

When replying please quote:

Our Ref JM/ZB/21643

20 February 2023

The Secretary of State for Business,
Energy and Industrial Strategy
Mr J McKenna
Department for Business,
Energy and Industrial Strategy
Level 3 Orchard 2
1 Victoria Street
Westminster
London
SW1H 0ET

By Email: john.mckenna@beis.gov.uk

Dear Mr McKenna

**The National Grid Electricity Transmission PLC (Scotland to England Green Link 1)
Compulsory Purchase Order 2023**

Our Client: Edward Peeverley

Our Client's address: Hetton Moor Farm, Easington Lane, Houghton le Spring, DH5 0QY

We write in relation to the above Compulsory Purchase Order which involves a proposed cable easement over our client's property. Whilst National Grid state that they have tried to seek voluntary agreement with all land owners following a series of negotiations, these negotiations have, unfortunately, been overly protracted with a lack of communication and engagement from National Grid throughout the process.

Our client was first contacted in relation to the proposed scheme in February 2021 with a request for access over their property for walk-over surveys. Whilst a licence fee of £250 was paid to our client for access under licence, this licence fee was to be deductible from compensation for damages. This is not standard practice within the industry, where it is reasonable for a landowner to charge a licence fee, and expect any damage caused whilst accessing their land either be made good, or a claim for damages to be met. Although the non-intrusive survey licence ran for 12 months only, we have had subsequent requests for access by National Grid, without licences or licence fees being put in place.

In July 2021 Land Interest Questionnaires were issued by WSP. Our client was not paid for their time dealing with these questionnaires, which is unreasonable, and the questionnaires were therefore completed as a gesture of goodwill. In September 2021 we received a first request for an Intrusive Borehole to be carried out, again under licence, with the licence fee to be deductible from compensation.

A claim was submitted to National Grid's agent in June 2022 however this was not agreed until August 2022 resulting in our clients being out of pocket for a significant period of time.

In August 2022 we received a draft set of Heads of Terms for an Option for Easement for our clients, with an incentive deadline being set of 4 January 2023. The basis of negotiation being that, if terms are agreed before the incentive deadline, an easement payment of 100% of the capital value of the easement width would be made, whereas this would be reduced to 80% if the incentive deadline was not met.

We emailed National Grid to confirm that our clients are investigating alternative land uses for their property at present, and also to suggest that, as our client's holding is a former pit heap, it would be sensible to flatten the land first, before laying the cable. We also requested detailed plans or engineering drawings in order to be able to assess the potential impact of the cable on our client's interest. These details have still not been received.

We confirm that we have attempted to negotiate with National Grid via their agents by email, as well as having two meetings. There has been very little engagement from National Grid with very little effort being made to negotiate in order to make terms of voluntary agreement reasonable to land owners. We have therefore had to request the incentive deadline is moved forward twice and we confirm that the current incentive deadline is 31 March 2023, although terms would have to be agreed by 20 February 2023. Since sending an email to negotiate points on the proposed Heads of Terms document on 7 February 2023 we have not had a reply, and therefore this incentive deadline will not be met.

In addition to a lack of engagement in relation to fundamental headline points on the Heads of Terms, we have also received very little information in relation to the construction works themselves. In particular we have not had confirmation of details in relation to soils and storage of soils during the construction process, drainage and access, all of which are basic, key points.

The cable depth has been identified as being 0.9 metres below the surface of the ground, however this is likely to cause issues for our clients due to the nature of their holding being a former pit heap. We therefore request that the cable depth could be increased to 1.2 metres, with the land flattened before commencing work, so as to cause less disruption to our client's holding in the future.

We confirm that we remain willing and happy to enter into a voluntary agreement with National Grid and feel that this is the best way forward for both parties. Unfortunately, at present, with the lack of communication and engagement from National Grid it is very difficult to work together to negotiate reasonable terms.

Yours sincerely

J. Metcalfe.

Mrs J Metcalfe
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For and on behalf of YoungsRPS