



# EAST PARK ENERGY

East Park Energy

EN010141

Statement of Reasons

Document Reference: EN010141/DR/4.1

Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009: Regulation 5(2)(h)

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# EAST PARK ENERGY

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

## Statement of Reasons

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## 1.0 INTRODUCTION

1.1.1 This Statement of Reasons (“**Statement**”) has been prepared on behalf of BSSL Cambshed 1 Limited (“**the Applicant**”) to support an application for a development consent order (“**DCO**”) for East Park Energy (“**the Scheme**”).

1.1.2 This Statement has been prepared in accordance with the requirements of regulation 5(2)(h) of the Infrastructure Planning (Prescribed Forms and Procedure) Regulations 2009 (the “**APFP Regulations**”) and the ‘Planning Act 2008: Guidance related to procedures for compulsory acquisition of land’ (DCLG, September 2013) (the “**CA Guidance**”).

1.1.3 This Statement forms part of a suite of documents supporting an application under Section 37 of the Planning Act 2008 (“**PA2008**”) to the Secretary of State for the Department for Energy Security and Net Zero (“**SoS**”) for a DCO. This Statement should be read in conjunction with those documents that relate to the compulsory acquisition powers sought as part of the Scheme, including the:

- a) **Draft Development Consent Order [EN010141/DR/3.1];**
- b) **Explanatory Memorandum [EN010141/DR/3.2];**
- c) **Land ~~and Crown Land~~ Plans [EN010141/DR/2.2];**
- d) **Works Plan [EN010141/DR/2.3];**
- e) **Funding Statement [EN010141/DR/4.2];**
- f) **Book of Reference [EN010141/DR/4.3];**
- g) **Land Rights Tracker [EN010141/DR/4.4];** and
- h) **Planning Statement [EN010141/DR/5.3].**

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## 2.0 PURPOSE OF THIS STATEMENT

2.1.1 This Statement is required because the DCO, if made, would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant additional powers including:

- a) compulsory acquisition of land;
- b) extinguishment of private rights of land;
- c) acquisition of subsoil only;
- d) rights under or over streets;
- e) imposition of restrictive covenants;
- f) temporary use of land for carrying out the Scheme; and
- g) temporary use of land for maintaining the Scheme.

2.1.2 The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out below. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Scheme.

2.1.3 The purpose of the DCO is to authorise the construction, operation and decommissioning of a new ground-mounted solar photovoltaic energy generating station with a total capacity exceeding 50 megawatts (MW), an associated on-site battery energy storage system (BESS) and 400 kV substation on land to the north-west of St Neots, which will help to meet the identified national need for new renewable energy generating capacity.

2.1.4 The DCO seeks to include powers to compulsorily acquire land rights which are required to connect the Scheme to the National Grid. The Applicant has attempted to acquire the land and rights required

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voluntarily but has been unable to acquire all rights and accordingly requires powers of compulsory acquisition.

2.1.5 This Statement details the overarching need for the Scheme. It sets out how the Scheme is consistent with Government policy, which identifies a need for low-carbon and renewable energy in order to address climate change, to meet the legal commitment to Net Zero, and to ensure a secure, diverse and affordable energy supply. Government policy requires a mix of renewable energy projects, without preference for technology or scale, to achieve these objectives. The co-location of the BESS reflects a developing trend that will offer flexibility in operation and maximise energy resources in a balanced and efficient way. The public benefit of allowing the Scheme to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.

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## 3.0 STRUCTURE OF THIS STATEMENT

### 3.1.1 This Statement:

- a) sets out the background against which the DCO is made, and provides a description of the Scheme, need and benefits resulting from the Scheme;
- b) provides a statement of the statutory authority for the proposed acquisition of land and rights by the Applicant;
- c) explains the relationship between the DCO and the Human Rights Act 1998;
- d) considers alternatives to compulsory acquisition and sets out the Applicant's justification for making the DCO;
- e) describes the case for acquisition of interests and rights and explains the Applicant's engagement with the affected landowners and third parties; and
- f) considers the funding and financial implications of the Scheme and other considerations such as Crown Land and Special Category Land.

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## 4.0 BACKGROUND

### 4.1 The Scheme

#### The Applicant

4.1.1 The Applicant (BSSL Cambsbed 1 Ltd, registered in England and Wales under Company Number 13941201) is ultimately owned by Lantern Holdco Ltd (Registered in England and Wales under Company Number 11569920) whose subsidiary companies constitute the Brockwell Energy Group ('Brockwell Energy').

4.1.2 Brockwell Energy is a leading multi-technology independent power producer, specialising in renewable energy infrastructure. Since 2017, Brockwell Energy has originated and built-out more than £1bn of assets in the UK and have a pipeline of more than 3.5 GW across onshore wind, solar energy, and battery storage currently in development.

#### The Proposal

4.1.3 The Scheme is an nationally significant infrastructure project under sections 14(1)(a) and 15(2) of the PA2008, as at the time of application, it consists of a generating station, being a ground mounted solar photovoltaic generating station, with a capacity of over 50MW.

4.1.4 The Scheme is located to the north-west of the town of St Neots and is across two administrative areas: Bedford Borough Council (BBC) (a unitary authority) and Huntingdonshire District Council (HDC) (a two-tier authority with Cambridgeshire County Council).

4.1.5 The Scheme relates to a development proposal for the construction, operation, maintenance and decommissioning of East Park Energy a renewable led energy scheme. The Scheme comprises a new ground-mounted solar photovoltaic energy generating station with a total capacity exceeding 50 MW and an associated on-site BESS and 400 kV substation on land to the north-west of St Neots. The Scheme would

allow for the generation and export of 400 MW of electricity to the National Grid from the solar photovoltaic energy generating station and would be capable of exporting and importing up to 100 MW via the BESS.

- 4.1.6 The design life of the Scheme is 40 years, with decommissioning to commence 40 years after final commissioning.
- 4.1.7 The Site location is shown on the **Location Plan [EN010141/DR/2.1]**, which shows the Order Limits for the Scheme. The Site area extends to approximately 773 hectares (ha).
- 4.1.8 With reference to **ES Vol 3 Figure 1-2: Site References [EN010141/DR/6.3]**, for ease of reference the Order Limits have been sub-divided into East Park Sites A to D, in which all of the above ground infrastructure proposed as part of the operational Scheme would be located (excluding works to the Eaton Socon Substation).
- 4.1.9 A full description of the works and associated development is set out in Schedule 1 of the **draft DCO [EN010141/DR/3.1]** and shown on the **Works Plan [EN010141/DR/2.3]** and a full description is included in **ES Vol 1 Chapter 2: The Scheme [EN010141/DR/6.1]**. In summary, the Scheme is defined as the following works:

### **Solar Park**

- 4.1.10 The solar array area or solar park will be located within Sites A to D and development will be carried out in accordance with Work No. 1.

### **Agrisolar research**

- 4.1.11 In addition to this, Work No. 10 comprises an 'Agrisolar' research area within Site D. The Applicant has partnered with Rothamsted Research to undertake scientific research on co-locating agricultural production with solar generation in the UK. Work No. 10 will be able to generate electricity and connect to the East Park substation at Work No. 3 in the same way as Work No. 1.

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### **BESS and co-located substation**

- 4.1.12 The BESS and co-located substation will be located within Site D and will be authorised by Work No. 2. The onsite substation will be located within Site D and will be authorised by Work No. 3.

### **Operations and maintenance area**

- 4.1.13 An operations and maintenance area is proposed to be co-located with the East Park BESS and East Park Substation and will be authorised by Work No. 6A.

### **Cable Route**

- 4.1.14 The electrical cabling connecting the onsite substation to the Eaton Socon National Grid Substation will be carried out under Work No. 4. Internal cabling and ancillary infrastructure will be authorised by Work No. 6.

- 4.1.15 With reference to **ES Vol 3 Figure 1-2: Site References [EN010141/DR/6.3]**, there are three linear corridors proposed for underground cabling that connect the different parts of the Site and provide a grid connection to the Eaton Socon Substation. These are identified as:

- a) Cable Corridor – Site B to Site C – which connects Site B to Site C across an unnamed road and arable fields.
- b) Cable Corridor – Site C to Site D – which connects Site C to Site D across Moor Road and an arable field.
- c) Grid Connection – Site D to Eaton Socon Substation – which connects Site D to the Eaton Socon Substation and crosses open arable fields, the Duloe Brook, and Duloe Road and Bushmead Road.

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### **Access**

- 4.1.16 Temporary construction and decommissioning compounds and laydown areas will be authorised by Work No. 7. Works to facilitate access for all works excluding the connection installation works at the National Grid Eaton Socon Substation are included within Work No. 9 (including Work No. 9A which provides for the creation of visibility Splays outside of the public highway).

### **Grid Connection**

- 4.1.17 Works to the National Grid Eaton Socon Substation, comprising Works No. 4 and 5 for the creation of 400 kV generation bay including circuit breaker, switchgear, metering equipment, cable sealing ends, and associated infrastructure.

### **Mitigation works, habitat creation and enhancement**

- 4.1.18 The Order Land includes areas for ecological and environmental mitigation works (such as a drainage lagoon) habitat creation or enhancement and landscape and biodiversity enhancement measures. These works are proposed on existing agricultural land, verges and hedgerows alongside and in proximity to the cable corridor and solar arrays as part of Works 6B and 8.

