

# Sea Link

## Volume 9: Examination Submissions

Document 9.88 Applicant's Written Summary of Oral Submissions at Compulsory Acquisition Hearing 1

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# 1. About This Document

## 1.1 Introduction

- 1.1.1 This document provides a written summary of the oral submissions made by the Applicant at Compulsory Acquisition Hearing 1, held on Tuesday 27 January 2026, in relation to the Sea Link Project (the Project).
- 1.1.2 The summary of oral submissions provided in this document follows the structure and order of the agenda items set out by the Examining Authority (ExA) in the Agenda for compulsory acquisition hearing 1 [EV6-001], notwithstanding minor variations as deemed necessary by the ExA.
- 1.1.3 This document has been prepared with the assistance of Artificial Intelligence (AI). In this instance CoPilot was used in February 2026 to help with summarising the dialogue between the Applicant and the ExA during Compulsory Acquisition Hearing 1. The Applicant's use of AI has been limited to highlighting key points in the back-and-forth discussion between the parties, captured in Tables 2.1 – 2.3. The use of AI has not replaced members of the project team taking notes during the hearings or listening back to the recordings of the hearings.
- 1.1.4 Furthermore, in line with the Planning Inspectorate's guidance, the Applicant's use of AI has been lawful and the Applicant takes responsibility for the factual accuracy of the content and conclusions within this document.

## 1.2 Attendees on behalf of the Applicant

- 1.2.1 Saira Kabir Sheikh KC appeared on behalf of National Grid Electricity Transmission plc, 'the Applicant'.
- 1.2.2 The following representatives were also in attendance:
- Jacqui Stoddart (Lands)
  - James Buckley (Onshore Engineering)
  - Ali Leeder (Consents)
  - Jasmine Lyster (Lands)
  - James Parker (Legal)
  - Adrian Pierssene (Project Director)



## 2. Written Summary of Oral Submissions

**Table 2.1 Agenda item 2: Section 122 and 123 of the Planning Act 2008 (PA2008)**

Item discussed	Summary of Oral Case
2.1 The applicant to briefly outline the case for compulsory acquisition and temporary possession and whether it meets the tests of the Planning Act 2008 (PA2008) including whether all reasonable alternatives have been considered; whether the rights to be acquired are reasonably necessary and proportionate and whether there is a compelling case in the public interest for the land to be acquired.	<p>The Applicant set out the case for the Compulsory Acquisition (CA) needed to deliver the proposed project. Explanation was given for the land included, how it is proportionate and necessary, and that the Applicant has the necessary resources to deliver the project. This position is set out in Application documents:</p> <ul style="list-style-type: none"> <li>• Statement of Reasons (SoR) <b>[REP3-012]</b></li> <li>• Book of Reference (BoR) <b>[REP3-018]</b></li> <li>• Land Plans and Schedules <b>[REP3-002 and REP3-003]</b></li> <li>• Planning Statement <b>[AS-057]</b></li> <li>• Description of the Proposed Project <b>[REP1A-003]</b></li> </ul> <p>Continuing, the Applicant explained that the land subject to CA is necessary, proportionate, and supported by sufficient resources to deliver the proposed high-voltage direct current (HVDC) link. The SoR <b>[REP3-012]</b> and supporting reports outline the project's need, the assessment of reasonable alternatives, and the justification for selecting the preferred route, landfall areas, converter station sites, and cable corridors.</p> <p>A compelling public interest case is made based on the urgent need to accommodate growing renewable and low-carbon energy generation, meet government offshore wind targets, and strengthen the national electricity network. National Policy Statements recognise that compulsory acquisition may be required for such infrastructure.</p> <p>The Applicant submits that the powers sought are proportionate, using a strategy that prioritises temporary possession during construction and securing only the smallest necessary permanent land and rights afterwards. This approach reduces long-term impacts on landowners while retaining construction flexibility. Permanent acquisition is limited to areas where land use will permanently change, including for the principal permanent assets such as the converter stations and substations.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant concluded that the statutory tests are met: the land is required for the project, the public interest case is compelling, and the proposed land acquisition is reasonable, proportionate, and essential for delivery.</p> <p><b>Action Point 1: Provide in writing the oral submission supplied setting out the case for compulsory acquisition/ temporary possession against the tests in the Planning Act 2008.</b></p>
Alternative access routes to the Suffolk converter station	<p>The Applicant confirmed that during the development stage of the project and following consultation, alternative access routes to the converter station site were considered. One to the north, one to the west and one to the east. Back checks were undertaken, including in respect of alternatives proposed by Suffolk County Council. Leiston Airfield and the Sizewell C (SZC) link road were considered. However, the latter could not be relied upon as it is understood that it will not be complete until late 2027.</p> <p>Further explanation was given around consideration of different impacts on land arising from the longer routes to the north. These would increase travel times to site by at least 30-40 minutes, which over the duration of the project the alternative routes could increase the project delivery between 22,000 hours and 34,000 hours depending on the direction of travel from the North or the South on the A12.</p> <p>The chosen route is achievable and is the shortest route to site, allowing full control over the construction traffic. It would not interact with the SZC traffic and link road. The B1119 is currently unsuitable for large vehicles and is also the Sizewell B evacuation plan emergency route.</p> <p>In terms of overall impact on landowners, the chosen route has the least impact on all those considered.</p> <p><b>Action Point 2: Provide further detail of potential alternative access routes to the Saxmundham converter station (SCC Action).</b></p> <p><b>Action Point 3: Provide response in relation to suggested alternative routes provided by SCC at DL4.</b></p>
2.2 Specific questions regarding, but not limited to;	<p>Unregistered land</p> <p>The Applicant stated that the total amount of unknown unregistered freehold area across the entire project is less than 2% (equivalent to 13.15 hectares or 32.49 acres), but the exact number of plots is not known therefore the Land Rights Tracker (LRT) [REP3-059] can be updated to provide clarity. It is acknowledged that there are discrepancies reported in the Book of Reference (BoR) [REP3-018].</p> <p>The Land Referencing Methodology [APP-315] is fairly standard and sets out a series of criteria to identify interests in land, starting with desktop assessments (land registry, electoral rolls, etc), contact referencing (contacting people we know through questionnaire).</p>

