

# Update: Baglan group of companies – power supply to customers

On [24 March 2021](#), upon the petition of the directors, winding-up orders were made against Calon Energy (Baglan Bay) Limited, Baglan Generating Limited, Baglan Pipeline Limited, and Baglan Operations Limited and the court appointed the Official Receiver, Gareth Jonathan Allen, as Liquidator.

The court appointed David John Pike and Michael Robert Pink from Interpath Advisory as Special Managers to assist the Official Receiver with the liquidation.

## **Background**

The Baglan group of companies comprise a gas turbine power station located in Baglan Bay, South Wales. In June 2020 the ultimate parent company entered administration and in July 2020 the power station ceased generating electricity. Power is supplied to customers, which includes the Baglan Energy Park, through a substation on the site, known as the private wire network.

Baglan Energy Park, a 180-acre site, remains home to a large number of other businesses and organisations, and the Official Receiver has striven to ensure all key stakeholders have been kept abreast of developments.

## **Liquidation**

A liquidator's statutory duties are set out in insolvency legislation and their primary role is to ensure the assets of the companies are realised and distributed to creditors. The legislation also sets out that a liquidator is only empowered to carry on the business of a company where it is necessary for the beneficial winding up of the company. Throughout the liquidation the Official Receiver has sought and acted upon the advice of his legal advisors, including the advice of Leading Counsel.

In order to facilitate an orderly wind-down of operations at the site, the Official Receiver has maintained the supply of electricity and in so doing has continued to supply the Energy Park from the private wire network since his appointment in March 2021. This includes the maintenance and operation of the high voltage electricity lines with all the associated risks to health and life, for which the Official Receiver is personally liable.

This has meant that customers, including the tenants on the Baglan Energy Park, have benefited from an uninterrupted power supply and have had time to put in place contingency plans for the eventual switching off of the private wire network and conclusion of liquidations of the Baglan group. This could only continue whilst power was required to wind down the companies and complete site closure activities.

These are complex and challenging aspects of the liquidations. As part of the

closure plan the Official Receiver has also carried out other significant activities at the site, including removing hazardous substances and depressurising the 11.8 km high pressure gas pipeline.

## **Latest developments**

The Official Receiver has been funded to undertake his duties by the UK Government and has worked tirelessly with key stakeholders to keep them informed of developments in real time. The Official Receiver has consistently emphasised the temporary nature of ongoing supply and shared plans to achieve the wind down of the Baglan group of Companies. From the outset of the liquidations of the Baglan group of Companies the Official Receiver has explained the limit of his statutory powers as liquidator to continue electricity supply, and stressed the urgency for customers and stakeholders to develop their contingency plans.

Following a detailed risk assessment, the Official Receiver and the Special Manager's primary focus has been the preparation, finalisation, and execution of a sequenced closure plan, which has been shared with all stakeholders.

As part of those closure activities, and with advice from Leading Counsel, the termination of the supply of electricity from the private wire network was planned to complete on 14 January 2022 and communicated to customers and stakeholders in October 2021.

Following applications to court challenging the Official Receiver's decision to terminate the supply of electricity, the Court has today (21 March) determined the applications and handed down its judgment. The Court has dismissed the applications, but provided for electricity supply to Neath Port Talbot Council and Dŵr Cymru Welsh Water to continue until 18 April 2022. The final order is yet to be settled by the Court.

If you are a customer or creditor of the Baglan group of companies, please contact the Special Managers via email: [Baglancustomers@kpmg.co.uk](mailto:Baglancustomers@kpmg.co.uk).

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## **Sex abuser has sentence increased following ULS referral**

Press release

The Court of Appeal has increased the sentence of a Cambridgeshire child abuser after it was referred to the Court of Appeal by the Solicitor General



A Cambridgeshire child abuser has had his sentence increased after it was referred to the Court of Appeal by the Solicitor General, Alex Chalk QC MP.

The offender, who cannot be named for legal reasons, repeatedly abused a young child and attempted to cover up his actions in multiple ways, including forcing her to delete text messages he sent to her indicating intended sexual activity.

On 21 October 2021, the offender was sentenced to 11 years and four months' imprisonment, followed by 12 months on licence at Cambridge Crown Court.

