

Mr McKenna
For the attention of Mr John McKenna
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Our ref
31068983/FTW2.FTW2.13

By email only to John.McKenna@energysecurity.co.uk

Date
06 August 2026

Dear John

RE: The National Grid Electricity Transmission plc (West Burton to Ratcliffe-on-Soar Refurbishment Project) Compulsory Purchase Order 2026 (the "Order")

Proposed Modifications to the Order

We act for National Grid Electricity Transmission Plc ("**NGET**"), the acquiring authority in the above matter.

In the course of preparing for the forthcoming public inquiry, it has become apparent to NGET that it wishes the Secretary of State to amend the Order by modification at the time of confirmation in accordance with the Secretary of State's powers in section 13A of the Acquisition of Land Act 1981.

The proposed modifications and explanation for the same are as follows:

Plots	Modification	Explanation
1-1, 1-2, 1-3, 1-4, 1-5, 1-6, 1-7, 1-10, 1- 25, 1-26, 5-5, 5-12, 5-14, 5- 17, 5-18, 5-21, 5-23, 5-25, 6- 2, 11-36, 41-4, 48-19, 48-30, 56-22, 56-24, 56-25, 56-26, 56-27	Removal of the listed Plots from the Order.	At the point of making the Order, land held by licence holders (under the Electricity Act 1989) was identified and included in the Order, pending further discussion to confirm the operational status of that land. NGET has subsequently identified that land is included in the Order that is operational land owned by licence holders, such that the land is not able to be the subject of compulsory acquisition powers in any confirmed Order due to the operation of paragraph 2(2)(a) of Schedule 3 of the Electricity Act 1989. As a result, NGET proposes to remove these plots so that the Order would not

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Plots	Modification	Explanation
		authorise the compulsory acquisition of interests in land held by these licence holders. This is explained further in the note appended to the Statement of Evidence of Ms Evans (NGET/LE/2, ref. LE01: Note in relation to GEMA consent entitled “Applications for Consent Pursuant to Paragraph 2, Schedule 3, Electricity Act 1989”).
52-2, 53-4	Amend the description of these plots in Table 1, Column (2) (Extent, Description and Situation of the Land) in the CPO to remove reference to “disused” and replace it with “operational”, so that the description of the railway is amended as follows: “ disused <u>operational</u> railway”.	Amendment proposed in response to objection made by East Midlands Transport Heritage Trust (OBJ8, formerly OBJ5 in NGET’s Statement of Case (CD, C08)) confirming the railway in question is operational.
32-23, 32-25, 32-27, 33-1, 33-2, 33-4, 33-6, 33-7, 33-8, 33-11	Amend the table at the end of the Order setting out Special Category Land to remove these plots that are currently listed as being open space.	In response to notification carried out of the intention of the Ministry of Housing, Communities and Local Government (“MHCLG”) to make a certificate in relation to open space and allotments pursuant to the Acquisition of Land Act 1981, NGET was contacted by some landowners or their agents relating to the use of their plots. This relates to plots that are not formally designated as open space, but which NGET had treated as open space in the Order as part of a precautionary approach based on its understanding of the usage of the plots. The feedback from landowners in relation to listed plots is set out below: *Plots 33-7 & 33-8 – we have been advised by the landowner that only the private individuals owning these plots have access to the lake. The only public access to these plots is via a public right of way that intersects the plots.



Plots	Modification	Explanation
		*Plots 32-23, 32-25, 32-27, 33-1, 33-2, 33-4 and 33-6 – these are plots for which the Scout Association holds a long lease. We have had correspondence with the Scouts and they have confirmed that the only public access is via a public right of way and one permissive path, and the nature reserve is not open for public use / as open space. *Plot 33-11 – following the notices being sent out, the landowner spoke to colleagues from Ardent (agents for NGET) about the use of the land, causing further investigation by Ardent which suggested the land is used as a privately owned fishery where access is controlled. Ardent followed up with the landowner who has confirmed that the land is privately run and there is no public use/access without payment, other than public rights of way through the plot. As a result of this further information and clarification as to the use of these plots, NGET proposes that the Order is modified to no longer identify these plots as open space. This position has also been conveyed to MHCLG and is set out in the Statement of Evidence of Mr Harper (NGET/DH/1).

Accordingly, ahead of the public inquiry opening on 18 August 2026 and in accordance with paragraph 46 of the Ministry of Housing, Communities & Local Government's Guidance on the compulsory purchase process, whilst we do not consider the above modifications to be substantial amendments, we write in order to request that the Secretary of State confirms the Order with the modifications set out in the table above.

We have copied this letter to the Planning Inspectorate and, as per the aforementioned guidance, to the outstanding objectors to the Order and to any other interested persons who seem to be directly affected by the matters that might be subject to modification.

Yours faithfully,

Herbert Smith Freehills Kramer LLP

Herbert Smith Freehills Kramer LLP

cc: James Bunten, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Outstanding objectors to the Order and to other interested persons who seem to be directly affected by the matters that might be subject to modification