noted above change in future, then the amounts capitalised may need to be impaired

Offsetting of financial assets and liabilities - IAS 32 requires financial assets and financial liabilities to be offset and the net amount presented in the balance sheet when the Company currently has both the legally enforceable right to offset the recognised amounts, and the intention to settle on a net basis. The offsetting requirements and relevant guidance is based on the principle of reflecting the entity's expected future cash flows. Whilst the offsetting criteria can be met in relation to derivative financial instruments that will be settled through physical delivery of a non-financial asset, there is an interpretation required on how the offsetting criteria should be applied. Namely, an interpretation is required around the appropriate unit of account where there are a number of both physical deliveries and cash flows that collectively settle financial instruments, and how the offsetting requirements should be applied to each of these settlements, either individually or at a contract level.

If management had not applied offsetting on physically settled derivative contracts in the current year, then a number of derivative balances that are currently presented net in the balance sheet would have been presented gross resulting in an additional £259.2 million of current derivative assets and liabilities and £96.2 million of non-current derivative assets and liabilities.

In the financial statements issued in the prior year, management presented all physically settled derivatives gross. See note 2.1.1 above for further details on this change.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

3. Judgements in applying accounting policies and key sources of estimation uncertainty (continued)

Sources of estimation uncertainty

The following are the sources of estimation uncertainty that carry significant risk of a material effect on next year's accounts – that is, the items where actual outcomes in the next 12 months could vary significantly from the estimates made in determining the reported amount of an asset or liability.

Property, plant and equipment – Property, plant and equipment UELs are estimated and based on past experience, anticipated future replacement cycles and other available evidence. UELs are reviewed at least annually. As at 31 December 2023, the carrying value of property, plant and equipment totalled £1,027.3 million (2022: £956.3 million).

Given the continued focus on climate change, renewable sources of energy and transitioning to a net zero economy, the power generation industry is going through a period of transformation, which can impact on the UELs of assets. As the Government's net zero strategy continues to evolve and become clearer, particularly in relation to BECCS, the Company will continue to assess any potential impact of these developments and whether UELs would be required to be updated in relation to Drax Power Station. Accordingly, given the continued rate of change in these areas, this increases the risk that UELs will be updated in the near future as new information becomes available, and as such a change in UELs, particularly in relation to Drax Power Station's biomass assets, has been disclosed as a key source of estimation uncertainty. If BECCS is deployed at Drax Power Station this could result in an extension of the end of station life. If the useful economic life of Drax Power Station was to increase by ten years, the impact on the depreciation charge for the year would be a decrease of approximately £16.6 million. If the assumed end of station life of 2039 were to decrease by 10 years to 2029, the impact on the depreciation charge for the year would be an increase of approximately £72.9 million

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

4. Revenue

An analysis of the Company's revenue from continuing operations is as follows:

	2023 £m	2022 £m
Electricity sales	5,478.7	5,400.1
Renewable certificate sales	1,277.4	1,277.6
CfD payment	(63.0)	(45.7)
Ancillary services	25.0	47.3
Other income	72.1	104.8
	6,790.2	6,784.1

Revenue primarily comprises sales of electricity generated by the Company to the electricity wholesale market in Great Britain plus ancillary services, fuel sales and associated by-product sales. As such, the Company has only one business segment and one geographical segment.

5. Operating profit

Operating profit for the year from continuing and discontinued operations is stated after charging/(crediting):

	Note	2023 £m	2022 £m
Depreciation of property, plant and equipment	15	72.8	70.1
Depreciation on right-of-use assets	16	7.3	4.4
Amortisation of negative goodwill	14	(3.8)	(3.8)
Amortisation of software	14	2.4	1.0
Impact of change in accounting policy ⁽¹⁾		-	1.7
(Loss)/gain on disposal of property, plant and equipment		(0.2)	1.8
Cost of inventories recognised as an expense		1,270.6	1,319.7
Maintenance costs		80.8	41.4
Insurance costs		22.3	14.2
Intercompany recharges		129.8	10.2
Staff costs	7	62.3	58.4

⁽¹⁾ Relates to the adjustment made in 2022 in respect of amendment of existing accounting standards relates to the application of IFRIC's agenda decision in relation to software as a service assets.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

6. Auditor remuneration

Fees payable to Deloitte LLP for the audit of the annual accounts were £418,200 (2022: £374,850).

The Company has taken advantage of the exemption not to disclose amounts paid for non-audit services as these are disclosed in the Group accounts of the ultimate Parent Company.

7. Employees

Staff costs were as follows:

	Note	2023 £m	2022 £m
Wages and salaries		45.5	40.7
Social security costs		5.8	5.6
Pension costs	29	9.3	9.7
Share-based payment	27	1.7	2.4
		62.3	58.4

The average monthly number of employees, including the Directors, during the year was as follows:

	2023 Number	2022 Number
Operations	533	522
Business services	103	104
	636	626

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

8. Directors' remuneration

	2023 £m	2022 £m
Directors' emoluments	0.6	0.6
Pension costs	0.1	0.1
Aggregate amounts receivable under long-term incentive schemes	0.4	0.9
	1.1	1.6

The remuneration received by the directors, borne by this Company, is shown in the table above. The directors are remunerated for services rendered to the Group and its subsidiary undertakings as a whole and it is not practicable to allocate these amounts to specific subsidiary undertakings. Of the four directors of this Company, one is remunerated by this Company and the remaining three directors are remunerated by other companies in the Group.

No directors stepped down from the board during the year. (2022: None). Therefore, no compensation for loss of office was paid by the Company (2022: £nil).

Amounts receivable under long-term incentive schemes represent the charge arising from share-based payments included in the Income Statement, determined based on the fair value of the related awards at the date of grant. One director received awards in the year and one director exercised options over shares deriving from a long-term incentive plan.

There were no other transactions with Directors for the periods covered by these financial statements.

During the year retirement benefits were accrued for one director (2022: one) in respect of money purchase pension schemes. The value of the Company's contributions paid to money purchase pension schemes in aggregate amounted to £53,000 (2022: £50,000).

The highest paid Director received remuneration of £567,000 (2022: £591,000).

The value of the Company's contributions paid to money purchase pension schemes in respect of the highest paid Director amounted to £53,000 (2022: £50,000).

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

9. Interest receivable and similar income

	Note	2023 £m	2022 £m
Interest receivable from bank deposits		11.5	6.6
Interest receivable from Group companies		26.4	2.6
Foreign exchange gains		6.1	-
Interest receivable from private placement facility		-	0.4
Net finance income in respect of defined benefit pension scheme	29	0.2	0.9
		44.2	10.5

10. Interest payable and similar expenses

	Note	2023 £m	2022 £m
Interest payable on financing activities		15.3	7.1
Other interest payable		0.2	-
Foreign exchange losses		-	1.6
Interest on lease liabilities	16	1.1	0.7
Unwind of discount on provisions	24	1.9	1.1
		18.5	10.5

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

11. Tax on profit

Tax charged in the profit and loss account

	2023 £m	2022 £m
Tax charge comprises:		
Current period	153.4	44.9
Adjustments in respect of prior periods	(1.0)	(6.3)
	<u>152.4</u>	<u>38.6</u>
Deferred Tax:		
Current period	78.6	(33.1)
Adjustments in respect of prior periods	3.2	(0.5)
Impact of tax rate change	4.7	(4.1)
	<u>86.5</u>	<u>(37.7)</u>
Tax charge	<u>238.9</u>	<u>0.9</u>

The tax charge on profit assessed for the year is higher (2022: lower) than the standard rate of Corporation Tax in the UK of 23.5% (2022: 19%). The differences are explained below:

	2023 £m	2022 £m
Profit on ordinary activities before tax	863.7	205.5
Profit on ordinary activities multiplied by standard rate of corporation tax in the UK of 23.5% (2022 – 19%)	203.0	39.0
Adjustments in respect of prior years	2.2	(6.8)
Expenses not deductible for tax purposes	0.7	0.8
Adjustment for profit subject to Patent Box rate	(17.4)	(9.6)
Electricity Generator Levy	42.6	-
RDEC credit	(0.7)	(0.6)
Super deduction ⁽¹⁾	(1.0)	(2.9)
SBP recognised in equity	4.8	-
Impact of rate changes	4.7	(4.1)
Transfer pricing adjustments	-	(14.9)
Total tax charge for the year	<u>238.9</u>	<u>0.9</u>

The £2.2 million adjustment in respect of prior years relates to unfavourable adjustments arising between the statutory accounts tax provision for 2022 compared to the submitted corporation tax return. The main differences relate to adjustments to accelerated capital allowances, patent box, group relief and RDEC.

The Company was granted a patent to protect certain intellectual property it owns, and which attaches to the technology developed to manage the combustion process in generating electricity from biomass. Under UK tax legislation the Company is now entitled to apply a lower rate of tax to some of its profits each year which are derived from utilisation of that technology.

(1) The super-deduction is an accelerated capital allowance (tax depreciation) incentive introduced by the UK Government in Finance Bill 2021. It enables a company to claim a 130% tax deduction for the cost of qualifying plant and machinery incurred between April 2021 to March 2023.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

11. Tax on profit (continued)

Factors affecting tax charges

The Finance Act 2021 included legislation to increase the rate of UK Corporation Tax from 19% to 25% from 1 April 2023. As such, the deferred tax assets and liabilities have been calculated using 25% (2022: 25%)

	2023 £m	2022 £m
Tax charged/(credited) on items recognised in other comprehensive income/reserves:		
Items that will not be reclassified subsequently to profit or loss		
Deferred tax on actual gains on defined benefit pension scheme	-	(6.4)
Deferred tax on cost of hedging	1.9	(1.7)
Deferred tax on cash flow hedges	(20.8)	50.5
Items that may be reclassified subsequently to profit or loss		
Deferred tax on cash flow hedges	471.6	171.8
	452.7	214.2
	2023 £m	2022 £m
Tax charged/(credited) on items released directly from equity		
Deferred tax on cash flow hedges	(10.2)	(9.5)
Deferred tax on cost of hedging	(9.0)	(7.1)
Deferred tax on share-based payments	1.1	(3.3)
Total tax credited for the year	(18.1)	(19.9)

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

12. Alternative performance measures

The Company's financial performance for the period, measured in accordance with IFRS, is shown on the face of the Income Statement. Exceptional items and certain remeasurements are deducted from the Total Results in arriving at the Adjusted Results for the year. The Company believes that this presentation provides useful information about the financial performance of the business and is consistent with the way executive management and the Board assess the performance of the business.

The Company has a framework for the determination of transactions as exceptional. Transactions presented as exceptional are approved by the Audit Committee.

In these financial statements, the following transactions have been designated as exceptional items and presented separately:

- Impact of change in accounting policy in respect to Software as a Service arrangements (2022)
- Tax rate changes. (2023 & 2022)

Certain remeasurements constitute gains or losses on derivative contracts to the extent that those contracts do not qualify for hedge accounting, or hedge accounting is not effective, and those gains or losses are either:

- unrealised and relate to the delivery of commodity contracts in future periods or,
- are realised in relation to the delivery of commodity contracts in the current period.

Once the gains or losses are realised, the previously recognised fair value movements are then reversed through remeasurements and recognised within Adjusted Results either as revenue or cost of sales. The effect of excluding certain remeasurements from the Adjusted Results is to reflect commodity sales and purchases at contracted prices i.e., at the all-in-hedged amount paid or received in respect of the delivery of the commodity in question, to better reflect the trading performance of the Company in Adjusted Results.