Item discussed	Summary of Oral Case
	<p>A data refresh was provided at Deadline 3 and every time the Applicant meets with landowners, questionnaires are continuing and unregistered site notices are posted—which has led to plots being picked up.</p> <p><b>Action Point 4: Update the Land Rights Tracker to provide a list of unknown land plots (rather than all plots with an element of unknown). Include specific detail for each plot as to ongoing investigations.</b></p>
Suffolk plot: 1/9	<p>The Applicant responded, indicating that the frequency of major scale works where this plot would be used is likely to be around every 20 to 30 years when there is a need to change major equipment on site.</p> <p>Other site maintenance will occur at intervals ranging from annually/bi-annual, five-yearly and ten-yearly intervals within the converter station site itself.</p> <p>Plot 1/9 would be used temporary for setup to build the bridge and at the end of the project. It will be returned to the landowner for use as an arable field—albeit noting there is a planning application for a dog walking field. When returning in 20 to 25 years there would be a notice period to the landowner, otherwise the only other time would be for decommissioning of the project.</p> <p>It is necessary to retain permanent rights here due to being held to ransom on other projects where this right hasn't been retained, resulting in paying more or having to operate in plots of land that aren't suitable or close enough to the site.</p> <p><b>Action Point 5: Provide in writing the oral submission supplied which provided detail in relation to the anticipated future use of Suffolk plot 1/9</b></p>
Suffolk plot 1/11	<p>Explanation was given for the mitigation works in this plot requiring 26ha – illustrated in the works plan. CA is due to the nature of the land changing and needing to retain control over it to ensure deliverability of the mitigation proposals.</p> <p>Plot 1/11 is split into different areas of work. Skylark habitat is actually a change in farming practice. Control of the plot ensures no risk of compromise for the mitigation measures.</p> <p>The area to the west is associated with mitigation around the Fromus Bridge within the same ownership. CA is considered appropriate because it changes the nature and current use of land.</p> <p>Alternatively, through a leasehold arrangement the landowner could deliver mitigation on the Applicant's behalf. There is a commitment in the REAC [REP3-078] for skylark plots. These are not shown on the OLEMP [PDA-035] but will take inclusion of this detail in the OLEMP [PDA-035] as an action.</p> <p><b>Action Point 6: Provide an inset or similar to the works plans for Suffolk plots 1/11, plots 2/55 to 2/85, and Kent plots 2/123 and 2/133 to show additional information on the various elements proposed</b></p>

