

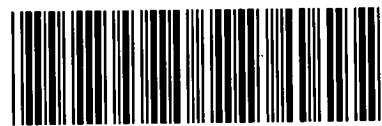
COMPANY REGISTRATION NUMBER: 06681477

Aquind Limited

Financial Statements

**For the year ended
30 June 2022**

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Aquind Limited

Directors' Report

Year ended 30 June 2022

The directors present their report and the financial statements of the company for the year ended 30 June 2022.

Principal activities

The principal activity of the company during the year was the development of AQUIND Interconnector - a 2000MW high voltage direct current power transmission link between Great Britain and France.

During the year, the company continued to move forward with investing in the project development phase in line with its plans and objectives for the year. Progress was achieved in moving forward on various planning and consenting activities in both the UK and France. Procurement activities also continued. The company continues to engage with regulatory authorities in the UK, France and the EU in relation to the desired regulatory regime sought for the project.

With regard to the company's UK planning application, between 8 September 2020 to 8 March 2021, the company's application for a Development Consent Order ("DCO") was subject to review by the Examining Authority ("ExA") of the Planning Inspectorate. The ExA subsequently submitted a report and recommendation to the Secretary of State for Business Energy & Industrial Strategy ("SOS BEIS"). The ExA recommended that the DCO be granted. On 20 January 2022, the SoS BEIS issued a decision letter which refused the company's DCO application. After careful consideration of the reasons for refusal as set out in the decision letter, the directors made the decision to apply for the Judicial Review of the SoS' decision to the Administrative Court. The application was submitted on 2 March 2022. On 17 June 2022, the application for Judicial Review was accepted by the Administrative Court. Following judicial hearings held on the 22 and 23 November 2022, on 24 January 2023, the Administrative Court issued their judgement which found in favour of Aquind and that the SoS BEIS's decision of 20 January 2022 to refuse development consent for the UK and marine elements of the Aquind Interconnector was quashed. The Judgment was followed up and confirmed by a Court Order on 1 February 2023. Accordingly, the Development Consent application must now be redetermined by the SoS for Energy Security and Net Zero. There will also be a process for recovery of legal costs incurred by Aquind, consistent with other successful appeals of this nature, with the value arising uncertain and not yet determined.

Regarding UK regulatory approval, in December 2022 Aquind submitted to Ofgem a request for Cap and Floor as part of Ofgem's Third Cap and Floor window for electricity interconnectors. On 24 February 2023, Ofgem notified Aquind that the company's request had met the eligibility criteria for moving onto further assessment for the purposes of an Initial Project Assessment ("IPA"). The IPA framework required submitting a strategy to raise financing for the construction stage of the project. The company retained a financial advisor who from September to December 2022 organised and led investor engagement activities, securing expressions of interest from a broad mix of financial institutions, with total indicative amounts exceeding the company's target requirements for equity and debt financing.

In parallel with the re-determination of the DCO, the company continues engagement with relevant authorities in France and is currently updating environmental authorisation files and regulatory applications, which are expected to be submitted once this process is complete.

In December 2020, the UK and the EU secured the Trade and Cooperation Agreement ("the Agreement" or "TCA"), which established the future economic and trading relationship between the UK and the EU.

The Agreement includes a section on Energy where the stated objectives are to facilitate trade and investment between the UK and EU in the areas of energy and to support security of supply and environmental sustainability, specifically in contributing to the fight against climate change. In this respect, the Agreement includes provisions which in overall terms, aim to both support existing interconnectors and to facilitate investment in new interconnector capacity between the two parties. The Agreement provides for a clear pathway in terms of setting a future direction for Energy cooperation between the UK and EU. The Directors intend to utilise the TCA as the pathway in seeking the appropriate EU regulatory approval for the project in conjunction with the Cap and Floor regime in GB.

On 9 March 2023, the European Court of Justice ("ECJ") issued a judgement dismissing an appeal made by the EU Agency for Co-Operation of Energy Regulators ("ACER") to the General Court of the EU dating back to 18 November 2020. The ruling by the ECJ and the related case for ACER's appeal to the General Court centred on the company's original request for an application covering exemption status for Aquind interconnector dating back to May 2017. As well as dismissing the appeal, the ECJ also ordered ACER to bear its own costs relating to the main appeal and to those incurred by Aquind. As at the date of approval of these accounts the quantum and timing for receipt of such costs remain uncertain and not quantified.

