



## Event Transcript

<b>Project:</b>	Great North Road Solar and Biodiversity Park
<b>Event:</b>	Compulsory Acquisition Hearing 1 (CAH1) - Part 2
<b>Date:</b>	3 February 2026

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FULL TRANSCRIPT (with timecode)

00:00:07:00 - 00:00:22:12

Okay. The time is now 10 to 4 and it's time for this compulsory acquisition hearing to resume. So we were an item 3.3, which was site specific representation from our representations from affected persons. And so I'd now like to come to Mr. Northcote please.

00:00:25:00 - 00:00:57:11

Thank you. Sir Anthony Northcote, speaking on behalf of Paul Mitchell and Pamela Gladwin. Um, as you'll have seen from their, um, response to your first set of questions that you posed, um, as an examiner authority. Um, it's only actually your questions that alerted them to the fact that there's some potential interest. Um, and as you'll have seen in their sort of holding response to the first examiner question, they were away for the entire period out of the country.

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Uh, so, uh, with apologies. We're rather late to the table in understanding this issue, and we have also been unsuccessful as of yet. Is getting the actual copy of the agreement from the Land Registry. They've provided all sorts of things except the correct document, and we still haven't been able to see that. Um, but what we do, um, what we have, uh, um, you know, looked at is the landing rights negotiation tracker.

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Um, where the applicant sets out that the, um, the right is the the right of services, a water supply pipe. So, um, we're going to proceed our, our discussion today on the basis that the applicant appears to know a bit more than we do, actually, in relation to this matter. Um, and with no reason to think that they're what they say is, is incorrect as a starting point in to land parcels. Um, So their business, which is p m and G limited, has an interest, a legal interest in part of the overall property.

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What you might call a sort of subpart of the overall property. And they, as we understand it, have a similar agreement. Um, as a business to, um, Mr. Mitchell and Mrs. Gladwyn. So the two land title have the same. Right?

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Um, this part of Nottinghamshire was at one time very much owned by large estates. Um, that's been sort of disaggregated over time. And so the property was bought in 1997, not by Mr. Mitchell and Mrs. Goodwin, but by previous purchasers. And it's at that time in 1997 that a private agreement was entered into, um, that agreement.

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then still applies the property when, um, Mr. Mitchell and Mrs. Goodwin bought it in 2005. Um, but they have tried to look in their original documents, and there doesn't seem to be a copy from that purchase. So, as you'll understand, part of the difficulties, they weren't the original signatories to the agreement. Um, sort of inherited it.

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Now the London rights tracker refers to a water supply pipe. Now, it is very common in this part of the area. Um, going up towards Ossington that a lot of properties, um, farm old farms actually rely on a water supply pipe that comes across farmland. That's, um, that happens to at least 3 or 4 properties in Ossington that I'm aware of. And so we assume that given how the, uh, the rights here are indicated to apply to a lot of land parcels to the north of the property, and the Land and rights tracker refers to it being a water supply pipe.

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That we're in a position here where it may be that may be the case, that it is elsewhere, that the water supply pipe actually comes across, um, private farmland. Um, the reason that existed was because when these were all estates in the past, you could take your services and your water supply was put in decades ago, and they just took the most direct route, usually from one place to another. And so that's the situation that we appear to understand it.

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Now, as, uh, as Mr. Mitchell and Mrs. Gladwin have set out in their representations, there is there are a number of sort of, uh, interests between their property and the surrounding farmland. And this is a formal arrangement. There are other informal arrangements. For example, uh, you know, some of the adjacent farmland drains into the pond on, um, their land and their pond then drains out onto adjacent farmland.

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And as they've identified in their representations to you, um, there is a flooding issue associated with that which is not strictly a matter for today. Um, but, you know, that is a matter for wider consideration, and I'm sure that'll be a matter to be thought about over the next couple of days in issue specific hearing three.

00:05:37:21 - 00:06:07:11

Um, this morning, um, the examining authority requested a utilities plan, um, to be identified for the order limits. Um, and I think such a thing would help the understanding not just of utilities within, uh, control of the statutory undertakers, but all the utilities that might cross the land, including private utilities. And because then we could get a clear picture.

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I'm unaware as to whether actually anybody's got a plan to show where this water supply pipe, um, looks to run now. Water supply pipes in the area. Sometimes they are to feed agricultural troughs, sometimes there to feed ponds. You know, sometimes they're to feed the properties. Now, given this, this agreement relates to two parcels of land, one of which is only a building. We've got to assume that it must relate to this being a domestic water supply.

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Um, but with, you know, with with apologies, I can't confirm that because we've not been able to get a copy of the original agreement. The applicant may know more, and it is a bit disappointing that there's been absolutely no discussion by the applicant with Mr. Mitchell and Mrs. Godwin all. Their business.