Item discussed	Summary of Oral Case
Suffolk plot 2/58 (including 2/55 and 2/85)	<p>The Applicant outlined proposals in relation to those of Scottish Power Renewable (SPR) and the need—based on mitigation for landscape and visual impacts and drainage requirements. The area around Friston substation, included in the drawing is largely as under Scenario 2, where we would have to mitigate the effects. As we are aware of their consent, the white space (outwith our Order Limits) is to allow SPR's build.</p> <p>The Applicant committed to providing an inset plan in the OLEMP <b>[PDA-035]</b> to show what is happening in more detail on plot 2/20.</p> <p>Responding to comments from an Affected Party, the Applicant confirmed that the wider area is to route the cables through the SPR landscape mitigation. Being aware of outline landscape mitigation plan for SPR, the DC cable route has been designed to limit impacts on SPR proposals.</p> <p>Responding to comments about the width of land take compared to SPR, the Applicant noted that the existing 33kv line needs to be diverted alongside the access road, also allowing space for mitigation for the access road and avoiding mature trees.</p> <p>The Applicant committed to discussing with the Affected Party to determine if there is scope to reduce the width of that plot.</p> <p>In addition there was agreement to further discussion with the Affected Party about access between two fields (2/37 and 2/20) required for temporary possession to provide farm access.</p> <p><b>Action Point 7: Clarify the need for the entirety of Suffolk plot 2/20 for mitigation given that no mitigation is shown in the outline landscape and environmental management plan (oLEMP) for areas of this plot.</b></p>
Suffolk plot 2/72	<p>The Applicant committed to ongoing discussion with the Affected Party to find a resolution to matters raised in relation to this plot.</p> <p><b>Action Point 8: Provide an explanation for a wider haul road/access road strip in Suffolk plots 2/20 and 2/7 when compared with Scottish Power Renewables (SPR) scheme. Consider whether the width can be reduced within the examination whilst still retaining veteran tree(s).</b></p> <p><b>Action Point 9: Meet Mr Rix regarding impact on referenced plots including Christmas Tree plots and to provide further justification for need for planting adjacent to western access road and 18m screening. Provide an update on negotiations including response to Mr Rix request to be able to move agricultural machinery between fields within Suffolk plots 2/36 and 2/37 and review the need for the entirety of Suffolk plot 2/20 given Mr Rix's access requirements.</b></p>
Suffolk plot 1/12	<p>The Applicant outlined its commitment to consideration of other projects throughout the entire pre-application process, in terms of colocation and coordination. Inclusion of the full extent of the highway here is intended to allow implementation of traffic control measures to reduce the impacts there. There is a need for traffic</p>



Item discussed	Summary of Oral Case
	<p>management for drainage works and planting, therefore possession of over the road allows traffic management. This would still be required without LionLink.</p> <p>In response to a query about land required for other projects, indication was given that in the area around 1/12 there are three potential construction compounds, although only one will be required (as confirmed in the SoR [REP3-012])—this essentially provides flexibility in coordination with LionLink. This relates to plots 1/22, 1/29, 1/38 and 1/42.</p> <p><b>Action Point 10: Provide in writing the oral submission supplied which clarified the need for the widened section of Suffolk plot 1/12.</b></p>
Suffolk plot 4/7	<p>The Applicant noted the ExA’s observation regarding the mitigation acid grassland, stating that this represents what is needed for delivery and is on a list of actions to address.</p> <p>During the discussion the ExA queried why plots 4/27, 4/28, and 1/97 remained within the Order limits and were assigned Class 10. The concern raised was that retaining these plots within the Order limits could unintentionally expose them to order land powers, despite no rights being sought.</p> <p>The Applicant explained that the decision to apply Class 10 was initially taken to avoid the extensive updates that would be required across multiple documents if the plots were removed. However, acknowledging that the area involved had increased the Applicant accepted an Action Point to review the plots again and consider whether removing them from the Order limits would be more appropriate.</p> <p>Responding to the ExA reiterating concern around application of Article 27 having unintended consequences, the Applicant suggested that the powers are self-limiting, although agreed to revisit the issue and provide a fuller explanation as an Action Point (AP12).</p> <p><b>Action Point 11: Amend works plans to reflect smaller extent of acid grassland enhancement in works no 15 (Suffolk plot 4/7).</b></p> <p><b>Action Point 12: Consider the removal of Suffolk plots 4/27, 4/28 and 1/97 identified as Class 10 from the order limits. Any change to be submitted before DL5.</b></p>
Kent plots 2/123 and 2/133	<p>In response to a request for explanation of what is planned in this area and the associated mitigation at the converter station/substation site the Applicant described the colour-coding on the plan:</p> <ul style="list-style-type: none"> <li>• yellow denoting the converter station footprint</li> <li>• orange indicating the substation and its connecting works</li> <li>• blue showing attenuation ponds</li> <li>• the remaining areas assigned for landscape and ecological mitigation</li> </ul>