In December 2020, the UK Government published its Energy White Paper "Powering Our Net Zero Future". This followed on from the UK Government having legislated to achieve net-zero emissions by 2050. Similar measures are also being adopted by the EU and individual European countries to achieve ambitious carbon reduction targets. Such targets and associated implementation measures were agreed upon by various national governments at the November 2021 COP26 event held in Glasgow, UK.

The Government also published on 30 March 2030 the policy paper "Powering up Britain", where it re-affirms its commitment to Net Zero, as well as achieving the target of 18GW of interconnection capacity by 2030 ("Powering up Britain: Energy Security Plan").

Aquind Limited

Directors' Report (continued)

Year ended 30 June 2022

Principal activities (continued)

Accordingly, electricity interconnectors will have an increasingly important role to play in achieving Net Zero targets. In particular, interconnectors can help in decarbonisation by exporting excess power generated by intermittent renewable sources across interconnected countries, which helps avoid curtailing such power plants. Interconnectors may also import power from other markets if domestic supply is not sufficient thus ensuring greater security of supply. Modern HVDC technologies allow interconnectors to switch the direction of power flow almost instantaneously. Effective use of and increased interconnector capacity can also contribute to lower consumer costs and to realise significant socio-economic benefits. These combined attributes of electricity interconnectors make for an attractive ESG asset class to attract the required infrastructure investment.

Development costs capitalised and long-term viability considerations

The directors have considered the current economic uncertainties regarding the project and in particular, the original refusal by the SoS BEIS to grant the DCO for the UK based elements of the project. As disclosed above concerning the Judicial Review, the Administrative Court found in favour of Aquind thus removing uncertainty at this stage. The Development Consent application must now be re-determined by the SoS for Energy Security and Net Zero.

Additionally, in February 2023, the company received a positive decision from Ofgem as part of the initial application under Ofgem's Third Cap and Floor Window. Further assessment of the project will now be undertaken by Ofgem.

While uncertainty remains, the positive outcomes from both the recent Judicial Review combined with Ofgem's approval of the company's initial application under the Third Cap and Floor Window, point to encouraging developments for the project since reporting as at the last financial year 30 June 2021. Overall, the economic rationale and commercial prospects remain strong and on this basis the company continues to capitalise development costs at cost. The company continues to also receive the financial support required of its shareholders for the project development phase reflecting these prospects. As noted in the going concern section below the company has the support of its shareholders to provide funding for the next 12 months which supports the going concern assumption applied.

Going concern

The company currently has no external revenues and is fully reliant on funding from Project Finance Group S.A. (registered in Luxembourg) a related company to Aquind Limited and to its parent company Aquind Energy S.a.r.l. The company has produced a budget and funding plan for the further 12 months following the date of approval of the accounts by the directors. A loan facility is in place between the company and Project Finance Group S.A. which provides the required funding to support the company's operations for the next 12 months and which includes ongoing DCO work. Lastly, Project Finance Group S.A. has provided a letter of comfort to the company confirming its commitment to fully fund project development obligations and other company related costs for the next 12 months and the directors are confident that such funding will continue over that period. The directors are also actively exploring other sources of finance covering both equity and debt to fund current and future project phases.

Taking into account the above and the ongoing financial support demonstrated by Project Finance Group S.A., the directors adopt the going concern basis in preparing the financial statements.

Directors

The directors who served the company during the year were as follows:

Mr R D Glasspool
Mr K Glukhovskoy
Mr A Temerko

Director's indemnities

The company has granted an indemnity to its directors against liability in respect of proceedings brought by third parties, subject to the conditions set out in the Companies Act 2006. Such qualifying third-party indemnity provision remains in force as at the date of approving the directors' report.

Charitable and Political donations

Charitable donations and spend of £4,199 (2021: £30,511) were made during the year, including £Nil (2021: £20,000) to an economic focussed charity and free-market think tank.

During the year, political donations of £35,000 (2021: £95,000) were made to the Conservative Party.

In addition, £12,000 (2021: £Nil) was paid to the Conservative Party for attendance at various events and conferences during the year. A proportion of the cost of these events are treated as donations by the recipient although it has not been possible to split the amounts out.

Aquind Limited

Directors' Report (continued)

Year ended 30 June 2022

Auditor

Deloitte LLP have expressed their willingness to continue in office as auditor and appropriate arrangements have been put in place for them to be deemed reappointed as auditors in the absence of an Annual General Meeting.

Each of the persons who is a director at the date of approval of this report confirms that:

- so far as they are aware, there is no relevant audit information of which the company's auditor is unaware; and
- they have taken all steps that they ought to have taken as a director to make themselves aware of any relevant audit information and to establish that the company's auditor is aware of that information.