### **Flexibility**

- 4.1.19 With the pace of change and developments within the solar industry, a number of elements of the design cannot be confirmed until the final tendering process for the construction of the Scheme and will be dependent on final equipment suppliers. For example, new technologies are consistently emerging within the solar panel and energy storage markets and therefore sufficient flexibility is required within the DCO to allow the Scheme to utilise and benefit from the latest technology at the time of construction.

- 4.1.20 To address this need for flexibility, a ‘Rochdale Envelope’ approach has been used and this is detailed further in **ES Vol 1 Chapter 2: The Scheme [EN010141/DR/6.1]**. This has involved the establishment of a series of maximum, and where relevant minimum parameters for various elements of the Scheme. The principles and justification for this approach are set out in **ES Vol 1 Chapter 2: The Scheme [EN010141/DR/6.1]** and paragraph 4.3.8 of **ES Vol 1 Chapter 4: EIA Methodology [EN010141/DR/6.1]** and the parameters used to form the basis of assessment are described in and secured via the **Design Parameters and Principles Document [EN010141/DR/7.1]**.
- 4.1.21 Requirement 3 of Schedule 2 (requirements) to the draft DCO provide that the Scheme must be in accordance with the design parameters, allowing flexibility which is essential to ensure viability and delivery of the Scheme.
- 4.1.22 At the point of submission National Grid have not been able to confirm the exact point of connection to the Eaton Socon Substation. For that reason, the Applicant reserves a degree of flexibility in terms of the Scheme design and the necessary rights required for the purpose of accommodating alternative points of connect within the substation area.

## 4.2 Site selection and design evolution

- 4.2.1 Alternatives to the Scheme have been considered by the Applicant and are set out in **ES Vol 1 Chapter 3: Alternative and Design Evolution [EN010141/DR/6.1]**.
- 4.2.2 A ‘no development’ alternative would not provide the additional electricity generation that would be delivered by the Scheme and has therefore not been considered further.
- 4.2.3 The Applicant has undertaken a staged site selection and design iteration process in developing the proposals forming this DCO application, in which land availability by voluntary agreement has been a factor informing siting, layout and design decisions.

- 4.2.4 As explained in **ES Vol 1 Chapter 3: Alternative and Design Evolution [EN010141/DR/6.1]**, the starting point for any renewable energy generation project is identifying a part of the National Grid where there is available grid capacity to connect a renewable energy project. The Applicant therefore entered into a connection agreement with National Grid to provide 400 MW of electricity generation to the Eaton Socon Substation and began a site search exercise to identify a land area suitable to accommodate the Scheme.
- 4.2.5 **ES Vol 1 Chapter 3: Alternative and Design Evolution [EN010141/DR/6.1]** also identifies how the site selection process resulted in a collection of land parcels which could be suited to solar development, and for which the Applicant began to engage with landowners to seek option agreements. The outcome of this process resulted in the initial layout of the Scheme.
- 4.2.6 Archaeological geophysical survey was carried out between July 2023 and early January 2024. The archaeological geophysical survey identified the remains of a Roman town within the Order Limits. Early desk-based analysis concluded that the archaeology was likely to be of national importance, and this was confirmed through discussion with the County Archaeologists and Historic England, who expressed a strong preference that this archaeology was removed from the developable area of the Site.
- 4.2.7 This triggered subsequent design iterations and to compensate for the removal of this part of the Scheme, one of the landowners engaged with the Scheme undertook a review of their landholding and offered a parcel of land that had not previously been offered to the Applicant.
- 4.2.8 In relation to alternative cable routes, the key considerations and selection process undertaken by the Applicant is also detailed in **ES Vol 1 Chapter 3: Alternative and Design Evolution [EN010141/DR/6.1]**. The Scheme has a requirement for a connection with the National Grid.

The point of connection provided by the National Grid ESO was the Eaton Socon Substation.

- 4.2.9 The grid connection to the Eaton Socon Substation comprises a 400 kV single circuit cable corridor. This cable corridor could be above or below ground, however, to minimise environmental impacts it was established that this should be an underground or buried cable connection. An overhead connection has therefore not been considered.
- 4.2.10 Due to the capacity of the cables and the need for cable jointing chambers the construction corridor for the grid connection is expected to be up to 25m wide and as such it would not be possible to provide a buried connection that followed roads or the public highway. It is therefore a requirement that the grid connection is buried within farmland between the Site and the Eaton Socon Substation.
- 4.2.11 The Applicant therefore established that there were three realistic possibilities for the grid connection corridor between the Site and the Eaton Socon Substation. These three possible corridors are considered and illustrated in detail in Appendix 3-6 to Chapter 3 of the ES.
- 4.2.12 The layout of the Scheme has evolved iteratively as part of the EIA process taking into consideration environmental effects, the Scheme's objectives and functionality, and feedback from stakeholders and public consultation. The design process that has been followed and the Scheme's evolution is set out within the **Design Approach Document [EN010141/DR/5.6]**.

### 4.3 Need for the Scheme

- 4.3.1 The **Planning Statement [EN010141/DR/7.3]** for the Scheme sets out in detail the need for the Scheme and the contribution it would make towards achieving the objectives of policy, including UK Government policy, as set out in the National Policy Statements. That case is not repeated in full here and this Statement should be read alongside the Planning Statement.

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## National Legislative Requirements

- 4.3.2 The need for the Scheme is clearly established by statutory requirements and ambitious interim carbon budgets aimed at achieving net zero emissions by 2050. This legally binding target was initially set at an 80% reduction by the Climate Change Act 2008 and was subsequently bolstered in response to the climate emergency to a legally binding net zero target by the Climate Change Act 2008 (2050 Target Amendment) Order 2019.
- 4.3.3 As a result of the ambitious Sixth Carbon Budget, the Climate Change Committee envisages a significant increase in solar energy land use from 290km<sup>2</sup> to 1,500km<sup>2</sup>. The proposed Seventh Carbon Budget extends carbon limits into the 2040s and aims for 82GW of installed solar capacity by 2040 – over four times the current level. With each carbon budget, projects like the Scheme become more essential to drive decarbonisation.

## Progress to Net Zero

### Net Zero commitments and targets

- 4.3.4 The UK is also a signatory to the Paris Agreement, under which it must commit to emission reductions through Nationally Determined Contributions (“NDCs”). These include pledges to cut emissions by at least 68% by 2030 and 81% by 2035, relative to 1990 levels. Domestically, the Government’s Clean Power 2030 Action Plan includes a target for 95% of electricity to come from low-carbon sources by 2030.

### Emissions reductions achieved to date

- 4.3.5 By 2023, UK emissions had fallen by around 50% compared to 1990 levels, with provisional 2025 data indicating a 54% reduction – just over halfway to the 2050 net zero target. The UK has met or exceeded its early carbon budgets, largely thanks to rapid decarbonisation of the energy sector, particularly driven by significant growth in renewables. Solar

projects have become increasingly viable and have supported this progress.

### **Shortfalls and the need to accelerate**

- 4.3.6 The UK risks missing its 2030 targets without urgent action, as highlighted by the Climate Change Committee's 2025 Progress Report which states that solar capacity must increase fourfold to achieve government targets. Around 4.5GW needs to be added annually – far above recent averages.

### **The critical role of solar and battery storage in achieving Net Zero**

- 4.3.7 Rapidly scaling up solar energy and battery storage is essential to closing the UK's net zero delivery gap. Solar is now one of the cheapest and fastest to deploy energy sources, but current installation rates fall short of government targets. Battery storage must also grow sixfold to meet 2030 goals, ensuring grid flexibility and reliability, as solar and wind output varies. Large-scale solar and storage projects are therefore critical.

### **East Park Energy and Net Zero**

- 4.3.8 The Scheme, with 400MW of solar and 100MW of battery storage, would help close this gap. It would power approximately 117,000 homes annually and save 1.8 million tonnes of CO<sub>2</sub> across its lifetime. The project is also deliverable by 2030.

## **Achieving British Energy Security**

- 4.3.9 The UK Government has made energy security a top national priority, aiming to reduce reliance on imported fossil fuels and build a resilient, low-carbon energy system. Geopolitical events like the 2022 energy crisis exposed the UK's vulnerability to global gas markets, prompting a strategic shift toward domestic renewable energy. Solar energy and battery storage are central to this, offering affordable, scalable and secure energy. Solar reduces exposure to volatile prices and can be

deployed quickly, while battery storage ensures grid stability and reliability.

### Energy Security and East Park

- 4.3.10 East Park will support the UK's energy security by generating 400MW of clean electricity and providing on-site battery storage to balance supply and demand.

### Green Economic Growth

- 4.3.11 The UK government views the transition to net zero as a major driver of economic growth, aiming to create 650,000 jobs in green industries by 2030 and attract significant investment. The Scheme aligns with national and regional strategies by delivering large-scale solar and battery infrastructure. It represents a multi-million pound investment in the region, which will generate jobs in the area. The Applicant has prepared an **outline Skills, Supply Chain and Employment Plan [EN010141/DR.7.11]** which provides further detail. The Scheme will also support the Oxford-Cambridge Arc and the Eastern Powerhouse, contributing to improvements in the local area.

### The need to rapidly increase electricity generation

- 4.3.12 Electricity demand in the UK is expected to more than double by 2050 – to meet this surge sustainably, rapid deployment of renewables will be essential. The Proposed Scheme could generate 433.2 GWh in its first year, which represents about 44.5% of the combined current annual electricity demand that is not already being met by renewables across Bedford and Huntingdonshire.