Item discussed	Summary of Oral Case
2.3 The applicant to provide a brief update on the progress of negotiations and deadlines for their conclusion for those parties with outstanding objections	<p>The applicant also confirmed that overhead line works to the south fall within the same work area.</p> <p>The Applicant noted the ExA's observations of the complex overlapping nature of the plans and asked the agreed to consider producing clearer mapping including the Suffolk area.</p> <p>In response to further queries on the eastern extent of Plot 2/133 about proposed permanent acquisition despite being shown as a temporary construction compound, the Applicant reiterated its the need to retain flexibility to reinstate compounds during the project's operational life but agreed to take away and respond specifically on how this would interact with the mitigation strategy. This was recorded as an action point (AP13).</p> <p><b>Action Point 13: Explain how the potential reinstatement of the temporary construction compound in plot 2/133 would interact with landscape mitigation.</b></p> <p>The Applicant indicated it is continuing to pursue engagement. Heads of Terms (HoT) discussions are progressing well.</p> <p>A number of meetings have been held with landowners since the latest submission of the Land Rights Tracker <b>[REP3-059]</b> at Deadline 3</p> <p>A number of parties who previously hadn't engaged with the Applicant have recently provided useful feedback which The Applicant is acting on</p> <p>A number of meetings have been arranged for the next few weeks to discuss Heads of Terms further.</p> <p>The Applicant expects a number of signed Heads of Terms to be returned in the coming weeks and The Applicant will continue to engage with landowners to secure voluntary agreements where possible and as soon as possible.</p> <p><b>Action Point 14: Update Schedule of Negotiations (SoN) to include missing representation numbers.</b></p>
	<p>The Applicant presented the schedule of negotiations to show progress in each case.</p> <p><b>Jean Spanton:</b> feedback received from the party's agent followed by further discussions including working through points on vehicle movements via the temporary access.</p> <p><b>Kent County Council:</b> received agent feedback and responded to clarify queries on HoTs; negotiations ongoing.</p> <p><b>Thanet District Council:</b> agent appointed to progress HoT; initial comments received 16/01/2026; Applicant response 19/01/2026; negotiations ongoing; agreement before end of examination is anticipated. Responding to further points raised by the agent the Applicant will take away points. In regard to easement width, nothing has</p>

Item discussed	Summary of Oral Case
	<p>changed on the proposals, the Applicant has corrected the easement width in the HoTs due to a previous drafting error for Marine cable easement width.</p> <p><b>Ian David Mather:</b> objections raised are not directly related to HoTs and the rights being sought; meeting with agent 14/01/2026 and looking to finalise HoTs in the next month.</p> <p><b>Struan Robertson:</b> agents are meeting 05/02/2026 to discuss HoT further. Discussing accommodation works and access rights during and after construction.</p> <p><b>Kent Wildlife Trust (KWT):</b> as a landowner KWT has been unresponsive to the Applicant's attempts to engage.</p> <p><b>John Robert Collins and Richborough Estate:</b> dealt together as same representation. HoT issued, but no recent agent engagement. Visited John Collins to understand his position relating to the scheme and understand he is now engaging with his appointed agent. To clarify, clause in the HoT in relation to not objecting the Project has been updated throughout Suffolk and Kent, only referring to CA powers only – this was mentioned in both party's RR.</p> <p><b>Andrew Johnson (Estate of Michael Cotton Garratt):</b> objection raised re: consultation with them and that proposals should be for overhead lines rather than underground. Further clarifications being sought through email correspondence. Update to be provided in writing.</p> <p><b>Marquess of Conyngham:</b> ongoing agent engagement with probate claim (seeking agreement in principle), although the agent has indicated they are content with the terms put forward at this stage subject to the grant of probate.</p> <p><b>Ian Peter Alan Smith:</b> Kent temporary construction compound; the Applicant is aware of this landowner proposing alternative development; engagement is ongoing to clarify timescales of alternative development proposals and seeking understand if the two developments can happen in parallel. Clarifying those timescales ideally in the next update of the tracker at D5.</p> <p><b>Nicolas Jon Stuchfield:</b> discussions about impact on residential amenity with a meeting scheduled for 23/02/2026; correspondence with the agent negotiating terms with agent. A further meeting with the agent scheduled for 12/02/2026. Looking likely to find resolutions during examination.</p> <p><b>James Henry Rogers:</b> ongoing engagement in relation to an option he has with a battery storage site that overlaps with cable Limits of Deviation (LoD) in this area. Applicant is seeking to understand the timelines of other developments but working to reach agreement before the end of examination.</p> <p><b>William Notcutt Estates:</b> discussion on mitigation areas and access road. Final HoT to address outstanding issues on retained access to be issued in the next week.</p>

