



Hearing Transcript

Project:	Norwich to Tilbury
Hearing:	Compulsory Acquisition Hearing 2 (CAH2) - Day 1 - Part 2
Date:	29 April 2026

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FULL TRANSCRIPT (with timecode)

00:00:10:14 - 00:00:30:17

Thank you very much. We will now resume this next part of the CA hearing number two. So, um, we will just continue going through our agenda list of people. And next will be, um, Daniel Bickford and Stephanie Bickford, represented by Paul Walker again, who I believe is online.

00:00:31:23 - 00:01:02:09

Good morning sir. Thank you again. Paul Walker, were you not, um, representing the Bickford have asked me to read out a statement that they prepared on their behalf. Um, their home is adjacent to a proposed construction hall road on the Reilly Road in Billericay, Essex. We can provide the plot numbers later if needed. Um, they are deeply concerned about the noise, disturbance and traffic impacts that arise from the construction and the associated road traffic noise.

00:01:02:26 - 00:01:38:29

Um, these impacts would be serious for any household, but they are of particular concern here because members of the household have protected characteristics, uh, as defined in the Equalities Act 2010, for reasons of confidentiality. We don't propose to go into that detail today, but you will find the information was submitted in the written representations previously. Um, this is a householder who's occupies at home the majority of the time. They cannot simply leave the property when the noise, vibration, lighting or activities become too much, the likely effects on their mental and physical well-being could be severe.

00:01:39:06 - 00:02:10:23

In particular, there's no realistic mitigation that can remove the harm caused by unpredictability or intermittent disturbance. The family are also unable to relocate. As matters stand, the property is effectively unsaleable due to the scheme. They are therefore trapped in an impossible situation at the moment in limbo, um, whilst waiting for this scheme to take place. At present, there's still no clear information about the construction areas, including its purpose, how long it will be in place, its as operation, the likely noise and lighting impacts.

00:02:11:06 - 00:02:46:16

And without that information, the true effects cannot be properly assessed. National grid at the moment haven't engaged directly or meaningfully with this household, um, or gathered the information that we feel is necessary to assess the effect of their proposals on the individuals we've protected. Characteristics. Um, the equality impact assessment that's provided is generic and does not address the specific circumstances of this family. Um, the public sector equality duty requires a property properly informed, case specific assessment.

00:02:46:24 - 00:03:17:09

That's not happened here yet. Um, our clients invited National Grid to liaise with them. They have not done so yet. Um, we therefore feel national grid, has failed to discharge this duty. We also consider that there are alternative locations for the whole road that would cause materially less harm. Yet no adequate justification has been provided. We asked the examining authority to require direct and

meaningful engagement with the household. Full clarity on the compounds purchase purpose, duration and operation.

00:03:17:25 - 00:03:54:29

Evidence explaining why this specific location is necessary, and a proper assessment of alternative sites, and very careful consideration of any mitigation measures that can be that can be put in place. It's not acceptable at the moment due to the individual concern. So until the individual concerns are addressed, uh, for us to to know how they can be considered and what actions can be taken. I think as I've mentioned before and you've heard before, it's the challenging challenge of engaging meaningfully and adequately with National Grid on these matters that is proving the particular point.

00:03:56:06 - 00:04:10:27

My clients would look to enter into a voluntary agreement with them. But again, we have no details or anything to go on to indicate whether what's proposed then becomes acceptable. Um, in contrast to the compulsory purchase position.

00:04:15:08 - 00:04:21:09

Thank you very much, Mr. Walker. I will, um, I will ask the applicant to respond on those points.

00:04:21:11 - 00:04:54:10

Please have a sergeant for the applicant. Thank you sir. I'm not, for obvious reasons of confidentiality. Going to get into the detail on the protected characteristics in the hearing, so we'll deal with those in writing to maintain confidentiality. I will turn first to Mr. Boughton, just to respond on the, um, points made around alleged lack of engagement. And then I hope we're joined by Mr. Adam Lawrence virtually, who can deal briefly with the noise point. And then, um, we have a member of my team on highways who's sitting behind me.

00:04:54:12 - 00:05:05:09

So if the roving microphone could make its way up to her, then she will be able to deal with the point around alternative locations for Hall Road or all the highways concerns raised. Thank you, thank you.

00:05:05:15 - 00:05:11:23

What are you doing? If we could have the plan of the plot because there's only one plot on the screen, that would be helpful.

00:05:16:02 - 00:05:21:18

So I have a sergeant for the applicant. It will actually be Mr.. Going on engagement, not Mr. Boughton. Sorry. My mistake.

00:05:21:20 - 00:05:22:22

Okay. No worries.

00:05:24:26 - 00:05:58:28

Thank you. James, going on behalf of the applicant just to cover off the engagement point. I can see here from the DLT extract, there's been extensive communication with the affected party. The most recent was a telephone call with the affected person and their professional representative on the 20th

of February, 2026. Um, the AP hasn't been issued. Version two has the terms. Given that there are no longer rite sought over their ownership, their freehold ownership. But previously they had been issued version one heads of terms based on a subsoil interest in the highway.

00:05:59:20 - 00:06:08:26

Sorry, can you just repeat that again in terms of the interest? Because I say you just so you can confirm what you just said. Sorry. I've just.

00:06:10:22 - 00:06:31:10

Yes. Of course. Um, so previously they were issued heads of terms for their subsoil interest in the highway. Yeah, but subsequently, there's no longer the need to acquire the subsoil rights that are attributed to the AP. Therefore, we're no longer seeking rights over their property.

00:06:31:26 - 00:06:38:22

Okay. And how many plots of land are we talking about? Or was he talking about the entirety of that plot that is known now no longer needed?

00:06:42:00 - 00:06:50:19

Um, I'm just going to refer to my colleague Nick Robinson, please. Nick Robinson, Mr. chairman, I'm the applicant. That would be the entire frontage of their plot.

00:06:53:01 - 00:06:53:24

Thank you.

00:06:54:19 - 00:06:59:15

Okay. Can I just ask Mr. Walker if that's his understanding, please?

