

A47 Blofield to North Burlingham Dualling

Scheme Number: TR010040

Volume 9

9.24 Request for a Non-Material Change to the Application

Regulation 5(2)(d)

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

November 2021

Deadline 7

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

A47 Blofield to North Burlingham Dualling Development Consent Order 202[x]

REQUEST FOR A NON-MATERIAL CHANGE TO THE APPLICATION

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|-----------------------------------------------|-----------------------------------------------------------------------------|
| Regulation Number: | Regulation 5(2)(d) |
| Planning Inspectorate Scheme Reference | TR010040 |
| Application Document Reference | 9.24 |
| BIM Document Reference | HE551490-GTY-LSI-000-RP-TX-30074 |
| Author: | A47 Blofield to North Burlingham Dualling Project Team, Highways England |

| Version | Date | Status of Version |
|----------------|---------------|-------------------------------------|
| Rev 0 | November 2021 | Deadline 6 |
| Rev 1 | November 2021 | Deadline 7 (Revised following CAH2) |

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EXECUTIVE SUMMARY

The Examining Authority (ExA) has previously received an application for a change to various plans and the draft Order for the A47 Blofield to North Burlingham Dualling Scheme (DCO Scheme).

The ExA determined on 8 October 2021 to not accept the change to the application having given preliminary comments in his letter of 21 September 2021.

The Applicant has reflected on both of the ExA's letters. It has carried out further title investigations and in consequence believes that the Infrastructure Planning (Compulsory Acquisition) Regulations 2010, Regulations 5 - 19 (Prescribed Procedure) need not apply.

As a result, the Applicant hopes the ExA remains open to the Applicant's position that this is a non-material change to the proposals before the examination.

The Applicant in this revised application seeks to demonstrate that:

- a) the parties that should be listed in the relevant book of reference are fewer than previously submitted by the Applicant;
- b) each of those parties has consented to the proposed change (these consents are provided to the Examination at Annex B to this document); and
- c) as a result, the ExA may be satisfied that:
 - (i) the change proposed is a non-material change;
 - (ii) section 123 of the Planning Act 2008 is discharged on the ground that all parties required to consent to the proposed compulsory acquisition have so consented (S123(3)); and
 - (iii) the procedure prescribed in the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 are not now in play.

The Applicant has augmented its previous application for a change to provide further clarification principally on the title matters to which it has applied itself following the ExA's decisions.

Following questions from the ExA at the Compulsory Acquisition Hearing 2 (CAH2) on 9 November 2021 the Applicant has revised the text in this document to provide additional clarification where requested. The request and conclusions remain that there is no requirement to follow the Prescribed Procedure in the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 before the proposed change can be made.

The Applicant is, of course, very willing to assist both the examination and all interested parties to achieve as swift a resolution to this application as possible and fully believes that the change can be dealt with within the remaining time for examination of this project.

This document supersedes the previous version of the Request for a Non-Material Change to the Application (**REP4-052**, **REP4-073** and **REP4-074**) which should be withdrawn from the Examination.

1 INTRODUCTION

- 1.1.1 In this document the certain terms are repeated and so are defined in Schedule 1 below.
- 1.1.2 The Applicant, (National Highways Limited, formerly Highways England Company Limited), is making this application to request the ExA to consider a change to the draft Development Consent Order (dDCO) and associated application documentation for the A47 Blofield to North Burlingham Dualling Development Consent Order application.
- 1.1.3 The application was previously made on 9 September 2021 (Deadline 4) and by letters dated 21 September 2021 and 8 October 2021. The ExA has decided that the previous applications are not accepted.
- 1.1.4 The Applicant believes that this decision is principally based on the ExA's concerns in relation to section 123 of the Planning Act 2008 and the Infrastructure Planning (Compulsory Acquisition) Regulations 2010.
- 1.1.5 The Applicant has endeavoured to address the ExA's concerns in this regard and believes that the requirement of section 123(3) is fully met, and that the Prescribed Procedure necessary under section 123(4) is not required.
- 1.1.6 The Applicant additionally submits through its proposals in this submission document that the change proposed can be regarded as non-material in all of the circumstances. This is set out in section 3 below.
- 1.1.7 The Applicant also refers to its analysis of the title for the land affected by the proposed changes as presented in Annex A to this document. This has been augmented following the questions raised by the ExA at Compulsory Acquisition Hearing 2 (CAH2) on 9 November 2021.
- 1.1.8 Where there are references to entries in the registered title in the style "A1" in this document:
- The letter refers to which Register the entry is located in. Register A is the Property Register, Register B is the Proprietorship Register and Register C is the Charges Register
 - The number refers to the numbered entry in that register.

2 FULL DETAILS OF THE PROPOSED CHANGES

- 2.1.1 The Application for the proposed changes is supported by the following documentation:
- Land Plans (**REP4-002**)
 - Works Plans (**TR010040/APP/2.3 Rev 2**) (submitted at Deadline 7)
 - General Arrangement Plans (**TR010040/APP/2.6 Rev 4**) (submitted at Deadline 7)
 - Draft DCO (**TR010040/APP/3.1 Rev 5**) (submitted at Deadline 7)
 - Explanatory Memorandum (**TR010040/APP/3.2 Rev 4**) (submitted at Deadline 7)

- Book of Reference (**REP6-002**)
- Statement of Reasons (**REP4-013**)
- ES Appendix 7.5 Visual Receptors (**REP4-025**)
- Masterplan (**TR010040/APP/6.8 Rev 4**) (submitted at Deadline 7)
- Highways England Response to the Examining Authority's request for further information dated 21 September 2021 (**REP4a-005**)

- 2.1.2 The proposed changes to the DCO scheme are set out in Schedule 2 to this document.
- 2.1.3 The Applicant has provided the above documentation to effect a proposed change relating to the reprovision of an Existing Block Valve Site belonging to Cadent, which is situated adjacent to and to the south of the Existing A47.
- 2.1.4 The Existing Block Valve Site is shown on sheet 5 of the Land Plans as plot 5/2 (**REP4-002**).
- 2.1.5 The Existing Block Valve Site comprises a block valve site, which is a fenced-off, above-ground facility situated where an existing gas main on a north-south alignment (the North-South Gas Main) crosses a second existing gas main on an east-west alignment (the Existing East-West Gas Main) which is to be diverted to a new route (the Diverted Gas Main) (see Work No.5, Schedule 1 to the dDCO (**TR010040/APP/3.1 Rev 5**) (submitted at Deadline 7)).
- 2.1.6 While the Applicant included the permanent acquisition of the Existing Block Valve Site in the Book of Reference, because it is required for the construction of Work No.1 (the new A47), Cadent has subsequently advised that the block valve site will need to be re-established on the line of the Diverted Gas Main, where it crosses the North-South Gas Main. The Existing Block Valve Site will therefore need to be relocated further to the south - the New Block Valve Site.
- 2.1.7 To allow the provision of the New Block Valve Site, a new permanent acquisition plot (plot 5/1e) has been added to the Land Plans (**REP4-002**) and the Book of Reference (**REP6-002**) on land for which temporary possession was previously sought. It is anticipated that this land would be vested in Cadent after completion of works. The extent of this plot reflects the limits of deviation for Work No.5, and a degree of uncertainty as to the precise location of the North-South Gas Main (historical records as to the location of the apparatus of statutory undertakers is generally imprecise).
- 2.1.8 In addition to acquiring the New Block Valve Site, it will be necessary to provide a replacement access to the New Block Valve Site (Replacement Access). The Existing Block Valve Site is accessed directly from the existing A47, however this will not be possible for the New Block Valve Site. It is therefore proposed to provide a new access track, leading south from the access track included in Work No. 23. New rights will be required for the new access track between Work No.23 and the Diverted Gas Main, and this has necessitated the creation of a new rights plot (plot 5/1b). Although the description of Work No.5 does not need to change, the limits of deviation for Work No.5, shown on sheet 5 of the Works Plans (**TR010040/APP/2.3 Rev 2**) (submitted at Deadline 7) need to be amended to take into account the land on which the Replacement Access is to be provided.

- 2.1.9 Finally, the new access track will need to provide sufficient room for van and trailer to turn around. As a result it is necessary for the access track to continue over the line of Work No.5 as far as the Order Limits. This land will remain "blue" land (limited to the acquisition of rights and for temporary possession), however in addition to the rights to install and keep the Diverted Gas Main in the land, access rights will also be required over the land. As a result a new rights plot (plot 5/1g) has been added to the Book of Reference (**REP6-002**) and the Land Plans (**REP4-002**).
- 2.1.10 This land is all situated within the existing Order land (red line) boundary, on the line of the Diverted Gas Main (Work No.5) and the North-South Gas Main, to ensure the least invasive option is adopted in the development of the scheme.
- 2.1.11 ES Appendix 7.5 Visual Receptors (**REP4-025**) has had a minor update to acknowledge the change in view due to the New Block Valve Site, with no change to the assessment. No other Environmental Statement documents have needed to be amended.
- 2.1.12 No amendments are required to the Works as described in Schedule 1 to the dDCO (**TR010040/APP/3.1 Rev 5**) (submitted at Deadline 7)) as a result of this change.

3 EXPLANATION AND RATIONALE FOR THE CHANGE REQUESTED

- 3.1.1 Cadent's North-South Gas Main and the Existing East-West Gas Main converge at a location where the Existing Block Valve is located, south of the existing A47, south of the village of North Burlingham. The Existing Block Valve Site is within the lands proposed for acquisition for the construction of the new route for the A47 at North Burlingham.
- 3.1.2 The Block Valve Site comprises a small area of freehold land held by Cadent, accessed from the existing A47. The location is important given the need to isolate sections of the converging gas mains to prevent the flow of gas through the pipes for inspection and maintenance, which is the primary purpose of block valve sites.
- 3.1.3 The Applicant may compulsorily acquire statutory undertakers land only to the extent it can be replaced without serious detriment to the carrying of the undertaking (section 127 Planning Act 2008) the provision of the new Block Valve Site and the associated replacement access from the Applicant's proposed access route south of the new A47 is proposed at this location to replace the Existing Block Valve Site and to re-provide for Cadent the facility described in paragraph 3.1.1 above. The new Block Valve Site and replacement access are being included at the specific request of Cadent to meet their operational requirements and has been consented to by the existing freehold owner and leasehold owners, both of whom hold their title subject to Cadent's rights attaching to its title for the Existing Block Valve Site and associated gas pipelines.
- 3.1.4 Despite the Applicant being in communication with Cadent since 2018 the need for a Replacement Block Valve Site was only understood subsequent to the application for development consent being submitted. The change is therefore sought to ensure that Cadent is able to replicate its existing facilities and to ensure

that its assets can be replaced and properly accessed.

- 3.1.5 The Applicant sought to make the proposed change at the earliest opportunity when it came to the Applicant's attention. The first application for a change to the DCO scheme was submitted in August 2021 but has been refused by the ExA, principally on the ground of the potential for the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 needing to be invoked.
- 3.1.6 As the Applicant can now demonstrate that section 123(3) of the Planning Act 2008 applies, it is submitted that, as the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 no longer apply, the need to carry out additional processes for consulting of landowners is removed.
- 3.1.7 The Applicant believes that the principal reason provided in the ExA's letter of 8 October 2021 was the need to invoke the Prescribed Procedure in the Infrastructure Planning (Compulsory Acquisition) Regulations (Regulations 5-19).
- 3.1.8 The Applicant submits that the physical impacts of the proposed change are very minor and essentially replicate the limited surface works that can be seen on site at this time for the Existing Block Valve Site.
- 3.1.9 The principal changes are:
- an additional access track for Cadent to access its New Block Valve Site, connected to the southern access track already proposed as part of the overall works;
 - the provision of a small concrete hardstanding for the New Block Valve Site;
 - the creation of a new right of access (whether by agreement or compulsion) for Cadent to access its New Block Valve Site.
- 3.1.10 It is noted that in correspondence principally the representation on the proposed change from Cadent and the ExA's letter of 21 September 2021, consideration was given to the need for changes to the proposed mitigation of the DCO scheme. It is submitted that the principal tree loss concerns raised did not represent a material change on the basis that the installation of Cadent's relocated gas pipeline on its new east west alignment would have required the removal of the vegetation referred to in both Cadent and the ExA's correspondence. In any event the Applicant proposes to provide additional planting to mitigate for the potential additional tree loss.
- 3.1.11 In all the circumstances therefore, the Applicant remains of the view that, with the resolution of concerns regarding compulsory acquisition, this application is a non-material change in the context of the overall DCO scheme and, on the basis that all relevant landowners' consent, it is submitted that the change should be treated as a non-material change.

4 ARE THE PROPOSED CHANGES A MATERIAL CHANGE TO THE DRAFT ORDER?

- 4.1.1 The Applicant has further reviewed the detailed examination Guidance (Guidance for Examination of Applications for Development Consent, DCLG, March 2015) and that the changes requested are non-material for the reasons specified below.
- 4.1.2 The Applicant notes there is no legal definition of the term 'material' but the

guidance differentiates between material changes and changes that amount to an entirely different project. The ExA in his letter of 8 October 2021 agreed that the changes which are proposed do not constitute a different project from the one which was applied for.

- 4.1.3 The question is whether the change is "material" is a question of planning judgment for the ExA (see paragraphs 2.1 and 2.3 of AN16).
- 4.1.4 The Applicant remains of the view that the proposed changes are not material, and this section of this document sets out why it has reached this conclusion in order to assist the ExA in exercising its planning judgment.
- 4.1.5 The following factors are relevant:
- (i) All of the land required in respect of this change falls within the existing Order limits. The changes affect a relatively small proportion of the Order land, changing 426 square metres] of land from rights land into permanent acquisition land (plot 5/1e) and a second 365 square meters of land from temporary possession land to land over which access rights maybe permanently acquired (plot 5/1b). The Applicant will endeavour to deal with these changes via commercial agreements with the Freehold Owners and the Tenant (ie outside of compulsory purchase provisions) as far as possible, however the Applicant still requires compulsory powers for the acquisition in the event that freehold acquisition cannot occur by agreement or within the timeframe required by the Applicant.
 - (ii) AN16 states that the extension of the Order land and the addition of new plots of land or interests for compulsory acquisition may be factors suggesting a material change. This test of materiality is not met, as the application does not extend the Order land, and does not add new plots of land or interests for compulsory acquisition which were not previously within the Order Land.
 - (iii) Moreover, the procedure under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 is not engaged. Regulation 4 prescribes the application of the rules in the event that an order for development consent proposes to authorise the compulsory acquisition of additional land only where a party with an interest in the land has not consented to the inclusion of additional land. The Applicant does not consider that the proposed changes provide for the acquisition of additional land, however in any event the freehold owners Norfolk County Council and Cadent Gas Limited and the tenant of Norfolk County Council, have consented to the proposed changes. Their consents are provided at Annex B.
 - (iv) It follows that in any event the additional procedures under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 are no longer engaged. On this basis it is submitted that paragraph 15 of the Guidance on Changes to Development Consent Orders need not be applies so as to conclude that the change is a material one. The relevant parties have given their consent to the proposed change and the processes envisaged by the CA Regulations need not be applied. No other person has an interest in land and therefore no prejudice arises from the change being proposed.

