

AMARDEEP MALHI: THE SCHEME

PROOF OF EVIDENCE

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Amardeep Malhi and I have a bachelor's degree in engineering from Aston University. I graduated in 2016 with upper second-class honours in Mechanical Engineering BEng.
- 1.2 I am a Lead EPC Project Manager for NGET and have 9 years' experience in the construction industry working in various roles, with 6 years' experience as a Project Manager, working on multi-disciplinary large infrastructure projects.
- 1.3 My role on the Project Team is to develop the project and administer the NEC4 contract acting as the delegated Project Manager on behalf of the Client, National Grid Electricity Transmission ("**NGET**").
- 1.4 The evidence which I have prepared and provide in this Proof of Evidence is true and has been prepared, and is given, in accordance with my professional judgement and knowledge and I confirm that the opinions expressed are my true and professional opinions.

2. INTRODUCTION AND SCOPE OF EVIDENCE

- 2.1 This statement has been prepared in support of the Cotswolds Visual Impact Provision Project ("**the Project**") and the National Grid Electricity Transmission Plc (Cotswolds Visual Impact Provision Project) Compulsory Purchase Order 2025 ("**the Order**") (**CD C1**) that has been made by NGET. The Project will see NGET install approximately 7 kilometres of 400kV underground cables, construct two new cable sealing end compounds ("**CSECs**") and permanent access roads, connect the new underground cables to the remaining existing overhead lines, dismantle and permanently remove 7 kilometres of existing overhead electricity line ("**OHL**") including the net removal of 16 pylons. The Order rights will also enable NGET to expand an existing NGET substation in Melksham, Wiltshire to allow for the siting of a new shunt reactor and thereby facilitate delivery of the Project.
 - 2.2 The overriding test in respect of which the Secretary of State must be satisfied in order to confirm the Order is whether there is a compelling case in the public interest to justify the proposed interference with the private rights of those who have interests in the land affected ("**the Order Land**") (paragraph 12.3 of the Ministry of Housing, Communities and Local Government's Guidance on Compulsory purchase process (January 2025) ("**the CPO Guidance**") (**CD A14**)). Other considerations that need to be demonstrated to the satisfaction of the Secretary of State are set out in the CPO Guidance and considered further in my evidence, below.
 - 2.3 The remaining part of my Proof of Evidence is structured as follows:
 - 2.3.1 Section 3 – Provides an overview of NGET and the Visual Impact Provision schemes
 - 2.3.2 Section 4 - Provides a description of the Project
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- 2.3.3 Section 5 – Describes the need for and benefits of the Project
- 2.3.4 Section 6 – Discusses the alternatives that were considered
- 2.3.5 Section 7 – Outlines the land and rights required for the Project
- 2.3.6 Section 8 – Explains how the Project will be delivered and funded
- 2.3.7 Section 9 – Sets out the powers under which the Order is made
- 2.3.8 Section 10 – Describes the consideration given by NGET to human rights and equalities matters
- 2.3.9 Section 11 – Provides a response to the objections that have been received, insofar as they relate to my evidence
- 2.3.10 Section 12 – Sets out my summary and conclusion
- 2.3.11 Section 13 – Provides my declaration
- 2.4 References in my evidence to the core documents are made by the abbreviation, for example, “(CD XX)”. The evidence of other witnesses is referred to by the name of the author. There is a glossary of key terms used by all the NGET witnesses at (CD F2) (“**the Glossary**”) and my evidence adopts the terms defined in the glossary.

3. **OVERVIEW OF NGET AND BACKGROUND TO THE VISUAL IMPACT PROVISION SCHEMES**

- 3.1 NGET is a key division of National Grid plc and is responsible for the high voltage electricity transmission network in England and Wales.
- 3.2 NGET is regulated by its economic regulator, the Office for Gas and Electricity Markets (“**Ofgem**”), which carries out price control reviews to set NGET’s permitted revenues. These reviews limit the amount of money that can be earned by NGET from charges to use the transmission network. Each price control is set for a particular period, after which a new one replaces it. The current price control period is known as ‘RIIO-T2’ and runs for five years from 2021 to 2026. The RIIO model (Revenue = Incentives + Innovation + Outputs) places a greater focus on incentives to drive the innovation that is necessary to deliver a sustainable energy network, combined with value for money for consumers, now and in the future.
- 3.3 As part of the previous RIIO-T1 framework, which covered the period from 1 April 2013 to 31 March 2021, Ofgem set aside a fund of £500 million (in 2009/2010 prices) for NGET and other national transmission owners to address the visual impact of existing transmission infrastructure. Ofgem set out its expectation for NGET in its final proposals for RIIO-T1, published in December 2012. This was supported by Ofgem’s strategy for RIIO-T1 which was published in March 2011 (Strategy for the new transmission price control – RIIO-T1 – Outputs and incentives). This document summarises Ofgem’s decision to introduce the allowance in order to encourage transmission owners to reduce their wider environmental footprint and the impact their existing infrastructure has on local landscape, habitat and visual amenity in designated areas. Ofgem’s decision was taken and the size of the provision was identified in response to feedback from stakeholders and research into consumers’ willingness to pay to mitigate the visual impact of existing transmission infrastructure in Britain’s designated

landscapes undertaken by NGET in June 2012. Following the success of the Visual Impact Provision ("**VIP**") schemes, consumer research and extensive feedback from stakeholders, Ofgem has made a further provision of £465 million available for the period 1 April 2021 to 31 March 2026. The size of the provision was based on activity in the RIIO-T1 price control period, feedback from stakeholders and a further study into consumers' willingness to pay to mitigate visual impact undertaken by NGET.