00:07:02:13 - 00:07:24:24

Hi. Um, my position is I'm reading a statement which has been provided to me. The. It would be useful subsequent to this to re-engage properly. Um, in terms of our understanding that there may well be. Now, no land take doesn't necessarily now prevent the fact that there is going to be impact on the neighbouring property due to the proposed compounds.

00:07:27:11 - 00:07:48:02

Okay. Um, I think it would be worth having this clarified in writing because I say if there's now no longer a land interest. Um, obviously that doesn't negate the discussion that that we've had about, um, the characteristics etcetera and the noise and so on. But it may alter the, um,

00:07:49:20 - 00:07:54:22

how we, we consider this in terms of CA, if you see what I mean. Um.

00:07:55:19 - 00:07:57:19

That's understood. That's understood, sir.

00:07:58:14 - 00:08:09:14

Okay. Um, so we we have got sufficient time to just to conclude what you were, um, what you were proposing to cover this, Sergeant?

00:08:10:12 - 00:08:33:18

Um, have a sergeant for the applicant. Thank you very much, sir. We will certainly provide. I agree it would be helpful to have clarity on, um, the, the most recent position in terms of what our understanding is of what we now need in terms of this land parcel. Um, so I think I can see Mr. Lawrence on screen who's, um, able to deal with the noise issue. And then, um, it's Kirsten Simpson sitting behind me who can pick up the highways for you?

00:08:33:20 - 00:08:50:01

Yes. I mean, we've only got five minutes left, but only a cursory view, because obviously noise is being covered elsewhere. But, um, thank you for the the screen. But as we've now got get someone talking. We'll take that off for now. Thank you. So your your your speaker online.

00:08:50:18 - 00:08:51:14

Oh, hello.

00:08:51:23 - 00:09:31:03

My name is Adam Lawrence. I'm speaking on behalf of the applicant. Uh, it just simply in terms of noise, the background levels at that property are determined by traffic on the A 1 to 9, if I remember the road number correctly. Um, when we do the assessment for construction noise and vibration, we found that impacts were below that level. So the assessment shows that there are no adverse impacts at that property. Um, and then when we come further down the line, the contractor will do a more detailed assessment of the same to confirm those, uh, impacts.

00:09:31:06 - 00:09:37:07

And if that were not the case, mitigation would be put in place to minimize impacts.

00:09:38:03 - 00:09:47:08

Thank you very much. I won't go on any further with that because obviously that could be covered in, uh, noise matters. Um, and you mentioned that you had a highways expert.

00:09:48:00 - 00:09:48:15

Hi.

00:09:52:06 - 00:09:54:04

Can you hear me? Thank you.

00:09:57:12 - 00:10:01:00

Feel free to just come up to the end at the end table. Um,

00:10:02:27 - 00:10:06:18

and use or jump in front to sit with your colleague.

00:10:07:17 - 00:10:12:23

Oh, it's working now. So, Kirsten Simpson for the applicant. Um, I represent the traffic and transport.

00:10:16:03 - 00:10:17:03

Yeah. Have a swap.

00:10:22:15 - 00:10:25:02

We can put the plan back on the screen. That would help.

00:10:25:04 - 00:10:26:29

Thank you. That would be helpful. Thank you.

00:10:31:18 - 00:10:59:10

Thank you. So, Kirsten Simpson for the applicant. We've got two emails proposed in the vicinity of this property to the north and the south. But I doubt on that 1 to 9. The locations have been chosen due to site constraints relating to vegetation, residential properties and also the ability to achieve safe visibility displays and safe operation. They've also been subjected to a road safety audit, so those are the key drivers for the placement of those.

00:10:59:13 - 00:11:01:27

Okay. It's very kind. Thank you very much.

00:11:09:08 - 00:11:17:06

So just briefly have a sergeant for the applicant. I think Mr. Goering has a fair point. Very briefly that he'd just like to make before we move on from this objective, if that's possible.

00:11:17:13 - 00:11:18:13

Sorry. Who would like to pick?

00:11:18:15 - 00:11:20:00

Mr.. Going from Fisher. Chairman. Okay.

00:11:20:02 - 00:11:21:07

Thank you. Yep. No problem at all.

00:11:22:07 - 00:11:36:09

Thank you. James, going on behalf of the applicant. Just to confirm on the engagement point, there is a team on behalf of the project reaching directly out to the affected party in this instance. We can provide more detail on that in a written report if needs be. Okay.

00:11:36:12 - 00:11:48:01

Thank you. Um, miss Sergeant, is there anything you'd like to say about your duties under the, um, under the act in terms of equalities, or are you. Do you want to put that in writing?

00:11:48:22 - 00:12:12:22

Um, so mostly in the interest of time, I think it would be easier to have a sergeant on behalf of the applicant. And it would be it would make most sense, I think, just to comprehensively have in one place a summary of the duties and how we say, you know, they apply to us and then to the decision maker and also, um, how we say they've been discharged with relation to the specific circumstances that are in play here.

00:12:12:24 - 00:12:25:05

I think that would be very helpful for you to be able to clarify your what you believe your duties are and what you are doing to discharge those duties, whatever they may be. Um, it's certainly in this case and if it applies anywhere else.

00:12:25:24 - 00:13:03:22

So yes, I um, we're certainly aware of the sort of more individual, I think, application and consideration of the duties because we're aware of protected characteristics in relation to this objector. And then there's obviously the duty applying at a more at a higher level really in terms of. Protected characteristics more generally such as age so on and so forth. So um, I think all I would say really, whilst this is public, is that if there are parties who have protected characteristics that we may not yet be aware of, then that's something that would need to be brought to our attention in order for us to deal with that.

00:13:03:27 - 00:13:06:06

Of course. So you can only deal with what you know, I appreciate that.

00:13:06:09 - 00:13:44:15

Yeah. I think in this instance there matters were submitted in their relevant reps and they did identify those characteristics. I think that's probably been redacted. But it is it is there and it has been available to you for your purposes of needing to address that matter. And so in the site specifics. So we're aware that you've done the the overarching equalities assessment which gives you that broader view. But there are certain circumstances in certain positions where you need to delve a little bit deeper into the specific issues and deal with particular circumstances.