	Year ended 31 December 2023					
	Revenue £m	Gross profit £m	Operating profit £m	Profit before tax £m	Tax £m	Profit for the period £m
Total results FRS 101 measure	6,790.2	1,261.9	838.0	863.7	(238.9)	624.8
Certain remeasurements:						
Net fair value remeasurement on derivative contracts	(282.9)	(246.3)	(246.3)	(246.0)	61.5	(184.5)
Exceptional items						
Tax rate change	-	-	-	-	4.7	4.7
Total	(282.9)	(246.3)	(246.3)	(246.0)	66.2	(179.8)
Adjusted Results	6,507.3	1,015.6	591.7	617.7	(172.7)	445.0

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2022

12. Alternative performance measures (continued)

	Year ended 31 December 2022					
	Revenue £m	Gross profit £m	Operating profit £m	Profit before tax £m	Tax £m	Profit for the period £m
Total results FRS 101 measure	6,784.1	441.1	205.5	205.5	(0.9)	204.6
Certain remeasurements:						
Net fair value remeasurement on derivative contracts	322.6	238.0	238.0	238.0	(59.5)	178.5
Exceptional items:						
Tax rate change	-	-	-	-	(4.1)	(4.1)
Impact of change in accounting policy	-	-	1.7	1.7	-	1.7
Total	322.6	238.0	239.7	239.7	(63.6)	176.1
Adjusted Results	7,106.7	679.1	445.2	445.2	(64.5)	380.7

The Company also uses an additional subtotal when presenting the Adjusted Results, both including and excluding EGL. Management believes that providing both measures provides useful information, as it enables readers to compare, on a consistent basis, the current period Adjusted EBITDA to prior periods in which the EGL was not applicable, and also to see the impact of EGL, which is relevant for comparison in future periods. Adjusted EBITDA is earnings before interest, tax, depreciation and amortisation, excluding the impact of exceptional items and certain remeasurements. Adjusted EBITDA is the primary measure used by the Board to assess the financial performance of the Company as it provides a more comparable assessment of the Company's year on year trading performance.

	Year ended 31 December	
	2023 £m	2022 £m
Adjusted operating profit	591.7	445.2
Depreciation	80.1	74.5
Amortisation	(1.4)	(2.8)
(Loss)/gain on disposal of fixed assets	(0.2)	1.8
Adjusted EBITDA including Electricity Generator Levy	670.2	518.7
Electricity Generator Levy	181.4	-
Adjusted EBITDA excluding Electricity Generator Levy	851.6	518.7

13. Dividends

	2023 £m	2022 £m
Interim dividend of 18.4 pence (2022 – 23.1 pence) per ordinary share paid during the year	147.5	185.0

No final dividend was recommended or paid during the year (2022: £Nil).

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

14. Intangible Assets and Negative Goodwill

	Negative goodwill £m	Computer software £m	Total £m
Cost			
At 1 January 2023	(130.9)	32.0	(98.9)
Additions	-	1.9	1.9
Reclassification between Property, plant and equipment and Intangible assets	-	0.5	0.5
At 31 December 2023	(130.9)	34.4	(96.5)
Amortisation			
At 1 January 2023	70.6	(18.5)	52.1
Credit/(charge) for the year	3.8	(2.4)	1.4
At 31 December 2023	74.4	(20.9)	53.5
Net book value			
At 31 December 2023	(56.5)	13.5	(43.0)
At 31 December 2022	(60.3)	13.5	(46.8)

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

15. Property, plant and equipment

	Freehold land and buildings	Plant and machinery	Plant spare parts	Total
	£m	£m	£m	£m
Cost				
At 1 January 2023	197.9	1,947.6	81.7	2,227.2
Additions	-	122.0	7.9	129.9
Disposals	-	-	(0.2)	(0.2)
Movement in reinstatement asset	-	20.1	-	20.1
Transfers between PPE categories	-	(0.5)	0.5	-
Issues/transfers during the year	-	-	(6.3)	(6.3)
Reclassification between Property, plant and equipment and Intangible assets	-	(0.5)	-	(0.5)
At 31 December 2023	197.9	2,088.7	83.6	2,370.2
Depreciation				
At 1 January 2023	(68.2)	(1,162.1)	(40.6)	(1,270.9)
Charge for the year	(4.3)	(66.1)	(2.4)	(72.8)
Disposals	-	-	-	-
Transfers between PPE categories	-	-	-	-
Issues/transfers during the year	-	-	0.8	0.8
At 31 December 2023	(72.5)	(1,228.2)	(42.2)	(1,342.9)
Net book value				
At 31 December 2023	125.4	860.5	41.4	1,027.3
At 31 December 2022	129.7	785.5	41.1	956.3

During the year, the Company has capitalised a further £17.3 million (2022: £19.1 million) of costs relating to the UK BECCS project at Drax Power Station.

Assets in the course of construction (AUC) amounted to £201.7 million at 31 December 2023 (2022: £121.8 million) and are included within plant and machinery. Additions to AUC amounted to £122.0 million and capitalisations into property, plant and equipment amounted to £42.1 million.

The capitalisation of development project costs has been classified as a critical accounting judgement due to the judgements required in determining whether costs incurred meet the criteria to be capitalised or not and should expectations around development projects change then the amounts capitalised may need to be impaired. Please see note 3 for further details.

Freehold land amounting to £1.1 million (2022: £1.1 million) has not been depreciated.

There were no borrowing costs capitalised in the year (2022: £Nil).

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

16. Leases

Right of use assets

	Land and Buildings	Plant and Machinery	Total
	£m	£m	£m
Cost and carrying amount:			
At 1 January 2023	13.4	12.9	26.3
Additions at cost	9.8	0.4	10.2
Disposals	-	(0.6)	(0.6)
Modifications	-	-	-
Remeasurements	-	0.1	0.1
At 31 December 2023	23.2	12.8	36.0
Accumulated depreciation:			
At 1 January 2023	(4.6)	(6.0)	(10.6)
Charge for the year	(4.7)	(2.6)	(7.3)
Disposals	-	0.6	0.6
At 31 December 2023	(9.3)	(8.0)	(17.3)
Net book value			
At 31 December 2023	13.9	4.8	18.7
At 31 December 2022	8.8	6.9	15.7

Lease Liabilities

	Land and Buildings	Plant and Machinery	Total
	£m	£m	£m
Carrying amount:			
At 1 January 2023	(9.1)	(7.2)	(16.3)
Additions	(9.8)	(0.4)	(10.2)
Interest charged to the Income Statement	(0.8)	(0.3)	(1.1)
Payments	5.2	2.9	8.1
At 31 December 2023	(14.5)	(5.0)	(19.5)
Current portion	(5.2)	(1.2)	(6.4)
Non-current portion	(9.3)	(3.8)	(13.1)

In addition to the payments disclosed above, the Group also made total payments of £0.3 million (2022: £0.1 million) during the year in relation to short-term and low value leases.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

17. Financial instruments

Fair value of financial instruments

The derivative financial instruments used by the Company and not subject to the own-use exemption have been categorised as follows:

- **Commodity and financial contracts** – commodity contracts are forward contracts for the sale or purchase of a physical commodity which is expected to be settled through physical delivery of the commodity. The fair value of open commodity contracts that do not qualify for the own-use exemption is calculated by reference to forward market prices at the balance sheet date. Financial contracts are weather-related contracts, as well as contracts for commodities that are not expected to be settled through physical delivery of the commodity. The fair value of financial contracts is calculated by reference to forward market prices at the reporting date.
- **Foreign currency exchange contracts** - currency related contracts including forwards, vanilla options and structured option products. The fair value of foreign currency exchange contracts is determined using forward currency exchange market rates at the balance sheet date.
- **Interest rate contracts** - contracts which swap one interest rate for another in a single currency, including floating-to-fixed interest rate swaps. The fair value of interest rate swaps is calculated by reference to forward market curves at the reporting date for the relevant interest index.
- **Cross-currency contracts** - contracts which swap interest and principal cash flows in one currency for another currency, including fixed-to-fixed and floating-to-fixed cross-currency interest rate swaps. The fair value of cross-currency interest rate swaps is calculated using the relevant forward currency exchange market rates for fixed-to-fixed swaps and by using the relevant forward currency exchange market rates and interest index for floating-to-fixed swaps
- **Inflation rate contracts** – swap contracts, such as floating-to-fixed, which are linked to an inflation index such as RPI or CPI. The fair value of inflation rate swaps is calculated by reference to forward market curves at the balance sheet date for the relevant inflation index.

Given the maturity profile of all these contracts, liquid forward market price curves are available for the duration of the contracts. The fair values of all derivative financial instruments are discounted to reflect both the time value of money and credit risk inherent within the instrument.

Derivative financial instruments with a maturity date within 12 months from the balance sheet date are classified as current assets or liabilities. Instruments with a maturity date beyond 12 months are classified as non-current assets or liabilities.

The company has the following financial assets and liabilities measured at fair value through profit or loss:

	As at 31 December	
	2023	2022 (restated)
	£m	£m
Derivative financial instrument assets > 1 year	538.8	436.1
Derivative financial instrument assets < 1 year	914.5	580.9
Total derivative financial instrument assets	1,453.3	1,017.0
Derivative financial instrument liabilities > 1 year	(322.9)	(1,195.1)
Derivative financial instrument liabilities < 1 year	(263.1)	(936.2)
Total derivative financial instrument liabilities	(586.0)	(2,131.3)
Total derivative financial instruments	867.3	(1,114.3)

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

17. Financial instruments (continued)

The gains and losses recognised in the period relating to derivative financial instruments are detailed below:

	2023 £m	2022 £m
Derivative financial instrument gains/(losses) recognised in the Income Statement	246.0	(238.0)
Derivative financial instrument losses recognised in the cost of hedging reserve	(28.2)	(45.4)
Derivative financial instrument gains recognised in the hedge reserve	1,762.4	1,034.1
Total derivative financial instrument gains	1,980.2	750.7

Further information regarding financial instruments and their fair values can be found in the Group annual report and accounts on pages 251 to 255.

18. Inventories

	2023 £m	2022 £m
Biomass	248.8	274.4
Other fuels and consumables	6.7	8.6
	255.5	283.0

The value of write downs of inventory in the year was £nil (2022: £0.2 million). The prior year write down related to coal inventory that the Company was not able to utilise in the period before the coal units were closed in March 2023.

19. Trade and other receivables and contract-related assets: amounts falling due in less than one year

	2023 £m	2022 £m
Trade receivables	46.8	25.0
Amounts owed by Group undertakings	1,402.3	754.3
Other receivables	99.6	234.2
Prepayments and accrued income	138.6	140.3
Other tax and social security	10.1	-
	1,697.4	1,153.8

The Company holds a provision for expected credit losses of £0.5 million (2022: £0.5 million).

The amounts owed by Group undertakings include short term trading balances of £252.0 million (2022: £375.9 million) which are unsecured, interest free and settled under normal payment terms.

The amounts owed by Group undertakings include cash pool arrangements of £850.2 million (2022: £288.2 million) and term loans of £300.1 million (2022: £90.3 million), which accrue interest based on the Sterling Overnight Index Average (SONIA). Cash pool and term loan balances are repayable on demand and interest is settled quarterly.

Other receivables equates to collateral posted, mainly in relation to gas trades. Gas prices have fallen in the year leading to an increase in the mark to market position and a reduction in collateral posted.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

20. Renewable certificate assets

	2023 £m	2022 £m
Balance at 1 January	184.4	297.5
Generated	614.7	644.9
Purchased	643.9	494.5
Sold	(1,274.0)	(1,252.5)
Balance at 31 December	169.0	184.4

21. Trade and other payables and contract-related liabilities: amounts falling due in less than one year

	2023 £m	2022 £m
Trade payables	305.8	280.0
Amounts owed to Group undertakings	344.8	86.1
Other payables	48.4	0.5
Other tax and social security	9.2	6.1
Accruals and deferred income	154.0	358.4
	862.2	731.1

The amounts owed to Group undertakings include short term trading balances of £344.8 million (2022: £86.1 million) which are unsecured, interest free and settled under normal payment terms.

