

**IMPORTANT: THIS COMMUNICATION AFFECTS INTERESTS IN PROPERTY**

**Notice of Compulsory Acquisition Under Section 134(7) of the Planning Act 2008**

**The Norfolk Boreas Offshore Wind Farm Order 2021 (Order)**

**NOTICE OF AUTHORISATION OF COMPULSORY ACQUISITION**

The above Order, made under the Planning Act 2008 by the Secretary of State for Business, Energy & Industrial Strategy and published on 10 December 2021, includes provision authorising the compulsory acquisition of land and of rights over land (the **Order Land**) by creating a new right over it (**New Rights**) as described in Schedule 1.

The Order includes provision authorising the acquisition of the Order Land for the purpose of the construction, operation and maintenance of the Norfolk Boreas Offshore Wind Farm, with a gross electrical output capacity of up to 1,800MW. The Norfolk Boreas Offshore Wind Farm is the second offshore wind farm project being developed in this part of the southern North Sea, with the first being the Norfolk Vanguard Offshore Wind Farm project (**Norfolk Vanguard**). The Order anticipates two alternative scenarios. Scenario 1 anticipates that Norfolk Vanguard would be constructed first and would install ducts onshore and other shared works, and scenario 2 anticipates that Norfolk Vanguard would not be built ahead of Norfolk Boreas and so the Norfolk Boreas Offshore Wind Farm development would proceed alone, undertaking all works to connect it to the national electricity transmission grid.

The Norfolk Boreas Offshore Wind Farm development comprises up to 158 wind turbine generators located approximately 47km off the coast of Norfolk and associated infrastructure including up to four cables (and associated fibre optic cables) to be pulled through existing ducts (for scenario 1) or up to four cables (and associated fibre optic cables) laid in ducts underground (for scenario 2) running for approximately 60km from landfall at Happisburgh South to a new onshore project substation; an underground connection between the new onshore project substation and the Necton National Grid substation; removal of pylon and construction of new pylons and fittings (for scenario 1) or modification of the existing overhead line network in the vicinity of the existing Necton National Grid substation and temporary overhead line diversion local to the Necton National Grid substation (for scenario 2); and the construction and maintenance of a number of supporting access tracks (the **Project**).

A hard copy of the Order has been deposited for inspection at the following venue in the vicinity of the Order Land and may be inspected at the following times:

Deposit Location	Opening hours
Norfolk and Norwich Millennium Library: The Forum, Millennium Plain, Norwich, NR2 1AW	Monday – Friday: 10am to 7pm Saturday: 9am to 7pm Sunday: 10.30am to 4.30pm

A copy of the Order is also available to view online through the Planning Inspectorate's website at <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/norfolk-boreas/> and also on Vattenfall's Norfolk Boreas website at <https://group.vattenfall.com/uk/what-we-do/our-projects/vattenfallinnorfolk/norfolk-boreas>. If you require a hard copy of the Order you can request hard copies free of charge by contacting [info@norfolkboreas.co.uk](mailto:info@norfolkboreas.co.uk) or 0800 019 3517.

A person aggrieved by the Order may challenge the Order only in accordance with section 118 of the Planning Act 2008, which stipulates that any proceeding must be brought by filing a claim form for judicial review before the end of the period of 6 weeks beginning with the day after the day on which the Order was published (or, if later, the day on which the statement of reasons for making the Order is published).

Once the provision in the Order authorising compulsory acquisition comes into force, Norfolk Boreas Limited (hereinafter **Norfolk Boreas**) may acquire any of the land (including any existing rights and / or New Rights) described in Schedule 1 below by executing a general vesting declaration under section 4 of the Compulsory Purchase (Vesting Declarations) Act 1981. A statement on the effect of Parts 2 and 3 of that Act is set out in Schedule 2.

Any person who would be entitled to claim compensation if a general vesting declaration were executed is invited to give Norfolk Boreas, at c/o Oliver Humphrey, Norfolk Boreas Limited, Vattenfall, 5th Floor 70 St Mary Axe London EC3A 8BE or [info@norfolkboreas.co.uk](mailto:info@norfolkboreas.co.uk) information about the person's name, address and interest in land, using a prescribed form. The prescribed form is set out in Schedule 3.

**SCHEDULE 1**

**DESCRIPTION OF THE LAND EXISTING RIGHTS AND THE NEW RIGHTS**

**1) Freehold land to be acquired**

In the location of the onshore project substation and at the National Grid extension near Necton - namely arable land to the south, south-east, and west of Necton Wood, arable land adjacent to the Necton National Grid Electricity Transmission PLC substation and to the east of the A47, and grassland, trees, hardstanding and a derelict building, known as Lodge Farm, south of Necton Wood, Necton, Norfolk.