- (v) The consent of the freehold owners and the tenant to the inclusion of additional land sought for compulsory acquisition, demonstrates the minor, uncontroversial nature of the proposed change and reasonable nature of the request for a change to the Application.
 - (vi) Moreover, the wording of Work No. 5 in Schedule 1 of the dDCO (**TR010040/APP/3.1 Rev 5**) (submitted at Deadline 7), which sets out the works necessary to construct the Diverted Gas Main remains unchanged, as the references to highway access are covered by its current wording.
 - (vii) Furthermore, the effect of the proposed changes on the evaluation contained in the Environmental Impact Assessment (EIA) has been considered. Despite the removal of some additional trees from the New Block Valve Site, the Applicant has concluded there are no significant environmental effects as a result of the changes and subsequently no deviation from the initial assessment provided with the Application. This is supported by the addition of further tree planting, which is to be secured to account for the tree loss at the New Block Valve Site. AN16, paragraph 2,1 provides that where the change would generate new or different likely significant effects that might suggest that the change is material. In this instance the amendments to the Environmental Statement demonstrate that there will be no new or different likely significant environmental effects, again suggesting that the amendment is not material.
- 4.1.6 Overall, while the determination of whether the change is material is a matter of planning judgement for the ExA, for the reasons set out above the Applicant submits that the change requested quite clearly does not amount to a material change, nor an entirely different project, as there is no change to the fundamentals of the underlying project or its objectives.
- 4.1.7 Having regard to sections 3 and 4 of this document and the guidance of December 2015 "guidance changes to development consent orders", paragraphs 9-17, the Applicant submits that:
 - (i) the environmental impacts are not so significant as to suggest that this change is a material change (paragraphs 12-13 of the 2015 Guidance);
 - (ii) no change to the Regulations assessment or European protective species licence is relevant to the DCO scheme are such that new or additional considerations are invoked (paragraph 14 of the 2015 Guidance).
- 4.1.8 For the reasons explained above the Applicant believes that the ExA's concerns regarding paragraph 15 of the 2015 Guidance are not also addressed in full as all relevant parties consent to the proposed change.
- 4.1.9 In regard to paragraph 16 of the 2015 Guidance it is submitted that there is no significant impact on businesses or residents as a result of the proposed change to the DCO scheme which is simply replicating an existing small, barely visible and remote infrastructure that is not being moved materially so as to affect the operations or amenity of business or residents.
- 4.1.10 In all the circumstances therefore, the Applicant does remain satisfied that this is a non-material change to the DCO scheme.

5 CONSULTATION WITH, AND CONSENT FROM, PERSONS WITH INTERESTS IN THE LAND AFFECTED BY THE PROPOSED CHANGE

- 5.1.1 At Annex A the Applicant provides details its full analysis of the title position for the relevant part of the Order land. The document also provides the relevant Official copies and land plans of the affected parties (Annexes A1 – A4) to this document.
- 5.1.2 The Applicant's detailed analysis of interests in land concludes that each of the relevant parties affected by the proposed change consents to the proposed change being made.
- 5.1.3 The Applicant has concluded that no other party has an interest in the relevant land affected by the proposed change. The analysis of the 3 relevant registered titles is contained in Section 1 of Annex A to this document which has been further expanded to deal with the questions raised by the ExA at the CAH2 on 9 November 2021.

6 IS FURTHER CONSULTATION NECESSARY

- 6.1.1 As set out in sections 3 and 4 of this document, the application has now identified, consulted with and obtained the consent of all relevant landowners.
- 6.1.2 In all circumstances therefore the Applicant believes that no additional consultation is required, but in any event parties may still make representations to the ExA before the close of the examination should they have any residual concerns. This remains the Applicant's conclusion following the CAH2 on 9 November 2021.

7 REVISIONS TO THE ENTRIES IN THE BOOK OF REFERENCE

- 7.1.1 This Section 7 has been added to this document to explain the Applicant's approach to the proposed revisions to the Book of Reference.
- 7.1.2 The freehold title of Norfolk County Council (NCC), NK38665, covers a wide area and a number of interests are noted. Some, such as UK Power Networks, fall within Order land but not within the relevant plots 5/1b, 5/1e and 5/1g. Such interests have not been included in the new plots in the revised Book of Reference.
- 7.1.3 The initial revised Book of Reference (**REP4-015**), submitted in support of the previous application for a change, reflected the interests recorded in relation to the wider plot 5/1a, out of an abundance of caution. However, for the small area of land affected by the proposed Plots 5/1b, 5/1e and 5/1g, the actual interests in land are, on further analysis, more limited in terms of the parties that should be scheduled.
- 7.1.4 This is reflected in the proposed changes to Plots 5/1b, 5/1e and 5/1g in the Book of Reference (**REP6-002**). A full analysis of the entries in the relevant title is provided in Annex A below.
- 7.1.5 In terms of the interests now proposed to be removed from the Book of Reference, Plots 5/1b, 5/1e and 5/1g. These are:

British Gas PLC

- 7.1.6 In relation to British Gas, the relevant interest shown in Norfolk County Council's title NK38665 is Cadent's existing east-west gas pipeline, which has the benefit of rights originally granted to the Eastern Gas Corporation, which became part of British Gas. This is in entry C1 of the NCC title relating to an agreement dated 26 February 1965. The Applicant does not believe British Gas PLC has an interest in the relevant plots. The interest was scheduled to reflect the historic interest in land which has, through transfers of undertakings, become Cadent's interest.
- Lingwood and Burlingham Parish Council*
- 7.1.7 This entry references as transfer dated 20 April 1925 and a transfer dated 21 July 1989.
- 7.1.8 The 1925 transfer creates benefits for Norfolk County Council's freehold title. It does not burden Norfolk County Council's freehold title and as a result the relevant interest in land does not exist.
- 7.1.9 The rights referred to in the transfer of 21 July 1989 do burden Norfolk County Council's title, but in relation to a small area of verge fronting Church Road in Lingwood, at some distance from the Order land. The interest therefore has no impact on the three Plots being considered.
- Norwich Diocesan Board of Finance Limited*
- 7.1.10 This entry relates to a unilateral notice regarding chancel repair liability and is referred to at entries C7 and C8 of Norfolk County Council's title. The relevant burden is restricted to land edged yellow on the file plan – this is on Church Road, east of St Peter's Church, Lingwood. It does not affect the three plots.
- Parochial Church Council, St Peter's Church, Lingwood*
- 7.1.11 This entry relates to a unilateral notice regarding chancel repair liability and is referred to at entries C7 and C8 of Norfolk County Council's title. The relevant burden is restricted to land edged yellow on the file plan – this is on Church Road, east of St Peter's Church, Lingwood. It does not affect the three plots.
- Unknown Interests*
- 7.1.12 The "unknown" entries in the relevant plots in the BoR, regarding
- (i) transfer dated 19 October 1984;
 - (ii) transfer dated 28 February 1991; and
 - (iii) transfer dated 15 January 2007
- are actually all benefits for Norfolk County Council and not a separate interest in land for an unknown party burdening the three plots. The entry of unknown interests are therefore not relevant as an interest in land for the plots.
- 7.1.13 The entry relating to the transfer dated 11 October 1988 relates to land on Lodge Road, Lingwood and is not relevant to the three plots.
- 7.1.14 The Applicant has therefore concluded that no additional interests in land beyond those interest which have provided their consent need to be consulted in regard to the proposed change.
- 7.1.15 The Applicant has concentrated its attention on the three plots relevant to the application for a non-material change. The additional interests scheduled in the

Book of Reference, that have been removed from Plots 5/1b, 5/1e and 5/1g remain in the Book of Reference as a result of a cautious and inclusive approach being taken to scheduling by the Applicant.

8 CONCLUSIONS AND FORMAL REQUEST FOR PROPOSED CHANGE TO BE MADE

- 8.1.1 The Applicant submits that its application is now one that can be accepted by the ExA as a non-material change and without additional consultation being required. This is because the proposed changes:
- (i) minor in nature;
 - (ii) are all within the Order land;
 - (iii) only a small area of land is involved;
 - (iv) the owners have given their consent to the change;
 - (v) no further steps are necessary under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 since, as demonstrated above, those regulations are not engaged;
 - (vi) the changes do not require an amendment to any of the descriptions of the works in Schedule 1 of the dDCO (**TR010040/APP/3.1 Rev 5**)(submitted at Deadline 7), and only a small amendment to Sheet 5 of the Works Plan to allow for the construction of the Replacement Access;
 - (vii) the change would not generate new or different likely significant environmental effects.
- 8.1.2 The Applicant respectfully asks the ExA to accept that the proposed amendments detailed in this document are not material and further to accept the proposed changes for examination without the need for further consultation.

SCHEDULE 1

Defined terms used in this application

| | |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2015 Guidance | Guidance for Examination of Applications for Development Consent, DCLG, March 2015 |
| Applicant | Highways England |
| Cadent | Cadent Gas Limited (company no. 10080864) |
| DCO Scheme | The proposed dualling of the A47 between Blofield and a point east of North Burlingham, for which development consent is sought |
| dDCO | draft Development Consent Order |
| Diverted Gas Main | the altered alignment of Cadent's East-West Gas Main to replace the Existing East-West Gas Main |
| Existing A47 | the current alignment of the single carriageway A47 between Blofield and Acle. |
| Existing Block Valve Site | the existing location for Cadent's block valve and associated compound, south of the Existing A47 (plot 5/2 on the land plans and book of reference). |
| Existing East-West Gas Main | the current alignment of Cadent's East-West gas main |
| Freehold Owners | Norfolk County Council and Cadent |
| North-South Gas Main | the current alignment of Cadent's north-south gas main which crosses the Existing East-West Gas Main at the Existing Block Valve Site, and which will remain in situ in its current location |
| Prescribed procedure | the procedure set out in Regulations 5-19 of the Infrastructure Planning (Compulsory Acquisition) Regulations 2021 |
| Replacement Block Valve Site | the proposed new location for Cadent's block valve to provide for a new block valve between the North-South Gas main and the Diverted Gas Main |
| Tenant | the registered proprietor of leasehold title NK318399 |

SCHEDULE 2

Schedule of proposed changes

| Revised land plan plot reference (REP4-002) | Proposed change | Sheet of General Arrangement Plans (TR010040/APP/2.6 Rev 4) | Work No. Schedule 1, dDCO (TR010040/APP/3.1 Rev 5) |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------------|
| 5 /1a | New plot – Green Land Part of previous Plot 5/1a - Green Land (no change) | Sheet 5 | Work No 5 |
| 5/1b | New plot – Blue Land (new rights being sought for Cadent access) Part of previous Plot 5/1a – Green Land | Sheet 5 | Work No 5 |
| 5/1c | New plot – Green Land Part of previous Plot 5/1a - Green Land (no change) | Sheet 5 | Work No 5 |
| 5/1d | New plot – Blue Land Part of previous Plot 5/1b – Blue Land (no change) | Sheet 5 | Work No 5 |
| 5/1e | New plot – Pink Land (permanent acquisition for block valve site) Part of previous Plot 5/1b – Blue Land | Sheet 5 | Work No 5 |
| 5/1f | New plot – Blue Land Part of previous Plot 5/1b – Blue Land (no change) | Sheet 5 | Work No 5 |
| 5/1g | New plot – Blue Land (new rights being sought for Cadent access) Part of previous Plot 5/1b – Blue Land | Sheet 5 | Work No 5 |

ANNEX A

Analysis of Titles to support application for change

1 INTRODUCTION

A1.1 This document is provided to provide further analysis of the title position regarding the interests in land for the following plots in the Applicant's Land Plans (**REP4-002**) and Book of Reference (**REP6-002**) to accompany the Applicant's request for a non-material change to the application for development consent.

A1.2 The relevant plots in the Applicant's Land Plan (**REP4-002**) and Book of Reference (**REP6-002**) are as below.

| Original reference in Land Plan and Book of Reference | Plot reference if application for a change is accepted | Title No and description | Registered proprietor |
|-------------------------------------------------------|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| 5/1 (freehold acquisition) | 5/1 (freehold acquisition) | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| 5/1a (temporary powers) | 5/1a reduced in area | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| Part of 5/1a (temporary powers) | 5/1b (acquisition of new rights and restrictive covenants and temporary powers) | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |

| Original reference in Land Plan and Book of Reference | Plot reference if application for a change is accepted | Title No and description | Registered proprietor |
|---------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| Part of 5/1a (temporary powers) | 5/1c created east of new 5/1b. Acquisition power remains temporary only. | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| 5/1b (acquisition of new rights and restrictive covenants and temporary powers) | 5/1b reduced in area and renumbered 5/1d | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| 5/1b (acquisition of new rights and restrictive covenants and temporary powers) | Part of 5/1b amended to freehold acquisition for Replacement Valve Site and numbered 5/1e | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| 5/1b (acquisition of new rights and restrictive covenants and temporary powers) | Part of 5/1b amended to provide right of access to Replacement Valve Site and numbered 5/1g | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |
| 5/1b (acquisition of new rights and restrictive covenants and temporary powers) | 5/1b reduced in area and renumbered 5/1f east of Replacement Valve Site | NK38665 - land on the north side of Church Road and School Road, Lingwood (Freehold) NK318399 – land at Poplar Farm North Burlingham (leasehold) | Norfolk County Council N Adams |

| Original reference in Land Plan and Book of Reference | Plot reference if application for a change is accepted | Title No and description | Registered proprietor |
|-------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 5/2 (freehold acquisition) | 5/2 (freehold acquisition) | NK102771- land to the North of School Road, Burlingham (It is to be noted the Land Registry description is incorrect and the title is north of School Road Lingwood) | Cadent Gas Limited |

2 THE TITLES

A2.1 **NK38665 - land on the north side of Church Road and School Road, Lingwood**

This is a freehold title. It is subject to a lease of 20 years from 11 October 2002 - see 2.2. below

The official copies and title plan are at Annex A1 below.

A2.2 **NK318399 – land at Poplar Farm North Burlingham**

This is an absolute leasehold title, being a lease of 20 years from 11 October 2002 and dated 21 July 2004. It is a lease of part of title NK38665. The area of the lease is shown blue on the freehold title file plan – see Annex A1. The Official Copy for the leasehold title is at Annex A2.

A2.3 **NK102771- land to the North of School Road, Burlingham**

This title is for the existing Cadent Gas Limited valve compound, and has the benefit of rights over the Application Land set out in a deed dated 20 February 1991 between Norfolk County Council and British Gas Plc. The title and file plan are at Annex A3.