- 3.4 For new infrastructure, visual impacts must be taken into account, and each transmission owner must demonstrate that they have considered alternatives including rerouting and/or undergrounding. However, for existing transmission lines, Ofgem proposed an allowance be made available in order to mitigate the visual impacts of such infrastructure.
 - 3.5 In accordance with Section 9(2) of the Electricity Act 1989 ("**1989 Act**"), NGET as the holder of an electricity transmission licence, is charged with the duty "to develop and maintain an efficient, co-ordinated and economical system of electricity transmission" (**CD A4.1**). NGET's licence has certain conditions attached to it, with which NGET must comply.
 - 3.6 Special Condition 3.10 governs how NGET can submit funding requests to Ofgem for projects that will enhance the landscape by mitigating the impact of pre-existing transmission infrastructure. Once the projects have been approved and written into the licence, NGET is obliged to deliver these 'outputs' to completion. Failure to deliver these 'outputs' would be considered a breach of NGET's statutory licence, which could lead to financial penalties. Hence, NGET is required by its licence to deliver schemes of this nature.
 - 3.7 NGET's VIP schemes make use of the above licence arrangements introduced by Ofgem to reduce the impact of existing electricity transmission lines in English and Welsh National Landscapes and National Parks.
 - 3.8 NGET's approach to the selection, funding and delivery of the VIP schemes is principally governed by its VIP Policy (the "**VIP Policy**") (**CD D6**). In line with the VIP Policy, the Stakeholder Advisory Group ("**SAG**") was established in April 2014 to fulfil an integral role in guiding key decision-making on the Visual Impact Provision schemes. The role of the SAG is addressed in the evidence of Chris Baines.
 - 3.9 Alongside the VIP Policy, NGET published the Landscape and Visual Impact Methodology ("**LVIM**") in 2014 which established the basis for determining which of the 571 kilometres of existing transmission lines situated in National Parks and National Landscapes across England and Wales had the most significant adverse impacts on landscape and visual amenity (**CD D3**). The emphasis of the LVIM was on making a comparative assessment of the impacts of the sections of transmission line within the designated areas to enable a shortlist of candidate schemes to be considered by the SAG as part of its decision-making process.
 - 3.10 A Landscape and Visual Impact Technical Report ("**LVIP Technical Report**"), provided to the SAG in October 2014, included a ranking of all sections of transmission line assessed pursuant to the LVIM (**CD D1**). This allowed the SAG to assess the top 12 sections of line which were ranked as having the highest level of combined landscape and visual impacts in consultation with NGET and relevant local stakeholders against the guiding principles set out in the VIP Policy. The LVIP Technical Report identified subsection ZF.2 of the 400kV Feckenham-Walham/Feckenham-Minety OHL, which crosses the Cotswolds National Landscape, as a red category subsection. Such categorisation indicates subsections which are judged to have overall combined landscape and visual impacts of high importance. Further detail on the landscape and visual assessments undertaken are contained in the evidence of Ms Rebecca Greatrix.
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- 3.11 This process culminated in NGET's decision in September 2015 to proceed with four VIP Schemes: (i) Dorset National Landscape, (ii) New Forest National Park, (iii) Peak District National Park (East) and (iv) the Eryri National Park VIP Project. In March 2019, the SAG recommended that the New Forest National Park project be paused due to concerns surrounding demonstrating imperative reasons of overriding public interest to support the required application for planning permission within the RIIO-T1 timeframe. Due to there being a genuine risk of significant delay and additional legal costs, NGET decided that the New Forest VIP Project should be paused and in July 2019 the North Wessex Downs VIP Project was selected by the SAG to be taken forward. At the November 2019 SAG meeting it was noted that the Project was a shortlisted project for RIIO-T2.
- 3.12 ZF.2 as a whole had been identified by the LVIP Technical Report, but the undergrounding of the entirety of the line was considered unfeasible for technical and cost reasons. An independent report (CD D2) was therefore commissioned to further examine ZF.2 to identify which sub-section would be the most valuable to underground. The output of this report identified three different sub-sections within ZF.2 and concluded that ZF.2(B) would result in the most significant visual benefits. Further detail is contained within the evidence of Ms Rebecca Greatrix.
- 3.13 In June 2020, it was recommended by the SAG that the Project should be a priority undergrounding project. To further ensure that this recommendation was appropriate, NGET undertook further engagement, as follows:
- 3.13.1 Further engagement began in 2021 to gather technical information and intelligence to develop the proposed Project and to gauge local attitudes and opinions to the work. NGET aimed to involve local groups and individuals at the outset to help identify any potential problems, challenges and potential solutions.
- 3.13.2 Towards the end of 2021, NGET invited senior representatives from the Cotswolds National Landscape team to visit the live VIP project in the Dorset National Landscape and see at first hand the scale of the construction involved. At that meeting, as well as a full tour of the site, NGET and the Cotswolds National Landscape team discussed potential challenges and opportunities.
- 3.13.3 In early 2022, NGET conducted early-stage briefings with stakeholder organisations and local representatives including Gloucestershire Wildlife Trust, the Cleeve Common Trust, the Open Spaces Society, Winchcombe Town Council and Charlton Kings Parish Council.
- 3.14 In March 2022, during the RIIO-T2 price control period where funding was made available following the success of VIP in RIIO-T1, NGET stated their commitment to proceed with Cotswolds VIP based on the previously complete LVIP Technical Report, the categorisation of ZF.2 and the further engagement from 2021 and early 2022.
- 3.15 To guide the Project at a local level, the national SAG encouraged NGET to establish an independent Stakeholder Reference Group in each VIP priority area, including in the Cotswolds National Landscape. These groups are a critical part of NGET's wider stakeholder engagement and empowerment programme. They help to create open dialogues with local stakeholders, keep them informed about the project and establish their priorities for using the VIP funding. They also bring the benefit of local knowledge of the landscape. The Stakeholder Reference Group for the Cotswolds was established in 2022 and has been invaluable in providing vital information and advice on NGET's plans for reducing the impact of its transmission lines in the Cotswolds National Landscape. Its membership includes representatives from the Cotswolds National Landscape, Cotswolds Trails and Access Partnership, Cotswolds District Council,
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Cheltenham Borough Council, Tewkesbury Borough Council, Gloucestershire County Council, Historic England, the Environment Agency, Natural England and the Gloucestershire Wildlife Trust. The Project's Stakeholder Reference Group meetings occurred in February 2022, March and September 2023 and most recently in February 2024. NGET will continue to work with the Stakeholder Reference Group and other stakeholders to create the best possible project and to maximise benefits for the landscape and the local community now and in the future.

- 3.16 NGET's appointed land agents worked with landowners and tenants throughout the development process to explain the Project and facilitate survey work. This is explained in detail in the evidence of Mr Dominic Rees.
 - 3.17 A dedicated website with its own project email address and free community telephone helpline were also set up, enabling the public and stakeholders to submit questions and feedback throughout the Project's development. A 360° virtual tour featuring video and other information was created and embedded within the Project website. This enables members of the public to view the proposed area and pylons scheduled for removal and 'remove' them virtually from the landscape at the click of a button. It also features imagery, videos and animations illustrating and explaining the detail and scale of the construction process by making direct use of the experience gained on earlier VIP schemes.
 - 3.18 In August 2022 the first round of public drop-in events were held. The Project team welcomed direct engagement with members of the public in Cleeve Common, Winchcombe, Charlton Kings and at the Winchcombe Country Show. These events were well-attended and included attendees from Gloucestershire Wildlife Trust and the MP for Cheltenham.
 - 3.19 In October 2022, the first Trails and Access Workshop was held which focussed on the trails that cross the Project and on access in general. This workshop was well attended, with representatives from Gloucestershire County Council (Rights of Way and the Local Access Forum), Cotswolds National Landscape, Cleeve Common Trust, Winchcombe Walkers are Welcome, parish wardens for the north Cotswolds and Cleeve Ramblers as well as the Head Warden for the Cotswolds.
 - 3.20 The second Trails & Access workshop took place in August 2023. Once again it was co-hosted with the Cotswolds Trails & Access Partnership, and the members of its database were invited to the event. It was again well attended, with many of the attendees from 2022 taking part again. Organisations represented were Gloucestershire County Council, Cotswolds National Landscape, Gloucestershire Local Access Forum, Gloucestershire Ramblers, Winchcombe Walkers are Welcome, North Cotswolds Parish wardens, British Horse Society, Cleeve Ramblers and Charlton Kings Parish Council.
 - 3.21 In July 2023, a second round of public drop-in events were held in Cleeve Hill Common car park in Southam, Stanton Hall in Charlton Kings, Winchcombe Museum and Whittington Village Hall. The project team also again attended Winchcombe Country Show in August 2023.
 - 3.22 The team additionally hosted a walk in both 2023 and 2024 as part of the Cotswold Walking Festival in Winchcombe. Members of the project team and Winchcombe Walkers are Welcome guided a group of walkers around the Cotswold Plateau and the proposed project area.
 - 3.23 The Project team then met with members of the public again in February 2024, at Stanton Hall in Charlton Kings, Abbey Fields Community Centre in Winchcombe and Whittington Village Hall. These events were a well promoted opportunity for members of the public to drop by and meet the project team, with opportunity to review and comment on the final proposals for the proposed cable route prior to the planning submissions.
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- 3.24 An online webinar was also hosted for those who were not able to attend the in-person drop-in sessions. The hour-long event featured a 40-minute presentation followed by a question and answer session.
- 3.25 A number of other presentations have also taken place with organisations including Gloucestershire Local Access Forum, Gloucestershire Wildlife Trust, Cleeve Common Trust, Butterfly Conservation, Cotswolds Rangers, the Cabinet at Cheltenham Borough Council, with representatives from the team also attending the Gloucestershire Local Nature Partnership annual meeting in November 2023.
- 3.26 In April 2024 NGET also commissioned an independent acceptability test (**CD D30**) to identify if there remained widespread support for VIP that had been identified at the beginning of the price control period. The test methodology involved qualitative and quantitative research across a sample group nationally representative by age, gender and socio economic group. The results showed that 82% regarded the Cotswolds VIP and the impact to consumers bills as acceptable.
- 3.27 Following NGET's wide and comprehensive consultation with local people and stakeholders over the development of the Project, the response from the local community has been overwhelmingly positive. The vast majority of stakeholder and community feedback on the Project has been very supportive. The Project has also had significant and widespread support from local groups including town and parish councils, the Cleeve Common Trust and the Cotswolds National Landscape. The positive response supports the decision made by NGET to undertake the Project.

