

Sea Link

Volume 5: Consultation Report

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PURPOSE

The Sea Link Project (hereafter referred to as the 'Proposed Project') is a proposal by National Grid Electricity Transmission plc (hereafter referred to as National Grid) to reinforce the transmission network in the South East and East Anglia. The Proposed Project is required to accommodate additional power flows generated from renewable and low carbon generation, as well as accommodating additional new interconnection with mainland Europe.

The purpose of this document is to set out the land referencing methodology for the Proposed Project.

The Scheme is categorised as a Nationally Significant Infrastructure Project ("**NSIP**") and consent to implement the proposals would be by application for a development consent order ("**Application**") under the Planning Act 2008 ("**PA 2008**").

The Proposed Project will affect parties with an interest in land in its vicinity and the land referencing process has been undertaken to meet certain statutory obligations set out in the PA 2008 and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("**APFP 2009**"). The methodology set out in this document has been used to identify all interests in land through diligent inquiry to consult under Section 42(1)(d), to produce the Book of Reference as part of Application submission and complete the process of issuing notices under Section 56 should the Application be accepted for examination. It will also inform the process of updating the Book of Reference as the Scheme progresses.

This document demonstrates that National Grid has satisfied the requirement for diligent inquiry.

INTRODUCTION

Land referencing is the research, analysis, and presentation of all interests in land impacted by schemes that need to acquire land or rights to use the land using powers of compulsory acquisition. Land referencing activities draw on a broad range of skills including surveying, cartography, planning and data management.

Compulsory purchase is a legal mechanism by which certain bodies (known as 'acquiring authorities') can acquire land to deliver a range of development, regeneration, and infrastructure projects in the public interest. Certain organisations are also able to apply for these powers through the PA 2008 process if a project meets certain criteria (i.e., is a Nationally Significant Infrastructure Project).

The acquiring authority needs to identify everyone who has a legal interest in, or right to occupy, the land it proposes to acquire. This would include owners (both freeholders and leaseholders), tenants and occupiers as well as some beneficiaries of legal rights. This is an important step because the information gathered will form the basis of who will be notified at

key stages of the Scheme, including being given the opportunity to object. Land referencing activities are intrinsic to fulfilling these requirements.

The parties identified through the land referencing process are detailed in the Book of Reference (**Application Document 4.3 Book of Reference**) which describes the owner and occupiers of, and those with an interest in, the directly affected land. The Book of Reference is set out in 5 parts;

- **Part 1** – Names and addresses for service for each person within Categories 1 and 2 in respect of any land which it is proposed shall be subject to (i) powers of compulsory acquisition; (ii) rights to use land, including the right to attach brackets or other equipment to buildings; or (iii) rights to carry out protective works to buildings.
- **Part 2** – Names and addresses for service for each person within Category 3.
- **Part 3** – Names of those persons entitled to enjoy easements or other private rights over land which it is proposed shall be interfered with, suspended or extinguished.
- **Part 4** – Names and addresses for service for each Crown interest in land which is proposed to be used for the purposes of the Order for which this application is being made.
- **Part 5** – Names and addresses for service for each person and description of land subject to special parliamentary procedure, special category land or replacement land.

DUTY TO CONSULT

The Planning Act 2008 under sections 42 (Notifying persons of proposed scheme) and 56 (Notifying persons of accepted scheme) specifies that the acquiring authority must consult the following regarding the proposed scheme:

- a) such persons as may be prescribed;
- b) the Marine Management Organisation;
- c) each local authority within the vicinity of the Scheme;
- d) each person as set out in section 44.

Section 44 of the Planning Act 2008 sets out the categories of persons that require identification for the purposes of consultation and notification.

- **Category 1** – A person is within Category 1 if the applicant, after making diligent inquiry, knows that the person is or is reputed to be an owner, lessee, tenant (whatever the tenancy period) or occupier of the land.
- **Category 2** – A person is within Category 2 if the applicant, after making diligent inquiry, knows that the person is or is reputed to be interested in the land or who have the power to sell, convey or release the land within the Scheme boundary.

- **Category 3** – A person is within Category 3 if the applicant after making diligent inquiry believes that the person may be entitled to make a relevant claim, meaning:
 - a claim under section 10 of the Compulsory Purchase Act 1965 (compensation where satisfaction not made for the taking, or injurious affection, of land subject to compulsory purchase);
 - a claim under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by use of public works);
 - a claim under section 152(3) of the Planning Act 2008 for land injuriously affected by the carrying out of works.