00:13:46:18 - 00:13:52:05

Episodic for the applicant? Yes, sir. Thank you. That that's understood and that's that has been our understanding. That's how we're proceeding.

00:13:52:07 - 00:13:59:29

Yeah. Fantastic. Thank you. Mr. Walker. Is there anything you'd like to, um, say in in conclusion, having heard.

00:14:00:01 - 00:14:22:27

Thank you. I think it would be exceedingly useful to pick up the conversations as we have. As I say, as agents, we've only recently been engaged. So, um, we're reading a statement in terms of, um, the discharge of the duties. Yes. It would be exceedingly useful to see what actions the applicant is proposing to take, specifically in regard my clients here.

00:14:23:12 - 00:14:52:14

Excellent. I think this is one that I think needs to be looked at quite quickly. Again, um, especially in terms of the light that we've heard that, um, there may be matters that have changed in terms of actual CA and and TPI in this regard. Thank you very much. Um, just a quick nod that there's nothing more for the applicant. That's fine. Um, okay. We're spectacularly on time. So, uh, Mr. Walker, you're up next. Anyway, so, um, we now talking about, um, miss Glen Cullen?

00:14:52:27 - 00:15:32:00

Yes. So again, Paul Walker, religion, not representing, uh, the Cullen family who live at Chase farm. Little bursts of Essex. Um, they're affected by several pylons and like many others, are suffering the associated impacts on their farm business, uh, proximity of the infrastructure to their home, resulting in loss of amenity value, etc.. Um, the reason that we're specifically addressing today, however, is the impact on their airfield. Um, I believe that there um, I'll understand from the conversations yesterday that there have been quite extensive conversations about the impact of, um, the pylon scheme on Airfields generally along the whole route.

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Um, and I don't propose to repeat those other than to say that, you know, we, um, hold a similar view that there needs to have been a greater level of understanding and, uh, and engagement currently, as, uh, proposed, the location of the pylons will result in the closure of the airstrip. Um, and that is already recognized by National Grid. And they acknowledge the consequences of this. Um, they have indicated that they may look to refund the relocation of the airfield elsewhere on the farm.

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Um, that's something we're currently investigating. Um, however, that work isn't that straightforward. And until it's complete and until there's any firm or binding commitments from National Grid as to the associated costs and losses, um, as well as the potential, um, knock on effects of moving an established airstrip to other parts of the farm. Um, we really must the client must maintain their objection. Um, it's felt that the closure of the airfield is unnecessary, um, and represents a significant loss to them as well as the wider aviation community.

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Um, it's this doesn't really feel like it can be simply addressed by compensation. Um, they operate the airfield for the benefit of themselves and others. Um, and while they're willing to explore relocation, doing so, we feel will have very significant consequences on their general landholding. It's not something you can simply put up and place down somewhere else. And there may be unanswerable questions in terms of planning as well as aviation safety, etc.. Um, so we're just requesting again, as you probably gather, the theme here, we're requesting that, um, National Grid is formally committed to mitigate the Collins position.

00:17:17:14 - 00:17:48:27

It's very difficult for them to enter into a mutual agreement, um, without these positions being firmly understood. Uh, with mitigations and costs and alternative sightings, properly reviewed, costed and actually delivered. Um, so we're suffering, as you've heard elsewhere, that the DCO is progressing alongside negotiations, but negotiations are not as advanced as we would like to have hoped.

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So I think the request is we're still objecting. Um, there is discussion, but we don't have the clarity in order to make firm decisions.

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So just to confirm before I ask the applicant to respond in this short, um, slot, you really are only talking about the airfield in terms of the Culham family.

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It's the air. It's the airfield which is of significance to them. Um, they are affected by the other, you know, obvious impacts of, um, the siting of the pylons, loss of value, etc. but some of those are compensation issues rather than necessarily, um, CPO issues from the point of this.

00:18:29:26 - 00:18:30:24

Mr. Stone.

00:18:30:29 - 00:19:15:23

Thank you very much. Just before the applicant comes in to comment, I will draw your attention. And you've already noted it, that aviation safety was addressed at issue two yesterday. So, uh, in the context of dealing with aviation and aviation safety, um, it would be appropriate for you to review the recording of issue two and respond to any particular issues on aviation safety into that issue by responding at deadline, for which I believe is a 12th of May, um, and respond via that, um, conscious that there is a sort of an overlap with the CAA.

00:19:16:01 - 00:19:36:05

But in terms of aviation safety, aviation policy and the application of that, then that should be taken through the the the Irish. But I'll pass back to the applicant now who may wish to comment on any sort of land side of matters. Steven Boughton.

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On behalf of the applicant. Yep. Just to set.

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Out.

00:19:39:17 - 00:19:40:02

The.

00:19:40:04 - 00:19:41:11

Current applicant's understanding.

00:19:41:13 - 00:19:42:07

Of the situation.

00:19:42:09 - 00:20:15:16

We fully acknowledge Mr. Walker's comments on the impact on the Chase farm airstrip, which we have been in quite detailed engagement about. The current position is that we were provided with a

study from the affected party, kind of setting out multiple options, which could possibly be feasible for the realignment of the airstrip. We've since confirmed we've passed back a draft legal agreement, except in the fact that we will be willing to cover the costs of the works associated with this realignment.

00:20:15:24 - 00:20:30:14

We're currently waiting for comments back on which of those options the affected party might prefer to pursue if any of them and have chased them. Mr. Walker's colleague just. We can have a follow up meeting just to discuss the outcome.

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Thank you. Is that your understanding of matters, Mr. Walker?

00:20:37:10 - 00:20:53:26

Yes it is, thank you. And as I said before, I think there are there is dialogue. Um, our concern remains that we need to be in a very clear position to commit to a voluntary agreement. Um, and until we are in a clear position, the objections must remain.

00:20:55:06 - 00:20:57:07

Thank you. Back to the applicant.

00:20:59:03 - 00:21:28:17

So I think my only kind of observation is I'm wondering whether, you know, Mr. Walker, you've been mentioning about your needing more information, and I'm wondering whether that's it's quite clear what information you really are still needing and the level of the detail that you're needing. Um, having heard that there is an offer of relocating the airfield and the heads of terms. Weather. Weather matters have moved on ever so slightly in terms of the information you need, or whether it's further detail you need.