22. Borrowings

	2023 £m	2022 £m
Margin facility loan	120.0	-
	120.0	-

In September 2023, the Company secured a new uncommitted £200.0 million short-term loan facility with the main purpose of supporting cash collateral margin requirements of the Company's exchange-based commodity trading. It is expected that the loan will increase or reduce in value based on cash collateral margin requirements. As at 31 December 2023, a £120.0 million loan is outstanding under the facility with a maturity date in July 2024.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

23. Deferred Taxation

The movements in deferred tax assets and liabilities during each year are shown below. Deferred tax assets and liabilities are offset as there is a legally enforceable right of offset and there is an intention to settle the balances net.

	Financial Instruments	Accelerated Capital Allowances	Other Assets	Total
	£m	£m	£m	£m
At 1 January 2022	412.1	(141.9)	12.3	282.5
(Charged)/credited to Income Statement	62.0	(18.8)	(5.5)	37.7
Charged to other comprehensive income in respect of actuarial gains	-	-	6.4	6.4
Credited to equity in respect of share- based payments	-	-	3.3	3.3
Credited to other comprehensive income in respect of cash flow hedges	(222.3)	-	-	(222.3)
Credited to other comprehensive income in respect of cost of hedging	1.7	-	-	1.7
Credited to equity in respect of cash flow hedges	9.5	-	-	9.5
Credited to equity in respect of cost of hedging	7.1	-	-	7.1
Net tax assets/(liabilities) at 31 December 2022	270.1	(160.7)	16.5	125.9
(Charged)/credited to Income Statement	(55.3)	(27.1)	(4.1)	(86.5)
Deferred tax on transfer of retirement benefit surplus to other group undertaking	-	-	8.1	8.1
Charged to equity in respect of share- based payments	-	-	(1.1)	(1.1)
Charged to other comprehensive income in respect of cash flow hedges	(450.8)	-	-	(450.8)
Charged to other comprehensive income in respect of cost of hedging	(1.9)	-	-	(1.9)
Credited to equity in respect of cash flow hedges	10.2	-	-	10.2
Credited to equity in respect of cost of hedging	9.0	-	-	9.0
Net tax assets/(liabilities) at 31 December 2023	(218.7)	(187.8)	19.4	(387.1)

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

24. Provisions

	Decommissioning Provision £m	Coal Closure Provision £m	Total £m
At 1 January 2023	44.3	12.6	56.9
Additions	20.1	-	20.1
Utilised	(1.6)	(2.7)	(4.3)
Unwinding of discount and changes in the discount rate	1.9	-	1.9
At 31 December 2023	64.7	9.9	74.6
Non-current	59.6	8.7	68.3
Current	5.1	1.2	6.3

The decommissioning provision in respect of Drax Power Station is based on the assumption that the initial decommissioning work, relating to coal operations, will be completed between 2024 and 2026, with the remainder beginning at the end of station life, which is currently estimated to be 2039. The provision has been estimated using existing technology at current prices based upon specialist, third-party advice, updated on a triennial basis as a minimum, but more regularly when deemed appropriate due to changes that might significantly impact the estimated cost, such as changes in prices, or changes in expected decommissioning plans. The most recent update took place in December 2023.

The cost of the Drax Power Station decommissioning is estimated, based on the midpoint of the range calculated by the third-party experts, to be £93.6 million at current prices. An inflation curve was then applied to estimate the separate elements of the decommissioning cost at the dates that they are expected to occur. These values were then discounted to calculate the present value of the provision to be recognised.

The discount rates used are nominal risk-free rates that reflect the duration of the liabilities. These discount rates are estimated using forward UK Gilt curves as a proxy for risk-free rates. The use of a risk-free rate reflects the fact that the estimated future cash flows have built-in risks specific to the liability. The average discount rates used for the Company's decommissioning provision ranged from 3.06%–5.03% (2022: 4.05%).

The additional provision recognised in the year is predominantly due to the change in the assumptions around the timing and method of the decommissioning at Drax Power Station. It was previously assumed the decommissioning would all take place at the end of the station life in 2039. Due to the UK BECCS development project, certain parts of the site will be required to be decommissioned before the end of station life, which has resulted in an increase in the provision due to the higher estimated costs of decommissioning work taking place around a live power station. The timing of these costs being earlier has also resulted in an increase to the provision once the changes in assumptions around inflation and discounting are factored in.

The decommissioning provision is not considered a key source of estimation uncertainty to which there is a significant risk of a material adjustment to the carrying amount within the next financial year. The decommissioning provision is based on costs sufficiently far in the future that, given the length of time, it is not anticipated that any new, more reliable, or accurate information will be available within the next financial year to update this estimate that would result in a material adjustment.

The estimated cost of decommissioning Drax Power Station based on specialist, third-party advice using existing technology at current prices had a range of £65.5 million to £121.6 million. Applying inflation and discounting assumptions consistent with those applied to the provision recognised would result in an estimated provision range of £45.3 million to £84.1 million. An increase of 100 basis points in the inflation and discount rates used would result in a £9.6 million (2022: £9.5 million) increase and a £7.9 million (2022: £7.0 million) decrease respectively in the amount recognised. The relationship between the change in basis points and change in amount recognised is relatively linear, therefore the impact of similar sensitivities may be extrapolated from these amounts.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

24. Provisions (continued)

The cost of decommissioning a site the size of Drax Power Station will be impacted by things such as the exact composition and volumes of materials used in the structures to be decommissioned, and the presence of contaminants. Full site surveys and investigations will need to be performed once the site ceases operation to ascertain further information necessary to decommission the site which could impact the potential costs. The costs being estimated are also several years in the future. All of these factors increase the estimation uncertainty of the decommissioning provision. The impact of climate change, both physical and transitional, extending over the medium term, was also considered by the third party when determining the provision. The Group has concluded that climate change is unlikely to have a significant impact on the future decommissioning costs, however this risk will continue to be reassessed and the impact of any changes will be reflected in the valuation.

The coal closure provision includes redundancy costs relating to the formal closure of the coal units at Drax Power Station which was initially planned for September 2022. It also includes costs for engineering works required to make the coal units and related assets safe following cessation of operating. At the request of the UK Government, the Company entered into an agreement with National Grid to keep the two coal units available to provide a "winter contingency" service to the UK power network from October 2022 until the end of March 2023, which delayed the formal closure of the coal units and resulted in the utilisation of certain amounts of the restructuring provision also being delayed. This has not materially impacted the expected costs. The formal closure of the coal units commenced at the end of the winter contingency service in March 2023.

The amount of the coal closure provision utilised in the year predominantly relates to engineering and redundancy costs. Of the £9.9 million remaining at 31 December 2023, £8.9 million relates to engineering works, of which £0.7 million is expected to be utilised in 2024 with the remaining amounts expected to be utilised in the period from 2025 to 2027. A further £0.6 million relates to redundancy costs, which are expected to be utilised in 2024, and the remaining £0.4 million relates to other costs, which are expected to be utilised in the period from 2025 to 2027.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

25. Share capital

	2023 £m	2022 £m
Shares classified as equity		
Allotted, authorised, called up and fully paid		
799,645,605 (2022: 799,645,605) Ordinary shares of £1 each	<u>799.6</u>	<u>799.6</u>

26. Reserves

Hedge reserve

	Commodity price risk £m	Foreign exchange risk £m	Inflation risk £m	Total £m
At 1 January 2022	(1,381.1)	(44.0)	4.8	(1,420.3)
(Losses)/gains recognised:				
Change in fair value of hedging instrument recognised in OCI	(1,111.9)	207.5	(129.7)	(1,034.1)
Reclassified from equity as the hedged item has affected profit or loss:				
Reclassified to cost of inventory	-	(38.2)	-	(38.2)
Reclassified to the Income Statement – included in revenue	2,061.5	-	44.8	2,106.3
Reclassified to the Income Statement – included in cost of sales	(0.1)	-	-	(0.1)
Related to deferred tax, net (note 23) (restated)	(193.0)	(40.8)	21.1	(212.7)
At 31 December 2022	(624.6)	84.5	(59.0)	(599.1)
(Losses)/gains recognised:				
Change in fair value of hedging instrument recognised in OCI	2,752.0	(80.5)	(3.2)	2,668.3
Reclassified from equity as the hedged item has affected profit or loss:				
Reclassified to cost of inventory	-	(43.4)	-	(43.4)
Reclassified to the income statement – included in revenue	(888.6)	-	25.8	(862.8)
Reclassified to the income statement – included in cost of sales	0.3	-	-	0.3
Related to deferred tax, net (note 23)	(465.9)	31.0	(5.7)	(440.6)
At 31 December 2023	773.2	(8.4)	(42.1)	722.7

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

26. Reserves (continued)

Cost of hedging reserve

	2023 £m	2022 £m
At 1 January	40.0	76.7
Gains/(losses) recognised:		
Change in fair value of hedging instrument recognised in OCI	7.9	(16.9)
Released from equity:		
Reclassified to cost of inventory	(36.0)	(28.7)
Related deferred tax, net (note 23)	7.1	8.9
At 31 December	<u>19.0</u>	<u>40.0</u>

Retained earnings

	2023 £m	2022 £m
At 1 January	580.7	574.3
Profit for the financial year	624.8	204.6
Remeasurement of actuarial losses on defined benefit pension scheme (note 31)	-	(25.3)
Deferred tax credit on actuarial losses on defined benefit pension scheme (note 24)	-	6.4
Transfer of retirement benefit surplus to other group undertaking (note 29)	(33.2)	-
Deferred tax on transfer of retirement benefit surplus to other group undertaking	8.1	-
Equity dividends paid (note 13)	(147.5)	(185.0)
Net movements in equity associated with share-based payments (note 28)	4.9	5.7
At 31 December	<u>1,037.8</u>	<u>580.7</u>

Merger reserve

	2023 £m	2022 £m
At 1 January	<u>(0.5)</u>	<u>(0.5)</u>
At 31 December	<u>(0.5)</u>	<u>(0.5)</u>

The merger reserve arose on the restructuring of the Group's operations which took place in 2020.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

27. Share-based payments

Equity-settled share option schemes

The Company operates three share option schemes for employees: the Long-Term Incentive Plan 2020 (LTIP) for Executive Directors and senior employees (which replaced the Performance Share Plan (PSP) from 2020), the Deferred Share Plan (DSP) for Executive Directors, and the ShareSave Plan (SAYE) for all UK qualifying employees. Awards are made to certain employees below senior management under the rules of the LTIP – such awards are retention and recognition awards, designated as One Drax Awards, for more junior colleagues.

LTIP

The LTIP was introduced in 2020 for Executive directors and senior employees. This replaced the PSP scheme (see below). Under the LTIP, annual awards of performance and service-related shares are made for no consideration to Executive directors and other senior employees up to a maximum of 200% of their annual base salary. Vesting of 50% of the shares is conditional upon whether the Group's Total Shareholder Return (TSR) matches or outperforms an index (determined in accordance with the scheme rules) over three years and vesting of the remaining 50% of shares is conditional upon performance of cumulative Adjusted EPS (defined to be derived from Adjusted results) over three years. Additionally, each time a dividend is paid during the vesting period of the scheme, participants are entitled to receive further share options of equivalent value to the dividends, determined by the market value of shares on the ex-dividend date, which are formally granted on the vesting date for each scheme. The fair value of LTIP options is calculated with the support of external IFRS 2 specialists due to the TSR vesting condition being market based and therefore requiring a Monte-Carlo simulation.