4. DESCRIPTION OF THE PROJECT

- 4.1 The Project constitutes NGET's proposal to underground approximately 7 kilometres of the existing OHL subsection ZF.2(B) which runs from the west of Winchcombe to the south east of Cheltenham, within the Cotswolds National Landscape.
- 4.2 The key components of the Project are the installation of approximately 7 kilometres of 400kV underground cables, the dismantling and permanent removal of 7 kilometres of existing OHL including the net removal of 16 pylons, the construction of two new CSECs which will each require a new terminal pylon in order to connect the new underground cable to the remaining existing OHL, a permanent cable easement with an approximate width of 40 metres and the expansion of an existing NGET substation in Melksham, Wiltshire to allow for the siting of a new shunt reactor. A temporary (one year) OHL diversion will be required at the southern CSEC. Further detail on the works are set out Dave Rogerson's evidence.

5. THE NEED FOR AND BENEFITS OF THE PROJECT

- 5.1 As mentioned above, NGET owns and maintains the high-voltage electricity transmission network in England and Wales. It is NGET's statutory duty under Section 9 of the 1989 Act to develop and maintain an efficient, co-ordinated and economical system of electricity distribution in England and Wales. NGET must also have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest pursuant to section 38 and schedule 9 of the 1989 Act.
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- 5.2 Section 85 of the Countryside and Rights of Way Act 2000 ("**CRoW Act 2000**") also requires NGET to seek to further the purpose of conserving and enhancing the natural beauty of an area of outstanding natural beauty ("**AONB**") when carrying out functions in relation to or affecting land within an AONB (now referred to as National Landscapes).
- 5.3 The Project will lead to the removal of approximately 7 kilometres of OHL and achieve the net removal of 16 pylons which will significantly benefit the landscape and visual qualities of the Cotswolds National Landscape and further its purpose. The landscape and visual benefits of the Project detailed in the evidence of Ms Rebecca Greatrix and demonstrate that there is a compelling case in the public interest for making the Order.
- 5.4 Additionally, the Project offers the benefit of uprating the circuit as well as the landscape and visual benefits of undergrounding. This uprating of the circuit itself comprises a very significant benefit, irrespective of the visual enhancement to the National Landscape that will result from the undergrounding. The additional wider system benefit is largely driven by a brand new asset being installed, which provides improved ratings over the existing OHL conductor. There is also the benefit of the installation of two new shunt reactors, which provide improved voltage management.

6. ALTERNATIVES AND OPTIONEERING PROCESS

NGET undertook a comprehensive options appraisal process to develop the Project's detailed proposals in ZF.2(B). This process ensured that the selected scheme represents the optimal solution for delivering landscape enhancement benefits whilst avoiding unacceptable impacts and ensuring technical feasibility. I have summarised this process and its results below.

Northern CSEC Options

- 6.1 For the northern CSEC, NGET assessed four location options (N1-N4) around tower ZF306 and ZF307. These are identified on Figure 1 below. Each option was carefully assessed in terms of ecology, landscape and visual amenity, historic environment, water, traffic and transport, socio-economics and technical complexity factors.
- 6.2 Following a careful assessment of the options against the above criteria, Option N4 was selected as the preferred option.
- 6.3 This location is well screened by the adjacent paper mill, which reduces the visual impact compared to alternative locations. From a technical perspective, whilst the location presents some challenges for the final cable terminations, these are readily manageable with suitable design considerations due to the adjacent tower being a tension tower. This option also benefits from good access arrangements that are reasonably screened and utilise an existing bellmouth and access track off the highway.
- 6.4 NGET is not aware of anything that has changed since the optioneering was concluded that would alter the option appraisal for the siting of the northern CSEC or the selection of the preferred option.
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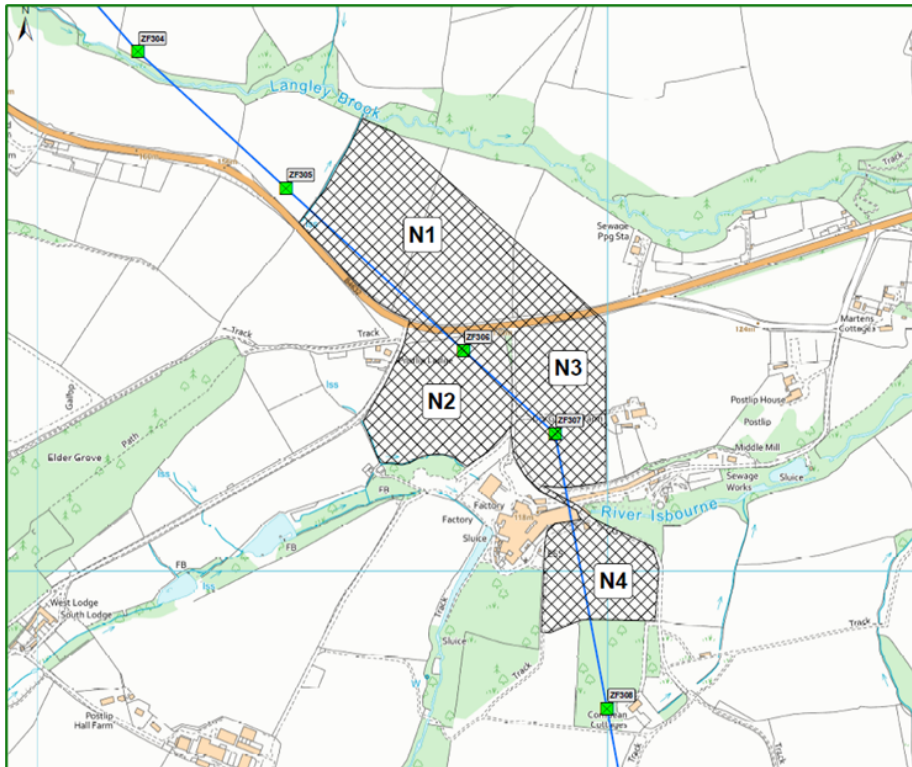


Figure 1: Northern CSEC Options

Southern CSEC Options

- 6.5 For the southern CSEC, NGET assessed six options (S1-S6) which are shown on Figure 2 below. The same criteria used to assess the northern CSEC options (described at paragraph 6.1 above) were applied. Following a careful assessment of the options against these criteria, Option S2 was selected as the preferred location, (noting that paragraph 10.2.7 of the Statement of Reasons (CD C3) erroneously identified the preferred location as S4).
- 6.6 As part of its assessment, NGET gave particular consideration to whether the southern CSEC could be located south of the A40 (Options S5 and S6). Although these locations would have resulted in the removal of an additional 3 pylons which would have associated landscape and visual benefits, they were not selected due to the following significant technical challenges.
- 6.6.1 Topographical challenges: From the River Chelt valley floor, the underground cables would need to ascend approximately 60-80 metres up the escarpment over a relatively short distance, presenting significant safety and engineering difficulties for cable installation and compromising long-term thermal performance. The additional risk that would be introduced during the construction phase would be significant and would pose a serious challenge to overcome and manage. There would also be environmental challenges, such as water run off, during construction that would be greater due to the topography. These risks would require significant mitigation above and beyond what would be anticipated in an area of less elevation change
- 6.6.2 Complex crossings: Any cable route from locations south of the A40 would require crossings beneath the A40 trunk road, dismantled railway embankments, and the River Chelt, necessitating specialised construction techniques such as HDD and introducing substantial technical risk and cost implications.

- 6.6.3 Construction constraints: The confined nature of sites south of the A40 severely restricts construction access and working space, creating health and safety risks during construction and concerns about long-term maintenance accessibility.

These challenges are discussed in further detail in the Proof of Evidence of Dave Rogerson.