00:21:30:17 - 00:22:08:23

There is there is, um, further discussion that's needed. And again, I think it's similar to as some of my previous comments. There's been progress very recently since we put ourselves forward to speak here. Um, and we acknowledge that from National Grid, in terms of the information that's required, we need to review and analyse the offer that's been made and respond accordingly. I think our general comment, as I say, is that it's easy to say, let's just move the airstrip from A to B, the practicality, as well as the cost and impact on the wider farming.

00:22:08:25 - 00:22:38:27

It does take some time to understand, let alone other issues in terms of planning and town planning etc. so I acknowledge that the conversations are taking place. They're underway. They need to keep going. Our pressure is our pressure is time from the time from the applicant in terms of pressurizing, um, signature of agreements and things whilst this DCO process is continuing. So I, I acknowledge what Stephen is suggesting and saying.

00:22:39:08 - 00:23:01:10

That's that's good news. And I'm sure there's other matters within the heads of turns out with the field that you'll be discussing as well. So obviously um, hopefully that those discussions will continue and we'll see some progress, um, quite soon. But thank you for the update. That's, um, sounding sounding slightly positive, which is good. Um, Mr. Walker, let's move on to, um, the parish family.

00:23:02:24 - 00:23:32:27

Yep. So again, Paul Walker worded you not representing the parish family who live at Oak Farm, and they've lived the property for 44 years. The they're affected by the proposed scheme, an associated construction haul road, and particularly the undergrounding of the existing UK lines. The holding is about 13 hectares and during the continuation of the scheme, their usable space will be reduced to somewhere between 4 and 5 hectares.

00:23:33:19 - 00:24:03:19

Um. The parish family have been left in a state of uncertainty by these proposals. They currently operate a delivery business on this small acreage. That business has already been adversely affected, with the clients choosing to relocate already. And once the works begin, there will be very little space for grazing. And indeed the whole road and activities related to UK power network are in immediate proximity to the livery stables and indeed the Mirage etc.

00:24:03:21 - 00:24:35:23

so there's a substantial impact on them already. But the impact also will affect ten commercial units that are affected in that location, and more particularly, the family's future plans. They've recently invested considerable time and money in securing planning permission to convert existing buildings into residential properties for the benefit of their family. Um. However, with the pylons in proximity, their plans are at the moment up in the air and in limbo. There's real uncertainty as to how as to whether this redevelopment will remain viable.

00:24:36:13 - 00:25:06:04

Um. The family are therefore caught in an impossible position at the moment. The planning permission expires before National Grid works are due to complete, and they can't sensibly proceed with confidence at this stage. Um, what we're also realising is that there's very little in terms of a joined up approach between the impacts of the National Grid Scheme or the UK pen scheme. Um, it's we request that there is much more detail and much more, um,

00:25:07:24 - 00:25:42:04

integration of the discussions between UK Power networks and National Grid. It feels to us as though National Grid are saying just talk to UK PM. That's fine. However, the combined effect of those positions on this client are significant. Um, so ultimately we consider the economic impact is unreasonable. The long term impact on their business leaves it unsustainable. At the moment, we've got no clear understanding of what mitigation is addressed, and there's a real threat that their business will become unviable even in the short term.

00:25:42:06 - 00:26:08:18

So we're requesting some joined up thinking between UK, PM and National Grid. And again, as you've heard before, there are heads of terms available. Discussions are in place. We're on version three now. Um, but only last week we discussed changes to version two to bring out version three.

Um, and until we've had those, we're not in a substantial position to understand or be confident to sign a voluntary agreement.

00:26:12:21 - 00:26:52:14

Thank you very much, Mr. Walker. So I'm going to pass over to the applicant in a second. But I think it's I know we had the discussion about UK PM earlier, but I think this is even another example of where I still I had a concern after the first people we heard, but again about about the joined up ness between UK, PM and and National Grid in terms of, you know, you know, your responsibilities as the applicant and putting additional time and pressure on apps and their agents if they're having to, you know, seemingly deal with two different groups of people that are putting in the same application.

00:26:52:16 - 00:27:04:03

So, um, I'll just give you a heads up again, I'd like some confirmation on where that is and what your proposals are, even though you have mentioned that before, but I now I'll hand over to you in terms of the applicant, Mr. Sargeant.

00:27:07:24 - 00:27:11:24

Have a sergeant for the applicant. I'm actually going to hand straight over to Mr.. Going to respond.

00:27:11:26 - 00:27:13:12

Thank you. No worries. Thank you.

00:27:14:09 - 00:28:10:20

Thank you. James, going on behalf of the applicant. Just to summarize the latest engagement position, there was a detailed, um, face to face meeting held on the 20th of January to discuss the practical implications on the holding. Subsequent to that, there has been ongoing engagement directly with the AP's agent and their planning adviser in order to understand how, if possible, we can mitigate the impact on the proposed development and how that also interacts with the existing equestrian business. Subsequently, we also recognize the interaction with UK pen and NGS right being sought on the holding, and as such, we have a meeting scheduled with the agent and the AP on the 12th of May, with UK pen in attendance to understand the full all party interaction on the site and we will look to move forward quickly for a resolution in terms of the mitigation and ongoing management of the works needed.

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Thank you. Can you just confirm when you're meeting again? Sorry I missed that.

00:28:15:03 - 00:28:18:24

That is a face to face meeting at the holding on the 12th of May 12th.

00:28:18:26 - 00:28:19:11

Okay.

00:28:19:13 - 00:28:22:04

Thank the agent and UK PM's advisors in attendance.

00:28:24:00 - 00:28:25:01

Thank you very much.

00:28:26:08 - 00:28:40:22

Sir. I have a sergeant for the applicant. Would it assist for us to set out a sort of overview of how we are essentially moving along with UK, and how that's all working? Because I can see this is a point that's been raised by more than one aid.