Small company provisions

This report has been prepared in accordance with the provisions applicable to companies entitled to the small companies exemption.

This report was approved by the board of directors on 20 March 2023 and signed on behalf of the board by:



Mr R D Glasspool
Director

Registered office:
5 Stratford Place
London
W1C 1AX

Aquind Limited

Directors' Responsibilities Statement

Year ended 30 June 2022

The directors are responsible for preparing the directors' report and the financial statements in accordance with applicable laws 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 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland". 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 judgments and accounting estimates that are reasonable and prudent; 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.

Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Aquind Limited

Independent auditor's report to the members of Aquind Limited

Year ended 30 June 2022

Report on the audit of the financial statements

Opinion

In our opinion the financial statements of Aquind Limited (the 'company'):

- give a true and fair view of the state of the company's affairs as at 30th June 2022 and of its loss for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice, including Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland"; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

We have audited the financial statements which comprise:

- the statement of comprehensive income;
- the statement of financial position;
- the statement of changes in equity; and
- the related notes 1 to 15.

The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 "The Financial Reporting Standard applicable in the UK and Republic of Ireland" (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.

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.

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.

Aquind Limited

Independent auditor's report to the members of Aquind Limited (continued)

Year ended 30 June 2022

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 and tax legislation; 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 regarding the opportunities and incentives that may exist within the organisation for fraud and how and where fraud might occur in the financial statements.

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 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 directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report has 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 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; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemptions in preparing the directors' report and from the requirement to prepare a strategic report.

We have nothing to report in respect of these matters.

Aquind Limited

Independent auditor's report to the members of Aquind Limited (continued)

Year ended 30 June 2022

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.

A handwritten signature in black ink, reading "Anthony Matthews", with a horizontal line drawn underneath it.

Anthony Matthews FCA (Senior Statutory Auditor)
For and on behalf of Deloitte LLP
Statutory Auditor
London, UK

12 April 2023

Aquind Limited**Statement of Comprehensive Income****Year ended 30 June 2022**

	Note	2022 £	2021 £
Administrative expenses		(1,620,791)	(1,765,498)
Operating loss		(1,620,791)	(1,765,498)
Interest payable and similar expenses	6	(3,355,129)	(1,996,532)
Loss before taxation	7	(4,975,920)	(3,762,030)
Tax on loss		-	-
Loss for the financial year and total comprehensive income		(4,975,920)	(3,762,030)

All the activities of the company are from continuing operations. There was no other comprehensive income in this year or the prior year so no statement of other comprehensive income has been presented.

The notes on pages 11 to 15 form part of these financial statements.

Aquind Limited**Statement of Financial Position****30 June 2022**

	Note	2022 £	2021 £
Fixed assets			
Investments	8	894	894
Intangible assets	9	50,098,127	46,420,030
Tangible assets	10	1,737	4,049
		<u>50,100,758</u>	<u>46,424,973</u>
Current assets			
Debtors	11	1,073,190	1,139,811
Cash at bank and in hand		54,642	71,946
		<u>1,127,832</u>	<u>1,211,757</u>
Creditors: amounts falling due within one year	12	(2,505,395)	(4,022,224)
Net current liabilities		<u>(1,377,563)</u>	<u>(2,810,467)</u>
Total assets less current liabilities		<u>48,723,195</u>	<u>43,614,506</u>
Creditors: amounts falling due after more than one year	12	(47,976,900)	(37,892,291)
Net assets		<u>746,295</u>	<u>5,722,215</u>
Capital and reserves			
Called up share capital		17,330,001	17,330,001
Profit and loss account		(16,583,706)	(11,607,786)
Shareholders funds		<u>746,295</u>	<u>5,722,215</u>

These financial statements have been prepared in accordance with the provisions applicable to companies subject to the small companies' regime and in accordance with FRS 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland'.

These financial statements were approved by the board of directors and authorised for issue on 20 March 2023, and are signed on behalf of the board by:



Mr R D Glasspool
Director

Company registration number: 06681477

The notes on pages 11 to 15 form part of these financial statements.