Item discussed	Summary of Oral Case
	<p><b>Michael Mahoney:</b> confirmed The Applicant is able to rely upon the existing Overhead Line Deed but included it in the applications for completeness. Updated required to the documents to reflect the position and will be done for D4.</p> <p><b>Lindsay Peter Tomlinson:</b> working with the agent to agree template terms; agents are meeting on 12/02/2026 to agree terms.</p> <p><b>Andrew Michael Hillard Heald:</b> objection does not specifically mention land matters; agents had correspondence in December and met on 14/01/2026. Likely to reach agreement during examination.</p> <p><b>Simon Fulford:</b> subject to the same principle as Mr Mahoney; no further updates or discussions.</p> <p><b>Blackheath Farms Limited:</b> relevant representation cited farming practices, requiring discussion to agree practical matters and matters on construction; meeting with agent on 04/02/2026 to discuss HoT.</p> <p><b>Robert Roy Jonas Nichol</b> (links with Caroline Nichol and Gerlinde Edmunds): objections regarding impacts on agricultural land and drainage; ongoing agent engagement regarding commercial terms. Positive about reaching agreement.</p> <p><b>East Suffolk Council (ESC):</b> issues relating to project need; Applicant's agent has been in discussion with ESC on HoT since February 2025; ESC informed the Applicant of appointing an agent in October 2025 and met in December 2025. Clarifications and queries are ongoing, awaiting feedback from ESC agent on queries.</p> <p><b>RSPB:</b> objections are predominantly environmental concerns; the Applicant has had discussions in regard to HoT and expect to reach agreement.</p> <p><b>Ian Charles Rix:</b> there are a number of issues to work through with them and pursuing a meeting with them and agents. Various Teams meetings have been held relating to the hedgerow discussed – this is essential landscape mitigation and has evolved through discussion with local farming community. Also, there is a drainage ditch in this area that needs to be accessed, maintaining space for the tree planting. Impacts on businesses are recognised but believe the land required is necessary and proportionate.</p> <p><b>Estate of Terrence James Martin Haworth:</b> objection relating to impact on local communities (scheme in general). Ongoing communications with agent, provisional date for 11/02/2026 and follow up with agent on 12/02/2026 in order to progress HoT.</p> <p><b>Aldeburgh Golf Club:</b> objections relate to the need for project rather than specific CA points. Ongoing discussion with agents, meeting on 29/01/2026 in relation to HoTs. Discussions are ongoing around the golf club extension and reservoir development. Looking likely to reach agreement in principle, notwithstanding views expressed more widely by the membership of the golf club. The Applicant has changed the route of the cable around the golf course and has worked very closely with them in the last three or four years (include this detail in the update to schedule of negotiations)</p>