**2) Description of the land comprised in the Order over which New Rights are sought and of which temporary possession may be taken**

The Order Land comprises a route of approximately 60km from the landfall at Happisburgh South, North Norfolk on the Norfolk coast, to the onshore project substation near Necton in Norfolk. A total working onshore cable route of up to 45 metres wide will be required for permanent acquisition of rights post construction.

In the District of North Norfolk

Part of the foreshore and beach at Happisburgh South, including land below mean high water and arable land to the east of Whimpwell Street, Happisburgh, Norfolk. From the landfall, the onshore cable route runs in a westerly direction through agricultural land for 1.2km before turning in a north westerly direction immediately after crossing Grub Street. The onshore cable route then continues in a south westerly direction, travelling through agricultural land for approximately 20km until it crosses Banningham Road in a southerly direction and to the east of the A140.

In the District of Broadland

The onshore cable route continues beneath the A140 before taking a westerly turn below Salle Hall Farm. The onshore cable route continues to travel west, to the south of Crown Meadow, for approximately 13km until crossing the Marriott Way footpath just south of Kerdiston Road. After crossing Marriott Way, the onshore cable route continues in a south westerly direction for approximately 4km until it crosses Jordan Lane in a southerly direction to the east of Jordan House until it reaches land to the east of Reservoir Wood.

In the District of Breckland

The onshore cable route continues in a south westerly direction until crossing a currently disused railway to the north of settlements at Northall Green, where it

takes a westerly turn. The route then continues in a south westerly direction for approximately 13km before crossing the A47 highway, to the north of the settlement at Scarning Dale. Following this, the onshore cable route continues in a south westerly direction for approximately 3km before travelling in an easterly direction for approximately 6km to the onshore project substation near Necton.

**3) Description of the New Rights**

**Some or all of the following new rights as detailed more fully in Schedule 6 of the Order are sought over the land described in 2) above for the benefit of the remainder of the Order Land, to:**

- i. Enter onto and remain on the Order Land for the purposes of construction, installation, operation, maintenance and decommissioning of the Project; to lay, construct, retain and maintain cables including telemetry (installed by techniques including trenched or trenchless techniques), fibre optic lines, jointing bays, ducting, safety apparatus, and protection measures;
- ii. Ancillary rights including rights of access with or without vehicles, use of plant and machinery and laying down hard standings;
- iii. Construct and maintain a haul road including the stockpiling of excavated materials, lay and alter apparatus including that of other parties including statutory undertakers, alter or remove trees and vegetation;
- iv. Create restrictive covenants to protect the cables from interference once constructed;
- v. The right to carry out environmental surveys and mitigation works; create temporary or permanent drainage works; effect access to the highway; install and retain cables for the purpose of telecommunications; install marker posts; remove fences and create temporary replacement fences; lay out temporary permissive paths for public use; remove archaeological artefacts; and install and use temporary welfare facilities; and
- vi. Take temporary possession of Order Land for purposes of construction, maintenance and other purposes including but not restricted to the creation of compounds for the purposes of carrying out the Project.

**SCHEDULE 2**

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

**Power to execute a general vesting declaration**

1. Once the provision in The Norfolk Boreas Offshore Wind Farm Order 2021 which authorises compulsory acquisition comes into force, Norfolk Boreas may acquire any of the land (including any existing rights and / or new rights) described in Schedule 1 above by executing 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 Norfolk Boreas at the end of the period mentioned in paragraph 2 below.

**Notices concerning general vesting declaration**

2. As soon as may be after Norfolk Boreas 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 notice of the authorisation of the compulsory acquisition. 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 Norfolk Boreas together with the right to enter on the land and take possession of it. Every person on whom Norfolk Boreas 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/her to terminate the tenancy while the tenant will use every opportunity to retain or renew his/her interest.

5. The modifications are that Norfolk Boreas 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 Norfolk Boreas Offshore Wind Farm Order 2021)**

To: c/o Oliver Humphrey, Norfolk Boreas Limited, Vattenfall, 5th Floor, 70 St Mary Axe, London, EC3A 8BE

[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 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 section 134(7)(cza) of the Planning Act 2008.

- 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 interest 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.

**Norfolk Boreas Limited**

**Thursday 20 January 2022**