

## **WRITTEN SUBMISSIONS OF NFU REGARDING THE Scotland and England Green Link 1 (SEGL 1) SCHEME APPLICATION**

**DATE 21<sup>st</sup> February 2023**

### **1.0 Introduction**

1.1 Submissions on behalf of the National Farmers Union (“NFU”) in respect of the application for a Compulsory Purchase Order submitted by National Grid for the Scotland and England Green Link 1 (SEGL 1) scheme. The NFU is making a case on behalf of its members who are affected by the proposed Compulsory Purchase Order. The NFU is also working with member’s land agents on behalf of members.

### **2.0 Current Position**

#### **2.1 Communication.**

There has been a lack of substantive information forthcoming from National Grid (NG) in regard to the scheme itself and exactly what it entails. National Grid have not been forthcoming in arranging site meetings with landowners and agricultural tenants to discuss the design and details of construction. For example, one landowner only had their first meeting onsite to discuss the scheme in late January 2023. There has also been a lack of engagement and delayed responses where queries regarding the scheme have been made or requests for route changes. In some cases, it has taken over 12months to receive answers to queries raised by land agents to enable landowners/occupiers to understand the impact on their farm businesses. Due to the lack of information forthcoming from National Grid, landowners have not been able to engage in any way to understand how the scheme will impact them. Information regarding the scheme design including cables, compounds, permanent apparatus such as link boxes has been requested, and it is understood that this information is still outstanding.

#### **2.2 Voluntary/Option Agreement**

The NFU understands that whilst there has been some progress in agreeing Heads of Terms for voluntary agreements for land affected by permanent acquisition, there has been little progress in Heads of Terms for landowners affected by the cable route. It is understood that Heads of Terms were received in August/September 2022, but National Grid have been unwilling to engage to progress the negotiation of these Heads of Terms. Due to the lack of information and clarity over

the construction methodology of the underground cables, it is difficult to fully understand the impact of the scheme and therefore know exactly what terms are required in the Heads of Terms.

The NFU and land agents acting for members and clients are frustrated by the attitude that National Grid is taking by setting an incentive deadline for the 4<sup>th</sup> January, which has now been extended to the 31<sup>st</sup> March for a voluntary agreement to be agreed, and with a ridiculous incentive deadline for Heads of Terms which has now passed. This deadline of the 20<sup>th</sup> February was completely impossible and was a bullish approach being taken by National Grid. The NFU would like to see that National Grid urgently enter into negotiations with landowners and their agents to fully understand the scheme and impacts, and then fully negotiate the voluntary agreements.

## 2.3 Construction Best Practice.

The NFU has an interface document which covers practical/supplementary provisions which need to be read in conjunction with any code of construction. The supplementary provisions cover practical issues on the ground and how they should be dealt with during and after construction. This includes the role of an Agricultural Liaison officer (ALO), Soil Statement, Reinstatement and aftercare of soils, field drainage, impacts on irrigation systems and water supplies. All of this wording is yet to be agreed with NG as Best Construction Practice. The NFU are hoping that this document can be agreed in the voluntary agreements but as it has not yet been agreed, the NFU would like to see these practical matters covered within National Grid's construction documentation such as the Code of Construction Practice. The Interface Document has been sent with this submission.

### 2.3.1 Field drainage and Soils

Two of the main practical issues that are a concern to NFU Members include:

#### Field Drainage

Land drainage is one of the main issues which landowners and occupiers are concerned about on this scheme. No information has been provided as to how field drainage will be reinstated. The NFU would like clarification on how agricultural land drainage will be dealt with during construction and how it will be reinstated. The interface document mentioned in 2.3 provides a number of provisions that the NFU would expect National Grid to carry out to safeguard agricultural land drainage.

#### Soils

As above the treatment and reinstatement of soil during and after construction is another major concern. It is noted that an Outline Soil Management Plan has been submitted as part of their planning application. Limited detail has been provided to landowners and occupiers. As there has been no meaningful engagement with National Grid, greater clarity is required on the detail of soil reinstatement, or the measures that will be put in place to bring the soil back to its condition and quality before the works took place, and especially the detail within the after-care plan. Again, the interface document outlined in 2.3 provides detail of the provisions the NFU would expect National Grid to include to safeguard agricultural soils.

## 2.4 Cable Depth

It is noted in the planning permission that cables will be at a depth no less than 0.90m. Cables must be at a depth of at least 1.20m to ensure there is sufficient distance between the cables and farming operations. ie. field drainage is generally laid at 0.90m and mole drainage at 0.65m. This is the depth that has been agreed on similar schemes.

## 2.6 Compulsory Purchase Order

Due to the above lack of communication, negotiation, and detail regarding the scheme the NFU believes strongly that the proposed Compulsory Purchase Order should not be granted for the scheme until the issues highlighted above are addressed, more detail is forthcoming and voluntary agreements are agreed.

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