Aquind Limited**Statement of Changes in Equity****Year ended 30 June 2022**

	Called up share capital £	Profit and loss account £	Total £
At 1 July 2020	330,001	(7,845,756)	(7,515,755)
Preference shares issued	17,000,000	–	17,000,000
Loss for the year	–	(3,762,030)	(3,762,030)
Total comprehensive income for the year	–	(3,762,030)	(3,762,030)
At 30 June 2021	17,330,001	(11,607,786)	5,722,215
Loss for the year	–	(4,975,920)	(4,975,920)
Total comprehensive income for the year	–	(4,975,920)	(4,975,920)
At 30 June 2022	<u>17,330,001</u>	<u>(16,583,706)</u>	<u>746,295</u>

The notes on pages 11 to 15 form part of these financial statements.

1. General information

The company is a private company limited by shares, incorporated in the United Kingdom under the Companies Act 2006 and is registered in England and Wales. The address of the registered office is 5 Stratford Place, London, England, W1C 1AX.

2. Statement of compliance

These financial statements have been prepared in compliance with Section 1A of FRS 102, 'The Financial Reporting Standard applicable in the UK and the Republic of Ireland'.

3. Accounting policies

Basis of preparation

The financial statements have been prepared on the historical cost basis and in sterling, which is the functional currency of the entity.

Development costs capitalised and long-term viability considerations

Development costs capitalised are considered the critical accounting judgement to the financial statements and key source of estimation uncertainty.

The directors have considered the current economic uncertainties regarding the project and in particular, the original refusal by the SoS BEIS to grant the DCO for the UK based elements of the project. As disclosed above concerning the Judicial Review, the Administrative Court found in favour of Aquind thus removing uncertainty at this stage. The Development Consent application must now be re-determined by the SoS for Energy Security and Net Zero.

Additionally, in February 2023, the company received a positive decision from Ofgem as part of the initial application under Ofgem's Third Cap and Floor Window. Further assessment of the project will now be undertaken by Ofgem.

While uncertainty remains, the positive outcomes from both the recent Judicial Review combined with Ofgem's approval of the company's initial application under the Third Cap and Floor Window, point to encouraging developments for the project since reporting as at the last financial year 30 June 2021. Overall, the economic rationale and commercial prospects remain strong and on this basis the company continues to capitalise development costs at cost. The company continues to also receive the financial support required of its shareholders for the project development phase reflecting these prospects. As noted in the going concern section below the company has the support of its shareholders to provide funding for the next 12 months which supports the going concern assumption applied.

Going concern

The company currently has no external revenues and is fully reliant on funding from Project Finance Group S.A. (registered in Luxembourg) a related company to Aquind Limited and to its parent company Aquind Energy S.a.r.l. The company has produced a budget and funding plan for the further 12 months following the date of approval of the accounts by the directors. A loan facility is in place between the company and Project Finance Group S.A. which provides the required funding to support the company's operations for the next 12 months and which includes ongoing DCO work. Lastly, Project Finance Group S.A. has provided a letter of comfort to the company confirming its commitment to fully fund project development obligations and other company related costs for the next 12 months and the directors are confident that such funding will continue over that period. The directors are also actively exploring other sources of finance covering both equity and debt to fund current and future project phases as discussed in greater detail in the Director's report.

Taking into account the above and the ongoing financial support demonstrated by Project Finance Group S.A., the directors adopt the going concern basis in preparing the financial statements.

Investments

Fixed assets investments are shown at cost less provision for impairment in value.

Development costs

Expenditure to establish the Project is recognised in the Profit & Loss Account on an accruals basis. Expenditure on the development of the Project is capitalised when its future recoverability can be reasonably assured and both its technical feasibility and commercial viability can be demonstrated. Costs capitalised include direct costs incurred in bringing the Project to the consented stage, including costs associated with obtaining all material permits, authorisations and financing. At the point where the future economic benefit from its use or disposal does not exceed the carrying value of the Project it is impaired. At the point that the Project reaches the consent stage and is approved for construction by the Board the carrying value will be transferred to property, plant and equipment as assets under construction.

Foreign currencies

Foreign currency transactions are initially recorded in the functional currency, by applying the spot exchange rate as at the date of the transaction. Monetary assets and liabilities denominated in foreign currencies are translated at the exchange rate ruling at the reporting date, with any gains or losses being taken to the profit and loss account.

Aquind Limited**Notes to the Financial Statements (continued)****Year ended 30 June 2022****3. Accounting policies (continued)****Intangible assets**

Intangible assets are initially recorded at cost, and are subsequently stated at cost less any accumulated amortisation and impairment losses. Amortisation will be charged once the related asset is available for use.

