

Outer Dowsing Offshore Wind

Compulsory Acquisition Information

Statement of Reasons

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Acronyms & Definitions

Abbreviations / Acronyms

Abbreviation / Acronym	Description
ALC	Agricultural Land Classification
CCA 2008	Climate Change Act 2008
CNP	Critical National Priority
DCO	Development Consent Order
DML	Deemed Marine Licence
DESNZ	Department for Energy Security and Net Zero
DLUHC	Department for Levelling Up, Housing and Communities
ECC	Export Cable Corridor
ECHR	European Convention on Human Rights
EU	European Union
EIEOMP	East Inshore and East Offshore Marine Plans
ES	Environmental Statement
GHG	Greenhouse Gas
GULF	Gulf Energy Development
HDD	Horizontal Directional Drilling
HRA 1998	Human Rights Act 1998
HVAC	High Voltage Alternating Current
MCAA 2009	Marine and Coastal Access Act 2009
MHWS	Mean high water springs
MLWS	Mean low water springs
NGESO	National Grid Electricity System Operator
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
ODOW	Outer Dowsing Offshore Wind, trading name of GT R4 Limited
OnSS	Onshore Substation
ORCP	Offshore Reactive Compensation Platform
OSS	Offshore Substation
PA 2008	Planning Act 2008
PINS	The Planning Inspectorate
PRoW	Public Right of Way
SoS	Secretary of State
TCE	The Crown Estate
TJB	Transition joint bay
WTG	Wind Turbine Generators

Terminology

Term	Definition
400kV cables	High-voltage cables linking the OnSS to the NGSS.
400kV cable corridor	The 400kV cable corridor is the area within which the 400kV cables connecting the onshore substation to the NGSS will be situated.
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation (and its affiliates), Total Energies and Gulf Energy Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation, TotalEnergies and GULF.
Array area	The area offshore within which the generating station (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling will be positioned.
Cable circuits	A number of electrical conductors necessary to transmit electricity between two points bundled as one cable or taking the form of separate cables, and may include one or more auxiliary cables (normally fibre optic cables).
Cable ducts	A duct is a length of underground piping which is used to house the cable circuits.
Connection Area	An indicative search area for the NGSS.
Deemed Marine Licence (DML)	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Environmental Statement (ES)	The suite of documents that detail the processes and results of the EIA.
Export cables	High voltage cables which transmit power from the Offshore Substations (OSS) to the Onshore Substation (OnSS) via an Offshore Reactive Compensation Platform (ORCP) if required, which may include one or more auxiliary cables (normally fibre optic cables).
Haul Road	The track within the onshore ECC which the construction traffic would use to facilitate construction.
High Voltage Alternating Current (HVAC)	High voltage alternating current is the bulk transmission of electricity by alternating current (AC), whereby the flow of electric charge periodically reverses direction.
Indicative Working Width	The indicative working width within the Onshore Export Cable Corridor (ECC), required for the construction of the onshore cable route.
Inter-array cables	Cable which connects the wind turbines to each other and to the offshore substation(s) (OSS), which may include one or more auxiliary cables (normally fibre optic cables).
Interlink cables	Cable which connects the Offshore Substations (OSS) to one another, which may include one or more auxiliary cables (normally fibre optic cables).
Intertidal	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS)
Joint bays	An excavation formed with a buried concrete slab at sufficient depth to

Term	Definition
	enable the jointing of high voltage power cables.
Landfall	The location at the land-sea interface where the offshore export cables and fibre optic cables will come ashore.
Link boxes	Underground metal chamber placed within a plastic and/or concrete pit where the metal sheaths between adjacent export cable sections are connected and earthed.
National Grid Onshore Substation (NGSS)	The National Grid substation and associated enabling works to be developed by the National Grid Electricity Transmission (NGET) into which the Project's 400kV Cables would connect.
National Policy Statement (NPS)	A document setting out national policy against which proposals for Nationally Significant Infrastructure Projects (NSIPs) will be assessed and decided upon
Offshore Export Cable Corridor (ECC)	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cables running from the array to landfall will be situated.
Offshore Reactive Compensation Platform (ORCP)	A structure attached to the seabed by means of a foundation, with one or more decks and a helicopter platform (including bird deterrents) housing electrical reactors and switchgear for the purpose of the efficient transfer of power in the course of HVAC transmission by providing reactive compensation
Offshore Substation (OSS)	A structure attached to the seabed by means of a foundation, with one or more decks and a helicopter platform (including bird deterrents), containing— (a) electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation; and (b) housing accommodation, storage, workshop auxiliary equipment, radar and facilities for operating, maintaining and controlling the substation or wind turbine generators
Onshore Export Cable Corridor (ECC)	The Onshore Export Cable Corridor (Onshore ECC) is the area within which the export cables running from the landfall to the onshore substation (OnSS) will be situated.
Onshore Infrastructure	The combined name for all onshore infrastructure associated with the Project from landfall to grid connection.
Onshore substation (OnSS)	The Project's onshore HVAC substation, containing electrical equipment, control buildings, lightning protection masts, communications masts, access, fencing and other associated equipment, structures or buildings; to enable connection to the National Grid
Outer Dowsing Offshore Wind (ODOW)	The Project.
Order Limits	The area subject to the application for development consent, The limits shown on the works plans within which the Project may be carried out.
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs).
Pre-construction and post-construction	The phases of the Project before and after construction takes place.
The Project	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.
Statutory consultee	Organisations that are required to be consulted by the Applicant, the Local

Term	Definition
	<p>Planning Authorities and/or The Planning Inspectorate during the pre-application and/or examination phases, and who also have a statutory responsibility in some form that may be relevant to the Project and the DCO application. This includes those bodies and interests prescribed under Section 42 of the Planning Act 2008.</p>
Transition Joint Bay (TJBs)	<p>The offshore and onshore cable circuits are jointed on the landward side of the sea defences/beach in a Transition Joint Bay (TJB). The TJB is an underground chamber constructed of reinforced concrete which provides a secure and stable environment for the cable.</p>
Trenchless technique	<p>Trenchless technology is an underground construction method of installing, repairing and renewing underground pipes, ducts and cables using techniques which minimize or eliminate the need for excavation. Trenchless technologies involve methods of new pipe installation with minimum surface and environmental disruptions. These techniques may include Horizontal Directional Drilling (HDD), thrust boring, auger boring, and pipe ramming, which allow ducts to be installed under an obstruction without breaking open the ground and digging a trench.</p>
Wind turbine generator (WTG)	<p>A structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation</p>

Reference Documentation

Document Number	Title
2.1	Works Plan Onshore
2.5	Land Plans
2.6	Crown Land Plans Onshore
2.7	Crown Land Plans Offshore
2.10	Public Rights of Way Plan
2.11	Special Category Land Onshore
3.1	Draft DCO
3.2	Explanatory Memorandum
3.3	Other Consents and Licences
4.1	Book of Reference
4.2	Compulsory Acquisition Funding Statement
6.1.3	ES Chapter 2: Need, Policy and Legislative Context
6.1.3	ES Chapter 3: Project Description
6.1.4	ES Chapter 4: Site Selection and Assessment of Alternatives
6.1.25	ES Chapter 25: Land Use
8.17	Outline Public Access Management Plan
9.1	Planning Statement

1 Summary

1. This Statement of Reasons (the Statement) relates to the powers of compulsory acquisition sought in the development consent order (DCO) application (the Application) made by GTR4 Limited, trading as Outer Dowsing Offshore Wind (ODOW) (the Applicant) to the Secretary of State (SoS) under the Planning Act 2008 (PA 2008) in respect of Outer Dowsing Offshore Wind (the Project).
2. This Statement has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations), the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 and the Communities and Local Government Guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition' (Compulsory Acquisition Guidance), all as amended.
3. The Project is an offshore generating station with a planned capacity of over 100MW and is therefore a Nationally Significant Infrastructure Project (NSIP) pursuant to Sections 14(1)(a) and 15(3) of PA 2008. It has therefore been necessary for the Applicant to apply to the SoS for a development consent order ("the Order") under Section 37 of the PA 2008 to construct, operate, maintain and decommission the Project.
4. The Project comprises both offshore and onshore infrastructure including an offshore generating station comprising up to 100 wind turbine generators located approximately 54km from the Lincolnshire coastline, offshore substations (OSS), offshore cables, onshore cables, an onshore substation (OnSS), a connection to the electricity transmission network, and ancillary and associated development.
5. The offshore export cables will make landfall at Wolla Bank, on the Lincolnshire coastline, south of Anderby Creek. The Onshore ECC will run south (west of the A52) underground, to the Project's OnSS location at Surfleet Marsh. 400kV cables will then run underground between the OnSS and the National Grid substation (NGSS) that will be built, owned, and operated by National Grid Electricity Transmission (NGET).
6. In order to develop the Project, a series of land rights and interests in land will be required, on a permanent and temporary basis. In the event it has not been possible to acquire the land rights and interests by agreement, it will be necessary to compulsorily acquire these for the purposes of developing the Project and as such, the Draft DCO (document reference 3.1) includes powers to compulsorily acquire land rights and interests.
7. Section 122 of the PA 2008 allows DCOs to be granted with rights to compulsorily acquire land rights and interests included within them. This is the case only where the SoS is satisfied that the land in respect of which rights and interests are required, and for which the powers are obtained reflect the following purposes:
 - the land is required for the development; or
 - the land is required to facilitate or is incidental to the development; or

- the land is replacement land for commons, open spaces, etc.; and
 - there is a compelling case in the public interest.
8. The purpose of this Statement is therefore to set out compliance with the requirements of Section 122 of the PA 2008.
9. The structure of this Statement is as follows:
- A brief description of the Applicant and the Project (Section 2);
 - The need for and the benefit of the Project with reference to the policy context (Section 3);
 - A description of the Order land that will be subject to compulsory acquisition powers (Section 4);
 - Details of the Applicant’s purpose for seeking powers of compulsory acquisition (Section 5);
 - Justification for the use of powers of compulsory acquisition, including Human Rights considerations (Section 6);
 - Details of any special considerations affecting the land to be acquired compulsorily (Section 7);
 - Any other consents required for the implementation of the Project (Section 8); and
 - Any other information of interest to someone affected by the Order (Section 9).
 - Conclusions on the need for compulsory acquisition powers to be included in the Draft DCO (Section 10).
10. This Statement explains why the powers of compulsory acquisition sought in the draft Order are necessary to implement the Project and demonstrates that there is a compelling case in the public interest for the grant of compulsory acquisition powers.
11. This Statement should be read in conjunction with the Application documents, in particular the draft DCO (document reference 3.1), Explanatory Memorandum (document reference 3.2), Compulsory Acquisition Funding Statement (document reference 4.2), Book of Reference (document reference 4.1) and the Land Plans (document reference 2.5).

2 The Applicant and the Project

2.1 The Applicant

12. The Applicant is GT R4 Limited, a company registered in England with Registration Number 13281221, which is a special purpose vehicle set up for the purposes of developing the Project, trading as Outer Dowsing Offshore Wind (ODOW). The Project is being developed jointly by Corio Generation (and Affiliates), TotalEnergies and Gulf Energy Development (GULF).
13. Details of the ownership structure from the Applicant up to the ultimate owners, as well as details of the ultimate owners, are set out in the Compulsory Acquisition Funding Statement (document reference 4.2). Information on Corio Generation, TotalEnergies and GULF is set out in Paragraphs 14 to 16 below.
14. Corio Generation is a specialist offshore wind business, dedicated to harnessing the world's greatest energy supply. With a unique blend of sector-leading expertise and deep access to long-term capital, Corio applies a long-term partnership approach to the creation and management of projects, taking them from origination, through development and construction, and into operations. Corio's 15GW pipeline is one of the largest in the world, spanning established and emerging markets, as well as floating and traditional fixed-bottom technologies. These next generation offshore wind projects will help form the backbone of the net-zero global energy system while meeting the energy needs of communities and corporate off takers sustainably, reliably, safely and responsibly. Corio Generation is a Green Investment Group (GIG) portfolio company, operating on a standalone basis. GIG is a specialist green investor within Macquarie Asset Management, part of Macquarie Group.
15. TotalEnergies, a global multi-energy company, has expertise in offshore operations and maintenance thanks to its historical activities. TotalEnergies is already developing and building offshore wind projects with a cumulative capacity of approximately six gigawatts (GW), including three floating offshore wind projects in Europe and Asia. As part of its ambition to get to net zero by 2050, TotalEnergies is building a portfolio of activities in renewables and electricity that should account for up to 40% of its sales by 2050. At the end of 2020, TotalEnergies' gross power generation capacity worldwide was around 12GW, including 7GW of renewable energy. TotalEnergies will continue to expand this business to reach 35GW of gross production capacity from renewable sources by 2025, and then 100GW by 2030 with the objective of being among the world's top 5 in renewable energies.

16. Gulf Energy Development (GULF) is a holding company headquartered in Thailand that invests in a global portfolio of energy, infrastructure, and digital and telecommunications businesses. GULF brings close to three decades of experience in energy project management and operation, with a mission to invest in businesses related to renewable energy and climate management, in accordance with the global target to achieve net zero emissions by 2050. As one of Thailand's largest private power producers with over 20 GW of gas-fired and renewable capacity, GULF is committed to supporting the energy transition with onshore and offshore wind projects, solar projects, and other contributions to energy security across various regions to create sustainable shared value in all spheres where it operates.

2.2 The Project

17. The Project will comprise both offshore and onshore infrastructure including an offshore generating station comprising up to 100 wind turbine generators (WTGs) located approximately 54km from the Lincolnshire coastline, OSSs, offshore cables, onshore cables, an OnSS, a connection to the electricity transmission network, and ancillary and associated development. Key components of the offshore and onshore elements of the Project are described below.

2.2.1 Offshore

18. The Project would comprise the following main offshore components:

- WTGs and their associated foundations;
- OSSs, offshore reactive compensation platforms (ORCPs), an offshore accommodation platform and their associated foundations;
- Inter-array cables, interlink cables and offshore export cables;
- Scour and cable protection;
- Artificial Nesting Structure(s); and
- Biogenic reef.

19. The WTGs will be connected in strings, branches or loops to OSSs via inter-array cables with the OSSs then connected to shore by up to four offshore export cables. A single transmission technology type, specifically High Voltage Alternating Current (HVAC), will be used. Depending on the final export cable parameters and the OSS locations within the array area, up to two ORCPs may also be required, which will be situated within the offshore Export Cable Corridor (ECC).

20. The offshore ECC exits to the south of the array area, with a fan leading from the southern edge of the array. The offshore ECC crosses some existing pipelines to the south of the array area, before turning west to pass through the Inner Dowsing, Race Bank and North Ridge Special Area of Conservation (SAC), south of the existing Triton Knoll offshore windfarm export cables. The offshore ECC then heads in a south-westerly direction before travelling west to the east of Wolla Bank, where the offshore ECC makes landfall.

2.2.2 Onshore

21. The main onshore components of the Project include:

- Landfall, including:
 - Trenchless cable installation works;
 - Transition joint bays (TJBs);
 - Temporary construction compounds;
 - Temporary construction accesses and haul roads.
- Onshore export cable corridor, including:
 - Onshore export cables and associated infrastructure including cable ducts, joint bays and link boxes;
 - Temporary construction compounds;
 - Temporary construction accesses and haul roads;
 - Trenchless crossings at sensitive features and habitats.
- Onshore substation site, including:
 - Onshore HVAC substation (OnSS), including necessary electrical plant to meet the requirements of the National Grid Electricity System Operator (NGESO);
 - Onshore export cables and 400kV cables;
 - Temporary construction compounds;
 - Temporary construction accesses and haul roads;
 - Substation operational access road; and
 - Associated earthworks, surface water attenuation and landscaping.
- 400kV cable corridor, including:
 - 400kV cables and associated infrastructure including cable ducts, joint bays and link boxes;
 - Temporary construction compounds;
 - Temporary construction accesses and haul roads;
 - Trenchless crossings at sensitive features and habitats.

22. The offshore ECC will make landfall at Wolla Bank, to the south of Anderby Creek (where cables will be installed using trenchless techniques to pass under the intertidal area, the sand dunes and the coastal Lincolnshire Wildlife Trust site (Anderby Marsh), to connect into the landfall compound which is located on agricultural land to the west of Roman Bank (road).
23. From the TJBs at the landfall compound, the Onshore ECC will run south (west of the A52) underground, to the Project's OnSS location at Surfleet Marsh, located on agricultural land on the north side of the River Welland, east of the A16 and south of the Rise Gate Eau (Drain) to the north of Spalding as shown in ES Volume 2, Figure 3.4 Indicative Onshore Infrastructure (document reference 6.2.3.4).
24. 400kV cables will then run underground between the OnSS and the National Grid substation (NGSS) that will be built, owned, and operated by National Grid Electricity Transmission (NGET) and is anticipated to be located within, or near to, an area identified by the Project as the "Connection Area" as shown in ES Volume 2, Figure 3.4 (document reference 6.2.3.4).
25. Whilst the width of the Onshore ECC may fluctuate along the route to account for specific environmental and engineering constraints, the Project is expected to require a typical indicative working width of 80m during cable construction within which a typical 60m wide permanent corridor will be located. Further detail on the site selection of the Onshore ECC, OnSS and 400kV cable corridor taken forward for DCO Application and assessment within the ES has been included in ES Volume 1, Chapter 4 Site Selection and Assessment of Alternatives (document reference 6.1.4).
26. Where trenchless crossing techniques are proposed, the indicative working width may need to be larger to accommodate this type of crossing.
27. The length of the Onshore ECC from the landfall to the OnSS is approximately 70km. The length of the 400kV cable corridor is approximately 4km.

3 Need For and Benefit of the Project

28. The policies summarised below and amplified in the Planning Statement (document reference 9.1) together provide further justification of the need for, and public benefit of, the Project.

3.1 Need Established by International Obligations on Climate Change

29. The United Nations Framework Convention on Climate Change (UNFCCC, 1992) came into force in March 1994 and is an intergovernmental environmental treaty. The framework sets out non-binding greenhouse gas (GHG) emission reduction limits and guidance on how specific treaties may be negotiated to bring further action towards UNFCCC objectives. The main objective is the *“stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system.”*

30. The UK is a signatory to the Kyoto Protocol (UNFCCC, 1997) which is linked to the UNFCCC and provides commitments for the State parties to reduce GHG emissions. The Kyoto Protocol was ratified by the UK Government in 2002 and its commitments were transposed into UK law by the Climate Change Act 2008 (CCA 2008).

31. Since 1997, regular international meetings of the UNFCCC have been held resulting in further agreements, in particular the Doha Amendment (UNFCCC, 2012) and the Paris Agreement (UNFCCC, 2015). The Doha Amendment (UNFCCC, 2012) included a commitment by parties to reduce GHG emissions by at least 18% below 1990 levels in the eight-year period from 2013 to 2020. The EU committed to reduce emissions by 20% under 1990 levels by 2020 under this amendment. As part of the European Green Deal, the Commission proposed in September 2020 to raise the 2030 GHG emission reduction target, including emissions and removals, to at least 55% compared to 1990.

