

THE NATIONAL GRID ELECTRICITY TRANSMISSION (HARKER ENERGY ENABLEMENT PROJECT) COMPULSORY PURCHASE ORDER 2023

The Electricity Act 1989 Act and the Acquisition of Land Act 1981

Compulsory Purchase of Land and New Rights in Cumbria

1. Notice is hereby given that the Security of State for Energy Security and Net Zero, in exercise of his powers under the above Acts, on 1 August 2024 confirmed with modifications The National Grid Electricity Transmission (Harker Energy Enablement Project) Compulsory Purchase Order 2023 submitted by the National Grid Electricity Transmission PLC (company registration number 02366977).
2. The order as confirmed provides for the purchase for the purposes of carrying on the activities authorised by its transmission licence under the 1989 Act (and more particularly for the purpose of (1) replacing the existing Harker substation, (2) refurbishing the existing 132kV overhead lines between Harker substation and the Scottish Border by installing an additional circuit along the existing pylons, and renewing the existing wires between Harker and the Scottish Border (via Longtown) and (3) associated works to maintain and upgrade the existing electricity transmission system and provide additional network capacity for future demand) of the land and the new rights in the land described in Schedule 1 hereto.
3. A copy of the order as confirmed by the Security of State for Energy Security and Net Zero and of the map referred to therein have been deposited at Carlisle Library, 11 Globe Lane, Carlisle CA3 8NX, Longtown Library, Lochinvar Centre, Longtown, Carlisle CA6 5UG and Brampton Library, 1 Market Place, Brampton CA8 1NW and may be seen at all reasonable hours.
4. The order as confirmed becomes operative on the date on which this notice is first published. A person aggrieved by the order may, by application to the High Court within 6 weeks from that date, challenge its validity under section 23 of the Acquisition of Land Act 1981. The grounds for challenge can be that the authorisation granted by the order is not empowered to be granted or that there has been a failure to comply with any relevant statutory requirement relating to the order.

SCHEDULE 1

LAND AND THE NEW RIGHTS COMPRISED IN THE ORDER AS CONFIRMED

LAND TO BE ACQUIRED

Agricultural land, hedgerow and electricity pylons lying to the north east of Heathlands House and south east of Blackdyke Farm in the Parish of Westlinton and Rockliffe; hedgerow, hardstanding and National Grid Harker Substation lying to the east of Heathlands House and south of Tewfaite House in the Parish of Rockliffe; agricultural land and hedgerow lying to the north west of Low Harker Farm and south east of Tewfaite House in the Parish of Rockliffe; agricultural land, electricity pylons and hedgerow lying to the north west of Low Harker Farm and south east of Tewfaite House in the Parish of Rockliffe; agricultural land, hedgerow, electricity transformer and National Grid Harker Substation lying to the east of Heathlands House and south of Tewfaite House in the Parish of Rockliffe; National Grid Harker Substation and electricity apparatus lying to the north west of Low Harker Farm and south east of Tewfaite House; National Grid Harker Substation, electricity apparatus and moderate tree coverage lying to the north west of Low Harker Farm and south east of Tewfaite House.

NEW RIGHTS TO BE ACQUIRED

Overhead Line Rights and Access Rights:

Rights for the uprating and operation of the 132kV overhead lines, and associated access to these lines, described as:

[1] The "V Route" between Harker substation and the Scottish Border at a point approximately 4km north of Longtown and 1km from the A7. This route crosses predominantly agricultural land, with the exception of Longtown where the route runs along the western edge of the town, close to residential gardens and through a livestock auction mart site. To the north of Longtown, the route passes through areas of woodland before reaching the Scottish Border. The route crosses in proximity to the areas of Todhills, Blackford, Westlinton, Sandysyke, Longtown, Crofthead, Kirkandrews and Netherby

[2] The "AL Route" which connects to the V route approximately 1 km south of the Scottish border and runs westwards across agricultural land with some areas of woodland for approximately 3.5 km to where it meets the Scottish Border at the River Sark (Corries Mill Bridge), towards Gretna. This line is located within the parish of Kirkandrews;

[3] The "T Route" between Rockcliffe and the Scottish Border near Gretna. The route runs northwest from a point on the east side of Rockcliffe, approximately 1km west of the M6. The T route is located across agricultural land, passes through areas of woodland, crosses the River Esk with its associated areas of grazing marshes, before reaching the Scottish Border at the River Sark, approximately 0.5km southeast of Gretna. The route crosses through the parishes of Kirkandrews and Rockcliffe.

Construction Compound Rights in respect of land at:

Agricultural land lying to the south east of Glingerburn Bungalow and to the north west of Glinger Cottage in the Parish of Kirkandrews; agricultural land and hedgerow lying to the south east of Glingerburn Bungalow and to the west of Glinger Cottage in the Parish of Kirkandrews; agricultural land and hedgerow lying to the west of Holly Cottage and to the north east of Tewfaite House in the Parish of Westlinton.

