

Strategaeth Hawliau Tir a Rhestr Daliadau ar gyfer Asedau

Fersiwn 1



Mae'r rhwydwaith trawsyrru trydan yn seilwaith cenedlaethol allweddol ac felly mae'n hollbwysig bod y tir a'r hawliau tir angenrheidiol gan National Grid i osod, gweithredu, mynd at, cynnal, atgyweirio ac amddiffyn y rhwydwaith trawsyrru fel rhan o'r symudiad at ddyfodol glanach a gwyrddach.

Mae gan National Grid drefn o'r enw Strategaeth Hawliau Tir, sy'n golygu y gellir sicrhau cysondeb wrth gaffael tir a hawliau tir ar gyfer eu prosiectau seilwaith. Defnyddir y drefn hon ar gyfer prosiectau seilwaith sydd i'w datblygu gan ddefnyddio prosesau Gorchymyn Cydsyniad Datblygu (DCO) neu Orchymyn Prynu Gorfodol (CPO).

Mae bob amser yn well gan National Grid sicrhau hawliau tir ar sail cytundeb gwirfoddol, gan fod hyn yn golygu y gellir teilwra'r hawliau sy'n cael eu caffael i ofynion penodol y prosiect. Mae hefyd yn bwysig o ran cynnal perthynas dda â pherchnogion y tiroedd.

Ers 2010, cafodd y strategaeth hon ei gweithredu ar holl brosiectau National Grid Transmission lle'r oedd gofyn caffael tir a hawliau ac mae'n cael ei hadolygu'n barhaus i sicrhau ei bod yn dal yn addas i'r diben, yn cyflawni gofynion y busnes, ac yn bodloni disgwyliadau perchnogion a meddianwyr tir trydydd parti. National Grid oedd un o'r cwmnïau cyfleustodau cyntaf i fabwysiadu a hyrwyddo'r dull hwn yn ffurfiol. Mae'r Strategaeth Hawliau Tir wedi esblygu i dalu sylw i ofynion penodol deddfwriaeth, arferion gorau sy'n datblygu yn y diwydiant, ac i ddiwallu anghenion prosiectau penodol.

Beth yw'r Strategaeth Hawliau Tir?

1. Mae'n sicrhau cysondeb ym methodoleg caffael tir a hawliau tir ar gyfer prosiectau'r seilwaith trawsyrru trydan;
2. Mae'n helpu i annog perchnogion tiroedd i gytuno'n wirfoddol i'r cytundebau gofynnol, a hynny'n helpu i warchod perthnasoedd hirdymor â rhanddeiliaid;
3. Mae'n sicrhau bod cysondeb yn y taliadau a wneir i gael hawliau tir, a bod yr holl berchnogion tiroedd yn cael eu trin yn deg ac yn gyfartal ac yn unol â disgwyliadau'r ddeddfwriaeth ar y pryd;
4. Mae'n sicrhau cysondeb yn y ffordd y mae holl gwmnïau National Grid Group Plc yn y DU yn ymwneud â hawliau tir ar gyfer trawsyrru trydan.

I grynhoi, dyma'r strategaeth gyffredinol:

Mae'r holl berchnogion tiroedd yr effeithir arnynt yn cael cynnig Cytundebau Opsiwn fel y gall National Grid gaffael tir, hawliau parhaol dros dir neu gael hawliau dros dro dros dir, cyn i'r DCO/CPO gael ei ganiatáu. Mae National Grid yn ceisio hawliau dros dro ar gyfer gweithgareddau adeiladu, a hawliau parhaol (hawddfrentiau) ar gyfer yr asedau ar ôl eu hadeiladu (yn cynnwys yr holl hawliau cynnal a chadw, mynediad, draenio a thirlunio/lliniaru effeithiau amgylcheddol a all fod yn ofynnol ar gyfer y prosiect).

Ar yr un pryd â cheisio cytundebau gwirfoddol, rydym yn ymgeisio am hawliau caffael gorfodol drwy'r broses DCO/CPO, rhag ofn na ellir sicrhau'r Cytundebau Opsiwn yn wirfoddol neu fod problem yn codi wrth weithredu'r cytundebau gwirfoddol (e.e. oherwydd materion fel ansolfedd, marwolaeth/diffyg ewyllys, colli galluedd ac ati). Bydd bob amser yn well gan National Grid sicrhau hawliau tir yn wirfoddol.