PSP

The PSP was in place for Executive directors and senior employees from 2017 to 2019. Under the PSP, annual awards of performance and service-related shares were made for no consideration up to a maximum of 175% of their annual base salary. Vesting of 50% of shares was conditional upon whether the Group's TSR matched or outperformed an index (determined in accordance with the scheme rules) over three years and vesting of the remaining 50% of shares was conditional upon performance against the Group Scorecard. The last of the outstanding PSP options expired during 2022.

DSP

The Company operates the DSP, under which Executive directors receive 40% of their annual bonus in share options. DSP awards are granted at nil cost and vest after three years subject to continued employment or "good leaver" termination provisions. Each time a dividend is paid during the vesting period of the scheme, participants are entitled to receive further share options of equivalent value to the dividends, determined by the market value of shares on the ex-dividend date, which are formally granted on the vesting date for each scheme. As such, a dividend yield of 0% is input into the Black-Scholes calculation to reflect that the fair value of each share option is not reduced by dividends paid out over the vesting period.

One Drax Awards

One Drax Awards are granted to certain employees below senior management and vest after one year subject to continuous employment. The number of shares awarded to the employee is equivalent to 10% of their base salary based on the Group's share price at the grant date.

SAYE

Participation in the SAYE scheme (Sharesave) is offered to all UK qualifying employees every April. Options are granted for employees to acquire shares at a discount of 20% to the market price of Drax Group plc shares, based on the average closing price for the five days immediately preceding the grant date, determined in accordance with the scheme rules. The options are exercisable at the end of three or five-year savings contracts

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

27. Share-based payments (continued)	2023 £m	2022 £m
The table below represents the credit to equity during the year:		
LTIP	0.3	1.1
SAYE Plan	1.1	0.8
DSP	-	0.1
PSP	-	0.1
One Drax Awards	0.3	0.3
	1.7	2.4

	2023			2022		
	Weighted average share price at the date of exercise	Range of exercise prices for options outstanding	Weighted average remaining contractual life	Weighted average share price at the date of exercise	Range of exercise prices for options outstanding	Weighted average remaining contractual life
	£	£	months	£	£	months
LTIP	-	-	17	-	-	13
PSP (granted from 2017)	-	-	-	£7.29	-	-
DSP (granted from 2018)	-	-	3	£7.29	-	6
SAYE 3-year plan	£5.54	£1.27-£5.63	4	£7.00	£1.27-£5.63	6
SAYE 5-year plan	-	£1.27-£5.63	3	£6.99	£1.27-£5.63	30
One Drax Awards	-	-	1	-	-	3

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

28. Contingent liabilities

Guarantees

The Company provides security and guarantees to certain members of the Group under the below financing arrangements, which would crystallise in the event of the Group companies defaulting on their outstanding borrowings:

- At 31 December 2023, the outstanding secured borrowings of the Group amounted to £1,310.4 million (2022: £1,405.5 million).
- At 31 December 2023 letters of credit issued under the revolving credit facility, held by Drax Corporate Limited and guaranteed by Group companies amounted to £46.1 million (2022: £46.0 million). Of this, £12.1 million relates to the Company's own liabilities (2022: £18.6 million).

Guarantees and security have also been provided in respect of the above borrowings and letters of credit by certain members of the Group.

No liability is provided in respect of any of the above financial guarantees provided to other Group entities as the fair value of the financial guarantees provided are immaterial.

The Company also issues letters of credit which are guaranteed by Drax Group Holdings Limited, amounting to £134.4 at 31 December 2023 (2022: £40.4m). Of this amount, £125.1 (2022: £40.0m) was issued in respect of liabilities recognised on the Company's balance sheet.

At 31 December 2023, surety bonds with a number of insurers issued by the Company and guaranteed by Drax Group Holdings Limited amounted to £119.0 million (2022: £202.0 million), of which £102.0 (2022: £185.0m) related to liabilities recognised on the Company's balance sheet.

Further information on the Group's borrowings can be found in note 4.2 to the Drax Group plc 2023 Annual report and accounts on pages 227 – 230.

Ofgem investigation

On 31 May 2023, Ofgem announced the opening of an investigation into the Company's annual biomass profiling reporting under the Renewables Obligation scheme. Ofgem's announcement stated that the opening of an investigation does not imply any finding of non-compliance. Ofgem separately confirmed that they have not established any non-compliance that would affect the issuance of ROCs to the Company, and therefore the associated financial benefit.

Like all energy generators, the Company receives regular requests from Ofgem. We continue to cooperate fully throughout the investigation and have confidence in our compliance with the Renewables Obligation scheme criteria.

No amount has been provided in respect of this matter in the financial statements, given the stage of the process and the uncertainty in future outcome.

Ofgem NIS declaration

Drax Power Station is required to maintain a defined level of both physical and cyber resilience, as outlined within the Network and Information Systems Regulations (NIS Regulations). The Company submitted a report to Ofgem in January 2024 confirming that Drax Power Station had not fully achieved the level required by the deadline of 31 December 2023 but had a plan to address this during 2024. Ofgem will consider this matter in due course and decide on any future action.

No amount has been provided in respect of this matter in the financial statements, given the early stage of the process and the uncertainty in future outcome.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

29. Retirement benefit obligations

Defined contribution scheme

The Company operates a defined contribution (DC) pension scheme for its employees ("the Drax Power Limited Pension Plan"), which provides a retirement benefit that is dependent upon actual contributions made by both the Company and the members of the scheme. The pension charge for the year amounted to £7.2 million (2022: £6.0 million). As at 31 December 2023, there were no contributions (2022: £0.8 million) due in respect of the current reporting period had not been paid over to the schemes. The Company has no further outstanding payment obligations once the contributions have been paid.

Defined benefit scheme

Until 31 January 2023, the Company operated a defined benefit final salary pension plan, which provided benefits to members in the form of a guaranteed level of pension payable for life. The level of benefits provided were dependent on members' length of service and their salary in the final years leading up to retirement. Pension benefits were updated in line with inflationary increases. The Scheme was operated on behalf of the Drax Power Group ("DPG") of the Electricity Supply Pension Scheme ("ESPS").

On 31 January 2023 the DPG section of the ESPS's assets and liabilities were transferred to the Drax 2019 Scheme which is held by Drax Hydro Limited, and the DPG ESPS was wound up in April 2023. The Drax 2019 Scheme continues to provide the same level of pension benefits to current and former employees as they were previously entitled to, with the combination allowing the resulting scheme to operate in a more efficient and focused manner, with a reduced administrative burden and cost. No assets or liabilities are recognised in connection with this scheme, as they cannot be separately identified from the merged pension scheme. As such the Company is no longer exposed to any actuarial or other risks associated with retirement benefits.

Employer contributions made by the Company are expensed as incurred, consistent with the DC scheme.

The net asset recognised in the balance sheet is the excess of the fair value of the plan assets over the present value of the defined benefit obligation, determined as follows:

Reconciliation of present value of plan liabilities:

	2023 £m	2022 £m
At the beginning of the year	151.9	270.2
Current service cost	0.2	3.2
Interest cost	-	4.7
Actuarial gains	-	(100.4)
Benefits paid	-	(25.8)
Transfer to other group undertaking	(152.1)	-
At the end of the year	-	151.9

Reconciliation of fair value of plan assets:

	2023 £m	2022 £m
At the beginning of the year	184.3	314.2
Interest income on plan assets	0.2	5.6
Remeasurement losses	-	(126.0)
Employer contributions	0.8	16.3
Benefits paid	-	(25.8)
Transfer to other group undertaking	(185.3)	-
At the end of the year	-	184.3

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

29. Retirement benefit obligations (continued)

Composition of plan assets:

	2023 £m	2022 £m
Equities	-	6.5
Fixed interest bonds	-	4.8
Property	-	28.6
Cash and other assets	-	43.8
Gilts	-	96.3
Investment funds	-	4.3
Total plan assets	-	184.3

At 31 December 2022, the pension plan assets did not include any ordinary shares issued by Drax Group plc nor any property occupied by Drax Group plc or its subsidiaries and the ESPS scheme's long-term asset strategy was diversified growth funds (37%), direct lending (10%), absolute return bonds (3%), liability driven investing (40%) and long lease property (10%).

	2023 £m	2022 £m
Fair value of plan assets	-	184.3
Present value of plan liabilities	-	(151.9)
Net pension scheme asset	-	32.4

The amounts recognised in the income statement are as follows:

	2023 £m	2022 £m
Current service cost	0.2	3.2
Interest income on net defined benefit surplus	(0.2)	(0.9)
Administration and maintenance costs	0.1	0.5
Total	0.1	2.8

Post the transfer of the scheme, the Company made contributions of £1.7 million that are recognised in the income statement as staff costs.

The amounts recognised in other comprehensive income are as follows:

	2023 £m	2022 £m
Actuarial losses recognised in the year	-	(25.3)

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

29. Retirement benefit obligations (continued)

Principal actuarial assumptions at the Balance Sheet date (expressed as weighted averages):

	2023 %	2022 %
Discount rate	-	4.8
Rate of increase in pensions in payment and deferred pensions	-	2.8
Rate of increase in pensionable salaries	-	3.6
Inflation assumption	-	3.0

At 31 December 2022, mortality assumptions were based on recent actual mortality experience of scheme members and allow for expected future improvements in mortality rates. The assumptions was that a member aged 60 in 2022 will live, on average, for a further 26 years if they are male and for a further 26 years if they are female. Life expectancy at age 60 for male and female non-pensioners currently aged 45 was assumed to be 27 and 29 years respectively.

The assumptions for discount rate, inflation rate (and related inflation linked benefits) and life expectancy had a potentially significant effect on the measurement of the scheme surplus in 2022. There is no impact in 2023 due to the transfer of the scheme.

Drax Power Limited

Notes to the Financial Statements (continued) For the Year Ended 31 December 2023

30. Commitments

The Company has a number of financial commitments (i.e., a contractual requirement to make a cash payment in the future) that are not recorded in the balance sheet as the contract is not yet due for delivery. Such commitments include contracts for the future purchase of biomass, operating leases for land and buildings, contracts for the construction of assets and contracts for the provision of services.

	2023 £m	2022 £m
Contracts placed for future capital expenditure not provided in the financial statements	8.5	47.2
Future commitments to purchase fuel under fixed and variable priced contracts	3,984.1	5,113.0

Commitments to purchase fuel reflect long-term forward purchase contracts with a variety of international suppliers, primarily for the delivery of sustainable wood pellets for use in electricity production at Drax Power Station. To the extent these contracts relate to the purchase of wood pellets, they are not reflected elsewhere in the financial statements owing to them not being within the scope of IFRS 9 and therefore not required to be measured at fair value.

31. Related party transactions

The Company has taken advantage of the exemption not to disclose transactions with wholly owned entities within the group headed by Drax Group plc. No transactions were entered into with non-wholly owned entities within the group in the year.

Outstanding balances between Group entities as at the balance sheet date are disclosed within notes 19 and 21 above.

32. Ultimate parent undertaking and controlling party

The immediate parent Company is Drax Smart Generation Holdco Limited.

The ultimate parent and controlling party is Drax Group plc, a publicly listed Company incorporated in England and Wales. Drax Group plc is the smallest and largest group for which consolidated financial statements are prepared and the registered office is Drax Power Station, Selby, North Yorkshire YO8 8PH. Copies of the consolidated financial statements for Drax Group plc are available from: Company Secretary, Drax Power Station, Selby, North Yorkshire YO8 8PH, or on the Group's website at www.drax.com.