Cabling Rights in respect of land at:

Public adopted highway and verge (Unnamed Road) lying to the north of Harker Substation and to the south of Tewfaite House in the Parish of Rockcliffe; public adopted highway (Unnamed Road) and verge lying to the north of Harker Substation and to the south of Tewfaite House in the Parish of Rockcliffe.

Earthing rights in respect of land at:

Electricity pylon lying to the south of Blackrigg Farm and north east of Backside Cottages in the Parish of Rockcliffe.

SCHEDULE 2

**FORM OF STATEMENT OF EFFECT OF PARTS 2 AND 3 OF THE COMPULSORY PURCHASE
(VESTING DECLARATIONS) ACT 1981**

Power to execute a general vesting declaration

1. Once The National Grid Electricity Transmission (Harker Energy Enablement Project) Compulsory Purchase Order 2023 has become operative, National Grid Electricity Transmission PLC (hereinafter called the Acquiring Authority) may acquire any of the land described in Schedule 1 above by making a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 ("the Act"). This has the effect, subject

to paragraphs 3 and 5 below, of vesting the land in the Acquiring Authority at the end of the period mentioned in paragraph 2 below.

Notices concerning general vesting declaration

2. As soon as may be after the Acquiring Authority execute a general vesting declaration, they must serve notice of it on every occupier of any of the land specified in the declaration (except land where there is one of the tenancies described in paragraph 4), and on every person who gives them information relating to the land in pursuance of the invitation contained in the confirmation notice of the order. When the service of notices of the general vesting declaration is completed, a period specified in the declaration, of not less than three months, will begin to run. On the first day after the end of this period the land described in the declaration will, subject to what is said in paragraphs 3 and 5, vest in the Acquiring Authority together with the right to enter on the land and take possession of it. Every person on whom the Acquiring Authority could have served a notice to treat in respect of his interest in the land (other than a tenant under one of the tenancies described in paragraph 4) will be entitled to claim compensation for the acquisition of his interest in the land, with interest on the compensation from the vesting date.
3. The "vesting date" for any land specified in a declaration will be the first day after the end of the period mentioned in paragraph 2 above, unless a counter-notice is served under Schedule A1 to the Act within that period. In such circumstances, the vesting date for the land which is the subject of the counter-notice will be determined in accordance with Schedule A1.

Modifications with respect to certain tenancies

4. In the case of certain tenancies, the position stated above is subject to modifications. The modifications apply where the tenancy is either a "minor tenancy", i.e. a tenancy for a year or a yearly tenancy or a lesser interest, or "a long tenancy which is about to expire". The latter expression means a tenancy granted for an interest greater than a minor tenancy but having on the vesting date a period still to run which is not more than the period specified in the declaration for this purpose (which must be more than a year). In calculating how long a tenancy has still to run, where any option to renew or to terminate it is available to either party, it shall be assumed that the landlord will take every opportunity open to him to terminate the tenancy while the tenant will use every opportunity to retain or renew his interest.
5. The modifications are that the Acquiring Authority may not exercise the right of entry referred to in paragraph 2 in respect of land subject to a tenancy described in paragraph 4 unless they first serve notice to treat in respect of the tenancy and then serve every occupier of the land with a notice of their intention to enter and take possession after the period (not less than three months from the service of the notice) specified in the notice. The right of entry will be exercisable at the end of that period. The vesting of the land will be subject to the tenancy until the end of that period or until the tenancy comes to an end, whichever happens first.

SCHEDULE 3

FORM FOR GIVING INFORMATION

The National Grid Electricity Transmission (Harker Energy Enablement Project) Compulsory Purchase Order 2023

To: National Grid Electricity Transmission PLC

[I] / [We] being [a person] / [persons] who, if a general vesting declaration were executed under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981 in respect of all the land comprised in the compulsory purchase order cited above in respect of which notice to treat has not been given, would be entitled to claim compensation in respect of [all] / [part of] that land, give you the following information, pursuant to the provisions of section 15 of, or paragraph 6 of Schedule 1, to the Acquisition of Land Act 1981.

- 1. Name and address of informant(s) (i)
 - 2. Land in which an interest is held by informant(s) (ii)
 - 3. Nature of interest (iii)
- Signed
- [on behalf of]
- Date

(i) In the case of a joint interest, insert the names and addresses of all the informants.

(ii) The land should be described concisely.

(iii) If the land is leasehold, the date of commencement and length of term should be given. If the land is subject to a mortgage or other incumbrance, details should be given, e.g. name of building society and roll number.

19 August 2024



Jason Brown
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National Grid Electricity Transmission Plc