- 6.7 In light of these constraints, NGET concluded that Options S5 and S6 would present unacceptable levels of technical complexity and project risk, and that these outweighed the landscape and visual benefits associated with those options. Therefore, NGET decided that an option north of the A40 should be selected (that is, one of S1, S2, S3 and S4). Ultimately, Option S2 was preferred.
- 6.8 NGET is not aware of anything that has changed since the optioneering was concluded that would alter the option appraisal for the siting of the southern CSEC or the selection of the preferred option.

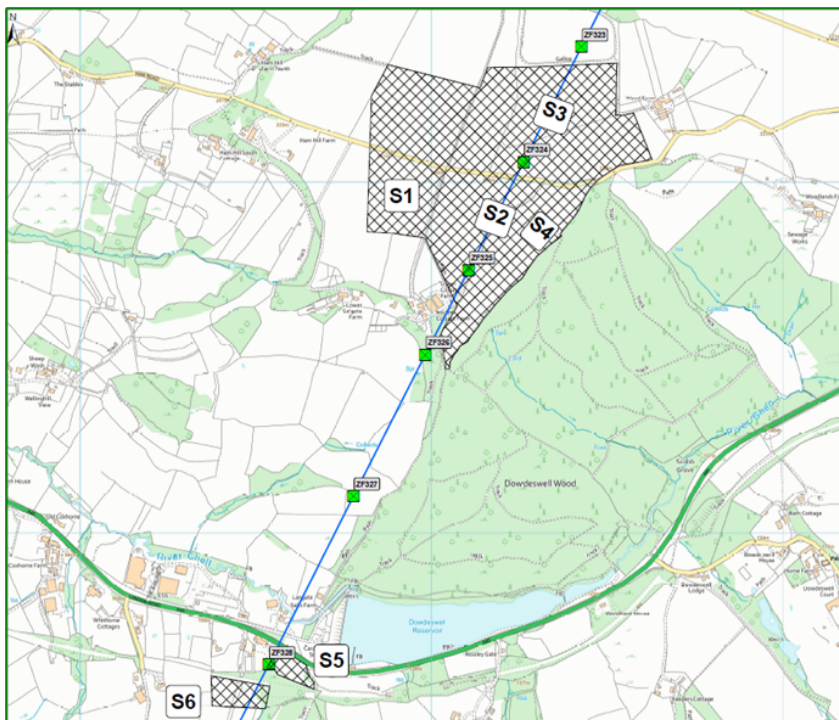


Figure 2: Southern CSEC Options

CSEC Configurations

- 6.9 As part of the site selection process, NGET assessed layout options which consisted of 9 configurations for the northern CSEC and 6 for the southern CSEC. This assessment is summarised in the document Selection Report for OHL, UGC AND CSEC Terminations prepared on behalf of NGET by BakerHicks (CD D28). The options assessed represent different configurations across the CSEC siting options, depicted in Figure 1 for the northern CSEC and Figure 2 for the southern CSEC. The options were assessed against the following topics: landscape and visual impact, health and safety management, environmental and land use impact and engineering and construction considerations.
- 6.10 North End C, shown in Figure 3, was chosen as the preferred northern CSEC configuration based on its performance across these assessment criteria. This is because the CSEC is sited in

the northeast corner of the field at a lower elevation, which minimises visual impact compared to alternatives positioned in the central or southern areas of the field. It also requires minimal alterations to the existing overhead line alignment, reducing the need for significant vegetation clearance in nearby woodland and allowing cable routes to follow field boundaries while accessing the CSEC from the same direction. From a technical perspective, North End C reduces mechanical stresses at tower ZF307, decreasing the likelihood of requiring tower or foundation reinforcement. Importantly, both the terminal tower and CSEC can be built while maintaining both circuits live, which minimises construction risk and reduces temporary land requirements. The terminal tower and gantries can be constructed offline in accordance with Health and Safety Executive guidelines, with improved permanent access arrangements and reduced oversailing conductors across the field compared to other configurations.

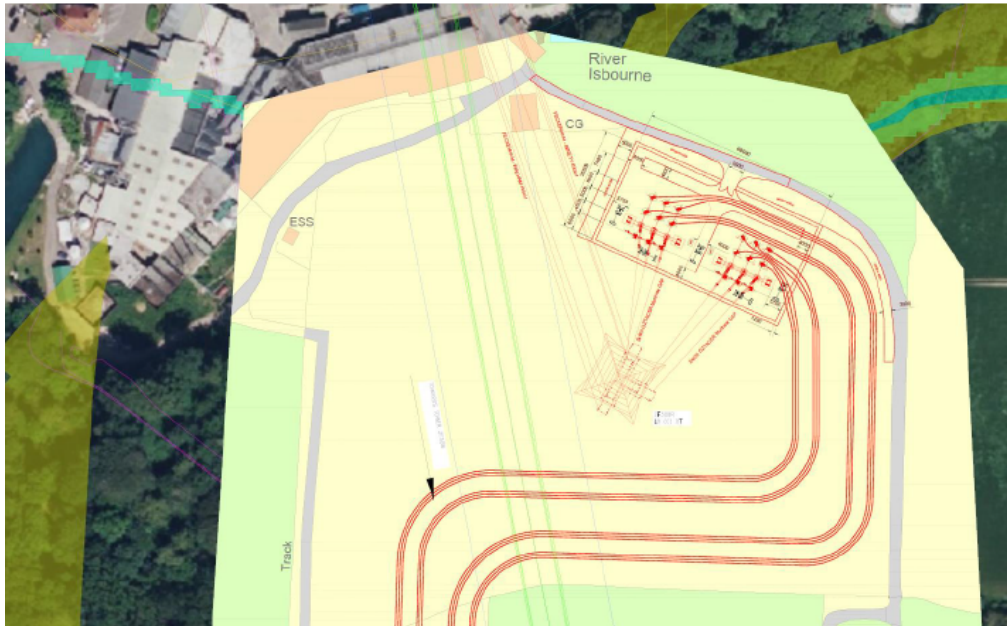


Figure 3: Northern CSEC Preferred Configuration (North End C)

- 6.11 For the southern CSEC, South End F within S2 was chosen following detailed evaluation of all 6 southern options against the same assessment criteria. This configuration achieves minimal visual impact alteration around the existing tower ZF325 and necessitates fewer changes to the original overhead line alignment than other options. Most significantly, it avoids positioning any new CSEC or terminal tower closer to the Cotswolds National Trail. Additionally, this configuration enables reuse of the existing suspension tower ZF325 by connecting with full line tension gantries within the CSEC, eliminating the need for a new larger terminal or angle tower.

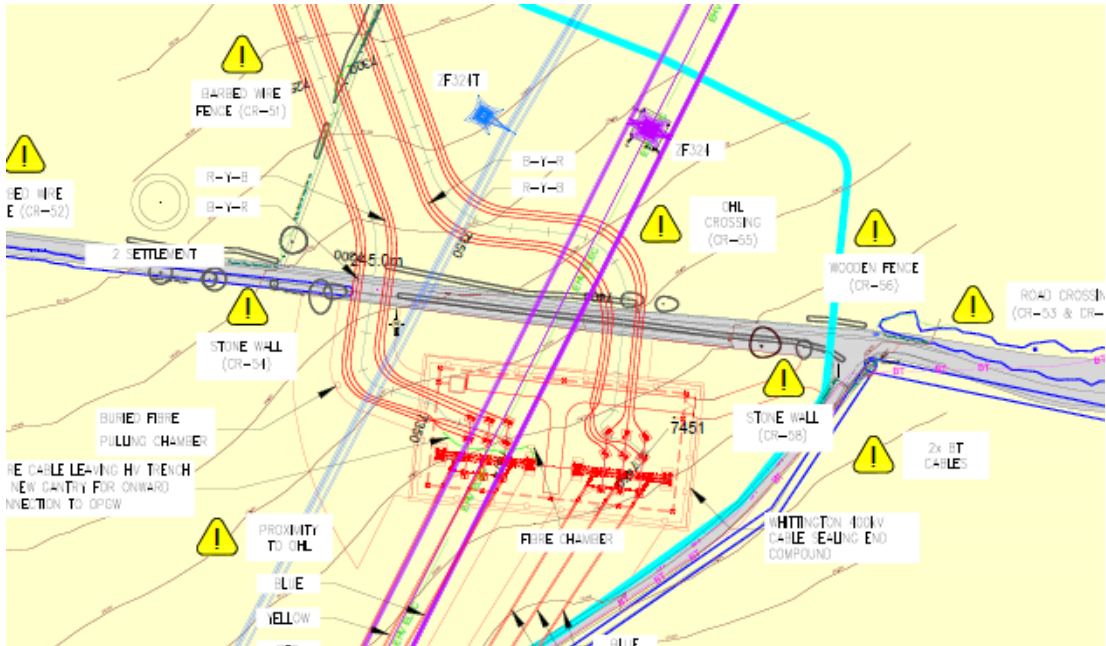


Figure 4: Southern CSEC Preferred Configuration (South End F)