00:28:40:24 - 00:29:23:21

Yeah, I think I think as well as an overview, a little bit more detail about how you are actually making sure that the work that you KPN are doing. Obviously, you know, I understand why there is some independence because, you know, you're doing different things essentially. Um, but rather than just an overview, I'd like some understanding to give us, you know, us Surety that the way that this the way that you're working is not putting additional uncertainty and pressure on people that are already being affected by this proposal and having to deal on the face of it with two separate groups of people that don't, in their view, aren't necessarily coordinated.

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And I'm not saying that you're not coordinated at all, obviously, but if that's the view that's coming across and additional work is having to be put in. So yeah. Can I have an overview plus please? Thank you very much. Um, Mr. Walker, I appreciate that the applicant has really only explained where the engagement is. Is there anything you'd like to. Um, yeah. Same response in a bit more detail.

00:29:46:29 - 00:30:19:13

Yes. Thank you. Um, yes. I acknowledge that there is engagement and ongoing engagement, which is, you know, fantastic. And that's something that we have been keen to do. I think the, the challenge that we face. And I think it was echoed before by previous speaker, is that the, um, heads of terms have been issued. The clock is ticking on them for voluntary agreement, yet we're being told there's new versions coming. And also there are still meetings and discussions to have which are in themselves not straightforward.

00:30:19:15 - 00:30:57:16

And I think it's that undue pressure that is causing a lot of concern, particularly to applicants. Um, but are we moving towards trying to find some mutual agreement? It feels like we are. But it's the pressure at this stage that we have no assurance that what we are looking to or what the agreement will look like. Um, the current heads of terms do not have any, uh, commitment towards delivering accommodation works. They don't have any commitment towards paying compensation, although we imagine these things are taken as read, but they're not in the heads of terms.

00:30:57:26 - 00:31:18:02

Um, so there are various shortfalls in those documents, which we've been challenging for six, nine months now. Um, it feels as though we've turned a corner. But in the meantime, we have to appear at these hearings to explain to you where we are and what we're doing and what objections we've got to the principle of what's going on.

00:31:18:06 - 00:31:18:23

Thank you.

00:31:19:05 - 00:31:35:27

And we because we got through this reasonably quickly. I mean, there is an opportunity for the applicant to respond on that, um, that point that there's there's some fundamental things that, um, uh, Mr. Walker is suggesting are missing in the heads of terms.

00:31:45:14 - 00:31:59:28

Sorry, that was a question. And I know I left it in the air, but it's an opportunity for you to respond. Uh, sort of. Now, um, if you'd like to, uh, about, uh, Mr.. Mr. Walker's points about a couple of things that are missing in the heads of terms that we'd expected to see.

00:32:03:02 - 00:32:33:20

James, going on behalf of the applicant, I think we recognize that there is ongoing dialogue on the heads of terms, and there have been really positive discussions in recent weeks regarding updates and amendments to those heads of terms, and I envisage that we will be in a position shortly to re-issue terms with updated terms within them, based on a number of the things that Mr. Walker is referring to. I think at this point I'd also just refer to the fact there is actually a clock ticking on the ability to reach agreement on the heads of terms.

00:32:33:22 - 00:32:46:28

The clock itself only relates to the incentive that has been offered that aligns with National Grid's policy, and all the points raised are in active negotiation, and we will continue to meet with the agents face to face in the coming weeks to push these forward.

00:32:47:10 - 00:33:18:15

No, I appreciate that. And we also we have a number of clock's ticking, one of which is, you know, the examination and and our understanding of objections that are still being upheld at the end of the examination. So I appreciate you. Have, you know, your clock. Our clock is in a slightly different time zone. So, you know, so I appreciate that. But I you know, that's why we're asking these questions. Because, you know, we ideally would like to see objections withdrawn by the end of the examination process.

00:33:18:22 - 00:33:27:27

Um, which is why it's very helpful to make sure that that matters are discussed and forwarded. Thank you very much.

00:33:29:24 - 00:33:33:04

Anything final, Mr. Walker, before I let you go?

00:33:34:01 - 00:34:03:28

No, I think the the only comment really is regarding, um, as you say, the clock is only ticking on the incentive payments. But at the end of the day, for many of our clients, the incentive payment is perhaps irrelevant. Um, if they're faced with uncertainty and faced with, um, CPO, regulation and process due process in the end. So we're looking for clarity and certainty and commitments. That's that's what clients and affected parties really would like.

00:34:04:04 - 00:34:21:07

Thank you. And I am pleased to hear that things are progressing, and I look forward to having some better news about the heads of terms in the next iteration. Thank you. Um, thank you very much, Mr. Walker. And, um, I don't I don't believe you're coming. I think we've put you all your all your slots together, so.

00:34:21:12 - 00:34:23:00

I think I'm done. Thank you very much.

00:34:23:02 - 00:34:24:01

Thanks very much.

00:34:24:19 - 00:34:31:01

So, um, uh, we're ten minutes ahead of time. So. Is that.

00:34:31:12 - 00:34:32:11

You? Yeah.

00:34:32:13 - 00:34:45:15

So, um, so, um, Mrs. Staples from the NFU members. Um, we've managed to bring you in ten minutes early so that hopefully your other commitment can be met as well.

00:34:45:24 - 00:35:19:06

Thank you very much. Thank you. Yes. It's three staples, uh, from the National Farmers Union representing NFU members. Um, firstly, I would just like to say that actually you've you've just heard from one NFU member already this morning and that was Chris Philpott. Uh, I can see from the list that you're going to hear from 1 or 2 other members later on, which is the Tritton Farming Partnership, and also John Stacey, just to mention a further two. Um, I've got some sort of more generic issues in regard to compulsory acquisition, which I'd like to raise.

00:35:19:12 - 00:35:52:27

First of all, just want to touch on heads of terms. Again, just to give a little bit more detail of what's actually been happening. Um, yeah, over the last few months. And this started back in from October, November time through to January, February. Um, agents particularly got in contact with the NFU, uh, at the end of January to raise concerns about how, um, heads of terms were being or meetings on heads of terms were being carried out, and that a lot of them were receiving statements to say from Fischer German that no more changes would happen.