Um, you know, particularly given that with the greater respect to the applicant, you know, they're showing it as green on the land and rights negotiation tracker.

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Well, that's not really a truthful statement because there's been no discussion. They're saying, well, it doesn't have to be any discussion. It's not applicable. It's green or we've got to deal with is a landowner. But the applicant has told you this morning, um, that sorry, this afternoon that solar PV panels are not compatible with services and facilities. That's the applicant's own words. So on that basis, if that interferes with a water supply pipe, then the applicant is acknowledging that those two elements are inconsistent.

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And I think therefore, it is imperative that we're able to get to the bottom of precisely What this agreement relates to on the basis is it is a water supply pipe as the applicant identifies. What's the route of that supply pipe and therefore how do the works interfere with it. Because the land parcels that we're talking about. One is for a cable routing, but a cable route will go through the ground and therefore has a dramatic potential to disturb anything in it.

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The other parcels of land, um, a little bit is for mitigation plantings not likely to have an impact. Um, but then it's a large number of solar PV panels, which, um, unless I've missed something, were intended to be, uh, you know, set on spiked foundations rather than sort of concrete. So again, there's the potential for damage to occur.

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Now it's proposed, um, that all private rights would be extinguished or overridden by the development consent order. Now, obviously, that brings concern, um, on a sort of variety of basis, really. Firstly, um, assuming it is the water supply part that goes along there. Um, how if that right disappears and that pipe, then, um, you know, what, what ability of, uh, Mr.

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Mitchell and Mrs. Gladwin got to ensure that they continue, actually, to be supplied with water via that mechanism. Um, but also, if it gets damaged, how who's going to be responsible for dealing with that? Um, and rectifying it or if the maintenance required. Um, so I think in sort of broad terms, sir, I think this is an issue where really we need to invite the applicant to have some direct discussions.

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Um, you know, outside of these hearings on this to try and get to the bottom of exactly what exists, where it runs, how it how it can be adequately protected and taken into account. And, you know, we're not asking for these elements of the scheme to be taken out because they interfere with this. Right? Um, yes. Mr. Mrs. Godwin and Mr. Mitchell are asking for elements of the scheme to be taken out for other reasons. Um, but, you know, we're not saying that this is, um, you know, the land rights are an issue, but the land rights that exist need to be adequately protected with some form of agreement.

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Um, so that they're not overridden, just roughshod. Um, because what's of concern and why it gets slightly unclear because the land parcels that are sited that this agreement relates to one is on the opposite side of the road, which is a little bit of an outlier to the rest. Um, but it's quite a lot of land parcels referred to all to the north of the property. Um,

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and, you know, that is the most direct route, so it would be the most likely direction. That Thoresby Estate may well have put water into the property. You know, in the first place and say we do apologize in that we're slightly behind the game with, with this. Um, but perhaps had the applicant been more proactive, um, with, uh, Mr. Mitchell and Mrs. Gladwin to start with, they would have understood what was being talked about and could have started this process much sooner than now.

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I'll leave it there. Thank you, sir.

00:11:45:06 - 00:11:59:24

Thank you, Mr. Northcote. Um, yeah. And obviously we will welcome any submissions of at deadline three as well that are related and encouraged discussions between the staff and the applicant. Um, so I'll come to the applicant, please, for you. Um. Your position.

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Thank you, sir. Michelle Sutherland for the applicant. Um, it may assist if we bring up the context sheet 22 of the land plans, which has got the area in question. And I and I may just briefly ask, uh, Mr. Prowse, who to outline where the information has come from regarding the the rights that that's been discovered and whether, um, there can be any further, uh, clarity given from, from what those inquiries have been.

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Um, just before before we do that, there are a couple of points that, um, just just to flag, really. Um, the applicant absolutely would welcome a discussion with the benefit of the plan and to then understand, um, what there may be. I appreciate you may not know. We may not know what's there, but also in a similar way to how we did earlier to look at, okay, here's the Peavy Fields. Where's the where's the opportunity to still work around that with services.

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How might we, um, uh, secure commitments to that, um, that accord with the provisions in the order, um, and to to make sure that you've got those rights still protected and an ability to still get to get to the property. That's that's absolutely, uh, the applicant's objective as well, with regards to the utilities plan, my expectation is that the utility searches, which the applicant will do, are not likely to show up anything that's of a private nature.

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We could be wrong, but but, you know, unless it's an adopted, um, water supply, for example, then these sort of private, um, interests may not show up, but if it if it does, that's obviously information we can the applicant can share to help with the discussion. But I just thought I'd caution that that that may not be possible. And the same with, you know, with with rights, I suspect what the applicant will be

able to submit for D3 is the his the the the publicly available information on a, on a, on a sort of utility search.