Claimant
N McQueen
First Witness Statement
NM1
23 July 2024

CLAIM NO:

IN THE HIGH COURT OF JUSTICE
KINGS BENCH DIVISION

B E T W E E N :-

(1) DRAX POWER LIMITED

Claimant

- 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**
- (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 THE VERGE AND FOOTWAY ON THE WESTERN SIDE OF NEW ROAD, SELBY, VERGE TO THE NORTH OF THE FOOTWAY ON THE A645, AND 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 WITH OR WITHOUT VEHICLES INCLUDING RAIL TRAFFIC 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

FIRST WITNESS STATEMENT OF NICHOLAS MCQUEEN

I, **NICHOLAS MCQUEEN** of Walker Morris LLP, 33 Wellington Street, Leeds, LS1 4DL, **WILL SAY AS FOLLOWS:**

- 1 I am a Partner of Walker Morris LLP. I represent the Claimant in these proceedings, being Drax Power Limited (company no. 04883589) ("**Drax**"). I am authorised to make this statement on behalf of the Claimant. The Claimant is the owner and operator of a power station that generates electricity through the burning of biomass.
- 2 I make this statement in support of the Claimant's application for an injunction. I have read a copy of the first witness statement of Martin Sloan.
- 3 The statements in this witness statement are from my own knowledge save where I state otherwise. Where statements are matters of information or belief, I provide the source of that information or belief.
- 4 I now refer to a paginated bundle of documents marked exhibit "**NM1**" containing true copies of the documents to which I shall refer in this witness statement marked [NM1/page]. References to Plans 1 to 6 refer to those plans set out in Schedules 1 to 6 of the First Witness Statement of Martin Sloan.

DRAX POWER STATION – REGISTERED TITLE

- 5 As recorded in the Particulars of Claim, the Claimant is the registered owner of Drax Power Station, Selby, North Yorkshire YO8 8PH (the **Property**).
- 6 A power station that generates electricity through the burning of biomass is located at the Property (the **Power Station**).
- 7 Access to the Power Station is via the road marked brown on Plan 6 and via a railway marked purple on Plan 6, on which biomass is delivered to the Power Station. As shown on Plan 6, certain parts of the access road and railway are within Drax's property.

THE PROPOSED INJUNCTION

- 8 The Claimant seeks an injunction (for the reasons explained in the First Witness Statement of Martin Sloan and below) in the terms set out in the draft Order in respect of the land edged red on Plan 1 and the land edged red on Plan 2.
- 9 As set out in the First Witness statement of Martin Sloan, the injunction area in respect of the Power Station itself, as indicated in blue and red shading on Plan 1, includes land owned by National Grid Electricity Transmission Plc (the **National Grid Land**). This National Grid Land is registered at HM Land Registry under Title Number NYK324916. The National Grid Land is situated within the main perimeter fence surrounding the Power Station and the security arrangements for the Power Station cover the National Grid Land, including CCTV cameras which are monitored by the Drax security team.
- 10 As set out in the First Witness Statement of Martin Sloan, there is a permissive footpath to the west of the site, marked orange on Plan 6. There is a Public Right of Way to the northwest and north of the site, marked yellow on Plan 6. The adopted highways are marked in brown on Plan 6.
- 11 The red shaded area on Plan 1 is outside of the perimeter fence of the Power Station, which the Claimant also seeks an injunction over (the **Buffer Zone**). The Buffer Zone is required to ensure that protestors do not congregate or assemble at the perimeter fence in a manner that could disguise activity to either scale, tunnel under or cut through the perimeter fence from the CCTV cameras monitoring the perimeter fence.
- 12 The Buffer Zone follows the following line around the Power Station:
- 12.1 The Buffer Zone follows the metalled edge of the road on New Road (to the east of the Power Station) – which includes the verge and footway between the perimeter fence and the carriageway.
- 12.2 From the roundabout of New Road/the A465, the Buffer Zone follows the verge on the northern edge of the public footpath adjacent to the A645 and includes the landscaped area surrounding the south entrance to the Power Station from the A645.
- 12.3 At the area marked in green on Plan 1 is the area where Drax have agreed with the Police that protestors will be allowed to congregate and protest peacefully, as explained in more detail in the First Witness Statement of Martin Sloan.

- 12.4 To the west of the area reserved for protestors, the Buffer Zone continues to follow the verge on the northern edge of the public footpath adjacent to the A645. This passes over the bridge over the railway line, as shown highlighted in purple on Plan 1.
- 12.5 The Buffer Zone then continues to follow the verge on the northern edge of the public footpath adjacent to the A645 until it reaches the permissive footpath. The Buffer Zone includes the area surrounding the land owned by Northern Powergrid Plc, as shown outlined in light blue on Plan 3. The Buffer Zone then extends to a line 3-meters from the edge of the perimeter fence at the edge of the permissive footpath.
- 12.6 The Buffer Zone continues to follow a 3-meter buffer zone from the edge of the perimeter fence around the Power Station, including where the permissive footpath connects to the Public Right of Way, as indicated on Plan 6.
- 12.7 To the west of the site, the Public Right of Way cuts through the Power Station site. The Public Right of Way is bordered on both sides by a perimeter fence as it cuts through the site. The Buffer Zone as indicated on Plan 1, follows the public footpath along this route through the site.
- 12.8 To the north of the site, the Buffer Zone continues to follow a line 3-meters from the perimeter fence, until the perimeter fence reaches verge on the edge of New Road to the east of the site.
- 13 The outline of the proposed Buffer Zone is clearly identifiable on the ground from the physical features described above. The area shown in yellow on Plan 3 indicates where the Buffer Zone extends from the perimeter fence to the metalled edge of a highway. The area shown in orange on Plan 3 indicates where the Buffer Zone extends from the perimeter fence and includes the permissive footpath or public right of way.
- 14 The approximate area of the areas marked on Plan 1 are marked on Plan 4, a satellite view of the site.
- 15 There is a pumping station a short distance from the Power Station, surrounded by a perimeter fence which is edged blue on Plan 2 (the **Pumping Station**). The Claimant also seeks an injunction in respect of the Pumping Station, which, as Martin Sloan explains in his Witness Statement, is critical to the safe operation of the Power Station.
- 16 The injunction land edged red on Plan 2 follows a line three meters from the perimeter fence surrounding the Pumping Station from the water's edge of the river Ouse to the west of the Pumping

Station, around the Pumping Station and to the water's edge of the river Ouse to the east of the Pumping Station.

ACTIVIST GROUPS BACKGROUND

17 I understand from the website for Reclaim the Power (**RTP**), that RTP was formed in or around 2012, as an action group that occupied West Burton Gas-fired power station [NM1/1].

18 RTP's website refers to itself as [NM1/1):-

"UK based direct action network fighting for social, environmental and economic justice. We aim to build a broad based movement, working in solidarity with frontline communities to effectively confront environmentally destructive industries and the social and economic forces driving climate change."

19 RTP's website comprises 5 sections: "Camp Info", "Who We Are", "Our History", "News" and "Donate".

20 Axe Drax, is a separate but linked group to RTP. The Axe Drax website [NM1/7] refers to itself as:-

"the network that opposes Drax in it's operations. We believe that disruption of their activities and business as usual is crucial,

21 The Axe Drax website comprises 5 sections: "About", "Take Action", "Sign Up", "Press" and "Donate".

RTP AND AXE DRAX 2024 THREAT TO DISRUPT DRAX POWER STATION

22 The RTP website currently refers to the campaign to protest at the Power Station in the following terms [NM1/10]:

"The global climate camp movement began at Drax in 2006, when our demand to end coal powered stations was dismissed as impossible. As the last coal fired plant in the UK prepares to close this September, we're back to finish our business."

"Reclaim the Power is back with a protest camp for Climate Justice from 8-13th August. We're a decade old direct action network that works in solidarity with front-line communities to make interventions for a fairer world. (We helped sort out Fracking and ran Europe's first climate & migrant justice camp)."

23 RTP have also organised a fundraising page on the website which says the following [NM1/17]:

"As a grassroots network of volunteers, we don't have any regular funds or fundrasing [sic] staff. We need funds to cover essential equipment hire, including [sic] marquees, toilets, and transport for our camp. Support like yours makes a real difference to what we can do collectively.

£10 will support subsidised travel for one person to the camp

£20 will subsidise food for someone on low/no-income

£90 will pay for a mobilisation talk or a 'Know Your Rights' training ahead of the camp

£100 will cover one toilet on camp for one day

£300 will cover our expenses to run workshops

£1,000 will pay for our solar power needs"

24 As at the date of this witness statement, RTP have raised ninety-nine per cent of a stated goal of £5,100 from crowd funding [NM1/17].

25 On 4 April 2024, RTP posted on the social media platform X [NM1/22] encouraging followers to sign up for the Action Camp in the following terms:

"Join us this summer as we camp, learn, and take mass direct action together against Drax – the UK's largest carbon emitter".

26 On 10 May 2024 RTP posted on the social media platform X a video in an effort to raise funds to "put together a mass action camp against Drax this summer" [NM1/23]. The embedded video is a clip of RTP group member "Skye", stating that RTP "consistently pull off effective and radical direct actions".

27 On 10 July 2024 RTP posted on the social media platform X [NM1/25], in the following terms:

"In 4 weeks, you could join hundreds in a mass action camp targeting Drax, the world's biggest tree burning power station

There will be six days of workshops, communal living and direct action to crash Drax's profits"

28 The First Witness of Martin Sloan sets out in more detail the actions that Drax is concerned may take place on the basis of previous activities by RTP, Axe Drax and previous actions at or directed at the Power Station.

PREVIOUS ENVIRONMENTAL GROUP INJUNCTIONS

29 Since March 2022 there have been a number of incidents and protests involving climate change and environmentalist groups in the UK, notably by Just Stop Oil (**JSO**) a protest group founded in February 2022 which targeted oil and gas infrastructure.

30 Following protests at Valero's Kingsbury Terminal, Valero and subsequently most of the other major oil companies sought injunctions in relation to protests, as set out in the following table:

Valero Energy Ltd Valero Logistics UK Ltd Valero Pembrokeshire Oil Terminal Ltd	QB-2022-000904
Esso Petroleum Company Ltd ExxonMobil Chemical Ltd	QB-2022-001098
Essar Oil (UK) Ltd Stanlow Terminals Ltd Infranorth Ltd	PT-2022-000326
Navigator Terminals Thames BV Ltd Navigator Terminals Seal Sands Ltd Navigator Terminals North Tees Ltd Navigator Terminals Windmill Ltd	QB-2022-01139
Exolum Pipeline Systems Ltd	QB-2022-001142
Shell International Petroleum Company Ltd	QB-2022-001259
Shell U.K. Ltd	QB-2022-001241
Shell U.K. Oil Products Ltd	QB-2022-001420

31 Most of the injunctions referred to in the table above have been extended and remain in force and they continue to be an effective deterrent. I am not aware of any applications to commit individuals for breach of them.

32 North Warwickshire Borough Council also obtained an injunction to restrain protestors from obstructing highways in the vicinity of Kingsbury Terminal (QB-2022-001236). This injunction also remains in place, and a trial was listed for 11 June 2024. As at the date of this statement, I am not aware whether judgment has been handed down following that hearing.

