

D 11.The Company Secretary
Ibstock Bricks (1996) Limited
c/o Gerald Eve LLP
72 Welbeck Street
London
W1G 0AY**Date:** 12th July 2022**Our ref:** EDGEWOC/342777.000032**Direct:** +44 161 831 8456**Email:** ClemmieEdgeworth@eversheds-sutherland.com**By email only**

To whom it may concern

The National Grid Electricity Transmission (Little Horsted Substation Connection) Compulsory Purchase Order 2022 ("Order")

We write further to our letter of 26 May 2022 in which we acknowledged receipt of your objection ("**Objection**") to the above mentioned Order and confirmed that we act for National Grid Electricity Transmission ("**NGET**") in this matter. We are now in a position to provide a substantive response to the concerns raised within your Objection.

Your interests in the land included in the Order

The introductory paragraph of your Objection refers to the plots of the Order in which you hold an interest, namely plots 83, 84, 85, 86, 149, 150, 151, 152 and 153.

Please note that plot number 152 was not used in the Order and is marked "Number not used".

Your concerns

The second paragraph your Objection sets out the grounds on which you object to the Order. At item 1. you express concern about being deprived of your freehold interest in, and occupation of, the above listed plots. There appears to have been some confusion regarding the nature of the interests to be acquired by NGET under the Order. Please be assured that there is no intention to acquire the freehold of any of the plots in which you hold an interest, rather it is new rights over these plots that are sought by NGET.

The below table sets out the rights that NGET are seeking to acquire over the above mentioned plots and explains the physical works that will be undertaken on those plots:

Plot Nos	¹Summary of rights to be acquired	Works to be carried out
83, 85 and 150	"Colour Plate Access Rights" rights to take access over the land for the purposes of (or incidental to installing, altering, renewing, replacing and removing Colour Plates (i.e. circuit identification plates) on existing pylons,	NGET's appointed contractors will need to take access over these plots (most likely on foot) in order to gain access to existing towers for the purpose of replace Colour Plates.

¹ The rights are set out in full in the Order

	including rights to carry out works to facilitate such access and to prevent any works on or use of the land that would prevent such access.	Minor works may be required on the land in order to facilitate such access, such as vegetation clearance. These rights will be exercised on one occasion during the construction phase of the project and so the physical impact will be limited and temporary in nature.
84, 86, 149 and 151	<p>"Colour Plate Rights"- all rights necessary for the purposes of or incidental to installing, altering, renewing, replacing and removing Colour Plates on existing pylons, including rights to:</p> <ul style="list-style-type: none"> i. enter and be upon the land; ii. carry out incidental works to allow safe access to the pylons; iii. apply a temporary electricity earthing system to pylons; and iv. rights to prevent any works on or use of the land that would prevent the exercise of the above rights. 	<p>NGET's appointed contractors will climb the towers ensuring a sufficient exclusion zone is in place around the tower to ensure a safe operation and allow for emergency procedures if required. Once in place operatives will change the colour plates.</p> <p>This operation will need to take place under an outage and completed before the circuit can be re energised. This is a safety requirement of the National Grid to ensure the new circuits can be correctly identified after the addition of the new circuits to the system.</p>

In respect of plots 83, 84, 85 and 86, NGET holds rights for the existing apparatus and access under historic/implied wayleaves. An offer has been made (July 2021) to convert these rights to a permanent easement but you have indicated that you will only allow NGET to continue to hold their existing rights. NGET's land agent have explained that the critical nature and timing of the works requires NGET to have more certainty of access than under historic or implied rights, hence the need to protect their position by including the required rights within the CPO.

In respect of plots 149, 150, 151 and 153 NGET holds rights for the existing apparatus on a 1967 deed of easement. The access route to the apparatus NGET has historically been directed to use falls outside these rights and an offer has been made (February 2022) to vary the deed to include these rights, but NGET's land agent has not received a reply.

The requests are for a variation of the existing rights – there will be no additional apparatus or rights sought under the Order.

It is essential for health and safety reasons for the Colour Plates to be replaced. Unless and until the Colour Plates are replaced it will not be possible for this important new infrastructure to commence operation. So while the works to replace the Colour Plates are relatively minor in nature it is essential that NGET have the ability to access the towers too change the colour at

any time it is necessary to do so. It is therefore vital that NGET secures the rights it needs to enable it to lawfully replace the Colour Plates.

We trust that the above explanation alleviates your concerns in connection with the acquisition of your freehold interest and the perceived disruption to your business detailed at paragraphs 1 and 2 of your Objection.

NGET remains committed to resolving any remaining concerns you may have regarding the construction of the project and to reaching a voluntary agreement with you in order to secure the rights it needs for the project and the withdrawal of your Objection to the Order.

Yours sincerely

Eversheds Sutherland (International) LLP

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