3 OTHER INTERESTS REGISTERED ON TITLE NK38665- LAND ON THE NORTH SIDE OF CHURCH ROAD AND SCHOOL ROAD, LINGWOOD

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A1 | Name of property Does not correspond with an additional interest in land in the BoR | Yes | To describe land | Not relevant |
| A2 | Right benefiting the County Council The entry refers to rights reserved to Norfolk County Council in a transfer of land dated 20 April 1925. The BoR suggests the beneficiary is Lingwood and Burlingham Parish Council. However, this is not a benefit to the counterparty but a burden – the interest is Norfolk County Council's, in land outside of this title. The deed is therefore not relevant to this application for change. | | No – it is a benefit not an incumbrance | Not relevant |
| A3 and A4 | Parcels removed from title | No | No – no relevant rights or interests reserved over the change application land | Not relevant |

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A5 | Parcels removed from title This has been allocated an "unknown" entry in the relevant plots in the BoR, regarding a transfer dated 19 October 1984. In fact it is a benefit for Norfolk County Council and is not a separate interest in land for an unknown party. That party's title is burdened by the 19 October 1984 transfer, not benefited by it. | No | The title holds the benefit of rights reserved by the transfer out of the property but this is not relevant to the change application | Not relevant |
| A6 | Parcel forming the existing gas valve location transferred out of the title | Yes | This is the creation of Cadent Gas Limited's existing interest – see notes on NK77120 below | Yes |

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A7 | Parcels removed from title This has been allocated an "unknown" entry in the relevant plots in the BoR, regarding a transfer dated 28 February 1991. In fact it is a benefit for Norfolk County Council and is not a separate interest in land for an unknown party. That parties' title is burdened by the 28 February 1991 transfer, not benefited by it. | No | The title holds the benefit of rights reserved by the transfer out of the property but this is not relevant to the change application | Not relevant |
| A8 | Title boundary amended | No | Not within the change application plots | Not relevant |
| A9 | Parcels removed from title This has been allocated an "unknown" entry in the relevant plots in the BoR, regarding a transfer dated 12 January 2007. In fact it is a benefit for Norfolk County Council and is not a separate interest in land for an unknown party. That parties' title is burdened by the 12 January 2007 transfer, not benefited by it. | No | Rights are created by the transfer – see now on title NK 354043 | Not relevant |

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A10 | Parcels removed from title | No | The title holds the benefit of rights reserved by the transfer out of the property but this is not relevant to the change application | Not relevant |
| A11 | Title boundary amended | No | Not within the change application plots | Not relevant |
| B1 | Registered proprietor | Yes | Yes | Freehold owner has been notified |
| C1 | Rights relating to a gas main granted by a Deed dated 26 February 1965 | Yes | Yes – this relates to the east-west gas main south of the existing A47 that is to be relocated | Yes - Cadent Gas Limited as successor to Eastern Gas Board |
| C2 | Contract for sale of the land edged brown on the filed plan dated 1 May 1972 in favour of the Secretary of State for the Environment. | Yes | No – the parcel is part of the verge on the A47, away from the land to which this change request applies. | No |
| C3 | Rights granted in transfer of land dated 11 October 1988 regarding Lodge Farm, Lingwood (title NK 77120) | No – the land is on Lodge Road Lingwood and the rights granted are away from the Order land | No – rights granted in the 1988 transfer are not affected by the DCO Scheme | no |

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| C4 | Rights granted in transfer of land dated 21 July 1989 | No – the land subject to the right of way granted is a small area of verge on Church Road Lingwood, west of St Peter's Church and the rights granted are away from the Order land | No – rights granted in the 1989 transfer are not affected by the DCO Scheme | No |
| C5 | Rights granted by a Transfer dated 20 February 1991 | Yes | Yes- the rights relate to Cadant's apparatus in the Order land | Yes – Cadent Gas Limited |
| C6 | Lease of part | Yes | Yes | Yes – See below regarding lease of Poplar Farm |
| C7 and C8 | Chancel repair liability notice | No- liability restricted to land edged yellow on the file plan – this is on Church Road, east of St Peter's Church | No | No |

4 OTHER INTERESTS REGISTERED ON TITLE NK318399 – LAND AT POPLAR FARM NORTH BURLINGHAM

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| A1 - A3 | Description of land | Yes | Yes | Yes |
| A4 | Excepted out of the Leasehold Title are all rights, estates etc against dealings contained within the Lease | Yes | No | No – beneficiary would be Norfolk County Council or otherwise noted on Norfolk County Council's title as per Section 3 above |
| A4 | Note of Freehold Title | Yes | Yes | Yes – Norfolk County Council |
| A5 | Note that Title includes all legal easements granted by the Lease and subject to any rights reserved insofar as they benefit the registered land | Yes | Yes | Yes – the rights and interest would be those included in the description of the freehold title – see Section 3 above |
| B1 | Registered Proprietor | Yes | Yes | Yes – Tenant of Poplar Farm |
| C1 | Rights created in Deed of Grant dated 26 February 1965 between Norfolk County Council and Eastern Gas Board | Yes | Yes – this is the right for the North – South Cadent Gas Mine | Yes |

| Number on Title (Register and Entry Number) | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------|-------------------------------------------------------------------|
| C2 | Rights and Transfer dated 20 February 1991 between Freeholder Owner and British Gas Plc | Yes | Yes | Yes – this is Cadent Gas Limited's freehold title |
| C3 | Rights granted in Transfer dated 4 October 2002 between Norfolk County Council and Mr and Mrs Adams | No | No – it relates to land at the Poplar Farm buildings | In part – the leasehold owner is one of the beneficiaries |
| C4 | Option to purchase dated 18 November 2003 | Yes | No - the option land is not on sheet 5 of the Land plan | In part – the leasehold owner is one of the beneficiaries |

5 OTHER INTERESTS REGISTERED ON TITLE NK102771- LAND TO THE NORTH OF SCHOOL ROAD, BURLINGHAM

| Number on Title | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|-----------------|-------------------------------------------------------|--------------------|----------------------------------------|-------------------------------------------------------------------|
| A1 | | Yes | Yes | Yes – Cadent Gas Limited |
| A2 | Benefit of rights in Transfer dated 20 February 1991 | Yes | Yes | Yes – Cadent Gas Limited |
| A3 | Transfer dated 5 April 2017 between National Grid Gas | Yes | No – see C1 below | Not relevant |

| Number on Title | Brief description of interest | Within Order land? | Relevant to Application for change? | Beneficiary notified of revised application proposed change |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| | Plc and National Grid Gas Distribution Limited | | | |
| B1 – B3 | Registered Proprietor – Cadent Gas Limited | Yes | Yes | Yes – Cadent Gas Limited |
| C1 | Rights reserved in Transfer dated 5 April 2017 between National Grid Gas Plc and National Grid Gas Distribution Limited (not Cadent Gas Limited) | Yes | The Applicant's solicitors have reviewed the Transfer and the covenants are of a commercial nature and do not provide for any rights or restrictive covenants in band law terms affecting the order land. The Applicants are therefore advised by its solicitors that no interest in land requiring notification is included. A copy of the Transfer is provided at Annex A4. | Not relevant |

ANNEX A1

OFFICIAL COPY AND FILE PLAN FOR TITLE NUMBER NK38665



Official copy of register of title

Title number NK38665

Edition date 07.06.2013

- This official copy shows the entries on the register of title on 25 JAN 2021 at 15:23:24.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 25 Jan 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Kingston Upon Hull Office.

A: Property Register

This register describes the land and estate comprised in the title.

NORFOLK : BROADLAND

- 1 (18.10.1981) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the north side of Church Road and School Road, Lingwood.
- 2 The land has the benefit of the following rights reserved by a Transfer of the land edged blue on the filed plan dated 20 April 1925 made between (1) Norfolk County Council and (2) The Vicar of the Parish of Lingwood:-

"Reserving unto the said County Council all timber and timberlike trees now growing in or upon the said land together with the right for the Council to enter upon the said land at all convenient times to fell and remove such timber and timberlike trees"
- 3 (01.02.1984) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 4 In addition to the land edged and numbered NK59674 in green on the filed plan the ground floor of parts numbered 1 and 2 on the filed plan have been removed under title number NK59674.
- 5 The land has the benefit of the following rights reserved by a Transfer of the land edged and numbered NK59674 in green on the title plan dated 19 October 1984 made between (1) The Norfolk County Council (Transferor) and (2) Keith Christopher Feek and Jacqueline Margaret Feek (Transferees):-

"As part of the Transferors adjoining property to the North of the property hereby transferred projects at and above the first floor level over the two areas shown coloured yellow on the plan annexed there is excepted and reserved in fee simple to the Transferors and its successors in title owner or owners of the said adjoining property to the North a right of support in respect thereof.

There are excepted and reserved to the Transferor and its successors in title or other the owner or owners for the time being of the Transferors adjoining property the rights as heretofore enjoyed as follows:

A: Property Register continued

(i) to drain surface water through the pipe shown coloured green on the plan annexed together with the right to enter on the property hereby transferred for the purpose of inspecting maintaining repairing renewing and replacing the said pipe the person or persons so entering making good at his or their own expense any damage occasioned to the property hereby transferred in the exercise of such rights

(ii) to enter on the property hereby transferred for the purpose of inspecting maintaining repairing renewing or restoring any part or parts of the Transferors adjoining property to the North not otherwise accessible for that purpose the person or persons so entering making good at his or their own expense any damage occasioned to the property hereby transferred in the exercise of such rights.

NOTE: The two areas coloured yellow referred to are numbered 1 and 2 in blue on the filed plan and the pipe coloured green referred to is shown by a yellow broken line on the filed plan.

- 6 In addition to the land edged and numbered NK77120 in green on the filed plan the first floor and above of the part numbered 3 in blue on enlargement No 2 to the filed plan has been removed under title number NK77120.
- 7 The land has the benefit of the following rights contained in a Transfer of the land edged and numbered NK102675 in green on the filed plan dated 28 Febraury 1991 made between (1) Norfolk County Council and (2) Alan Ernest James Gibson and Sheila Anne Gibson:-

"SUBJECT to the existing public pedestrian right of way over that part of the property shown shaded blue on the said plan."

NOTE: The land shaded blue referred to is the public footpath which leads into Church Road.

- 8 (28.07.1994) The filed plan has been amended as to the boundary with Lingwood Manor.
- 9 (29.01.2007) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NK354043 in green on the title plan dated 12 January 2007 made between (1) The Norfolk County Council and (2) Catherine Anne Blaiklock.

NOTE: Copy filed under NK354043

- 10 (19.02.2007) The land has the benefit of the rights reserved by a Transfer of the land edged and numbered NK354954 in green on the title plan dated 15 January 2007 made between (1) The Norfolk County Council and (2) Mark James Redhead and Stephanie Wendy Brown.

NOTE: Copy filed under NK354954.

- 11 (02.07.2008) The extent of the title plan has been amended.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (18.10.1921) PROPRIETOR: THE NORFOLK COUNTY COUNCIL of County Hall, Martineau Lane, Norwich, NR1 2DH and of DX135926, Norwich 13.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 The part of the land affected thereby is subject to the following rights relating to a gas main granted by a Deed dated 26 February 1965

C: Charges Register continued

made between (1) Norfolk County Council and (2) Eastern Gas Board:-

"the Grantor as BENEFICIAL OWNER HEREBY GRANTS unto the Board and its assings in fee simple the easements privileges rights and liberties specified in the First Schedule hereto in through upon and over the said land.

THE FIRST SCHEDULE above referred to

The easements privileges rights and liberties of laying and maintaining a main for carrying gas of a size hereinafter mentioned (hereinafter together called "the said works") in through upon and over the said strips of land with a cover of not less than three feet and of inspecting maintaining repairing and renewing the said works together with full and free right of access to the said works over the said land with all necessary workmen vehicles machinery and apparatus for any of the purposes aforesaid.

| Size of Main | Length of Main |
|--------------|----------------|
| 8" steel | 3,260 yards |

The said Deed also contains the following restrictive covenant.

"The Grantor to the intent and so as to bind the said land and every part thereof into whosoever hands the same may come and to benefit and protect the easements privileges rights and liberties hereby granted hereby covenants with the Board that no buildings or constructions of whatsoever nature shall be erected on and no soil or materials shall be deposited over and no excavations shall be made in that part of the said land being strips of land twenty feet in width indicated for identification purposes only by the lines marked A-B, B-C, D-E, E-F, G-H, H-J and K-L drawn on the said plans and thereon coloured green (hereinafter called ("the said strips of land") without the consent of the Board."

NOTE: The line shown coloured green on the said plans is shown by a brown broken line on the filed plan in so far as it falls within this title.

- 2 Contract for sale of the land edged brown on the filed plan dated 1 May 1972 in favour of the Secretary of State for the Environment.

NOTE: Copy filed under NK15362.

- 3 The land is subject to the following rights granted by a Transfer of the land edged and numbered NK77120 in green on the title plan dated 11 October 1988 made between (1) Norfolk County Council (Transferor) and (2) Ronald Hugh Mingay (Transferee):-

"TOGETHER WITH a right of support therefor from the Transferors said adjoining property ... TOGETHER WITH the right fo the Transferee and his successors in title owner or occupiers for the time being of the property hereby transferred FIRST (in common with the Trnasferor and its tenants and successors in title and all others entitled thereto) to pass and repass at all times and for all purposes connected with the use and enjoyment of the property hereby transferred with or without vehicles over and along the way co-extensive with and abutting on the eastern boundary of the property hereby transferred shown for the purposes of identification only hatched brown on the plan annexed hereto SUBJECT TO the payment by the Transferee and his successors in title of one half of the cost from time to time incurred in maintaining repairing and renewing the said way and SECONDLY the right to enter on the adjoining property belonging to the Transferor with or without workmen for the purpose of inspecting maintaining and repairing the out building in the North-East corner of the property hereby transferred the Transferee and his successors in title making good at his or their own expense all damage caused by the exercise of the said right and THIRDLY the right to receive water through the pipe shown by a broken black line beyond the Eastern boundary of the property hereby transferred and within the area hatched brown on the said plan TOGETHER WITH the right with or without workmen to enter on the adjoining property belonging to the Transferor for the purpose of inspecting

C: Charges Register continued

maintaining repairing and renewing the said pipe the Transferee and his successors in title making good at his or their own expense all damage caused by the exercise of the said right."

NOTE: The land hatched brown referred to above is hatched brown on the filed plan and the broken black line referred to is shown by a blue broken line on the filed plan.

- 4 The land is subject to the following rights granted by a Transfer of the land edged and numbered NK82304 in green on the title plan dated 21 July 1989 made between (1) The Norfolk County Council (Vendor) and (2) Lingwood and Burlingham Parish Council (Purchaser):-

"together with a right of way from time to time and at all times hereafter and for all purposes connected with the use and enjoyment of the Property but not for any other purpose whatsoever for the Purchaser and its successors in title the owner or owners and occupiers for the time being of the Property and its or their respective servants and licencees (in common with the Vendor and all other persons having the like right) with or without vehicles to and from the Property over and along the way shown coloured brown on the plan annexed hereto subject to the Purchaser and its successors in title as aforesaid at respectively its and their own expense maintaining repairing and renewing the said way to the satisfaction of the Vendor or its Director of Planning and Property until such time as it shall be incorporated in the public highway"

NOTE: The land coloured brown referred to is tinted blue on the filed plan.

- 5 The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered NK102771 in green on the filed plan dated 20 February 1991 made between (1) Norfolk County Council (Transferor) and (2) British Gas PLC:-

"Together with the rights set out in the Schedule hereto.

THE SCHEDULE

The rights First upon giving to the Transferor 28 days prior notice (except in the case of emergency) of its intention so to do to lay construct inspect maintain protect use replace remove or render unusable pipes for the transmission or storage of gas or other materials (whether such gas or materials are transmitted by British Gas on its own behalf or on behalf of other persons) and all necessary apparatus ancillary thereto (all hereafter called "the said works") under the surface of the land being of the width of 6 metres which is for the purpose of identification only shown coloured pink and pink hatched black on the said plan (hereinafter called respectively "the pink land and the hatched land" Secondly (in common with the Transferor and all others entitled thereto) to pass over the pink land and the hatched land for the purposes of the said works and over the hatched land and over the land for identification only shown coloured brown on the said plan (hereinafter called "the brown land") for the purpose of obtaining access to the 1st land and the 2nd land at all reasonable times and in an emergency at any time as to the pink land and the hatched land whether or not with workmen vehicles machinery and apparatus and as to the brown land with or without workmen machinery and apparatus but on foot only."

