

**THE NATIONAL GRID ELECTRICITY TRANSMISSION (LITTLE HORSTED
SUBSTATION CONNECTION) COMPULSORY PURCHASE ORDER 2022**

SUMMARY STATEMENT OF EVIDENCE

**JAMES INGRAM
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FISHER GERMAN LLP**

1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is James Ingram and I am an Associate Partner in the infrastructure team at Fisher German LLP. I qualified as a chartered surveyor in 2001 and am a Fellow of the Central Association of Agricultural Valuers. I have been involved with the Little Horsted Project since December 2021, initially to cover the Land Officer role under secondment to National Grid, and since April as lead land agent on all Lands matters including landowner engagement and negotiation of rights.
- 1.2 I provide further details of my relevant qualifications and experience in my Statement of Evidence.

2. DESCRIPTION OF THE ORDER LAND

- 2.1 The Order Land is shown on the maps which accompany the Order and comprises primarily working agricultural holdings, some woodland, and part of the East Sussex National golf course. It largely comprises owner/occupied freehold grassland and arable farming units, with some let on tenancies. The use of each plot of land is described in the Schedule of Interests in the CPO.
- 2.2 The Order Land extends from pylon 4VM074 southeast of Uckfield, eastwards along the 4VM overhead line to land adjacent to Ninfield substation, with the main works comprising the construction of new substations for NGET and SEPN at Crockstead Farm, east of Little Horsted (Order Plot 35) and the diversion of the overhead line into this site.

3. NEED FOR THE ORDER LAND

- 3.1 The Order Land comprises all of the land and rights required for the construction, operation, repair, maintenance and decommissioning of the Project. NGET takes a proportionate approach to land acquisition – the only freehold acquisition required is for new above ground permanent infrastructure i.e. the NGET and SEPN substations, and land for mitigation of the associated impacts on the habitats of protected species
- 3.2 The rest of the Order Land is subject to the acquisition of “packages” of rights which have been tailored based on their purpose and allocated to specific Plots, so that unnecessary acquisition or encumbrance is avoided. The extent of land or rights required has been kept to a reasonable minimum.
- 3.3 All of the land required for the delivery of the Project has been included in the Order even where Heads of Terms ('HoTs') have been agreed with landowners. This is necessary to ensure that NGET is able to complete the acquisition of land and rights in the event that acquisition by agreement in accordance with HoTs is, for whatever reason, not completed such as would prejudice the timely delivery of the Project.

4. ACQUISITION STRATEGY

- 4.1 In order to enable the development of the substations rights are required over land within the vicinity under which to undertake enabling works:
- diversion of the existing overhead line into the substation;
 - work areas around the existing pylons;
 - land on which to undertake ecological works to mitigate the impacts of the development;
 - work to pylons along the overhead line to the next substation to reflect the altered circuit.
- 4.2 National Grid has developed a land rights strategy to guide the acquisition of rights. This aims to ensure the acquisition of rights is proportionate, promotes acquisition through voluntary agreement, creates consistency across projects nationally, and treats interested parties fairly.
- 4.3 The strategy seeks to acquire permanent rights for apparatus in order to protect its operation and maintenance long term.

5. STATUS OF NEGOTIATIONS

- 5.1 Due to the way the Project requirements developed, interested parties were contacted in stages according to the type of work and rights required.
- 5.2 Following initial requests to confirm ownership and occupation of land, offer letters were sent for the rights required, and upon owners accepting the offer full HoTs were issued for negotiation.
- 5.3 Around the substations, rights have been sought on the basis of option agreements, which can be triggered once NGET is ready to commence the development. For easement negotiations along the rest of the overhead line, primarily to allow the colour plate works, NGET is happy to secure these rights in advance as they benefit the future operation and maintenance of the line, not just benefit the Project.
- 5.4 To date, one agreement is complete, the acquisition of the substation site (Plot 35) under an option agreement. HoTs have been agreed and solicitors instructed on seven further agreements. A number of other HoTs are with interested parties for consideration.
- 5.5 Eleven landowners have indicated that they are not willing to accept the offer made for new/additional rights, but of those only two have shown resistance to the proposed works – the rest have stated clearly that they are happy for access to be taken for the works. It has been explained to those parties that whilst this confirmation is appreciated, due to critical timing of the works NGET requires absolute certainty of access and therefore compulsory powers will need to be used to secure sufficient rights.