32. The United Nations Climate Change Conference in Paris, 2015 (COP21), gave rise to the following key areas of agreement (UNFCCC, 2015):

- Limit global temperature increase to below 2°C, while pursuing efforts to limit the increase to 1.5°C above pre-industrial average temperature;
- Parties aim to reach global peaking of GHG emissions as soon as possible to achieve this temperature goal with commitments from all Parties to prepare, communicate and maintain a Nationally Determined Contribution;
- Contribute to the mitigation of GHG emissions and support of sustainable development;
- Enhance adaptive capacity, strengthen resilience, and reduce vulnerability to climate change;
- Help vulnerable countries cope with the adverse effects of climate change, including extreme weather events and slow-onset events such as sea-level rise;
- Support efforts of developing countries to build clean, climate-resilient futures;

- Transparent reporting of information on mitigation, adaptation and support which undergoes international review; and
 - In 2023 and every five years thereafter, a global stocktake will assess collective progress toward meeting the purpose of the Agreement.
33. The UK ratified the 2015 Paris Agreement during the 22nd Climate Change Conference of the Parties (COP22) in November 2016 (UNFCCC, 2016) and is currently committed to the EU pledge to reduce emissions by at least 40% across all Member States by 2030 relative to 1990 levels.
34. During United Nations Climate Change Conference talks in Bonn, Germany in 2017 (COP23), finer details on the implementation of the Paris Agreement from 2020 onwards were discussed (UNFCCC, 2017). Key agreements included:
- Overseeing and accelerating the completion of the work programme under the Paris Agreement by its twenty-fourth session (December 2018); and
 - To convene a facilitative dialogue among Parties in 2018 to take stock of the collective efforts of the Parties (Talanoa dialogue).
35. COP24 (Katowice) resulted in a rulebook providing a set of guidelines for delivering the Paris Agreement, with discussions continuing at COP25 (Madrid) and COP 26 (Glasgow). COP26 led to the signing of the Glasgow Climate Pact (UNFCCC, 2021), which sets out a series of decisions and resolutions on coordinated international action to tackle climate change. During COP26, the finalised Paris Rulebook was also agreed (UNFCCC, 2021). During COP27 (Sharm El Sheikh) the aspiration of limiting global temperature increase to 1.5°C was reiterated (UNFCCC, 2022). COP28 (Dubai) from 30 November to 13 December 2023 was centred around the “first global stocktake” of the world’s efforts to address climate change under the Paris Agreement. The Global Stock Take Agreement (GST Agreement) (UNFCCC, 2023) reached among delegates recognised:
- Global GHG emissions are not in line with the goals of the Paris Agreement and there is a rapidly narrowing window to achieve these goals;
 - Global GHG emissions must be cut by 43% by 2030 and 60% by 2035 relative to 2019 levels to limit global warming to 1.5°C. In order to meet this, Parties are expected to contribute to global efforts, taking account of:
 - The need to triple global renewable energy capacity;
 - Acceleration of global efforts towards net-zero energy systems and zero- and low-emission technologies including renewables; and
 - A transition away from fossil fuels in energy systems “accelerating action in this critical decade, so as to achieve net zero by 2050”.

36. The above points demonstrate that climate change needs require to be addressed at an international level. The UK can play its part by taking a proactive approach through its targets for renewable energy generation. The Project will directly contribute to the UK Government's 2030 targets and beyond, and therefore offer a means by which the UK can meet its international obligations in respect of climate change.

3.2 Need Established by UK Climate Change and Renewable Energy Policy and Legislation

37. There are a number of overarching environmental targets and policies which demonstrate the need for action on climate change and renewable energy.

3.2.1 GHG Emissions

38. The CCA 2008 was amended in 2019 to increase the UK's commitment from the 2008 target of 80% reduction in GHG emissions by 2050 to 100% reduction or 'net zero by 2050'. This 2050 commitment runs parallel with the UK's Nationally Determined Contribution (September 2022 following Glasgow COP26) to the UNFCCC to a 68% reduction in GHG emissions by 2030. The UK's targets for 2023-2027 are set out in the 4th Carbon Budget which seeks a 52% reduction by the end of the budget's term.

39. In October 2021, the UK Government announced their plans to bring forward the goal to decarbonise the UK's electricity system by 2050 to 2035. They emphasised that "home-grown technologies" including offshore wind will be needed to deliver cleaner, cheaper power across homes and businesses in the UK.

3.2.2 Offshore Wind

40. The UK Government has recognised that renewable energy, and in particular offshore wind, will be central to delivering the net zero ambition.

41. In December 2019, the UK Government announced their commitment to 40GW of offshore wind by 2030 during the Queen's Speech (December 2019). In October 2020, the Government stated its commitment that by 2030, offshore wind should provide enough electricity to power every home in the UK. In November 2020, the Government announced the 10 Point Plan for a Green Industrial Revolution which recommitted to 40GW of offshore wind by 2030 and stated up to 60,000 jobs could be supported in the offshore wind industry in the UK.

42. On 19 October 2021, the Government published Net Zero Strategy: Build Back Greener (DESNZ 2022a) which highlighted the concern if we fail to limit global warming to 1.5°C in line with the Paris Agreement. It reiterates the commitment to achieving net zero emissions is the "path to avoid catastrophic climate change." Alongside a suite of support and investment for the offshore wind and renewables industry, the key policies under the heading 'Power' include:

- "By 2035 the UK will be powered entirely by clean electricity, subject to security of supply".

- “40GW of offshore wind by 2030, with more onshore, solar and other renewables – with a new approach to onshore and offshore electricity networks to incorporate new low carbon generation and demand in the most efficient manner that takes account of the needs of local communities”.
43. In April 2022, the UK Government published the British Energy Security Strategy (DESNZ 2022b) in light of the increase of energy demand in the recovery from the Covid-19 pandemic and the Russian invasion of Ukraine. This emphasises that the transition to low-carbon energy must go “further and faster” and set a new ambition to deliver 50GW of offshore wind by 2030.
44. In March 2023, the UK Government published the Offshore Wind Net Zero Investment Roadmap (HM Government, 2023) which notes the importance of offshore wind to the UK energy mix and the reliance on offshore energy to achieving decarbonisation of the energy system by 2035 and net zero by 2050. The Roadmap also highlights the “world leading policy and regulations” which support offshore wind deployment in the UK.
45. The Energy Act 2023, the largest piece of primary energy legislation since the Energy Act 2013, received Royal Assent on 26 October 2023. It covers a range of topics including energy infrastructure and efficiency, new technologies and regulatory changes related to offshore wind and oil and gas. Part 13 implements the Offshore Wind Environmental Improvement Package which aims to make systematic improvements to the offshore consenting process. The provisions need to be enacted by secondary legislation, although this does signal the Government’s commitment to accelerating new offshore wind development.

3.3 Need Established by National Policy and Legislation

3.3.1 The Planning Act 2008

46. The PA 2008 (as amended) is the primary legislation that established the legal framework for applying for, examining, and determining applications for NSIPs. Section 31 of the PA 2008 requires that any developer wishing to construct a project classed as a NSIP must apply for an order granting development consent. The Inspectorate must appoint an Examining Authority to examine the application and make a recommendation to the relevant SoS, who will then make a decision whether to grant the DCO.
47. Through the DCO the Applicant is seeking other relevant permissions, consents and licences which include, but are not limited to:
- Development consent for the Project;
 - Powers to compulsorily acquire land or rights over land, either permanently or temporarily;
 - Power to undertake marine works under Deemed Marine Licences (DMLs); and
 - Powers to divert or temporarily stop up Public Rights of Way (ProW).

3.3.2 National Policy Statements

48. National Policy Statements (NPSs) are produced by the UK Government and set out the Government’s policy for the delivery of energy infrastructure providing the policy framework for planning decisions for NSIPs. The PA 2008 requires that DCO applications must, except in specified circumstances, be decided in accordance with any relevant NPSs. NPSs include the UK Government’s objectives for the development of NSIPs in a particular sector, and set out:

- How these objectives will contribute to sustainable development;
- How these objectives have been integrated with other UK Government policies;
- How actual and projected capacity and demand have been taken into account;
- Relevant issues in relation to safety or technology;
- Circumstances where it would be particularly important to address the adverse impacts of development; and
- A clear framework for investment and planning decisions.

49. The NPSs were originally published in 2011, with updated versions published in November 2023.

50. The three NPSs currently in place and of relevance to the Project are:

- Overarching NPS for Energy (EN-1) (DESNZ, 2023a) – Provides the primary basis for decisions on applications for nationally significant energy infrastructure. EN-1 sets out national policy for energy infrastructure and has the effect, in combination with the relevant technology specific NPSs, of providing the primary basis for decision making under the Planning Act 2008;
- NPS for Renewable Energy Infrastructure (EN-3) (DESNZ, 2023b) – Provides the primary basis for decisions on applications for renewable energy infrastructure, including offshore wind (>100 MW); and
- NPS for Electricity Networks Infrastructure (EN-5) (DESNZ, 2023c) – Provides the primary basis for decisions on applications for electricity networks infrastructure defined as above ground electricity lines of 132 kV and above, or other infrastructure for electricity networks that is associated with an NSIP.

51. A full policy assessment is contained within the accompanying Planning Statement (document reference 9.1). The most relevant NPS policy with regards to the need for offshore wind is outlined in 3.1 below.

Table 3.1 Relevant NPSs to the Project

National Policy Statement	Summary of Relevant Policies
Overarching National Policy Statement for Energy (EN-1) (November 2023)	The SoS is directed to assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the UK Government has demonstrated that there is a need for those types of infrastructure which is urgent. In addition, substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008. Furthermore, the SoS is not required to consider separately

National Policy Statement	Summary of Relevant Policies
	<p>the specific contribution of any individual project to satisfying the need established in this NPS (paragraphs 3.2.6-3.2.8).</p> <p>With regards the role of offshore wind, the NPS notes that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar with an ambition to deliver up to 50GW of offshore wind by 2030 (paragraphs 3.3.20-3.3.21).</p>
	<p>Paragraph 3.3.62 of EN-1 highlights that the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 goes on to identify offshore generation as falling within the scope of the CNP policy.</p>
<p>NPS for Renewable Energy Infrastructure (EN-3) (November 2023)</p>	<p>NPS EN-3, taken together with NPS EN-1, provides the primary policy for decisions by the Secretary of State on applications they receive for nationally significant renewable energy infrastructure. EN-3 makes clear reference to the target of 50GW of new offshore wind capacity by 2030 (paragraph 2.8.1). Given the ambitions to deliver up to 50GW of offshore wind by 2030, there is a need to speed up and reduce delays in the consenting process (paragraph 2.8.7).</p>
<p>NPS for Electricity Networks Infrastructure (EN-5) (November 2023)</p>	<p>Paragraph 1.1.1 reiterates the points made in EN-1 stating that <i>“the security and reliability of the UK’s current and future energy supply is highly dependent on having an electricity network which will enable the new electricity generation, storage, and interconnection infrastructure that our country needs to meet the rapid increase in electricity demand required to transition to net zero, while maintaining energy security.”</i></p> <p>Paragraph 1.1.2 goes on to advise that a significant amount of new network infrastructure is required in the near term to directly support the government’s ambition to deploy up to 50GW of offshore wind capacity (including up to 5GW floating wind) by 2030. It highlights that there is an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net-zero by 2050.</p> <p>Paragraph 1.1.3 discusses the importance of the provision of the electricity network infrastructure to support the government’s offshore wind ambition. It states that <i>“this is as important as the offshore wind generation infrastructure. Without the development of the necessary networks to carry offshore wind power to where it is needed in the UK, the offshore wind ambition cannot be achieved.”</i></p> <p>In considering factors which influence site selection and design EN-5 advises that the SoS should bear in mind that the initiating and terminating points – or development zone – of new electricity</p>

National Policy Statement	Summary of Relevant Policies
	<p>networks infrastructure is not substantially within the control of the applicant, with siting being determined by the location of new generating stations or other infrastructure requiring connection to the network, and/or system capacity and resilience requirements determined by the Electricity System Operator. These twin constraints, coupled with the Government’s legislative commitment to net zero by 2050, strategic commitment to new interconnectors with neighbouring North Sea countries and an ambition of up to 50GW of offshore wind generation by 2030, means that very significant amounts of new electricity networks infrastructure is required, including in areas with comparatively little build-out to date (paragraphs 2.2.1-2.2.3).</p>

3.3.3 National Planning Policy Framework

52. The National Planning Policy Framework (NPPF) was originally implemented in 2012, with the most recent update on 19 December 2023 (DLUHC, 2023). The NPPF sets out the UK Government’s planning policies for England and how these are expected to be applied (see Table 2.5). This revised Framework replaces the previous NPPFs published in March 2012, July 2018, February and June 2019, July 2021 and September 2023.
53. The NPPF does not contain specific policies for NSIPs (for which particular considerations apply, determined in accordance with the decision-making framework set out in the PA 2008 and relevant NPSs) but may be considered as a relevant consideration.
54. The NPPF provides principles that cover protection and conservation of the natural and built environment and promotes sustainable growth and development.
55. The key principles considered by the Project are listed in Table 3.2 below.

Table 3.2: Summary of National Planning Policy Framework Considerations

Principle	Summary of NPPF consideration
Meeting the Challenge of Climate Change, Flooding and Coastal Change	<p>The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources; and support renewable and low carbon energy and associated infrastructure (paragraph 157). Additionally, development should be directed away from areas of highest flood risk (present or future) (paragraph 165).</p>
Making Effective Use of Land	<p>Planning decisions and policies should promote effective use of land while safeguarding and improving the environment. Such relevant policy includes taking opportunities to achieve net gains (i.e., improve public access to the countryside, or development that enable new habitat creations) (paragraphs 123-124).</p>

Principle	Summary of NPPF consideration
Conserving and Enhancing the Natural Environment	The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside; and minimising impacts on and providing net gains for biodiversity (paragraph 180).

3.3.4 Local Context

56. The Project falls within the boundary of Lincolnshire County Council and three district councils, Boston Borough Council, South Holland District Council and East Lindsey District Council.

3.3.4.1 South East Lincolnshire Local Plan 2011-36

57. The South East Lincolnshire Joint Strategic Planning Committee is a partnership of Boston Borough, South Holland District and Lincolnshire County Councils. Together, they have created the *South East Lincolnshire Local Plan 2011-2036 (SELLP)* adopted on 8 March 2019 (South East Lincolnshire Joint Strategic Planning Committee, 2019).

58. Under the heading ‘Climate Change and Renewable and Low Carbon Energy’ in the Local Plan, it is noted that there is “an increasing need for South East Lincolnshire to mitigate and adapt to climate change” noting the Government’s ambitious targets for reducing CO2 emissions and increasing the proportion of electricity from renewable sources. The Plan states the reduction of emissions in South East Lincolnshire may be tackled by developing renewable energy schemes.

3.3.4.2 East Lindsey Local Plan Core Strategy 2018

59. East Lindsey Local Plan Core Strategy: Supporting Economic Growth for the Future was adopted in July 2018 (East Lindsey District Council, 2018). It contains overarching Vision and Objectives. There are three relevant policies for the Project:

- Vision and Objective 1: A network of thriving, safer and healthy sustainable communities, where people can enjoy a high quality of life and an increased sense of well-being and where new development simultaneously addresses the needs of the economy, communities and the environment.
- Vision and Objective 3: A growing and diversified economy that not only builds on and extends the important agriculture and tourism base but supports the creation of all types of employment.
- Vision and Objective 6: A commitment to tackling the causes and effects of global climate change through local action.

60. There are also specific policies on renewable and low carbon energy developments. These can be summarised as:

- Chapter 14 makes clear the “benefits of renewable energy developments are a material consideration and will be weighed in the balance alongside all other material considerations.”
- Strategic Policy 27 Renewable and Low Carbon Energy: This policy provides support for large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development.
- Strategic Policy 28 Infrastructure and S106 Obligations: “Infrastructure schemes will be supported provided they are essential in the national interest; contribute to sustainable development and respect the distinctive character of the district.”

3.4 Need For and Benefit of the Project Conclusion

61. As demonstrated in sections 3.1 to 3.3 above, the need for the Project can be linked directly to national and international policy, as the Project would make a substantial contribution to the achievement of the UK’s national renewable energy targets, and to the UK’s contribution to global efforts to reduce the effects of climate change. The Project would also represent a vital step forward in the British Energy Security Strategy ambition to reach 50GW of offshore wind by 2030, as well as wider UK Government targets to achieve net zero carbon emissions by 2050. Further detail is provided in ES Chapter 2 Need, Policy and Legislative Context (document reference 6.1.2).
62. In addition to meeting urgent environmental needs, the Project would provide opportunities for economic growth at national and local levels, both during construction and throughout its operational life. The Project would represent a significant investment in the offshore wind sector, by contributing to a growing, skilled workforce and by strengthening existing manufacturing industries.

4 Description of the Land Subject to Compulsory Acquisition

4.1 Description of the land subject to compulsory acquisition

63. The Order Land is comprised of the land required for the construction, operation, maintenance and decommissioning of the Project and is shown on the Land Plans (document reference 2.5). The Order Land is described in more detail below, but in summary, the main areas are as follows:

- Landfall: located at Wolla Bank, on the Lincolnshire coastline, south of Anderby Creek;
- Onshore ECC: approximately 70km in length between the landfall at Wolla Bank and the OnSS at Surfleet Marsh;
- OnSS: located at Surfleet Marsh on agricultural land on the north side of the River Welland, east of the A16 and south of the Risegate Eau (Drain) to the north of Spalding;
- 400kV cable corridor: approximately 4km in length between the OnSS at Surfleet Marsh and the Connection Area at Weston Marsh;

64. That part of the Order Land required for the Onshore ECC is primarily comprised of Agricultural Land Classification (ALC) Grade 1, 2 and 3 agricultural land. There are a number of key features within the Order Land including the following:

- Road crossings at the A52, A158, B1195, B1184, and A17;
- Network Rail crossing at Thorpe Culvert New;
- River and major drain crossings at Willoughby High Drain, Wainfleet Relief Channel, Steeping River, The Haven, Hobhole Drain, Five Towns Drain, Risegate Eau and River Welland; and
- Internal Drainage Board catchment crossings at Lindsey Marsh, Witham Fourth, Black Sluice, Welland and Deepings and South Holland.

65. The following paragraphs provide a description of the Order Land, details of the works required and/or the infrastructure to be installed in that part of the Order Land and the rights that are required to undertake the works specified.

66. Details of the rights sought are set out in Appendix 1 (**Menu of Rights**).

4.1.1 Landfall

67. The offshore export cables make landfall at Wolla Bank (plots 01-001 and 01-002) at a location to the north of Wolla Bank beach car park. The Landfall connection works between mean low water springs (MLWS) and mean high water springs (MHWS) are Work Number 11 and comprise underground cable circuits which will be installed beneath the intertidal zone (plots 01-001 and 01-002) using horizontal directional drilling (HDD).