The said Transfer also contains the following covenants by the Transferor:-

"THE Transferor (to the intent and so as to bind the pink land and the hatched land (as defined in the Schedule hereto) and land of the Transferor adjoining thereto and every part thereof into whosoever hands the same may come and to benefit and protect the said rights hereby covenants with British Gas that:-

4.1 The Transferor shall not do or cause or permit to be done on the said land or land of the Transferor adjoining thereto anything calculated or likely to cause damage or injury to the said works and will take all reasonable precautions to prevent such damage or injury.

C: Charges Register continued

4.2 The Transferor shall not without the prior consent in writing of British Gas make or cause or permit to be made any material alteration to or any deposit of anything upon any part of the pink land and the hatched land so as to interfere with or obstruct the access thereto or to the said works by British Gas or so as to lessen or in any way interfere with the support afforded to the said works by the surrounding soil including minerals or so as materially to reduce the depth of soil above the said works.

4.3 The Transferor shall not erect or install or cause or permit to be erected or installed any building or structure or permanent apparatus in through upon or over the pink land and the hatched land.

PROVIDED that nothing in this Clause shall prevent the Transferor from installing any necessary service pipes drains wires or cables under the supervision and with the consent (which shall not be unreasonably withheld) of British Gas or its agents or carrying on normal agricultural operations or acts of good husbandry including fencing hedging and ditching not causing such interference obstruction or material reduction of the depth of soil as aforesaid."

NOTE: The land coloured pink and coloured brown referred to are tinted pink and tinted brown respectively on the filed plan.

- 6 (07.01.2005) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.
- 7 (07.06.2013) UNILATERAL NOTICE affecting the land edged yellow on the title plan in respect of a liability to repair the chancel of St. Peter's Church, Lingwood.
- 8 (07.06.2013) BENEFICIARY: The Parochial Church Council of St. Peter's Church, Lingwood of St. Peter's Church, Church Road, Lingwood NR13 4TR and The Rectory, Barn Close, Lingwood NR13 4TS and Norwich Diocesan Board of Finance Limited, Diocesan House, 109 Dereham Road, Easton, Norwich NR9 5ES.

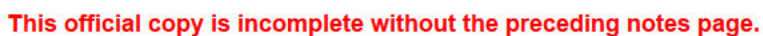
Schedule of notices of leases

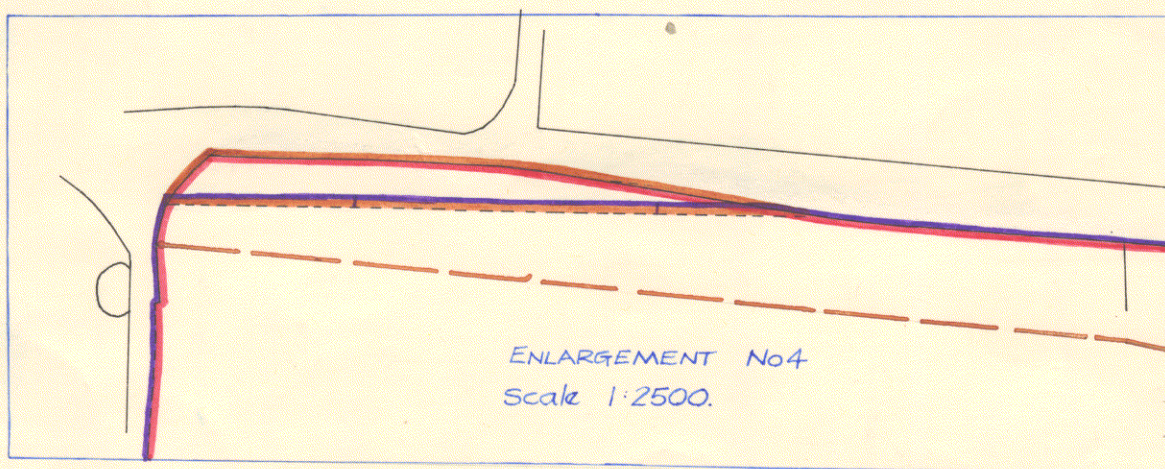
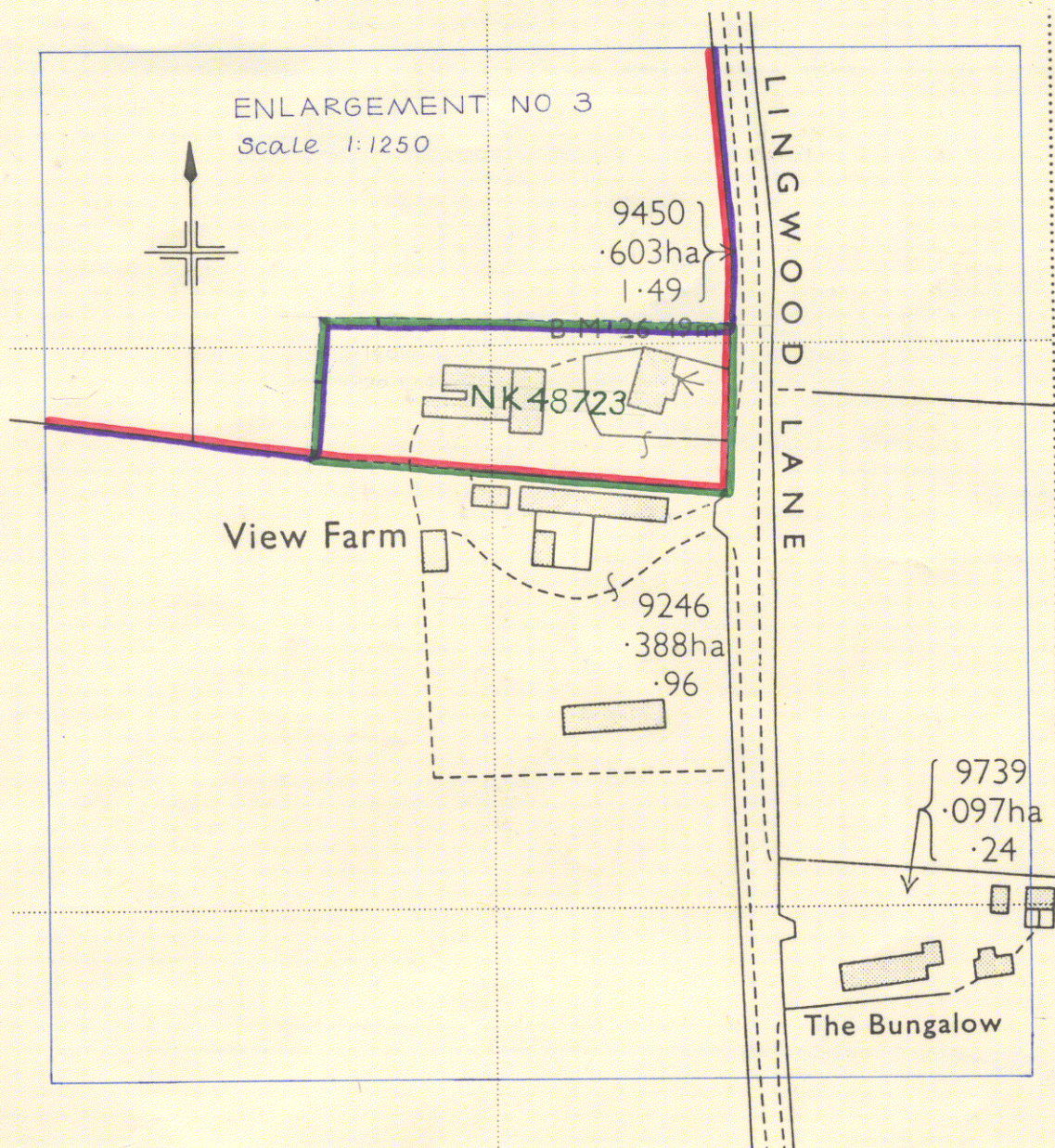
| | Registration date and plan ref. | Property description | Date of lease and term | Lessee's title |
|---|---------------------------------|----------------------|-------------------------------------------|----------------|
| 1 | 07.01.2005 edged mauve | land at Poplar Farm | 21.07.2004 20 years from 11.10.2002 | NK318399 |

NOTE: The lease comprises also other land

End of register

DISTRICT BROADLAND





TITLE No. NK38665

ANNEX A2

OFFICIAL COPY AND FILE PLAN FOR TITLE NUMBER NK318399



Official copy of register of title

Title number NK318399

Edition date 04.04.2006

- This official copy shows the entries on the register of title on 21 OCT 2021 at 10:32:08.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 21 Oct 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Kingston Upon Hull Office.

A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

NORFOLK : BROADLAND

- 1 (07.01.2005) The Leasehold land shown edged with red on the plan of the above Title filed at the Registry and being Land at Poplar Farm, North Burlingham.

NOTE: The land tinted green on the title plan is not included in the title.
- 2 (07.01.2005) Short particulars of the lease(s) (or under-lease(s)) under which the land is held:
Date : 21 July 2004
Term : 20 years from 11 October 2002
Parties : (1) Norfolk County Council
(2) Nigel Adams
- 3 (07.01.2005) There are excepted from the effect of registration all estates, rights, interests, powers and remedies arising upon, or by reason of, any dealing made in breach of the prohibition or restriction against dealings therewith inter vivos contained in the Lease.
- 4 (07.01.2005) The lessor's title is registered.
- 5 Unless otherwise mentioned the title includes any legal easements granted by the registered lease(s) but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

B: Proprietorship Register continued

- 1 (07.01.2005) PROPRIETOR: NIGEL ADAMS of Poplar Farm, Lingwood Road, North Burlingham, Norwich, Norfolk NR13 4ST.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (07.01.2005) The part of the land affected thereby is subject to the following rights relating to a gas main granted by a Deed dated 26 February 1965 made between (1) Norfolk County Council and (2) Eastern Gas Board:-

"the Grantor as BENEFICIAL OWNER HEREBY GRANTS unto the Board and its assings in fee simple the easements privileges rights and liberties specified in the First Schedule hereto in through upon and over the said land.

THE FIRST SCHEDULE above referred to

The easements privileges rights and liberties of laying and maintaining a main for carrying gas of a size hereinafter mentioned (hereinafter together called "the said works") in through upon and over the said strips of land with a cover of not less than three feet and of inspecting maintaining repairing and renewing the said works together with full and free right of access to the said works over the said land with all necessary workmen vehicles machinery and apparatus for any of the purposes aforesaid.

| Size of Main | Length of Main |
|--------------|----------------|
| 8" steel | 3,260 yards |

The said Deed also contains the following restrictive covenant.

"The Grantor to the intent and so as to bind the said land and every part thereof into whosoever hands the same may come and to benefit and protect the easements privileges rights and liberties hereby granted hereby covenants with the Board that no buildings or constructions of whatsoever nature shall be erected on and no soil or materials shall be deposited over and no excavations shall be made in that part of the said land being strips of land twenty feet in width indicated for identification purposes only by the lines marked A-B, B-C, D-E, E-F, G-H, H-J and K-L drawn on the said plans and thereon coloured green (hereinafter called ("the said strips of land") without the consent of the Board."

NOTE: The line shown coloured green on the said plans is shown by a brown broken line on the filed plan in so far as it falls within this title.

- 2 (07.01.2005) The parts of the land affected thereby are subject to the following rights granted by a Transfer of land lying to the south of the land in this title and being registered under NK102771 dated 20 February 1991 made between (1) Norfolk County Council (Transferor) and (2) British Gas PLC:-

"Together with the rights set out in the Schedule hereto.

THE SCHEDULE

The rights First upon giving to the Transferor 28 days prior notice (except in the case of emergency) of its intention so to do to lay construct inspect maintain protect use replace remove or render unusable pipes for the transmission or storage of gas or other materials (whether such gas or materials are transmitted by British Gas on its own behalf or on behalf of other persons) and all necessary apparatus ancillary thereto (all hereafter called "the said works") under the surface of the land being of the width of 6 metres which is for the purpose of identification only shown coloured pink and pink hatched black on the said plan (hereinafter called respectively "the pink land and the hatched land" Secondly (in common with the Transferor

C: Charges Register continued

and all others entitled thereto) to pass over the pink land and the hatched land for the purposes of the said works and over the hatched land and over the land for identification only shown coloured brown on the said plan (hereinafter called "the brown land") for the purpose of obtaining access to the 1st land and the 2nd land at all reasonable times and in an emergency at any time as to the pink land and the hatched land whether or not with workmen vehicles machinery and apparatus and as to the brown land with or without workmen machinery and apparatus but on foot only."

The said Transfer also contains the following covenants by the Transferor:-

"THE Transferor (to the intent and so as to bind the pink land and the hatched land (as defined in the Schedule hereto) and land of the Transferor adjoining thereto and every part thereof into whosoever hands the same may come and to benefit and protect the said rights hereby covenants with British Gas that:-

4.1 The Transferor shall not do or cause or permit to be done on the said land or land of the Transferor adjoining thereto anything calculated or likely to cause damage or injury to the said works and will take all reasonable precautions to prevent such damage or injury.

4.2 The Transferor shall not without the prior consent in writing of British Gas make or cause or permit to be made any material alteration to or any deposit of anything upon any part of the pink land and the hatched land so as to interfere with or obstruct the access thereto or to the said works by British Gas or so as to lessen or in any way interfere with the support afforded to the said works by the surrounding soil including minerals or so as materially to reduce the depth of soil above the said works.

4.3 The Transferor shall not erect or install or cause or permit to be erected or installed any building or structure or permanent apparatus in through upon or over the pink land and the hatched land.

PROVIDED that nothing in this Clause shall prevent the Transferor from installing any necessary service pipes drains wires or cables under the supervision and with the consent (which shall not be unreasonably withheld) of British Gas or its agents or carrying on normal agricultural operations or acts of good husbandry including fencing hedging and ditching not causing such interference obstruction or material reduction of the depth of soil as aforesaid."

NOTE: The land coloured pink and coloured brown referred to are tinted pink and tinted brown respectively on the filed plan so far as they affect the land in this title.

- 3 (07.01.2005) The land is subject to the following rights granted by a Transfer of Poplar Farm being registered under title NK285211 dated 4 October 2002 made between (1) The Norfolk County Council (Transferor) and (2) Nigel Adams and Georgina Mary Adams (Transferee):-

Rights granted for the benefit of the Property

1. A right of drainage through the pipe shown by a green line between points B and C on Plan 2.

2. A right of drainage through the pipe shown by a blue line between points F and G on Plan 2.

3. A right of supply of electricity shown by a purple line between points X and Y on Plan 2.

4. A right of foul drainage through the pipe shown by a green line between points K and L on Plan 2.

5. A right to drain into the well on the Transferor's retained land between point M and the well shown by a blue line on Plan 2.

6. A right to drain into the well on the Transferor's retained land between point N and the well shown by a blue line on Plan 2.

C: Charges Register continued

7. A right to enter on the Transferor's retained land for the purpose of maintenance and repair of buildings

NOTE 1: The Property referred to is edged red on Plan 1. The retained land referred to is the land and other land

NOTE 2: Original plans 1 and 2 filed with Transfer under NK285211.

