

**The Great Grid Upgrade**

Sea Link

# Sea Link

**Volume 9: Examination Submissions**

Document 9.132 Applicant's Written Summary of Oral Submissions at Compulsory Acquisition Hearing 2

Planning Inspectorate Reference: EN020026

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**nationalgrid**

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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 2, held on Wednesday 25 March 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 2 [EV8-001], 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 April 2026 to help with summarising the dialogue between the Applicant and the ExA during Compulsory Acquisition Hearing 2. 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 – 2.4. 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)
  - Jasmine Lyster (Lands)
  - James Parker (Legal)

## 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
<b>2.1 The applicant to provide an update on progress in determining the ownership of unknown unregistered land plots</b>	
Update on unknown and unregistered	<p>The Applicant explained that it continues to undertake diligent inquiry to identify and reduce unknown and unregistered land interests across the Order limits. The most recent comprehensive data refresh was completed in December 2025, ahead of Deadline 3. This involved submitting edition dates for all relevant titles to HM Land Registry and reviewing any discrepancies identified on the registers. Checks were carried out to capture changes such as deceased parties, updates to proprietorship entries, company name changes, and address amendments, with records updated accordingly.</p> <p>In addition, a Search of the Index Map was submitted for the Category 1 Order limits. This process assists in identifying any additional registered titles within the Order limits, ensuring that they are captured where relevant and helping to minimise the extent of unknown ownerships. The Applicant also noted that responses to Land Interest Questionnaires continue to assist in reducing unknown interests as information is returned, in accordance with the Applicant’s land referencing methodology.</p> <p>The Applicant confirmed that its land referencing methodology is appended to the Consultation Report at Appendix G. It was emphasised that the approach taken is one of diligent inquiry rather than perfection, and that the presence of some unregistered land is not unusual for a project of this scale and nature.</p> <p>The Applicant outlined the ongoing steps taken as part of this process, including regular HM Land Registry and Companies House checks, sliver land checks, issuing Land Interest Questionnaires, and the erection of site notices at unregistered plots wherever possible. The Applicant also engages directly with known landowners and their agents through face-to-face engagement where appropriate.</p> <p>Overall, the Applicant confirmed that the total area of unknown unregistered freehold land across the project amounts to less than 2% of the Order limits, equivalent to approximately 13.15 hectares (32.49 acres).</p> <p><b>Newly Identified and Updated Land Interests</b></p> <p>The Applicant addressed specific examples of recently updated or newly identified interests. In relation to a residential property in Kent, the Applicant explained that a change of ownership had been notified to the</p>

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Item discussed	Summary of Oral Case
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Examining Authority, but the updated ownership details were not yet available on the Land Registry. The Applicant confirmed that its records, Book of Reference and supporting documents had been updated to reflect this position by replacing the former named owners with “the Owner”. Statutory notices and a Land Interest Questionnaire were issued to the new owners once identified, and further reasonable steps were taken to obtain updated information, including attempts to contact the previous owners. No responses had been received at the time of the hearing.

The Applicant also explained the position in respect of an unregistered track in Kent, confirming that a cautionary interest exists adjacent to known landowners and that this will be reflected in the next update to the Book of Reference.

Since the last Compulsory Acquisition Hearing, the Applicant identified one additional Category 1 interest in Suffolk, which has been recorded accordingly. The Applicant confirmed that there are currently 63 unregistered plots across the project, excluding reputed owners, mines and minerals, and highways.

Finally, the Applicant confirmed that it will provide a further update to the Land Rights Tracker at Deadline 6, setting out the specific steps taken to date and the continuing actions being pursued to identify any remaining unknown owners of unregistered land.

**Action Point 1: Applicant to provide written evidence of progress in determining the ownership of unknown unregistered land plots.**

**Action Point 2: Applicant to update the unregistered tab of the land rights tracker with specific actions that have been taken to identify the ownership of plots and to identify what the plots are comprised of, for example, ditches.**

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**2.2 The applicant to provide an update on the progress of negotiations and deadlines for their conclusion for the following affected persons. Where an objection is outstanding include detail as to what the objection is and, what has been, and will be done towards reaching an agreement:**