Y rhestr daliadau

1. Taliadau am arolygon a gwaith ymchwilio

Er eu bod bob amser yn ceisio cael cytundeb gwirfoddol, mae gan National Grid hawliau statudol i fynd ar dir i gynnal arolygon a gwneud gwaith ymchwilio. Felly nid taliadau am ganiatáu hawliau mynediad yw'r taliadau hyn am gynnal arolygon, ond taliadau i gydnabod y difrod a'r aflonyddwch y gallai'r arolygon a'r gwaith ymchwilio hyn eu hachosi. Bydd National Grid yn gwneud y taliadau a ganlyn:

Arolygon anymwrthiol

Taliad digolledu o **£500** ymlaen llaw, am bob daliad tir, ar gyfer cyfnod o 12 mis.

Am ymweliadau nos rhwng 21:00 a 06:00, gwneir taliad digolledu o **£250** ymlaen llaw ar gyfer cyfnod o 12 mis.

Arolygon ymwrthiol

Tyllau turio

Taliad digolledu untro o **£350** ymlaen llaw ar gyfer tyllau turio, am bob twll turio.

Pyllau prawf

Taliad digolledu untro o **£350** ymlaen llaw ar gyfer pyllau/tyllau prawf, am bob pwl prawf.

Offer monitro dŵr

Yn achos offer monitro dŵr, gwneir taliad digolledu o **£150** ymlaen llaw am bob medrydd ar gyfer pob cyfnod o 12 mis, i gynnwys unrhyw ymweliadau safle.

Ffi llofnodi trwydded arolygon

Yn ogystal, telir ffi llofnodi trwydded o **£250**, sy'n ffi untro, os caiff y drwydded ei llofnodi o fewn cyfnod o ddau fis.

Sylwch:

Byddai angen cytuno fesul achos ar daliadau am unrhyw ddifrod a fyddai'n fwy na'r ffigurau uchod, gan gyflwyno tystiolaeth a phrawf o'r golled.



2. Taliadau am hawliau parhaol

Llinellau uwchben newydd

Taliad untro am hawliau parhaol, am bob tŵr a'r gwifrau cysylltiedig sy'n croesi dros y tir (oversail), yn cynnwys hawliau mynediad:

- tir glas parhaol - **£6000** (neu gyfran wedi'i seilio ar berchnogaeth y tir)
- tir âr - **£8000** (neu gyfran wedi'i seilio ar berchnogaeth y tir)

Taliad untro am hawliau parhaol, am bob achos lle mae gwifrau'n croesi dros y tir [oversail] (lle nad oes angen hawliau ar gyfer tŵr):

0-49m	50-99m	100m+
£500	£750	£1000

Llinellau uwchben presennol

Os oes hawddfrait yn ei le ond nad yw'r telerau'n addas at y diben, cynigir taliad untro o **£1000** i amrywio'r cytundeb.

Os nad oes hawddfrait, neu os mai dim ond fforddfrait sydd yno, neu os nad oes cytundeb o gwbl, gwneir taliad untro yn unol â'r gyfradd briodol ar gyfer tyrau er mwyn gwneud hawddfrait newydd.

Ceblau tanddaear

- tir amaethyddol - **80%** o werth y tir dros led yr hawddfrait.
- tir nad yw'n dir amaethyddol - **50%** o werth y tir dros led yr hawddfrait.

Cyfrifir hyn ar y sail bod y tir yn werth isafswm o **£7500/hectar**, ac fe delir isafswm o **£500** yn daliad hawddfrait.

Hawliau mynediad trydydd parti

Gwneir taliad untro o **£1000** am bob tŵr y bydd mynediad ato, yn gyfnewid am hawliau mynediad parhaol dros dir trydydd parti i wneud gwaith adeiladu, a gwaith cynnal a chadw yn y dyfodol.

Cymelldaliadau

Rhoddir cymelldaliad o **20%** ar ben unrhyw daliadau am hawliau parhaol dros dir (fel y nodir uchod ar gyfer seilwaith newydd), os:

1. caiff Penawdau Telerau (Heads of Terms) y cytundeb eu dychwelyd i National Grid o fewn cyfnod o **8 wythnos**, ac os
2. caiff y Cytundeb Opsiwn ei gwblhau'n gyfreithiol o fewn **12 wythnos** arall.