00:35:53:07 - 00:36:23:19

This obviously was very concerning. I then got involved on behalf of NFU members and um, joined one of the meetings, held a meeting with different agents, acting, and then joined a meeting with the Norfolk agents. It was then that I realised that actually lots of the issues that were being raised were the same from each group of agents. Um, and I raised this, uh, with National Grid, as we actually have liaison meetings with National Grid every month.

00:36:24:13 - 00:37:06:26

Uh, and I explained that I thought most of the issues that were being raised were the same. And could this not be looked at in a more efficient way? Um, this was actually raised with John Galloway at National Grid, who is their head of land and technical and governance. I have to say that I am now pleased to say that he has got involved, um, with his National Grid team, along with Fischer German in the last, literally the last few weeks. This has only been happening now, probably over the last two weeks. I know that he's held, um, a meeting, uh, with Chris Lini from Brooks Lini, one of the agents, and he was also had a meeting with the Norfolk agents, uh, last week, which I joined.

00:37:07:04 - 00:37:44:11

I have to say, though, that I've been hearing from 1 or 2 of the agents that I've spoken to over the last four days. Some of the agents didn't know that. Some of these meetings are now happening with National Grid, uh, and John Galloway. So there is confusion over, uh, that the work is still being carried on or carried out in regard to the heads of terms. And so my request is that, please, could National Grid inform all agents who are acting on behalf of all landowners and a few members, that there is now further work being carried out on the on the actual heads of terms, because that would be really helpful.

00:37:46:16 - 00:37:47:07

Um.

00:37:51:00 - 00:38:24:12

There is pressure, obviously. And we we do know that we really would like to, uh, get the heads of terms agreed before this examination is finished, if that is possible. Um, firstly, I then I just wanted to say, um, just to give a few, just highlight a few of the things that are being requested by National Grid. Um, so one of the areas is Grant halls land. They're trying to include, um, areas of land outside of the order limits within the voluntary agreement and ask for rights over that land.

00:38:25:00 - 00:38:59:27

These at the present time are excessive and they're mainly being needed for access and field drainage. Um, I just want to say that under some of the tests, under the Planning Act 2008, obviously National Grid are not supposed to take any more rights than they need, and they should be proportionate and justified at the minute what's being requested. And the area of Grant's land that's being requested is excessive. So they are not proportionate. And also, yeah, obviously they should try and reach a voluntary agreement for these rights and not use their compulsory powers.

00:39:00:24 - 00:39:31:06

Secondly, another area is other interests. The NFU believe that it is essential that National Grid do communicate with agricultural tenants direct and not just landowners. Um, to do. Yeah. Because at the moment what is being requested is that landowners go and get permission from their agricultural tenants for National Grid. We do not believe that this is acceptable at all. And the National Grid should be doing that work directly themselves.

00:39:33:10 - 00:40:05:15

Um, another area is new interests. Um, landowners and farmers do need to be able to carry on letting land on a short term basis. That can be done. And we have agreed that before with National Grid, by

using an FPT of less than two years with a notice period, so that land can be taken back when National Grid needs it. We have managed to do that in the past, without all the obligations of what National grid need to be included within that tenancy. So I would like this to be looked at further

00:40:07:08 - 00:40:39:03

then in regard to practical details at the moment, whether it's within the voluntary agreement or within the outline code of practice. The details we have on field drainage, soil statements, record of condition, water supplies, impacts on irrigation systems is not covered in enough detail, and we do need to look at that further. Obviously, that is particularly important for all the farmers out there. That is what they are really worried about, and that is what will enable them to carry on with their businesses.

00:40:39:05 - 00:41:14:24

Once construction has finished and during construction. I know UK pm has been mentioned and I just want to say yes. I've had many phone calls over the last five days from agents raising concerns about how our works to be carried out with UK, pm, um and the relationship between National Grid and UK PM. So um, and I do know that now 1 or 2 meetings have taken place with a few agents on behalf of NFU members, but still, how this is going to be taken forward is not actually clear to any of the agents.

00:41:14:26 - 00:41:54:19

So would be grateful if, uh, National Grid could do a briefing note of how this is exactly going to work, because at the moment we have UK PM saying they're going to agree their own heads of terms and do their own access requirements, but nobody's actually sure. How does that link up with them with National Grid and with obviously the development consent order itself? Thank you on that. Uh, then there are proposals we understand for a commitment to register. Um, and agents are now raising concerns over this register, uh, which we understand will cover accommodation works which are to be agreed with each landowner.

00:41:54:21 - 00:42:12:11

Farmer. Um, what we'd really like to understand is how is that commitments register going to be binding so that going forward, when the contractors are on site and those accommodation works have to be carried out, that contractors for National Grid definitely do carry out those works.

00:42:12:28 - 00:42:17:29

So do you have many do you have many more points? Because we're just running into about 7 or 8 minutes at the moment.

00:42:18:10 - 00:42:23:13

Okay. I just yeah, 1 or 2 more just on engagement of design and haul road and access routes. And then I'll.

00:42:23:17 - 00:42:25:24

Just briefly do that and then we can pass over.

00:42:25:26 - 00:42:26:18

Thank you.

00:42:27:09 - 00:43:17:14

Yeah. So as I was saying on commitments register, we'd be grateful if we can just have confirmation of how that will be taken forward and will be binding, because at the moment there's a proposal for them just to be in a side letter and everyone is concerned about that. Then in regards to the whole road, you've heard, um, quite a few issues being raised about the whole roads this morning. Um, one in particular was about soil stabilisation. Uh, so we'd be grateful if there could be a briefing note on if soil stabilisation is used, what the impact of this might be on the soil and going forward, uh, on the quality of soil after construction, the access routes, what I've been told is that there seem to be some very random access routes that have been highlighted on plans for permanent access afterwards, for maintenance.

00:43:17:22 - 00:43:54:24

Some of the agents are saying to myself that they think this has been done on a desktop exercise, and actually a lot of these access routes just aren't physically possible if you go out onto the ground to look at them. So those need to be looked at more closely. And then just in regard to engagement, I just wanted to say, um, that like Chris Philpot raised with you, I've got many members that have come to me and agents raising concerns that absolutely no changes have been carried out to requests for different locations of pylons, different locations for Hall roads, different locations for compound sites.