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Aldeburgh Golf Club	The Applicant confirmed that the golf club continues to maintain an objection in principle to the scheme. The Applicant explained that this objection is not expected to be withdrawn; however, the golf club has confirmed that it does not object to the compulsory acquisition powers. The Applicant emphasised that constructive engagement is ongoing.
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The Applicant outlined that discussions are progressing in relation to a Statement of Common Ground, with a focus on agreeing appropriate accommodation works during construction. Meetings have taken place on multiple occasions with the golf club and its agent, and dialogue has been ongoing for several months. The Applicant

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Item discussed	Summary of Oral Case
	<p>anticipates that a draft Statement of Common Ground will be submitted at Deadline 6, acknowledging that discussions are likely to continue beyond examination and into the pre-construction phase.</p> <p>The Applicant explained that the golf club’s primary concerns relate to minimising disruption to the operation of the course during construction, protecting the club’s reputation, and ensuring that the cable route avoids newly constructed holes and the club’s future plans for a reservoir development. The Applicant confirmed that these matters are being addressed through the Statement of Common Ground and associated negotiations.</p> <p>In parallel, the Applicant confirmed that Heads of Terms for a voluntary agreement continue to be negotiated with the golf club’s agent. The remaining points to be agreed relate to pre-entry soil surveys, commercial matters including land value reflecting the existing land use, and access and drainage rights. The Applicant expressed the expectation that agreement in principle on the Heads of Terms will be reached by the end of the examination, noting that any voluntary agreement would ultimately be subject to approval by the golf club’s membership.</p> <p>In response to concerns raised about the long-term attractiveness of the golf course, the Applicant confirmed that it is working to ensure that construction activities will not impact play during the construction period and that the reputation of the golf club is maintained. The Applicant stated that post-construction all areas will be fully reinstated and expressed confidence that there will be no long-term adverse effects on the course. The Applicant also confirmed that, should any business losses arise, these would be addressed through the compensation process.</p> <p>The Applicant agreed with the Examining Authority that the ongoing engagement and proposed mitigation demonstrate that the objection relating to the attractiveness of the golf club is being actively addressed and, in the Applicant’s view, is capable of being closed out through the Statement of Common Ground.</p> <p><b>Action Point 3: Applicant to provide an update on the detail of negotiations with Aldeburgh Golf Club and provide a Statement of Common Ground which includes the golf club’s objection to compulsory acquisition (CA) with respect to the impact on the attractiveness of the course (as detailed in their relevant representation [RR-0093]).</b></p>
<p>Blackheath Farms Limited</p>	<p>The Applicant confirmed that it remains confident that voluntary land agreements will be reached by the end of the examination. It was explained that the terms of both the environmental lease and the temporary construction lease have been agreed in principle.</p> <p>The Applicant advised that the underground cable agreement is close to being finalised, subject only to a small number of outstanding matters. These relate to the scope of pre-entry soil surveys, the depth of the cable beneath ditches and watercourses, and commercial terms, including land value. All other points have been agreed through the Heads of Terms with the land agent.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant indicated that it would seek to provide an update on the outcome of recent discussions ahead of Deadline 6.</p> <p><b>Action Point 4: Update of progress with relation to negotiations with Blackheath Farms Ltd following the agents group meeting on 23 March 2026.</b></p>
East Suffolk Council	<p>The Applicant confirmed that the plots in question comprise beach and foreshore land. While the relevant landowner continues to maintain an objection to the scheme in principle, the Applicant confirmed that no objection has been made to the use of compulsory acquisition powers in respect of these plots.</p> <p>The Applicant explained that engagement with the landowner’s agent is ongoing. The principal outstanding matters relate to proposed restrictions on the width of the easement at surface level and to commercial terms.</p> <p>The Applicant confirmed that its revised position was set out in re-issued Heads of Terms on 17 March 2026. A further meeting has been proposed with the landowner’s agent to discuss the remaining points and the revised Heads of Terms.</p> <p>The Applicant confirmed that a further update will be provided at Deadline 6.</p>
Edward Spanton	<p>The Applicant confirmed that the template Heads of Terms have been agreed with the landowner’s agent and that this addresses the concerns raised in the objection relating to soil structure and land drainage.</p> <p>The Applicant explained that the sole outstanding matter relates to the interaction between the scheme and the landowner’s proposed development plans, including any accommodation works that may be required. A meeting was held with the landowner’s agent in March 2026 to discuss how the two developments could co-exist. The Applicant described this meeting as positive and confirmed that guidance has been provided on how the landowner’s development design could be tailored to accommodate the Sea Link proposals.</p> <p>The Applicant confirmed that its next step is to provide an updated plan to the landowner’s agent to assist with the refinement of the development proposals. It was also explained that further input will be required from the Sea Link engineers and the Applicant’s asset protection team, as the proposals involve significant changes in ground levels. The Applicant confirmed that it will continue to work collaboratively with the landowner to address the interaction between the proposed changes to the golf course and the requirements of the Sea Link project.</p> <p>At this stage, the Applicant advised that, due to the ongoing nature of discussions relating to the development proposals, it does not anticipate that a final agreement will be reached by the end of the examination. However, the Applicant expressed the expectation that agreement can be achieved once the landowner’s development proposals have been finalised.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant also noted that comments submitted through a relevant representation in relation to site suitability, flood risk and contamination have not been raised by the landowner or its agent during negotiations with the Applicant.</p> <p>The Applicant provided a further update that recent discussions have focused on agreeing the extent of land raising required around a joint bay, and confirmed that, from an engineering perspective, the necessary areas can be agreed with the relevant parties. The Applicant explained that it is currently working with its contractors to develop the required level of detail and that further meetings are planned to resolve this matter.</p> <p>Finally, the Applicant confirmed that a draft Statement of Common Ground has been issued to the landowner's agent and agreed that, should a signed Statement of Common Ground be provided by the end of the examination, this would be submitted to the Examining Authority.</p> <p><b>Action Point 6: Update on progress negotiations with Edward Spanton and likelihood of reaching agreement prior to the close of the examination.</b></p>
<p>Erik and Karen Collins</p>	<p>The Applicant confirmed that a meeting was held with the adjacent landowners in January 2026 to discuss their concerns directly. It was clarified that the landowners' property lies adjacent to, but not within, the Order limits and that the Applicant is not seeking any land rights from them.</p> <p>The Applicant explained that the landowners benefit from a right of way along Marsh Farm Road, which is an unregistered road subject to a caution against first registration in favour of the Applicant. The concerns raised relate primarily to vehicle movements and traffic management along Marsh Farm Road during construction, as well as vegetation clearance to the hedgerow forming the boundary of the landowners' property.</p> <p>In response, the Applicant confirmed that the Hedgerow Management Plan identifies the roadside hedge for management where it overhangs the highway boundary. The Applicant also confirmed that concerns regarding traffic management have been noted and will be passed to the contractor at the appropriate stage to consider suitable mitigation measures.</p> <p>The Applicant confirmed that the use of Marsh Farm Road and associated hedgerow management are addressed within the Hedgerow Management Plan.</p> <p><b>Action Point 7: Applicant to provide evidence of discussions with Erik and Karen Collins to allay the concerns raised in their original representation, notably regarding use of the access at the end of Marsh Farm Lane [REP1A-096].</b></p>
<p>Ian Rix</p>	<p>The Applicant explained that a number of the plots under discussion are subject to option agreements held by a third party, and that the Land Plans presented at the hearing identified which plots remain under negotiation and</p>