- 6.12 NGET also evaluated 5 alternative configurations, including South End E, within S4. While South End E offered the benefit of positioning the CSEC and terminal tower slightly further from the Cotswolds National Trail (though still visible from the route) compared to South End F, within S2, it was not selected due to significant drawbacks. These included the fact that configuration would have required construction across two separate land parcels with tower ZF325 and the CSEC located in different fields, creating additional complications for land acquisition, construction logistics, and ongoing maintenance access. From an engineering standpoint, the option would have necessitated temporary diversions of the Feckenham-Walham circuit and required auxiliary crossarms due to sharp alignment changes, introducing additional technical complexity, construction risks and a residual risk introduced to the adjacent track of new oversailing conductor.
- 6.13 Given these constraints, NGET concluded that South End E would create unacceptable complications regarding engineering and construction complexity, land use requirements and health and safety considerations. The marginal improvement in distance from the Cotswolds National Trail was insufficient to outweigh these disadvantages. In contrast, South End F (within S2) avoids these complications while achieving the Project's primary objective of minimising visual impact on the Cotswolds National Trail and surrounding National Landscape, thereby providing the optimal balance of avoiding unacceptable impacts, ensuring technical feasibility, and maintaining efficient delivery within a single land parcel.

Cable Route

- 6.14 NGET assessed various cable route options, dividing the route into three sections and evaluating multiple alternatives against technical, environmental, ecological, archaeological, visual impact and health and safety criteria. The various route options considered are shown in Figure 5 below.
- 6.15 The preferred cable route comprises a combination of different route options: Route A for Sections 1 and 2, and a combination of Route C for the first part of Section 3 and Route B for the remainder.

- 6.16 Route A was selected for Section 1 as it represented the only practicable option. Alternative routings either east or west of Breakheart Plantation would have required the construction swathe to pass through the Cleeve Common SSSI (if routed west) or in close proximity to the Cotswold Way, Sudeley Castle, ancient woodland and residential properties (if routed east). Both alternatives would also have resulted in a significantly longer cable route, increasing construction costs and programme duration.
- 6.17 For Section 2, Route A was chosen because it follows field boundaries more closely than other options, reducing land impact and minimising land take by avoiding central alignments through fields. It also requires minimal tree clearance and represents the shortest route option, making it preferable from both engineering and cost perspectives.
- 6.18 The combination of Route C and Route B for Section 3 was selected because it follows field boundaries closely, minimises disruption to land use, avoids tree clearance at key locations, and maintains appropriate separation distances from residential properties. Route B utilises an existing clearing near tower ZF319, minimising impact on ancient woodland while providing a more direct route to the southern CSEC. The remainder of Route C was discounted as it would bring the cable route within 95 metres of Wood Farm and create health and safety concerns due to extended proximity to live overhead conductors.

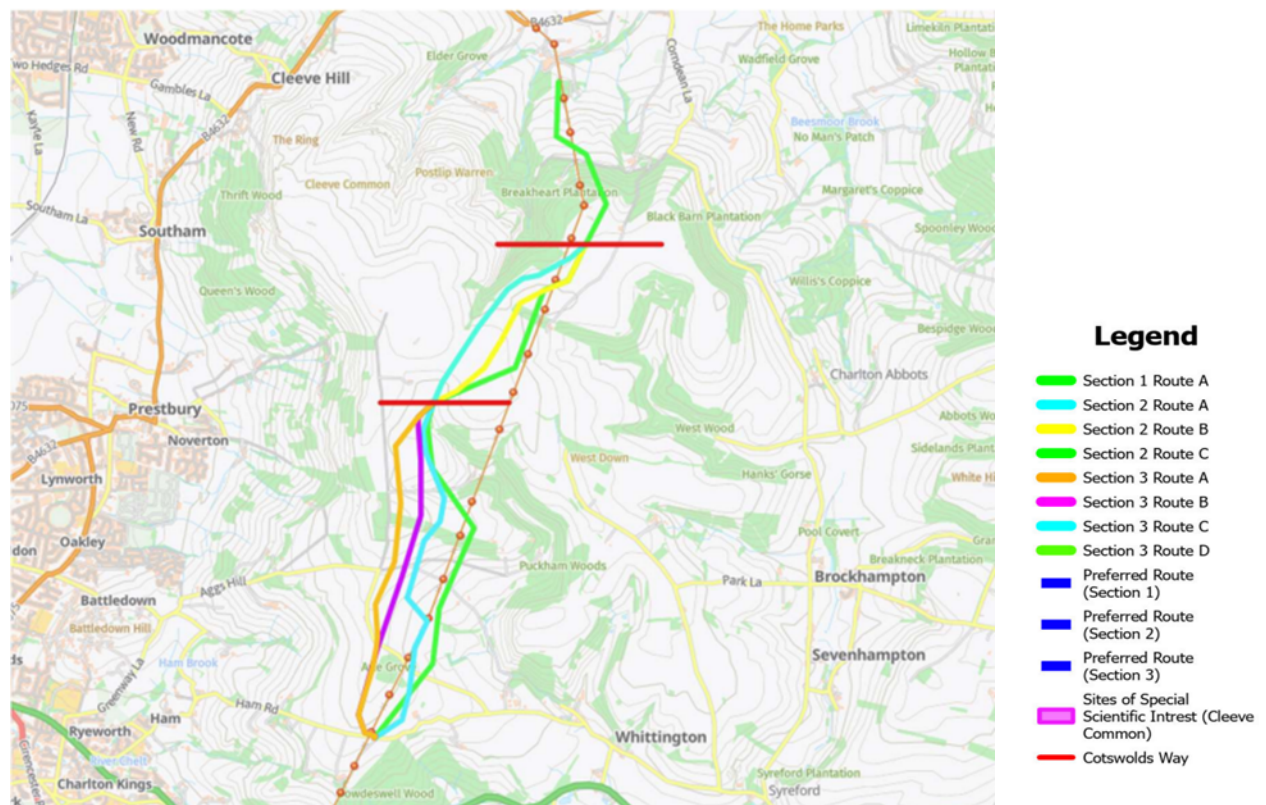


Figure 5: Cable Route

Shunt Reactor Options

- 6.19 NGET assessed six options for siting the required shunt reactor unit across three existing NGET substations: Melksham, Minety, and Bramley. Each location was evaluated against technical issues, cost, environmental considerations, health and safety management and future development plans.

- 6.20 Following this assessment, the Melksham option was selected as the preferred choice. This option requires an extension of the substation site to the west and extension of the main and reserve bus bars to create a new shunt reactor bay. The underground cables are nearby and adequate working space is available in the identified land.
- 6.21 This comprehensive options appraisal process detailed above demonstrates that the selected scheme design represents the optimal solution for delivering the Project's landscape enhancement objectives whilst avoiding unacceptable impacts and ensuring deliverability.