### Grid Reform

- 4.3.13 The UK's grid connection system has created long delays for renewable energy projects, with speculative proposals blocking the queue and pushing viable developments into the 2030s or beyond. In response, the

National Electricity System Operator (NESO), supported by the Government and Ofgem, launched a major reform programme to prioritise projects which are ready and needed. The Scheme meets key readiness and strategic alignment criteria. With a confirmed path to connection and operation well before 2030, there are no known outstanding grid barriers. As set out in the supporting documents, including the **Planning Statement [EN010141/DR/5.3]**, the Scheme achieves each of these principles.

## 4.4 Scheme's Benefits

4.4.1 The **Planning Statement [EN010141/DR/5.3]** read in conjunction with the ES **EN010141/DR/6.1** prepared for this application sets out in detail the benefits resulting from the implementation of the Scheme.

4.4.2 NPS EN-1 sets out at paragraph 4.1.5 that: *"In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:*

- *its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits*
- *its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy"*

### Project Benefits Addressing Identified National Needs

4.4.3 The national need for the Scheme is established within NPS EN-1. The Scheme will directly contribute to supporting the UK's net zero targets and can make a contribution towards decarbonisation before 2030.

- 4.4.4 It will also enhance energy security by acting as a flexible energy hub that helps balance supply and demand locally through the use of on-site battery storage.
- 4.4.5 The Scheme will also help drive green economic growth by supporting job creation and investment and will help meet the rising demand for electricity as the UK transitions to renewable energy.

### Project Benefits Addressing Identified Local Needs

- 4.4.6 The Scheme will address local needs by supporting the net zero and climate emergency targets set by Bedford Borough Council, Huntingdonshire District Council and Cambridgeshire County Council, generating enough energy to power approximately 117,000 homes annually and saving approximately 1,800,000 tonnes of CO<sub>2</sub> over its lifetime.
- 4.4.7 It will drive green economic growth through hundreds of millions of pounds in investment and the creation of jobs through its entire lifecycle. The Scheme's integration of biodiversity enhancements and community benefits will help to support the goals of local authorities. The Applicant has also prepared an **outline Skills, Supply Chain and Employment Plan [EN010153/DR/7.11]** that provides further detail and commitments in relation to local job opportunities.

### Additional Benefits

- 4.4.8 The Scheme will deliver a range of additional benefits, including a Heritage Enhancement Strategy (oHES) [EN010141/DR/7.16] to increase public understanding and appreciation of local archaeological assets, such as the Roman town at Great Staughton, through community excavations, community talks and educational packs.
- 4.4.9 The Scheme will also deliver significant nature conservation benefits, including the creation of more than 17km of native species hedgerow, and is committed to maximising BNG as far as practicable (as per Design

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Principle 4.1 secured by the **Design Parameters and Principles Statement [EN010141/DR/7.1]**).

- 4.4.10 The Applicant has partnered with Rothamsted Research to undertake research on co-locating agricultural production with solar generation.
- 4.4.11 Natural flood management will be prioritised, utilising groundcover, hedgerow planting, woodland blocks and enhanced field margins. This will ensure that run-off is reduced and will also improve soil health.
- 4.4.12 Permissive paths have been proposed within the Scheme, as have educational information boards which will allow people to learn about the Site's history, ecology and the solar energy project.

## 5.0 LAND INTERESTS

### 5.1 Identifying persons with an interest in the land

- 5.1.1 In preparing the DCO application, the Applicant has carried out diligent inquiry, through a land referencing process in order to identify all persons with an interest in the land (“PIL”s) as defined in sections 42 and 44 of the PA2008. These include owners, lessees, tenants and occupiers of the land within the Order Limits. Category 2 includes parties with an interest in the land or those who have the power to sell and convey the land, or to release the land.
- 5.1.2 Such persons are listed in the **Book of Reference [EN010141/DR/4.3]** and have been consulted about the DCO application in accordance with section 42 of the PA2008 as described in the **Consultation Report [EN010141/DR/5.1]**.
- 5.1.3 Diligent inquiry to identify affected landowners, those with interests in land, and those with a potential claim was undertaken by the Applicant’s land referencing supplier. The categories of persons identified, and the methods used to identify them are described below.
- 5.1.4 Land referencing has been undertaken throughout the pre-application period to ensure any changes in interest or new interests have been identified, consulted and subject to engagement. Land referencing will continue to be undertaken throughout the making of the DCO to ensure that any changes in ownership are identified and to ensure that any new owners will be consulted and subject to engagement. Any changes will also be recorded and updated in the **Book of Reference [EN010141/DR/4.3]**.

#### Category 1 and 2 persons

- 5.1.5 Identification of Category 1 and 2 persons, as defined in section 44 of the PA2008, was undertaken at the early stages of the Scheme in order to

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inform the design of the Scheme and the preparation of the DCO Application.

- 5.1.6 All relevant freehold, leasehold, mortgagee, beneficiary, other charges and restrictive covenants information was extracted and stored in a land referencing database, routinely updated during preparation of the DCO application. All parties identified through the Land Registry searches were contacted by the land referencing supplier through the land referencing process. This included initial engagement with landowners through land interest questionnaires (LIQs) which were issued to all parties identified, through Land Registry title interrogation and desktop research; further questionnaires were issued to any new parties identified through returns. Where questionnaires were not returned, further follow up letters or emails were issued, site visits were carried out or phone calls were made to verify information. The questionnaires have been supported by a number of emails, telephone calls and landowner engagement meetings to verify and confirm information. This process is ongoing. Finally, confirmation schedules were issued to all parties to re-confirm or update data previously provided prior to the creation of the **Book of Reference [EN010141/DR/4.3]**.
- 5.1.7 Where land ownership information could not be ascertained through desktop or site referencing methods, local land charges searches were undertaken and the land referencing team erected notices on site requesting information. The notice showed the land ownership boundary in question and provided details of how to contact the land team with any relevant information. These notices were checked regularly for 6 weeks and replaced if they were removed. All updates were recorded in the land referencing database and GIS. In addition, LIQs were issued to landowners who owned land adjacent to unregistered land and unknown owner site notices were erected during LIQ and consultation phases.
- 5.1.8 The information obtained from the above exercises was used to populate Part 1, Part 2 and Part 3 of the **Book of Reference [EN010141/DR/4.3]**.

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### Category 3 persons who may fall under section 10 of the Compulsory Purchase Act 1965 (CPA 1965), section 152(3) of the PA 2008 and/or Part 1 of the Land Compensation Act 1973 (LCA 1973)

- 5.1.9 Category 3 persons are those with potential claims under the above legislation should the proposed scheme be carried out. They mainly relate to those whose land may be injuriously affected (i.e. its value would be diminished) as a result of interference with a right or interest as a result of the Scheme, although the land in question is not acquired outright.
- 5.1.10 Identification of Category 3 persons, as defined in section 44 of the PA2008 was undertaken at the early stages of the Scheme, in order to inform the design of the Scheme and preparation of the DCO application.
- 5.1.11 In order to identify potential Category 3 persons who may have a claim pursuant to section 10 of the CPA 1965, a desk-based assessment was carried out to identify properties with a potential claim, including review of property accessways and interrogation of registered rights found on Land Registry titles. In addition, site visits were used in order to assess properties that the team may not have been aware of from their desk-based assessment.
- 5.1.12 Through diligent inquiry, the Applicant considers that there are no persons who may be entitled to make a relevant claim as a Category 3 person pursuant to Part 1 of the LCA 1973 in relation to the following matters: noise, vibration, smell, fumes, smoke, light emissions, discharge of solid or liquid substances. The relevant factors considered by the Applicant that could have significance to proposals of this nature were noise and vibration. The ES sets out the scope of the noise and vibration assessments made. These assessments concluded there is a low likelihood of significant adverse noise and impacts resulting from the operational phase of the Scheme. These matters are considered in detail in **ES Vol 1 Chapter 10: Noise and Vibration [EN010141/DR/6.1]**.

5.1.13 The Applicant wrote to those people thought to be affected and continues to send follow up correspondence as necessary. Notices under section 56 of the PA2008 will continue to be provided to any additional parties that the Applicant becomes aware of following the acceptance of the DCO Application by the Planning Inspectorate.

## Contact Referencing

5.1.14 Following the initial non-contact (desktop) methods outlined in the previous sections, persons identified as having an interest in the land or a potential claim were issued with a letter and questionnaire requesting return of information about their interests in the land.

5.1.15 Initial LIQs were issued on February 2024 to the landowners in respect of the solar sites (Sites A to D) to confirm their interest in the land within the Order Limits. Further requests were sent to affected parties (outside of Sites A to D comprising mainly cable route and other mitigation land) between March – June 2024, with further requests sent when new parties were identified as part of the ongoing land referencing. Chaser letters, alongside follow up emails and phone calls where possible were used to improve response rate and gain further confirmation of any land interests. This identification process will continue ahead of and during the DCO examination, if any new land interests are found.

5.1.16 Where there was unregistered land or land with an unknown interest within the Order Limits, site notices were affixed on or adjacent to the land in order to identify and notify any unknown interest and parties of the project and include them in correspondence. This process was repeated during the statutory consultation and will be repeated again under section 56 of the PA2008 and any further examination notice requirements.

## 5.2 Negotiation to acquire by agreement

5.2.1 As well as consulting all PILs about the Scheme in accordance with section 42 of the PA2008, the Applicant has complied with the

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requirement (paragraph 25 of the CA Guidance) to seek to acquire land by negotiation wherever practicable.