Following the sentencing, the Solicitor General referred the offender's sentence to the Court of Appeal under the Unduly Lenient Sentence (ULS) scheme.

On 14 January the Court of Appeal found his original sentence to be unduly lenient and increased it to 14 years' imprisonment with a 12 month extended licence.

Speaking after the hearing, the Solicitor General, Alex Chalk QC MP said:

"This crime was sickening in every sense of the word. His actions have caused lasting severe psychological and physical harm to the victim. I hope the Court's decision to increase his sentence can bring his victim some comfort."

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## [Forestry Commission strengthens support to manage oak tree pest](#)

The Forestry Commission is providing a package of new guidance and support for landowners and the public to help with the management of the Oak Processionary Moth (OPM).

OPM caterpillars and their nests contain hairs which can cause itchy rashes,

eye and throat irritations, and should not be touched under any circumstances at any time. The greatest risk period is May to July when the caterpillars emerge and feed before pupating into adult moths. As OPM season begins in March, changes to the operational boundaries of the management zones – the Pest-Free Area, Buffer Zone, and Established Area – will be implemented to further restrict the spread of the pest.

An expanded Established Area will be created to cover the main area of infestation. The new support, announced today by the Forestry Commission, will provide landowners in this Area with greater flexibility in managing OPM according to local circumstances and individual site risks, aided by two new forms of financial support. These are the [Private Residents' Pilot](#), applications for which are now open with a deadline of 21st February 2022; and OPM Facilitation grants, which will support coordination between landowners at a local level as part of the [Tree Health Pilot](#).

Moreover, an extended Buffer Zone, where an annual programme of OPM surveillance and control takes place, will be implemented to combat the spread of OPM into the Pest-Free Area, which covers the rest of the UK.

In addition, to help minimise the impact of the pest and limit its spread, an extensive package of online tools and guidance has been developed:

- [Updated guidance](#) on Gov.uk with information on how to identify and manage OPM
- The new [OPM hub](#) will offer advice on how to develop an OPM management plan
- An interactive map to help identify where OPM is currently found within the Established Area and Buffer Zone
- A toolkit for local authorities and larger landowners to help plan for and manage OPM

**Nicola Spence, the UK Chief Plant Health Officer, said:**

Oak processionary moth larvae can cause significant damage to oak trees and pose a risk to human and animal health.

These new measures are designed to improve support to landowners, minimise the spread and impact of the pest and ensure our precious oak is retained in the landscape, as part of our wider tree health protection regime. Any sightings should be reported to the Forestry Commission via its [TreeAlert](#) online portal.

Over the last five years, the Government has invested over £10 million into oak health, including the management of the OPM outbreak as well as research to develop novel control techniques and new policy responses.

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# Pharmacies adopt government scheme to help domestic abuse victims

On the first anniversary of its launch, the Home Secretary Priti Patel today hails the success of the innovative scheme which enables those at risk or suffering from domestic abuse to discreetly signal their need for help from the safety of their local pharmacy.

In its first year, the scheme has provided emergency support to at least 100 victims across all four corners of the UK, with the figure expected to be higher due to voluntary reporting.

The innovative scheme is just one of a number of measures the government has taken to improve support for victims of domestic abuse over the last year, including giving more than £28 million to domestic abuse organisations and the introduction of a Domestic Abuse Commissioner. The government also introduced the landmark Domestic Abuse Act which will help millions of people by establishing a statutory definition of domestic abuse, supporting victims of all genders and giving police extra powers.

At the height of the pandemic, the Home Office launched the #YouAreNotAlone communications campaign signposting support to those at risk of domestic abuse. The #YouAreNotAlone campaign has reached millions of people through digital advertising, celebrity and influencer support and specialist community engagement activity with campaign materials translated into 16 languages.

As essential retailers with specifically trained staff on high streets across the country, pharmacies can provide a safe space for victims to sound an alarm if they are isolated at home with their abuser and unable to get help in another way. ANI is a codeword for Action Needed Immediately. By asking for ANI, a trained pharmacy worker will offer a private space where they can understand if the victim needs to speak to the police or would like help to access support services such as national or local domestic abuse helplines.