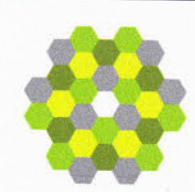
- 4 (07.01.2005) Option to purchase in favour of Nigel Adams and Georgina Mary Adams contained in an Option Agreement dated 18 November 2003 made between (1) The Norfolk County Council and (2) Nigel Adams and Georgina Mary Adams and exercisable within a period of 19 years from 18 November 2003.

NOTE: Copy filed under NK38563.

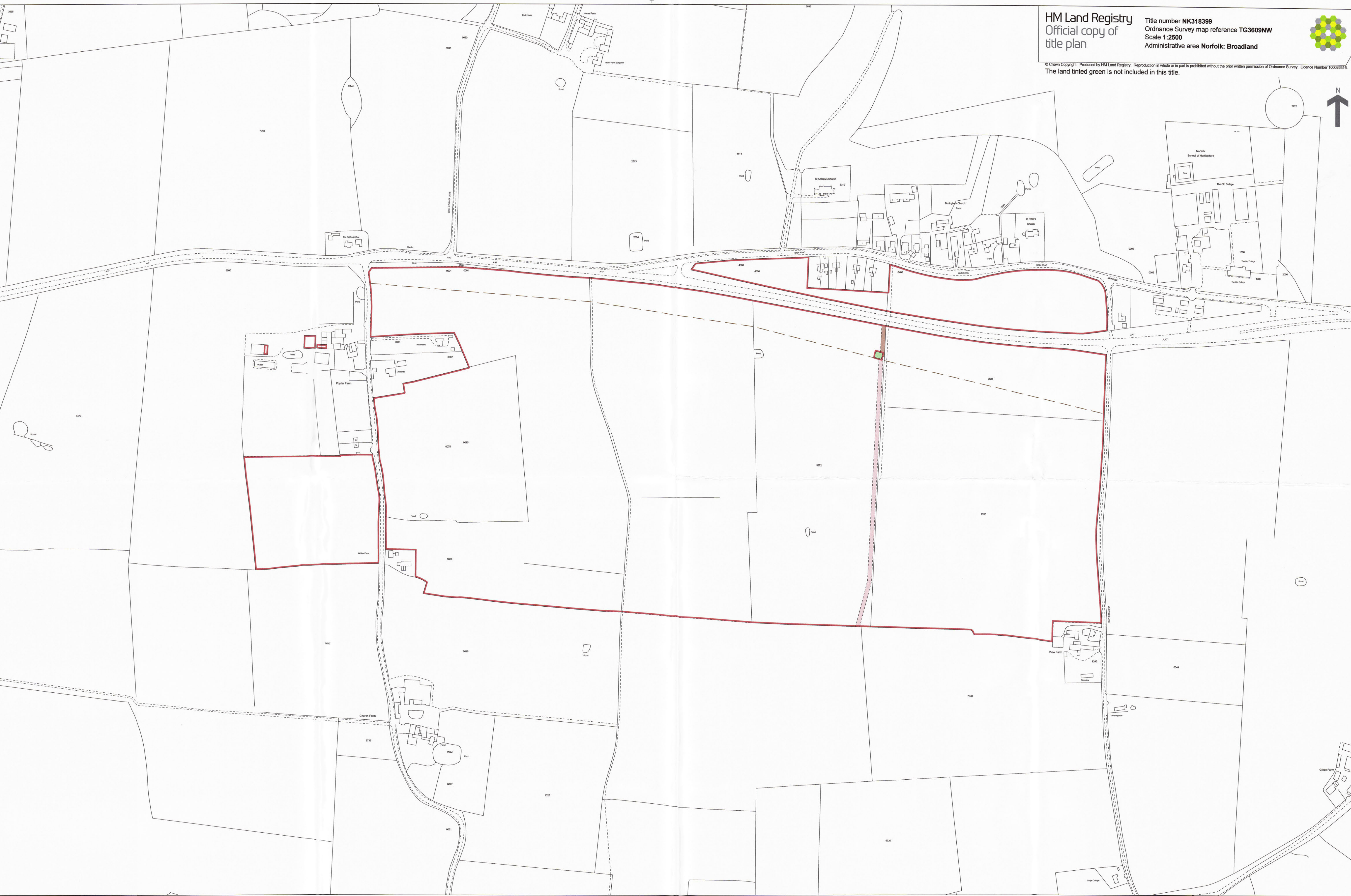
End of register

HM Land Registry
Official copy of
title plan

Title number **NK318399**
Ordnance Survey map reference **TG3609NW**
Scale **1:2500**
Administrative area **Norfolk: Broadland**



© Crown Copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 100026316.
The land tinted green is not included in this title.



This official copy issued on 21 October 2021 shows the state of this title plan on 21 October 2021 at 10:32:41.
It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.
This title is dealt with by HM Land Registry, Durham Office.

ANNEX A3

OFFICIAL COPY AND FILE PLAN FOR TITLE NUMBER NK102771



Official copy of register of title

Title number NK102771

Edition date 12.10.2021

- This official copy shows the entries on the register of title on 21 OCT 2021 at 10:19:27.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 21 Oct 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Kingston Upon Hull Office.

A: Property Register

This register describes the land and estate comprised in the title.

NORFOLK : BROADLAND

- 1 (18.10.1981) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the North of School Road, Burlingham.

NOTE: Site Reference - NG_PP_000900.
- 2 (26.03.1991) The land has the benefit of the rights granted by a Transfer of the land in this title dated 20 February 1991 made between (1) Norfolk County Council and (2) British Gas PLC.

NOTE: Copy filed.
- 3 (20.09.2017) The Transfer dated 5 April 2017 referred to in the Charges Register contains a provision as to light or air and a provision relating to the creation or passing of easements.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (20.09.2017) PROPRIETOR: CADENT GAS LIMITED (Co. Regn. No. 10080864) of Ashbrook Court, Prologis Park, Central Boulevard, Keresley End, Coventry CV7 8PE.
- 2 (20.09.2017) The price stated to have been paid on 5 April 2017 was £1,500.
- 3 (20.09.2017) The Transfer dated 5 April 2017 referred to in the Charges Register contains purchaser's personal covenants.

Title number NK102771

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (20.09.2017) The land is subject to any rights that are reserved as mentioned in a Transfer dated 5 April 2017 made between (1) National Grid Gas Plc and (2) National Grid Gas Distribution Limited and affect the registered land.

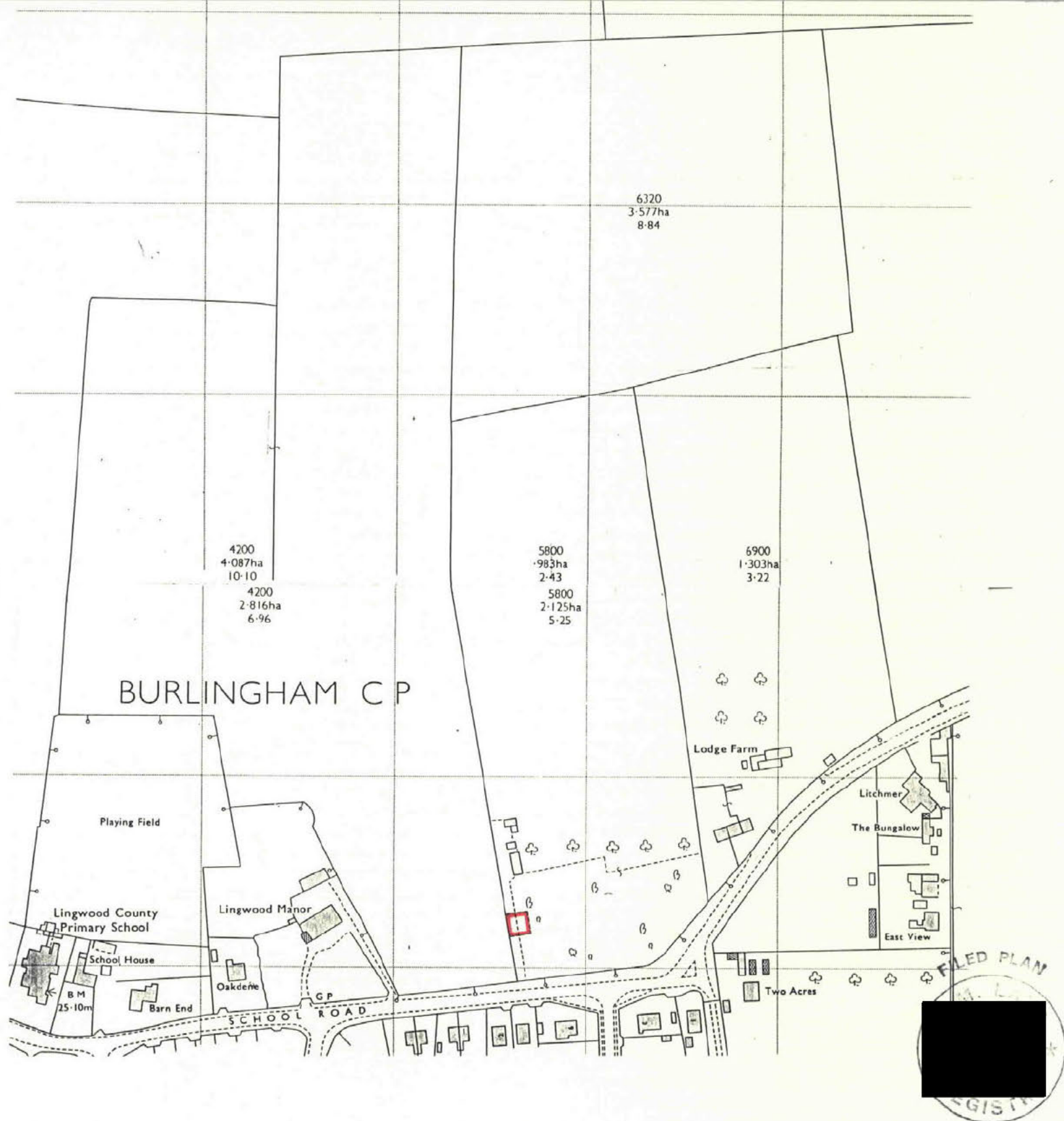
NOTE: Copy filed under NK37711.

End of register

| | | | |
|-----------------------------------|--------------------|--------------|-------------------|
| H.M. LAND REGISTRY | | TITLE NUMBER | |
| | | NK 102771 | |
| ORDNANCE SURVEY PLAN REFERENCE | TG3608 TG3609 | | Scale 1/2500 |
| COUNTY NORFOLK | DISTRICT BROADLAND | | © Crown copyright |



TG3609
TG3608



ANNEX A4

COPY OF TRANSFER DATED 5 APRIL 2017 BETWEEN NATIONAL GRID GAS PLC AND NATIONAL GRID GAS DISTRIBUTION LIMITED

TR5

Enter 'U' In column 1 if the land is unregistered.

whole of a registered title, or 'P' for a transfer of part of a registered title. Leave blank if the land is unregistered.

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue' in column 3. For transfers of part you must either attach a plan and state the reference used to identify the land transferred, for example 'edged red' or refer to an existing reference on the transferor's title plan.

Title
number of
the property

See
schedule 1
column 3

(A) or (P)

Whole

Property

See schedule 1
columns 1, 2 and
7

Other information

See schedule 1
column 4

Any attached plan must be signed by the transferor.

In column 4 include information that cannot conveniently be included in another panel, such as whether the title is freehold or leasehold, apportioned consideration, differing title guarantees.

When application for registration is made these title number(s) should be entered in panel 2 of Form AP1.

Give full name(s).

Complete as appropriate where the transferor is a company.

| | | | |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| | | | |
| 2 | Other title number(s) against which matters contained in this transfer are to be registered or noted, if any: See schedule 1 column 5 | | |
| 3 | Date: 5 April 2017 | | |
| 4 | <p>Transferor:</p> <p>National Grid Gas plc</p> <p><u>For UK incorporated companies/LLPs</u></p> <p>Registered number of company or limited liability partnership including any prefix:</p> <p>02006000</p> <p><u>For overseas companies</u></p> <p>(a) Territory of incorporation:</p> <p>(b) Registered number in England and Wales including any prefix:</p> | | |

Give full name(s).

Complete as appropriate where the transferee is a company. Also, for an overseas company, unless an arrangement with Land Registry exists, lodge either a certificate in Form 7 in Schedule 3 to the Land Registration Rules 2003 or a certified copy of the constitution in English or Welsh, or other evidence permitted by rule 183 of the Land Registration Rules 2003.

Each transferee may give up to three addresses for service, one of which must be a postal address whether or not in the UK (including the postcode, if any). The others can be any combination of a postal address, a UK DX box number or an electronic address.

Place 'X' in the appropriate box. State the currency unit if other than sterling. If none of the boxes applies, insert an appropriate memorandum in panel 11.

5 Transferee for entry in the register:

National Grid Gas Distribution Limited

For UK incorporated companies/LLPs

Registered number of company or limited liability partnership including any prefix:

10080864

For overseas companies

(a) Territory of incorporation:

(b) Registered number in England and Wales including any prefix:

6 Transferee's intended address(es) for service for entry in the register:

1-3 Strand
London
WC2N 5EH

7 The transferor transfers the property in panel 1 to the transferee

8 Consideration

☒ The transferor has received from the transferee for the property the following sum (in words and figures):

See schedule 1 column 6

Place 'X' in any box that applies.

Add any modifications.

☐ The transfer is not for money or anything that has a monetary value

9 The transferor transfers with

☐ full title guarantee

☒ limited title guarantee

9.1 Section 2(1)(b) of the Law of Property (Miscellaneous Provisions) Act 1994 (**1994 Act**) will be deemed amended to read:

"That the person disposing of the property will at the cost of the person to whom he disposes of the property do all that he reasonably can to give that person the title he purports to give"

9.2 Section 3(3) of the 1994 Act will be deemed to be amended to read

"... there shall be implied a covenant that to the knowledge of the relevant employee (being the individual responsible for the negotiating of the disposition) of the person making the disposition (from the employee's personal knowledge of the property and having inspected the records actually available to him) the person making the disposition has not since the last disposition for value..."

9.3 In addition to not being liable for the matters and things referred to in Section 6(1) or (2) of the 1994 Act, the Transferor shall not be liable under the covenants implied by virtue of Section 2(1)(a) or Section 3 of the 1994 Act in respect of matters which are referred to in the agreement pursuant to which this Transfer is completed or are matters of public record or in respect of instruments or matters of which the Transferee is deemed to have actual notice by section 198 of the Law of Property Act 1925, the sale being expressly made subject to them.

9.4 For section 6(2)(a) of the 1994 Act, the Transferee's actual knowledge includes:

- (a) the entries in any public register; and
- (b) public requirements (as defined in the Standard Commercial Property Conditions (Second Edition)).

9.5 If the Property is leasehold (as confirmed in column 4 of schedule 1) the Transferor is not liable under the covenants in section 4(1)(b) of the 1994 Act for a subsisting breach of covenants in the Lease relating to the physical state of the Property.

And the parties request that these modifications of the implied covenants be noted on the register of the title.

In relation to any part of the Property which is the subject of an ST1 or an ST3 (as detailed in column 3 of schedule 1) the Transferor transfers only such estate and interest (if any) it has without title guarantee. No title guarantee is given whether express or implied.

Where the transferee is more than one person, place 'X' in the appropriate box.

10 Declaration of trust. The transferee is more than one person and

- ☐ they are to hold the Property on trust for themselves as joint tenants
- ☐ they are to hold the Property on trust for themselves as tenants in common in equal shares
- ☐ they are to hold the Property on trust:

Complete as necessary.