- 5.2.2 The Applicant has engaged with all landowners with a registrable interest with a view to acquiring their land interest by agreement by writing to them to inform them of the Applicant's willingness to negotiate to acquire the land by agreement, and to invite dialogue on this point. No residential or business properties (excluding agricultural land) are required for the Scheme.
- 5.2.3 Through ongoing diligent inquiry work, title searches and direct approaches made by the Applicant and its land agents, all owners of unregistered land have been identified. These landowners were then engaged with in the same manner as explained above. Site notices were affixed to these areas of land on 26 June 2024 and maintained throughout the statutory consultation period.
- 5.2.4 The Applicant has signed option agreements with landowners representing 100% of the total area required for solar panels, BESS and onsite substation within the Order Limits. The option agreements provide the Applicant with all necessary rights over those parts of the Order Limits for the purposes of the construction, operation and decommissioning of the Scheme.
- 5.2.5 There have been specific instances, which are explained in more detail in the following section of this Statement, where regardless of having an option agreement in place, the Applicant has needed to seek compulsory acquisition powers for the land in question at this stage. This is due to additional parties emerging as landowners for the land bound by the option agreement following the completion of the option agreement, rendering the option agreement insufficient or, where the landowner signing the option agreement is unable to guarantee the extinguishment of restrictive covenants in respect of the land within the option agreement at the point of submission. This is addressed in detail in paragraphs 6.1.5 and 6.1.6 of the next section of this Statement.

- 5.2.6 The Applicant is currently engaged with ~~40~~<sup>41</sup> land holdings who have an interest in the cable route and substation, having completed a voluntary agreement to acquire part of the cable route with ~~43~~<sup>43</sup> land holdings since submission of this DCO application.
- 5.2.7 The Applicant has agreed heads of terms (HoTs) with ~~23~~<sup>23</sup> land holdings and is currently in discussion in respect of draft option agreements with ~~23~~<sup>23</sup> land holdings, as set out in the Land and Rights Negotiation Tracker [EN01041/DR/4.4].
- 5.2.8 Where option agreements have not been signed the Applicant remains in discussions to reach an agreement with affected landowners, a summary of all the negotiations to date can found in the Land and Rights Negotiation Tracker [EN010141/DR/4.4].
- 5.2.9 Where option agreements have not been signed the Applicant remains in discussions to reach an agreement with affected landowners, a summary of all the negotiations to date can found in the **Land and Rights Negotiation Tracker [EN010141/DR/4.4]**.
- 5.2.10 There are a limited number of small parcels of land in unknown ownership for which despite diligent inquiry, the Applicant has not been able to identify an owner. As a result, these cannot be acquired by agreement.
- 5.2.11 Diligent inquiry included review of Land Registry records, physical inspection, engagement with adjacent landowners and posting of site notices seeking information from the landowner of the relevant land.
- 5.2.12 Therefore, the Applicant has concluded that the Scheme is unlikely to be capable of being delivered without compulsory acquisition powers. A list of land plots subject to compulsory acquisition and the purpose for the acquisition is provided in Appendix A of this Statement

## 5.3 Summary

- 5.3.1 This Chapter has demonstrated how the Applicant has carried out diligent inquiry and undertaken negotiations to seek to acquire land by agreement where practicable.

## 6.0 COMPULSORY ACQUISITION

### 6.1 Scope of powers sought in the DCO

- 6.1.1 Section 120 of the PA2008 provides that an order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted. Schedule 5 to the PA2008 lists those matters ancillary to the development, which includes the acquisition of land, compulsorily or by agreement, and the creation, suspension or extinguishment of, or interference with, interests in or rights over land, compulsorily or by agreement.
- 6.1.2 Section 122 of the PA2008 provides that an order granting development consent may include provisions authorising the compulsory acquisition of land only if the Secretary of State, is satisfied that the land is required for the development to which the DCO relates, and the land is required to facilitate or is incidental to that development. The SoS must also be satisfied that there is a compelling case in the public interest for the inclusion of powers of compulsory acquisition in the DCO.
- 6.1.3 The **draft DCO [EN010141/DR/3.1]** contains powers to enable the acquisition of land, new rights over land and the temporary use of land which are required to construct, operate and maintain the Scheme. Where land and rights over land cannot be acquired by agreement with the landowners and occupiers, the draft DCO enables that land and / or rights over the land to be acquired compulsorily.
- 6.1.4 The totality of the land associated with the solar panel, BESS and co-located on-site substation areas has already been secured by the Applicant via option agreements signed prior to submission.
- 6.1.5 In respect of the option agreement entered into with the landowners for the land within plots 10-3 and 11-1, as shown in the Land ~~and Crown~~ Plans, the Applicant was made aware after the option agreement was signed that the landowners who signed the option agreement had

transferred the land in question to additional parties a day prior to the completion of the option agreement. On that basis, given that the additional landowners were not signatories of the option agreement and were, therefore, not bound by the terms of the agreement, the Applicant sought compulsory acquisition powers to acquire the freehold of land within these plots on a cautionary basis until either the option agreement was amended or a deed of covenant was agreed and signed with all relevant affected parties. Agreement has now been reached with all parties, and so the Applicant is no longer seeking to acquire the freehold in respect of plots 10-3 and 11-1 compulsorily.

6.1.6 In addition to this, an option agreement has been signed with the landowner for plots 2-2, 2-3, 3-7 and 3-8. However, the landowner is bound by restrictive covenants in respect of these plots which would not permit the installation of solar panels, green infrastructure and cables which is what the Applicant seeks to carry out in these plots. For this reason, the Applicant seeks to acquire new rights in order to remove the restrictive covenant in respect of these plots. The Applicant, the landowner and the party benefiting from the restrictive covenant are in regular discussions and are confident that a voluntary agreement will be reached. This simply requires the beneficiary of the restrictive covenant signing a letter that has been drafted and approved between solicitors which permits the necessary infrastructure being installed. The beneficiary had already signed a letter, which, in their eyes, provided the necessary approval, however, this was not deemed fully satisfactory by the respective solicitors. Until an updated letter is signed, the Applicant seeks to acquire new rights to ensure the deliverability of the Scheme and to secure a fallback position.

6.1.7 The Applicant will continue to use reasonable endeavours to identify all affected parties and negotiate voluntary agreement. However, to ensure that the Scheme can be built, maintained and operated and realise the Government's ambitions to reach Net Zero, the Applicant seek compulsory acquisition powers to facilitate the required land assembly.

- 6.1.8 Compulsory acquisition powers are sought at this stage for the cable route to ensure that the preferred design layout and cable route can be delivered, given that not all voluntary agreements have been secured at the time of the DCO application.
- 6.1.9 The Applicant continues to engage with the relevant freehold interests in relation to the above elements of the Scheme, however, it has not been possible to date to secure the necessary interests or rights over all land by agreement. The Applicant will continue to seek such agreement and interests wherever possible, but the proposed approach of conducting such negotiations, and seeking powers of compulsory acquisition in parallel is in accordance with paragraph 26 of the CA Guidance.
- 6.1.10 For context and with the purpose of illustrating the Applicant's position, it is worth noting that the Application Site (or land within the Order Limits) comprises 772.97 acres. Of this total area, the Applicant only seeks the compulsory acquisition of new rights in respect of ~~61.09~~58.99 acres (equivalent to just over 87.5% of the land within the Site) -and 2.66 acres for temporary possession (equivalent to 0.35% of the land within the Site). The Applicant no longer seeks powers for the compulsory acquisition of freehold interests. The Applicant has secured voluntary agreements for 92% of the land within the Site and is confident that this figure will increase on the basis that negotiations continue to progress with affected landowners. This is depicted as the land shaded blue on the ~~Land and Crown Land Plan~~ **Land and Crown Land Plan [EN010141/DR/2.2]** with the corresponding works shown on the **Works Plan [EN010141/DR/2.3]** and described in Schedule 1 of the **draft DCO [EN010141/DR/3.1]**. The **Book of Reference [EN010141/DR/4.3]** provides a schedule of all plots of land within the Order Limits.

## 6.2 Main compulsory acquisition powers

- 6.2.1 The main powers authorising the compulsory acquisition of land and, or interests in, or rights over land, are contained in Articles 21 (compulsory acquisition of land), 23 (compulsory acquisition of rights) and 26

(Acquisition of subsoil only) of the **draft DCO [EN010141/DR/3.1]**. Appendix A of this Statement provides a description of the land which is subject to the powers of compulsory acquisition under Article 21 and Article 23. The purpose for acquiring this land is to enable the Applicant to construct the works and the maintenance of the works, thereafter, ensuring that the Applicant is able to fulfil its function as operator of the finished development.

6.2.2 In each case the owner of the land, or the interest or right in the land, may be entitled to compensation.

### 6.3 Other compulsory acquisition powers

6.3.1 The other compulsory acquisition powers sought by the Applicant in the **draft DCO (EN010141/DR/3.1)** include the following:

#### Article 15: rights of way

6.3.2 Article 15 allows for the temporary stopping up of public rights of way (PRoW).

#### Article 24: Private rights over land

6.3.3 Article 24 allows for the extinguishment of all existing private rights over land from the earlier of the date of acquisition of the land or the date on which the Applicant enters the land.