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**Item discussed****Summary of Oral Case**

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which are not subject to those option agreements. The Applicant confirmed that this position is clearly set out in tabular form within the briefing material and that the Book of Reference has been updated accordingly.

In relation to the hedgerow along the road, the Applicant confirmed that this forms part of the proposed mitigation and that its alignment was adjusted at the request of the landowner. The Applicant confirmed that this is a compensable matter. It was explained that the location of the hedgerow has been influenced by the presence of existing utilities within the roadside verge. While the precise locations of buried apparatus will be confirmed through detailed searches, the Applicant confirmed that these assets are protected through the acquisition of appropriate land rights and that the width of the land strip reflects the need to accommodate both the utilities and the hedgerow.

The Applicant addressed concerns raised about the ability to maintain an adjacent ditch safely. It was explained that the design leaves a strip of land between the ditch and the hedgerow to allow ongoing maintenance to take place away from the road, thereby addressing safety concerns.

In response to questions regarding the justification for the hedgerow's location, the Applicant confirmed that the planting forms part of the wider landscape mitigation strategy associated with the converter station. The hedgerow contributes to layered mitigation and assists in blending the development into the surrounding landscape, consistent with the approach discussed at previous hearings and agreed with the relevant local authorities. The Applicant confirmed that the hedgerow could not reasonably be relocated elsewhere given the work already undertaken with the authorities, although the matter could be revisited with the landscape team if required.