68. The associated plot numbers for landfall are set out in Appendix 2 (**Land subject to compulsory acquisition powers**).

69. The cables (installed using HDD) will continue west underneath a species-rich wetland habitat (plots 01-004, 01-005 and 01-006) and Roman Bank road shown as Work Number 12 comprising the underground circuits.
70. Plots 01-001, 01-002, 01-004 and 01-005 are Public Open Space.
71. The underground circuits proceed into Work Number 13 (plots 01-010, 01-011, 01-012, 01-013, 01-014, 01-015 and 01-016) comprising launch pits, underground cable circuits, temporary works area, storage areas and access, situated on grade 3 agricultural land.
72. The offshore export cables will be connected to the onshore export cables in Transition Joint Bays (TJB) comprised within Work Number 14 (plot 01-015). This work number will comprise an area up to approximately 20,085m² with a TJB footprint of 1,242 m². The footprint has been taken to allow for up to six TJBs with the intention for four permanent TJBs to be installed with additional space for two TJBs as contingency in the event of drill failures.
73. There will be a permanent bell mouth located off Roman Bank Road, shown as Work Number 20 (plots 01-011 and 01-012) which will be used at the start of the landfall construction phase to install a noise bund to provide noise attenuation and will be retained to allow for operational access to facilitate maintenance activities.

4.1.2 Onshore Export Cable Corridor

74. The Onshore ECC covers a route 70km long and is 80m wide, and wider at points of difficult engineering, for example where trenchless crossing techniques are used. The cable corridor is identified as Work Number 15 comprising underground cable circuits, link boxes, joint bays and associated works.
75. The Onshore ECC working width of 80m includes storage areas for topsoil and subsoil, drainage and a haul road to deliver equipment to the installation site from construction compounds. The permanent easement is expected to be narrower (approximately 60m) than the width of the Order Limits.
76. There will be buried joint bays and associated link boxes with manhole-type covers installed across the Onshore ECC with locations to be determined during detailed design. Typically, they will be located every 450m to 950m. However, the location depends on factors such as the need to avoid surface features, crossings and bends.
77. From the landfall at Wolla Bank, the cable route travels south-west continuing across Grade 3 agricultural land, before meeting the A52 to the west of Hogsthorpe. Having crossed the A52, the cables travel south continuing across Grade 3 agricultural land before crossing Willoughby High Drain. The cable route travels south for approximately 8km to the A158 before heading south towards Croft, covering Grade 3 and Grade 2 agricultural land.

78. Just north of the A52 at Croft Bank, the cable route bends to the west heading towards the B1195. Upon crossing the B1195, the cable then crosses the Wainfleet Relief Channel followed by the Thorpe Culvert New and the River Steeping. The cable route travels approximately 11km between the B1195 and Wrangle Bank crossing predominantly Grade 2 agricultural land. The cables continue south-west passing to the north of Wrangle and Old Leake crossing Grade 1 agricultural land before entering back into Grade 2 agricultural land after crossing the B1184.
79. After approximately 5km, the cable route heads south crossing into Grade 1 agricultural land before crossing the A52 for a second time. After crossing the A52, the cable route heads south-east past Butterwick before turning south-west towards the Hobhole Drain. The cable route crosses underneath both the Hobhole Drain and The Haven and to the north of the Pilgrim Father's Memorial site. The cable route continues for 9km across Grade 1 agricultural land until it reaches Fosdyke and the A17. From here, the cable route splits into two sections to cross the A17 between residential properties underneath Five Towns Drain heading west towards Risegate Eau before joining the onshore substation (OnSS).
80. A schedule of the plots of land which form the Onshore ECC is set out in Appendix 2.

4.1.3 Onshore Substation

81. The OnSS site (plot 45-041) is located in Grade 1 agricultural land off Surfleet Bank near the A16 junction, approximately 3.5km west of Fosdyke and 10km north-east of Spalding. The OnSS is identified as Work Number 16.
82. The OnSS transmission system will either be an Air Insulated Switchgear (AIS) design or a Gas Insulated Switchgear (GIS) design and this will be determined post-consent during the detailed design phase. The selection of OnSS technology will be dependent on system compliance, suitability and equipment availability. The OnSS area is of sufficient size to accommodate either design, with the AIS requiring the larger footprint due to the nature of the system to use air to insulate as opposed to a gas medium. The OnSS comprises of electrical components and equipment necessary to connect the electricity generated offshore to the national grid transmission network.
83. A new bell mouth will be constructed off Surfleet Bank with a section of new road to be constructed which will then lead to an existing concrete access road which will be upgraded to accommodate OnSS construction traffic and any future maintenance vehicles. The access road to the OnSS will be up to 8m wide.

4.1.4 Landscaping Mitigation Planting and Drainage Works

84. Planting is required at the OnSS to mitigate landscape and visual effects of the new substation. The planting work is shown as Work Number 23.
85. There will be an initial 40m wide landscaping planting band consisting of trees, shrubs and hedging in the immediate vicinity of the OnSS ('onsite').

86. There will then be further planting requirements located in the surrounding fields following the existing field boundaries to mitigate landscape and visual impacts. This additional planting is made up of 6m, 10m and 20m wide strips of planting consisting of trees, shrubs and hedging. The width of the strips reduces as the distance from the OnSS increases.
87. Where landscaping meets the Onshore ECC, hedgerows will be put in place as opposed to trees to avoid impacting the cables.
88. There are drainage works shown as Work Number 24, to ensure that any mitigation planting does not impede any existing land drainage systems. The landscaping mitigation planting is all contained within Grade 1 agricultural land.
89. At the substation and adjacent 40m strip there is a need to include Work Number 25 consisting of sustainable drainage system ponds and surface water management systems within this area. The drainage system provides attenuation and management of the OnSS drainage before discharge into the public drainage system.
90. A schedule of plots of land outwith the OnSS which are required for landscaping and drainage works is set out in Appendix 2.

4.1.5 400 kV Cable Corridor

91. The cable corridor from the OnSS to the Connection Area measures approximately 4km and has a working width of 60m; after construction this will be narrowed to an easement width of 40m. The route travels from the OnSS in a south-easterly direction crossing underneath the River Welland before changing direction to head south-west and then widens into the Connection Area.
92. The Connection Area currently encompasses approximately 161 hectares of Grade 1 agricultural land and the NGSS will be sited within or near to this location. Once the site is confirmed by NGET, the 400 kV cable corridor will extend across the Connection Area to the NGSS. The 400 kV corridor is identified as Work Number 17.
93. There will be buried joint bays and associated link boxes with manhole-type covers installed across the 400kV cable corridor with locations to be determined during detailed design. Typically, they are located every 450m to 950m. However, the location depends on factors such as the need to avoid surface features, crossings and bends.
94. A schedule of plots of land which form the 400 kV cable corridor is set out in Appendix 2.

4.1.6 Passing bays and highway alterations

95. There are 13 passing bays on private land required across the Onshore ECC to facilitate long wheel-based vehicles accessing compounds across the Project. Following a highways assessment, due to the nature of the roads in this area, certain vehicles will require additional space to manoeuvre. The passing bays required cover multiple land ownerships as well as areas of unregistered land. The land use is predominantly agricultural land, existing hardstanding or grass verges. A schedule of plots of land required for passing bays and highway alterations is set out in Table 2 of Appendix 2.

4.1.7 Construction Compounds

96. There are 31 TWAs identified on the Land Plans as Work Number 19. The TWAs are strategically placed along the Onshore ECC and the 400kV cable corridor to facilitate the storage of vehicles and materials and support the onshore cable installation. This will include 10 primary construction compounds, 21 secondary construction compounds and 324 tertiary cable installation compounds. The landfall site and the OnSS would have their own dedicated construction compounds but these are included in the above numbers. The TWAs are located on predominantly agricultural land of Grades 1, 2 and 3, whilst utilising existing hardstanding where practicable. The locations are identified in Appendix 2.
97. The primary construction compounds (PCC) provide support for the cable duct installation and cable pulling works. They will operate as a localised hub for the onshore construction works and would facilitate offices, welfare facilities, and stores, as well as acting as a staging post and secure storage for equipment and component deliveries.
98. The construction works will also require 21 secondary construction compounds that will operate as support bases for the onshore works as the cable construction passes through an area. They may house portable offices, welfare facilities, localised stores, as well as acting as staging posts for localised secure storage for equipment and component deliveries.
99. The size of each secondary compound would be proportionate to the works requirement but the average size will be approximately 12,370m² (once detailed design is undertaken a minimum footprint will be calculated and identified). These compounds will have direct access to the Onshore ECC.
100. Strategic compounds along the Onshore ECC would be designated to facilitate the use of cement bound sand batching stations.
101. The OnSS primary construction compound will be approximately 17,900m² and sited on Grade 1 agricultural land; the compound at landfall to enable cable pulling and jointing activities together with a temporary duct storage area will measure approximately 40,000m² and be located to the west of the TJB on Grade 3 agricultural land.
102. Each trenchless crossing will also require its own tertiary compound, measuring approximately 5,320m².
103. The associated plot numbers for construction compounds are set out in Appendix 2.

4.1.8 Enabling and construction accesses

104. Prior to the commencement of the construction phase, access will be required to the working area before the main construction accesses and haul road have been completed. The Applicant has identified existing farm tracks or other access avenues across agricultural land used by landowners with farm machinery. These are referred to as enabling accesses. When the construction accesses and haul road are built, the enabling accesses would no longer be required for the Project. These accesses would be used to facilitate activities such as vegetation clearance, culvert installation, and demarcation of the cable corridor.

105. Construction accesses are required from the public highway to access the construction works and construction compounds for the Project. These temporary accesses will be installed to facilitate vehicular access from the highway and into the Onshore ECC during construction. There are 55 temporary accesses proposed.
106. A schedule of the plots of land required for these purposes is set out in Appendix 2.

4.2 Anticipated future land uses

107. The Applicant undertook an initial planning application search to identify any local town and country planning applications within the vicinity of the Order Limits and have had weekly updates on new planning applications made within the vicinity of the Order Limits. The following applications are overlapping with the Order Limits:
- EIA screening for replacement water pipe between Mumby and Chapel St Leonards – application number N/125/01350/13. This is an Anglian Water pipe and has been identified on the crossing schedule. Anglian Water are a statutory undertaker and as such Protective Provisions will be included within the DCO to ensure their assets are protected.
 - Change of use to for the siting of static caravans, formation of two fishing lakes and associated development at New Field Farm – application numbers S/023/01835/19, S/023/02392/21, ~~S/023/02531/21~~, S/039/00296/23, ~~S/023/0062~~, and S/023/~~00622~~00624/23. The Applicant has been in discussions with the owners of New Field Farm to understand their plans for the site. The Applicant has agreed to use trenchless techniques under the property to minimise any disruption to the landowners and their plans. The Applicant has suggested that, subject to terms being agreed, the landowners could continue with their plans with the cable in situ. Heads of Terms (HoTs) have been issued to the landowners and negotiations are ongoing.
 - Proposed plant-based protein extraction facility and AD plant - H17-1097-23. The Applicant has been in discussions with the landowners and their agent to discuss how the two schemes can co-exist. The Applicant has suggested alterations to application H17-1097-23 which would allow this to happen. These alterations have been made and both Projects now intend to use a joint access point from Surfleet Bank with discussions on going regarding the commercial aspect of this arrangement. Additionally, the Applicant has varied the extent of screening in this location to allow access for the proposed plant-based protein extraction facility and AD plant. Whilst the applications overlap the parties are content that the other party can be accommodated and discussions are ongoing with the landowners and their agent.
 - Construct and operate an 8 kilometre high pressure natural gas pipeline and extend existing Wragg Marsh above ground installation to support a new minimum off-take connection and a new minimum off-take facility - H16-0135-10, H16-0293-15. The Applicant understands that this pipeline is now installed and operational, and appears on the Crossing Schedule. Spalding Energy Company Limited are a statutory undertaker and as such Protective Provisions will be included within the DCO to ensure their assets are protected.

108. In addition to local town and country planning applications the Applicant has also assessed Nationally Significant Infrastructure Projects (NSIPs) and any overlap with the Order Limits. The following NSIPs have been identified:

- Boston Alternative Energy Facility (BAEF) – DCO – Post Decision. The Applicant has been in regular contact with BAEF to discuss any overlap between the two projects. An overlap has been identified whereby BAEF are proposing an area of compensation works and the same area has been identified by the Applicant for an enabling access. Following the acceptance of a Change Request (Document 18.22), the Applicant has removed the enabling access due to the impact on the BAEF compensation area.
- Grimsby to Walpole – Pre-application stage. In January 2024 National Grid began their first stage of non-statutory public consultation outlining the Grimsby to Walpole scheme. This non-statutory consultation provides an emerging route corridor and graduated swathe along with a search area for their proposed substation at Weston Marsh. Subsequent to entering into a grid connection agreement with NGET, the Applicant has regular meetings with NGET to coordinate interfaces between the respective projects.
- Eastern Green Link (EGL) 3 and 4 – pre-application stage. In April 2024 National Grid began its first stage of non-statutory public consultation outlining the EGL 3&4 scheme. This non-statutory consultation provides an emerging route corridor and graduated swathe along with a search area for the proposed converter stations. The Applicant has regular meetings with the EGL3&4 team to coordinate interfaces between the respective projects.

4.3 Public rights of way

109. There are a limited number of PRowS which may be affected by the construction of the Project and these are shown on the Public Rights of Way Plan (document reference 2.10).

110. The Outline Public Access Management Plan (PAMP) (document reference 8.17) sets out the approach that will be taken to manage public access to the PRowS affected during construction. This will include details of temporary diversions, gated crossings and signage to be provided during construction. Disturbance to PRowS will be temporary and PRowS will be reinstated as soon as reasonably practical.

5 Powers of Compulsory Acquisition

5.1 Purpose of seeking compulsory acquisition powers

111. The Draft DCO (document reference 3.1) contains powers to enable the acquisition of land and rights over land and the imposition of restrictive covenants to the extent required to construct, operate and maintain the Project. The powers enable land and rights to be acquired compulsorily in the event that agreement cannot be reached between the Applicant and those with an interest in the land.
112. The principle compulsory acquisition powers are set out in Articles 20 (Compulsory acquisition of land) and 22 (Compulsory acquisition of rights) of the Draft DCO and will be exercisable in relation to the land listed in the Book of Reference (document reference 4.1) and shown on the Land Plans (document reference 2.5).
113. Article 21 of the Draft DCO provides a time limit of seven years beginning on the day on which the DCO is made in which to exercise the powers of compulsory acquisition of land.

5.2 Acquisition of freehold

114. Article 20 (Compulsory acquisition of land) provides for the compulsory acquisition of land. Freehold title is sought where permanent control of the land is required by the Applicant or the interference with the interests of the existing owners is such that acquisition of a lesser interest in land would not be appropriate. The land over which compulsory acquisition powers are sought in respect of the freehold is shaded pink on the Land Plans.

5.2.1 OnSS

115. A minimum land take of 121,570m² of grade 1 agricultural land is required for the OnSS which is located in plot number 45-041. The OnSS is an integral part of the Project as it will collect the power generated by the turbines and then condition the power to be exported to the National Grid electricity network. As a result, the Applicant is seeking to acquire the site so that the Applicant owns the land required to house and maintain the Project equipment.
116. The location of the OnSS has been selected based upon environmental and technical considerations as well as the interfaces with the NGSS. For further details around site selection please see ES Chapter 4 (document 6.1.4).
117. As the Project has not yet determined which of two types of technology (being either Air Insulated Switchgear (AIS) or Gas Insulated Switchgear (GIS)) will be utilised for the OnSS, the footprint of the substation shown within plot number 45-041 is of a size suitable to accommodate either of these technologies.

5.2.2 Landscaping

118. Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The main reasons for the planting are to reduce effects on landscape character and visual amenity and to enhance biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (Document Reference 8.10)
119. There is an initial 'onsite' 40m band of planting, including trees, surrounding the OnSS with further 20m, 10m and 6m strips along field boundaries located 'offsite' from the OnSS.
120. These areas of land will be acquired due to the change in use from agriculture, so that landowners are not left with bands or strips of trees. There will also be ongoing maintenance required in order for the trees to become established and mature and the Applicant wishes to ensure that all care and maintenance are under its control.
121. The landscaping is included within plots 45-001, 45-005, 45-008, 45-015, 45-021, 45-041, 45-041b, 45-050, 45-068, 46-002, 46-003, 46-006, 46-008, 46-017, 46-021, 46-033, 46-037, 46-044, 47-005, 47-006a, 47-006b, 47-011, 47-017, 47-026, 47-031, 47-039, 48-002, 48-005, 48-006, 48-007, 48-012.

5.3 Acquisition of new rights and imposition of restrictions

122. Article 22 (Compulsory acquisition of rights) enables the undertaker to acquire rights in land and impose restrictive covenants over land. The land over which permanent rights and restrictive covenants are being sought is shaded blue on the Land Plans, described in the Book of Reference and listed in Schedule 7 (Land in which only new rights etc. may be acquired) of the Draft DCO, however such powers also apply to the land subject to freehold acquisition which is shaded pink on the Land Plans.
123. The ability to compulsorily acquire rights in, and impose restrictive covenants over, land is required to enable the Applicant to construct, retain, operate, protect, maintain and decommission the Project.
124. The imposition of restrictions on the use of the land by others is considered necessary in order to protect the Project, for example to protect the onshore export cables from becoming exposed or damaged, or built over. Such restrictions are necessary over the Onshore ECC to ensure the cables are not damaged by construction or excavation works or made materially harder to access in case of emergency or routine works to the cables being required.
125. The Applicant requires permanent rights for underground cabling and associated apparatus and to secure rights of access across third party land for the construction, protection and future maintenance of the cables. The cables are integral to connect the offshore windfarm to the OnSS and the Connection Area. The associated plot numbers are set out in Appendix 2.