Use this panel for:

- definitions of terms not defined above
- rights granted or reserved
- restrictive covenants
- other covenants
- agreements and declarations
- any required or permitted statements
- other agreed provisions.

The prescribed subheadings may be added to, amended, repositioned or omitted.

11 Additional provisions

11.1 Definitions:

In this Transfer:

- (a) The following definitions apply:

Documents are (if the Property is leasehold the Lease and all deeds and documents ancillary thereto including any licence to assign the Lease to the Transferee and) all documents listed in the relevant row of schedule 2 (if any);

EPA 1990 means the Environmental Protection Act 1990 as amended from time to time;

Environment means the natural and manmade environment and all or any of the following media (alone or in combination): air (including the air within buildings and the air within other natural or manmade structures whether above or below ground); water (including water under or within land or in drains or sewers); soil and land and any ecological systems and living organisms (including man) and property;

Environmental Law means all national or local statutes or byelaws, all European Community law at the relevant time applicable in England and Wales and the common law concerning:*

- (a) pollution of or damage to or the protection of the Environment against such pollution or damage; and/or
- (b) emissions, discharges, releases or escapes into the Environment of Hazardous Substances or the production, processing, treatment, storage, transport or disposal of Hazardous Substances,

and any regulations, or subordinate legislation, orders, judgements, circulars, codes of practice and technical instructions issued or made thereunder and having the force of law;

Harm means harm to the Environment and/or harm to the health and welfare of living organisms or other interference with the ecological systems of which they form part and in the case of humans includes offence caused to any sense and harm to property;

Include words of covenant.

Hazardous Substance means any natural or artificial substance whatsoever (whether in a solid or liquid form or in the form of a gas or vapour and whether alone or in combination with any other substance) including (without limitation) vibration, noise, electricity, heat or other radiation or waste (as defined in the Environmental Protection Act 1990) which is capable of causing Harm or of damaging the Environment or public health or welfare or without limitation capable of causing a nuisance to any person;

Lease means the lease referred to in Column 8 of schedule 1 (if any)

Occupational Leases mean (where applicable) the leases (or underleases) or other third party property interests or rights of occupation subject to which the Property is transferred, including without limitation the documents listed in the relevant row of schedule 3 (if any) together with any deeds or documents supplemental or ancillary to any Occupational Lease;

Predecessor means any statutory predecessor to or any associated company of the Transferor as may have responsibility under Environmental Law for the presence of Hazardous Substances in on or under the Property or migrating to or from the Property or for the remediation of the same but not including the Transferee and its subsidiary undertakings from time to time;

Regulatory Authorities means:

- (a) any person (whether autonomous or not) having legal and/or regulatory authority and/or enforcement powers, including, without limitation, the Environment Agency; and
- (b) any court of law or tribunal in any jurisdiction,

and, without limitation, includes the relevant planning authority for the Property and where applicable the Environment Agency or such other authority having regulatory powers in relation to the presence of any Hazardous Substance as may be in, on, under or migrating to or from the Property;

Statutory Guidance means the Circular dated April 2012 issued by the Department for Environment, Food and Rural Affairs in accordance with section 78YA of the Environmental Protection Act 1990 and entitled "Environmental Protection Act 1990 : Part 2A Contaminated Land Statutory Guidance" as amended or substituted from time to time;

Transferor's Group means the Transferor and its subsidiaries from time to time, any holding company of the Transferor and all other subsidiaries of any such holding company from time to time, but not including the Transferee and its subsidiary undertakings from time to time;

(b) words importing one gender shall be construed as importing any other gender;

(c) words importing the singular shall be construed as importing the plural and vice versa;

(d) words importing persons shall be construed as importing a corporate body or unincorporated body and vice versa;

(e) where any party comprises more than one person the obligations and liabilities of that party under this Transfer will be joint and several obligations and liabilities of those persons;

(f) where the context admits or requires the expressions "the Transferor" and the "the Transferee" shall include their respective successors in title;

(g) the panel and clause headings do not form part of this Transfer and shall not be taken into account in its construction or interpretation; and

(h) any reference to a clause is one so numbered in this panel unless otherwise stated.

11.2 **No implied rights**

(a) The Transferee does not acquire any right to light or air over any neighbouring land of the Transferor.

(b) The rule of implied grant known as the rule in *Wheeldon v Burrows* and Section 62 of the Law of Property Act 1925 shall be excluded from this Transfer.

11.3 **Acknowledgment of Condition**

(a) The Transferee covenants with the Transferor and with and for the benefit of any Predecessor that it acknowledges that:

Any other land affected by rights granted or reserved or by restrictive covenants should be defined by reference to a plan.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

Any other land affected should be defined by reference to a plan and the title numbers referred to in panel 2.

(i) the Property, the soil and sub-soil of the Property and the soil, air, land, groundwater and water on, under, near or adjacent thereto and drains, sewers, pipes, water courses and water tables at, on, under or in the vicinity of the Property, may have been contaminated by the use of the Property prior to the

date of this Transfer in connection with the manufacture, production, supply, or storage of gas and any other contaminative uses;

(ii) it has had full opportunity to inspect and survey the Property and carry out investigation thereon;

(iii) it relies at its own risk on the contents of any report, plan and/or other written material and/or information either disclosed to it and/or orally communicated to it by or on behalf of the Transferor both as to the condition of the Property and as to the nature and effect of any remedial works which may have been carried out and no warranty is given and/or representation is made by or on behalf of the Transferor in respect thereof;

(iv) any such report, plan and/or other written material and/or information referred to above were not commissioned with a view to giving a prospective transferee of the Property a definitive statement of the state and condition of the Property or its suitability for the present or any future use and the Transferee acknowledges and confirms that before it became bound to acquire the Property the Transferee had such information that would reasonably allow the Transferee to be aware of the presence of Hazardous Substances in or upon the Property and of the broad measure of their presence;

(v) it has satisfied itself as to the condition of the Property;

(vi) the price takes account of the condition of the Property;

(vii) any obligation for carrying out any necessary remediation works at the Property or to any adjoining property to

which any Hazardous Substances may have spread is transferred to the Transferee to the complete exoneration of the Transferor and any Predecessor;

(viii) the provisions of this Clause 11.3 constitute an agreement on liabilities for the purposes of Part 2A of EPA 1990 and the Statutory Guidance,

and the Transferee further covenants with the Transferor (and with and for the benefit of any Predecessor) that:

(A) in the event that any Regulatory Authority seeks to impose liability other than in accordance with the allocation of liabilities and obligations agreed in this Transfer, the parties shall communicate and confirm their agreement to such allocation as specified in this Transfer to the Regulatory Authority and either party shall be entitled to produce a copy of this Transfer to such Regulatory Authority;

(B) it will not challenge the agreement in this Clause 11.3 as an agreement on liabilities with continuing effect as between the Transferor and the Transferee; and

(C) it will request that the Regulatory Authorities give full effect to the agreement on liabilities in this Clause 11.3 without limitation.

- (b) The Transferee covenants with the Transferor (for the benefit of the Transferor and any successor in title to the liabilities of the Transferor and any Predecessor) to indemnify and keep the Transferor and any such successor indemnified against all and any

actions, judgments, penalties, damages, losses, costs, claims, expenses, liabilities and demands wholly or partly arising from or consequent upon the condition of the Property.

11.4 Incumbrances

- (a) The Property is transferred subject to and with the benefit of the matters contained or referred to in the registers of title referred to in Column 3 of schedule 1 (if any), the Documents (if any) and the Occupational Leases (if any) and all other easements, rights, covenants and other matters affecting the Property (together the **Title Matters**) so far as they relate to the Property.

- (b) Any part of the Property which is the subject of an ST1 or an ST3 (as detailed in column 3 of schedule 1) is transferred subject to any rights, restrictions, easements and quasi easements and matters as may exist and are capable of being enforced as at the date of this Transfer (any of which shall form part of the Title Matters for the purposes of this clause 11.4

- (c) Without prejudice to the generality of the foregoing, the Transferee acknowledges that:

- (i) this Transfer is (and the Property is transferred) subject to any matter in any deeds or documents which are subsisting and affect the Property regardless that the Transferor has no, or cannot locate any, or has incomplete, title deeds or documents and has not deduced the same;

- (ii) this Transfer (and the Property) does not include any equipment, apparatus or property of any third party (whether or the not the same has become fixed to the Property);
- (iii) this Transfer is (and the Property is transferred) subject to any arrangements in relation to any such third party equipment, apparatus or property (whether or the not the arrangements are proprietary in nature).

11.5 Indemnity covenant

The Transferee covenants with the Transferor (by way of indemnity only) that the Transferee will at all times observe and perform and otherwise comply with the obligations of the Transferor (and any other obligations in respect of which the Transferor will remain liable if they are breached) contained or referred to in the Title Matters so far as they are still subsisting and relate to the Property and to indemnify and keep the Transferor (for itself and as trustee for each member of the Transferor's Group) indemnified against all losses costs claims charges expenses actions proceedings liabilities and demands arising from or as a result of:

- (a) any failure breach or non-observance of them; and
- (b) the completion of this Transfer without the consent, licence, approval or waiver of any third party required for the transfer of the Property or in respect of which a direct covenant or other similar obligation is required to be given before such transfer can take effect.

11.6 Metering

- (a) This clause 11.6 applies wherever there is any Metering Equipment at the Property.

- (b) The Transferor (to the intent that such rights shall be appurtenant to the Transferor's Undertaking and each and every part thereof) reserves out of the Property to itself and to all other persons from time to time authorised by the Transferor (which may include, without limitation, subsidiary or other group companies (interested in or involved with metering

activities) and/or metering (sub)contractors and its or their agents) and any statutory successor to or assignee of the Transferor's Undertaking (or any part thereof interested in Metering Equipment), rights of access on to the Property (and into any building(s) thereon) for all proper purposes in connection with any Metering Equipment including without limitation the right to inspect, use, maintain, repair, renew, relocate, replace or remove Metering Equipment at all reasonable times upon reasonable prior notice (save in the case of emergency) subject always to the person exercising such rights minimising any inconvenience, disturbance or damage thereby caused (and promptly making good any which is caused).

- (c) In this clause:

"Metering Equipment" means any of the following:

- (i) Meter(s): being a measuring instrument that measures the volume of natural gas passing through it, with a specific badged capacity that is in accordance with Schedule 2B of the Gas Act 1986 as amended by the Gas Act 1995;
- (ii) Meter Installation(s): including any associated volume conversion system, valve, filter, meter regulator or PRI, flexible connection, meter by-pass, interconnecting pipework, fitting and support,

and anything similar or in connection therewith;
and

"Transferor's Undertaking" means the Transferor's undertaking as a public gas transporter within the meaning of Section 7 of the Gas Act 1986 as amended by the Gas Act 1995 (including without limitation its gas transmission pipeline, facilities and apparatus).

11.7 Annexures

The following items are appended to this Transfer:

- (a) schedule 1 attached to this Transfer; and
- (b) schedule 2 attached to this Transfer entitled "Documents";
- (c) schedule 3 attached to this Transfer entitled "Occupational Leases"; and
- (d) the plans attached to this Transfer as referred to in schedule 1 column 7.

11.8 Contract Terms

- (a) Unless the right of enforcement is expressly provided, it is not intended that a third party should have the rights to enforce any terms of this Transfer pursuant to the Contracts (Rights of Third Parties) Act 1999 but this does not affect any rights that are available apart from that Act. Specifically it is intended that:
 - (i) any Predecessor in respect of Clause 11.3; and
 - (ii) any member of the Transferor's Group in respect of Clause 11.5; and
 - (iii) any party authorised by the Transferor or any successor to or assignee of the Transferor's Undertaking in respect of clause 11.6

shall be entitled to directly enforce the Transferor's rights to enforce the terms of this Transfer.

Include words of covenant.

None

Insert here any required or permitted statements, certificates or applications and any agreed declarations and so on.

None

The transferor must execute this transfer as a deed using the space opposite. If there is more than one transferor, all must execute. Forms of execution are given in Schedule 9 to the Land Registration Rules 2003. If the transfer contains transferee's covenants or declarations or contains an application by the transferee (e.g. for a restriction), it must also be executed by the transferee.

12 Execution

Executed as a deed and delivered on the date set out at the head of this transfer.

Signed as a deed
TIMOTHY FRANCIS FIELD
attorney for **National Grid Gas**
under a power of attorney dated
June 2016
in the presence of:



**National Grid Gas
plc**

SIGNATURE OF WITNESS

KATHRYN ASHDOWN
NAME OF WITNESS IN BLOCK
CAPITALS

DLA Piper UK LLP
Princes Exchange
Princes Square
Leeds LS1 4BY

ADDRESS OF WITNESS

Legal Assistant
OCCUPATION OF WITNESS

Signed as a deed
TIMOTHY FRANCIS PIERO
attorney for **National Grid Gas
Distribution Limited** under a power
of attorney dated **22 June 2016**
in the presence of:

**National Grid Gas
Distribution
Limited**


SIGNATURE OF WITNESS

KATHRIN ASHDOWN
NAME OF WITNESS IN BLOCK
CAPITALS

DLA Piper UK LLP
Princes Exchange
Princes Square
Leeds LS1 4BY

ADDRESS OF WITNESS

Legal Assistant
OCCUPATION OF WITNESS

WARNING

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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MARITIME

Schedule 1

| Property no. | Column 1 Property address | Column 2 Unique reference number | Column 3 Title number of property and/or root of title and/or ST3 if unregistered | Column 4 Tenure (freehold (F) or leasehold) (L) | Column 5 Other title numbers against which matters are to be registered (or None if none) | Column 6 Consideration (in figures) | Column 7 Property shown edged red on plan Yes/Not applicable/yes but excluding the area [hatched green]. | Column 8 Lease (Date and parties or "None") | |
|--------------|--------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 1. | Land and buildings lying to the south east of Ivy Road, Spixworth. | NG_PP_000891 | NK37711 | Freehold | None | 900 | Not applicable | | |
| 2. | land lying to the North of School Road, Burlingham. | NG_PP_000900 | NK102771 | Freehold | None | 1500 | Not applicable. | | |
| 3. | a gas governor on the south side of Bluebell Road, Mulbarton. | NG_PP_000904 | NK23103 | Freehold | None | 900 | Not applicable | | |

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|--------------|-------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 4. | land on the west side of Woodbastwick Road, Blofield. | NG_PP_000906 | NK146856 | Freehold | None | 1500 | Not applicable | | |
| 5. | land at Keswick Hall | NG_PP_000909 | NK82789 | Freehold | None | 900 | Not applicable | | |
| 6. | Gas Distribution Centre Pound Lane Norwich | NG_PP_000910 | NK393390 | Freehold | None | 1500 | Not applicable | | |
| 7. | Land lying to the west of Gashouse Hill, Aylsham. | NG_PP_000917 | NK265332 | Freehold | None | 900 | Not applicable | | |
| 8. | on the west side of West Harling Road, East Harling. | NG_PP_000922 | NK174671 | Freehold | None | 1500 | Not applicable. | | |

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|--------------|-------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 9. | land lying to the South West side of Cardington Road, Cardington. | NG_PP_001066 | BD69744 | Freehold | None | 900 | Not applicable | | |
| 10. | a Gas Distribution Station, Church Street, Exning, Newmarket. | NG_PP_001067 | SK319425 | Freehold | None | 900 | Not applicable. | | |
| 11. | a Gas Governor, Cambridge Road, Sawston, Cambridge. | NG_PP_001069 | CB348667 | Freehold | None | 900 | Not applicable. | | |

