

Fees for Services for Energy Resilience Direction

This direction is made by the Secretary of State pursuant to sections 148 (3)(b) of the Energy Act 2013 (“the Act”) and may be referred to as the Fees for Services for Energy Resilience Direction.

Whereas:

- (a) The Department for Business, Energy and Industrial Strategy is the lead Department for HM Government (“HMG”) in response to a significant disruption to fuel supply in the United Kingdom. In 2013, on behalf of HMG, the Secretary of State entered into a Deed (“Operation ESCALIN”) with seven haulage companies, namely Certas Energy UK Ltd.; Greenergy Flexigrid Ltd.; J.W. Suckling Transport Ltd.; Hoyer Petrolog UK Ltd.; Wincanton Group Ltd; XPO Bulk UK Ltd; and Fuels Transport & Logistics Ltd.
- (b) The parties are committed to the normal supply of fuel as the national priority and economic imperative, and to strengthening resilience of the downstream fuel supply chain in the event of a significant disruption to fuel supply.
- (c) Section 148(1) of the Act gives the Secretary of State the power to charge fees for services provided in the exercise of energy resilience.
- (d) Section 148(3)(b) provides that the level of the relevant fees may be set either by regulations or, if no such regulations are made, by a direction given by the Secretary of State. The Secretary of State may provide that the fees are of different amounts in different circumstances (section 148(4) of the Act).
- (e) In accordance with section 148(6) of the Act, a statement of fees set is laid before Parliament.

The Secretary of State gives this direction to the hauliers in exercise of his powers under section 148(3)(b) of the Act:-

1. The current cost for use of a military driver shall increase from £25.00 per hour, per military driver to £28.51 per hour, per military driver. This cost increase takes into account inflationary price increases from 2013 and was calculated using the Consumer Price Inflation (CPI) Index.
2. The price increase will take effect on 28th October 2021, and will not be applied retrospectively.

Kwasi Kwarteng

*Rt. Hon. Kwasi Kwarteng
Secretary of State for Business, Energy and Industrial Strategy*

[25th October 2021]