00:43:55:00 - 00:44:11:12

Also, a lot of them have been given absolutely no feedback on all the representations they submitted from the beginning of the scheme, which, as you've heard earlier, started 4 to 5 years ago. And I could mention names and I probably will put some names to you in the written submission, but I'll finish there. Thank you very much.

00:44:11:14 - 00:44:28:07

Thank you very much. I know there was a lot that was covered there. Um, but if, um, if I could ask the applicant to pick out some of the salient points in the what they might consider the priority ones to discuss now and maybe respond to some others in writing.

00:44:29:05 - 00:45:07:17

So thank you. Have a sergeant for the applicant. I just have a couple of points and then I'll hand over to Mr. Galloway, who's now sitting to my left and just around sort of timings again and heads of terms. I did just want to clarify and also in response to the last AP, that when version three of the heads of terms is issued, that will start a new incentive period. That's just in response to the suggestion around sort of time pressure from our side. Um, these points are not related. So the next one is, um, in respect of the, uh, attempts of a national grid to deal with land outside the order limit through voluntary agreement.

00:45:07:19 - 00:45:41:17

There was a reference to the statutory tests, but they from a legal perspective, they don't apply to the acquisition of land through voluntary agreement. I just want to correct that. And then the final two points I wanted to make before I hand over to Mr. Galloway are, um, it was said that some of the access routes are very random and some of them are not physically possible, and we will need more

detail on which which routes are said to be problematic in order to respond and consider that. And then it was said, well, there haven't been any changes in response to engagement, and that's not correct.

00:45:41:19 - 00:45:59:18

And the sort of assessment of the potential change requests is detailed in the documents. But again, we would need to know specifically who is complaining about a sort of lack of consideration and what the request was in order to add any deal to detail to what we've already said in the documents.

00:45:59:20 - 00:46:35:00

Yes, I think I think we've heard we've heard that, um, made a number of times. And I think there has been quite a number of those made in relevant reps. So I think there there is plenty of specifics that there are available. Um, if you know, to respond to um, and I understand why the generalisation has been made because we've made that same generalisation. So I think there's plenty of examples in relevant reps where that has been made, but also you've had the opportunity to respond as well. So there will be further opportunities to respond than you did that in in written questions and in response to the relevant reps.

00:46:35:02 - 00:47:06:03

So if there is I think, Miss Staples, I think there was another thing that was an opportunity for, uh, you know, comments back to your members to say that there's still an opportunity to put those comments forward, but, you know, they may well have been made already and they may well have already been responded. And it may they may well be that that your members didn't like the answer, but they may have been responded to. Um, so there's an opportunity there to, to, to raise that again.

00:47:06:05 - 00:47:08:28

Um, you were going to pass on to some of your colleagues.

00:47:11:00 - 00:47:41:14

John Galloway um, from National Grid on behalf of the applicant. Um, I just like to start by saying thank you for the submissions from the NFU, and we do have a constructive and regular dialogue with them as staples referenced. Um, I won't pick up on all the points because I think there's a sort of a mix of commerciality around items that are in active negotiation at the moment, and that would not be appropriate here. And I suspect Miss Staples will provide in writing a summary of her submissions so we can respond in due course by the next relevant deadline.

00:47:41:21 - 00:48:21:00

But just to pick out a couple of those, um, as as mentioned, where there has been any confusion, we apologize. Uh, as the applicant, we will undertake to write to those parties we are negotiating with to clarify that we are still negotiating on these version two heads of terms. And a lot of those matters which Miss Staples has raised will be part of those negotiations and discussions that are ongoing face to face on the extent of additional rights. I think it has been addressed there in terms of the legal test, but I would just gently say that that is part of negotiations, is reaching agreement in return for commercial payment, for additional rights above and beyond.

00:48:21:02 - 00:48:55:18

So that is a negotiation that is ongoing and therefore is not really part of the examination itself. So. Yeah. No, that's that's it. And I think the other thing to mention is just with regards to the nephew's position on our approach to occupiers and the approach of reaching agreement, head to terms with the superior interests, the landowner in this case for a permanent right. I think we have set out our position, policy wise, in the detailed land rights tracker that was submitted at deadline three. However, if we need to provide any further submissions on on that position for the benefit of the panel, then we can do so.

00:48:55:20 - 00:49:28:23

Yes, for the sake of you have asked what we're going to cover tomorrow at the last session, and that might have been one of the things that we were going to be asking you about. So, Miss Staples, your question about, um, about negotiations with the primary interest rather than the tenants is something we were going to cover tomorrow at the end of tomorrow's session because it was a question. And I'm not going to suggest we go into it now because tomorrow is the right time for that. Um, the only thing that I would that I know of asked about the UK PM and we're going to get a note.

00:49:28:27 - 00:49:43:04

Um, but I didn't appreciate it until Miss Staples mentioned it that, um, UK pm were going to potentially give their own heads of terms. So is that. I'm not. I'm not suggesting that mistake is wrong, but for want of a better word. Is that correct?

00:49:43:06 - 00:50:02:29

Yes. John Galloway for the applicant. That is the correct position. They are they are required effectively to seek the private rights by voluntary agreement. So we are not seeking heads of terms in locations where there is UK pen works. That's for them to do. And as I understand from a few of the submissions today, um, they are actively reaching out to have meetings and begin the process of that.

00:50:03:01 - 00:50:12:21

And forgive me if I've missed this, but is that information you put on the Lands Rights Tracker independently so that we're clear that there's two, uh, negotiations happening?

00:50:13:00 - 00:50:18:22

Yes. John Galloway for the applicant. We will do that in the next iteration. Yeah. Because I make it clear whether that is relevant.

00:50:18:24 - 00:50:49:04

Unless Mr. Stone kicked me under the table. I think that's the first time we might have heard that that's happening. And again, it's just another pressure on on, um, apes in terms of their time and their understanding, their commitment. They've got two heads of terms. I thought we were just having two negotiations, but now within the next last five minutes, well, now we had two heads of terms as well. So um, again, just that reference to two different clock's ticking. Um, or at least two different clock's ticking.