Rhandaliadau taliadau hawddfrait

O dan delerau'r Cytundeb Opsiwn, bydd gan National Grid opsiwn i fynd ar dir i adeiladu asedau newydd trawsyrru trydan ac, ar ôl eu hadeiladu, i gwblhau'r Hawddfrait. Telir mewn rhandaliadau:

- **25%** o'r taliad hawliau tir i'w dalu pan gwblheir y Cytundeb Opsiwn
- **50%** o'r taliad hawliau tir i'w dalu pan eir ar y tir i wneud gwaith adeiladu o dan y Cytundeb Opsiwn
- **25%** o'r taliad hawliau tir i'w dalu pan gwblheir yr Hawddfrait ar ôl y gwaith adeiladu, ynghyd ag unrhyw daliad(au) eraill y cytunwyd arno/arnynt eisoes.



3. Effaith niweidiol

Mae National Grid yn cydnabod y gallai unrhyw waith newydd y bwriedir ei wneud beri pryder i berchnogion tir. Yn ogystal â'r taliadau eraill a nodwyd, bydd taliadau 'effaith niweidiol' (injurious affection) ac unrhyw Benawdau Hawlio priodol eraill yn cael eu hystyried yn unigol yn unol â'r ddeddfwriaeth gyfredol.

4. Hawliadau am gollu cnydau, difrod ac aflonyddwch

Caiff y rhain eu hasesu a bydd rhaid dangos prawf o faint y golled cyn y telir nhw.

5. Caffael tir

Cytunir ar bob achos o gaffael tir (parhaol neu dros dro) yn unigol.

6. Ffioedd asiantau (a delir trwy berchennog/meddiannwr y tir)

Ffi benodedig o **£150** am wasanaethau proffesiynol asiantaeth dir mewn perthynas â dychwelyd Holiadur Buddiant mewn Tir wedi'i lenwi a'i lofnodi ar gyfer pob daliad tir, yn datgan yr holl fuddiannau sy'n hysbys yn y tir.

Un ffi benodedig o **£250** am bob daliad tir ar gyfer arolygon a gwaith ymchwilio.

Caiff ffioedd asiantau am negodi Cytundeb Opsiwn ac am daliadau digolledu ychwanegol (difrod neu 'effaith niweidiol') eu seilio ar ddogfen gyhoeddus gyfredol National Grid, "Talu Ffioedd Syrfewyr".



Land Rights Strategy and Payment Schedule for Assets

Version 1



The transmission network is critical national infrastructure and therefore it is crucial that National Grid has the necessary land and land rights to install, operate, access, maintain, repair and protect the transmission network as part of the transition to a cleaner and greener future.

National Grid has an approach called the Land Rights Strategy, which provides a consistent methodology for acquiring land and land rights for their infrastructure projects. This approach is applied across infrastructure projects promoted as Development Consent Order (DCO) and Compulsory Purchase Order (CPO) schemes.

National Grid's preference will always be to secure land rights on a voluntary basis, as this enables the rights being acquired to be tailored to the specific requirements of the project. It is also important in supporting ongoing landowner relations.

The strategy has been implemented on all National Grid Transmission projects since 2010 requiring land and rights acquisition and is under continuous review to ensure that it is still fit for purpose, achieves business requirements, and meets the expectations of third-party landowners and occupiers. National Grid was one of the first utility companies to formally adopt and promote this approach. The Land Rights Strategy has evolved to take into account specific requirements of legislation, evolving industry best practice and also to meet the needs of particular projects.

What is the Land Rights Strategy?

1. Provides a consistent methodology for acquiring land and land rights for transmission infrastructure projects;
2. Helps to encourage landowners to voluntarily agree to enter into the required agreements, which then helps to preserve long term stakeholder relationships;
3. Ensures that there is consistency in the payments made to obtain land rights, and that all landowners are treated fairly and equally and in accordance with the expectations of existing legislation;
4. Aligns the approach taken for electricity transmission land rights across the UK National Grid Group Plc companies.