6.3.4 The Article further provides that, where new rights are being compulsorily acquired or restrictive covenants are being imposed on land then any existing private rights or restrictive covenants which that land is subject to shall be extinguished to the extent that continuing those private rights or restrictive covenants would be inconsistent with the new right acquired or restrictive covenant imposed.

6.3.5 With regard to land that the Applicant may take temporary possession of under the DCO, Article 24 provides that all private rights over that land

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will be suspended and unenforceable for as long as the Applicant is in lawful possession of the land.

6.3.6 The power to extinguish existing rights is required to ensure that such rights do not interfere with the construction and operation of the Scheme.

6.3.7 The Article provides that any person who suffers loss caused by the extinguishment or suspension of rights (pursuant to the exercise of the power in Article 24) is entitled to reasonable compensation.

### **Article 26: Acquisition of subsoil only**

6.3.8 Article 26 provides that where the Applicant has, in respect of any land, powers of compulsory acquisition, then it may choose instead to acquire only the subsoil underneath (or corresponding rights) with consequentially less impacts on affected landowners. This power is included for flexibility as it may allow the Applicant to minimise impact to land interests by acquiring subsoil only (or corresponding rights) where it is possible to do so and still deliver the Scheme, leaving land interests in possession of the valuable part of the land. This allows the acquisition of the minimum interests to deliver the Scheme.

### **Article 27 Power to override easements and other rights**

6.3.9 Article 27 provides that the Applicant may, in undertaking the authorised development, interfere with an interest or right, or breach a restriction, affecting land within the Order Limits where it is carried out in accordance with the terms of the DCO. Where any such interference or breach occurs, there is a corresponding obligation on the undertaker to pay compensation.

### **Article 29: Rights under or over streets**

6.3.10 Article 29 is not in a strict sense a power of compulsory acquisition. However, it is included here for completeness because it would authorise the Applicant to:

- a) enter on and appropriate so much of the subsoil underneath or airspace over any street within the limits of the DCO as may be required to provide the scheme; and
  - b) use that subsoil or airspace for the purposes of carrying out the scheme or any purpose ancillary to it.
- 6.3.11 Save in the case of subways or underground buildings, or to cellars or similar structures forming part of a building fronting the street, the Applicant may exercise its powers under this Article without having to acquire any part of the street or any easement or right in the street.

## 6.4 Temporary possession powers

6.4.1 The Applicant further seeks, in the DCO, powers to take temporary possession of land to carry out and thereafter maintain the scheme. Temporary possession powers are not compulsory acquisition powers. The parcels of land subject to temporary possession are listed in Appendix A and are shaded in green on the **Land and Crown Land Plan [EN010141/DR/2.2]**.

6.4.2 The powers of temporary possession in the DCO are as follows:

### **Article 30: Temporary use of land for carrying out the authorised development**

6.4.3 Article 30 would enable the Applicant to enter and take temporary possession of any land within the Order Limits, so long as the Applicant has not executed a general vesting declaration to vest the land in question in itself or entered the land in question following a notice of entry. The Applicant would also be expressly authorised to take temporary possession of the land identified in Schedule 11 of the draft DCO, being those listed in Appendix A and shaded in green on the **Land and Crown Land Plan [EN010141/DR/2.3]**.

6.4.4 In addition to taking possession of the land the Article 30 would authorise the Applicant to:

- a) remove buildings and vegetation from the land;
- b) construct temporary works (including accesses) and buildings on the land;
- c) use the land as a temporary working site with access to the working site, in connection with the authorised development;
- d) construct any works on that land as specified in Schedule 1 (authorised development);
- e) carry out mitigation works pursuant to the requirements in Part 1 of Schedule 2.

6.4.5 The power to take temporary possession would be subject to time limits under Article 30(4). The Applicant cannot remain in possession unless the owner of the land agrees for more than a year after completing the work for which temporary possession was taken (unless before the end of that period the Applicant has made a vesting declaration or served notice of entry in relation to that land).

6.4.6 Article 30(5) provides that before giving up possession of any land the Applicant would be obliged to remove all temporary works and restore the land to the condition it was in on the date on which possession of the land was first taken or such other condition as may be agreed with the owners of the land.

### **Article 31: Temporary possession of land for maintaining the authorised development**

6.4.7 Article 31 would enable the Applicant to take temporary possession of any land within the Order limits, if reasonably required for the purpose of maintaining the scheme, at any time during the maintenance period, the

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period of five years from the date of final commissioning of that part of the authorised development.

- 6.4.8 Article 31 would allow the Applicant to construct temporary works and buildings on the land, so far as reasonably necessary for the purpose of maintenance. The Applicant would not be able to take temporary possession of a house, or a garden belonging to a house, or any other occupied building under this Article.
- 6.4.9 The Applicant may only remain in possession of land under this Article for so long as may be reasonably necessary to carry out the maintenance of the part of the Scheme for which possession was taken. Before giving up possession of land temporarily possessed under this Article, the Applicant would be required to remove all temporary works and restore the land to the condition it was in on the date on which possession of the land was first taken or such other condition as may be reasonably agreed with the owners of the land.
- 6.4.10 The powers to use land temporarily for carrying out the Scheme ensures that appropriate work sites, working space and means of access are available for use during the construction and maintenance period and provides space for mitigation and other permanent works. This temporary power minimises the impact on land interests by ensuring that the Applicant does not have to acquire land it only requires temporarily.
- 6.4.11 The powers to use land temporarily for maintaining the Scheme ensures that the land is available for maintenance works during a five-year period from the date of final commissioning of that part of the authorised development. This is in the public interest as it ensures that it is possible to maintain the scheme and the public benefits it will deliver. Temporary powers are sought for this purpose as permanent powers would entail an excessive impact on land interests.

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## 6.5 Other rights and powers

6.5.1 In addition to powers of compulsory acquisition, if made the DCO would also confer other rights and powers on the Applicant that may interfere with property rights and private interests. The additional powers are explained in more detail in the **Explanatory Memorandum [EN010141/DR/3.2]** are:

- a) Article 10: Street works;
- b) Article 15: Temporary stopping up of public rights of way
- c) Article 18: Discharge of water;
- d) Article 19: Protective works to buildings;
- e) Article 20: Authority to survey and investigate the land;
- f) Article 32: Statutory undertakers;
- g) Article 41: Felling or lopping of trees or removal of hedgerows.

6.5.2 In each case (for both the principal powers and other powers) the parties having interest in the land, or the interest or right in the land, may be entitled to compensation. Any dispute in respect of the compensation payable is to be determined by the Lands Chamber of the Upper Tribunal.

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## 7.0 THE CASE FOR COMPULSORY ACQUISITION

### 7.1 Introduction

7.1.1 This chapter explains why the Applicant considers that the compulsory acquisition sought through the DCO satisfies the conditions stated in section 122 of the PA2008 and which are reflected in the considerations set out in the CA Guidance. This includes explaining where the Applicant is seeking necessary flexibility for the detailed design stage and it may be that the final land take is less than identified.

### 7.2 Legislation and guidance

#### Section 122 of the PA 2008

7.2.1 Section 122 of the Act states that:

*"An order granting development consent may include provision authorising the compulsory acquisition of land only if the SoS is satisfied that the conditions in subsections (2) and (3) are met."*

7.2.2 The conditions in subsection (2) are that the land:

- a) is required for the development to which the development consent relates;
- b) is required to facilitate or is incidental to that development; or
- c) is replacement land which is to be given in exchange for the order land under section 131 or section 132 of the PA2008.

7.2.3 The condition in subsection (3) is that there is a 'compelling case in the public interest for the land to be acquired compulsorily'.

7.2.4 The CA Guidance (paragraph 11) sets out the considerations which the SoS will take into account in deciding whether the condition in subsection (2) has been met. It states:

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- a) In respect of whether the land is required for the development, the Applicant should be able to demonstrate to the satisfaction of the SoS that the land in question is needed for the development. The SoS will need to be satisfied that the land to be acquired is no more than is reasonably required for the purposes of the development.
  - b) In respect of whether the land is required to facilitate or is incidental to the proposed development, the SoS will need to be satisfied that the development could only be carried out to a satisfactory standard if the land in question were to be compulsorily acquired and that the land to be taken is no more than is reasonably necessary for that purpose and that it is proportionate.
  - c) In respect of whether the land is replacement land, the SoS will need to be satisfied that the compulsory acquisition is needed for replacement land, that no more land is being taken than is reasonably necessary for that purpose and that it is proportionate.

7.2.5 In respect of the condition in subsection (3), the CA Guidance states at paragraph 13 that “the Secretary of State will need to be persuaded that there is compelling evidence that the public benefits that would be derived from the compulsory acquisition will outweigh the private loss that would be suffered by those whose land is to be acquired”.

7.2.6 Paragraphs 8 to 10 of the CA Guidance are also relevant, setting out a number of general considerations to be taken into account by the Applicant in seeking compulsory acquisition powers:

- a) that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored;
- b) that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate;

- c) that the Applicant has a clear idea of how they intend to use the land which is to be acquired;
- d) that there is a reasonable prospect of the necessary funds for acquisition becoming available; and
- e) those purposes for which the compulsory acquisition powers are included in the application are legitimate and sufficiently justify interfering with the human rights of those with an interest in the affected land.

7.2.7 Finally, paragraph 25 of the CA Guidance states that Applicants should seek to acquire land by negotiation wherever practicable.

