

Secretary of State for Transport
National Transport Casework Team
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Date: 18 November 2024
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By email: nationalcasework@dft.gov.uk

Dear Sir,

The Lincolnshire County Council (A4161 North Hykeham Relief Road) Compulsory Purchase Order 2024
The Lincolnshire County Council (A4161 North Hykeham Relief Road) (Classified Road) (Side Roads) Order 2024

We act for National Grid Electricity Distribution (East Midlands) Plc, whose registered office is at Avonbank, Feeder Road, Bristol, BS2 0TB.

Please accept this letter as an objection to the Orders referred to above on behalf of our client.

Please note that we have also submitted a representation to the Secretary of State for Energy Security and Net Zero under section 16 of the Acquisition of Land Act 1981.

Our client is the licenced electricity distribution company for the area covered by the Orders. To facilitate its statutory obligation to distribute electricity throughout the area, it owns and operates electricity substations comprising both distribution substations which feed domestic and commercial customers and primary substations which feed the distribution substations. In connection with this it also owns extensive cables and overhead lines from Lincoln to Waddington together with ringed networks spanning down to the A46 classified road in South Hykeham.

The Schedule to the Compulsory Purchase Order notes our client as having an interest in the following plots:

Table 1

- In respect of rights granted by a transfer dated 26 July 2006: **2**
- In respect of rights granted by a transfer dated 18 May 2000: **8, 11, 14, 18, 20, 22**

- In respect of rights granted by a deed dated 22 December 1998: **30**
- In respect of a wayleave granted by a conveyance dated 13 February 1978: **285, 289, 292, 293**

Table 2

- In respect of underground and overground cables: **4, 14, 16, 17, 19, 24, 31, 33-41, 45, 48, 49, 53, 54, 56-58, 63-65, 68, 127e, 190, 192-195, 197, 198, 208, 229-231, 234, 236-238, 243, 245, 246, 253, 259, 261, 263, 264, 266, 267, 269-282, 284, 286-288, 294-296, 298, 299, 301-305, 307, 309, 310, 313-321, 325, 326.**

Given the likely impact of the proposed scheme which the Orders are intended to facilitate on the electricity network, our client objects to the Orders on the following grounds:

1. The Orders and accompanying documents may not fully detail all of our client's interests, rights and the apparatus that would be affected by the implementation of the proposed scheme. Our client is currently in the process of undertaking further investigations to establish the full extent of its interests that may be affected and which other plots it may have an interest in.
2. The electricity apparatus included within, and impacted by, the Order land is vitally important to the electricity distribution networks which our client is statutorily obliged to supply. Our client has concerns as to the impact of the proposed scheme on these networks and our client's ability to ensure security of electricity supply. This may be the case even where interests are not actually acquired, because there is the potential for the acquiring authority's construction activities to negatively impact upon our client's network.
3. The Orders and accompanying documents do not adequately address or record in any formal or legally binding way how the electricity network operated by our client will be protected both during the construction phase of the scheme and following its completion, nor does it set out the full details of any replacement cables and/or other apparatus that may be required. If our client's apparatus is not protected by an agreement with the acquiring authority, it could potentially result in a significant negative impact upon the distribution of electricity which is our client is statutorily obliged to supply.
4. The information accompanying the Orders does not provide adequate information for our client to understand fully the design and construction of the scheme and therefore the full extent of the potential operational implications.
5. In general, the information accompanying the Orders does not provide sufficient information for our client to understand fully how it would continue to fulfil its statutory responsibilities as an electricity distribution company and to comply with the terms of its distribution licence under the Electricity Act 1989 at all times.

Please note that the above points constitute only our client's initial grounds of objection, and our client reserves the right to expand upon or add to these in due course, including in respect of any legal interests or apparatus not described or referred to in the Orders.

Our client requires a legally binding commitment from the acquiring authority to safeguard our client's ability to carry on its undertaking and comply with its statutory duties. In summary, our client requires an agreement to be entered into with the acquiring authority which ensures:

- (a) that suitable arrangements are put in place with regard to the lifting, diversion, removal and/or replacement of existing electricity cables and lines and other apparatus in a manner that is both safe and maintains security of supply at all times;
- (b) the replacement of legal property interests and the grant of rights to our client which are equivalent to the interests and rights being acquired or affected by the Orders; and
- (c) payment of our client's costs associated with the above matters by the acquiring authority.

Our client therefore requests that the Secretary of State does not confirm the Orders and that a properly qualified Inspector is appointed to hold a Public Inquiry into the Orders.

Our client is open to negotiation with the acquiring authority, and we will advise you if an agreement is reached such that this objection and the associated representation to the Secretary of State for Energy Security and Net Zero can be withdrawn.

We shall be grateful if you could please acknowledge receipt of this letter.

Yours faithfully,

Geldards LLP

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