00:50:49:06 - 00:51:07:18

So, um, yeah, we'd like to understand a little bit more about that. But um, and clarification on how that's how that's working in terms of, you know, other heads of terms coming in at the same time. And

so please clarify how the heads of terms are working within the note that you're going to be doing. And, you know, unless you've got anything else to say, I think I'll leave it there.

00:51:07:21 - 00:51:24:11

John, for the applicant, if I can just reiterate this phrase, the clock ticking is in relation to an incentive period for additional payment to landowners. Yeah. No, I understand it's not about our attempts to reach voluntary agreement and the tests that we put ourselves under, that we must do so and use compulsory powers as a last resort.

00:51:24:15 - 00:52:13:13

But with respect to explained our clock as well. Yeah. You know so so that's why I talked about the different ones because, um, uh, if people are trying to come to a voluntary agreement to potentially withdraw their objection, now we know that there's power to potentially voluntary agreements for some people, which I didn't I don't think I appreciated. And if I missed that, that is entirely my fault. Um, so thank you. Um, Miss Staples, I think, um, I think we, um, very much appreciate some of your your, um, summary in writing, as we've, we've asked for and to give the applicant opportunity to, to respond and, um, we're kind of at the end of the time and I know you need to get away, but unless there's anything very short in particular you want to respond on, I think we'll move on.

00:52:13:19 - 00:52:24:13

No, I, I just want to say thank you very much and that I will in the written submission highlight and a few members that have asked for changes and where those haven't been given. Just to give some further examples for you.

00:52:24:15 - 00:52:38:25

And the and the the access tracks because um, uh uh, Miss Sergeant suggested that it would be helpful to know if there was any particulars about the access to permanent access tracks where people were. And I think I think that's a very sensible request.

00:52:39:08 - 00:52:40:14

Okay. Thank you very much.

00:52:40:16 - 00:52:56:09

Thank you very much. So, um, finally, for this session, we're going to move on to Basildon. Um, Bears Limited and I believe we have, um, Mr. Walker virtually. And Mr. Pym in the room, is that correct?

00:52:57:26 - 00:53:02:04

Good afternoon, sir. I'm Angus Walker. Yes. I'm here.

00:53:03:03 - 00:53:08:24

Welcome. I'm just. I'm just checking. Uh, do you know whether Mr. Pym is going to be in the room? Because no one's moving?

00:53:09:18 - 00:53:10:09

Oh, sure.

00:53:10:22 - 00:53:11:15

Virtually.

00:53:12:00 - 00:53:14:23

You're joining us virtually as well, Mr. Pym. Okay. Thank you very much.

00:53:16:18 - 00:53:24:14

Okay. Um, so, um. Yeah, if you would be willing to, uh, outline your points in the next five minutes. So. Mr.. What would that be? Great.

00:53:24:16 - 00:54:08:27

Thank you. Thank you very much. So my name is Angus Walker. No relation to your previous Mr. Walker? Um, from TLT and I'm representing Basildon Best Limited who made relevant representation number three three, four. And ah in the book of reference for three plots in section H1/115 and 1/11. And they appear on sheet one of section eight of the land plans, which is Ace 012 is the document reference, and it appears that the land is for work number 33, which is a overhead distribution line, not the main line.

00:54:10:12 - 00:54:45:26

So that's the situation, And if the land, if the powers were exercised as set out in the application, then this would basically prevent the battery storage system from operating because it cuts across the actual physical footprint of it. However, um, no doubt prompted by this impending compulsory acquisition hearing, um, the applicants have, uh, sent a draft agreement, and we received a plan accompanying it yesterday.

00:54:45:28 - 00:54:58:27

So we haven't really had time to fully digest that, but it is promising that we will reach agreement and to our satisfaction. But we haven't finally agreed yet.

00:55:02:21 - 00:55:08:09

So sorry I interrupted you, Mr. Walker. Is that your summary?

00:55:08:20 - 00:55:09:18

That's it. I'm finished.

00:55:09:20 - 00:55:33:01

I thought you'd come to an end. I'm just joking. Um, so, um, so just to confirm. Um, you're saying that very recently you've had a new submission that potentially changes the, um, the status of your objection, but you've you have yet to consider it in full prior to today. So, um, thank you very much. That's that's good to hear.

00:55:33:04 - 00:55:45:03

We are objecting to both permanent rights and temporary possession, just for the record, until we've reached that agreement. But it is promising that we will do so fairly soon, I hope.

00:55:45:28 - 00:55:54:02

Uh, that's good news. I'll, uh, just ask the applicant if they wish to, um, give any further commentary.

00:55:55:19 - 00:56:09:28

Um, no, I have a sergeant for the applicant. No, sir. Thank you very much. Obviously, um, Mr. Walker and his client will need time to consider the latest documentation. Um, but as he says, hopefully we'll be able to move matters forward relatively swiftly.

00:56:13:00 - 00:56:24:01

Okay. Um, yeah. Um, Mr. Pym, I know that you've obviously got Mr. Walker here representing you, but is there anything that you would like to add or comment on as you've got, um, the opportunity?

00:56:26:15 - 00:56:35:28

No. Nothing major. Just that, uh, as Mr. Walker said, we're seeking to come to an agreement. I just haven't had, uh, requisite time to review the documentation sent out yet.

00:56:38:07 - 00:56:42:19

Thank you very much. Mr. Walker, is there anything further you'd like to add?

00:56:43:18 - 00:56:46:21

No. That's it. Thank you. Any lunch now?

00:56:47:06 - 00:57:18:12

And yes, the. There's no there's not many stomachs rumbling in the room. We're fine. But thank you for the reminder. Um, so, Mr. Walker, thank you very much. And, um, just like to say that that is the, uh, the end of the running order we have before lunch. We are slightly ahead of where Mr. Stone and I thought we might be, which is good news, but we are going to take an hour's lunch, and we will adjourn the hearing until 145. We'll be back at 145.

00:57:32:20 - 00:57:57:15

To check, the Mr. Long is available at 145, and we'll just do that, um, offline. And, um. And I know Mr. Tritton, who's after Mr. Long is in the room. So if we need to make those changes just in terms of availability, we'll we'll try and be a bit fleet of foot, um, after lunch, but hopefully we'll stick to the agenda. Thank you. 1145.