Tangible assets

Tangible assets are initially recorded at cost, and subsequently stated at cost less any accumulated depreciation and impairment losses. Any tangible assets carried at revalued amounts are recorded at the fair value at the date of revaluation less any subsequent accumulated depreciation and subsequent accumulated impairment losses. Depreciation is provided on all tangible assets at rates calculated to write off the cost, less estimated residual value of each asset on a straight-line basis over its expected useful life, as follows:

Office and IT equipment - 3 years

Finance costs

Finance costs of financial liabilities are recognised in the profit and loss account over the term of such instruments at a contract rate on the carrying amount.

Financial instruments

Financial instruments are classified and accounted for, according to the substance of the contractual arrangement, as financial assets, financial liabilities or equity instruments. Any equity instrument is any contract that evidences a residual interest in the assets of the company after deducting all of its liabilities.

4. Auditor's remuneration

	2022 £	2021 £
Fees payable for the audit of the financial statements	<u>27,500</u>	<u>27,500</u>
Additional fees payable in respect of prior years were £7,500 (2021: £7,500).		
Fees payable associated with tax advice were £Nil (2021: £1,500).		

5. Employee numbers

The average number of persons employed by the company, which includes directors, during the year amounted to 7 (2021: 7).

6. Interest and other similar expenses

	2022 £	2021 £
Interest payable on loans from related parties	2,692,943	1,996,532
Other interest payable	1,755	-
Foreign exchange variances on loans from related parties	660,431	-
	<u>3,355,129</u>	<u>1,996,532</u>

7. Loss before taxation

Loss before taxation is stated after charging:

	2022 £	2021 £
Depreciation of tangible assets	<u>2,793</u>	<u>4,989</u>

No tax reconciliation is currently disclosed as no deferred tax asset is recognised pending further evolution of the project and associated tax analyses being performed.

8. Investments

	Subsidiary undertakings £	Total £
Cost		
At 1 July 2021	894	894
At 30 June 2022	<u>894</u>	<u>894</u>

Aquind Limited

Notes to the Financial Statements (continued)

Year ended 30 June 2022

8. Investments (continued)

Aquind SAS (72 rue de Lessard, 76100 Rouen, France) is a 100% subsidiary of the company and was registered on 31 May 2019 for the purposes of developing Aquind Interconnector in France. The share capital of Aquind SAS amounting to €1,000 is made up of 100 ordinary shares of €10 par value each. It is currently operating under the control of the company. The investment in the subsidiary company is carried at cost of £894 (2021: £894). Reflecting the size of the Aquind Limited Group including Aquind SAS the company has taken the exemption available from preparing consolidated accounts.

9. Intangible assets

	Development costs £	Intellectual property rights £	Total £
Cost			
At 1 July 2021	46,410,030	10,000	46,420,030
Additions	3,678,097	-	3,678,097
At 30 June 2022	<u>50,088,127</u>	<u>10,000</u>	<u>50,098,127</u>
Amortisation			
At 1 July 2021 and 30 June 2022	-	-	-
Carrying amount			
At 30 June 2022	<u>50,088,127</u>	<u>10,000</u>	<u>50,098,127</u>
At 30 June 2021	<u>46,410,030</u>	<u>10,000</u>	<u>46,420,030</u>

10. Tangible assets

	Office and IT equipment £	Total £
Cost		
At 1 July 2021	17,695	17,695
Additions	481	481
At 30 June 2022	<u>18,176</u>	<u>18,176</u>
Depreciation		
At 1 July 2021	13,646	13,646
Charge for the year	2,793	2,793
At 30 June 2022	<u>16,439</u>	<u>16,439</u>
Carrying amount		
At 30 June 2022	<u>1,737</u>	<u>1,737</u>
At 30 June 2021	<u>4,049</u>	<u>4,049</u>

11. Debtors

	2022 £	2021 £
Prepayments and accrued income	62,195	83,500
Amounts owed by group undertakings	235,715	103,909
VAT	291,728	591,989
Other debtors	483,552	360,413
	<u>1,073,190</u>	<u>1,139,811</u>

Aquind Limited**Notes to the Financial Statements (continued)****Year ended 30 June 2022****12. Creditors**

	2022 £	2021 £
Amounts falling due within one year:		
Trade creditors	2,283,964	2,937,269
Accruals and deferred income	178,959	951,555
Social security and other taxes	34,492	75,241
Other creditors	7,980	58,159
	<u>2,505,395</u>	<u>4,022,224</u>
	2022 £	2021 £
Amounts falling due more than one year:		
Amounts owed to group undertakings	<u>47,976,900</u>	<u>37,892,291</u>

Amounts owed to group undertakings represent loans made by related parties (including accrued interest) which had been advanced at an interest rate of 5.03-7.35%. At the end of the prior reporting period such loans were extended to 8 September 2026.