In addition to the Category 1 persons specified in the Planning Act 2008 cautioners are also identified as persons who have an interest in otherwise unregistered land.

This document sets out how National Grid (“**the Applicant**”) and the appointed Land Referencer (TerraQuest) identifies and categorises these persons with interests in land inside and outside of the Scheme.

DILIGENT INQUIRY

Acquiring authorities are encouraged to serve formal notices seeking information on all interests they have identified to find out if there are any additional interests of which they are not aware.

TerraQuest as independent consultants have been employed by the Applicant to undertake diligent inquiry on their behalf to identify those land interests which the Applicant has a duty to consult.

This document describes the methods used to compile and maintain a list for consultation under Section 42 of the Planning Act 2008, and a Book of Reference, which is required as part of the Application.

TerraQuest must achieve an appropriate level of diligent inquiry in order to demonstrate that the scheme has appropriately been referenced, with all reasonable steps having been undertaken to identify those interests in land, or otherwise any gaps in the known interests in land with appropriate mitigation steps later in the process.

In addition to the categories of parties mentioned in the section above (Duty to Consult), the Applicant must record and categorise certain other types of interest that are subject to special procedures in relation to compulsory acquisition powers. These are as follows, and the method of identifying these are described in this document:

- Commons, fuel/field allotments and open space, such as village greens, public parks, cemeteries, ecumenical land etc.

- Interests held by the National Trust (land held inalienably held as per section 21 of the National Trust Act 1907),
- Interests held by statutory undertakers. Statutory Undertakers are defined in section 8 of the Acquisition of Land Act 1981 (c. 67), including undertakers which are deemed to be statutory undertakers for the purposes of that Act, by virtue of another enactment, or which are statutory undertakers for the purposes of section 16(1) and (2) of that Act (see section 16(3) of that Act).

Further to the special categories above, the Book of Reference will also identify Crown interests that are not capable of being acquired compulsorily without agreement at Part 4.

SPECIAL CATEGORY LAND

Sections 130 to 132 of the PA 2008 govern DCOs that seek the compulsory acquisition of land and rights in land (including temporary acquisition) of "special category land".

"Special category land" is defined as "...the land identified as forming part of a common, open space, National Trust land or fuel or field garden allotment..."

These categories of land are further defined as follows:

- "common" includes any land subject to be enclosed under the Inclosure Acts 1845 to 1882, and any town or village green;
- "fuel or field garden allotment" means any allotment set out as a fuel allotment, or a field garden allotment, under an Inclosure Act;
- "open space" means any land laid out as a public garden, or used for the purposes of public recreation, or land being a disused burial ground."

Commons and Village Greens

Commons are identified through desktop research processes by using online mapping systems to ascertain Department for Environment, Food and Rural Affairs (DEFRA) records of registered commons, town, and village greens. Each local authority is also requested to provide information relating to commons, town, and village greens. Site visits are undertaken to identify any land that appears to be a common (such as being known locally as a common or through inspection of signage), and a full review of aerial photography to identify areas that have the characteristics of a common or green (such as location in a village centre or being a Site of Special Scientific Interest (SSSI) – but please note that an SSSI in of itself does not give rise to special category land implications). In these cases, further investigations are undertaken with the local authority to query these locations. This scheme does not have any identified commons or village greens with the Order Limits.

Allotments

Allotments are identified through a request to each local authority for their records. Site visits are also undertaken to identify any land that appears to be an allotment (such as being known

locally as an allotment or through inspection of signage), and a full review of aerial photography to identify areas that have the characteristics of allotments (such as a patchwork of individual gardens or peat works). In these cases, further investigations may be undertaken with the local authority to query these locations. This scheme does not have any identified allotments within the Order Limits.

Open Space

Open space is identified through desktop research processes using online mapping systems to ascertain Department for Environment, Food and Rural Affairs (DEFRA) records of registered parks and gardens, publicly accessible leisure facilities, open water and playing fields and publicly accessible nature reserves. Local authorities within the AtbR are also requested to provide information recorded and considered to be open space. Site visits and reviews of aerial photography are also undertaken to identify any land that appears to be open space (such as being set out as a public garden, appearing to be a disused burial ground (old gravestones etc.), used by the local community for recreation (sports, games, dog walking etc.), with evidence of potential recreational activities (such as park benches, picnic benches, local clubs (such as fishing, boating or yachting clubs). While the above definition can be considered to be subjective, the Applicant has taken a precautionary approach to include all land that could be considered to be open space. Investigations have identified open space within the Order Limits, and the project has taken a belt and braces approach on the beach also. These areas of open space are identified in the Special Category Land and Crown Land Plans, and in Part 5 of the Book of Reference. (See the introduction to the Book of Reference for more detail on the parts and what is included in each part).