### 7.3 Need for the land for which compulsory acquisition is sought

7.3.1 Section 2 of the **Planning Statement [EN010141/DR/5.3]** demonstrates the clear need for the Scheme, as supported through national planning policy and energy strategy as well as section 4.3 above.

7.3.2 The Scheme would contribute to the UK Government's legally binding target to reach net-zero emissions by 2050 and respond to the projected increase in demand for electricity, as well as improving UK energy security and resilience in line with national strategy. The Overarching National Policy Statement for Energy (NPS EN-1) designated in January 2024 establishes that the delivery of low carbon energy infrastructure, such as the Scheme, is of Critical National Priority (CNP), for which the urgent need is expected to outweigh most residual adverse effects. The need for the Scheme in principle is therefore clearly established and supported through national policy.

7.3.3 The Applicant considers that the land included in the DCO is the minimum land take required to construct, operate, maintain and mitigate the Scheme and is therefore necessary to achieve the objectives of the Scheme. The Applicant has sought to achieve a balance between

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minimising land take wherever possible and securing sufficient land to ensure delivery of the Scheme.

- 7.3.4 The Applicant is in discussions with the necessary landowners with the intention of reaching a voluntary agreement for land rights required. Powers of compulsory acquisition are therefore sought only in those instances where an option agreement was not signed or properly sign with the affected landowner on a precautionary basis to ensure that the Scheme can be delivered, should the landowners default on that agreement or where unknown interests in the land emerge.
- 7.3.5 While the Applicant has undertaken a thorough and diligent land referencing and investigatory exercise, this possibility cannot be excluded and the Applicant needs to be able to acquire such interests where they emerge.
- 7.3.6 The exception to this is in respect of plots 2-2, 2-3, 3-7 and 3-8 as set out in paragraph 6.1.6 above.
- 7.3.7 The powers of compulsory acquisition of rights for the off-road cable routes are only sought to ensure the Scheme is deliverable as negotiations for voluntary agreement on those off-road cable route easements are not yet concluded and it cannot be determined that all land required for cable route delivery is secured at the time of the DCO application. It is therefore necessary to seek powers of compulsory acquisition as a fall-back position should voluntary agreement not be forthcoming, however it is not the intention of the Applicant to utilise the powers in the first instance.
- 7.3.8 Powers of compulsory acquisition of rights are also sought in respect of on-road cables routes to the extent that any cabling for the on-road route is laid at a depth beneath the strata of land comprising publicly adopted highway. In certain instances, the Applicant acknowledges that there is uncertainty in the depth of the highway strata for the proposed on-road cabling works. The Applicant therefore seeks compulsory purchase powers as a contingency provision for the plots where there is uncertainty

on the depth required due to other utilities running in the event that any of its on-road cables are eventually required to be provided within land beneath the extent of the existing highway strata.

- 7.3.9 The Applicant has secured option agreements with all landowners in respect of the solar panel, BESS, on-site substation and mitigation areas (Sites A to D) but will continue negotiations to ensure that the exception noted above (detailed in paragraph 6.1.6 of this Statement) is addressed and compulsory acquisition powers are not required in this instance.
- 7.3.10 The delivery of the 33kV and 400kV cable route is essential for the operation of the Scheme, in allowing for the panel areas to connect to the on-site substation and for the on-site substation to connect to the National Grid, respectively. Without these aspects of the works, the Scheme cannot function and meet its intended purpose.
- 7.3.11 In relation to the land around the National Grid's substation (sheet 14 of the Land ~~and Crown~~ Plans), this land is owned by National Grid Electricity Transmission plc ("NGET") and is needed to connect the Scheme to the National Grid.
- 7.3.12 The Applicant and NGET are working together to identify the exact point of connection. However, at the time of submission NGET has been unable to confirm this. For this reason, the Applicant seeks to acquire new rights compulsorily under the draft DCO in relation to land surrounding and within National Grid's substation, in order to ensure the deliverability of the Scheme. The Applicant and NGET will continue to work together throughout examination to agree appropriate and proportional protective provisions. In addition to this, once the point of connection has been confirmed, the Applicant will limit the exercise of compulsory acquisition powers to the plots required to ensure connection.
- 7.3.13 It is considered that the interference with the rights of those with an interest in the land is legitimate, necessary and proportionate, and that the Applicant has a clear idea of how the acquitted land and rights would

be used. The Applicant therefore submits that the need for the land is evidenced in compliance with subsection (2) of section 122 of the PA2008 and paragraph 11 of the CA Guidance.

## 7.4 Compelling case in the public interest

- 7.4.1 As set out in the preceding section, there is a clearly established needs case for the Scheme in principle, which is summarised in Section 3 of the **Planning Statement [EN010141/DR/5.3]**. This establishes that as a form of low carbon energy, the Scheme constitutes CNP infrastructure under NPS EN-1, in which there is an urgent need is expected to outweigh most residual adverse effects. There is subsequently an established national need for the Scheme. In addition to meeting national need for renewable energy, the Scheme would provide further benefits which contribute to the compelling case in the public interest, such as the benefits described above.
- 7.4.2 The delivery of the Scheme, and the public benefits outlined above, would result in private loss for those persons with an interest in the land which is subject to compulsory acquisition powers. Appropriate compensation would be payable to those entitled to claim it, in line with the national Compensation Code. It is considered that this compensation would adequately compensate the private loss.
- 7.4.3 The Applicant has also sought to minimise private loss by only seeking compulsory acquisition powers for the minimum possible area of land within the Order Limits required to ensure the Scheme is deliverable. The extent of compulsory acquisition is sought to enable delivery of the solar panel areas, BESS and co-located on-site substation and the installation of off-road cable routes to connect to National Grid's substation at Eaton Socon. It is considered that this approach is in the public interest, as the preferred route would reduce the potential for adverse effects that would be experienced by the local community. The Applicant is also seeking to acquire subsoil interests for the on-road cable route as a contingency

against any uncertainty in the location of on-road cables within the highway and subsoil strata, as explained above.

- 7.4.4 The Applicant is accordingly satisfied that the condition of subsection (3) of section 122 of the PA2008 is met.

### Alternatives to compulsory acquisition

- 7.4.5 The objective to avoid or minimise compulsory acquisition has been an important factor in selecting the location and layout of the Scheme. The Applicant has sought alternatives to compulsory acquisition.

- 7.4.6 Option agreements have been signed with all landowners in respect of Sites A to D where the solar panels, BESS and co-located on-site substation would be located. However, compulsory acquisition powers are sought for the specific instance noted in paragraph 6.1.6 of this Statement.

- 7.4.7 It is evident from considering the Land ~~and Crown~~ Plans that the Applicant has successfully secured voluntary agreements in respect of the land within the Order Limits as shown in the low percentage of land for which compulsory acquisition powers are sought. The Applicant has ensured that compulsory acquisition has been used only as a last recourse and will continue to negotiate with affected parties to ensure that all interests are addressed.

- 7.4.8 It is considered that in accordance with the CA Guidance, the Applicant can demonstrate that all reasonable alternatives to compulsory acquisition have therefore been explored, including instances where modifications to the Scheme have been made in order to avoid the need for acquisition.

## 7.5 Reasonable prospect for funding

- 7.5.1 The Applicant is content that there is reasonable prospect of the necessary funds for acquisition being available for the reasons set out in the **Funding Statement [EN010141/DR/4.2]**.

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## 7.6 Human Rights

- 7.6.1 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (the Convention). The Convention includes provisions in the form of Articles, the aim of which is to protect the rights of the individual.
- 7.6.2 The following Articles of the Convention are relevant to the SoS's decision as to whether the DCO should be made so as to include powers of compulsory acquisition:
- a) Article 1 of The First Protocol 'Protection of Property' – protects the rights to peaceful enjoyment of possessions. No one can be deprived of their possessions except in the public interest.
  - b) Article 6 of the Convention Rights and Freedoms 'Right to a fair trial' – entitles those affected by compulsory powers to a fair and public hearing.
  - c) Article 8 of the Convention of Rights and Freedoms 'Right to respect for private and family life' – protects the right of the individual to respect for his private and family life, his home and his correspondence. Interference with this right can be justified if it is in accordance with law and is necessary in the interests of, among other things, national security, public safety or the economic wellbeing of the country.
- 7.6.3 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with rights protected by the Convention. As such, the SoS as Government decision-maker, is under a duty to consider whether the exercise of powers interacts with the rights protected by the Convention.
- 7.6.4 The Order has the potential to infringe the rights of persons who hold interests in land within the Order land under Article 1 of the First Protocol. Such an infringement is authorised by law so long as:

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- a) There is a compelling case in the public interest for the compulsory acquisition powers included within the DCO, and that proper procedures are followed.
  - b) Any interference with a human right is proportionate and otherwise justified.

## Compliance with Article 1

- 7.6.5 The Applicant has set out in the preceding sections how there is a compelling case in the public interest for the compulsory acquisition powers included in the DCO. The Scheme would respond to a national need for renewable energy infrastructure and the achievement of legally binding net zero target, whilst also delivering substantial local benefits through biodiversity net gain, enhanced accessibility to the countryside, new community facilities and the provision of a £400 per MW per year Community Benefit Fund.
- 7.6.6 Whilst much of the Scheme is to be delivered through voluntary agreements which are already secured, the need for compulsory acquisition for cable routes arises to ensure the Scheme is deliverable and can be operational, therefore delivering the benefits outlined above. The Applicant has concluded on balance that the significant public benefits outweigh the effects upon persons whose property within the Order Limits would be affected by powers of compulsory acquisition. For those affected by expropriation or dispossession, compensation is payable in accordance with the statutory compensation code. It is therefore concluded that the Scheme would be in accordance with Article 1 of the Convention.
- 7.6.7 This conclusion has been reached individually for each of the interests in land identified in Appendix A.