The Applicant explained that engagement is ongoing with both the landowner and the option holder to clarify which plots remain affected and how agreements can be progressed. It was acknowledged that the situation is evolving while option agreements remain in place and until decisions are taken on whether those options will be exercised. The Applicant confirmed that updates to the Book of Reference will continue to be made as the position changes and that discussions are ongoing with all relevant parties.

In relation to concerns that the extent of land sought exceeds that required for the scheme, the Applicant confirmed that the additional land is required to deliver mitigation. While it was acknowledged that this land may not be suitable for modern agricultural practices, the Applicant explained that the land is subject to option agreements and that discussions are ongoing to provide clarity through tripartite engagement. Further meetings are planned to address these matters.

The Applicant also addressed plot specific concerns, confirming that access rights for landowners will be maintained and that the interaction between mitigation planting, access requirements and overhead line works

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Item discussed	Summary of Oral Case
	<p>will be reviewed with the relevant parties. It was confirmed that some plots raised in discussion are subject to option agreements, and the Applicant committed to clarifying this position through further updates.</p> <p><b>Action Point 8: Applicant to provide detailed justification for the need for the specific hedgerow on Ian Rix land and the effect it will have on the Christmas tree farm (plots 1/93, 1/94, 1/99 and 1/100).</b></p> <p><b>Action Point 10: Applicant and Scottish Power Renewables (SPR) to provide an update following their meeting to clarify which land plots are subject to Options Agreement, particularly in relation to the land plots of Mr Rix. Applicant to update the book of reference (BoR) and any other associated documents accordingly to ensure accuracy.</b></p> <p><b>Action Point 11: Meeting to be organised with Mr Rix to follow up from the SPR meeting detailed above, and a note to be provided to the ExA on the results of this meeting.</b></p>
James Henry Rogers	<p>The Applicant confirmed that, while it hopes Heads of Terms can be agreed in principle by the end of the examination, the fundamental constraint in this location arises from the existence of an option held by a third party for a separate power related development.</p> <p>The Applicant explained that the cable Limits of Deviation in this area have been deliberately designed to provide flexibility to accommodate potential interaction with the third party's proposed landscaping and associated works. However, until the Applicant is able to confirm the precise location of the cable within those Limits of Deviation, the landowner has indicated that they are not willing to enter into Heads of Terms, on the basis that doing so could prejudice the proposed battery storage development. It was also noted that the landowner may require consent from the option holder before entering into any agreement with the Applicant.</p> <p>The Applicant confirmed that this issue relates solely to Plot 2/19. It was explained that, aside from this specific point, the Heads of Terms are otherwise ready to be agreed in principle. However, due to the overlapping development proposals and the need to resolve the option issue, the Applicant does not anticipate that this matter will be fully resolved before the end of the examination.</p> <p><b>Action Point 13: Update of progress with relation to negotiations with James Rogers following the agents group meeting on 23 March 2026.</b></p>
Jean Veronica Spanton	<p>The Applicant confirmed that it will continue to seek to engage with the landowner's agent; however, given the current reluctance to participate in negotiations, the Applicant does not consider it likely that an agreement will be reached by the end of the examination.</p> <p>The Applicant explained that only <b>temporary land rights</b> are being sought in respect of this parcel. It was confirmed that the matters raised in the landowner's relevant representation, including the adequacy of</p>