In summary, the overarching strategy is:

All affected landowners are offered Option Agreements to enable National Grid to acquire land, permanent rights over land or to obtain temporary land rights, before the DCO/CPO is granted. National Grid seeks temporary rights for construction activities, and permanent rights (easements) for the "as-built" assets (including all maintenance rights, access, drainage and landscaping/environmental mitigation that may be required for the project).

In parallel with seeking voluntary agreements, through the DCO/CPO process we apply for compulsory acquisition rights as a fall back, should Option Agreements not be secured voluntarily or should there be any issue with implementation of voluntary agreements (e.g. due to events such as insolvency, death/intestacy, loss of capacity etc). National Grid's preference will always be to secure land rights on a voluntary basis.

The payments schedule

1. Payments for surveys and investigation works

Whilst voluntary agreement is always sought, National Grid has statutory rights to gain access to land for surveys and investigation works. As a result, these payments for surveys are not payments for the grant of access rights, but are payments in recognition of damage and disturbance that potentially may be caused by survey and investigation works. National Grid will make the following payments:

Non-intrusive surveys

A payment of **£500** advance compensation, per land holding, for a 12 month period.

For night-time visits between 21:00 – 06:00, an advance payment of compensation of **£250** will be made for a 12 month period.

Intrusive surveys

Boreholes

A one-off **£350** advance payment of compensation for boreholes, per borehole.

Trial pits

A one-off **£350** advance payment of compensation for trial pits/holes, per trial pit.

Water monitoring

For water monitoring equipment an advance payment of compensation of **£150** per gauge will be made per 12 month period, to cover any site visits.

Survey licence signing fee

In addition, a one-off licence signing fee of **£250** will be made if the licence is signed within a two month period.

Notes

Any damage in excess of the above figures would be agreed on an individual basis, on production of evidence and proof of loss.



2. Payments in respect of permanent rights

New overhead lines

A one-off payment in respect of permanent rights per tower and associated oversail, including access rights:

- permanent grass land - **£6000** (or proportion based on land ownership)
- arable land - **£8000** (or proportion based on land ownership)

A one-off payment in respect of permanent rights per oversail (where no tower rights are required):

0-49m	50-99m	100m+
£500	£750	£1000

Existing overhead lines

If there is an easement in place but the terms are not fit for purpose, then a one-off payment to vary the agreement will be offered in the sum of **£1000**.

If there is no easement, or only a wayleave is in place, or if there is no agreement in place at all, then a one-off payment will be made as per the appropriate tower rate for a new easement to be completed.

Underground cables

- agricultural land - **80%** of land value over the easement width.
- non-agricultural land - **50%** of land value over the easement width.

These will be subject to a minimum land value **£7500/hectare**, and a minimum easement payment of **£500**.

Third party access rights

A one-off payment of **£1000** per tower accessed, will be made in return for permanent access rights over third party land for construction and future maintenance activities.

Incentive payments

An incentive payment of **20%** will be applied across any permanent land rights payments (as set out above for new infrastructure), if:

1. the Heads of Terms of agreement are returned to National Grid within an **8 week** period, and;
2. the Option Agreement is legally completed within a further **12 weeks**.

Easement payment instalments

Under the terms of the Option Agreement, National Grid will have an option to take entry onto land to construct new electricity transmission assets and following construction to complete the Easement. The payments will be made in instalments:

- **25%** of the land rights payment is payable on completion of the Option Agreement
- **50%** of the land rights payment is payable on taking entry onto land for construction under the Option Agreement
- **25%** of the land rights payment is payable on completion of Easement following construction together with any other payment(s) already agreed.



3. Injurious affection

National Grid acknowledges that any proposed new work may cause concern to landowners. In addition to the other payments outlined, 'injurious affection' and any other appropriate Heads of Claim will be considered on an individual basis in accordance with current legislation.

4. Crop loss, damage and disturbance claims

This will be assessed and paid on a proven loss basis.

5. Land acquisition

Land acquisitions (permanent or temporary) will be agreed on an individual basis.

6. Agents fees (paid via landowner/occupier)

Fixed fee of **£150** for professional land agency services in relation to the return of a completed and signed Land Interest Questionnaire for each landholding declaring all known land interests.

Single fixed fee of **£250** per land holding in relation to survey and investigation works.

Agents fees for negotiating an Option Agreement and for additional compensation (damage or injurious affection) will be based on the current published National Grid Payment of Surveyors' Fees document.