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## Compliance with Article 6

- 7.6.8 In relation to Article 6 it is the case that proper procedures have been followed for both the consultation on the scheme and for the determination of the compulsory acquisition powers included within the scheme. Throughout the development of the Scheme persons with an interest in the land have had full opportunity to comment on the proposals, both in a statutory and non-statutory capacity, and the Applicant has endeavoured to engage with landowners. The Applicant has had regard to landowner feedback as detailed in the design iteration and assessment of alternatives (see **ES Vol 1 Chapter 3: Alternatives and Design Evolution [EN010141/DR/6.1]**) and in the **Consultation Report [EN010141/DR/5.1]**.
- 7.6.9 Following submission of the application, individuals affected by the Scheme can submit representations about the DCO and/or challenge the DCO by judicial review if there are any grounds for doing so.
- 7.6.10 It is therefore concluded that the Scheme would be in accordance with Article 6 of the Convention. This conclusion has been reached individually for each of the interests in land identified in Appendix A.

## Compliance with Article 8

- 7.6.11 The Applicant is not seeking powers of compulsory acquisition relating to any residential dwellinghouse. It is therefore considered that the rights protected by Article 8 of the Convention – the right to a private and family life – will not be infringed by the Scheme. In the event that such rights were to be infringed, such interference would be justifiable on the basis that it would be lawful and in the public interest.
- 7.6.12 It is therefore concluded that the Scheme would be in accordance with Article 8 of the Convention. This conclusion has been reached individually for each of the interests in land identified in Appendix A.

## 8.0 EQUALITY ACT 2010

### 8.1 Equality Impact Assessment

8.1.1 This section considers the potential impacts of the Scheme on persons of protected characteristics under the Equality Act 2010, in order to assist the SoS in their consideration of the public sector equality duty under section 149 of the Equality Act 2010, and in the context of the Planning Inspectorate Pre-Application Prospectus.

8.1.2 No differentiated or disproportionate impacts to groups with protected characteristics under the Equalities Act 2010 are predicted and the Scheme does not discriminate with consideration to protected characteristics including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

8.1.3 By contrast, it is the case that all individuals would experience the identified benefits and impacts arising from the Scheme equally, regardless of the individual's characteristics. This includes the benefits that a new renewable energy generating station would provide, such as improved energy security and a reduction in greenhouse gas emissions.

~~8.1.4 Furthermore, the proposed network of new permissive paths within the Order Limits, to link the existing public rights of way and enhance connectivity within the Order Limits, would look to introduce a hierarchy of routes with different levels of access appropriate to their location. In accordance with the **Design Approach Document [EN010141/DR/5.6]**, it is expected that the routes closer to nearby settlements will be more formal and therefore more easily accessible, relative to the more remote paths where a more rugged/informal surface is likely to be most appropriate. Best practice guidance documents relating to accessibility will inform this element of access provision.~~

~~8.1.5~~8.1.4 In accordance with the **outline Skills, Supply Chain and Employment Plan [EN010141/DR/7.11]**, the Applicant is committed to improving diversity and inclusion in the workforce through inclusive training and hiring practices. The Applicant proposes collaborating with local stakeholders working to improve diversity. This could include collaborating with the host local authorities (HDC, BBC and CCC), to ensure disabled people are included in the hiring process and appropriate accommodations are made.

~~8.1.6~~8.1.5 Finally, it is also noted that traveller communities are protected against discrimination under the Equality Act 2010. There are traveller communities in the local area (on Kimbolton Road between Hail Weston and Great Staughton) and measures were put in place to consult with the traveller community during the non-statutory and statutory consultation phases. As the traveller site is located some distance from the Order Limits it has not been necessary to include it as a specific receptor in the **Environmental Statement [EN010141/DR/6.1 / 6.2 / 6.3]**. Accordingly, it can be concluded that no differentiated or disproportionate impacts to the traveller communities would arise from the Scheme.

## 9.0 SPECIAL CONSIDERATIONS

### 9.1 Crown Land

9.1.1 In carrying out diligent enquiries, there was no Crown Land identified within the Order Limits.

~~9.1.1 The Order Limits include two plots which fall within the Crown Land category, plots 14-6 and 14-7. Whilst the ownership of these plots is with National Highways, the are interests registered against these plots benefiting The Secretary of State for Environment.~~

~~9.1.2 These plots form part of the highway verge or what forms an overbridge crossing the A1. The Applicant believes that these are legacy plots which were later transferred to National Highways (current freehold owner). The Applicant has engaged with the local highways authority who believe that these plots have been transferred to them upon de-trunking of the road by virtue of the Highways Act 1980. However, the Applicant has not been able to locate the de-trunking order and is now expecting to receive this from the local highways authority.~~

~~9.1.3 The Applicant is taking a cautious approach in including these plots as Crown Land for which a consent under Section 135(2) of the PA2008 will be required. If it later transpires that the interests in these plots are no longer with a Crown Body, the Applicant will remove the Land and Crown Plans from the Application.~~

~~9.1.4 In line with this, the draft DCO includes a standard article providing that Scheme does not prejudicially affect any estate (etc.) of the Crown, and that the undertaker may not enter on or take any Crown land other than with the consent of the appropriate authority (Article 47).~~

### 9.2 Special Category Land

9.2.1 In carrying out diligent enquiries, there was no Special Category Land identified within the Order Limits.

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## 9.3 Statutory Undertaker Land

- 9.3.1 The interests held by each Statutory Undertaker identified by the Applicant are identified in the **Book of Reference [EN10141/DR/4.3]**. There are a small number of plots required which are the subject of powers of compulsory acquisition, in which Statutory Undertakers hold an interest for existing apparatus.
- 9.3.2 In relation to NGET's substation area, as noted above the Applicant and NGET are working together to identify the exact point of connection. However, at the time of submission NGET has been unable to confirm this. For this reason, the Applicant seeks to acquire new rights compulsorily under the draft DCO in relation to land surrounding and within National Grid's substation, in order to ensure the deliverability of the Scheme. The Applicant and NGET will continue to work together throughout examination to agree appropriate and proportional protective provisions. In addition to this, once the point of connection has been confirmed, the Applicant will limit the exercise of compulsory acquisition powers to the plots required to ensure connection.
- 9.3.3 The Applicant is confident that commercial agreement can be reached with the relevant undertakers in respect of those plots, in which case the powers would not be needed in respect of those Statutory Undertaker interests. However, at this stage such powers are included on a provisional basis to ensure delivery of that cable route.
- 9.3.4 Section 127(2) of the PA2008 states that an order granting development consent may only include provision authorising the compulsory acquisition of statutory undertakers' land to the extent that matters set out in Section 127(3) are satisfied. Those matters include:
- a) The land can be purchased and not replaced within serious detriment to the carrying on of the undertaking; or

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- b) If purchased, the land can be replaced by other land belonging to or available for acquisition by the undertakers without serious detriment to the carrying on of the undertaking.

9.3.5 Articles 32 to 33 of the **draft DCO [EN010141/DR/3.1]** gives the Applicant the authority to acquire land and rights from Statutory Undertakers, and to extinguish or suspend their rights, and to remove or reposition their apparatus, subject to the provisions of Schedule 13 (protective provisions). The protective provisions provide adequate protection for the Statutory Undertakers and the Applicant has engaged with those affected and considers that the Statutory Undertakers affected will not suffer serious detriment to the carrying out of their undertaking as a result of the Scheme. In all cases, the land parcels in question would be affected by the imposition of rights authorising the Applicant to cross existing Statutory Undertaker apparatus. The tests set out in Sections 127(3) and 127(6) of the PA2008 are therefore satisfied.

9.3.6 Appendix B to this Statement and the Land Rights Tracker set out a summary of the engagement with statutory undertakers and the extent to which the Order Limits interact with apparatus.

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## 10.0 CONCLUSION

- 10.1.1 This Statement has set out how land interests relevant to the Scheme have been identified through diligent inquiry and has described the extent of powers of compulsory acquisition sought through the **draft DCO [EN010141/DR/3.1]** and the justification for their inclusion.
- 10.1.2 This Statement demonstrates that the inclusion of powers of compulsory acquisition in the DCO for the purposes of the Scheme is in accordance with the requirements of Section 122 of the PA2008 as well as the considerations in the CA Guidance.
- 10.1.3 In summary, the compulsory acquisition powers sought are limited to all interests except freehold interest in respect of the solar panels, BESS and co-located on-site substation and the off-road cable routes which the Applicant has not yet been able to secure via voluntary negotiation along with powers for the acquisition of rights in sub-soil interests. The Applicant has sought to minimise as much as possible powers to acquire land permanently and this was reserved only for those areas of the Scheme which require long-term works which will require maintenance. The majority of the land for which the Applicant is seeking compulsory acquisition powers are required to ensure the delivery of the Scheme and are necessary to facilitate, or are incidental to, the Scheme and are proportionate and no more than is reasonably necessary.
- 10.1.4 All reasonable alternatives to compulsory acquisition have been explored.
- 10.1.5 There is a compelling case in the public interest for the acquisition of rights over land to be compulsorily acquired given the need for, and benefits of the Scheme.
- 10.1.6 Articles 1, 6 and 8 of the First Protocol to the Convention have been considered and the Applicant has set out how the substantial public benefits of the Scheme outweigh the private loss that may be suffered by

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those whose land is to be acquired / whose rights would be interfered with.