Item discussed	Summary of Oral Case
	<p>consultation and negotiation, construction impacts on the property, and commercial terms, are considered by the Applicant to have been addressed within the most recent version of the Heads of Terms issued on 9 March 2026. The Applicant outlined that a meeting was held with the landowner’s agent in October 2025 to discuss the Heads of Terms, at which time the agent advised that the commercial terms were not considered acceptable. Subsequently, the Applicant made direct contact with the landowner in January 2026, at which point it was confirmed that the Heads of Terms had not been shared with them by their agent. Following this confirmation, the Applicant issued the Heads of Terms directly to the landowner. The Applicant noted that the agent expressed dissatisfaction with this approach.</p> <p>The Applicant confirmed that revised Heads of Terms were most recently issued to the agent on 9 March 2026, reflecting the temporary and limited nature of the proposed access rights across the land. No feedback has been received to date. The Applicant also confirmed that further information has been provided regarding the proposed use of the access, including anticipated frequency, vehicle types and any works required to facilitate access.</p> <p><b>Action Point 14: Applicant to provide a detailed summary of negotiations and outstanding issues with Jean Spanton.</b></p>
Kent Wildlife Trust	<p>The Applicant confirmed that it has held meetings with Kent Wildlife Trust, with the most recent meeting taking place in February 2026. The Applicant explained that Kent Wildlife Trust has indicated, through its agent, that it is not willing to negotiate Heads of Terms at this stage. Kent Wildlife Trust continues to maintain an objection to the use of compulsory acquisition powers but has indicated that it would be willing to engage in discussions if the Development Consent Order is granted.</p> <p>The Applicant confirmed that, in light of this position, it does not consider it likely that an agreement will be reached before the end of the examination. However, the Applicant emphasised that it remains willing and available to discuss the land rights being sought with Kent Wildlife Trust should they choose to engage, either during or following the examination process.</p> <p><b>Action Point 15: Applicant to check for inconsistencies and rectify between the Statement of Negotiations and the BoR for Kent Wildlife Trust land plots.</b></p>
Lindsay Peter Tomlinson	<p>The Applicant confirmed that, as set out in Appendix B of the Statement of Reasons, engagement with the landowner’s agent remains positive. The Applicant is in the process of finalising the remaining points within the Heads of Terms. The outstanding matters to be agreed relate to pre-entry soil condition surveys and reinstatement, access and drainage rights, and commercial terms.</p>

Item discussed	Summary of Oral Case
	<p>The Applicant confirmed that a meeting has been arranged with the landowner and their agent on 14 April 2026, at which it is anticipated that the template Heads of Terms will be agreed. It was also noted that recent engagement has continued through meetings with agents in Suffolk.</p> <p>The Applicant, its agent and the landowner’s agent all remain optimistic that an agreed position can be reached by the close of the examination, subject to the outstanding commercial terms being resolved.</p> <p><b>Action Point 17: Update of progress with relation to negotiations with Lindsay Peter Tomlinson following the agents group meeting on 23 March 2026.</b></p>
<p>Nicholas Jon Stuchfield</p>	<p>The Applicant confirmed that discussions with the landowner have highlighted that their primary concerns relate to potential construction impacts on their adjoining residential property, including noise, dust and lighting, rather than the nature of the land rights being sought. The Applicant explained that a project engineer has met directly with the landowner to discuss anticipated construction impacts and potential mitigation measures, addressing matters raised in the landowner’s relevant representation.</p> <p>The Applicant clarified that the works in this location relate to the cable route and involve underground installation with limited rights, with no open-cut construction. It was confirmed that the landowner has not raised concerns about the land rights themselves, but remains concerned about temporary construction effects.</p> <p>The Applicant confirmed that negotiations on the Heads of Terms continue with the landowner’s agent. The remaining points to be agreed relate to pre-entry soil condition surveys and reinstatement, access and drainage rights, and commercial terms.</p> <p>While the Applicant anticipates that template terms may be agreed with the agent, it does not consider it likely that a final agreement will be reached by the end of the examination due to the landowner’s ongoing concerns regarding construction impacts on their residential property.</p> <p><b>Action Point 18: Update of progress with relation to negotiations with Nicholas Stuchfield following the agents group meeting on 23 March 2026.</b></p>
<p>Scottish Power Renewables (UK) Limited</p>	<p>The Applicant confirmed that, for the purposes of this hearing, an agreed position has been reached with SPR: <i>The Applicant is aware that SPR are progressing their schemes and as such continue to exercise their Options to purchase land. The Applicant is aware that further updates to land documentation is required to accurately reflect the interests of SPR and its project companies. SPR has also informed NGET that further land acquisitions are imminent. The parties have agreed to a meet to coordinate updates to the land documents for Deadline 6. We are working positively with SPR across a variety of land and commercial agreements for the delivery of the projects, both parties are committed to reaching agreement to allow all projects and infrastructure to co-exist.</i></p>