National Trust Land

National Trust Land is identified and considered if any land identified (through the methodology contained in this document) is owned inalienably by the National Trust. There is National Trust land within the Order Limits, and there is no suggestion this land is not held inalienably by the Trust, therefore it is identified in the Special Category Land and Crown Land Plans, and in Part 5 of the Book of Reference.

Crown Land

Crown land is identified if any land identified (through the methodology contained in this document) is owned by a Crown interest (including His Majesty in right of his Crown, an interest belonging to a government department and other Crown interests noted under Section 227 of the PA 2008). This is not necessarily special category land, but similarly has certain protections to prevent compulsory acquisition of state assets. Any such land must be acquired by agreement with the relevant crown authority.

Checks and searches are undertaken, and any findings are recorded and flagged specifically in Part 4 of the Book of Reference. Engagement continues with the relevant bodies as regards the Scheme requirements and seeking necessary consent beyond the referencing process.

An assumption is also applied that land beyond the foreshore (going out to sea) is also owned by the Crown, and as such those offshore elements are treated as Crown Land in the Offshore Crown Plans, but note this part of the scheme does not appear in the Book of Reference as no compulsory acquisition is sought.

Furthermore, this project has identified plots of land registered to the Crown but successfully claimed/challenged by a third party (the Marquis of Conygham) as stated by the Crown's land agent in correspondence with the project team. As the title at Land Registry still shows the Crown as owner, TerraQuest have employed a belt and braces approach and show this land as being owned by both the Crown and the Marquis of Conygham in the Book of Reference and with reference to this on the Crown and Special Category Land Plans. Unfortunately, the Marquis of Conygham has confirmed that records of this historical ownership were lost, so a definitive answer may never be found.

SETTING THE LAND REFERENCING LIMITS

The referencing limits are set to the widest extent that the Scheme considered parties may be within the draft Order Limits or may have a relevant claim for compensation at any one time. This included referencing a wider area to facilitate the ongoing design development.

“The Order Limits” means the limits of land to be acquired permanently or used temporarily as shown on the land plans and the limits of land within which the authorised development, as shown on the works plans, may be carried out.

Order limits typically vary in their extent during the development of a scheme to account for changes in design and other factors. There may therefore be multiple iterations of draft Order Limits which reflect changes in scheme design over time. For this reason (among others) the composition of the persons with qualifying interests may also change over time. From a land referencing standpoint, the first step in working with Order Limits is to establish what the land requirements are and have these been represented graphically. See the Route to Consenting document <https://www.nationalgrid.com/electricity-transmission/document/142336/download> for detail on how the Order Limits are initially derived.

Land requirements are initially loaded directly from a shapefile supplied by National Grid Electricity Transmission plc into TerraQuest's Geographic Information System (GIS) at the beginning of the land referencing process. The shapefile details the planned extent of the Scheme, this extent forms what is known as the Area to be Referenced (AtbR). The AtbR delimits the area for which land referencing inquiries will be considered and may include areas of land which will ultimately form the Order Limits as well as areas required for access or consultation.

The land requirements, or proposed Order Limits, can also then be modified to take into account freeholders, leaseholders, tenants, occupiers, beneficiaries of rights, mortgagees etc. of all land and property that may be affected by:

1. Permanent acquisition of land;
2. Acquisition of permanent rights; and
3. a requirement for use during construction, operation and maintenance of the project, including protective and remedial works, such land being classified as temporary possession.

With regards to points 1-3 above, in addition to identification of land interests from Land Registry or otherwise public data being available on land ownership (see Desktop Referencing sections below), there may also need to be appropriate capture of the gaps between known interests within the Order Limits (by adding unknown entries into the Book of Reference or land referencing database). There may also be assumed interests added around appropriate conventions such as highway land, railway land, canals, subsoils below unregistered highways (*ad medium filum* legal presumption) and rivers/seas or other notable features on the land. Such interests may not be registered in Land Registry for example, but their likely ownership can be deduced from the suggested land use and OS features.