7. THE LAND AND RIGHTS NEEDED FOR THE PROJECT

- 7.1 The Order Land comprises all of the land required for the delivery of the Project, including the proposed cable route, pylons to be removed and retained, the northern and southern CSECs, temporary construction compounds and accesses.
- 7.2 As explained in the Proof of Evidence of Dominic Rees, NGET is taking a proportionate approach to acquisition and will only seek to acquire the freehold title to land it does not already own where that land is needed for the purposes of permanent infrastructure.
- 7.3 NGET has been and continues to be in negotiation for acquisition of the necessary land and rights necessary which, if successful would mean that the Order powers would not need to be exercised. The progress that has been made is explained in the evidence of Dominic Rees. Whilst significant progress for the voluntary grant of land rights has been made, it remains the case that despite these efforts, NGET has not yet secured all of the land and rights in the Order Land that it requires for the delivery of the Project.
- 7.4 In order to provide certainty that the land and rights required for the Project can be assembled within a reasonable timeframe to enable the Project to be delivered, it was therefore necessary for NGET to start the CPO process in parallel with private treaty negotiations. Progressing the CPO process in parallel with continuing landowner negotiations is expressly envisaged by paragraph 2.8 and section 17 of the CPO Guidance. NGET remains fully committed to continuing to progress negotiations throughout the CPO process in order to acquire land by agreement, where possible.

8. PROJECT DELIVERY AND FUNDING

Delivery

- 8.1 NGET is part of the National Grid group of companies with an excellent track record in delivering infrastructure projects.
- 8.2 NGET has extensive experience of building, operating and maintaining linear infrastructure schemes, both overhead and underground systems, substations and associated infrastructure. Notably, NGET has delivered the Dorset VIP project which facilitated the removal of 22 pylons. NGET has extensive experience of acquiring rights and land needed for its infrastructure projects, including allowing for unforeseen matters.
- 8.3 NGET has a preferred bidder as main contractor further to its competitive tender in May 2025 and expect the contract to be awarded by April 2026 when preliminary surveys and works will commence, subject to acquiring the necessary land interests. The main construction works will
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commence in June 2026. NGET's intention is for the underground connection to be operational and the existing pylons and overhead lines to be removed in 2029. The Statement of Case (CD D4) states that the pylons will be removed *by* 2029, but I am able to provide a more accurate estimate in this Proof because NGET now has an improved understanding of the likely project timeline.

- 8.4 The linear nature of the project and the construction programme will necessitate that the construction activities will primarily be focused in concentrated areas as the project progresses. The impacts of construction activities will not be felt by all parties consistently throughout the duration of the project, this will be managed and communicated to all parties through regular and recurring engagement.
- 8.5 NGET's intention is for the underground connection to be operational and the existing pylons and overhead lines to be removed by 2029.

Funding

- 8.6 As set out above, the Project forms part of the NGET's wider VIP programme.
- 8.7 The RIIO-T2 framework covers the period from 1 April 2021 to 31 March 2026. NGET submitted its funding application to Ofgem on 16 May 2025. A minded to decision has been requested for December 2025 to allow NGET's governance process to begin ahead of the intended contract award in April 2026.
- 8.8 In order to be eligible for the £465 million provision, VIP schemes must be approved by Ofgem and written into NGET's transmission licence by 31 March 2026. There is no intention to include VIP projects within the RIIO-T3 period, and the Project will no longer be considered post-31 March 2026, meaning that the project will either proceed in its current form or not at all, due to the timescales involved with the current price control period. Once written into the licence, VIP schemes become a licence condition with which NGET must comply. Accordingly, funding would be available by the time that the Order enabled the exercise of compulsory acquisition powers.
- 8.9 For the reasons set out above, the Secretary of State can be satisfied that all aspects of the Project would be fully funded and that there is no reason to believe that, should the Order be confirmed, the Project would not proceed due to an absence or shortfall in available funding. The Secretary of State can also be satisfied that funding will be available for the acquisition of any land and other interests required for the project, for any compensation or blight claims brought by those interested in the land affected by the Order, and for the costs of implementing the project.
- 8.10 NGET has carried out an assessment of the compensation that it expects will arise as a result of the acquisition of the rights and the land in the Order. NGET have taken expert advice on the likely costs of implementing the Project, including the funding of the acquisition of the interests in land described in the Order (**CD C1**). NGET is confident that land acquisition costs and potential compensation claims can be fully met as and when they are required under the provisions of the Order, and this would include any "early payments" under the blight provisions of the Town and Country Planning Act 1990.
- 8.11 Given the above, and NGET's strong credit rating, the requisite funding is available to meet the implementation and land acquisition/compulsory purchase compensation costs associated with the Project as and when required (including any advance payments).
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- 8.12 Accordingly, NGET considers that the criteria in paragraphs 13 and 14 of the CPO Guidance (CD A14) are met.

9. POWER UNDER WHICH THE ORDER IS MADE AND DECISION TO MAKE THE ORDER

- 9.1 Pursuant to section 9(2) of the 1989 Act, the holder of a licence authorising them to participate in the transmission of electricity is charged with the duty “*to develop and maintain an efficient, co-ordinated and economical system of electricity transmission.*”
- 9.2 NGET holds an Electricity Transmission Licence granted by the Gas and Electricity Markets Authority under section 6(1)(b) of the 1989 Act. As such, it is empowered to exercise powers of compulsory acquisition.
- 9.3 NGET owns the high voltage electricity transmission network in England and Wales and operates the transmission system across England and Wales.
- 9.4 The Order (CD C1) was made pursuant to section 10 of, and schedule 3 to, the 1989 Act, and having regard to the CPO Guidance (CD A14).
- 9.5 Section 10 of the 1989 Act provides that the powers in schedule 3 (which provides for the compulsory acquisition of land) have effect in relation to the holder of a transmission licence.
- 9.6 Paragraph 1(1) of schedule 3 to the 1989 Act provides that:
- (a) “*the Secretary of State may authorise a licence holder to purchase compulsorily any land required for any purpose connected with the carrying on of the activities which the licence holder is authorised by the licence to carry on.*”
- 9.7 Paragraph 1(2) of schedule 3 to the 1989 Act confirms that “land” includes any right over land, and that the Secretary of State’s power includes power to authorise the acquisition of rights over land by creating new rights, as well as acquiring existing ones. This includes the creation of new rights similar to an easement and “restrictive rights”, akin to restrictive covenants.

10. HUMAN RIGHTS AND THE EQUALITY ACT CONSIDERATIONS

Human Rights

- 10.1 As explained in the evidence of Dominic Rees and Dave Rogerson, all of the land and rights in the Order Land are required either for the purposes of the Project, or to facilitate, mitigate, or is incidental to the Project.
- 10.2 NGET is taking a proportionate approach to compulsory acquisition. Rather than acquiring the freehold title to all land comprised within the Order limits, NGET is seeking to acquire a combination of freehold title (including for the two CSECs), and permanent rights (such as the right to install and operate the buried cable, and the right to remove the existing overhead line).
- 10.3 NGET has sought to acquire the rights and interests in land which are required to deliver the Project through private treaty negotiation.
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- 10.4 Notwithstanding the efforts that have been made to acquire interests in the land by way of voluntary agreement, as at the date of making the Order, NGET has been unable to secure all of the requisite interests through negotiation. It is therefore necessary to seek compulsory powers to enable the delivery of the Project.
- 10.5 Negotiations to acquire interests by private treaty will continue in parallel with the CPO process.
- 10.6 With regards to Human Rights, section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the European Convention on Human Rights (“the **Convention**”). The position is summarised in section 12 of the CPO Guidance, which states that a compulsory purchase order should only be made where there is “a compelling case in the public interest”. The CPO Guidance makes it clear that an acquiring authority should be sure that the purposes for which it is seeking compulsory acquisition powers sufficiently justify interfering with the human rights of those with an interest in the land affected. In making this assessment, an acquiring authority should have regard to the provisions of Article 1 of the First Protocol to the Convention, and in the case of dwelling, Article 8.
- 10.7 Relevant parts of Article 1 of the First Protocol of the Convention state that:
- “Every natural or legal person is entitled to peaceful enjoyment of his possessions” and “no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...”.*
- 10.8 Relevant parts of Article 8 of the First Protocol of the Convention state that:
- “1. Everyone has the right to respect for his private and family life, his home and his correspondence.*
- 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of ... the economic well-being of the country ...”*
- 10.9 Whilst owners and occupiers of the Order Land may be deprived of their property/interest in property if the Order is confirmed, this will be in accordance with the law. NGET is only seeking the acquisition of the freehold title to the Order Land where necessary. The remainder of the Order Land is proposed to be affected by new rights only. There are no residential interests affected by the Order and no persons’ lawful occupation will be displaced. The Order is being promoted in the public interest as required by Article 1 of the First Protocol and the public benefits have been set out in detail earlier in this Statement. NGET considers that the Order will strike the right balance between the public interest in the implementation of the Project and those private rights that will be affected by the Order.
- 10.10 Relevant parts of Article 6 to the Convention provide that:
- “1. In the determination of his civil rights and obligations ... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.”*
- 10.11 The Order has been extensively publicised, and consultation has taken place with the community and key stakeholders in the region. All those affected by the Order have been notified, have the right to make representations and objections to the Secretary of State, and
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objecting parties will have the right to be heard at a public inquiry. It has been held by the courts that statutory processes are in compliance with Article 6 of the Convention.