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Um, so, Mr. Price, I wonder if you may just assist with, with the, the referencing exercise and what's been revealed so far in advance of any further discussions?

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Good afternoon.

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Andrew Price, on behalf of the applicant, um, we've identified the right that's been referred to in the, uh, transfer, um, dated 17th of September, 1997, which I think has been referred to, uh, the right specifically. And in summary, I won't read the whole document out, but it's free and uninterrupted passage and running of water Through water supply. Pipe laid or to be laid within the perpetuity. Perpetuity period under the retained land and serving the property.

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Uh, and there's also, um, uh, rights there to renew and inspect and maintain that pipe. Um, the rights are in respect of, uh, well, the retained land that's referred to is, um, land and premises adjoining or neighbouring the property now or formerly comprising part of the Thoresby Estate, which is why it's identified in so many plots. Um, we do not know where the pipe is.

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And I think that's in summary. That's what we've that's what we've got.

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We've got a copy of the deed and we're happy to share a couple. Well, we've got the transfer and the rights so we're happy to share that. Yeah.

00:15:52:05 - 00:15:55:07

Thank you. Is there any further any anything further? Sorry. You wanted to add.

00:15:58:07 - 00:16:28:26

A legacy for the applicant. Um, in terms of, uh, concerns about underground private water utilities. We understand this is something that could happen, and therefore we've addressed it in the Construction Environmental Management Plan under section 5.3.963, paragraphs 122 and 130. So the same provides for a watching brief during construction.

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So it has a layered methodology for identifying and managing such infrastructure. So for example, um, prior to construction, we will work with landowners, um, to obtain as many of those plants as possible. That would then enable us to microsite works to avoid them and if this is not practicable or possible, we can look at diversion or replacement in consultation with the landowners and the affected parties.

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So yeah, hopefully that provides some comfort at the. Yeah, we've thought about the matter and we've committed to it in December.

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Thank you. Um, Mr. Northcote, um, obviously I appreciate there's a number of points that you may wish to come back on later, possibly in writing, but there's anything specific that you wanted to respond to there.

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And whilst I understand what's being said about the construction environment environmental management plan, um, that may help to address any, um, sort of construction impact and might deal with construction impact. What it doesn't address is still, you know, the rights that currently exist, which is to replace or repair that pipe, um, and continue. Um, and based on the wording that's talked about it clearly relates to an existing pipe.

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Um, um, so I think, you know, part, part of the difficulty that we've, we've both ourselves and the applicants heat up is we're not quite certain where, quite where this runs and this, this is part of the difficulty. And I do fully understand their difficulty as much as ours, which is the problem with these large estates. They didn't keep particularly, um, good records of where they put bits and pieces and often things, even if they did, they weren't necessarily, um, you know, in that place.

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Um, but but it is, you know, there needs to be some I think, from our client's perspective that some protective provisions that this can still continue on the current basis. Um, and if that's with a, you know, a side agreement, um, so then the appropriate article doesn't kick in in the development consent order. That would be an appropriate mechanism, I think, probably sensible to to deal with it. Now, I appreciate that maybe have a little bit of ambiguity because we're not quite certain, you know, where where it runs.

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Um, and I say we're not asking for the scheme to be amended. You know, lay out, for example, you know, in relation to this, it's really about ensuring that existing rights are adequately protected moving forward. Um, so that we're not disadvantaged, um, with, you know, a farmhouse at some point that maybe doesn't have a water supply because that would be, you know, rather significant. I don't think any of the applicant's team would want to live in a house with that nature. And that's not their intention.

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We just need to find an adequate mechanism, I think, between us as to how we deal with the unknowns. But in a in a slightly more pragmatic way.

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Thank you. Yeah, I think I'm fairly clear on quite clear on your position there and from the applicant to the applicant. Is anything you'd like to respond to briefly?

00:19:58:01 - 00:20:22:28

Thank you sir. Just just to say that we will take that away and look at an appropriate commit once we've mapped out to the best we can. Um, what may what may be there? But in any event, what's covered by the by the deed and how that overlays with. Is it a PvE field. Is it mitigation. And we can we can then start to scope out some points that can turn into a commitment that's binding.

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Thank you. Okay I'll look forward to your updates from both parties at the next deadline. Thank you.

00:20:30:10 - 00:20:31:19

Excuse me, could I?

00:20:31:25 - 00:20:32:10

Yes.

00:20:32:19 - 00:20:38:09

Simplistically speaking, from my perspective, does that mean there will be a duty of care to us that we will get water.

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From the applicant?