Item discussed	Summary of Oral Case
	<p><b>Scottish Power Renewables (SPR):</b> ongoing engagement. Options have recently been exercised, updated BoR and LRT on the back of that. Expecting to reach agreement by the end of the examination. Ongoing work in the background to seek agreement (as with lots of landowners). The Applicant would only exercise the CA rights where there is no voluntary agreement in place.</p> <p>The Applicant confirmed that it would provide an update on parties not referenced in the SoN including <b>Amyas Peto, David and Shareen Roberts, Erik Collins, Hilda Mary Chaston, Jane Taylor, Karen Collins. These are set out in response to Action Point 20.</b></p> <p><b>Manston Thorne Limited:</b> confirmed recent engagement and relationship with UKPN and responsibility for an export cable. Protective provisions are under negotiation with UKPN that should requirements.</p> <p><b>Pippa Southorn / D H Clifton:</b> (tenant not owner) – agent engagement most recently on 21/01/2026 to discuss ongoing project wide (not CA) concerns relating to project. The Applicant is negotiating HoT with freeholder of the land and it is the responsibility of landowner to get consent from tenants, therefore recognising the importance of not undermining landowner agreements before detailed terms are issued</p> <p><b>Roger and Wendy Skinner:</b> Applicant to check and update.</p> <p><b>Statkraft UK Ltd:</b> Applicant is aware of land interest; no meeting set up yet and unaware of project timelines to inform understanding of whether the two developments can be compatible.</p> <p><b>Steven Roberts:</b> Applicant to check and update. They have been missed on the schedule of negotiations, although the vast majority are category 2 or 3 interests. It is recognised they have compensatable interest.</p> <p><b>Action Point 15: Meet and update on negotiations with Thanet District Council by DL4.</b></p> <p><b>Action Point 17: Update SoN to provide further details regarding use of Whitehouse Drove.</b></p> <p><b>Action Point 18: Update SoN to include detail of discussions with landowners to clarify outstanding concerns where agreement has not been reached.</b></p> <p><b>Action Point 19: Request affected persons withdraw objections when agreement is reached.</b></p> <p><b>Action Point 20: Update on parties not referenced in the SoN, including Amyas Peto, Stephen and Cherian Roberts, Erik Collins, Jane Taylor, Karen Collins, Manston Thorne Ltd, Pippa Southorn, Roger Alfred Stanley and Wendy Lynn Skinner and Statkraft UK Ltd. Also Hilda Mary Chaston (Suffolk plot 3/1) including clarification on inclusion within the Book of Reference.</b></p>



**Table 2.2 Agenda item 3: Sections 130, 132 and 135 of the PA2008 – Special category and Crown land**

Item discussed	Summary of Oral Case
<p>3.1 Applicant to provide a brief update on the current position with respect to negotiations with National Trust. Including the timetable for identifying key milestones towards reaching agreement (in relation to the examination timetable) and the likelihood and implications of agreement not being reached before the close of the examination.</p>	<p>Regarding the National Trust (NT) the Applicant confirmed that interest in land is inalienable. NT had indicated that they did not object to the scheme in principle, but we have since received a formal objection.</p> <p>NT has specific concerns on the methodology for construction, but the Applicant is optimistic that it can explain the methodology and work through issues with them and allay any fears. A technical note on the methodology has been produced with visuals explaining any uncertainty re methodology in Pegwell bay. NT's concerns are specifically regarding the easement width being increased from 30 metres to 86 metres. The Applicant confirmed they would provide an explanation and give reasons for this change and the basis for increased land take, which is provided below. Explanation needs to be given as to the reason for this change and the basis for increased land take.</p> <p><b>The Applicant response regarding the increase in cable easement:</b> The initial easement width of 30 meters relates to a standard cable general arrangement. The update from 30 meters to 86 meters relates to the specific general arrangement at the trenchless (HDD) exit at the landfalls, in this case the Kent landfall. The individual HDD alignments at the landfalls require a wider easement to accommodate the separation between trenchless (HDD) alignments and a buffer.</p> <p>In response to queries over the number of plots in the Land Rights Tracker and SoR the Applicant confirmed an update is required to ensure they align. The SoR only deals with the NT plots where permanent rights are needed.</p> <p><b>Action Point 21: Provide an update in relation to outstanding National Trust issues including a timetable for resolution within the examination.</b></p> <p><b>Action Point 22: Revise all land plans/Book of Reference (BoR) /Statement of Reasons (SoR) to ensure accurate and correct in relation to National Trust land.</b></p>
<p>3.2 Applicant to provide a brief update on the current position with respect to open space land. Including the timetable for identifying key milestones towards</p>	<p>The Applicant stated that when burdened with the rights sought for the project, areas of open space will be no less advantageous, noting that open space is enjoyed at the surface of that land used by the public.</p> <p>The certificate for exemption is set out in page 4 of the draft Order [REP3-006]. From experience across multiple schemes, the approach to the identification of the open space has been precautionary. The Applicant is confident in the analysis that has been set out.</p> <p>In the case Pegwell Bay, it transpired that there were, in fact, signs on site and a set of bylaws restricting access, making plain that people should not be there.</p>