- 10.12 Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the Compulsory Purchase Compensation Code. The Compensation Code has been held to be compliant with Article 8 and Article 1 of the First Protocol to the Convention.
- 10.13 NGET has sought to keep any interference with the rights of those with interests in the Order Land to a minimum. The land within the Order has been limited to the minimum required for the Project infrastructure to be installed, operated and maintained.
- 10.14 The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully taken into account. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of compulsory purchase powers conferred by the Order would be lawful, justified and proportionate.

Equality Act

- 10.15 The public sector equality duty set out in s149(1) of the Equality Act 2010 does not apply to NGET in making the Order (**CD A9.1**) but NGET has, as a non-public body exercising public functions, had regard to that duty in promoting the Order, and has undertaken a community consultation and landowner engagement exercise.
- 10.16 NGET has taken account of and considered receptors and effects on those receptors through its environmental assessment processes for the Project.
- 10.17 NGET does not currently consider that the Project will give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act, or upon persons who do not share such relevant protected characteristic. However, the engagement process is ongoing and NGET's position will be continually monitored. Should any persons be identified who may adversely impacted by the Project, packages of assistance measures will be put in place as necessary so as to mitigate so far as practicable any identified activity that may have an adverse impact on these individuals.

11. RESPONSE TO OBJECTIONS

- 11.1 A total of 7 objections were initially made to the Order (**CD C5 to C11**), but 3 objections have since been withdrawn (**CD C5, CD C8 and CD C11**). NGET's Statement of Case (**CD C4**) and the evidence of Dominic Rees outlines the 4 relevant objections remaining at the time of writing, NGET's response to them and the status of negotiations.
 - 11.2 I have summarised the objections below to the extent that they relate to my evidence and provided my response to them beneath the summary.
 - 11.3 None of the remaining objections suggest that there is any impediment to the delivery of the Project.
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Mr Jonathan Morton Stanley and Corinium Construction Limited (CD C7)

- 11.4 This objection states that NGET does not fully justify its reasoning for selecting one option over another, including in relation to the location and positioning of the southern CSEC, and the cable route.
- 11.5 This Statement, together with those of Mr Baines, Ms Greatrix and Mr Rogerson, detail the assessment that resulted in the identification of the ZF.2(B) OHL, and also the robust criteria and independent process that culminated in the selection of this OHL section. The Project has also been deemed acceptable to a group that represents the demographic make-up of the UK; it has widespread support across varying different age groups.
- 11.6 As explained in this Statement, NGET undertook an extensive assessment of the relevant options between 2021 and 2025. In respect of the southern CSEC, NGET considered whether this could be located south of the A40 (Options S5 and S6). Whilst these locations presented the landscape and visual benefit inherent in the removal of an additional 3 pylons, they were ultimately not selected due to fundamental technical challenges relating to topography, crossings, and construction constraints. As explained above, NGET also assessed all 6 southern CSEC configuration options against multiple criteria including landscape and visual impact, health and safety management, environmental and land use impact, and engineering and construction considerations. South End F (within S2) was selected because it provided the optimal performance across these assessment criteria. The preferred cable route and the option appraisal process for its selection is also detailed above.
- 11.7 The objection also states that the Order will disrupt Mr Jonathan Morton Stanley's farming and holiday lets, and Corinium Construction Limited's office and warehouse operations. NGET has given proper consideration to the concerns raised regarding potential impacts on business operations. I am aware that any losses arising as a result of the Order will be compensated appropriately in accordance with the relevant legislation, case law and established practice for compulsory purchase compensation. This includes compensation for business disturbance where applicable. These compensation provisions provide adequate protection for affected parties whilst enabling NGET to deliver the Project.
- 11.8 This objection also states that NGET does not establish a compelling case for compulsory acquisition and that NGET has failed to give adequate consideration to Article 8 rights to respect for private and family life.
- 11.9 NGET has given full and proper consideration to Article 8 of the European Convention on Human Rights. Article 8(2) permits interference with this right where it is "*in accordance with the law and is necessary in a democratic society in the interests of... the economic well-being of the country.*" The Order has been made pursuant to statutory powers under the 1989 Act, ensuring any interference is lawful. As explained in the evidence of Dominic Rees, NGET has adopted a proportionate approach by seeking only the minimum land and rights necessary for the Project.
- 11.10 As I have set out above, there is a compelling case in the public interest for the Order. The Project will deliver the removal of approximately 7 kilometres of overhead line and achieve the net removal of 16 pylons, which will significantly benefit the landscape and visual qualities of the Cotswolds National Landscape. While I acknowledge there will be some temporary adverse effects during construction, upon operation only beneficial effects are predicted which will
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increase over time. Therefore, any interference with Article 8 rights is justified and proportionate, particularly given that compensation will be available for any losses incurred.

RH Barnes and Sons (CD C9)

- 11.11 RH Barnes and Sons suggest alternative routes for the haul road, including relocating the main construction compound or using alternative routes marked blue and yellow on their submission. As explained in the evidence of Dave Rogerson, relocating the main construction compound would not eliminate the necessity for the construction haul road. The suggested alternative routes for the haul road have been previously investigated and assessed by NGET. The blue route presents challenging topography which would introduce significant health and safety risks that I consider unacceptable. The yellow route was discounted as it would be very close to adjacent receptors. Following consultation, I am satisfied that the selected route represented the most appropriate option balancing feedback from different stakeholders. The haul road has been positioned following consultation with affected parties including the Barnes. Based on feedback during the earlier development phase, the haul road has been sited to the west of an existing hedgerow to make best use of natural screening and is positioned as close as practical to the hedgerow to maximise this screening benefit.
- 11.12 RH Barnes and Sons also raise concerns about impacts on their commercial shoot, holiday and leisure businesses during construction. I recognise these concerns regarding the potential impact on business operations. However, I note that losses arising as a result of the Order will be temporary during the construction period and therefore limited in scope. I am aware that such losses will be compensated as appropriate in accordance with the relevant legislation, case law and established practice for compulsory purchase compensation. As explained in the evidence of Nicky Lear, extensive mitigation measures are set out in the OCEMP to address construction impacts, including dust management, noise and vibration controls, and restricted working hours, which will help to minimise disruption to these business operations.