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|--------------|------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 12. | Land on the north side of Dunmow Road, Bishop's Stortford. | NG_PP_001070 | HD306118 | Freehold | None | 900 | Not applicable. | | |
| 13. | Land on the North side of Hubbards Loke, Gunton. | NG_PP_001074 | SK93234 | Freehold | None | 1500 | Not applicable | | |
| 14. | a Gas Governor, Bull Lane, Long Melford, Sudbury | NG_PP_001088 | SK319385 | Freehold | None | 1500 | Not applicable | | |
| 15. | a gas governor, Arbury Road, Cambridge. | NG_PP_001344 | CB172884 | Freehold | None | 900 | Not applicable | | |

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|--------------|------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 16. | land on the north east side of The Crescent, Ely. | NG_PP_001345 | CB211907 | Freehold | None | 900 | Not applicable | | |
| 17. | the site of a gas governor site on the north east side of Brookhampton Street, Ickleton. | NG_PP_001346 | CB115464 | Freehold | None | 900 | Not applicable | | |

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|--------------|-------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 18. | a gas governor on the north side of Station Road, Meldreth. | NG_PP_001350 | CB223007 | Freehold | None | 900 | Not applicable | | |
| 19. | land on the West side of Grange Road, Cambridge. | NG_PP_001352 | CB28450 | Freehold | None | 900 | Not applicable | | |
| 20. | land lying to the south east of Saxon Way, Bar Hill | NG_PP_001353 | CB126941 | Freehold | None | 900 | Not applicable | | |
| 21. | Land on the East side of Harston Road, Haslingfield. | NG_PP_001355 | CB131374 | Freehold | None | 900 | Not applicable. | | |

| Property no. | Column 1 Property address | Column 2 Unique reference number | Column 3 Title number of property and/or root of title and/or ST3 if unregistered | Column 4 Tenure (freehold (F) or leasehold) (L) | Column 5 Other title numbers against which matters are to be registered (or None if none) | Column 6 Consideration (in figures) | Column 7 Property shown edged red on plan Yes/Not applicable/yes but excluding the area [hatched green]. | Column 8 Lease (Date and parties or "None") | |
|--------------|------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------|
| 22. | a gas governor, Link Road, Sawston | NG_PP_001371 | CB189919 | Leasehold | None | 900 | Not applicable | 17-Nov-95 | (1) South Cambridgeshire District Council and (2) British Gas Plc |
| 23. | a gas governor lying to the north-east of Swallowfield, Werrington | NG_PP_001380 | CB150598 | Freehold | None | 900 | Not applicable | | |
| 24. | the site of a gas governor lying on the west side of Buckden Road, Brampton. | NG_PP_001383 | CB76638 | Freehold | None | 900 | Not applicable | | |

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|--------------|---------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 25. | a Gas Governor lying to the south west of Inkerman Rise, St Neots | NG_PP_001385 | CB85139 | Freehold | None | 900 | Not applicable. | | |
| 26. | a gas governor site lying to the west of Cross Hall Road, St Neots. | NG_PP_001386 | HN3773 | Freehold | None | 900 | Not applicable. | | |
| 27. | land lying to the north-west of Oundle Road, Alwalton. | NG_PP_001387 | CB139606 | Freehold | None | 900 | Not applicable. | | |
| 28. | land on the south east of Willesden Avenue, Peterborough. | NG_PP_001391 | CB76515 | Freehold | None | 1500 | Not applicable. | | |

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|--------------|---------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 29. | land lying to the South of Fengate, Peterborough. | NG_PP_001393 | CB36354 | Freehold | None | 1500 | Not applicable. | | |
| 30. | land on the north side of Sovereign Way, Downham Market | NG_PP_001395 | NK132717 | Freehold | None | 900 | Not applicable | | |
| 31. | land lying to the east of Meadow Way, Wimblington. | NG_PP_001406 | CB97907 | Freehold | None | 900 | Not applicable | | |
| 32. | land on the west side of Primrose Hill, Kings Langley | NG_PP_001429 | HD496359 | Freehold | None | 900 | Not applicable | | |

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|--------------|--------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------|
| 33. | land at Sarratt Road, Croxley Green, Rickmansworth. | NG_PP_001433 | HD281179 | Freehold | None | 900 | Not applicable. | | |
| 34. | land to the south of Dog Kennel Lane, Chorleywood | NG_PP_001435 | HD164074 | Leasehold | None | 900 | Not applicable | 28-Jan-83 | (1) Royal National Institute for the Blind and (2) British Gas Corporation |
| 35. | the site of a British Gas Kiosk on the west side of Bridge Street, Coggeshall. | NG_PP_001474 | EX399018 | Freehold | None | 900 | Not applicable. | | |

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|--------------|---------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 36. | a gas governor at the junction of Mulberry Way and Prickwillow Road, Ely. | NG_PP_001506 | CB62205 | Freehold | None | 900 | Not applicable | | |
| 37. | Land and Buildings on the East side of Bedford Road, Shelton. | NG_PP_001571 | BD174105 | Freehold | None | 900 | Not applicable. | | |
| 38. | land on the east side of Station Road, Marston Moretaine. | NG_PP_001573 | BD171555 | Freehold | None | 900 | Not applicable. | | |
| 39. | land lying on the East side of Norse Road, Bedford. | NG_PP_001574 | BD146249 | Freehold | None | 900 | Not applicable | | |

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|--------------|------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 40. | land and buildings on the North side of Harrold Priory, Goldington, Bedford. | NG_PP_001575 | BD153591 | Freehold | None | 900 | Not applicable | | |
| 41. | land on the South East side of Station Road, Sharnbrook. | NG_PP_001578 | BD100691 | Freehold | None | 900 | Not applicable | | |
| 42. | land lying to the North of Lower Farm Road, Bromham. | NG_PP_001579 | BD99058 | Freehold | None | 900 | Not applicable. | | |
| 43. | Land on the east side of Barkers Lane, Bedford. | NG_PP_001584 | BD253872 | Freehold | None | 900 | Not applicable | | |

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|--------------|-------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 44. | Gas Governor Station, Buckwood Lane, Studham, Dunstable. | NG_PP_001589 | BD191304 | Freehold | None | 900 | Not applicable. | | |
| 45. | land on the north side of Kensworth Road, Studham, Dunstable. | NG_PP_001590 | BD167927 | Freehold | None | 900 | Not applicable. | | |
| 46. | Land on the South East side of President Way, Luton. | NG_PP_001594 | BD170101 | Freehold | None | 900 | Not applicable | | |

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|--------------|---------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------------------------------|
| 47. | Land on the east side of Barkers Lane, Bedford. | NG_PP_001602 | BD253872 | Leasehold | None | 900 | Not applicable | 16-Dec-72 | (1) The County Council of Bedfordshire (2) British Gas Corporation |
| 48. | a Gas Governor lying to the south of Bromham Road, Biddenham. | NG_PP_001612 | BD212994 | Freehold | None | 900 | Not applicable | | |
| 49. | a gas governor, College Road, Cranfield. | NG_PP_001614 | BD193463 | Freehold | None | 900 | Not applicable | | |
| 50. | a gas governor, High Road, Shortstown, Bedford | NG_PP_001616 | BD198503 | Freehold | None | 900 | Not applicable | | |

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|--------------|-----------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 51. | a Gas Governor, St Francis Way, Shefford | NG_PP_001626 | BD270894 | Freehold | None | 900 | Not applicable. | | |
| 52. | land lying to the north of The Valley, Whitwell. | NG_PP_001663 | HD285446 | Freehold | None | 900 | Not applicable. | | |
| 53. | land and buildings lying to the North of Station Road, Stanstead Abbotts | NG_PP_001682 | HD229066 | Freehold | None | 900 | Not applicable | | |
| 54. | land lying to the north west of Mill Road, Hemham. | NG_PP_001726 | EX439436 | Freehold | None | 900 | Not applicable. | | |

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|--------------|-----------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 55. | Land at Kingsgate, Bishop's Stortford. | NG_PP_001728 | HD282175 | Freehold | None | 900 | Not applicable | | |
| 56. | a Gas Governor lying to the south of The Hyde, Ware. | NG_PP_001732 | HD207287 | Freehold | None | 900 | Not applicable | | |
| 57. | land on the south west side of Furlong Way, Great Amwell. | NG_PP_001786 | HD253977 | Freehold | None | 900 | Not applicable | | |
| 58. | Land lying on the North side of Ford Street, Braughing. | NG_PP_001790 | HD311191 | Freehold | None | 900 | Not applicable. | | |

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|--------------|---------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 59. | land at Maze Green Road, Bishop's Stortford. | NG_PP_001791 | HD328611 | Freehold | None | 900 | Not applicable. | | |
| 60. | land lying to the south of Chaplin Road, East Bergholt. | NG_PP_001800 | SK98568 | Freehold | None | 900 | Not applicable | | |
| 61. | land on the south side of Woodbridge Road, Ipswich. | NG_PP_001812 | SK110421 | Freehold | None | 900 | Not applicable. | | |
| 62. | a Gas Governor, Chilton Hall Estate, Stowmarket. | NG_PP_001818 | SK94787 | Freehold | None | 900 | Not applicable | | |

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|--------------|---------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------------------------------------------------------------------------|
| 63. | a Gas Governor lying to the South West of Farriers Went, Trimley St Mary | NG_PP_001819 | SK30186 | Freehold | None | 900 | Not applicable. | | |
| 64. | land lying to the South of Stratford Road, Ipswich. | NG_PP_001823 | SK39929 | Leasehold | None | 900 | Not applicable. | 03-Oct-80 | (1) The Council for the Borough of Ipswich (2) British Gas Corporation |
| 65. | land on East side of New Road forming part of Allotment Gardens, Rougham. | NG_PP_001825 | SK139671 | Freehold | None | 1500 | Not applicable. | | |

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|--------------|--------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------------------------------|
| 66. | gas governor lying to the south west of Culford Road, Fornham St Martin. | NG_PP_001826 | SK36919 | Freehold | None | 900 | Not applicable. | | |
| 67. | land on the West side of Buckenham Road, Attleborough | NG_PP_001827 | NK89825 | Freehold | None | 900 | Not applicable. | | |
| 68. | land on the North side of Whitton Church Lane. | NG_PP_001829 | SK40481 | Leasehold | None | 1500 | Not applicable. | 11-Dec-80 | (1) The Council for the Borough of Ipswich and (2) British Gas Corporation |

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|--------------|------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|-------------------------------------------------------------|
| 69. | Land on the South East side of Maryon Road, Ipswich. | NG_PP_001846 | SK53595 | Leasehold | None | 900 | Not applicable. | 07-Feb-84 | (1) Ipswich Borough Council and (2) British Gas Corporation |
| 70. | land on the south side of Whatfield Road, Elmsett. | NG_PP_001862 | SK99004 | Freehold | None | 900 | Not applicable. | | |
| 71. | land on the south west side of Finborough Road, Stowmarket | NG_PP_001869 | SK23473 | Freehold | None | 900 | Not applicable | | |
| 72. | land lying to the west of Lower Street, Stratford St Mary | NG_PP_001875 | SK106467 | Freehold | None | 900 | Not applicable | | |

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|--------------|---------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 73. | a Gas Governor at the back of 2 Spitfire Road, Shefford. | NG_PP_001886 | BD223084 | Freehold | None | 900 | Not applicable. | | |
| 74. | a gas governor lying to the East of Chignall Road, North Melbourne | NG_PP_001902 | EX202252 | Freehold | None | 1500 | Not applicable | | |
| 75. | land and buildings to the East of Skiddaw Close, White Court Estate, Braintree. | NG_PP_001905 | EX238119 | Freehold | None | 1500 | Not applicable. | | |

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|--------------|-------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 76. | land on the west side of Ferrers Road, South Woodham Ferrers | NG_PP_001906 | EX284944 | Freehold | None | 900 | Not applicable. | | |
| 77. | a gas governor installation lying to the west of Brockenhurst Way, Bicknacre. | NG_PP_001916 | EX395490 | Freehold | None | 900 | Not applicable | | |
| 78. | land and buildings lying to the north of Bromley Road, Colchester. | NG_PP_001930 | EX686502 | Freehold | None | 900 | Not applicable. | | |
| 79. | Gas Governor, Villa Road, Stanway, Colchester | NG_PP_001935 | EX234991 | Freehold | None | 900 | Not applicable | | |

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|--------------|----------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 80. | a Gas Governor, Stephenson Road West, Clacton-on-Sea. | NG_PP_001936 | EX464244 | Freehold | None | 900 | Not applicable. | | |
| 81. | Gas Governor, Eastwood Drive, Highwoods, Colchester. | NG_PP_001946 | EX259620 | Freehold | None | 1500 | Not applicable. | | |
| 82. | Gas Governor, Cromer Road, High Kelling, Holt. | NG_PP_001962 | NK181735 | Freehold | None | 900 | Not applicable | | |
| 83. | land on the North West side of Station Road, Castle Hedingham. | NG_PP_001964 | EX477813 | Freehold | None | 900 | Not applicable. | | |

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|--------------|-----------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 84. | a Gas Governor, New Hall Lane, Mundon, Maldon. | NG_PP_001970 | EX841982 | Freehold | None | 900 | Not applicable. | | |
| 85. | a gas governor, Sapley Road, Hartford, Huntingdon. | NG_PP_001982 | CB111671 | Freehold | None | 900 | Not applicable. | | |
| 86. | land lying to the north-east side of Ermine Street, Huntingdon. | NG_PP_002002 | CB91521 | Freehold | None | 900 | Not applicable. | | |
| 87. | Gas Governor on the North side of Burgh Road, Bradwell | NG_PP_002009 | NK188950 | Freehold | None | 900 | Not applicable | | |

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|--------------|----------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 88. | Gas Governor Site, Hinchingbrooke Business Park, Huntingdon. | NG_PP_002024 | CB215509 | Freehold | None | 900 | Not applicable | | |
| 89. | Land on the north east side of Witard Road, Norwich. | NG_PP_002043 | NK150703 | Freehold | None | 900 | Not applicable | | |
| 90. | A Gas Governor lying to the east of the River Yare, Bowthorpe. | NG_PP_002047 | NK105889 | Freehold | None | 900 | Not applicable | | |
| 91. | land lying to the west of Spixworth Road, Catton. | NG_PP_002051 | NK63357 | Freehold | None | 900 | Not applicable. | | |