126. There is a requirement for a permanent bell mouth to be constructed off Roman Bank Road (plots 01-011 and 01-012). The bell mouth will be constructed predominantly within agricultural land and is required initially during construction for the initial site set up and installation of the noise bund which will be located between plot 01-015 and Roman Bank Road. Following completion of the HDD and reinstatement works, the bell mouth will be retained to allow for operational access for maintenance activities.
127. The Applicant is seeking permanent rights for the bridge replacement and reinforcement works across plot numbers 15-028, 15-033, 15-031, 15-030, 15-034, 15-032, 15-035, 15-036, 15-029. These permanent rights are required due to plot numbers 15-042 and 15-044 being land locked. The Applicant will require the ability to take vehicles into these plots both during and post construction and therefore the Applicant requires the rights to ensure the bridge is able to accommodate such access requirements. Should the bridge fall into disrepair in the future, the Applicant requires sufficient rights to rectify this.
128. Permanent vehicular access is being sought at locations where the Applicant requires ongoing access throughout the operational life of the project for maintenance. The permanent accesses are as follows with the associated plot numbers set out in Appendix 2:
- Permanent access to the TJB site taken from Roman Bank Road.
 - Permanent access off Youngers Lane to plot 09-011 which is land locked.
 - Permanent access off Wainfleet Road (B1195) to plots 15-042 and 15-044 which are land locked.
 - Permanent accesses to landscaping strips from the A16, Gosberton Bank, Surfleet Bank and Marsh Drove.
 - Permanent access to the OnSS taken from the A16/ Surfleet Bank
129. Permanent rights are being sought adjacent to the landscaping areas for land drainage works. With the retained land benefitting from existing drainage schemes, the Applicant is to ensure that the drainage systems installed are maintained to as-found condition working order during and after the post planting works. The associated plot numbers are set out in Appendix 2.
130. Permanent rights are being sought for a new bell mouth which will be constructed off Surfleet Bank with a section of a new access road as well as upgrading an existing concrete track to provide access to the substation. The permanent access road will be up to 8m wide and is required to provide uninterrupted operational and maintenance access to the OnSS throughout the operational life of the substation. The access to the OnSS is located within plots 47-006, 47-008, 47-009 and 45-041a.

5.4 Temporary use of land

131. Article 28 (Temporary use of land for carrying out the authorised project) and Article 29 (Temporary use of land for maintaining authorised project) of the Draft DCO (document reference 3.3) provide the Applicant with powers to temporarily use land for the construction and maintenance of the Project respectively.
132. The land over which temporary possession powers are being sought is shaded yellow on the Land Plans (document reference 2.5) and described in the Book of Reference (document reference 4.1). The purpose for which temporary possession may be taken is set out in Schedule 9 (Land of which temporary possession may be taken) of the Draft DCO and in Appendix 2.
133. Powers of temporary possession of land are sought for a number of purposes. In land where activities will only be carried out during construction, or where construction plant, equipment and other apparatus will need to be laid down but no cables or other apparatus are proposed to be installed, the Order permits that possession of this land can be taken temporarily, without the requirement to exercise permanent powers of compulsory acquisition. Temporary Works Areas (TWAs) are an integral part of the Project and are located at strategic locations along the Onshore ECC and 400 kV cable corridor. Temporary possession of these sites is sought by the Applicant to enable the overall management of the construction works. They will provide areas for storage of materials and apparatus to facilitate the extensive works, parking areas for vehicles, and sites for welfare facilities to ensure safe and optimal implementation of the works programme.
134. As stated in section 4.1.7, the Applicant is seeking temporary possession of 31 TWAs. The Project has assessed the need through careful consideration of HDD locations and site accessibility. The duration of the TWAs will run concurrently with the works programme in the respective areas. The associated plot numbers are set out in Appendix 2.
135. A second use of powers of temporary possession of land is to allow for highway alterations, including the widening of highways, construction of bell mouths, provision of passing bays, and culvert and drainage works to enable plant and machinery to access the Onshore ECC. By acquiring these temporary rights, it will enable the Project to remove as much construction traffic from the highways as possible to reduce disruption. Once on the Onshore ECC plant and machinery can travel along the route to reach the required installation sites, usually using a temporary haul road that will be constructed as part of the works. The associated plot numbers are set out in Appendix 2.

136. A third use of powers of temporary possession of land is the provision of temporary vehicular access tracks and bell mouths to support access for machinery and plant. The Applicant is seeking temporary rights for the installation of construction accesses to facilitate vehicular access from the nearest highway and Heavy Goods Vehicles (HGV) access at designated points to minimise the impact to local roads. Temporary rights are also being sought by the Applicant to use existing farm tracks and accesses as “enabling accesses” as described in section 4.1.8 above. These accesses will allow minor works to facilitate the construction of the haul road. Once the haul road is complete, the enabling accesses will potentially be used for reinstatement and planting works post construction. The associated plot numbers are set out in Appendix 2.
137. Where the Applicant is seeking either land or new rights over land, then temporary use of such land is also sought (this is provided for in Articles 28 and 29 of the Order). The reason for seeking temporary use powers over this land is that it allows the Applicant to enter on to land for particular construction and maintenance purposes (including site preparation works) in advance of the acquisition of the relevant land/rights. This enables the Applicant to be able to compulsorily acquire the minimum amount of land and rights over land required to construct, operate and maintain the Project.

5.5 Additional powers within the order

138. The Applicant is also seeking other powers in the Draft DCO (document reference 3.1) which, although they do not entail acquisition of land or interests, will or may interfere with property rights and interests. A summary of the powers is set out under the headings below and further explanation can be found in the Explanatory Memorandum (document reference 3.2).

5.5.1 Article 9 (Street works)

139. This article would allow the Applicant to carry out certain specified works in specified streets. Powers in Article 9 would be exercisable in respect of the streets or parts of streets specified in Schedule 2 to the Draft DCO.

5.5.2 Article 11 (Temporary stopping up of public rights of way)

140. This article would allow the Applicant to temporarily stop up, alter or divert public rights of way identified in the Order. Powers in Article 11 would be exercisable in respect of the public rights of way specified in Schedule 3 to the Draft DCO. The exercise of the powers in Article 11 could potentially interfere with private rights. In that event, the right in question would be suspended. A person suffering loss due to such suspension would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.3 Article 12 (Temporary stopping up of streets)

141. This article would allow the Applicant to temporarily stop up, alter or divert streets and for a reasonable time divert traffic from the street and prevent pedestrians from passing along the street.
142. The general power to prevent pedestrian access would be subject to the obligation to provide reasonable access for pedestrians going to or from premises abutting a street affected by the temporary stopping up, alteration or diversion if there would otherwise be no such access.
143. Powers in Article 12 would be exercisable in respect of the streets or parts of streets specified in Schedule 4 to the Draft DCO. With the consent of the street authority the power could also be exercised in respect of any other street.
144. The exercise of powers under Article 12 could potentially interfere with private rights. In that event the right in question would be suspended. A person suffering loss due to such suspension would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.4 Article 17 (Discharge of water)

145. This article would enable the discharge of water into watercourses or sewers or drains, with the consent of the person to whom it belongs, and further allows the laying or removal or alteration of pipes to do so. The purpose of this power is to enable the proper drainage of the land comprised within the authorised project.

5.5.5 Article 18 (Authority to survey and investigate the land onshore)

146. This article would enable the Applicant, for the purposes of the Order, to enter onto any land shown within the order limits to survey and investigate the land. A person suffering loss due to such interference would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.6 Article 23 (Private rights)

147. This article provides for the extinguishment of private rights over land subject to compulsory acquisition, which amounts to an interference with property rights. A person suffering loss due to such interference would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.
148. The Applicant will take particular regard to rights of access over which the Order Land crosses and where possible will maintain access at all reasonable times. If possible, the Applicant will reach agreement with the relevant beneficiary of the right. If a right of access is extinguished or overridden, the Applicant will seek to offer a re-grant of that right on similar terms to the affected party following the completion of the works, with an appropriate licence for access during the time the works are carried out.

5.5.7 Article 27 (Rights under or over streets)

149. Article 27 would enable the Applicant, where required for the purposes of the Project, to use the subsoil of, or airspace over, any highway (i.e. a way of any sort over which the public have a right to pass). The powers do not extend to a subway or underground building or to cellars or similar structures forming part of a building fronting the street. Nevertheless, these powers could interfere with property rights. A person suffering loss due to such interference would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.8 Article 28 (Temporary use of land for carrying out the authorised project)

150. Article 28 would enable the Applicant, for the purpose of constructing the Project, to take temporary possession of certain land i.e. power to occupy and control the land to the exclusion of everyone else. The land to which Article 28 applies is the land specified in Schedule 9 of the Draft DCO and any other land within the limits of land to be acquired or used (as shown on the Land Plans) in respect of which the Applicant has not served a notice of entry or made a declaration to vest the land in itself.

151. The Applicant would have the power to remove buildings and vegetation from the land and construct temporary works (including accesses) and buildings on the land. Before relinquishing possession of any land, the Applicant is obliged to remove all temporary works and restore the land to its condition immediately before entry, or otherwise to the owner's reasonable satisfaction. The Applicant is not required to restore land on which mitigation works have been constructed.

152. The exercise of these powers would interfere with the property rights of owners and occupiers of the land. An owner or occupier suffering loss or damage would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.9 Article 29 (Temporary use of land for maintaining the authorised project)

153. Article 29 would enable the Applicant to take temporary possession of certain land at any time during the maintenance period. The land to which Article 29 applies is any land within the order limits in which possession is reasonably required for the purpose of maintaining the Project.

154. The exercise of the powers would interfere with the property rights of owners and occupiers of the land. An owner or occupier suffering loss or damage would be entitled to claim compensation. The amount of compensation, if not agreed, would be subject to determination in the same way as compensation for compulsory acquisition.

5.5.10 Article 35 (Felling or lopping of trees and removal of hedgerows)

155. Article 35 would enable the Applicant to fell or lop any trees or shrubs near any part of the Project to prevent them obstructing or interfering with the construction, maintenance or operation of the development or which may constitute a danger. A person suffering loss due to interference with private rights would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

5.5.11 Article 36 (Trees subject to tree preservation orders)

156. Article 36 would enable the Applicant to fell or lop any tree within or overhanging land within the Order Limits subject to a tree preservation order made after 13 October 2023 to prevent the tree obstructing or interfering with the construction, maintenance or operation of the development or which may constitute a danger. A person suffering loss due to interference with private rights would be entitled to compensation. The amount of compensation, if not agreed, would be determined in the same way as compensation for compulsory acquisition.

6 Justification for the Use of Powers of Compulsory Acquisition

157. This section demonstrates the Project's compliance with conditions of Section 122 of the PA 2008 and the Compulsory Acquisition Guidance.

6.1 Statutory authority and compulsory acquisition guidance

158. Section 120 of the PA 2008 prescribes matters which may be provided for when granting a DCO. A DCO may impose requirements in connection with the development for which consent is granted.

159. Section 120(3) and (4) state a DCO may make provision relating to, or to matters ancillary to, the development for which consent is granted. The matters in respect of which provision may be made include, non-exhaustively, the matters listed in PA 2008 Schedule 5, which include:

- a. The acquisition of land, compulsorily or by agreement;
- b. The creation, suspension or extinguishment of, or interference with, interests in or rights over land (including rights of navigation over water), compulsorily or by agreement; and
- c. The payment of compensation.

160. Furthermore, Section 122 of the PA 2008 provides that a DCO may include provision authorising compulsory acquisition of land, only if the SoS is satisfied the land is:

- a. required for the development to which the development consent relates;
- b. required to facilitate or is incidental to that development; or
- c. replacement land which is to be given in exchange for commons, open spaces etc. forming part of the Order Land.

161. Section 122(3) states that it is also necessary for the SoS to be satisfied that there is a compelling case in the public interest for the land to be acquired compulsorily.

162. The Compulsory Acquisition Guidance also provides general considerations for the justification of compulsory acquisition powers within a DCO. Under the Compulsory Acquisition Guidance, an applicant should be able to demonstrate that:

- a. all reasonable alternatives to compulsory acquisition have been explored;
- b. proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and is necessary and proportionate;
- c. it has a clear idea of how the land is intended to be used;
- d. there is a reasonable prospect of the requisite funds for acquisition becoming available.

163. The Compulsory Acquisition Guidance also provides that the SoS must ultimately be persuaded that the purposes for the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected. In particular, regard must be given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and Article 8 of the Convention in respect of residential properties. Please see Section 6.7 of this Statement of Reasons for further consideration of human rights.
164. The Compulsory Acquisition Guidance also makes specific provision in respect of the application of Section 122. It provides that in the case of land required for a project to which the development consent relates, the applicant must be able to demonstrate that the land is needed for the development. The SoS must then be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development. In the case of land required to facilitate, or land that is incidental to, the proposed development, the land to be taken should be no more than is reasonably necessary for that purpose and that it is proportionate.

6.2 Requirement for the Order Land

165. The Order Land shown on the Land Plans (document reference 2.5) and described in the Book of Reference (document reference 4.1) is required either for the purposes of the Project, or to facilitate the same, or for purposes incidental thereto. The power to compulsorily acquire such land and rights over land is required to ensure there is no impediment to the delivery of this NSIP. In order to deliver the Project, the Applicant is seeking the acquisition of a combination of freehold ownership and permanent rights.
166. The Applicant has undertaken feasibility studies, environmental and engineering appraisals to inform the most suitable location for landfall, the OnSS, the Onshore ECC and the 400kV cable corridor. This route and the extent of land required has been carefully considered and designed in order to minimise the land take as much as possible.
167. In accordance with the provisions of the PA 2008, the Applicant considers that they are justified in seeking compulsory acquisition powers to secure land, acquire rights over land, impose new restrictions and temporarily use land. These compulsory acquisition powers are required to enable the construction, operation, maintenance and decommissioning of the Project within a reasonable commercial timeframe. The land take, rights over land (including restrictions) and land for temporary use is no more than is required to enable the project.
168. The Applicant considers the status of the Project as a NSIP provides a compelling case in the public interest to grant the powers of compulsory acquisition sought in the Draft DCO (document reference 3.1). The extent of the Order Land is no more than is reasonably necessary for the construction, operation and maintenance of the Project and therefore, the Applicant considers the land identified is proportionate and necessary. Compensation is available to affected parties.

169. The Applicant has taken every measure to avoid taking unnecessary rights or interests and all reasonable alternatives to compulsory acquisition have been explored, including modifications to the scheme following consultation events, stakeholder responses, and negotiations with landowners and occupiers.

6.2.1 Summary of Negotiations with Landowners

170. The Applicant has identified by diligent enquiry all relevant landowners, lessees, tenants and occupiers and has provided notification of the Project and subsequently included those parties in the consultation process. Each landowner and occupier (where required) has been contacted with a view to entering into voluntary negotiations to enable the Applicant to acquire land or rights over the land within the Order Limits as necessary. Further consultation in the form of a meeting to discuss the Heads of Terms (HoTs) has been undertaken where requested; the Project has since agreed terms with the majority of private landowners for the Onshore ECC. An overview of the approach taken is provided in Section 6.4 of this Statement and details of the status of negotiations with landowners and occupiers can be found in the Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, version [34](#)). In versions 1 and 2 of the Statement of Reasons (APP-031 and AS1-032, respectively) the status of negotiations with landowners and occupiers was set out in Appendix 4 (**Current status of negotiations with Landowners and Occupiers**) however Appendix 4 has now been removed from the Statement of Reasons following the Examining Authority's request in its Rule 6 Letter dated 4 September 2024 for the submission of a separate Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, version [34](#)) to document this information.

6.2.2 Freehold Acquisition Negotiations

171. The Applicant, ~~at the time of submission, has initiated~~ [continues](#) commercial negotiations with the view of entering into an Option Agreement for the freehold acquisition of land required in connection with the onshore substation. The Applicant has also consulted with those parties affected by the freehold acquisition of land for the landscaping mitigation works in connection with the OnSS. Although agreement will continue to be sought, the Applicant is including the power to acquire the freehold of such land to ensure it can be secured with certainty.

6.2.3 Landfall Negotiations

172. The Applicant has successfully undertaken commercial negotiations and has agreed in principle HoTs for an Option Agreement to secure the rights required for landfall with all 4 Affected Persons at landfall (in respect of plots 01-004, 01-005, 01-006, 01-007, 01-012, 01-013, 01-014, 01-015 and 01-016; plots 01-008, 01-009, 01-010 and 01-011 being unregistered highway and verges and falling out of the scope of voluntary agreements). The Applicant is still including the power to acquire the rights over such land to ensure it can be secured with certainty in order to proceed with works without hindrance. Of the 4 Affected Persons at landfall, ~~2~~ 2 Option Agreements have been signed. The Applicant is confident it can secure the relevant rights in land by negotiation prior to the close of Examination. Additionally, in respect of plots 01-001 and 01-002, the Applicant has secured these under an agreement for lease with The Crown Estate.

6.2.4 Onshore Export Cable Corridor Negotiations

173. The Applicant has successfully undertaken commercial negotiations, and has agreed in principle HoTs for Option Agreements to secure the rights required with a large number of landowners along the Onshore ECC. The Applicant has also successfully agreed Option Agreements with a large number of landowners along the Onshore ECC. The Applicant is including the power to acquire the rights over such land to ensure it can be secured with certainty in order to proceed with works without hindrance.

174. The Applicant has sought, and continues to seek, a negotiated solution to each of the identified required interests. It is the Applicant's preference to secure negotiated agreements with all identified required interests where practical in accordance with paragraph 25 of the Compulsory Acquisition Guidance, and the Applicant has made representations to each of the relevant owners on this basis. In each case the Applicant has chosen to secure land or rights in a way that minimises disruption to the relevant owners.

175. Where ownership of land is unknown and so scheduled in the Book of Reference, the Applicant has not been able to identify the relevant owner of that land following diligent inquiry. All identified owners of interests have been approached and where possible agreement will be reached. Negotiations will continue, but the Applicant believes compulsory acquisition powers are justified to ensure that the Project can be developed on reasonable commercial terms within an appropriate timescale.

176. As at the date of this Statement, the Applicant has successfully agreed in principle HoTs with 94% of landowners for landfall and the Onshore ECC (representing ~~93.66~~94.08% of the length of the Onshore ECC). Additionally, the Applicant has successfully agreed Option Agreements with ~~67~~79% of landowners for landfall and the Onshore ECC (representing ~~77.42~~77.57% of the length of the Onshore ECC). The Applicant is proceeding to exchange Option Agreements where possible with ~~17~~29 Option Agreements being exchanged to date. The Applicant is continuing positive engagement and constructive commercial negotiations are ongoing with all remaining affected landowners and occupiers. The Applicant is confident it can secure the relevant land and/or rights in land by negotiation prior to the close of Examination.

177. Therefore, the Applicant considers that all reasonable alternatives have been considered prior to the making of the Application. The Applicant has taken account of reasonable factors at relevant stages, weighing the consultee comments, technical feasibility, anticipated market conditions, and minimising environmental and visual impacts and land take.

6.2.5 400kV Cable Corridor Negotiations

178. Populated HoTs were issued to affected landowners along the 400kV cable corridor on the 28th November 2023. HoTs have been agreed with 7 of the 9 landowners and the Applicant is hopeful the remaining HoTs can be agreed, except in the instance where an agreement cannot be reached due to factors unrelated to the Applicant.

6.3 Power to override rights and easements

179. Article 23 (Private Rights) of the Draft DCO (document reference 3.1) ensures existing private rights on the Order land will not have effect to the extent they interfere with the construction or operation of the Project. If the Applicant should decide the rights afforded by Article 20 (Compulsory acquisition of land) and Article 22 (Compulsory acquisition of rights) can be exercised without interruption, the extinguishment or suspension of rights and easements will not be necessary.