As described in the Duty to Consult section above, interests identified within the red line that are freehold, leasehold, tenancy or occupational interests (and some cautioners) are classed as a Category 1 parties/interests. These parties/interests are identified in Part 1 of the Book of Reference.

In addition, the referencing limits extend beyond the draft Order limits to identify:

4. Any other land in which interests may have a relevant claim for compensation under:
 - a. section 10 of the Compulsory Purchase Act 1965;
 - b. Part 1 of the Land Compensation Act 1973; or
 - c. section 152(3) of the PA 2008

With regard to point 4, the extent of interests the owners of which may be entitled to claim have been identified as those who may incur a diminution in value of their property as a result of either the execution, implementation or use of the works.

The beneficiaries of restrictive covenants and other rights that would be overridden by the exercise of powers in the DCO would be capable of making claims under section 10 of the Compulsory Purchase Act 1965 and/or section 152(3) of the PA 2008. All such legal rights and restrictive covenants registered in the Land Registry titles capable of making a claim within the draft Order limits have been identified and included within the Book of Reference as Category 2 interests. In addition, Land Interest Questionnaires (LIQs) also request information from landowners regarding any known rights which exist over the land in which they have an interest. Any such rights will also be included within the Book of Reference as Category 2 interests. Analysis has also been undertaken to identify any further informal (i.e., unregistered)

private rights of access that may result in a relevant claim, using aerial photography and assumed routes for landowner access, and verified where possible with landowners.

To identify Category 3 parties associated with Part 1 claims ahead of the section 42 consultation, ordinarily environmental experts preparing the environmental impact assessment advise on the anticipated impacts of relevant environmental factors in order to inform where properties might be adversely affected as a result of the implementation or operation of the project. The applicant needs to include any parties with an interest in land that may be able to make a claim and may include a greater number of properties in order to allow for flexibility in design post-consultation. Given the limited information available to the project at the time and the preliminary nature of assessments, a cautious approach was been taken to identifying these parties for consultation, and a 150 metre buffer was been applied around sections of the Order Limits where considerable work is proposed to be undertaken.

The physical factors listed under Part 1 of the Land Compensation Act 1973 (compensation for depreciation of land value by physical factors caused by the use of public works) include:

- a. Noise;
- b. Vibration;
- c. Smell;
- d. Fumes;
- e. Smoke;
- f. Artificial lighting; and
- g. Discharge of any solid or liquid substance onto land.

Whilst there is the potential for short-term significant adverse effects as a result of construction, the long-term operational impacts will be adequately mitigated to avoid any diminution of property values and as such are unlikely to lead to a compensation claim.

As noted above, at the point of statutory consultation and leading up to submission of the Order, environmental assessments are still ongoing. Until the assessments for noise and vibrations are completed, a precautionary approach is being used to include all properties in the proximity of receptors that may be impacted. This was identified as being all those receptors within or at the margin of 150m of the Limits of Deviation, being a buffer beyond which professional environmental advice and experience with other National Grid projects suggests it is unlikely that compensation claims may result from effects of noise or other impacts, especially when taking into account existing conditions and local geography.

It is not expected that smell, fumes, and smoke will result in any compensation claims as a result of the scheme.

The potential impacts of artificial lighting and discharge of solid or liquid substances on the land are being determined but are not expected to impact any interests outside of the limits of the scheme or those receptors identified as potentially impacted by noise and vibration.

Once this exercise is completed and interests are verified as still being in a position where they would or might be entitled to make a claim, those deemed to qualify as Category 3 interests will be retained in the Book of Reference through the DCO process.

A valuation assessment will then be required once the Scheme design is finalised to consider whether there is likely to be any reduction in value of those interests. The identification of an interest and inclusion for section 42 consultation and the Submission Book of Reference does not mean that a party may be able to make a claim nor succeed with that claim. Similarly, the exclusion of parties from the Book of Reference or consultation does not preclude them from being able to make a relevant claim.

LAND REGISTRY DATA ACQUISITION AND MONITORING

Beginning with the first draft of the AtbR, TerraQuest makes use of the Land Registry (LR) National Polygon Service (NPS). The NPS dataset shows the indicative shape and position of each boundary of a registered title for land and property in England and Wales. Every registered freehold or leasehold title has at least one index polygon.