Item discussed	Summary of Oral Case
	<p>The Applicant provided an update on progress in addressing inaccuracies within the Book of Reference relating to SPR interests. It was confirmed that a further meeting is scheduled to review each affected plot in detail, with the intention of ensuring that, by Deadline 6 (or sooner where possible), the Book of Reference accurately reflects SPR's land interests.</p> <p>The Applicant confirmed that a Statement of Common Ground is being progressed to record the agreed approach to updating the Book of Reference and coordinating these changes.</p>
Statkraft UK Limited	<p>The Applicant confirmed that Statkraft holds an option over land at Ebbsfleet Minster in Kent. The Applicant explained that, despite repeated attempts to engage, including correspondence sent to Statkraft's solicitors and contact details published on its website, no response has been received to date.</p> <p>The Applicant confirmed that it understands the option agreement held by Statkraft is due to expire in October 2027. The Applicant emphasised that it remains open to engagement and would welcome contact from Statkraft in order to progress discussions.</p> <p><b>Action Point 20: Applicant to provide detailed written response to Statkraft UK Ltd relevant representation [RR-5075].</b></p>
Struan Robertson	<p>The Applicant confirmed that negotiations on the Heads of Terms are progressing constructively. The most recent meeting between the Applicant's agent and the landowner's agent took place in early March 2026 and was described as positive. The Applicant advised that there is no reason to believe that the Heads of Terms cannot be agreed by the close of the examination.</p> <p>The Applicant explained that further discussion is required to reach agreement on a limited number of remaining matters. These include the commercial elements of the agreement, including compensation, the scope of ancillary rights being sought, and the identification of opportunities to reduce severed parcels of land in order to lessen impacts on the landholding. The Applicant confirmed that it understands the landowner's agent is arranging to meet with the landowner imminently and that regular correspondence is ongoing to secure a follow-up discussion once that meeting has taken place.</p> <p>In response to concerns raised in the relevant representation relating to Plot 2/133, the Applicant explained that compulsory acquisition of the land is required to deliver advanced planting and landscape and ecological mitigation. The Applicant confirmed that this mitigation is required to be maintained for the operational lifetime of the project. It was explained that while a small compound may be required initially to establish the planting, this would be removed once the mitigation is in place.</p>

Item discussed	Summary of Oral Case
William Notcutt Estates Limited	<p>The Applicant clarified that, in considering the appropriate class of land rights, a key principle is whether the proposed use would materially change the use of the land. In this case, the landscape mitigation is intended to permanently change the nature of the land, and the Applicant explained that, if the land were to remain in third-party ownership, there would be a risk that the mitigation could be undermined in the future.</p> <p>The Applicant also addressed concerns relating to restrictive covenants affecting the land. It was confirmed that the Applicant has obtained legal advice, understands the nature of the covenant and the identity of the beneficiary, and is aware of the steps required to secure a release. The Applicant reiterated its preference to resolve this matter through a voluntary agreement.</p> <p><b>Action Point 21: Applicant to provide detailed written response Struan Robertson relevant representation [REP5-223].</b></p> <p><b>Action Point 22: Applicant to specifically justify the compulsory acquisition of Kent plot 2/133 and to provide details of the plots on which Struan Robertson holds an outstanding objection.</b></p> <p>The Applicant confirmed that it continues to work with the landowner to seek a voluntary agreement. Engagement is ongoing to address the remaining concerns relating to the Heads of Terms, and a further meeting has been arranged between the Applicant’s agent, the landowner and the landowner’s agent at the end of March 2026.</p> <p>The Applicant explained that the Heads of Terms were discussed in detail at a meeting earlier in March 2026 and that a number of matters remain unresolved at this stage. These include termination and reinstatement provisions, pre-entry soil condition surveys, commercial matters including compensation, and proposals for the ongoing management of land required for mitigation.</p> <p>The Applicant acknowledged the relevant representation and noted the complexity of the rights being sought. It was explained that the Applicant is actively considering alternative approaches where possible, including identifying rights that may not need to be secured through compulsory acquisition. However, due to the nature of the mitigation proposals, including permanent mitigation land and a permanent compound, some permanent rights are required. The Applicant confirmed that it is also exploring the use of different types of lease arrangements where appropriate, in order to retain leasehold solutions where feasible.</p> <p>The Applicant confirmed that discussions are continuing at pace, with further meetings planned to work through the outstanding issues. A further update will be provided at Deadline 6, alongside a full response to the submissions made at Deadline 5.</p> <p><b>Action Point 24: Applicant to update on meeting with William Notcutts Estates and a detailed response to the points raised in [REP5-210]</b></p>

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### 2.3 Affected persons to briefly set out any outstanding concerns that have not already been discussed.