180. Article 30 (Statutory Undertakers) authorises the undertaker to acquire land and new rights in land which belongs to statutory undertakers. Rights of statutory undertakers may be extinguished under these powers and statutory undertakers' apparatus may be removed or relocated over or within the Order Land. These powers are subject to the protective provisions set out in Schedule 18 of the Order.

181. Third-party rights which are to be interfered with are identified in the Book of Reference and were identified through diligent enquiry. Unknown interests which were not identified will still be subject to the provisions of the Order, including Article 23, to enable the Project to be delivered without impediment. Please see Section 6.5 of this Statement of Reasons for more information on identifying unknown interests.

182. Due to the Project's status as a NSIP, the Applicant considers there is a compelling case in the public interest for these powers to override rights and for easements to be granted in the Order. The Order limits have been set to be no more than is necessary for the construction and operation of the Project. Any interference with private rights is proportionate and necessary. Compensation is payable to anyone whose rights are extinguished, suspended or interfered with.

6.4 Summary of negotiations with landowners

183. This section provides a summary of the negotiations undertaken with landowners. Details of the status of negotiations with landowners and occupiers can be found in the Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, version [34](#)).

6.4.1 Land Referencing

6.4.1.1 Initial and Contact Referencing

184. An 800m indicative corridor was used to conduct a spatial query of His Majesty's Land Registry (HMLR) National Polygon Service. This query identified all HMLR titles located within the indicative corridor, the registers and title plans were then purchased to identify all relevant interests. Residential properties of less than 1 acre in size were excluded from the indicative corridor.

185. A Landowner Questionnaire (LOQ) was pre-populated using the data obtained from HMLR and issued to all Landowners within the indicative corridor in June 2022 along with a Project introductory letter and a Frequently Asked Questions (FAQ) document. The LOQs provided the initial engagement with Landowners confirming land ownership, contact details, any additional interests, land agent details, permission for non-intrusive survey access and land type.

186. To identify unregistered land interests within the indicative corridor, Dalcour Maclaren undertook a door-knocking exercise, site noticing, and held discussions with adjacent Landowners. Having exhausted all other avenues, this was followed up with TraceIQ searches.

187. As changes were made to the indicative corridor in the initial and contact referencing phase, new Landowners were identified and issued a LOQ where necessary. Following initial consultation, an alternative Onshore ECC route option was announced in January 2023 for which the same process was followed as above.

188. Further details on the Initial and Contact Referencing process can be found in Appendix 3 (**Land Referencing Methodology**).

6.4.1.2 Title Interrogation

189. Title interrogation was undertaken on all land located within the Preliminary Environmental Information Report (PEIR) boundary. This involved issuing prepopulated Land Interest Questionnaires (LIQs) to all identified interests in March 2023. The LIQs requested confirmation that the interests identified through the title interrogation were correct and that any further interests that had not been identified (through the title interrogation process) as purporting to have an interest in the land be made known to the Applicant. Of the 2,566 LIQs issued to identified interests, 33.6% have been completed and returned.

190. Unknown interests that remained following title interrogation were listed on LIQs for Landowners to assist in identifying them. Any unregistered land where an interest had not been identified, unregistered site notices were erected, monitored and recorded over a period of four weeks.

191. Any Special Category Land was identified using a range of sources as set out in Appendix 3. Highways and public right of way searches were conducted by contacting the relevant local authorities. Utility searches were also conducted to identify owners of utility apparatus within the PEIR boundary.
192. Following completion of the LIQ process, all identified interests affected by the Project were categorised into Category 1, 2 and 3 as specified in Section 44 of the PA 2008. Special Category Land and Crown Land was also categorised for the purpose of the creation of a Book of Reference (BoR) (document reference 4.1), the Land Plans (document reference 2.5) and the Special Category Land Plans (document reference 2.12).
193. All diligent enquiries were conducted by Dalcour Maclaren to ensure all interests in the land affected by the Project were appropriately recorded and consulted.
194. Further details on the Title Interrogation process can be found in Appendix 3.

6.4.2 Surveys and Access

6.4.2.1 Non-Intrusive Surveys

195. There has been an ongoing requirement for non-intrusive surveys to be undertaken along the proposed Onshore ECC including Phase 1 & 2 habitat surveys; ornithology and ecology surveys; hydrology surveys; engineering walkovers; land use and geology walkovers; noise monitoring surveys; and archaeological walkovers and geophysical investigation works.
196. Access for non-intrusive surveys was agreed either via voluntary licence agreement or informal agreement with affected parties. A total of 355 non-intrusive licence agreements were entered into across the project scoping area. Upon refinement to the PEIR boundary, access was taken under 151 non-intrusive survey licences. Licence agreements set out various conditions under which access could be taken and were negotiated with landowners and occupiers directly or through their appointed agents.
197. Where only single surveys were required either inside or outside the PEIR boundary, for example at residential properties for eDNA pond surveys, access was agreed following landowner engagement and obtaining their written or verbal authority.
198. Where agreement for survey access could not be reached, access having been denied, section 172 Housing and Planning Act 2016 notices were served. In total, 189 section 172 notices were served on landowners across the scoping area. Subsequently, only 21 notices were relied upon for survey access due to interests returning their licences and the refinement of the PEIR boundary.

6.4.2.2 Phase 1 Intrusive Surveys

199. Phase 1 Intrusive Surveys commenced in June 2023 for a two-month period, where major HDD crossings had been identified and also regular intervals along the Onshore ECC, OnSS search areas. The survey works comprised trial pits, Cone Penetration Tests (CPTs) and boreholes (monitored and unmonitored). The surveys were required to obtain information on ground conditions to support identifying suitable construction methodology, and feed into the final route refinement.
200. A licence agreement was negotiated with land agents which set out various conditions for access along with payment rates depending on the type of excavation undertaken. Of the 28 licence agreements issued all were agreed enabling the surveys to take place.
201. In one case, a survey was scheduled for a land parcel which is land-locked. An individual access licence was negotiated with the neighbouring Landowner to secure access to enable the surveys to take place.
202. An Agricultural Liaison Officer (ALO) was instructed by Dalcour Maclaren during the Phase 1 Intrusive Surveys. Their responsibility was to act as a direct point of contact for Landowners and Occupiers, and manage any issues or potential compensation events raised as a result of the survey works.
203. Dalcour Maclaren arranged meetings with affected Landowners and Occupiers, where appropriate, to discuss the surveys; agree appropriate access routes and ascertain drainage information to aid with the positioning of the surveys.
204. Prior to commencing the surveys, an approved local drainage contractor, Lincolnshire Drainage Co Ltd, was appointed to complete and consult on any drainage repairs throughout the programme. During the surveys, 4 drainage repairs were carried out in accordance with the clauses set out in the agreement and to the satisfaction of the Landowner.

6.4.3 Informal Consultation

205. From initial and contact referencing through to statutory consultation under Section 42 of the PA 2008, Dalcour Maclaren undertook informal consultation with all Landowners and Occupiers within the indicative corridor through to a refined PEIR boundary.
206. Between October 2022 and January 2023, Dalcour Maclaren met in-person with 97% of landowners, occupiers and/or their agents to discuss the search zones for the Onshore ECC and OnSS locations. The remaining 3% consists of unregistered land and parties that were not responsive or did not wish to meet with the Applicant or its agents.
207. Upon announcement of the alternative route option, Dalcour Maclaren undertook a further round of in-person meetings with landowners, occupiers and/or their agents to discuss the reasoning behind the introduction of the alternative route option and obtain feedback as to the land affected. Dalcour Maclaren were able to meet with 73% of parties. This figure is notably lower than the previous round of meetings due to some landowners confirming to Dalcour Maclaren they felt they did not need to meet again or not responding to suggestions for a meeting.

208. All details of informal consultation throughout this period can be found within the Consultation Report (document reference 5.1).

6.4.4 Statutory Consultation

6.4.4.1 Statutory Section 42 Consultation

209. The Statutory Section 42 consultation initially took place on the Preliminary Environmental Information Report between 7th June and 21st July 2023.

210. All interests identified as requiring consultation under Section 42 were notified of this consultation via written correspondence. Newspaper notices were published, and site notices were also placed at strategic locations along the route including on any parcels of unregistered land. Where required, checks were made that correct documentation relating to the consultation was publicly available at pre-determined locations and can be found in the Consultation Report (document reference 5.1).

211. Interests identified during the Statutory Section 42 Consultation were written to in the same way as all other interests and invited to provide responses.

212. Interests identified after the Statutory Section 42 Consultation period were written to in the same way as all other interests and given a minimum of 28 days consultation period in which to provide responses.

213. Details of how the responses to the consultation have been taken into account are set out in the Consultation Report (document reference 5.1).

6.4.4.2 Additional Consultation

Autumn Consultation

214. Feedback previously received from interests within the PEIR boundary during the Statutory Section 42 Consultation was considered and used to develop the Applicant's proposed DCO application. As a result, some small areas of additional land were added to the DCO Order Limits which were not included at the time the original consultation on the PEIR was carried out. In addition, the Applicant received confirmation from National Grid as to the preferred connection point. The results of the Phase 1 intrusive surveys also aided the selection of the final routing option. For these reasons, the Applicant carried out an Additional Targeted Consultation exercise between 20th October 2023 and 24th November 2023.

Targeted Winter Consultation

215. Further consultation was undertaken due to amendments to accesses following the previous round of consultation, and removal and re-location of compound areas and passing bays following design optimisation studies and landowner feedback. The landscape mitigation planting was refined to align with landownership boundaries along with the inclusion of drainage works to minimise the potential impacts of planting on the efficiency of drainage.

216. Land identified for the landscape mitigation planting was also included as part of this consultation. Affected parties were given a consultation period between 2nd November 2023 and 7th December 2023.

Category 3

217. Following a review of noise survey data, additional Category 3 interests were identified which led the Applicant to conduct a further consultation period between 8th December 2023 and 15th January 2024.

6.4.5 Negotiation of Voluntary Agreements

6.4.5.1 Methods of Communication

218. Dalcour Maclaren were instructed by the Applicant to lead all onshore negotiations on behalf of the Applicant. The Applicant instructed legal advisors Shepherd and Wedderburn LLP to support Dalcour Maclaren throughout the process in the drafting of voluntary heads of terms and option agreements. Along with Shepherd and Wedderburn LLP, Dalcour Maclaren reverted to the wider project team to ensure the agreements aligned with the technical, design and legal requirements of the Applicant and that the agreements could be implemented in line with the draft DCO.

219. During negotiation of HoTs, Dalcour Maclaren met in person or via Teams with 93% of landowners and occupiers and/or their agents within the red line boundary to discuss the agreements the Applicant was seeking in more detail and to provide an opportunity to address any concerns. This percentage includes parties who were happy to proceed without a meeting. The remaining 7% were offered a meeting but declined for varying reasons.

220. In Autumn 2022, Dalcour Maclaren were advised that a working group of land agents had formed known as the Land Interest Group (LIG) who represent the majority of landowners and occupiers affected by the Project.

221. The Applicant and Dalcour Maclaren attended an evening with the Lincolnshire Association of Agricultural Valuer's (LAAV) on 13th October 2022 at the Petwood Hotel in Woodhall Spa. An introduction to the Project was given by the Applicant following which members of the LAAV were able to share previous experiences of other projects in the area, particularly in respect of survey access and negotiation of HoTs for relevant rights. This group included members who later formed part of the LIG.

222. In January 2023, the Applicant's Land Manager and Dalcour Maclaren met in-person with the newly-formed LIG at Wilkin Chapman offices in Lincoln to discuss the Project timeline and to confirm the approach to negotiation of agreements via the LIG. Regular meetings were then held in-person or via Teams to negotiate HoTs for the Option for a Deed of Easement and Option for Lease for Temporary Works Areas (TWA).

223. The sharing of documents and general correspondence with LIG was carried out by email. When contacting landowners and occupiers directly, post and email were used.

224. Further detail on meetings with LIG can be found in the Consultation Report (document reference 5.1).

6.4.5.2 Onshore Export Cable Corridor

225. The first draft of HoTs for the Onshore ECC was issued to LIG on 17th February 2023. Negotiations commenced on all aspects of the HoTs including, but not limited to: easement consideration payments; provisions for occupiers; working width; and final easement width. As set out in the Consultation Report (document reference 5.1), regular meetings were held with LIG to close out negotiations on any remaining clauses prior to issuing HoTs to affected landowners.

226. Following confirmation of the red line boundary, populated HoTs were issued to affected landowners via post and via email to their respective agents. HoTs were distributed in batches due to awaiting National Grid's announcement of the preferred connection point. Batch 1 was issued on 6th October 2023 and HoTs included landfall through to Fosdyke. Batch 2 was issued on 17th October 2023 and HoTs included land from Fosdyke to the OnSS.

227. Subsequent to issuing the HoTs, the LIG raised clauses within the HoTs that they felt were not agreed. As a result, an amendment letter was issued on 17th November 2023, setting out amendments to the following clauses:

- 17. Amended to include the use of Occupier Consent Form
- 19. Amended temporary access payments to a monthly sum rather than an annual sum

228. Of the 145 HoTs issued, to date ~~136~~137 landowners (94%) have returned signed HoTs which accounts for ~~93.66~~94.08% of the linear route. Additionally, the Applicant has successfully agreed Option Agreements with ~~67~~79% of landowners for landfall and the Onshore ECC (representing ~~77.42~~77.57% of the length of the Onshore ECC). The Applicant is proceeding to exchange Option Agreements where possible with ~~17~~29 Option Agreements being exchanged to date.

~~229.~~ Negotiations are continuing with 98 landowners and the Applicant remains hopeful that agreement can be reached.

229. ~~230.~~ All known occupiers of land affected by the Onshore ECC have been consulted with. Those with an Agricultural Holdings Act (AHA) tenancy or Farm Business Tenancy (FBT) with a period of more than 2 years will be able to sign into the HoTs so long as the landowner has not reserved rights to grant easements. Where there is a more informal arrangement in place, the occupier will be eligible to sign into an Occupiers Consent Form with the Applicant, enabling them to submit a claim to the Applicant for losses as a direct result of the Project.

230. ~~231.~~ The Occupiers Consent Form has been finalised with the Solicitors Action Group (SAG) and will be issued to occupiers (as described above) as required. The SAG is a working group of solicitors similar to that of the LIG, representing the majority of landowners and occupiers affected by the Project.

6.4.5.3 Onshore Substation

231. ~~232.~~ The land required for the OnSS is held within one land ownership. Early engagement took place with the landowner and their agent to communicate the possible OnSS locations at either Surfleet Marsh or Weston Marsh for the OnSS. Prior to the start of the Autumn consultation and confirmation from National Grid of the preferred connection point, Dalcour Maclaren and the Applicant's Land Manager met in person with the landowner and their agent on 18th October 2023 to discuss the requirement for the OnSS and the structure of land acquisition. HoTs for an option to freehold acquire the land were issued prior to this meeting on 17th October 2023.

232. ~~233.~~ Following this meeting, the Landowner's agent confirmed the commercial terms within the agreement were not acceptable. Dalcour Maclaren and the Applicant reviewed these figures and met in-person with the landowner and their agent on 25th January 2024 where the value for the land required for the OnSS was agreed in principle. Other elements of the commercial deal were not acceptable to the landowner or their agent, including the price payable for both land required for landscaping mitigation planting and for severed land.

233. ~~234.~~ A further offer was issued to the landowner's agent on 9th February 2024. On 10th April a counter offer was received by the landowner's agent which Dalcour Maclaren and the Applicant reviewed in detail before issuing a further revised offer on 26th April to which Dalcour Maclaren are awaiting a response. The landowner's agent has recommenced negotiations and meetings were held on the 4th, 11th, 20th and 26th September, 4th and 18th October, and 7th November 2024 with a view to finalising terms imminently.

6.4.5.4 Onshore Substation Access Route

234. ~~235.~~ The land required for the access to the OnSS is held within two ownerships. Early engagement took place with the landowners and their agent (all represented by the same agent) to communicate the possible requirement to acquire land to construct a new bell mouth off Surfleet Bank, construct a small section of new access road across a grade 1 agricultural field, and then upgrade the existing concrete track leading to the substation. Dalcour Maclaren and the Applicant's Land Manager met in person with the affected landowners and their agent on 18th October 2023 to discuss the proposals in more detail along with the HoTs which were issued prior to the meeting on 17th October 2023. During this meeting it was revealed that the landowners were submitting a planning application for an anaerobic digestion plant and that they would also be requiring an access point to the site. The landowner agreed to amend their plans so as not to interfere with the access required by the Project. The Applicant has now agreed to seek to acquire permanent rights of access rather than freehold acquisition of the bellmouth land.

235. ~~236.~~ Heads of Terms for the permanent rights of access were issued to the affected landowners on the 12th November 2024, and the Applicant remains hopeful a mutual agreement can be reached.

6.4.5.5 400 kV Cable Corridor

236. ~~237.~~ Populated HoTs were issued to affected landowners along the 400kV cable corridor on the 28th November 2023. HoTs have been agreed with 7 of the 9 landowners and the Applicant is hopeful the remaining HoTs can be agreed, except in the instance where an agreement cannot be reached due to factors unrelated to the Applicant.

6.4.5.6 Main Construction Compound

237. ~~238.~~ The main construction compound is included within the ownership of a single landowner. The Applicant issued the HoTs for an option for lease on 19th August 2024 and is hopeful the necessary rights will be acquired by voluntary agreement before the close of examination.

6.4.5.7 Other Temporary Working Areas

238. ~~239.~~ There are 31 TWAs identified across the Onshore ECC and 400kV cable corridor, some affecting multiple landowners. The Applicant issued the HoTs for an option for lease on 19th August 2024 and is hopeful the necessary rights will be acquired by voluntary agreement. The 31 TWAs are located within 33 legal groups; of the 30 HoTs issued, 9 have been agreed. A further 4 HoTs have been issued to landowners where a temporary construction access is required and is not covered within land included within their cable easement HoTs. The Applicant remains engaged with the affected landowners as initial meetings continue.

6.5 Unknown interests

239. ~~240.~~ There are a number of interests identified in the Book of Reference (document reference 4.1) where it has not been possible to identify ownership. The statement “Unknown” is used when diligent enquiry has been carried out and it has still not been possible to obtain information.

240. ~~241.~~ The Applicant has carried out searches and enquiries with the Land Registry and site visits and notices have been and will be erected on site to seek to identify unknown landowners or persons with an interest in the land. Whilst out on site, Dalcour Maclaren have also spoken with landowners of adjoining land in an effort to identify the owner or persons with an interest in the land.

241. ~~242.~~ No responses to notices were received where the land or interests are still identified as unknown. Where responses were received, due diligence has been carried out and the details of the owners/occupiers noted in the Book of Reference (document reference 4.1).

242. ~~243.~~ The Applicant will continue to seek to identify any interested parties and the Book of Reference will be updated during the Examination of the Application as required.

243. ~~244.~~ Further detail of the process of identifying unknown interests can be found in Appendix 3.