The ingestion of the NPS data allows TerraQuest to estimate the number of registered titles within the AtbR and the potential number of land interests.

The NPS data that covers the AtbR is imported into TerraQuest's GIS and accompanying data for each registered title is processed into TerraQuest's land referencing database (the database) after TerraQuest's internal research and verification processes are completed. These processes are more fully described in the Desktop Referencing section.

In addition to utilising NPS data TerraQuest also makes use of the Search of the Index Map (SIM) service provided by LR. This service allows TerraQuest to send a GIS file and accompanying plan to LR from which LR will return a list of the registered titles, Search of the Index Map Results (SIMR). The SIMR is compared against the NPS data to confirm that the list of registered titles within the AtbR is accurate.

Once the extent of land covered by registered titles is established a second SIM is submitted covering the areas of unregistered land within the AtbR for added assurance that TerraQuest's analysis includes all registered titles and pending registrations.

Title registers and title plans are then sourced from LR, and their data processed into TerraQuest's database.

SIMs are submitted to LR periodically as part of a data refresh exercise, and additionally in the event of changes to the AtbR so that TerraQuest can keep their title data up to date at relevant points in the process such as the service of documents. More information on the refresh process is detailed below.

DESKTOP REFERENCING

For targeted referencing, the most reliable method of obtaining detailed Land Registry data is to submit a SIM and to subsequently download or order office copy documents and plans as revealed in the SIM results (SIMR).

TerraQuest reviews all registers of titles affected by the scheme, as defined in the confirmed AtbR, to identify relevant land interests. Additional documents (such as transfers, deeds, or conveyances) are ordered from Land Registry to assist with the analysis, if necessary. All relevant freehold, leasehold, mortgagee (for freehold and leasehold interests), and legal interests (easements, rights, covenants, etc.) are analysed. The outcomes of the analysis are recorded, and any necessary interests captured into TerraQuest's land referencing database.

TerraQuest engages in a robust process of researching (and verifying where possible) the relevant information of persons with land interests within each title register. This process involves using web resources provided by Royal Mail, Companies House, the Financial Conduct Authority, the Charities Commission, Experian, and others, as appropriate, to verify party details and ensure that addresses for each party are appropriate for service. Where enquiries do not result in the identification of a named party in relation to an addressable property, an additional interest named "The Occupier" is included as an additional entry to ensure the property receives notification of the section 42 consultation. In instances in which the ownership of land cannot be determined or is uncertain an interest named 'Unknown' is created. Details of inquiries into Unknown parties are covered in more detail in the Contact Referencing section.

All aspects of data analysis and capture are subject to TerraQuest's quality control and quality assurance procedures.

RECORD LAND PARCELS

Following the identification and capture of land interests with TerraQuest's GIS and land referencing database the data undergoes a process of land parcelling. This process involves dividing the land within the AtbR into separate plots based upon land ownership and land use. These plots receive unique numbers and form the basis of the Book of Reference and the Land Plans.

Accurate updates and refinement of land parcel extents are a key step in the commencement of TerraQuest's data processing activities. For the confirmed AtbR, land parcel extents are drawn to reflect current land ownership interests and are captured based on appropriate OS mapping line-work, thus ensuring GIS spatial intersections produce accurate and consistent data that Land Registry can use at the end of the Compulsory Acquisition Process.

The creation of parcels within the land referencing database enables the results of all referencing enquiries to be saved with links to relevant documents in the document store, initiating the data audit trail for each record. Parcel extents are numbered with unique numbers

that will appear in both the Book of Reference and Land Plans, and once captured into the land referencing database enable TerraQuest to provide exports of correctly structured interest data against each parcel.

CONTACT REFERENCING

Contact referencing follows on from desktop referencing and involves a number of practices to refine and update land referencing data that has been identified to date.

Land Interest Questionnaires (LIQs)

Requests for Information (RFIs) are made in the form of Land Interest Questionnaires (LIQs), plans and explanatory covering letters. These are generated from TerraQuest's Land Referencing Database for each party interest and sent to all relevant persons identified to date either electronically (upon request) or posted via Royal Mail. Posting by first class post increases the likelihood of the documents being placed in the hands of the addressees, but TerraQuest also completes comprehensive follow up activities in the form of reminder letters, emails, telephone calls or additional site visits to increase the number of responses. TerraQuest ensures an appropriate level of enquiry can be evidenced for all interests.