Item discussed	Summary of Oral Case
<p>reaching agreement (in relation to the examination timetable) and the likelihood and implications of agreement not being reached before the close of the examination.</p> <p>We understand that applicant is seeking a certificate from SoS to confirm Special Parliamentary Procedure (SPP) does not apply. How confident are you that you will get that granted by the SoS?</p>	<p>In response to a request for clarification about plots 6/3 and 6/5 the Applicant committed to checking the details and undertaking a thorough review—noted as an Action Point for Deadline 4.</p> <p><b>Action Point 23: Correct the error in the open space land in the BoR, where Suffolk plots 6/3 and 6/5 are listed twice.</b></p> <p><b>Action Point 24: Clarify why some plots described as ‘open space’ in the BoR part 1 are not included in part 5.</b></p>
<p>3.3 Applicant to provide a brief update on getting consent for the inclusion of the Crown land. Including the timetable for identifying key milestones towards reaching agreement (in relation to the</p>	<p>The Applicant confirmed that a request for S135 has been issued and HoT negotiations are ongoing, a further update will be provided in due course. The Applicant remains committed to reaching an agreement with the Crown Estate and we will provide updates as matters progress.</p> <p>For context, there are Crown negotiations going on across a suite of projects, where the Applicant is trying to negotiate collectively rather than on a project-by-project basis</p> <p>Confirmation was given that engagement has been ongoing and the stakeholders are aware of the Examination and the deadlines.</p> <p>As part of the land registry data refresh (as referred to at previous agenda items), there was one plot of land that was previously believed to have reverted to the Crown (Eschaeat), but now understood to not be the case, and will therefore be removed from the Book of Reference <b>[REP3-018]</b>.</p>

Item discussed	Summary of Oral Case
examination timetable) and the likelihood and implications of agreement not being reached before the close of the examination.	<p>From previous experience in respect of Crown Land and S135 consent, the timescales and engagement at this stage of the Examination is fairly typical. The Applicant is confident that Crown Land Consent will be forthcoming and resolved before the end of Examination.</p> <p><b>Action Point 25: Update on Crown land consent with key milestones towards reaching agreement (in relation to the examination timetable) and the likelihood and implications of agreement not being reached before the close of the examination.</b></p> <p><b>Action Point 26: Revise all land plans/BoR/SoR to ensure accurate and correct in relation to crown land.</b></p> <p><b>Action Point 27: Submit a section 135 case to explain how the scheme could go ahead without the benefit of crown land if crown consent will not be obtained by the close of the examination.</b></p>