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Item discussed	Summary of Oral Case
Suffolk plots 2/26, 2/28, 2/29, 2/29a, 2/32, 2/32a, 2/33.	<p>The Applicant confirmed that, while a recent meeting with the landowner was constructive, the landowner continues to seek an access licence or payment in respect of the proposed works. The Applicant explained that its position is that the existing deed of easement already provides the necessary rights to access and carry out the works. The landowner does not agree with this interpretation and has indicated that they may instruct solicitors to challenge the Applicant's reliance on the deed.</p> <p>The Applicant confirmed that it proposes to rely on the existing easement rights and does not intend to enter into a separate licence arrangement, as doing so would undermine the Applicant's legal position by implying that the existing deed is insufficient. The Applicant explained that it has included the land within the Order limits for completeness and, should the landowner object to the exercise of the existing rights, the matter can be addressed through the powers sought in the Development Consent Order.</p> <p>The Applicant emphasised that it holds similar deeds of easement across the network and that entering into licence agreements in these circumstances would risk undermining the established legal basis on which those rights are exercised. The Applicant acknowledged that the landowner has made clear their intention to object and confirmed that, if necessary, the Applicant would rely on the compulsory acquisition powers within the Order to resolve the matter.</p> <p>In relation to neighbouring land, the Applicant clarified that the existing deed of easement relates to land beneath the overhead line and is distinct from a wayleave. The Applicant explained that, while access routes are typically agreed through discussion at the time of works, it considers that the deed provides sufficient rights to enable access and delivery of the works.</p> <p><b>Action Point 25: Applicant to provide an explanation of the existing deed of easement and existing rights they have on Mr Mahony's land and attempt to secure agreement with Mr Mahony.</b></p>
Agent on behalf of Ian Mather	<p>The Applicant responded to concerns raised by the landowner's agent by explaining that discussions are ongoing with UK Power Networks to identify a solution to remove the overhead line currently crossing the centre of the access road to the north of the plots. The Applicant confirmed that the precise location of the diversion works has not yet been fixed and could affect any of the relevant plots, resulting in some uncertainty at this stage.</p> <p>From an engineering perspective, the Applicant explained that there are two potential options available, both of which are being explored in collaboration with UK Power Networks to ensure network requirements are met. In addition, the Applicant confirmed that a mains power supply will need to be brought to the project site through this area, and this is also being coordinated with UK Power Networks.</p> <p>The Applicant explained that detailed design work is ongoing, with project design engineers reviewing the overall scheme. It was noted that UK Power Networks owns and controls its network and apparatus and may bring forward its own detailed design solution. While the final design has not yet been confirmed, the Applicant</p>

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**Item discussed****Summary of Oral Case**

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confirmed that a viable option has been identified and that discussions with UK Power Networks are continuing to resolve the outstanding uncertainty.

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## 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
<b>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.</b>	
National Trust engagement and update.	<p>The Applicant confirmed that constructive engagement with the National Trust has continued since the previous hearings, with meetings held in February and March 2026. Heads of Terms have been re-circulated on several occasions to address comments raised by the National Trust, with the most recent version issued on 23 March 2026. Weekly meetings are ongoing, with further discussions scheduled.</p> <p>The Applicant explained that significant progress has been made towards agreement on the principles within the Statement of Common Ground. These include the approach to intertidal access and vehicle movements at Pegwell Bay, hoverport access arrangements, seasonal and disturbance sensitivities, management of risks associated with horizontal directional drilling, and the implications of any future remedial works should cable exposure occur during the operational lifetime of the project. These matters are addressed within the Statement of Common Ground, and the Applicant confirmed that a further version will be issued imminently to address outstanding points relating to documents for which the National Trust will be a consultee and the timing of construction and pre-construction surveys in relation to ecological windows. The Applicant anticipates that the Statement of Common Ground will be in an agreed form by Deadline 6.</p> <p>The Applicant also confirmed that Heads of Terms are progressing positively. It was explained that the outstanding matters relate to commercial terms, including land value for the cable rights at Pegwell Bay, insurance provisions, the duration of rights sought, and the linking of the Heads of Terms and option agreement to the Development Consent Order, including review and approval of certain documents. The Applicant anticipates that the Heads of Terms will be agreed by the close of the examination, with the option agreement likely to be signed shortly thereafter and in advance of a decision on the Development Consent Order.</p> <p>The Applicant confirmed that the National Trust has indicated it will withdraw its objection once the option agreement is signed.</p> <p><b>Action Point 28: Applicant to provide an update on recent negotiations and progress and an agreed Statement of Common Ground with the National Trust.</b></p>

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**Item discussed****Summary of Oral Case**

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**3.2 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 examination timetable) and the likelihood and implications of agreement not being reached before the close of the examination.**

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Crown Land  
commercial  
negotiations

The Applicant confirmed that commercial negotiations are advancing positively following a meeting held in late February 2026, and that agreement on the Heads of Terms is expected imminently.