LIQs are created following a set template which asks recipients to provide and confirm contact details, to provide further information relating to their land interest, and to provide information regarding any other parties with interests in land that the recipient may have knowledge of. The LIQ packs contain an explanatory cover letter which provides some details regarding the proposed development, the requirement to make enquiries regarding interests in a land, and TerraQuest's role in making such enquiries as well as contact information that the recipient can make use of if they have any questions regarding the proposed development or require assistance with completing and returning an LIQ. As standard the LIQ packs also contain plans displaying the extent of the recipients' interest(s) in land which are provided in duplicate so that the recipient may amend and return one copy if needed and retain one copy for their own records. The LIQ packs additionally include a set of notes which provide further information on the questions being asked and guidance on how to complete the LIQ. LIQs can be returned to TerraQuest via a supplied freepost envelope or email. The posting of LIQs may also result in further contact events such as phone calls from recipients which may also yield pertinent information which is also logged and processed by TerraQuest team members.

Following the analysis of the returned Land Interest Questionnaire, TerraQuest will contact the affected party to clarify any missing or conflicting information revealed during the process. All results are fully documented creating a full audit trail. Any new persons identified may require additional LIQs.

Local Authority Enquiries

For each area with the Order Limits, enquiries will be made to the Local Authority within whose administrative limits the area falls, which forms a second type of RFI.

Enquiries relating to Highways' data will include requests for:

- Details of the name, classification, number, status and extent of all public highways (including public footpaths or bridleways),
- Details of the start and end point for each road/public right of way,
- Details of the type, reference and extents of any other public rights of way, and
- Details of private road not maintainable by public expense.

Enquiries relating to Planning and Land Charge data will include requests for:

- Details of statutory undertakers/utilities and private telecommunications operators in the area to be referenced,
- Details of any telecommunication masts or aerials,
- Details of any listed buildings, buildings subject to a preservation notice, ancient monuments, archaeological sites, conservation areas, tree preservation orders or any coal mining activities,
- Details of any land forming part of a common or commonable land; public park or public open space (public gardens used for the purposes of public recreation or land formerly used as a burial ground, and any fuel or field garden allotments),
- Details of any registered parks/gardens/historic battlefields,
- Details of any land which is designated as an Area of Outstanding Natural Beauty or a Site of Special Scientific Interest and any land designated as a National Park,
- Details of any other Special Category Land (as defined below),
- Details of any land that is held inalienably by the National Trust,
- Details of authority and parish boundaries where applicable,
- Details of Parish Council meetings and clerks/chairpersons where applicable,
- Land which has been acquired by statutory undertakers for the purposes of their undertaking.

Enquiries relating to Property data will include requests for:

- Details of any Freehold Interest owned or proposed by the Local Authority,
- Details of any Leasehold Interest owned or proposed by the Local Authority,
- Details of any Leases or Tenancies granted or proposed to be granted by the Local Authority,
- Details of any Adverse Rights affecting Local Authority land,
- Details of those areas subject to first registration.

Statutory Undertakers and Utility Searches

Statutory undertakers are companies that have been given statutory powers in relation to functions or services of a public nature. Their interests are usually protected in law as they are deemed essential to the public such as electricity transmission/distribution cables, gas or water mains, sewerage, or telecommunications equipment.

TerraQuest have undertaken a series of Utility searches to identify those Statutory Undertakers and Utility suppliers that may have works, facilities, networks or apparatus inside the area to be referenced and to locate these assets spatially and cross reference with existing land parcels.

Major Landowners

Enquiries will also be made to major landowners (such as NRIL, National Highways and the Department for Transport) concerning:

- Details of any Freehold Interest owned or proposed by the landowner,
- Details of any Leasehold Interest owned or proposed by the landowner,
- Details of any Leases or Tenancies granted or proposed by the landowner,
- Details of any Adverse Rights affecting the landowners' land,
- Details of those areas subject to first registration.

Section 52 – Requirement to Provide Information

The Planning Act 2008: Infrastructure Planning (Fees) Regulations 2010 guidance sets out that where an applicant is refused information, they can submit a request to the Secretary of State who can require that the information is to be provided under s.52 of the PA 2008.

The Applicant considered that Section 52 Notices were not required.