6.6 Availability of funds for compensation

244. ~~245.~~ The Compulsory Acquisition Funding Statement (document reference 4.2) contains detailed information regarding the funding available for the Project. The Compulsory Acquisition Funding Statement sets out an estimation of costs relating to the compulsory acquisition of land and rights in land and the imposition of restrictions as well as other associated costs.
245. ~~246.~~ Section 4 of the Compulsory Acquisition Funding Statement explains how compulsory acquisition costs will be funded. The availability of funding is not an impediment to the implementation of the Project or any part of it.

6.7 Human rights

246. ~~247.~~ The Human Rights Act 1998 (the HRA 1998) transposed into domestic law the European Convention on Human Rights (ECHR). The ECHR includes provisions in the form of Articles which aim to protect the rights of the individual (referred to as Convention Rights).
247. ~~248.~~ Of particular relevance when considering whether the Order should include powers of compulsory acquisition are the following:
248. ~~249.~~ **Article 1 of the First Protocol:** protects the right to peaceful enjoyment of possessions. No one shall be deprived of those possessions except where it is in the public interest and subject to the relevant national and international provisions of law allow for it.
249. ~~250.~~ **Article 6:** protects the right to a fair and public hearing including for those affected by power sought for The Project.
250. ~~251.~~ **Article 8:** protects the right to respect for private and family life, home and correspondence. No one shall be deprived of that except in cases where it is in accordance with the law and necessary in the interests of, amongst other things, national security, public safety or the economic wellbeing of the country.
251. ~~252.~~ Section 6 of the HRA 1998 prohibits public authorities from acting in a way which is incompatible with Convention Rights. The SoS is therefore under a duty to have due regard to the HRA 1998 and ECHR. This approach is reflected in the Compulsory Acquisition Guidance. As the DCO has the potential to infringe the Convention Rights of persons who hold interest in the Order Land, this Statement of Reasons considers Convention Rights, which is also in line with the Compulsory Acquisition Guidance.
252. ~~253.~~ Section 122 of the Planning Act 2008 allows for the provision of compulsory acquisition powers under a DCO. This means there is a provision of law which permits the powers which may infringe on Convention Rights, as is set out in the exceptions of Articles 1 and 8.
253. ~~254.~~ The Planning Statement (document reference 9.1) and Section 3 of this Statement demonstrate the need for the Project and the significant benefits which are in the public interest. The Applicant considers, on balance, that the significant public benefits outweigh the effects on those with interest on the Order Land.

254. ~~255.~~ The Applicant has limited the extent of the Order Land by seeking to agree the acquisition of land and rights with landowners and only seeking compulsory acquisition powers where it is necessary.

255. ~~256.~~ For the reasons set out above, the Applicant considers the inclusion of powers for compulsory acquisition in the Draft DCO (document reference 3.1) would not constitute unlawful interference with Convention Rights. It would be appropriate and proportionate to make the Order including compulsory acquisition powers.

7 Special Considerations

7.1 Special Category Land

256. ~~257.~~ Sections 130, 131 and 132 of the PA 2008 provide protection for certain special categories of land, namely:

- a. land belonging to the National Trust which is held by the Trust inalienably; and
- b. land forming part of a common, open space or fuel or field garden allotment.

257. ~~258.~~ No land comprising of National Trust land has been identified as forming part of the Order Land.

7.1.1 Common Land

258. ~~259.~~ There is one area of common land within the Order limits which is Hall Gate (Track) (plot number 17-001). The onshore export cables will be installed beneath this land using a trenchless technique and no works are proposed to the surface of this land.

259. ~~260.~~ Section 132(2) of the PA 2008 states that an Order shall be subject to special parliamentary procedure unless the SoS is satisfied that the land, when burdened with the rights, will be no less advantageous than it was before to the persons in whom it is vested, other persons, if any, entitled to rights of common or other rights, and the public, and that fact is recorded in the Order.

260. ~~261.~~ No works are proposed which will affect the use of the common land or its physical appearance. The cables will be located underground and no works will be undertaken to the surface of the common land. As such, the land when burdened with the rights, will be no less advantageous than it was before.

7.1.2 Open Space

261. ~~262.~~ The landfall at Wolla Bank to the South of Anderby Creek (plot numbers 01-001, 01-002, 01-004 and 01-005) is public open space in ownership of the Crown and Lincolnshire County Council. The offshore export cables will be installed using trenchless techniques under this land. As such, no works are proposed which will affect the use of the open space or its physical appearance. The cables will be located underground and no works will be undertaken to the surface of the open space. The land when burdened with the rights will therefore be no less advantageous than it was before.

7.1.3 Statutory Undertaker's Land

262. ~~263.~~ The PA 2008 provides special provision for statutory undertaker's operational land. Section 127 applies to operational land held by statutory undertakers for the purposes of the undertaking if a representation has been made about the proposed DCO application before the completion of the Examining Authority's examination of the application.

263. ~~264.~~ If that representation has not been withdrawn, and if, as a result of the representation the SoS is satisfied that (i) the land is used for the purposes of carrying on the statutory undertaker's undertaking or (ii) an interest in the land is held for those purposes, then that statutory undertaker's land may only be included for acquisition in a DCO if the SoS is satisfied that the land may be purchased and not replaced without serious detriment to the carrying on of the undertaking or it can be replaced with other land belonging to or available for acquisition by the undertaker without serious detriment to the carrying on of the undertaking. Similar provision can be found in Section 138 of the PA 2008 in respect of the acquisition of new rights over statutory undertakers' operational land.

264. ~~265.~~ Article 30 (Statutory undertakers) engages Sections 127 and 138 of the PA 2008. This Article will permit the compulsory acquisition of land or rights of statutory undertakers or enable the Applicant to extinguish rights or relocate apparatus of statutory undertakers. Such power may only be included in the Order if the Secretary of State is satisfied the extinguishment or removal is necessary for the Project to be realised.

265. ~~266.~~ Article 30 is subject to the protective provisions contained within Schedule 18 to the Draft DCO.

266. ~~267.~~ The Applicant is seeking to agree protective provisions with relevant statutory undertakers and details of the negotiations to date with the affected statutory undertakers to which Section 127 and/or Section 138 of the 2008 Act may apply are set out in the Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, [version 4](#)) . In versions 1 and 2 of the Statement of Reasons (APP-031 and AS1-032, respectively) the status of negotiations with statutory undertakers was set out in Appendix 5 (**Current status of negotiations with Statutory Undertakers**) however Appendix 5 has now been removed from the Statement of Reasons following the Examining Authority's request in its Rule 6 Letter dated 4 September 2024 for the submission of a separate Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, [version 34](#)) to document this information.

7.2 Crown Land

267. ~~268.~~ Section 135 of the PA 2008 allows for a DCO to permit compulsory acquisition of Crown land to the exclusion of the Crown interests in the land or make other provision relating to rights benefitting the Crown where the appropriate Crown authority consents to the acquisition. The extent of the Order Land owned by the Crown or subject to Crown interests is demonstrated in the Book of Reference (document reference 4.1) and is shown on the Crown Land Plans Onshore (document reference 2.6) and the Crown Land Plans Offshore (document reference 2.7).

268. ~~269.~~ The Applicant is in discussion with the Crown and has requested their consent to the inclusion of the Crown land as required under Section 135 of the PA 2008.

269. ~~270.~~ HoTs for an Option for a Deed of Easement in respect of the Crown's agricultural land were issued on 12th February 2024 to the Crown's appointed agent. The terms are now under negotiation, with a further meeting with the Crown's appointed agent held on 28th February 2024 and subsequently on 2nd May 2024 to review the proposed terms in more detail. The Crown Estate's professional representative provided the Applicant with The Crown Estate Heads of Terms on 7th July 2024 and the Applicant provided feedback during a meeting on 14th August 2024 with revised HoTs being issued back to The Crown Estate on 23rd August 2024. The Applicant is awaiting a response from The Crown Estate's professional representative. A meeting was held with the Crown Estate's professional representative on 22nd October 2024 to agree timescales for review of the documentation. Weekly meetings are ongoing with the Crown Estate's professional representative ~~with~~ however the agreed aim of finalising heads of terms by the 29th November ~~2024~~ has not been met. The Applicant is hopeful that Heads of Terms will be in an agreed form imminently.

270. ~~271.~~ A meeting was also held with the Crown's Coastal department on Thursday 1st February 2024 and subsequently on 2nd May 2024 with regard to HDD under the Haven. The Applicant is in discussions with the Crown's appointed agents in respect of the terms to be negotiated. The Applicant has been made aware of third party rights crossing the Haven within the Project's Order Limits which the Applicant has confirmed to the Crown Estate are now abandoned. The Applicant is arranging to meet with the statutory body who holds an easement with The Crown Estate to confirm they are happy to discuss next steps with The Crown Estate directly as to whether they can remove their rights as the asset is abandoned. The Applicant has forwarded the statutory body's solicitor details to The Crown Estate for their legal team to contact them directly. The Applicant has received template terms and ~~has provided comments back to the Crown Estate's professional representative~~ is now in discussions with The Crown Estate directly and the Applicant is ~~awaiting a response and confirmation they will work to the 29th November to have~~ hopeful that Heads of Terms will be in an agreed form imminently.

8 Other Consents

271. ~~272.~~ The Order will grant consent for the construction, operation and maintenance and decommissioning of the Project. A number of additional consents and licences may be required from bodies such as Natural England, the Highways Authority or the Marine Management Organisation. These additional consents are listed in Other Consents and Licences (document reference 3.3). It is not envisaged by the Applicant that there will be any undue delay or obvious reason why these other consents and licences would not be forthcoming.

9 Further Information

9.1 Negotiation of Sale

272. ~~273.~~ Owners and occupiers of property located within the Order Land and affected by the Project who wish to negotiate a sale or discuss matters of compensation should contact the Applicant by email at outerdowsing@dalcourmaclaren.com or by telephone on 0333 188 5374 or by post to Dalcour Maclaren, 1 Staplehurst Farm, Weston on the Green, Oxfordshire, OX25 3QU.

9.2 Compensation

273. ~~274.~~ There are a number of statutory provisions on compensation for land compulsorily acquired and depreciation in property values. This is supplemented by the Department for Levelling Up, Housing and Communities' "Compulsory Purchase and Compensation" Guidance Note (last updated December 2021). These are:

274. ~~275.~~ Booklet No. 1 - Compulsory Purchase Procedure

275. ~~276.~~ Booklet No. 2 - Compensation to Business Owners and Occupiers

276. ~~277.~~ Booklet No. 3 - Compensation to Agricultural Owners and Occupiers

277. ~~278.~~ Booklet No. 4 - Compensation for Residential Owners and Occupiers

278. ~~279.~~ Booklet No. 5 - Reducing the Adverse Effects of Public Development: Mitigation Works

279. ~~280.~~ These booklets are available to download free of charge online at: <https://www.gov.uk/government/collections/compulsory-purchase-system-guidance>

10 Conclusions

280. ~~281.~~ The DCO Application includes a request for the compulsory acquisition of land rights and interests in land to be authorised. This Statement demonstrates that the inclusion of compulsory acquisition powers within the Order is in accordance with Section 122 of the PA 2008 and the Compulsory Acquisition Guidance.

281. ~~282.~~ In summary, the Order Land or rights over the Order Land and the imposition of restrictions are required for the purposes of, to facilitate, or are incidental to, the Project and are no more than are reasonably necessary. There is a compelling case in the public interest for the land or rights over the land to be compulsorily acquired and restrictions imposed in order for the UK to meet its legal obligations to decarbonise, meet the increasing demand for low carbon electricity and achieve net zero by 2050.

282. ~~283.~~ The Applicant has considered the following in order to justify the grant of compulsory acquisition powers:

- a. Reasonable alternatives to compulsory acquisition have been explored;
- b. It has been demonstrated that the interference with third party rights is for a legitimate purpose and is necessary and proportionate;
- c. A description of the intended use of the land or rights to be acquired compulsorily has been provided;
- d. An explanation has been provided as to how it is expected that the construction of the Project and the acquisition of the land or rights over the land will be funded. The issue of compensation required in connection with the exercise of powers of compulsory acquisition. These financial considerations demonstrates that there is a reasonable prospect of the requisite funds being available to enable the Project; and
- e. Article 1 of the First Protocol to the ECHR and Article 8 of the ECHR have been considered.

283. ~~284.~~ In conclusion, it is submitted that the Order be made and the compulsory acquisition powers and powers of temporary possession sought within the Order be granted.

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Appendix 1 Menu of Rights

Appendix 2 Land subject to compulsory acquisition powers

Table 1: Land subject to compulsory acquisition powers

Area of works	Plot number shown on Land Plans (document reference 2.5)	Rights Sought ¹	Use of Land
Landfall	01-001, 01-002 01-004, 01-005, 01-006, 01-007, 01-008, 01-009 01-010, 01-013, 01-014, 01-015, 01-016	A, B, C	Work No.11 (landfall connection works consisting of up to four underground cable circuits and up to six associated cable ducts to Work No. 12) Work No.12 (up to four underground cable circuits and up to six associated cable ducts to Work No. 13) Work No.13 (works consisting of: a. up to six trenchless technique drilling launch pits; b. up to four underground cable circuits and up to six associated cable ducts to Work No. 14; c. up to four underground cable circuits and associated cable ducts from Work No. 14 to Work No. 15; d. a landfall temporary works area; e. storage areas;

	01-011, 01-012,	L	<p>f. drainage works; g. construction of a haul road; and h. vehicular access tracks, bellmouths and footpaths</p> <p>Work No. 14 (up to six transition joint bays including ground) preparation and ground-raising)</p> <p>Work No. N/A. (permanent vehicular access)</p>
Onshore ECC	01-017, 01-018, 02-006, 02-007, 02-008, 02-009, 02-010, 02-011, 02-012, 02-013, 03-008, 03-009, 03-010, 03-013, 03-015, 03-016, 03-017, 03-018, 03-021, 03-022, 03-025, 03-026, 03-028, 03-029, 03-030, 04-004, 04-006, 04-011, 04-012, 04-016, 04-017, 04-018, 04-019, 04-020, 04-021, 04-023, 05-002, 05-003, 05-004, 05-006, 05-007, 05-008, 05-009, 05-010, 05-011, 05-014, 05-015, 05-016, 05-017, 05-018, 05-021, 06-001, 06-002, 06-005, 06-007, 06-008, 06-010, 06-012, 06-017, 06-018, 06-019, 06-021, 07-003, 07-005, 07-006, 07-007, 08-004, 08-005, 08-006, 08-007, 08-013, 08-014, 08-015, 08-016, 09-002, 09-003, 09-004, 09-004a, 09-004b, 09-006, 09-011, 09-012, 09-013, 09-016, 09-017, 09-018, 09-018a, 09-022, 10-002, 10-004, 10-005, 10-006, 10-011, 10-012, 10-016, 10-017, 10-018, 11-003, 11-006, 11-007, 11-008, 11-010, 11-012, 11-015, 11-016, 11-017, 11-018, 11-019, 11-020, 11-021, 11-022, 11-023, 12-005, 12-006, 12-007, 12-008, 12-009, 12-010, 12-012, 12-013, 12-018, 12-019, 12-020, 13-001, 13-002, 13-003, 13-004, 13-010, 13-011, 13-018, 13-019, 13-020, 13-021, 14-004, 14-005, 14-006, 14-007, 14-008, 14-009, 14-011, 14-012, 14-013, 14-014, 14-015, 15-004, 15-006, 15-007, 15-008, 15-009, 15-010, 15-011, 15-012, 15-013, 15-015, 15-016, 15-041, 15-042, 15-043, 15-044, 15-046, 15-047, 15-048, 15-049, 15-050, 15-053, 15-054, 15-055, 15-056, 15-057, 16-003, 16-004, 16-005, 16-006, 16-007, 16-009, 16-010, 16-011,	D	<p>Work No.15 (works consisting of:</p> <p>a. up to four underground cable circuits and associated cable ducts to Work No. 16;</p> <p>b. up to 680 link boxes and/or earth pits;</p> <p>c. up to 680 joint bays;</p> <p>d. temporary trenchless technique compounds;</p> <p>e. storage areas;</p> <p>f. drainage works;</p> <p>g. construction of a haul road; and h. vehicular access tracks, bellmouths and footpaths.)</p>

16-012, 16-013, 16-014, 16-015, 16-016, 16-020, 16-021, 16-022, 16-023, 16-024, 16-025, 16-027, 16-029, 16-030, 16-031, 17-001, 17-002, 17-003, 17-006, 17-007, 17-008, 17-009, 17-010, 17-011, 17-012, 17-013, 17-014, 17-015, 17-016, 17-018, 17-021, 17-022, 17-023, 17-024, 17-026, 17-027, 17-028, 17-029, 17-030, 17-034, 17-035, 18-001, 18-002, 18-003, 18-004, 18-005, 18-006, 18-007, 18-009, 18-010, 18-011, 18-013, 18-014, 18-016, 18-017, 18-018, 18-019, 18-021, 18-023, 18-024, 18-025, 18-026, 18-028, 18-030, 18-033, 18-034, 18-037, 18-038, 19-001, 19-002, 19-003, 19-004, 19-006, 19-008, 19-009, 19-010, 19-011, 19-012, 19-013, 19-014, 19-015, 19-016, 19-017, 19-018, 19-019, 19-020, 19-021, 19-022, 19-024, 19-024a, 19-025, 20-004, 20-005, 20-006, 20-008, 21-003, 21-004, 21-005, 21-006, 21-008, 21-009, 21-011, 22-004, 22-005, 22-009, 22-011, 22-012, 22-013, 22-018, 22-021, 22-022, 22-023, 22-026, 22-027, 22-028, 22-031, 22-032, 23-001, 23-002, 23-005, 23-008, 23-009, 23-010, 23-011, 23-012, 23-013, 23-015, 23-016, 23-019, 23-020, 23-021, 23-022, 23-024, 23-026, 23-027, 23-030, 23-032, 23-033, 23-034, 24-002, 24-003, 24-005, 24-010, 24-013, 25-001, 25-002, 25-003, 25-004, 25-005, 25-006, 25-007, 25-008, 25-009, 25-010, 25-011, 25-012, 25-013, 25-014, 25-017, 25-018, 25-019, 25-020, 25-021, 25-022, 25-024, 25-025, 25-026, 25-027, 25-030, 25-031, 25-032, 25-033, 26-003, [26-003a](#), 26-005, [26-005a](#), 26-006, 26-007, 26-008, 26-009, 26-009a, 26-009b, , 26-011, 26-012, 26-013, 26-014, 26-016, 26-017, 26-018, 26-022, 26-023, 26-024, 27-001, 27-002, 27-005, 27-006, 27-007, 27-008, 27-009, 27-010, 27-011, 27-015, 27-019, 27-021, 27-023, 27-024, 27-027, 27-030, 28-001, 28-002, 28-003, 28-005, 28-006, 28-007, 28-011, 28-012, 28-014, 28-016, 28-017, 28-018, 28-019, 29-004, 29-005, 29-008, 29-009, 29-010, 29-013, 30-002, 30-005, 30-006, 30-007, 30-008, 30-009, 30-010, 30-013, 30-014, 30-015, 30-016, 30-017, 30-020, 30-021, 30-022, 30-023, 30-024, 31-001, 31-002, 31-003, 31-004, 31-005, 31-006, 31-007, 31-008, 31-009, 31-010, 32-003, 32-004, 32-004a, 32-005, 32-006, 32-007, 32-008, 32-009, 32-010, 32-011, 32-014, 32-015, 32-016, 32-017, 32-018, 32-019, 32-025, 32-026, 33-001, 33-002, 33-003, 33-004, 33-005, 33-008, 33-009, 33-010, 33-012, 33-013,