**Action Point 29: Applicant to provide an update on recent negotiations and progress with the Crown Estate.**

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

Item discussed	Summary of Oral Case
<b>4.1 The applicant to provide an update on the progress with the drafting/ agreement on protective provisions.</b>	<p data-bbox="152 386 2078 568">Update on Protective Provisions The Applicant confirmed that the DCO includes a set of generic protective provisions. In addition, bespoke protective provisions have been proposed and submitted at the previous deadline in respect of a number of parties, with the exception of SPR. While none of the bespoke protective provisions have yet been fully agreed, the Applicant explained that only a small number of points remain outstanding and that active negotiation and engagement is ongoing to resolve these matters.</p> <p data-bbox="477 584 2078 798">In relation to SPR, the Applicant confirmed that correspondence was submitted by SPR at the previous deadline, together with a proposed suite of protective provisions. These remain under discussion. The Applicant explained that the complexity of the situation in the Kiln Lane area, including the interaction between multiple developments and a wider suite of commercial agreements, means that the protective provisions cannot be finalised in their current form without a more nuanced solution. The Applicant is therefore working collaboratively with SPR to agree an appropriate approach.</p> <p data-bbox="477 813 2078 916">The Applicant confirmed that any residual protective provisions are expected to address matters such as cable crossings and interface points. It was emphasised that negotiations are progressing positively and continue to move forward with the aim of reaching agreement.</p> <p data-bbox="477 932 2078 999"><b>Action Point 30: Applicant to provide an update on recent negotiations and progress on the agreement of protective provisions.</b></p> <p data-bbox="477 1015 1899 1082"><b>Action Point 31: Applicant and SPR to provide wording for protective provisions for any areas outstanding.</b></p> <p data-bbox="477 1098 2033 1165"><b>Action Point 32: Applicant and Suffolk County Council to provide wording for protective provisions for any areas outstanding.</b></p>
<b>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.</b>	<p data-bbox="152 1295 2078 1362">Updates on Statutory Undertakers The Applicant provided an update on the position in relation to protective provisions with a number of statutory and third party bodies.</p>

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Item discussed	Summary of Oral Case
	<p><b>Southern Water:</b> the Applicant explained that discussions are progressing rapidly and that the position is evolving. As a result, the Applicant considered that providing a detailed update at this stage could quickly become out of date.</p> <p><b>Network Rail:</b> the Applicant confirmed that it is not yet clear what specific points of disagreement remain. The Applicant explained that discussions are being progressed as part of a wider portfolio based and framework approach, and that engagement is ongoing to clarify Network Rail's position. The Applicant confirmed that it is actively pursuing clarity and will provide an update once the outstanding issues are better understood.</p> <p><b>Kent County Council:</b> the Applicant confirmed that discussions have taken place with the relevant officers in relation to protective provisions concerning highways matters. The Applicant noted that Kent County Council may not comment in detail on the protective provisions themselves.</p> <p><b>Suffolk County Council:</b> the Applicant confirmed that the Applicant's position as to the nature of the highways Protective Provisions which should be included, is as set out on the face of the draft Development Consent Order.</p> <p><b>Haven Authority:</b> confirming that discussions are ongoing to determine whether any bespoke protective provisions are required. At present, the focus is on securing two specific matters on the face of the Development Consent Order and the deemed marine licence. The Applicant confirmed that matters are already agreed with London Gateway and that care is being taken to avoid duplication of protections.</p> <p><b>Action Point 33: Applicant to provide an update on recent negotiations and progress on agreements with Harwich Haven Authority and London Gateway Port.</b></p>

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## Table 2.4 Agenda item 5: Any Other Business

Item discussed	Summary of Oral Case
David Rix	<p>The Applicant confirmed that it continues to engage with the Mr Rix and their representatives and will provide clear detail through the examination on the evidence underpinning its position. The Applicant explained that updates on the information provided, together with references to the relevant documents, will be clearly signposted within the Examination Library to ensure transparency and ease of reference for the Examining Authority.</p> <p><b>Action Point 9: Applicant to send the relevant information and examination library references on an ongoing basis to Mr David Rix for him to be able to view information in relation to the proposed development and the land plots of Mr Ian Rix.</b></p>

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