

Land Parcels Affected

T A Cullum Contracting 6/47, 6/48, 6/72, 6/52, 6/54, 6/55, 6/56, 6/92, 6/62, 6/85, 6/88

Following the representations made at Compulsory Acquisition Hearing 2 (CAH2), and previous submissions, I write on behalf of our client, T A Cullum Contracting Ltd ("the landowner"), to provide this written representation for the Deadline 4.

1. Current position

The landowner do not object in principle to the proposed scheme. However, they maintain that the current proposals affecting their land are not yet sufficiently defined, justified, or negotiated, and therefore they cannot support the exercise of compulsory acquisition powers at this stage.

2. Engagement

Whilst engagement with the Applicant has improved in recent weeks, discussions remain ongoing and unresolved. A further meeting with the Applicant and its agent, Fisher German, is scheduled for 11 May, and no agreed Heads of Terms or voluntary agreements are currently in place.

Responsiveness remains inconsistent, and a number of earlier issues continue to be unresolved or lacking clarity.

2. Extent of land take

The primary concern relates to the extent and expansion of land take associated with the scheme. This includes:

- Additional land required for pylons, haul roads, construction compounds, utility diversions and attenuation ponds, some of which appear to extend beyond the defined working corridor

The cumulative impact of the proposed land take includes:

- a. Permanent loss of productive agricultural land
- b. Temporary but prolonged occupation of land for construction purposes
- c. Fragmentation of fields, reducing operational efficiency
- d. Encroachment beyond previously understood limits, creating uncertainty

Despite the landowner proposing alternatives, including underground cabling and a less disruptive alignment, these do not appear to have been meaningfully considered. There is therefore a clear concern that avoidable land take has not been minimised.

3. Technical matters

A number of critical technical issues remain unresolved, preventing a proper understanding of the scheme's impact, including:

- a. Soils: Insufficient detail on stripping, handling, storage, reinstatement and aftercare
- b. Drainage: Lack of clarity on protection, diversion and reinstatement of field drainage
- c. Construction impacts: Limited information on haul roads, compounds and working areas
- d. Access: There remains uncertainty regarding the proposed access arrangements
- e. Water Management: Insufficient detail on attenuation ponds, flood risk and mitigation measures
- f. Amenity & Operations: Limited mitigation detail on dust, noise, crop quality and farm operations
- g. Land Rights & Constraints: Lack of clarity on permanent rights, easements and restrictions

The information provided to date is high-level and dispersed across multiple documents, making it difficult for the landowner to understand the practical implications.

It is essential that the Applicant provides a single, consolidated document setting out how these matters will be dealt with together with detailed mitigation measures.

4. Agricultural and business Impacts

As stated at the Acquisition Hearing, the cumulative effects of the scheme will have a clear and material impact on the landowner's businesses.

These impacts extend beyond temporary disruption and include:

- Permanent loss of productive land and reduced efficiency
- Disruption to established farming practices
- Long-term implications for business viability

These are fundamental considerations when assessing whether the compulsory acquisition powers are proportionate and justified.

5. Compulsory Acquisition

The landowner have not yet been provided with sufficient information to make a proper and informed assessment of the proposals or their impacts. The current lack of clarity materially prejudices their ability to engage meaningfully in the process.

The landowner's position remains that compulsory acquisition powers should:

- a. Be used only as a measure of last resort
- b. Be exercised only where impacts are fully understood
- c. Follow genuine and meaningful negotiation

At present, our client does not believe these conditions have not been satisfied.

6. Conclusion

Our client therefore maintain the representations set out at Deadline 1 and respectfully request that the Examining Authority ensures the Applicant:

- a. Clearly justifies the extent of land take and rights sought
- b. Demonstrates proper consideration of reasonable alternatives
- c. Provides detailed responses to outstanding technical matters and mitigation measures
- d. Clarifies third-party coordination and cumulative impacts
- e. Engages in meaningful and timely negotiations including Occupiers
- f. Seeks to agree Heads of Terms and an Option Agreement before the close of the Examination

The Applicant has not yet provided sufficient clarity regarding the scope, justification, and coordination of the proposed compulsory acquisition and temporary possession powers.

Without this information, it is not possible to conclude that the powers sought are proportionate, justified, or appropriately targeted.

Until these matters are resolved, our clients are not in a position to properly assess the impact of the scheme on their businesses. Accordingly, their concerns are maintained pending satisfactory resolution.