	33-014, 33-015, 33-016, 33-026, 33-027, 33-028, 33-029, 33-035, 33-036, 33-037, 33-038, 33-039, 33-040, 34-003, 34-004, 34-005, 34-006, 34-007, 34-014, 34-015, 34-016, 34-018, 34-019, 34-020, 34-023, 37-001, 37-002, 37-003, 37-004, 37-009, 37-011, 37-012, 38-005, 38-006, 38-007, 38-008, 39-001, 39-002, 39-003, 39-004, 39-005, 39-006, 39-007, 39-008, 39-009, 39-014, 39-015, 39-016, 40-007, 40-010, 41-002, 41-003, 42-015, 42-016, 42-017, 42-018, 42-019, 42-020, 42-021, 42-022, 42-023, 42-024, 42-025, 43-001, 43-002, 43-003, 43-004, 43-005, 43-006, 43-007, 43-008, 43-009, 43-010, 43-011, 43-012, 43-013, 43-014, 43-015, 43-016, 43-017, 43-018, 43-019, 43-020, 43-021, 44-001, 44-002, 44-003, 44-004, 44-005, 44-006, 44-007, 44-008, 44-009, 44-010, 44-011, 44-012, 44-013, 44-014, 45-025, 45-026, 45-027, 45-028, 45-029, 45-030, 45-031, 45-032, 45-032a		
	15-028, 15-029, 15-030, 15-031, 15-032, 15-033, 15-034, 15-035, 15-036		Work No.22 (works comprising the reinforcement or replacement of the bridge)
ONSS	45-041	Freehold acquisition	Work No. 16 (works consisting of: <ul style="list-style-type: none"> a. an onshore HVAC substation; b. up to four underground cable circuits and associated cable ducts between Work No.15 and the onshore HVAC substation; c. up to two underground cable circuits and associated cable ducts between the onshore HVAC substation and Work No.17; d. construction of a haul road; e. vehicular access tracks, bellmouths and footpaths; f. temporary works areas to support the construction activities;

			<p>g. storage areas and</p> <p>h. ground preparation and ground-raising);</p> <p>Work No. 23 (works consisting of landscaping works including bunding and planting, drainage works, and formation of footpaths and access)</p> <p>and</p> <p>Work No.25 (works consisting of drainage works, sustainable drainage system ponds, surface water management systems, formation of footpaths and access)</p>
Landscaping Mitigation Planting and Drainage Works	45-001, 45-005, 45-008, 45-015, 45-021, 45-041, 45-041b, 45-050, 45-068, 46-002, 46-003, 46-006, 46-008, 46-017, 46-021, 46-033, 46-037, 46-044, 47-005, 47-006a, 47-006b, 47-011, 47-017, 47-026, 47-031, 47-039, 48-002, 48-005, 48-006, 48-007, 48-012	Freehold acquisition	<p>Work No. 23 (works consisting of landscaping works including bunding and planting, drainage works, and formation of footpaths and access)</p> <p>and</p> <p>Work No.25 (works consisting of drainage works, sustainable drainage system ponds, surface water management systems, formation of footpaths and access)</p>
Drainage Works	45-003, 45-006, 45-009, 45-010, 45-012, 45-013, 45-016, 45-017, 45-018, 45-019, 45-022, 45-034, 45-037, 45-038, 45-042, 45-043, 45-044, 45-045, 45-046, 45-047, 45-049, 45-049a, 45-052, 45-052a, 45-055, 45-056, 45-059, 45-061, 45-063, 45-064, 45-067, 45-069, 45-073, 46-005, 46-007, 46-010, 46-012, 46-013, 46-015, 46-019, 46-020, 46-027, 46-029, 46-030, 46-031, 46-034, 46-035, 46-036, 46-037a, 46-038, 46-040, 46-042,	J	Work No.24 (drainage works, formation of footpaths and access)

	46-043, 46-044a, 46-046, 46-047, 47-007, 47-010, 47-013, 47-015, 47-016, 47-018, 47-019, 47-020, 47-02147-024, 47-025, 47-027, 47-036, 47-037, 48-001, 48-003, 48-009, 48-010, 48-013		
Drainage Works and Permanent accesses	45-002, 45-004, 45-007, 45-011, 45-014, 45-020, 45-035, 45-036, 45-048, 45-051, 45-051a, 45-057, 45-060, 45-065, 45-065a, 46-001, 46-004, 46-009, 46-011, 46-014, 46-018, 46-028, 46-032, 46-039, 46-045, 47-012, 47-022, 47-023, 47-038, 48-004, 48-008, 48-011	J, L	Work No.24 (drainage works, formation of footpaths and access) Work No. N/A. (permanent vehicular access in connection with Works No. 23 and 24)
Permanent accesses	09-007, 09-008, 09-009, 09-010, 15-019, 15-025, 15-038, 15-039, 45-041a, 46-022, 46-041, 47-006, 47-008, 47-009, 47-014	L	Work No. N/A. (permanent vehicular access)
400 kV cable corridor	45-046a, 45-054, 45-058, 45-062, 46-016, 46-023, 46-024, 46-025, 47-032, 47-033, 48-014, 48-015, 48-017, 48-018, 48-019, 48-020, 48-021, 48-022, 48-023, 48-024, 48-025, 49-007, 49-008, 49-009, 49-010, 50-002, 50-003, 50-004, 50-005, 50-006, 50-007, 50-007a, 51-001, 51-001a, 51-002, 51-003, 51-004, 51-005, 51-006, 51-007, 51-008, 51-009, 51-010, 51-011, 51-012, 51-013, 51-014, 51-015,	E	Work No.17 (connection works consisting of: a. up to two underground cable circuits and associated cable ducts between the onshore HVAC substation forming part of Work No. 15 and a National Grid substation, including a connection above ground; b. electrical engineering works within or around the National Grid substation buildings and compound; c. up to 20 link boxes and/or earth pits; d. up to 20 joint bays; e. temporary trenchless technique compounds; f. storage areas; g. drainage works; h. construction of a haul road; and i. vehicular access tracks, bellmouths

			and footpaths.
Passing bays and highway alterations	17-036, 17-037, 20-009, 33-017, 33-018, 34-025, 35-001, 35-002, 35-003, 36-005, 36-006, 36-007, 36-008, 39-022, 39-023, 42-005, 42-006, 42-007, 42-008, 42-009, 42-010, 42-013, 42-014, 43-022	H	Work No.21 (highway alterations including widening of the highway, provision of passing bays, culverting and drainage works)
Construction compounds	02-001, 02-002, 04-014, 07-008, 07-009, 07-012, 08-009, 10-013, 10-015, 10-019, 13-013, 13-014, 15-017, 15-037, 15-040, 15-052, 18-020, 20-002, 20-003, 23-023, 26-025, 27-003, 27-004, 29-007, 29-011, 29-012, 30-001, 33-011, 33-030, 33-031, 34-009, 34-021, 34-022, 36-002, 36-003, 36-004, 39-013, 39-021, 42-003, 43-026, 43-027, 43-028, 43-038, 43-039, 43-040, 43-041, 45-040, 47-004, 47-029, 49-005, 49-006	G	Work No.19 (temporary works consisting of: temporary works areas to support the construction activities; temporary construction ramps; storage areas to assist with the onshore transmission works; and drainage works; and vehicular access tracks, bellmouths and footpaths)
Construction accesses	04-013, 05-005, 07-010, 07-011, 08-001, 08-002, 08-003, 08-008, 10-014, 12-016, 13-012, 14-001, 14-002, 14-003, 15-018, 15-020, 15-021, 15-022, 15-023, 15-024, 15-026, 15-027, 15-045, 15-051, 16-001, 16-002, 20-001, 33-019, 33-020, 33-021, 33-022, 33-023, 33-024, 33-025, 34-010, 34-011, 34-012, 34-013, 38-003, 38-004, 38-009, 42-004, 43-023, 43-024, 43-029, 43-030, 43-031, 43-032, 43-033, 43-034, 43-035, 43-042, 43-043, 43-044, 43-045, 43-046, 43-047, 44-027, 44-028, 44-029, 49-001, 49-002, 49-003, 49-004	F	Work No.18 (temporary vehicular access tracks, bellmouths and associated footpaths)
Enabling accesses	01-019, 02-003, 02-004, 02-005, 02-014, 02-015, 02-016, 02-017, 02-018, 02-019, 02-020, 02-021, 03-001, 03-002, 03-003, 03-004, 03-005, 03-006, 03-007, 03-011, 03-012, 03-014, 03-019, 03-020, 03-023, 03-024, 03-027, 03-031, 04-001, 04-002, 04-003, 04-005, 04-007, 04-008, 04-009, 04-010, 04-015, 04-022, 05-001, 05-012, 05-013, 05-019, 05-020, 06-003, 06-004, 06-006, 06-009, 06-011, 06-013, 06-014, 06-015, 06-016, 06-020, 07-001,	K	Work No. N/A (temporary vehicle access)

07-002, 07-004, 08-010, 08-011, 08-012, 08-017, 09-001, 09-005, 09-005a, 09-005b, 09-005c, 09-014, 09-015, 09-019, 09-020, 09-021, 10-001, 10-003, 10-007, 10-008, 10-009, 10-010, 10-020, 10-021, 10-022, 11-001, 11-002, 11-004, 11-005, 11-009, 11-013, 11-014, 12-001, 12-002, 12-003, 12-004, 12-011, 12-014, 12-015, 12-017, 13-005, 13-006, 13-007, 13-008, 13-009, 13-015, 13-016, 13-017, 14-010, 14-016, 15-001, 15-002, 15-003, 15-005, 15-014, 16-008, 16-017, 16-018, 16-019, 16-026, 16-028, 17-004, 17-005, 17-017, 17-019, 17-020, 17-025, 17-031, 17-032, 17-033, 18-008, 18-012, 18-015, 18-022, 18-027, 18-029, 18-031, 18-032, 18-035, 18-036, 19-005, 19-007, 19-023, 20-007, 21-001, 21-002, 21-007, 21-010, 22-001, 22-002, 22-003, 22-006, 22-007, 22-008, 22-010, 22-014, 22-015, 22-016, 22-017, 22-019, 22-020, 22-024, 22-025, 22-029, 22-030, 23-003, 23-004, 23-006, 23-007, 23-014, 23-017, 23-018, 23-025, 23-028, 23-029, 23-031, 23-035, 24-001, 24-004, 24-006, 24-007, 24-008, 24-009, 24-011, 24-012, 25-015, 25-016, 25-023, 25-028, 25-029, 26-001, 26-002, 26-004, 26-015, 26-019, 26-020, 26-021, 27-012, 27-013, 27-014, 27-016, 27-017, 27-018, 27-020, 27-022, 27-025, 27-026, 27-028, 27-029, 28-004, 28-008, 28-009, 28-010, 28-013, 28-015, 29-001, 29-002, 29-003, 29-006, 30-003, 30-004, 30-011, 30-012, 30-018, 30-019, 32-001, 32-002, 32-012, 32-013, 32-020, 32-021, 32-022, 32-023, 32-024, 33-006, 33-007, 33-032, 33-033, 33-034, 34-001, 34-002, 34-008, 34-017, 34-024, 37-005, 37-006, 37-007, 37-008, 37-010, 38-001, 38-002, 39-010, 39-011, 39-012, 39-017, 39-018, 39-019, 40-001, 40-002, 40-003, 40-006, 40-008, 40-009, 41-001, 42-001, 42-002, 42-011, 42-012, 42-026, 43-025, 43-036, 44-015, 44-016, 44-017, 44-018, 44-019, 44-020, 44-021, 44-022, 44-023, 44-024, 44-025, 44-026, 45-023, 45-024, 45-033, 45-039, 45-053, 45-066, 45-070, 45-071, 45-072, 46-026, 47-001, 47-002, 47-003, 47-028, 47-030, 47-034, 47-035, 48-016, 49-011, 50-001

Table 2: Plot numbers in relation to passing bay locations

Plot no	Size (m2)	Current Land use
17-036	29.08	Grass verge
17-037	26.99	Grass verge
20-009	98.45	Agricultural field
33-017	81.00	Agricultural field
33-018	258.62	Agricultural field
34-025	25.94	Agricultural field
35-001	63.75	Hard standing
35-002	48.44	Hard standing
35-003	38.42	Agricultural field
36-005	33.56	Grass verge
36-006	43.71	Grass verge
36-007	19.59	Agricultural field
36-008	91.04	Agricultural field
39-022	38.81	Grass verge
39-023	111.63	Agricultural land
42-005	61.98	Agricultural land
42-006	53.32	Agricultural land
42-007	40.04	Grass verge
42-008	79.31	Grass verge
42-009	58.54	Agricultural land
42-010	68.89	Agricultural land
42-013	51.59	Grass verge
42-014	49.26	Grass verge
43-022	57.62	Grass verge

Appendix 3 Land Referencing Methodology



**DALCOUR
MACLAREN**

High Level DCO Land Referencing Methodology

March 2024



Project Details

Project Name	Outer Dowsing Offshore Wind
Scheme Number	22000087
Report Number	1

Prepared by	
Victoria Sherwin	Dalcour Maclaren

Approved by	
Pippa Wright	Dalcour Maclaren

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Introduction

This document sets out the technical guidelines to ensure the process of land referencing is consistent route wide.

Purpose and Objectives of the Technical Guidelines

The purpose of this document is to provide guidance and ensure consistency in the preparation of recording all interests in land required or affected by the Outer Dowsing Offshore Wind Farm Project.

Responsibilities/deliverables

Dalcour Maclaren's (DM) land referencing service;

- ensures a thorough process of land referencing and;
- delivers consistent and accurate data based on diligent and professional inquiry with affected parties

The DM land referencing team will work alongside the DM Geographical Information System (GIS) mapping team, the DM surveyor team and any DM contracted solicitors or other third parties to ensure the data is collated with the required diligence.

Land Referencing

GT R4 Limited has statutory obligations under Section 42 of the 2008 Planning Act for diligent inquiry to identify all persons with relevant interests in land for the purpose of consultation and subsequent inclusion in a Book of Reference (BoR) to support an application for compulsory acquisition powers within a Development Consent Order (DCO).

A land referencing programme is required to assist with the preparation of the BoR as one of the key components of the submitted DCO application. The BoR sets out all interests in land and the reputed owners which have been established throughout the land referencing activities.

Project Initiation and Data Transfer

In order for Dalcour Maclaren to start the land referencing process, the land referencing boundary in digital format is to be provided to DM by GT R4 Limited. This land referencing boundary will encapsulate all land that GT R4 Limited believes could potentially be affected by the project either directly (BoR category 1 & 2 interests through the acquisition of land) or indirectly (BoR category 3 interests through ability to make a potential claim).

Best Practice: *the land referencing boundary is the greatest extent that BoR category 1, 2 & 3 interests specified above can be identified within. Once the Section 42 and DCO boundary extents have been decided, these should fall within the land referencing boundary in their entirety. If this is not the case, the land referencing process will need to be conducted for these additional areas and additional time will be needed to complete this.*

Once the digital land referencing boundary is received, a new project on our in-house database system, CONNECT, and associated GIS database, ESRI, will be created. OS mapping and raster mapping will be sourced and used as the background mapping for any land plans required during the land referencing process. Using the digital land referencing boundary, the DM GIS mapping team will spatially query the His Majesty's Land Registry (HMLR) National Polygon Service (NPS) dataset to identify all the HMLR titles located within the land referencing boundary.

Initial HMLR Data Processing

A request is made to HMLR to provide a proprietor data spreadsheet of those titles identified as within the land referencing boundary. This proprietor spreadsheet provides the associated tenure, names, and addresses of the proprietors and the names and addresses of any mortgagees for these proprietors.

The data provided by HMLR will then be checked and cleansed to ensure the addresses are formatted correctly to match the official Royal Mail address, this is done using the Loqate software. To ensure all organisations listed have the current organisation name and registered address checks are done using the UK Companies House website. For any organisations that are registered outside of the UK, foreign Companies House websites are used to identify their registered addresses. For unregistered organisations, desktop research is used to define the most appropriate address to which to send correspondence to.

Once the data is checked and cleansed, this spreadsheet is sent to the DM GIS mapping team to add this data to the appropriate HMLR title on CONNECT and ESRI. The land parcels are also created and populated with the respective proprietors and mortgagees. Multiple parcels may be assigned to a single title if the areas within the title are non-contiguous.

For any land within the land referencing boundary that is unregistered, land parcels are created by the DM GIS mapping team for these areas to ensure all land within the land referencing boundary is covered by an associated land parcel.

The title descriptions listed on the HMLR registers will be used as parcel descriptions and reviewed to ensure the land has been described appropriately. All unregistered parcels are also given a parcel description using satellite imagery available on Google Maps and Bing Maps+.

Initial Contact & Survey Access Request Letter

Once the above is complete, a list of all landowners and their addresses will be exported from CONNECT.

DM will provide GT R4 Limited with the first draft of the initial contact cover letter, landowner questionnaire (LOQ), landowner questionnaire reminder letter, survey access licence and unknown owner site notice templates. GT R4 Limited will then make any necessary amendments to the templates prior to approval for use.

Best Practice: *Initial contact cover letter, LOQ and survey access licence templates to be approved for use a minimum of 2 weeks prior to the correspondence being sent out in the post to ensure there is enough time to create these letters.*

This correspondence will be sent via 1st Class post to all landowners within the current land referencing boundary to make all landowners aware of the project and request access to their land for the purposes of conducting surveys.

In the first instance, LOQs will be sent to ascertain that the landowners identified in the HMLR register are still the legal owners and any additional information provided on the LOQ, such as tenants on the land or their land agent, will be added to CONNECT. Whether a landowner has given or declined consent to access to their land and if they require prior contact before surveys being carried out will be recorded on CONNECT. This information is shared with those conducting the surveys to allow them to arrange access for landowners who have given consent.

For unregistered land within the land referencing boundary, TracelQ is used, and desktop research is conducted in the first instance for these parcels to identify potential interests and these are recorded on CONNECT. Site visits will also be conducted if required to those who own the adjacent parcels to attempt to ascertain who owns the unregistered parcels. If the site visit is unsuccessful in obtaining this information a site notice will be erected asking for those that do have any ownership information to contact DM. We also use Environmental Stewardship data to identify tenants of land and further research can then be conducted to obtain address and contact information.