**Table 2.3 Agenda item 4: Sections 127 and 138 of the PA2008 and Schedule 15 of the dDCO – Protective**

Item discussed	Summary of Oral Case
4.1 The applicant to provide an update on the progress with the drafting/ agreement on protective provisions.	<p data-bbox="477 284 2063 389">The Applicant highlighted that the Statement of Reasons [REP3-012] sets out where the Proposed Project interferes with Statutory Undertaker land and how the Applicant proposes to ensure the proposed project will not cause serious detriment to the undertaking or can be made good.</p> <p data-bbox="477 405 2078 542">Fourteen statutory undertakers and other stakeholders have requested bespoke protective provisions. The Applicant is working hard to understand each party's specific requirements and reach agreement before the end of the examination. An update on the progress of these negotiations is set out in Land Rights Tracker [REP3-059] and Schedule of Protective Provisions [REP3-071].</p> <p data-bbox="477 558 2074 695">The Applicant confirmed that progress is being made insofar as protective provisions have been drafted and are subject to ongoing discussions between the parties around the detail of specific requirements. We are working toward the conclusion of technical interface assessments that will inform the requirements for the interested party to issue draft protective provisions for the Applicant to review.</p> <p data-bbox="477 711 2078 849">In the case of the affected Port Authorities requesting protective provisions, it is understood from recent engagement that Harwich Haven and London Gateway Port will accept similar terms to those being negotiated by the Port of London Authority (PLA). Since discussions with the PLA are well-progressed it is anticipated that agreement with these parties can be reached relatively soon.</p> <p data-bbox="477 865 1984 970">Five parties are still to confirm if protective provisions are the most appropriate mechanism for securing the protection of their assets. The Applicant is proactively engaging with these parties in order to clarify their requirements and hasten progress.</p> <p data-bbox="477 986 2038 1053">A small number of parties have not responded to the Applicant's attempts to secure further engagement. In the meantime, however, the Applicant continues to be proactive in seeking responses.</p> <p data-bbox="477 1069 2063 1248">In response to a request to see at least draft versions of the bespoke protective provisions the Applicant stated that real progress is being made and updates will be provided at the next possible deadline, although the Applicant is hesitant to provide draft Protective Provisions on the face of the draft DCO [REP3-006], when the agreement has not been reached. Recognising the value in resolving issues outside of the Examination process, in order to provide clear resolution to the ExA.</p> <p data-bbox="477 1264 2045 1331">In response to comments from SPR the Applicant reiterated its commitment to ongoing discussions to progress the matter.</p> <p data-bbox="477 1347 2029 1414"><b>Action Point 28: Provide an update with respect to protective provisions. Summarise information as to which parties you think there will be agreement with and which may not.</b></p>

Item discussed	Summary of Oral Case
4.2 The ExA will invite updates from statutory undertakers as to their position in respect of s127 and s138 of the Planning Act 2008, the matters which remain outstanding and timescales for providing any alternative wording to Schedule 15 of the dDCO.	<p>No response given.</p> <p><b>Action Point 29: Submit a section 127/138 case setting out how the proposed development could proceed without impeding the ability of the Statutory Undertaker, who have objected, carrying out their undertakings for any outstanding objections.</b></p>



**Table 2.4 Agenda item 5: Funding**

Item discussed	Summary of Oral Case
5.1 The applicant to provide any further updates to the Funding Statement and whether adequate funding is likely to be available to enable the compulsory acquisition to proceed within the statutory period following the development consent order being made, if it is made.	<p>In response to a question about updates to the Funding Statement <b>[REP3-010]</b> the Applicant confirmed the funding statement update was made in error at the end of 2025 based upon the incorrect assumption the Project Assessment had been submitted, which was not the case. The Applicant then confirmed that the Funding Statement <b>[REP3-010]</b> was submitted at Deadline 3 to correct this error. Subsequently, the Project Assessment was submitted to Ofgem prior to these hearings in January 2026.</p> <p>The Applicant stated that it directly funds capital investments in the National Electricity Transmission System (NETS) in England and Wales through a combination of debt, equity and revenue. The Project has funds available, contracts with the main contractors are committed for key long lead equipment.</p> <p>The Project Assessment directly impacts the amount of revenue that the company can recover over the long term. Ofgem has approved this early investment via the early construction funding mechanism.</p> <p><b>Action Point 30: Provide in writing the oral submission supplied setting out the outcome of Ofgem’s decision and its impact on the funding of Sea Link. Update the funding statement as necessary to provide clarity with respect to funding in general and in particular regarding the pre-construction funding allowance.</b></p>

**Table 2.5 Agenda item 6: The Equality Act 2010**

Item discussed	Summary of Oral Case
6.1 The applicant to provide further detail in relation to the response to ExQ1 question 1GEN72 in respect of compliance with the Equality Act 2010.	<p>The Applicant is committed to continual engagement with affected parties. Where protected characteristics have been identified, the Applicant has taken into account the required and requested measures and has communicated and treated those landowners accordingly.</p> <p>Landowners and occupiers are encouraged to appoint professional representatives, offering meetings where appropriate at agents' offices or via MS Teams—taking a steer from individuals and their agents as to the most appropriate means of engagement.</p> <p>In response to a request for further detail the Applicant committed to preparing a report / note setting out what has happened over a period of time, and the decision-making that has taken place in respect of particular persons or groups. This will collate documentation and evidence to confirm everything that has taken place to ensure in line with the Equalities Act 2010.</p> <p><b>Action Point 31: Provide detail on measures that have been undertaken to ensure compliance with the Equality Act 2010 in engaging with all parties, including affected persons, identified since the Equalities Impact Assessment was undertaken.</b></p>



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