The anniversary of the Ask for ANI scheme comes as Parliament considers the final stages of the government's Police, Crime, Sentencing and Courts Bill, which will put further safeguards in law to support victims of domestic abuse, including giving victims longer to report offences to the police, so that abusers do not evade justice.

In another move, the Domestic Abuse Strategy will be published later this year and will seek to transform the whole of society's response to domestic abuse in order to prevent offending, support victims and pursue perpetrators, as well as strengthen the systems in place to deliver these objectives.

The Home Secretary, Priti Patel, said:

Any form of domestic abuse is an abhorrent crime and this

government is both increasing support for victims and ensuring that perpetrators feel the full force of the law.

The Ask for ANI scheme has had a successful first year and is a great example of government, businesses and charities working together to provide vital support to victims. I urge all pharmacies to get on board with the scheme as we look to expand it and explore other spaces that could be used for the same purpose.

As Home Secretary, tackling domestic abuse is a top priority for me and I am taking on board victims' concerns and giving the police the powers they need to bring those responsible to justice.

Suzanne Jacob OBE, Chief Executive of SafeLives said:

The Ask for ANI codeword scheme provides a vital lifeline for domestic abuse victims trapped by their perpetrators. Survivors of domestic abuse are experts by their experience, and it was survivors who first asked for this codeword scheme early in the pandemic. A trip to a pharmacy might be a critical opportunity for someone to get the help they desperately need. A year on, we are very pleased to see this scheme going from strength to strength and hope that more retailers participate so that all victims across the country have this route to safety.

Mark Lyonette, Chief Executive at the National Pharmacy Association said:

Many independent pharmacies have joined this important Home Office scheme, because they recognise the clear and urgent need to support victims of domestic abuse in their local communities. Many survivors have benefited from the Ask for ANI scheme, but the tragedy is that there are many more at risk. By taking part, community pharmacies have shown once again that they are so much more than just a place to pick up pills – they are a community asset and a local lifeline.

Marc Donovan, Boots Chief Pharmacist said:

Boots pharmacies have long been a place where people can turn to for help and advice on their local high street. The Ask for ANI scheme offers a real lifeline to people who feel in danger at home and has enabled our pharmacy teams to provide discreet support to them. We are very proud to work with the Home Office on this important initiative.

Patrick Ryan, Chief Executive of Hestia said:

We know from our work supporting victims of domestic that during the pandemic, home has not been a safe place for them, with abuse escalating and support networks cut off.

It is vital that victims of domestic abuse know that they are not alone. With Safe Spaces and ANI now running in over half of all UK pharmacies, anyone enduring domestic abuse can access specialist support discretely on their local high streets.

The success of these initiatives has shown the critical role that businesses and communities can play in breaking the silence around domestic abuse. As restrictions ease, we hope to continue building partnerships to ensure every victim can get the support they need.

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## [Obituary to Vic Emery OBE published](#)

John McCroskie was a close colleague of Vic Emery for six years, and has written the below obituary and tribute to Vic, who's Service of Remembrance took place in Newcastle yesterday (13/1).

Vic Emery Born – 1944 Died – 18 December 2021

Vic Emery OBE, who has died aged 77, was for three decades a leading figure in the industrial and civic life of his adopted city of Glasgow, and a public service leader in some of the most ground-breaking initiatives of Scotland's post devolution era.

He arrived in Glasgow in 1996 to take over the reins of the then deeply troubled Scotstoun shipyard, with an international reputation for problem solving, trouble shooting and straight talking to get major vessel projects back on track. From Singapore to the Tyne, and from the Canadian Frigate Programme to the most sophisticated warship in the UK, the Type 45 warship, his track record in delivering and launching vessels through logistical, people, and financial challenges was renowned.

In a dozen years at the helm, he oversaw a rebirth of the last substantial shipyard on the Clyde, transformed its workforce, navigated the complex waters of corporate merger and takeovers, and demonstrated the deal-making intellect to secure work of ever greater sophistication and complexity that secured jobs for years.