- 33 Thurrock Council and Essex County Council obtained an injunction to restrain protestors from obstructing roads in the vicinity of Navigator Terminals in West Thurrock, the Esso Fuel Terminal in Purfleet and the Exolum Fuel Terminal at Grays (QB-2022-001317). Again, this injunction remains in place with a trial listed on 9 October 2024.
- 34 HS2 obtained an injunction to restrain the flying of drones in the vicinity of an entrance of egress of the HS2 land in a manner which slows or impedes the safe and uninterrupted passage of vehicles or persons (QB-2022-BHM-000044). Again, this injunction remains in place, and I understand has been an effective deterrent against the unauthorised flying of drones.

PERSONS UNKNOWN

- 35 I am informed that the Claimant does not know the names of any individual activists who intend to commit unlawful protest at the Power Station or Pumping Station and that it is impossible to name or identify them. In order for any restraining injunction to be effective, it would need to be granted against the class of Persons Unknown referred to in these proceedings.
- 36 Neither I nor Drax are confident of being able to name any particular individuals that are likely to be involved in the planned direct action at this stage, however I understand that enquiries continue as to individuals likely to be involved. The First Witness Statement of Martin Sloan sets out details regarding individuals that Drax understands are associated with RTP and or Axe Drax. Whilst Drax does not know the identity of individuals likely to be directly involved in the action which the injunction seeks to restrain or the Action Camp itself, Drax is aware of a number of individuals who are or have been publicly associated with Axe Drax. It is not considered appropriate to name them as Defendants, as Drax does not have any evidence to suggest that those individuals are intending to take part in the Action Camp or other disruptive action that the injunction would restrain, in light of their association with the Axe Drax, Drax is intending to notify those individuals by email to the Axe Drax email address set out at paragraph 42.3 below. Should specific individuals be identified as likely to be involved in the planned direct action, those named defendants will be joined to proceedings in the future in the usual way.

WITHOUT NOTICE

- 37 I believe that making this application for an injunction without beforehand notifying Persons Unknown (by the methods proposed in the section below) is justified in the circumstances. It is appreciated that this is an exceptional step, but I believe that there are compelling reasons for doing so: -

37.1 As set out in the First Witness Statement of Martin Sloan, Drax is concerned that if Persons Unknown are notified in the usual way, the Power Station will be deliberately targeted and direct action will take place before an injunction is place. This would defeat the very purpose of the injunction. I believe there is merit in that concern; and

37.2 The potential for direct action is of serious concern to Drax for the reasons set out above. In particular, Drax is worried about the health and safety risks posed by direct action that may take place around the Power Station, the risk of disruption to the supply of electricity from the Power Station and the risk of financial loss. If notice of this claim and application were to accelerate the carrying out of direct action at the Power Station, it would give rise to the exact risks that Drax was intending to prevent.

FULL AND FRANK DISCLOSURE

38 As this is a without notice injunction, I am aware that Drax has to give full and frank disclosure and I confirm that I have advised Drax of the need to give full and frank disclosure of all facts and matters which, after reasonable research, it is aware or could with reasonable diligence ascertain and which might affect the decision of the Court whether to grant the order or the terms of the order it is prepared to make.

39 Perhaps one matter that might be raised and which I therefore think appropriate for me to address in this statement is the Public Order Act 2023 (the **Act**) which provides law enforcement agencies greater powers to prevent disruptive protest tactics. It might be argued that the conduct that Drax is concerned about and which they seek to prohibit by the injunction sought may be criminal offences and could be prosecuted under the Act. However, although that Act does provide for offences in respect of interference with the use or operation of key national infrastructure under section 7 of the Act, I do not consider that the Act would provide the protection which would be provided by the injunction sought in this case because:

39.1 It appears, from other cases, that interim injunctions have proved to be a more effective deterrent against direct action than the possibility of protestors being charged with criminal offences:-

39.1.1 In relation to Valero's Kingsbury Terminal, I understand that police arrested over 500 people in connection with protests between 31 March 2022 and 10 April 2022. The dates of these arrests indicate that protestors were not deterred by previous arrests and in fact it appears that the protests increased in size;

39.1.2 I am aware from the summary judgment decision of Ritchie J in Valero Energy Ltd v Persons Unknown [2024] EWHC 134 (KB) that:

(a) the first injunction was granted to Valero in late March 2022, restricting access to 8 sites including the Kingsbury site;

(b) despite that between 1 April and 7 April 2022 and 9 and 15 April 2022, protestors attended the Kingsbury Terminal;

(c) the protestors also targeted other owners' sites;

(d) on 11 April 2022, the interim injunction was replaced by an order of Bennathan J;

(e) the evidence in support of the final injunction included evidence that the interim injunctions in combination with those obtained by Warwickshire Borough Council had significantly reduced protest at the Kingsbury site (see [39]) and that, since June 2023, JSO had carried out their protests on different sites (see [40]), although I do note there were 9 dates on which protests had occurred at sites covered by the injunction in April 2022, May 2022, August and September 2022 (see [29]);

39.1.3 The significant reduction in protest activity at a site following an interim injunction being obtained appears to have also occurred in other cases. For example, as was set out in Hill J's decision in Shell UK Ltd v Persons Unknown [2023] EWHC 1229 (KB) at [31], there was evidence that the injunction of Bennathan J in respect of Shell Centre Tower, had had a strong deterrent effect as there were no incidences of unlawful activity following it. However, corporate buildings had been the target of unlawful activity since the injunction was made. That is also supported by JSO's own comments on the social media X on 13 September 2023, in which the account stated, in relation to protests on highways "*Disruption is frustrating, but we have no other choice. Fossil fuel companies have taken out private injunctions that makes protests impossible at oil refineries, oil depots and even petrol stations...*" [NM1/26].

39.1.4 From the cases where interim injunctions have been granted and then later reviewed, there seems to be a pattern of behaviour where the interim injunctions

against protestors result in protests ceasing entirely or reducing significantly at the location subject to the injunction and the protestors moving to other sites.

39.2 In addition, any enforcement for offences under section 68 of the Criminal Justice and Public Order Act 1994 and any Public Order Act 2023 offences, (1) could occur only after the protests had occurred; and (2) would likely take some time to come to a final decision. Although the offences, under s68 of the 1994 Act, and of locking on under section 1 under the 2023 Act carry the potential of a custodial sentence for up to six months or a fine, and the offence of interfering with national infrastructure under s7 of the 2023 Act carries a maximum of a 12-month sentence (if tried in the Crown Court), such sentences would take an extended period of time to reach a final resolution.

39.3 An article dated 6 October 2023, which was published originally on the Daily Mail online, stated that JSO protestors compete to see who can get arrested on the most occasions “in a bid to win prizes” [NM1/27]. The Claimant believes that, given the stated aims of RTP and Axe Drax, the protestors would take a similar approach.

39.4 The Act is a relatively new piece of legislation and the approach to enforcement of breaches under this legislation is therefore relatively untested. To date there have been limited prosecutions under this legislation so it will likely act as less of a deterrent.

SERVICE AND NOTICE OF THE PROCEEDINGS

40 Usually if the court decided to grant an injunction without notice, the Claimant(s) would then serve the claim, application notice and order on the Defendant(s).

41 There is currently no ‘defendant’ on whom proceedings could be served. Following the Supreme Court’s decision in *Wolverhampton City Council v London Gypsies & Travellers* [2024] 2 WLR 45, Drax instead intends to ‘notify’ persons. Drax therefore seeks an order dispensing with the service of the Claim Form, the application for injunction and any order made, pursuant to CPR 6.16, 6.28 and 81.4(2)(c).

42 Drax propose to take the following steps in respect of the Claim Form, application notice and any order made by the Court: -

42.1 uploading copies of all the court documents to a page onto the following website:

<https://www.walkermorris.co.uk/drax-injunction/>

- 42.2 affixing large warning notices in each of the locations shown with an “X” on Plan 1 and Plan 2, including on the perimeter fence and by affixing warning notices to stakes in the ground, referring to:-
- 42.2.1 the proceedings;
- 42.2.2 the fact that an injunction is now in place covering the Power Station;
- 42.2.3 the fact that the court documents:-
- (a) may be viewed on the Claimant’s website (and providing the relevant web page address);
- (b) the fact that copies of the court documents may be obtained from the Claimant’s solicitors and providing the relevant contact details
- 42.3 sending an email message to info@reclaimthepower.org.uk (the email address on the RTP website for general enquiries) press@reclaimthepower.org.uk (the email address on the RTP for press enquiries), and info@axedrax.uk (the email address on the Axe Drax website for general enquiries) providing the same information as that contained in the warning notice; and
- 42.4 affixing a copy of the Order in each of the locations shown with an “X” on Plan 1 and Plan 2.
- 43 A draft form of warning notice for the court’s approval will be provided at the hearing.

44 I believe that these would be reasonable steps to take to bring the proceedings, the application notice and the order to the Defendants' attention and that they would be effective to do that.

45 I believe that there are sufficient exceptional circumstances for dispensing with service under CPR 6.16, 6.28 and 81.4(2)(c), given the identity of the Defendants.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement and Exhibits 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.

I am duly authorised to make this statement on behalf of the Claimants.

A handwritten signature in black ink, appearing to be 'N McQueen', written in a cursive style.

Signed

Nicholas McQueen

23 July 2024

EXHIBIT NM1

No.	Document	Pages
1.	Extract from Reclaim the Power's website entitled "Who we are" https://reclaimthepower.org.uk/who-we-are/	1 - 6
2.	Extract from Axe Drax's website entitled "About" https://axedrax.uk/about/	7 - 9
3.	Extract from Reclaim the Power's website https://reclaimthepower.org.uk/drax-climate-camp/share/	10 – 16
4.	Extract from Reclaim the Power's website on "ko-fi.com" https://ko-fi.com/reclaimthepower	17 – 21
5.	Post on social media by Reclaim the Power, dated 4 April 2023 https://x.com/reclaimthepower/status/1775849842826166372	22
6.	Post on social media by Reclaim the Power, dated 10 May 2024 https://x.com/reclaimthepower/status/1788941953758879913?s=46	23 - 24
7.	Post on social media by Reclaim the Power, dated 10 July 2024 https://x.com/reclaimthepower/status/1811020425847025769?s=46	25
8.	Post on social media by Just Stop Oil, dated 13 September 2023 https://x.com/JustStop_oOil/status/1701903086057386177	26
9.	Article published on the Daily Mail online on 6 October 2023 https://www.dailymail.co.uk/news/article-12600253/Just-Stop-Oil-protesters-competing-arrests.html	27 - 30

RECLAIM THE POWER

8 to 13 Aug



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WHO WE ARE

Reclaim the Power is a UK based direct action network fighting for social, environmental and economic justice. We aim to build a broad based movement, working in solidarity with frontline communities to effectively confront environmentally destructive industries and the social and economic forces driving climate change.

decisions that reflect and synthesise diverse viewpoints as far as possible, thereby maximising people's willingness to carry out those decisions.

ANTI-HIERARCHICAL

We don't have Chief Executives, Managers or Presidents. We aspire to organise non-hierarchically with decisions being devolved to working groups as appropriate. The working groups will sometimes select temporary spokespersons to make decisions on particular projects. We recognise, though, that unspoken hierarchies can still arise due to any one of the many ways that different privileges manifest themselves – and challenging these is a constant process .

ALL OPPRESSIONS ARE LINKED

We actively aim to challenge oppression both inside and outside of our organisation. We recognise that the same systems of domination, unearned privilege, exclusion and institutional violence underpin many different forms of oppression. This is reflected by the aims and narratives of our actions and how we engage with people outside our organisation.

Within our network we aim to be open, welcoming and accessible to all. We also recognise that each of us is vulnerable to either consciously or unconsciously acting out oppressive behaviour towards others. Reclaim the Power operates a Safer Spaces Policy in order to begin to address some of these issues.