12. SUMMARY AND CONCLUSIONS

- 12.1 My name is Amardeep Malhi. I am a Lead EPC Project Manager for NGET. My role is to develop the Project and administer the NEC4 contract acting as the delegated Project Manager on behalf of NGET.
- 12.2 NGET is responsible for the high voltage electricity transmission network in England and Wales and is regulated by Ofgem. As part of RIIO-T1 (2013-2021), Ofgem set aside £500 million for transmission owners to address the visual impact of existing transmission infrastructure in designated areas. Ofgem made a further provision of £465 million available for RIIO-T2 (2021-2026). NGET is required by its licence to deliver these schemes.
- 12.3 NGET's approach is governed by its VIP Policy (CD D6). The LVIP Technical Report identified subsection ZF.2 as a red category subsection indicating high importance (CD D1). The undergrounding of the entirety of ZF.2 was considered unfeasible for technical and cost reasons. An independent report was commissioned which concluded that ZF.2(B) would result in the most significant visual benefits.
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- 12.4 In June 2020, the Stakeholder Advisory Group recommended the Project as a priority undergrounding project. NGET undertook further engagement from 2021. In March 2022, NGET committed to proceed with the Project.
- 12.5 The Project comprises the undergrounding of approximately 7 kilometres of existing OHL subsection ZF.2(B) within the Cotswolds National Landscape. Key components include installation of approximately 7 kilometres of 400kV underground cables, dismantling and permanent removal of 7 kilometres of existing OHL including net removal of 16 pylons, construction of two new CSECs with new terminal pylons, a permanent cable easement with approximate width of 40 metres, and expansion of Melksham Substation for a new shunt reactor. A temporary (one year) OHL diversion will be required at the southern CSEC.
- 12.6 It is NGET's statutory duty under Section 9 of the 1989 Act to develop and maintain an efficient, co-ordinated and economical system of electricity distribution. NGET must also have regard to preserving natural beauty and conserving flora and fauna. Section 85 of the CROW Act 2000 requires NGET to further the purpose of conserving and enhancing natural beauty of an AONB.
- 12.7 The Project will lead to removal of approximately 7 kilometres of OHL and net removal of 16 pylons which will significantly benefit the landscape and visual qualities of the Cotswolds National Landscape. Additionally, the Project offers the benefit of uprating the circuit. This comprises a very significant benefit, driven by a brand new asset providing improved ratings over existing OHL conductor and installation of two new shunt reactors providing improved voltage management.
- 12.8 NGET undertook a comprehensive options appraisal process. For the northern CSEC, NGET assessed four location options (N1-N4). Option N4 was selected due to good screening, manageable technical challenges, and good access arrangements. For the southern CSEC, NGET assessed six options (S1-S6). Option S2 was selected as the preferred location. NGET gave particular consideration to whether the southern CSEC could be located south of the A40 (Options S5 and S6). Although these would have resulted in removal of an additional 3 pylons, they were not selected due to significant technical challenges including topographical challenges requiring cables to ascend approximately 60-80 metres up the escarpment, complex crossings beneath the A40, railway embankments and River Chelt, and construction constraints severely restricting access and working space.
- 12.9 NGET assessed 9 configurations for the northern CSEC and 6 for the southern CSEC. North End C was chosen as preferred northern configuration. South End F within S2 was chosen for the southern CSEC. NGET also evaluated South End E within S4, which positioned the CSEC slightly further from the Cotswolds National Trail, but was not selected due to significant drawbacks including requiring construction across two separate land parcels and introducing additional technical complexity.
- 12.10 NGET assessed various cable route options divided into three sections. The preferred route comprises Route A for Sections 1 and 2, and a combination of Route C and Route B for Section 3. NGET assessed six options for the shunt reactor across three substations. Melksham was selected as the preferred choice. This options appraisal process demonstrates the selected scheme represents the optimal solution.
- 12.11 The Order Land comprises all land required for delivery of the Project. NGET is taking a proportionate approach to acquisition and only seeks to acquire freehold title where land is needed for permanent infrastructure. NGET has been in negotiation for acquisition of necessary land and rights. Whilst significant progress has been made, NGET has not yet secured all land and rights required. It was therefore necessary to start the CPO process in parallel with private treaty negotiations.
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- 12.12 NGET has an excellent track record in delivering infrastructure projects. NGET has delivered the Dorset VIP project which facilitated removal of 22 pylons. NGET has a preferred bidder as main contractor and expects contract award by April 2026. Main construction works will commence in June 2026. NGET's intention is for the underground connection to be operational and existing pylons and overhead lines to be removed in 2029. The linear nature means construction activities will be focused in concentrated areas as the project progresses.
- 12.13 The RIIO-T2 framework covers 1 April 2021 to 31 March 2026. NGET submitted its funding application to Ofgem on 16 May 2025. VIP schemes must be approved by Ofgem and written into NGET's transmission licence by 31 March 2026. There is no intention to include VIP projects within RIIO-T3. Once written into the licence, VIP schemes become a licence condition. Funding would be available by the time the Order enabled exercise of compulsory acquisition powers. NGET has carried out an assessment of expected compensation and is confident costs can be fully met. Given NGET's strong credit rating, requisite funding is available.
- 12.14 The Order was made pursuant to section 10 of, and schedule 3 to, the 1989 Act. NGET holds an Electricity Transmission Licence and is empowered to exercise powers of compulsory acquisition. NGET is taking a proportionate approach, seeking a combination of freehold title (for the two CSECs) and permanent rights. As at the date of making the Order, NGET has been unable to secure all requisite interests through negotiation. It is therefore necessary to seek compulsory powers. Negotiations will continue in parallel with the CPO process.
- 12.15 NGET is only seeking acquisition of freehold title where necessary. There are no residential interests affected. The Order is being promoted in the public interest and will strike the right balance between public interest and private rights. The Order has been extensively publicised. All affected parties have been notified and have the right to make representations and objections. Those whose interests are acquired will be entitled to compensation. NGET has sought to keep interference to a minimum. There is a compelling case in the public interest, and any interference would be lawful, justified and proportionate.
- 12.16 The public sector equality duty does not apply to NGET in making the Order, but NGET has had regard to that duty. NGET has taken account of receptors and effects through its environmental assessment processes. NGET does not currently consider the Project will give rise to impacts on persons who share a relevant protected characteristic.
- 12.17 7 objections to the Order were initially made, but 3 have been withdrawn. 4 objections remain. None suggest any impediment to delivery of the Project. Mr Jonathan Morton Stanley and Corinium Construction Limited object that NGET does not fully justify its reasoning for selecting one option over another. My statement details the assessment that resulted in identification of ZF.2(B) and the robust criteria and independent process. Options S5 and S6 south of the A40 presented landscape benefits but were not selected due to fundamental technical challenges. South End F (within S2) provided optimal performance across assessment criteria.
- 12.18 This objection also states the Order will disrupt farming, holiday lets and business operations. Any losses will be compensated appropriately. The objection also states NGET does not establish a compelling case and has failed to consider Article 8 rights. NGET has given full consideration to Article 8. The Order has been made pursuant to statutory powers, ensuring any interference is lawful. NGET has adopted a proportionate approach by seeking only minimum land and rights necessary. There is a compelling case in the public interest. Any interference with Article 8 rights is justified and proportionate, particularly given compensation will be available.
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- 12.19 RH Barnes and Sons suggest alternative routes for the haul road. Relocating the main construction compound would not eliminate the necessity for the haul road. The suggested alternatives have been investigated and assessed. The blue route presents challenging topography introducing unacceptable health and safety risks. The yellow route was discounted as it would be very close to adjacent receptors. The selected route represented the most appropriate option. RH Barnes and Sons also raise concerns about impacts on commercial businesses during construction. Losses will be temporary and limited in scope and will be compensated appropriately. Extensive mitigation measures are set out in the OCEMP to minimise disruption.

13. WITNESS DECLARATION

- 13.1 I confirm that the evidence prepared for this Inquiry and contained within this Proof of Evidence are my true and professional opinions. I confirm that I have understood and complied with my duty to the Inquiry as an Expert Witness and have provided my evidence impartially and objectively. I confirm that I have no conflicts of interest.
- 13.2 I confirm that artificial intelligence has not been used to produce this Proof of Evidence.



AMARDEEP MALHI

13 OCTOBER 2025