As someone for whom salt water ran through his veins and as a boy watched the shipyards from his bedroom window near Portsmouth, the pride and thrill of seeing vessels role down the slipway or take part in their first sea trials would never leave him. Indeed, for all his later accomplishments his whole

demeanour and intensity would change when the opportunity to talk ships came up.

In the yards, Vic was no remote numbers man solely obsessed with the balance sheets. He knew finances inside out, but he prided himself, and was respected, for an end-to-end knowledge of the engineering process because he had trained as a naval architect himself. While he was a formidable negotiator, his no nonsense approach and authenticity ensured relationships with those who worked for him were ones of mutual respect.

Yet on the Clyde Vic was also to find something more than just the next destination on an unblemished professional career. He was to make a powerful personal connection with the city.

In an age where the word strategic has lost its currency through overuse, Vic was always a leader who saw the long game and the bigger picture, far beyond political cycles. It was that insight he brought to shaping the city's economic development as a major influencer within the Glasgow Chamber of Commerce, including serving as its President.

He has been a powerful and long-standing advocate for youth training to challenge the unbroken circle of poverty and dependency in the city's most impoverished areas, and for improved rail connections between the city and its airport to open economic potential. That foresight was also evident at the other end of the M8 when he predicted the city would regret not forging ahead with its full tram ambitions, again having personally played a key part in bringing that troubled project back on the rails.

As his time in shipbuilding ended in 2008, that passion for important, relevant and vital work remained undimmed and would take him in new directions and onto Scotland's national stage.

In what would prove to be a prescient decision, he took on the role of non-executive Chair of a new public body to improve the delivery and efficiency of a range of support services to the nation's then nine policing organisations.

As the financial crisis began to take its toll on the public finances, this tentative step towards the modernisation of Scottish policing was overtaken at an unprecedented pace by a bold initiative to merge policing into a single national service with a parallel national governance structure.

It was inevitable that, faced with a scale of challenge unprecedented in the recent public sector history, government would turn to Vic to be its first Chair, working closely with its first Chief Constable Sir Stephen House. While some observers caricatured these two men as locked in a power struggle for control of the new service, the reality was very different. Both saw the inherent risks in a project of this scale and complexity and shared a desire to complement one another to ensure that when the new service launched it would float and not sink under the weight of public and political expectations. Theirs was a relationship of mutual respect and friendship which would endure long after both had moved on to other challenges.



Vic brought the perceptive questioning honed in industry into this public service challenge. How many police officers does the country need within a modern, adaptable workforce and how much should that cost? The questions he sketched out in 2012, simply etched on the white board of his police authority office under the shadow of the Finnieston crane, remain pertinent today.

Vic subsequently went on to bring his extraordinary knowledge and experience of infrastructure and policing to the role of Chair of the Civil Nuclear Police Authority. In parallel he demonstrated an uncanny anticipation of the genuine strategic risks and opportunities in society by becoming Chair of the environmental body Zero Waste Scotland – long before the term climate emergency had become common currency.

That desire to challenge conventional ideas of where his skills and experience should take him made age and the occasional critic irrelevant to Vic. While some saw a well-heeled businessperson, he was expanding the numbers of apprentices in the yards, challenging the gender balance in senior police roles, and advancing the organisations he led as meritocracies not old boys' clubs. He nurtured the talents of others, seeing potential in individuals they did not readily see in themselves. In return, he received a lifetime of unstinting loyalty that transcended corporate norms.

At the heart of everything he did, was his desire to provide and support his family. He recognised that the international life he had led had provided security yet had also taken him away from his wife and his girls for long periods. The very deep bond and love they shared as a tight knit family meant that even periods away from home and apart did not weaken that bond, but only strengthened it.

His life touched many people and many strands of life – in Glasgow, across Scotland and the UK, and rippling out through the world. His sudden and unexpected absence brings a profound sense of loss to many of his friends and colleagues, and there will be time and opportunities in 2022 to pay more considered and lasting tribute to his life and legacy. A civic giant. A servant of the public. A titan of the Clyde.

More immediately those he loved should now have the time to grieve through this hardest of winters, and in softer springtime to remember who he will forever be to them. Husband. Dad. Granddad. Vic.

John McCroskie