WE NEED TO TALK ABOUT CAPITALISM

Climate change and environmental collapse are the products of an economic system based on infinite growth on a planet of finite resources, on colonial plundering and on the many inequalities of a class based system. The fight for climate justice cannot be removed from this social and economic context.

OUR ROLE WITHIN A DIVERSE MOVEMENT

We recognise that social change involves many different roles, tactics, strategies and organisations. Whilst we are committed to building a direct action movement, we are happy to work with any group that shares our goals whilst upholding these principles.

WHAT WE MEAN BY:

Frontline Communities: We recognise that some communities disproportionately face the harsh impacts of environmental degradation and climate change. We work in support of such communities in Britain and in solidarity with those elsewhere where possible.

Consensus Based Decision Making: Consensus decision making is a creative and dynamic way of reaching agreement between all members of a group. Instead of simply voting for an item and having the majority of the group getting their way, a group using consensus is committed to finding solutions that everyone actively supports, or at least can live with.

Get all our latest updates

SIGN UP:

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COUNTY

If you are not already subscribed, would you like to receive email updates from Reclaim the Power? *

Yes, opt in to email updates No, do not opt in

Note: If you subscribed earlier, this will not unsubscribe you. You can unsubscribe using the link provided in emails you receive. You can always take action without opting in.

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RECLAIM THE POWER

is a UK based direct action network fighting for social, environmental and economic justice.

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UK DIVEST NETWORK

GROW HEATHROW

PEOPLE AND PLANET

FUEL POVERTY ACTION



A No Dash For Gas Production | 2022



ABOUT

WHO ARE AXE DRAX?

We are the network that opposes Drax in its operations. We believe that disruption of their activities and business as usual is crucial,

WE ARE DECENTRALISED.

Anyone can take action against Drax. We have no leaders. You don't need to ask permission.

That being said, if you want help with an action or other plan then send an email to info@axedrax.uk and someone will try and link you up to other people.

WE FOCUS ON ACTIONS.

We believe we need to stay focused on organising and taking part in actions.

This does not mean everyone needs to be taking to the streets, as all actions needs a range on roles from media, to support, to training and recruitment.

Our demands

We have 3 simple demands:

1. Tell the Truth: Biomass \neq Green
2. Defund Biomass
3. Fund Real Solutions

TELL THE TRUTH: BIOMASS \neq GREEN

Governments and corporations be honest: biomass causes irreparable damage to the health of people and our life support systems. Classifying burning trees as renewable is a scam and the government is making us pay for it.

DEFUND BIOMASS

Remove the ££ billions in subsidies given to Drax and other biomass power stations in the UK. This money funds death and destruction around the world, harming POC and poorer communities the most whilst corporations profit. If we stop the money, we stop the destruction.

FUND REAL SOLUTIONS

The £ billions given to biomass should be used to fund a just transition: furlough; retrain and transfer workers in the biomass industry; invest in education, affordable housing and health; fund genuine renewable energy. We must develop a plan of moving away from profit motives, which are fuelling the climate crisis, towards community based solutions.

- [Privacy Policy](#)



016 : 10 : 26 : 23
Day(s) Hour(s) Minute(s) Second(s)

8 to 13 Aug
RECLAIM THE POWER



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8 to 13 Aug
RECLAIM THE POWER



SHARE CONTENT FOR DRAX CAMP 2024

SHARE GRAPHIC



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COPY AND PASTE MESSAGE

- 📅 Save the date: Reclaim the Power Action Camp 📍
- 📅 8-13th August
- 📍 Book travel to LEEDS

Reclaim the Power is back this summer with a mass protest camp for climate justice. As a decade old direct action network we will welcome new faces and old to a mass action camp targeting Drax – the biggest emitter in the UK, the world's biggest burner of trees that fuels environmental racism around the world.

Join hundreds of others from across the country and further afield for six days of workshops, communal living and direct action to crash Drax's profits. We will be camping from the 8-13th of August and attendance is entirely free, supported by donations.

Interested? Read more here [👉 https://RtP.camp/Drax](https://RtP.camp/Drax) 👉

[SHARE TO WHATSAPP](#)

SHARE TO TWITTER

Will you join hundreds in a mass action camp targeting Drax, the worlds biggest tree burning power station

There will be six days of workshops, communal living and direct action to crash Drax's profits Join us from 8-13th August

Sign up <https://rtp.camp/drax>

CLICK TO TWEET

INSTAGRAM POST TEXT

COME TO CAMP 8-13 AUG

@ReclaimThePower is back with a protest camp for Climate Justice from the 8th to 13th August, in Yorkshire, UK 🔥

RtP are a decade old direct action network that works in solidarity with front-line communities to make interventions for a fairer world. They helped sort out Fracking and ran Europe's first climate & migrant justice camp back in 2019 🤝

The global climate camp movement began at Drax in 2006, when our demand to end coal powered stations was dismissed as impossible. As the last coal fired plant in the UK prepares to close this September we're back to finish our business 🙌

Can you join? Link in @ReclaimThePower 's bio.

FULL EMAIL

Dear NAME,

Reclaim the Power are relaunching with an action camp targeting Drax from 8th 13th August. Can you support?

The global climate camp movement began at Drax in 2006, when our demand to end coal powered stations was dismissed as impossible. As the last coal fired plant in the UK prepares to close this September we're back to finish our business.

[Let us [know you are coming](#)]

There is a packed program of workshops, entertainment, games, a kids space, and hopefully lots of actions! The full program will be released three weeks before the camp, and a few announcements will be made before then.

Reclaim the Power is a do-it-yourself space, which means everyone who turns up is expected to pitch in (according to their ability). Every morning there will be a meeting where anyone can pick up key work to keep the camp running.

The national announcement is that you should book travel to LEEDS. The camp will be around an hour away, and we will announce the exact location and directions on the day. Any coaches running from around the UK will be confirmed two to three weeks before the camp.

[Find [out more about the camp](#)] [[Support the camp](#)]

If you are still itching to know more, then come along to one of the online info talks scheduled in the coming weeks. Register here:

[[Register 16th Jul 6pm](#)] [[Register 23rd Jul 12:30pm](#)]

With love and well due rage,

Reclaim the Power

SECTION IN NEWSLETTER

Take on the world's biggest tree burner and the UK's biggest single source of climate emissions this August!

18 years after the global Climate Camp movement launched at Drax power station, Reclaim the Power are back to finish the job, with five days of camping for Climate Justice. We're demanding an end to bill payer subsidies, a worker led transition to sustainable jobs, and compensation for the communities poisoned by Drax's operations. The timing is spot on for undermining the new wave of subsidies that Drax is dependent on, and the whole thing is going to be a transatlantic team up with the communities whose health is being trashed by wood pellet production in Mississippi. Plus a Ceilidh, a drag night, a kids space, wheelchair access tracks, a range of exciting workshops on intersectional issues, and the chance to take action at a range of risk levels. The camp will be in Yorkshire 8th-13th August, with transport available from Leeds. Find out more: <https://reclaimthepower.org.uk/drax/>

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Reclaim the Power

ko-fi.com/reclaimthepower

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Drax Climate Camp, August 2024



99% of £5100 goal

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About

RTP is a UK-wide network that takes action in the face of the climate and ecological crises. We aim to build a diverse movement for climate, social, and economic justice, working in...

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[reclaimthepower.org.uk \(https://reclaimthepower.org.uk/\)](https://reclaimthepower.org.uk/)

[\(https://instagram.com/reclaimthepower\)](https://instagram.com/reclaimthepower)

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(/N4N2XV56N)(/V7V810BB1Q)(/L3L5X0YM3)

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Reclaim the Power

About **Gallery** **Posts**

This summer we're bringing hundreds of people together for a mass-action climate camp targeting Drax Power Station, a biomass power plant which is the UK's largest single emitter! Drax are the world's biggest burner of trees and a key driver of environmental racism.

As a grassroots network of volunteers, we don't have any regular funds or fundrasing staff. We need funds to cover essential equipment hire, including marquees, toilets, and transport for our camp. Support like yours makes a real different to what we can do collectively.

£10 will support subsidised travel for one person to the camp
£20 will subsidise food for someone on low/no-income
£90 will pay for a mobilisation talk or a 'Know Your Rights' training ahead of the camp
£100 will cover one toilet on camp for one day
£300 will cover our expenses to run workshops
£1,000 will pay for our solar power needs

By donating to our crowdfunder, you will be supporting hundreds of people from across the country (and further afield) to hold five days of workshops, communal living and mass-action to fight the greenwashing, environmental destruction, and racism of Drax. Attendance will be free for all, supported by the donations given here.

Join us from 8th to 13th August! Location still to be announced.
Sign up on our website - reclaimthepower.org.uk
More info about Drax can be found on
<https://www.biofuelwatch.org.uk/axedrax-campaign/>





About


Gallery **Feed** Posts

Give Support


 **Patrick Thomas** gave support! · 9h ...

 **Kg** gave support! · 2 days ...


 **Somebody** gave support! · 5 days ...


 **Sue** gave support! · 6 days ...

Great work- thank you!


 **Steph** gave support! · 10 days ...


I can't come to the camp but wish you all the best.

 **Lucie** gave support! · 10 days ...

 **Tom** gave support! · 10 days ...

Keep fighting the good fight, wish I could be there with you!

 **Robert** gave support! · 12 days ...

 **Russell (/S6S310CC52)** gave support!
(/S6S310CC52) · 12 days ...

BIG UP ALL CREW

 **Rosalind Kent** gave support! · 13 days ...

About

Gallery

Posts

Answer to your elbow !!



Peter (/V7V810BB1Q) gave support!



(/V7V810BB1Q) · 13 days

Axe Drax



Pauline gave support! · 13 days



Show more



Make money doing what you love. No fees on donations!

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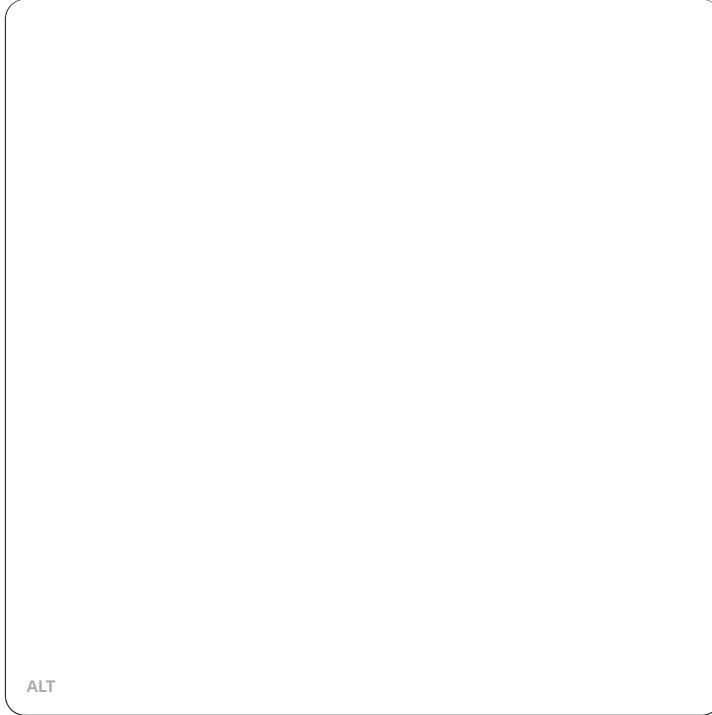
Reclaim The Power
@reclaimthepower

📅 Save the date!! 📅

📅 Reclaim the Power action camp 8th-13th August

Join us this summer as we camp, learn, and take mass direct action together against Drax - the UK's largest carbon emitter.