Contact Site Visits

Contact site visits are undertaken to verify land referencing information (such as ownership and other interests derived from the earlier title analysis phases) and determine non-registered interests (such as unregistered land, tenancies, occupations), as well as to follow up on requests for information that have not yet been returned, and by erecting unknown site notices for any remaining unknown gaps in the interest coverage.

Preparation for these visits will generate interest-based records for each land parcel containing the previously researched data allowing the field teams to add to or amend records following interviews with occupiers or agents on site. Where it is not possible to gain access to a property or speak to a relevant occupier, an appropriate calling card and contact information will be left behind requesting further correspondence/contact.

Upon returning from site, site enquiry records will be scanned and logged into the project document store prior to the data capture and update of the database. All site documents will be linked back to the appropriate land parcel record within the database, thus maintaining a chain of evidence for all changes logged in the database audit trail. Changes to party, address and interest details captured on site will be captured and linked to existing data maintained in the database.

Site visits may identify previously unknown parties which will require validation. Any additional outstanding information will be followed up through communication with the affected party (or any agents authorised to respond on their behalf). Full records of all contacts and enquiries will be documented, creating a continuing data audit trail. Hard copy documents will be scanned and linked to data held in the land referencing database.

Unknown Owner Site Requests for Information

Where land ownership information cannot be ascertained through desktop or site referencing methods, TerraQuest's land referencing team erect notices on site requesting information. The notice shows the unknown land ownership boundary in question and provides details of how to contact the land referencing team with any relevant information. TerraQuest typically maintains such requests for information for a period of four weeks but may adjust the maintenance period or number of times such notices are erected based on the acquiring authority's requirements. Any feedback or new parties that have been identified as a result of that feedback will be recorded in the land referencing database.

DATA MANAGEMENT

All data collected is (and continues to be) held in accordance with the Data Protection Act 2018 and is covered by the scope of TerraQuest's ISO 27001 Information Security accredited policies and processes using it solely for the purpose of supporting the proposed DCO Application.

Should it be required, or if required to respond to queries from interested parties, all details of contacts and interests may be produced.

DCO DOCUMENTS AND DELIVERABLES

List for Section 42 Consultation

The land referencing activities outlined above facilitate the production of a Consultation List, comprising a schedule of names and addresses to be sent consultation material under s42(1)(d) of the PA 2008, that is more widely known as a s44 Consultee List. TerraQuest uses the data contained in the land referencing database to produce a mailing list to be provided to the acquiring authority for the purposes of creating the full suite of consultation packs.

As per the Planning Inspectorate's ("PINS") guidance ([Guidance on the pre-application process](#)), the land referencing team will continue to identify any new and additional interests within referencing limits throughout and after the conclusion of section 42 consultation but before the Application is submitted. The Applicant will provide a proportionate opportunity to any new person identified with a land interest to make their views known on the Application. Where new interests in land are identified very shortly before the intended submission of the Application, despite diligent efforts earlier in the process, the Applicant will be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the Application is accepted for examination.

Book of Reference and Land Plans

The land referencing information data is used to produce the Book of Reference and associated Land Plans, Special Category Land and Crown Land Plans for submission as part of the DCO application and will be used to populate and issue notices under Section 56 of the PA 2008 if and when the submitted Application is accepted for examination by the Planning

Inspectorate. The draft DCO document itself and the Statement of Reasons will also refer to the land parcel numbers specified in the Book of Reference and Land Plans. Other documents may also feed on some level of information from the land referencing information such as negotiation progress lists and consultation reports.

DATA REFRESH AND FINAL CHECKS

The best practice is to refresh data at key points just before that data will be required for key processes or outputs, such as service of Statutory Notices, or production of the Final Book of Reference.

TerraQuest undertakes a check of all publicly available data (such as Land Registry title data, Companies House and electoral roll data) prior to despatch of the Book of Reference. Whilst allowing sufficient time for all required checks to be completed, it reduces to a minimum the period in which last minute un-recorded changes may occur and allows the data included in the Book of Reference and Plans to be as current as possible.

As part of the data refresh, TerraQuest undertakes a site inspection and walkover to identify any changes on site since last visited and to confirm the schedules are completed and parcel descriptions correct. These visits help verify if there have been changes to the land or potentially interests on the land, and also that the land is accurately described so that it is clear what is being impacted by the scheme.

Once all diligent enquiries have been undertaken and the data is sufficiently refreshed, a Consultation List or Book of Reference can be produced and relied upon.

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