Reminder letters will be sent to those that have not responded to the initial letter to encourage further responses. TraceIQ will be used to source any phone numbers and/or email addresses so that those that have not responded to the initial letter can be contacted to chase a response.

Alongside the LOQ, survey access licences for non-intrusive surveys will be sent to those for which access is required to their land. Any signed survey access licences received will be recorded and notification of completion will be provided to those conducting the surveys to arrange a suitable time and date for the survey to take place.

The surveys to be conducted will inform changes to be made to the Preliminary Ecological Impact Report (PEIR) boundary prior to conducting the tasks listed below.

Further HMLR Data Processing

A spreadsheet listing all HMLR titles within the updated PEIR boundary will be sent to HMLR to provide the corresponding HMLR registers and title plans.

A review of the HMLR title plans will identify any discrepancies between the HMLR NPS polygon dataset and the actual extent of the titles shown on the HMLR title plans. Any required amendments will be made to the existing parcels on ESRI to match the title plan extent where necessary.

Each of the registers that relate to an HMLR title located within the PEIR boundary will be reviewed to ensure any beneficiaries, rights, easements, covenants, provisions and restrictions are also listed under the appropriate parcels. Any interests identified that relate to only part of the parcel will require the DM GIS mapping team to create a spatial layer on ESRI to identify the part of the parcel to which the interest specifically relates.

Best Practice: *HMLR title interrogation to be carried out once GT R4 Limited has finalised the land referencing boundary since this is an extremely time-consuming process and any unnecessary interpretation of HMLR titles will lead to a large amount of abortive work which is not beneficial for DM or GT R4 Limited.*

Desk Based Interest Gap Identification and Filling

All unregistered parcels will be populated with an unknown freeholder occupier and unknown rights interest. Desktop research will be conducted and TraceIQ will be used to identify any occupying interests that are missing from the relevant parcels. Any assumed owners will also be added to these unregistered parcels. These interests include adjacent landowners, frontage (ad medium filum) interests, watercourse interests, railway interests and rights of access interests.

A utility search will be conducted by DM using a third-party company called Atkins, this is done as utility information needs to be refreshed periodically.

Best Practice: *Atkins offers a variety of time periods for receiving utility information. The smaller the time period for utility information, the more expensive it is to acquire. Also, the longer the period the more comprehensive the information received is so best practice is to order the utility information as soon as possible once the land referencing boundary is confirmed as this ensures the utility information is more likely to be complete and the costs to GT R4 Limited reduced.*

A request for location of adopted highways, public rights of way (PROW), common land and pending planning applications within the PEIR boundary will be made to the relevant local authority/authorities. Any request for payment will be sent to GT R4 Limited for approval before commencing the local authority searches.

Desktop research will be undertaken to identify land which could be classed as Special Category Land using Natural England environmental data. Aerial imagery of land within the land referencing boundary will be reviewed to identify any further potential Special Category Land. Any Special Category Land identified will be recorded on the relevant parcels on CONNECT.

Best Practice: *To ensure a full review and identification of any Special Category Land within the land referencing boundary, presumptions will be made as to what constitutes Special Category Land. Any ambiguity as to what constitutes Special Category Land will be investigated further to confirm the presence of such land.*

Desktop research will be undertaken to identify and record any further interests in land using Environmental Stewardship, National Highways, Crown Estate, Environment Agency, Canal & River Trust and Internal Drainage Board data available online. Any further interests identified will be recorded on the relevant parcels on CONNECT.

Land Interest Questionnaires (LIQs)

Prior to sending out LIQs, cover letter, questionnaire and land plans, templates will be provided to GT R4 Limited for approval for use.

The DM land referencing team will send a Land Interest Questionnaire (LIQ) along with a land plan once all non-contact referencing has been conducted. This form asks landowners and other interested parties to clarify contact information and confirmation of ownership, occupiers, tenants, and any other party with an interest in their land such as rights of way or option agreements.

The other purpose of the LIQs is to ensure that land ownership boundaries of occupation are correctly identified. Recipients of the LIQs are able to identify if this boundary is incorrect and can amend the LIQ land plan. Any amendments to the land plan will be made to the parcels and reflected within CONNECT and ESRI.

Prior to sending out LIQs to any interests identified as Clients of DM, contact will be made with the appropriate DM Client lead using conflict of interest forms to establish the best method for sending LIQs to a particular individual via post or email.

Best Practice: *The LIQ cover letter should provide contact details for GT R4 Limited should anyone have a query regarding the project itself and contact details for DM who can field any queries relating to the LIQ itself. A deadline for response is recommended to be at least 3 weeks. Any queries received by DM regarding the project that DM are unable to answer will be forwarded to GT R4 Limited.*

Best Practice: *The LIQ will list details of how to return the LIQ to DM. Options provided should be via email, via post and via online form. A unique online code is to be provided for each LIQ so that recipients can complete the questionnaire online.*

LIQs will then be created for all interests (other than unknown interests) pre-populating the information that DM have already identified through desktop referencing and from LIQs. DM GIS mapping team will create all the necessary land plans showing the extent of each of the titles that individuals have an interest in.

Best Practice: *Once the LIQs have been created, a sense check is to be conducted to ensure the correct information is pulling through into the LIQ and has been printed in the correct format. A check of all LIQs to ensure they are present is recommended. LIQs to be sent in the post 1st class with a freepost return envelope enclosed to encourage response.*

LIQ responses will be logged on CONNECT and any additional information provided will be added to CONNECT. Any additional interests identified in an LIQ response for which we have not sent an LIQ will require DM to send an LIQ to the new interest identified.

Best Practice: *If any information received on the LIQ is missing or ambiguous, contact is to be made with the interest to confirm the missing or ambiguous information either via email or phone call.*

LIQ reminder letters are to be sent to all interests that have not returned all their LIQs after the deadline for responses stated on the LIQ cover letter. This is to encourage response from the recipient, for recipients to make DM aware if they did not receive the original correspondence or to let us know if the recipient is no longer at the address.

Further LIQs will be issued to any interests identified within any additional land identified that falls within an updated boundary that previously was located outside of the PEIR boundary. For those additional interests who have returned LIQs before regarding other interests, LIQs are issued to their preferred method which can be a direct email address, a preferred contact, or an agent. To those interests who have not returned any correspondence sent, we ensure that we adhere to the procedures above mentioned for due diligence and consistency.

Unregistered Site Notice Erection & Monitoring

For those interests that we have identified through desktop referencing but are unable to ascertain who the interest relates to, since we cannot send LIQs to these interests, a schedule of unknown interests will be prepopulated on the LIQ sent to landowners.

For unregistered land, a site notice will be erected. A site notice template will be sent to GT R4 Limited for approval for use prior to erection. Unregistered land site notices will be accompanied by a plan showing the extent of the unregistered land. The notice will also provide full contact details for DM's land referencing team. A reference number will be shown on the plan and notice to ensure any data received is processed accurately on CONNECT.

The notice shall request that any party with an interest in the land to come forward and make claim to their interest and provide contact details. The DM land referencing team will then collate a LIQ letter to send to the claimant to confirm their interest and any further information that may not have been gathered on initial contact, these interests will then be able to receive formal notification of the DCO Application.

A review will be conducted using ESRI and other mapping softwares to identify potential owners of unregistered land. The owners of these properties will then be approached for confirmation.

The ESRI Field Maps App is used by the DM GIS mapping team that shows the unregistered parcels on a phone app and allows the ability to log; the notice number, date/time of check, who checked the notices, action taken (erection, checked, replaced, removed), a photograph of the notice for each check and any relevant additional comments.

Best Practice: *Unregistered Site Notices are to be printed on waterproof paper and erected in publicly accessible areas nearest to the relevant parcel to ensure the highest visibility to the public. They are to be erected on street furniture or on wooden stakes as close to the unknown landed interest as possible. They are not to be erected on private roads, private fences, or gates.*

Best Practice: *Unregistered Site Notices are to be monitored weekly for 4 weeks and replaced if either weather damaged or removed.*

At the end of the monitoring period, all notices shall be removed from site, and materials recycled as far as is practical.

Contact Site Referencing

An analysis of those that are yet to return their LIQ(s) is to be conducted. Chasing of LIQ responses will be conducted either through phone calls, emails, further reminder letters sent in the post or site visits dependent on contact details sourced through desktop referencing. All attempts at contacting interests will be logged on CONNECT.

Best Practice: *A minimum of 3 attempts (by reminder letter, phone call, email) will be made to contact all interests within the land referencing boundary that have not responded to the LIQ sent. A combination of reminder letters, phone calls and emails will be used (where possible) to chase a single party to ensure all chase methods have been explored to obtain a response.*

Statutory Consultation

Once the referencing tasks explained above have been completed, work is to be conducted for Statutory Consultation.

A refresh of the HMLR data will be conducted to ensure that any updates since sourcing the original HMLR data and documents are reflected in CONNECT. A request is made to HMLR to provide a current edition date spreadsheet for those titles identified as within the DCO boundary. Once received, DM will compare the current edition dates against the edition dates of the HMLR document originally sourced. For any with a new edition date identified the corresponding HMLR register will be ordered to identify the update and, if relevant, will be reflected in CONNECT.

UK Companies House and foreign Company House websites will be checked again to ensure that the registered address for organisations is current and correct.

Statutory Consultation notice templates will be sent to DM for use. This will include a template for the Statutory Consultation cover letter, the Section 48 notice, and any land plans to be enclosed within the letter. Consultees will also be able to request additional materials which explains how GT R4 Limited reached a final decision on the DCO boundary. It is a statutory requirement that a Statutory Consultation notice article be placed in locally circulated newspapers also.

A recipient list of all individuals and organisations that have an interest within the PEIR boundary will be provided to GT R4 Limited including names and addresses.

GT R4 Limited is to provide details of any additional consultees beyond that provided by DM in order to collate a final recipients list from which DM can create, check and print the Statutory Consultation notices. DM will confirm with GT R4 Limited if there are any additional Category 3 consultees to which they would like to send a Statutory Consultation notice to those that fall outside the PEIR boundary.

Best Practice: *Statutory Consultation notices to be sent to all recipients within 1 week before consultation commences. Any additional Statutory Consultation notices to be sent will need to be sent within 28 days before the end of the consultation period. If not, the consultation period is to be extended for these recipients that receive the Statutory Consultation notice after this 28-day window.*

Best Practice: *Statutory Consultation notices are part of a statutory process and therefore a check needs to be done to ensure every recipient receives a Statutory Consultation notice and that it is complete with all necessary information enclosed.*

If any new interests have been revealed after the initial Statutory Consultation notices have been served, they will receive a LIQ and Statutory Consultation notice. If they have been identified early into the consultation period they will receive the original Statutory Consultation notice. If they have been identified late an extended consultation will be provided for them.

Please note: *Feedback from interests in the initial consultation has been considered and used to develop GT R4 Limited's DCO application. The DCO boundary may change to incorporate this feedback and reveal areas of additional land that were not included in the initial consultation. For these interests that fall within this additional land, an LIQ and a targeted*

Statutory Consultation notice was issued. Targeted unregistered site notices for Statutory Consultation were also erected. This gives another opportunity to provide any feedback to GT R4 Limited on the application.

Statutory Consultation Unregistered Site Notices

A Statutory Consultation Unregistered site notice template will be sent to GT R4 Limited for approval prior to erection.

A Statutory Consultation Unregistered site notice is to be erected for unregistered land identified in the PEIR boundary. The unregistered site notice will be erected within the vicinity of these parcels and for a cluster of unregistered parcels a single site notice may be erected for all those within the cluster.

The ESRI Field Maps App is used by the DM GIS mapping team that shows the unregistered site notice locations on a phone app and allows the ability to log; the notice number, date/time of check, who checked the notices, action taken (erection, checked, replaced, removed), a photograph of the notice for each check and any relevant additional comments.

Best Practice: *Statutory Consultation Unregistered Site Notices are to be printed on waterproof paper and erected in publicly accessible areas nearest to the relevant parcel to ensure the highest visibility to the public. It is advised to also erect generic Statutory Consultation site notices throughout the length of the PEIR boundary to make as many people aware of the project and encourage comments regarding the proposed development. They are to be erected on street furniture or on wooden stakes as close to the unknown landed interest as possible. They are not to be erected on private roads, private fences, or gates.*

Best Practice: *Unregistered Site Notices are to be monitored weekly for the duration of the Statutory Consultation period and replaced if either weather damaged or removed.*

At the end of the monitoring period, all notices shall be removed from site, and materials recycled as far as is practical.

Site Walkover

A site walkover is conducted to identify any information not obtained from desktop research or contact site referencing. This can include any information that has recently changed or will change imminently or a change in land use.

Contact is to be made with the necessary landowners and occupiers to ensure they agree for DM to access their land prior to conducting the site walkover on land not publicly accessible within the DCO boundary. Any land where access has not been agreed will not be accessed as part of the site walkover.

The ESRI Field Maps App will be used to log any changes in land use that could result in a change of ownership or interest. Any evidence of additional interests will be recorded using the ESRI Field Maps App and incorporated on CONNECT. A photograph is to be taken for each parcel and for any features that suggest a change in land use or ownership/occupation.

The site walkover also gives DM the opportunity to review the plot descriptions for accuracy and add any finer detail required.

Confirmation schedule reminder letters are to be sent to all interests that have not returned all their confirmation schedules after the deadline for responses stated on the confirmation schedule cover letter to encourage response.

Book of Reference Production & Submission

GT R4 Limited is to provide a finalised DCO boundary based on the recommendations from Statutory Consultation showing the land they intend to acquire, its acquisition type and any Category 3 land that will form the DCO boundary.

A refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

DM GIS will use this DCO boundary and the extent of different acquisition types to split up the parcels by the DCO boundary and acquisition type to create DCO plots.

DM will provide GT R4 Limited with the BoR template for approval for use. Any comments or amendments suggested by GT R4 Limited will be made to the templates.

These plots will inform the DCO BoR Land Plans that show the plots within the DCO boundary and their associated acquisition type. Any special category land or crown land identified will have corresponding land plans created to show this land.

Each plot will be given a plot description by reviewing aerial imagery and photographs taken during the site walkover. This plot description will adhere to the required format as requested by GT R4 Limited.

Each plot interest will be reviewed to ensure it is located within the extent of the plot. If this is not the case, the interest will be excluded from the plot and will not appear within the BoR. A review of the following information is to be conducted to ensure all information is correct.

- Land Registry titles
- LIQ and confirmation schedule responses
- Utility data
- Council (highway and PROW) data
- Registered Company Addresses
- Frontage interests
- Duplicate interests
- Site walkover information
- Plot descriptions

A review of any gaps in the information will trigger a check of all sources of information to ensure no further information can be obtained.

Once complete, a draft BoR is to be created. This will be used for DM to conduct a plot-by-plot review to ensure the information shown is correct. CONNECT will be updated accordingly with any changes required to the data shown in the BoR.

A draft BoR will be submitted to GT R4 Limited for legal review. Any comments or amendments required from GT R4 Limited's legal review will be incorporated into the BoR and another plot-by-plot review will be conducted to ensure all amendments requested have been incorporated before final submission.

Post Book of Reference Submission, Section 56 and 134 Notification

Section 55 of the Act

Upon submission of the DCO application, the Planning Inspectorate (PINS) has 28 days to accept or reject the application for examination. If the application is accepted a Section 55 notice is provided outlining any queries or points of clarification that is required. Should any of these relate to the BoR or the Land Plans, DM will review and confirm any changes with GT R4 Limited.

Section 56 of the Act

If the DCO application is accepted, Section 56 notices are to be sent to all those interests listed in the BoR (unless identified as no longer having a landed interest post DCO submission) inviting them to make a representation during the DCO examination period.

In the first instance, a refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

A Section 56 notice template will be sent to DM for use. Section 56 notices are created, printed, and sent out via recorded 1st Class post.

Best Practice: *It is recommended to send the Section 56 notice by recorded delivery to ensure recipients have received the notice directly. GT R4 Limited will then receive the delivery status of each of the letters sent from DM certifying all parties have successfully received notification.*

Site notices will be erected around the application area, a general rule is that they are placed in the same locations Statutory Consultation site notices were placed. These notices shall be placed on public highways, any notices on bridleways or public footpaths will require the consent of the landowner. They will normally remain on site for a period of 6 weeks and be monitored using the ESRI Field Maps App.

DM will prepare a Schedule of Changes (SoC) that lists any further updates to the information to the BoR that have become apparent after submission and make the respective changes to the BoR in preparation for further requests for an updated BoR by PINS. Clean and tracked versions of the BoR reflecting any updated information received post BoR submission along with a Schedule of Changes listing the updates will be submitted when appropriate.

Section 134 of the Act

Once the order is confirmed granting development consent and the order includes provision authorising the compulsory acquisition of land, Section 134 notices can be served.

In the first instance, a refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

Templates of the section 134 notices will be provided to DM and populated before seeking approval from GT R4 Limited. Section 134 notices are created, printed, and sent out via recorded 1st Class post.

Best Practice: *It is recommended to send the Section 134 notice by recorded delivery to ensure recipients have received the notice directly. GT R4 Limited will then receive the delivery status of each of the letters sent from DM certifying all parties have successfully received notification.*

Notices are maintained on site for a 6-week statutory period and will be monitored using the ESRI Field Maps App.

Undeliverable Mail

From time to time, LOQs, LIQs, Statutory Consultation notices, confirmation schedules, Section 56 notices and Section 134 notices do not reach the intended recipient and are returned to DM.

An analysis as to why the letter did not reach the intended recipient will be conducted and any information that needs updating in order for the letter to be successfully delivered will be updated on CONNECT. TraceIQ, HMLR register, Companies House and desktop research checks will be used to conduct this analysis.

The letter will be re-issued appropriately to ensure that the letters reach the intended recipient.

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Appendix 4 Current status of negotiations with Landowners and Occupiers

284. In versions 1 and 2 of the Statement of Reasons (APP-031 and AS1-032, respectively) the status of negotiations with landowners and occupiers was set out in Appendix 4 (**Current status of negotiations with Landowners and Occupiers**) however Appendix 4 has now been removed from the Statement of Reasons following the Examining Authority's request in its Rule 6 Letter dated 4 September 2024 for the submission of a separate Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, version ~~3~~4) to document this information.

Appendix 5 Current status of negotiations with Statutory Undertakers

285. In versions 1 and 2 of the Statement of Reasons (APP-031 and AS1-032, respectively) the status of negotiations with statutory undertakers was set out in Appendix 5 (**Current status of negotiations with Statutory Undertakers**) however Appendix 5 has now been removed from the Statement of Reasons following the Examining Authority's request in its Rule 6 Letter dated 4 September 2024 for the submission of a separate Compulsory Acquisition and Land Rights Tracker ([Schedule of Negotiations & Powers Sought](#)) (Document 15.4, version ~~3~~4) to document this information.