

Eastfield, Albert Street, Brigg  
North Lincolnshire DN20 8HS  
Telephone 01652 653669  
Fax 01652 653311  
DX 24358 BRIGG  
E-mail enquiry@ddmagriculture.co.uk



The Planning Inspectorate  
3/18 Eagle Wing  
Temple Quay House  
2 The Square  
BRISTOL  
BS1 6PN

Our ref:- TD/JW/BR-13/124B

Your ref:-

Date:- 27 November 2015

**SENT VIA E-MAIL ONLY**  
**riverhumbergaspipeline@pins.gsi.gov.uk**

Dear Sirs

**APPLICATION BY NATIONAL GRID GAS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE RIVER HUMBER GAS PIPELINE REPLACEMENT PROJECT (DCO)  
LAND TO THE NORTH AND SOUTH OF EAST MARSH ROAD, GOXHILL, BARROW UPON HUMBER,  
NORTH LINCOLNSHIRE  
OUR CLIENTS: MR G D FAULDING & MRS J C FAULDING  
MR J FINCH**

We write further to the Compulsory Acquisition Hearing held on 18 November 2015 concerning the above matter. In addition to the points raised verbally in the Compulsory Acquisition Hearing we write to add further comments having investigated the Statement of Reasons set out by the Applicant. In response we would like to register the following comments:-

1. There is a requirement under Section 112(3) that there is a “compelling case in the public interest” and to date we feel that this has not been made out. The fact that the Applicant considers it will be helpful to be able to have powers of Compulsory Acquisition efficiently under a General Vesting Declaration is not in the public interest. It will merely give the Applicant the ability to hold our client to ransom rather than properly negotiate. The public interest only needs to be served if the landowner does not negotiate properly and no evidence has been presented to suggest this is not the case.
2. Paragraph 7.1.5.1 in the statement for Reasons, the Guidance suggests that “all reasonable alternatives have been explored”. In addition to our previous comments we believe that clearly this has not been the case. The Applicant has been in consultation and dialogue along with completing the PILS Forms. We maintain this is not really enough and negotiations have not been followed through or concluded.
3. Paragraph 7.4.2 we believe to be misleading as it implies that the Applicant has been making constant effort to reach a negotiated settlement on all accommodation works and to date we believe this not to be the case.

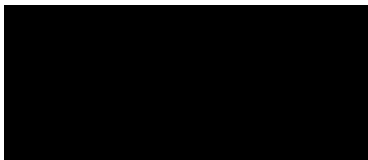


DDM Agriculture Limited  
Registered Office 59 Wrawby Street Brigg DN20 8JE  
Registered in England No. 3740827  
Providing professional services since 1889

4. Paragraph 7.4.3 and 7.4.4, paragraph 25 of the Guidance actually emphasises that the Applicant should seek to acquire land by negotiation wherever practical. It is clearly practical here, as the Applicant has sought to do. This is not a “long linear scheme” with impossibly too many landowners to sensibly negotiate terms. We believe it is entirely practical to negotiate with the landowner, as is acknowledged in 7.4.3. We believe that the application for Compulsory Purchase should not be misinterpreted by the Applicant.
5. The argument that the Compulsory Acquisition process will enable the promoter to expediently carry out the project in the public interest (7.3) is actually flawed. If the Applicant needed to carry out the process expediently then it should make every effort to conclude negotiations expediently. This is not the case at the current moment in time. It cannot be in the public interest to support a grant of Compulsory Acquisition rights on the basis that the Applicant has failed to act expediently and diligently.
6. We believe that the Scheme will have a significant effect on Messrs Faulding’s and Messrs Finch’s human rights. The interference of their rights would be further and improperly affected by enabling the Applicant to bypass negotiations and this is not presently justified. The evidence to date is that the parties are likely to come to a negotiated conclusion, but the application for Compulsory Acquisition currently is premature.

In conclusion we again re-iterate that conversations are ongoing, but at this current moment in time we would ask the Inspector to reject the acquisition for Compulsory Acquisition rights in the current application.

Yours faithfully



**TONY DALE MRICS FAAV**  
**Director**

**e: [tony.dale@ddmagriculture.co.uk](mailto:tony.dale@ddmagriculture.co.uk)**  
**m: 07970 126302**