5.6 The following table summarises the status of land negotiations for the three phases of works on the project:

	Total required	HoT's/ access in negotiation	Rights refused	HoT's/ access agreed	Agreements complete
Main works and mitigation land	8	7	2		1
Easements for other missing rights	12	11	4	3	
Colour plate Access	16	15	6	7	

6. COMPLIANCE WITH CPO GUIDANCE

6.1 My full Statement explains how NGET seeks to engage effectively with stakeholders including those it is seeking rights from, seeks to mitigate impacts through consultation, and makes offers which are fair and consistent. This is all in accordance with its land rights strategy, a common process for engaging with stakeholders on projects nationally.

6.2 The offers made for rights are intended to promote voluntary agreements for rights, rather than relying on the use of compulsory powers.

7. CONSIDERATION OF OBJECTIONS RECEIVED

7.1 Objections were received from eight parties (some combining related interests). Of these, there are two outstanding objections at this stage, with two further objections confirmed as to be withdrawn but awaiting confirmation. We have sought to engage with objectors to understand their concerns, explain the reasoning for the nature and extent of rights sought, and discussed opportunities to mitigate the impacts.

7.2 Southern Gas Networks – objection withdrawn.

7.3 Ibstock Bricks (1996) Limited and a related company had objected due to concern of the impact of acquisition of land and rights on land with mineral potential. Having clarified that no land was to be acquired, we were able to agree suitable terms for rights required for the Project to allow the objector to confirm that their objection would be withdrawn. However their solicitor has advised that the objection will only be withdrawn once agreements are completed.

7.4 Hamilton Palace Limited and related parties – objection withdrawn

7.5 Swynson Limited (and East Sussex National Limited) objected on the basis of the extent of land required temporarily and the impact on users of the golf course. Through consultation and explanation of the works to be undertaken we were able to agree a reconfiguration of the work area to reduce and mitigate the impact. Terms have been offered for temporary rights to undertake the works, which should if agreed allow the objection to be withdrawn.

- 7.6 Ridgewood Holdings Limited objected on the basis of the ecological justifications for mitigation land, that alternatives had not been considered, and that there was no need to use compulsory powers to acquire land. NGET agreed to consider alternative mitigation land proposed within their objection and terms are under negotiation to acquire this land, subject to confirmation that planning conditions and ecology licences can be varied. These confirmations are unlikely to be available before the hearing. The parties are discussing a form of undertaking which might give them sufficient assurance that NGET will use best endeavours to use the alternative land, to allow the objection to be withdrawn.

8. SUMMARY AND CONCLUSIONS

- 8.1 My statement demonstrates the consultation and measures taken to seek voluntary rights for the Project. To summarise the key points:

- all of the land included in the Order is required for the project;
- a proportionate approach has been taken to land acquisition, with freehold only sought of two plots and otherwise using tailored packages of rights to minimise and focus rights and impact over each plot of land;
- NG's strategy is to reach voluntary agreement where possible, through early engagement, clear communication of the requirements, seeking to mitigate impacts where possible, making fair and incentivised offers for rights, and continuing negotiations through the hearings phase to minimise compulsory acquisition;
- of eight objections received, 4 have been withdrawn, two were confirmed as to be withdrawn (we are awaiting confirmation) and the final two are at an advanced stage of negotiation;
- where we have been unable to secure voluntary agreements, all but two parties are happy for access to be taken under existing arrangements/rights.

- 8.2 In summary, there is:

- an urgent and compelling need for the rights to undertake the project to secure benefits of an improved local electricity network with additional capacity;
- planning permission in place for the substation to which the rights relate;
- a need for compulsory acquisition of rights where voluntary agreements cannot be secured, due to the time critical need to undertake certain works;
- a need for rights to be permanent, to allow NGET to secure the future operation of the network
- no objections challenging the need for the Project, just seeking to mitigate the impacts on individual holdings and businesses.

9. DECLARATION

I confirm that the opinions expressed in this statement of evidence are my true and professional opinions.



James Ingram

17 November 2022