00:20:43:03 - 00:21:18:17

Um, I'm not sure we can quite craft it in those terms, because the applicant's ability to ensure a water supply. Well, it's not all in its control, but in terms of being able to exercise the appropriate rights in the in that you've got now, that's something we would be looking to replicate because obviously can you have water could depend on the water company for example. It's not in the applicant's control to be able to say, um, that there would be an uninterrupted supply because there could be all sorts of reasons which could which could affect that.

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Clearly having water to our property is important.

00:21:23:25 - 00:21:36:18

Absolutely. I think it's there's only so much that that's within the gift of the applicant, within the scope of the rights. We'll look at what those rights are. Um, and, and we'll look at how we can how we can make equivalent provision.

00:21:37:23 - 00:22:07:09

Thank you. On the subject of water, you know, we have raised our concerns at the local meetings and attended local meetings and shown details of when we were nearly flooded by the field that is directly opposite. So again, there must be a duty of care surely given to us by how you manage water on your land, so that it doesn't impact our land. Because and we have sent videos of what happened three years ago and we've had no feedback whatsoever. So we really would like some engagement into how we are going to be protected.

00:22:08:15 - 00:22:09:15

Thank you. The applicant.

00:22:11:25 - 00:22:26:18

So I understand that probably issues regarding flooding risk are probably going to be examined at its another hearing rather than compulsory acquisition. Um, and it may be that that's the appropriate place for some of these to be raised.

00:22:26:20 - 00:22:51:13

Yes we will. We will be examining those issues as well on the issue specific hearing, which will be tomorrow and those days. So there is an opportunity there, uh, to raise any, any of those concerns as well. And we have noted, obviously your submissions to um, and they are you know, the examining authority does read them and take them seriously and safely. So they are noted. And I do, um, do you know of what you are referring to?

00:22:53:01 - 00:23:03:13

Are there any further comments or. No. Okay. In that case, I'll ask if there are any other parties in the room who would like to make any comments or submissions?

00:23:05:07 - 00:23:30:15

Okay. I don't see any hands online or in the room, so I will now move on to item 3.4, which concerns statutory undertakers. Um, so I appreciate that we have discussed this this morning as well. So I think really at this point I would just be asking you to the applicant if there are any further updates, um, concerning matters arising from, you know, obviously statutory undertakers and respective compulsory acquisition and.

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The Michelle Moss for the applicant. Um, I think I can take that very briefly because the the only party which engages the compulsory acquisition, um, is is engaged, um, in relation to, to those parcels of land. Um, and I don't have any further update from from that which we referred to earlier. All the other parties, it's dealing with relevant rights for example.

00:23:58:07 - 00:24:12:06

Thank you. Are there any further comments? Okay. No, I don't see any hands up or any hands in the room. So in that case, I will now hand over to doctor McGeehan for the review of issues and actions arising. Thank you.

00:24:13:08 - 00:24:47:14

Thank you. So in terms of actions, I've just I've noted four points. Um, the first relating to, uh, Mr. Golden drone defence services. Um, in terms of providing further details as to how and why the presence of solar panels in the identified fields would affect the, um, the activities being undertaken. Um, secondly, um, the applicant to submit to the examination a plan the plan prepared to address Mr. Gill and drone services concerns regarding cables and cables of services to the property.

00:24:47:16 - 00:25:22:08

Um, I think that's already been prepared. So that should be easy to do. And then again, relating to Mr. Gill and Defence Services to provide a response to the applicant's statements regarding the status of the rights relating to this property and also the operation of the of drone defence services. So that's a discussion and ongoing discussion between between the parties to and to provide a response in terms of what's been what we've heard here and how that that can then progress. And then finally, I've noted the applicant to work with Mr. Mitchell, Mr. Gladwin, to address the concerns expressed regarding water supply to the property, which is obviously the final thing that we'd we'd discussed.

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So I'm hoping that coincides with what the applicant has noted as actions and coming out of the meeting. Um.

00:25:34:08 - 00:25:43:28

So, um, just just fine. Does anybody have any, any final comments or queries before we move to close the meeting?

00:25:51:10 - 00:26:32:17

Okay. So, um, I will thank everybody, um, present for, um, for contributing so fully and usefully to this, this hearing. Um, I note that we've not heard from our virtual participant, but I think the, the, the matters it was relating to, to drone defence services, wasn't it? I think the matters have been covered by people in the room. Um, just remind you then that a digital recording of the proceedings today will be made available as soon as possible, as practicable, on the project page of the National Infrastructure Planning website. Um, can I also remind you that we're expecting post hearing submissions, including written summaries of any oral submissions or representations made? Um, our deadline three and that's Wednesday, the 18th of February.

00:26:32:19 - 00:26:42:18

And so the time is now at 417. And this compulsory acquisition hearing for the Great North Road Solar and Biodiversity Park project is now closed. Thank you very much, everyone.