13. Related party transactions

During the year, the company received loans from Project Finance Group S.A., a company under common ownership of the shareholders of the parent company, £11,889,705 and \$525,000 (2021: £8,214,295 and \$5,075,000). The outstanding amount at the reporting date was £35,239,045 and \$5,600,000 (2021: £23,349,340 and \$5,075,000). Interest was charged on the loans from Project Finance Group S.A. at the rates of 7.20-7.35% and amounted to £2,293,162 and \$403,671 (2021: £196,383 and \$79,587). Interest of £6,649,865 and \$483,258 (2021: £4,356,703 and \$79,587) was outstanding at 30 June 2022. The loans are repayable on 8 September 2026.

During the year, the company received loans from one of the shareholders of the parent company £1,071,919 (2021: £Nil). Interest was charged on the loans at the rate of 7.2% and amounted to £8,450 (2021: £Nil). On 28 June 2022 the outstanding amount of the loans and accrued interest were assigned to Project Finance Group S.A. The loan is repayable on 8 September 2026.

During the year, the company repaid loans to Energy Link Holding SA, a company under common ownership of one of the shareholders of the parent company, £5,885,341 and \$500,000 (2021: £2,000,000). In the previous year, the company received loans from Energy Link Holding SA £4,200,000 and \$500,000. The outstanding amount at the reporting date was £Nil (2021: £5,885,341 and \$500,000). Interest was charged on the loans from Energy Link Holding SA at 4.5% above the Barclays bank base rate (GBP loans) and 4.5% above the Federal funds target rate (USD loans) and amounted to £55,629 and \$4,880 (2021: £288,112 and \$21,913). During the year, the company repaid interest to Energy Link Holding SA £343,741 and \$26,793 (2021: £Nil). Interest of £Nil was outstanding at 30 June 2022 (2021: £288,112 and \$21,913).

During the year, the company granted interest free loans to a 100% subsidiary Aquind SAS (France). These loans are repayable on demand. The outstanding amount at the reporting date was £235,715 (2021: £103,909).

During the year, the company received services for the development of Aquind Interconnector in France from Aquind SAS in the amount of £52,701 (2021: £Nil). The services were provided under the normal market conditions. During the year the costs of these services were included in capitalised development costs. The outstanding amount at the reporting date was £35,592 (2021: £Nil) and it was shown in trade creditors.

During the year, the company received marketing services from a relative of the company director in the amount of £45,000 (2021: £25,500). The services were provided under the normal market conditions. During the year the costs of these services were included in administrative expenses. The outstanding amount at the reporting date was £Nil (2021: £Nil).

14. Subsequent events

As stated in the Directors report, the company received a positive outcome from the Judicial Review regarding the appeal made against the original decision by the SoS BEIS to refuse the DCO. In addition to the favourable outcome, the Court Judgement also orders that the Government to pay the company's costs associated with the Judicial Review. As at the date of approval of these accounts the quantum and timing for receipt of such costs remain uncertain and not quantified.

Aquind Limited

Notes to the Financial Statements (continued)

Year ended 30 June 2022

14. Subsequent events (continued)

On 9 March 2023, the European Court of Justice ("ECJ") issued a judgement dismissing an appeal made by the EU Agency for Co-Operation of Energy Regulators ("ACER") to the General Court of the EU dating back to 18 November 2020. The ruling by the ECJ and the related case for ACER's appeal to the General Court centred on the company's original request for an application covering exemption status for the Aquind interconnector dating back to May 2017. As well as dismissing the appeal, the ECJ also ordered ACER to bear its own costs relating to the main appeal and to those incurred by Aquind. As at the date of approval of these accounts the quantum and timing for receipt of such costs remain uncertain and not quantified.

15. Controlling party

The parent of the company is Aquind Energy S.a.r.l., whose registered office is at 26, boulevard de Kockelscheuer, L-1821, Luxembourg and who is considered the controlling party. The Directors have the power to govern the day-to-day financial and operating policies of the company.

At the time of reporting Mr Victor Fedotov has notified Companies House that he is a person with significant control as a person who holds, directly or indirectly, more than 25% but not more than 50% of the voting rights in the company and, directly or indirectly, 75% or more of the shares in the company.

At the time of reporting Mr Alexander Temerko has notified Companies House that he is a person with significant control as a person who holds, directly or indirectly, more than 25% but not more than 50% of the voting rights in the company.