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| 92. | land on the north side of Redenhall Road, Harleston. | NG_PP_002064 | NK270830 | Freehold | None | 1500 | Not applicable. | | |
| 93. | land on the South East side of Newmarket Road, Norwich. | NG_PP_002067 | NK40695 | Freehold | None. | 900 | Not applicable. | | |
| 94. | land lying to the west of Holt Road, Horsford. | NG_PP_002072 | NK93567 | Freehold | None | 900 | Not applicable. | | |
| 95. | land on the north east side of Church Road, Newton Flotman. | NG_PP_002073 | NK127243 | Freehold | None | 1500 | Not applicable. | | |

| Property no. | Column 1 Property address | Column 2 Unique reference number | Column 3 Title number of property and/or root of title and/or ST3 if unregistered | Column 4 Tenure (freehold (F) or leasehold) (L) | Column 5 Other title numbers against which matters are to be registered (or None if none) | Column 6 Consideration (in figures) | Column 7 Property shown edged red on plan Yes/Not applicable/yes but excluding the area [hatched green]. | Column 8 Lease (Date and parties or "None") | |
|--------------|-----------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 96. | land on the south side of Carr Avenue, Leiston. | NG_PP_002079 | SK213534 | Freehold | None | 1500 | Not applicable. | | |
| 97. | land and buildings lying to the south west of Reepham Road, Taverham. | NG_PP_002087 | NK81280 | Freehold | None | 1500 | Not applicable. | | |
| 98. | land on the West side of Buckenham Road, Attleborough | NG_PP_002095 | NK89825 | Freehold | None | 900 | Not applicable. | | |

| Property no. | Column 1 Property address | Column 2 Unique reference number | Column 3 Title number of property and/or root of title and/or ST3 if unregistered | Column 4 Tenure (freehold (F) or leasehold) (L) | Column 5 Other title numbers against which matters are to be registered (or None if none) | Column 6 Consideration (in figures) | Column 7 Property shown edged red on plan Yes/Not applicable/yes but excluding the area [hatched green]. | Column 8 Lease (Date and parties or "None") | |
|--------------|-------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------|----------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------|--|
| 99. | Gas Governor, Berechurch Road, Colchester | NG_PP_002110 | EX804912 | Freehold | None | 900 | Not applicable | | |

Schedule 2 - Documents

| Property No | Property address | Unique reference number | Date | Document | Parties |
|-------------|--------------------------------------------------------------------|-------------------------|------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Land and buildings lying to the south east of Ivy Road, Spixworth. | NG_PP_000891 | 09/05/1974 | Grant of Easement | Trackrail East Anglia Limited to British Gas Corporation |
| 2 | Land lying to the North of School Road, Burlingham | NG_PP_000900 | 20/02/1991 | Transfer | (1) Norfolk County Council and (2) British Gas PLC |
| 5 | Land at Keswick Hall | NG_PP_000909 | 30/08/1963 | Deed | (1) Archibald James Gurney and (2) Eastern Gas Board |
| | | | 06/04/1978 | Deed of Grant | (1) Archibald James Gurney (2) Norwich Diocesan Board of Finance (3) Archibald James Gurney and others and (4) Eastern Electricity Board |
| 7 | Land lying to the west of Gashouse Hill, Aylsham | NG_PP_000917 | 09/04/2001 | Grant of Easement | (1) Lattice Property Holdings (2) Transco Plc. |
| | | | 07/08/1952 | Licence to Occupy | (1) Eastern Gas Board (2) John Stephen Large |
| 9 | Land lying to the South West side of Cardington Road, Cardington | NG_PP_001066 | 04/10/1955 | Deed of Easement | (1) Major S. Whitbread (2) The Eastern Gas Board |
| 19 | Land on the West side of Grange Road, Cambridge | NG_PP_001352 | 28/12/1955 | Grant of Easement | (1) The Norwich Union Life Insurance Society (2) The Eastern Gas Board |

| Property No | Property address | Unique reference number | Date | Document | Parties |
|-------------|-------------------------------------------------------------------------|-------------------------|------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 38 | Landon the east side of Station Road, Marston Moretaine | NG_PP_001573 | 18/08/1988 | Grant of Easement | (1) Showpine Limited (2) William Gayner & Sons Limited 3) Sovereign Chicken Limited |
| 52 | Land lying to the north of The Valley, Whitwell | NG_PP_001663 | 31/07/1987 | Grant of Easement | (1) St. Paul's Walden Bury Estate Company and (2) British Gas PLC |
| 60 | Land lying to the south of Chaplin Road, East Bergholt | NG_PP_001800 | 06/03/1991 | Grant of Easement | (1) Michael George Harris and (2) British Gas PLC |
| 66 | Gas governor lying to the south west of Culford Road, Fornham St Martin | NG_PP_001826 | 30/07/1980 | Deed | (1) W J Baker (Land Holdings) Limited (Bakers) (2) National Westminster Bank Limited (First Mortgagee) (3) Nellauda Limited (Nellauda) and (4) Midland Bank Limited (Second Mortgagee) |

Schedule 3 – Occupational Leases

| Property No | Property address | Unique reference number | Date | Document | Parties |
|-------------|--------------------------------------------------|-------------------------|------------|-------------------|-------------------------------------------------|
| 7 | Land lying to the west of Gashouse Hill, Aylsham | NG_PP_000917 | 07/08/1952 | Licence to Occupy | (1) Eastern Gas Board (2) John Stephen Large |
| | | | | | |
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CZK/UKDP/52010/120025/UKM/82091866.1

ANNEX B

EVIDENCE OF CONSENT TO THE NON-MATERIAL CHANGE

May, Sophie

From: Rowley, Nikki [REDACTED]@highwaysengland.co.uk>
Sent: 01 November 2021 16:52
To: Richard Guyatt; Critchley, Jacquie; May, Sophie; Stephen Dagg
Cc: Nettey, Alan
Subject: Acceptance of Cadent Non Material change
Attachments: A47 Acceptance of Cadent Non Material change 281021.pdf

FYI

Nikki Rowley-Todd
Project Manager
A47 Blofield to N.Burlingham
Regional Investment Programme (East)
Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW
T: [REDACTED]
E: [REDACTED]@highwaysengland.co.uk
Web: [REDACTED]

From: Charles Birch [mailto:[REDACTED]@Brown-co.com]
Sent: 01 November 2021 16:18
To: Rowley, Nikki [REDACTED]@highwaysengland.co.uk>
Cc: Georgie Lee <[REDACTED]@Brown-co.com>
Subject: Acceptance of Cadent Non Material change

Dear Nikki

I attach acceptance of the variation to the DCO in relation to the gas block valve relocation.

I confirm that the consent was signed on 28 October by Jenna Goodall Browne BSc (Hons) MRICS FAAV, Rural Estates Surveyor in the Corporate Property Team of my client Norfolk County Council

The occupier, Nigel Adams has already agreed as we have confirmed before, but we will endeavour to arrange signature of the required document.

As a matter of report, the tenant's occupation ends with effect from October 2022 and notice to quit has been served. The land will be vacant when it is required for Cadent gas works.

Kind regards

Charles

Charles Birch, FRICS FAAV
Land Agent, Partner



For full details of all our services, please visit our [REDACTED]

For and on behalf of Brown & Co - Property & Business Consultants LLP

T [REDACTED]   

Norwich Office, The Atrium, St. George's Street, Norwich, Norfolk, NR3 1AB, United Kingdom

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You will see at the bottom of this correspondence an opportunity for you to sign and return this correspondence, indicating that you consent to the proposed changes to the Order. This is required under Section 123 of the Planning Act 2008 – where a change regarding compulsory acquisition is anticipated after an application has been made to the Secretary of State, then the applicant must demonstrate that all parties consent to that change or that the procedure under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 has been followed.

Whilst you have previously provided your consent, it is felt by Highways England appropriate that you provide a further consent to satisfy the Inspector that the implications of this proposal are fully understood.

Concluding remarks

I hope that the information provided with this correspondence is sufficient for you to confirm that your consent to the proposed change is accepted.

If you do have any further questions please do not hesitate to contact me and I am happy to confirm that Highways England will pay the reasonable legal and surveying fees that you may incur regarding indicating your consent to the proposed change. I would be grateful if you could indicate your position as soon as possible, ideally by signing a copy of this correspondence and returning it to me, but in any event if you have any further concerns then please contact me as soon as possible and we can discuss those further.

I would be very grateful to you for your further attention and time in relation to this process.

Yours sincerely

I Jenna Goodall Browne on behalf of Norfolk County Farms (Norfolk County Council NCC) can confirm that:

- (a) I have read and understood the contents of this correspondence; and
- (b) On behalf of NCC I am authorised to confirm that NCC consents to Highways England amending the land plan and book of reference submitted with its application for the A47 Blofield to North Burlingham Development Consent Order to allow for powers of compulsory acquisition to replace the gas pipeline block valve located south of the existing A47, south of North Burlingham.

Signed
Authorised on behalf of Norfolk County Council

Dear Mr Nigel Adams

**The A47 Blofield to North Burlingham Development Consent Order
Request for a non-material change to the application**

We emailed you on 24 August 2021 to ask for your consent to a change to the Blofield scheme.

You kindly provided an email confirming consent on 25 August 2021. This was provided to the Inspector considering the examination but at this point the Inspector has decided that the change be made as he has concerns regarding notification to all parties interested in land.

Highways England has looked at the issue of concern further and believes that the application should be remade on the basis that fewer parties than had previously been considered are actually interested in the relevant land.

Accordingly I am writing again for your formal consent to the proposed change, which will then be submitted at the examination into the Blofield Order.

Highways England's agents will be in contact shortly regarding agreement for the proposed change to include all of the parties interest in land as it is hoped that an option agreement for the proposed block valve can be entered into so as to avoid the need for the exercise of compulsory acquisition powers.

To be clear, your consent would allow Highways England to have powers to acquire compulsorily the interests in land it requires for the relocation of the block valve, subject to any agreement or protected provisions that the relevant parties may have. It is however hoped that agreement can be reached for the proposed transactions.

Links below to relevant documentation:

1. Revised general arrangement plan showing the proposed changes in the vicinity of the existing block valve compound owned by Cadent Gas Limited. [REDACTED] – see Sheet 5 of 8)
2. Revised land plan showing at plots 5/1a to 5/1g (on the amended land plan) the proposed changes to the land plan. [REDACTED] – see Sheet 5 of 8)
3. The previous application for non-material consent (which was refused by the Inspector on 8 October 2021). [REDACTED]
4. The Inspector's letters of 21 September and 8 October 2021 explaining his current position. [REDACTED]

Summary of changes

The existing Cadent block valve is to the south of the existing A47. Cadent's intermediate pressure gas main is to be moved to the south of its existing alignment. The block valve will also be located further south, where Cadent's existing east-west gas main crosses its existing north-south gas main. Essentially the new block valve will simply replace the existing block valve.

The freehold title is held by Norfolk County Council (NK 38665).

The location is tenanted under a lease for 20 years from 11 October 2002. The leasehold title is NK318399.

Cadent Gas Limited holds the freehold of the existing valve location – title NK102771. This title also holds the benefit of the easement for the installation, use and maintenance of the north-south alignment of Cadent's gas main which is remaining in its current location.

On further investigation no other party has an interest in the relevant part of the order land from whom consent is required.

What is required of you

You will see at the bottom of this correspondence an opportunity for you to sign and return this correspondence, indicating that you consent to the proposed changes to the Order. This is required under Section 123 of the Planning Act 2008 – where a change regarding compulsory acquisition is anticipated after an application has been made to the Secretary of State, then the applicant must demonstrate that all parties consent to that change or that the procedure under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 has been followed.

Whilst you have previously provided your consent, it is felt by Highways England appropriate that you provide a further consent to satisfy the Inspector that the implications of this proposal are fully understood.

Concluding remarks

I hope that the information provided with this correspondence is sufficient for you to confirm that your consent to the proposed change is accepted.

If you do have any further questions please do not hesitate to contact me and I am happy to confirm that Highways England will pay the reasonable legal and surveying fees that you may incur regarding indicating your consent to the proposed change. I would be grateful if you could indicate your position as soon as possible, ideally by signing a copy of this correspondence and returning it to me, but in any event if you have any further concerns then please contact me as soon as possible and we can discuss those further.

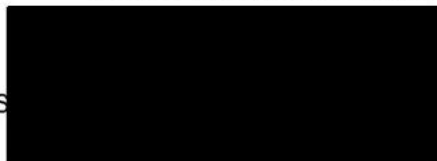
I would be very grateful to you for your further attention and time in relation to this process.

Yours sincerely

I Simon Wearmouth as agent on behalf of Nigel Adams can confirm that:

- (a) I have read and understood the contents of this correspondence; and
- (b) On behalf of Nigel Adams I am authorised to confirm that Nigel Adams consents to Highways England amending the land plan and book of reference submitted with its application for the A47 Blofield to North Burlingham Development Consent Order to allow for powers of compulsory acquisition to replace the gas pipeline block valve located south of the existing A47, south of North Burlingham.

S



Authorised on behalf of **Nigel Adams**

Date: 1st November 2021

May, Sophie

From: Dawson, Jayne <[REDACTED]@cadentgas.com>
Sent: 01 November 2021 12:41
To: Rowley, Nikki
Cc: Cashman, Vicky
Subject: RE: [EXT] Acceptance of change to land re valve

Nikki,

Please see signed response below.

Kind Regards,

Jayne Dawson
Project Delivery Engineer
Pipelines - Infrastructure
Capital Delivery

Cadent

Brick Kiln Street, Hinckley, Leicestershire, LE10 0NA

T: [REDACTED]
[REDACTED]@cadentgas.com

From: Rowley, Nikki <[REDACTED]@highwaysengland.co.uk>
Sent: 28 October 2021 12:30
To: Dawson, Jayne <[REDACTED]@cadentgas.com>
Subject: [EXT] Acceptance of change to land re valve
Importance: High

Dear Cadent

**The A47 Blofield to North Burlingham Development Consent Order
Request for a non-material change to the application**

We emailed you on 24 August 2021 to ask for your consent to a change to the Blofield scheme.

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Highways England has looked at the issue of concern further and believes that the application should be remade on the basis that fewer parties than had previously been considered are actually interested in the relevant land.

Accordingly I am writing again for your formal consent to the proposed change, which will then be submitted at the examination into the Blofield Order.

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To be clear, your consent would allow Highways England to have powers to acquire compulsorily the interests in land it requires for the relocation of the block valve, subject to any agreement or protected provisions that the relevant parties may have. It is however hoped that agreement can be reached for the proposed transactions.

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2. Revised land plan showing at plots 5/1a to 5/1g (on the amended land plan) the proposed changes to the land plan. [REDACTED] – see Sheet 5 of 8)
3. The previous application for non-material consent (which was refused by the Inspector on 8 October 2021). [REDACTED])
4. The Inspector's letters of 21 September and 8 October 2021 explaining his current position. ([letter](#) [REDACTED])

Summary of changes

The existing Cadent block valve is to the south of the existing A47. Cadent's intermediate pressure gas main is to be moved to the south of its existing alignment. The block valve will also be located further south, where Cadent's existing east-west gas main crosses its existing north-south gas main. Essentially the new block valve will simply replace the existing block valve.

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Concluding remarks

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I would be very grateful to you for your further attention and time in relation to this process.

Yours sincerely

I ...Jayne Dawson. on behalf of [Cadent Gas Limited] can confirm that:

- (a) I have read and understood the contents of this correspondence; and
- (b) On behalf of [Cadent Gas Limited] I am authorised to confirm that [Cadent Gas Limited] consents to Highways England amending the land plan and book of reference submitted with its application for the A47 Blofield to North Burlingham Development Consent Order to allow for powers of compulsory acquisition to replace the gas pipeline block valve located south of the existing A47, south of North Burlingham.

Signed ... [REDACTED]
Authorised on behalf of [Cadent Gas Limited]

Nikki Rowley-Todd
Project Manager
A47 Blofield to N.Burlingham
Regional Investment Programme (East)
Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW
T: [REDACTED]
E: [REDACTED] [\[REDACTED\]@highwaysengland.co.uk](mailto:[REDACTED]@highwaysengland.co.uk)
Web: [REDACTED]

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