

**Access point AB-AP5 (adjacent to Rose Cottage, Church Hill, Burstall).**

Having attended ISH3 and spoken constructively with 2 National Grid staff members I was hopeful of rapid progress towards an agreement, but 3 months later progress by the Applicant seems painfully slow.

I cannot overstate how disappointed I am that despite much pleading on my part and several unfulfilled promises made by the Applicant, they have *still* not met with me to discuss this access, nor do they respond to email queries (by compulsion via their land agent) seeking updates or clarification.

In their document 8.4.4 “Compulsory Acquisition Objections Schedule” they claim (Item 25) to have been in negotiation for months, and specifically that they were in contact on November 23<sup>rd</sup> to discuss next steps and possible HOTs. This is untrue. In fact their email on 23<sup>rd</sup> November was in response to a further plea from myself for a meeting, but in their response the Applicant simply stated that work was ongoing and they hoped to meet “soon”. A further 11 weeks have passed!

Much as I would like to see this matter concluded amicably, there is currently no proposal from the Applicant to which I could consent, beyond the original blanket agreement over all of my land and property within the DCO red line, reflecting none of the (as yet inconclusive) mitigations under discussion.

I would welcome open discussion with the Applicant and a concrete proposal for discussion, negotiation and hopefully agreement. I am at a loss to see how this can be achieved with the Applicant’s current approach.

Lacking any opportunity to discuss them with the Applicant, I wish to raise the following points of concern:

- 1) In document 8.9.5 – “Temporary and Permanent Access Technical Note”, para 2.1.2, the applicant states that construction of the alternative AP4 would require additional materials compared to AP5. No detail is given but this must surely refer to soil stripping and stone filling of the track, implying that AP5 would not require this to be done. However, according to the LEMP and following discussion with NG at ISH3, my understanding is that the existing agricultural track at AP5 is inadequate in strength and width and will also require stripping and fill. The track at AP5 is at least 50% (200m) longer than at AP4 so the Applicant’s assertion is untrue – AP4 remains the cheaper, less disruptive and more environmentally sound option for this and other previously stated reasons.
- 2) Despite the visibility splay requirement increasing from 45 to 90 meters since ISH3, the Applicant has produced a drawing showing a possibility of achieving this which “does not interact with any surveyed tree trunks”. However, no mention is made of any bellmouth requirement which, if constructed according to the original plan, would invalidate this statement. What are the Applicant’s intentions in this regard? Again in document 8.9.5, the Applicant states: “the Applicant’s view that developing large bellmouths and undertaking major road improvements for temporary accesses would be disproportionate”. I agree. Is it the case that the standard bellmouth would not now be used at AP5?

- 3) Document 7.8.1 (B) "LEMP Appendix A Vegetation and Removal Plan" has not been updated to reflect the reduced impact on my trees and vegetation. Without this formalisation of their proposal, I would not be able to have confidence in the Applicant's proposal.
- 4) I would like the applicant to confirm, as per statements made at ISH3 both in the formal session and also in conversation with NG personnel, that AP5 is a Temporary Access to be fully reinstated on completion of construction. I am aware that the Applicant seeks permanent rights to reconfigure the access should this be required in the future.
- 5) The Applicant seems anxious to defer detail design work and a decision on AP5 until after grant of the DCO, covering this by a fallback position that AP4 will be used instead of AP5 if "excessive vegetation removal" is required (or other difficulties arise). Who will be the arbiter of this? Surely not just the Applicant and certainly not their contractor?
- 6) The applicant has made various statements which at this stage can only be described as aspirational. What mechanism is in place to ensure that the mitigations described are actually implemented? I understand that the project will be executed by a contractor on a "design and build basis". Should the DCO be granted, the Applicant will take a back seat and the detail work will be left to the contractor who, as things stand, will have rights over the entire red-lined DCO area. It is entirely possible that the original large scale felling of trees could still take place. Is this why the Applicant is so reluctant to propose HOTs?