Sign up to hear more 📧 reclaimthepower.org.uk



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24 Reposts 5 Quotes 31 Likes 1 Bookmark



New to X?

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Relevant people

Reclaim The Power
@reclaimthepower
We're a UK based grassroots network fighting environmental...

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Post

Reclaim The Power @reclaimthepower

We still need to raise over £3,500 to help put together a mass action camp against Drax this summer. Watch this to find out why you should contribute to our crowdfunder here ko-fi.com/reclaimthepower



0:02 / 0:34

Reclaim The Power @reclaimthepower · May 8

We've got big plans for this summer, but we can't do them alone. We need to raise £5,000 to help put together a mass action camp against Drax - the UK's largest climate emitter. Donate now at ko-fi.com/reclaimthepower to help out, and ask your friends to do the same.

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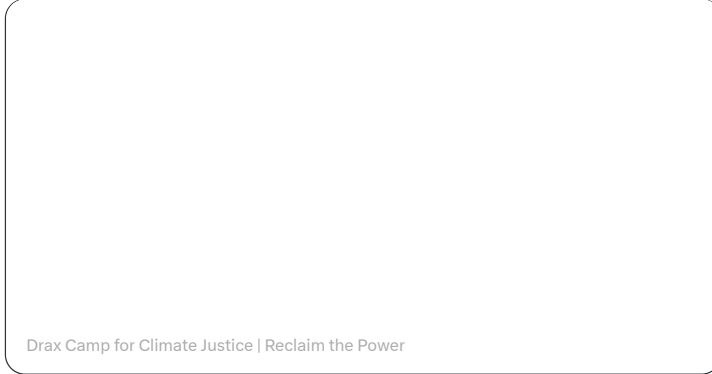
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In 4 weeks, you could join hundreds in a mass action camp targeting Drax, the worlds biggest tree burning power station 🔥

There will be six days of workshops, communal living and direct action to crash Drax's profits 🙌

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From reclaimthepower.org.uk

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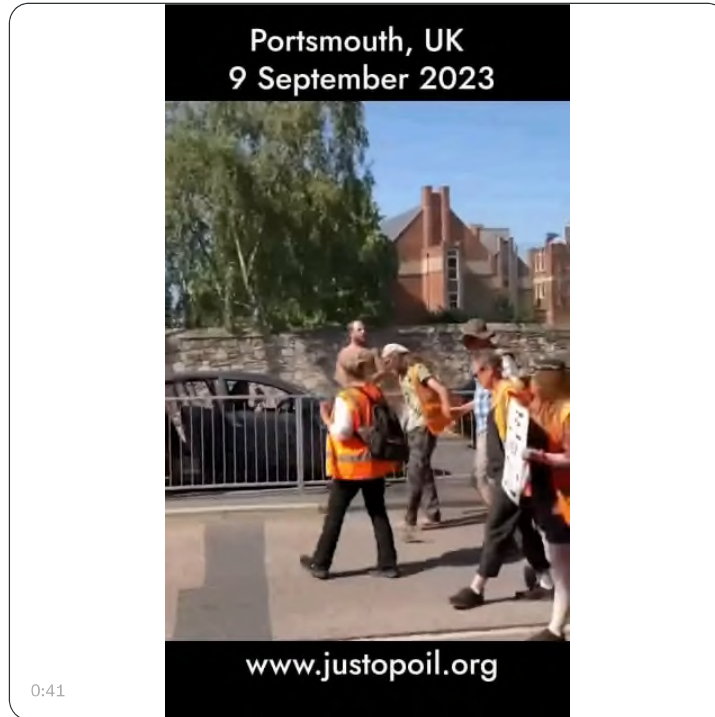
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Just Stop Oil @JustStop_Oil

🚧 Disruption is frustrating, but we have no other choice. Fossil fuel companies have taken out private injunctions that make protests impossible at oil refineries, oil depots and even petrol stations.

👤 Our government issued 100 new oil and gas licences, confirming their disregard of human life. This is a last ditch attempt to stop our corrupt government taking more lives.

➡ They know new oil and gas is genocide – take action now at juststopoil.org



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Just Stop Oil protesters 'are competing to see who can get arrested', it is claimed as five people are charged over disruption at Les Miserables

• Five people charged with aggravated trespass after Les Miserables was hijacked

By [ARTHUR PARASHAR](#)

PUBLISHED: 00:38, 6 October 2023 | UPDATED: 01:21, 6 October 2023

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Just Stop Oil eco-zealots are competing to see who can get arrested the most times in a bid to win prizes, it has been claimed.

Members of the pressure group, which campaigns for the Government to end all new oil, gas and coal licences, are said to be attempting to overload the legal system as protesters plan weeks of chaos.

Just yesterday, five of its activists were booed and jeered as they **hijacked a performance of Les Misérables** by clambering onto the stage at **London's** Sondheim Theatre before holding up their orange banner.

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After being arrested last night Hannah Taylor, 23, Lydia Gribbin, 28, Hanan Ameer, 22, Noah Crane, 18, and Poppy Bliss, 19, were charged today with aggravated trespass. They have been released on bail and will appear at Westminster Magistrates' Court on November 3.

Crowd boo JSO eco-activists as they disrupt Les Mis performance



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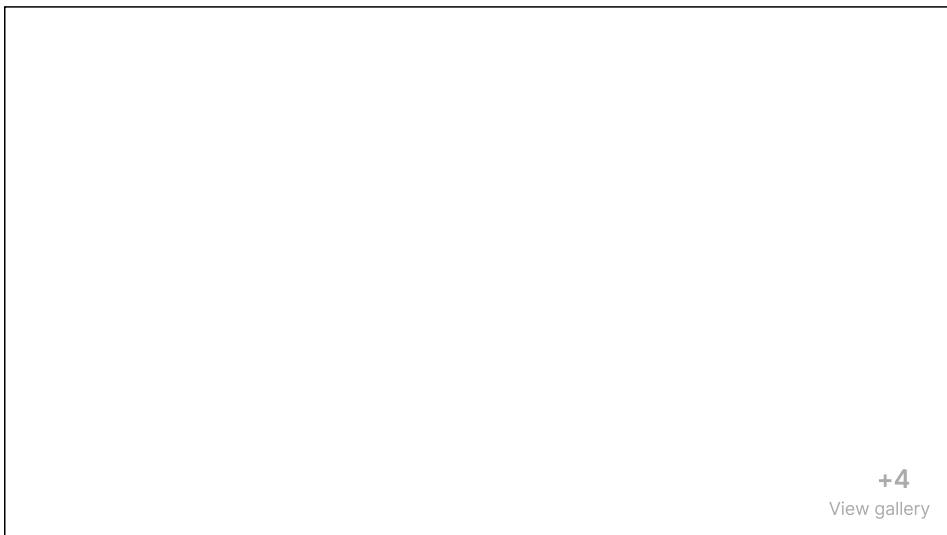
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Just yesterday, five JSO activists were booed and jeered as they hijacked a performance of Les Misérables



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The group said in a statement that members were 'locked to the stage'. Five people have now been charged with aggravated trespass

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It has now emerged that Just Stop Oil members have been discussing the best ways to get arrested as many times as possible.

A JSO source told **The Sun**: 'It's essentially a competition to see who can get arrested the most. There will likely be prizes for the winner — that sort of thing has happened at previous gatherings after a round of action.'

The newspaper found one eco-zealot discussing a planned demonstration on October 29 in a group chat. They said they would be going to marches with 'other regions', adding: 'This will allow me to spread the average three arrests per person easily over three weeks instead of trying to be a superhuman and pull it off in a single week.'

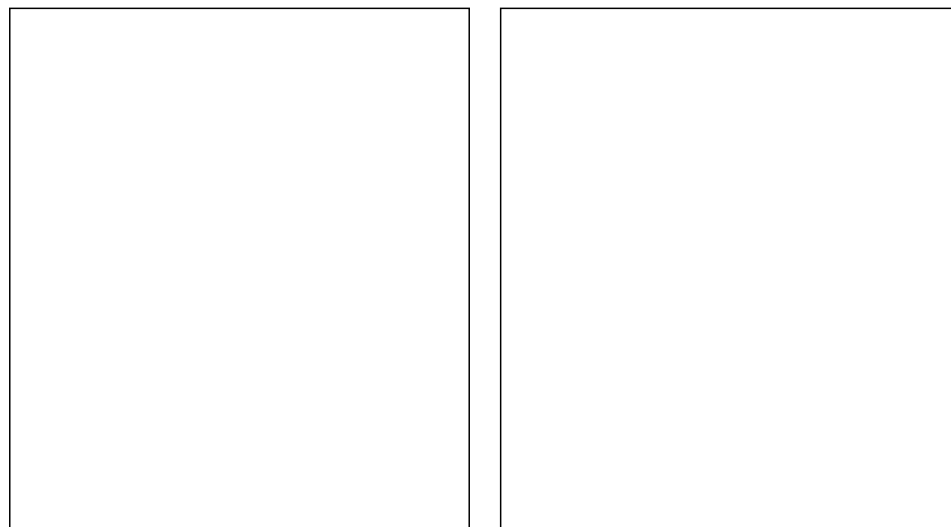
Reports of eco-zealots competing for arrests come in a week where they disrupted yet another event that hard-working Brits paid up to £200 per ticket for. The Les Mis performance at the Sondheim Theatre in London's West End was brought to a halt at around 9pm on Wednesday.

Police said they are keen to hear from audience members who may have travelled from outside London to see the show.

In footage shared of the musical being hijacked, the protesters climbed up to the stage and asked the audience to 'join the rebellion.'

But one furious theatre-goer shouted: 'Get off you stupid people. How dare you.'

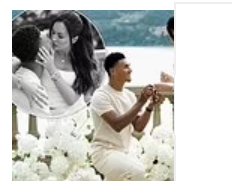
Another yelled: 'You naughty people, you naughty people.'



Just Stop Oil said two of the protesters were called Hanan (left) - a 22-year-old student - and Noah, 18 (right). Both have been charged

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JSO eco-mob crash Les Miserables performance and disrupt



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As others boomed and jeered the eco protesters, a man near the front snatched away one of the eco-protesters' banners.

The stage invasion occurred during the musical's famous protest song of Do You Hear the People Sing? which is often seen as a call to action and has been used all over the world in rebellions including the 2019 Hong Kong demonstrations.

Posting on X, formerly Twitter, on Wednesday, about Les Mis protagonist Jean Valjean, Just Stop Oil said: 'Valjean steals bread to feed a starving child. How long before we are all forced to steal?'

The post continued: 'The fossil fuel show can't go on.'

The Mail also revealed on Thursday that **Oxford University's** student union invited **Just Stop Oil** to host a stall at this year's freshers' fair.

Daniel Knorr, 21, who stormed Lord's cricket ground during the second Ashes test match this summer, was pictured manning the stand and recruiting students to join the radical eco-protest group.

He also posted 17,000 JSO leaflets to Oxford students via their college cubby holes earlier this week.

It comes despite Education Secretary **Gillian Keegan** warning last month that students risk ruining their futures if they participate in slow-march protests organised by JSO.

Just Stop Oil told MailOnline after storming the Les Mis musical: 'This summer has shown us the sheer power of a supercharged climate.'

'Scientists are freaking out and even the Pope is sounding the alarm. But, like the citizens of Paris in 1832, we have locked our doors, while our young face slaughter on the streets.'

'They will inherit a scorched earth, unfit to live in and we will be long gone. We cannot let this stand. The show cannot go on.'

The group has been contacted for comment about competing for arrests.

[Just Stop Oil](#)
[Oxford University](#)
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