10.1.7 It is therefore concluded that the Scheme and the land subject to compulsory acquisition powers meet the legislative tests set out within the PA2008 and complies with the policy requirements set out in the CA Guidance such as the consideration of alternatives and human rights. The Applicant will continue to engage with persons effected.

# **Appendix A: Plots over which Acquisition of Freehold, New Rights and Temporary Possession Powers are Required**

## Appendix A

### Plots over which Acquisition of Freehold, New Rights and Temporary Possession Powers are Required

The specific purpose for which each plot of land subject to compulsory acquisition and temporary possession powers is required is set out in this appendix. The first column of each table identifies the plot number as shown on the Land ~~and Crown Land~~ Plans [EN010141/DR/2.2] and used in the Book of Reference [EN010141/DR/4.3]. The second column refers to the relevant Work Number as depicted in the Work Plans [EN010141/DR/2.3] and listed in the draft Development Consent Order [EN010141/DR/3.1].

Land Interest	Plot Number(s)	Works Number(s)	Description of powers sought	Purpose for which land is required
Angela Barbara Kenyon	9-3, 9-5, 10-2	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Anglian Water Services Limited	10-15, 10-16, 13- 4, 13-7	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access

Bedford Borough Council	2-2, 3-1, 3-4, 3-5, 3-6, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 6-1, 6-2, 7-1, 7-2, 7-3, 7-4, 12-9, 13-3, 13-4, 13-5, 13-7, 13-8, 13-9, 14-3, 14-4, 14-5, 14-6, 14-7, 14-15, 14-20,	4, 6, 8, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure, Works to create, enhance and maintain green infrastructure and Works to facilitate access
Cambridgeshire County Council	9-3, 10-16, 11-2	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
	7-1, 7-7, 9-1, 9-2, 9-4, 10-18	9	Temporary possession	Works to facilitate access
Duncan Frazer Brightman	5-5, 5-7, 6-1	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Eastern Power Networks plc	14-13	4	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation
Environment Agency	13-4, 13-6	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access

George Peck	9-3	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Guy Clements, Heather Fiona Spavins	10-16, 11-2	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
Ian George Peck	9-3	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
JAC Settlement Trust Corporation Limited	7-3, 10-16, 11-2	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
James Duberly	10-16	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
James Edward Brown	9-3, 9-5, 10-2	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
James Gordon Hopperton	5-5	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access

Jonathan David Brown	9-3, 9-5, 9-6, 10-1, 10-2	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Judith Anne Clements	7-3, <del>7-8, 7-9, 7-10, 7-11,</del> 10-16, 11-2	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
Julia Anne Harris	5-2, 5-3, 5-6, 5-7, 6-1, 7-3	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Kelly Brown, Alfie Michael Brown	13-4	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
Lidwina Anne-Marie Hamilton	10-16, 11-2, 12-5	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
Louise Elizabeth Cooper	9-3, 9-5, 10-2	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access

Matthew William Brightman	5-3, 5-5, 5-6, 5-7, 6-1	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
National Grid Electricity Transmission plc	14-10, 14-14, 14-16, 14-17, 14-18, 14-19	4, 5	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works at the Eaton Socon Substation to create a new 400 kV generation bay
National Highways Limited	14-4, 14-7	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
	14-6	9	Temporary possession	Works to facilitate access
P S Manor Farm Solar Limited	3-2, 3-3	1, 6, 7, 8	New Rights	A ground mounted solar photovoltaic generating station, Internal cabling and ancillary infrastructure  Temporary construction and decommissioning compounds and laydown areas  Works to create, enhance and maintain green infrastructure.
Patricia Ann Price	6-1	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Pertenhall Village Charity	3-6	6, 8, 9	New Rights	Internal cabling and ancillary infrastructure, works to create, enhance and maintain green infrastructure and works to facilitate access

Rebecca Brightman	5-3, 5-5, 5-6	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Richard Edward Beckett Squire	11-2, 12-6, 12-7, 12-8, 12-9, 13-1, 13-2, 13-4, 13-6, 13-7, 13-8, 13-9, 13-10, 14-4	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
Richard Lewin Banks	6-1	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
Robert Adrien Hamilton	10-16, 11-2, 12-5	4, 6, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation, Internal cabling and ancillary infrastructure and works to facilitate access
Robert Sharman	14-8, 14-10, 14-11, 14-12, 14-15, 14-20	4	New Rights	Works to facilitate access
Rupert James Gates	14-2	9a	Temporary possession	Creation of visibility Splays outside the public highway
	14-4	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and Works to facilitate access
Sally Clair Peck	9-3	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
T. J. Bates & Son	2-2, 2-3, 3-1, 3-2, 3-5, 3-6, 3-7, 3-8	1, 6, 7, 8, 9	New Rights	A ground mounted solar photovoltaic generating station, Internal cabling and ancillary infrastructure  Temporary construction and decommissioning compounds and laydown areas  Works to create, enhance and maintain green

				infrastructure and works to facilitate access
Thomas Brown	13-4	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
Thomas Lee Brown	13-4	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
Thomas William Bates	2-2, 2-3, 3-1, 3-2, 3-3, 3-6, 3-7, 3-8	1, 6, 7, 8, 9	New Rights	A ground mounted solar photovoltaic generating station, Internal cabling and ancillary infrastructure  Temporary construction and decommissioning compounds and laydown areas  Works to create, enhance and maintain green infrastructure and works to facilitate access
Timothy George Price	6-1	6, 9	New Rights	Internal cabling and ancillary infrastructure and works to facilitate access
William Andrew Brightman	14-4, 14-8, 14-9	4, 9	New Rights	A 400 kV electrical cable connection from the East Park Substation to the Eaton Socon Substation and works to facilitate access
<del>Zantra Properties Limited</del>	<del>7-8, 7-9, 7-10, 7-11</del>	<del>6</del>	<del>New Rights</del>	<del>Internal cabling and ancillary infrastructure</del>

## **Appendix B: Summary of Engagement with Statutory**

### **Undertakers**

## Appendix B

### Summary of Engagement with Statutory Undertakers

Statutory Undertaker	Plots	Summary of Engagement	Status of Protective Provisions
Anglian Water Services Limited	13-6	<p>The Applicant has been corresponding with Anglian Water and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect Anglian Water Services Limited's assets.</p> <p>The Applicant's legal advisors are engaged with Anglian Water Services Limited regarding the possibility of including bespoke protective provisions in the draft DCO.</p>
Eastern Power Networks plc	14-9, 14-11, 14-12, 14-14, 14-19, 14-20	<p>The Applicant has reached out to Eastern Power Networks plc to discuss protective provisions and how their assets interact with the scheme.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect Eastern Power Networks plc's assets.</p>

Environment Agency	13-7	<p>The Applicant has been corresponding with Environment Agency and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p><del>The draft DCO contains bespoke protective provisions for the protection of the Environment Agency.</del></p> <p><del>The protective provisions included in the draft DCO are the Applicant's preferred form of these protective provisions and are not yet agreed between the parties.</del> <a href="#">The Applicant and the Environment Agency have agreed that protective provisions would not be required.</a></p>
EUNetworks Fiber UK Limited	3-5, 3-6	<p>The Applicant has been corresponding with EUNetworks Fiber UK Limited and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect EUNetworks Fiber UK Limited's assets.</p>
Gigaclear Limited	3-5, 3-6	<p>The Applicant has been corresponding with Gigaclear Limited and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect Gigaclear Limited's assets.</p>

National Gas Transmission plc	6-1	<p>The Applicant has been corresponding with National Gas Transmission plc, their agents and legal representatives in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains bespoke protective provisions for the protection of National Gas Transmission plc.</p> <p>The protective provisions included in the draft DCO are the Applicant's preferred form of these protective provisions and are not yet agreed between the parties.</p>
National Grid Electricity Transmission plc	9-5, 10-2, 14-2, 14-8	<p>The Applicant has been corresponding with National Grid Electricity Transmission plc ("NGET"), their agents and legal representatives in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect National Grid Electricity Transmission plc's assets</p> <p>The Applicant is aware that bespoke protective provisions are likely to be required for NGET. The Applicant's legal advisors are engaged with NGET's legal representatives regarding these protective provisions.</p>
UK Power Networks (Operations) Limited	9-5, 10-2, 14-8, 14-9, 14-11, 14-12, 14-13, 14-14, 14-19, 14-20	<p>The Applicant has been corresponding with UK Power Networks (Operations) Limited ("UKPN") and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	<p>The draft DCO contains generic protective provisions to protect UK Power Networks (Operations) Limited's assets.</p> <p>The Applicant's legal advisors are engaged with UK Power Networks (Operations) Limited regarding the possibility of including bespoke protective provisions in the draft DCO.</p>

Vodafone Limited	14-4, 14-7, 14-9, 14-11, 14-12, 14-13, 14-14, 14-15, 14-16, 14-18	<p>The Applicant has been corresponding with Vodafone and their agents in respect of their assets and protective provisions.</p> <p>Further details around the engagement with the asset holder can be found within the Land and Rights Negotiation Tracker [EN010141/DR/4.4]</p>	The draft DCO contains generic protective provisions to protect Vodafone Limited's assets.
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