

## BARNESLEY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

Report of the Executive  
Director Place

### **Sale of land and Grant of Easements to National Grid – Visual Impact Project, Dunford Bridge**

#### **1. Purpose of Report**

- 1.1 The purpose of this report is to seek authority for the sale of land amounting to 1.2 acres or thereabouts as shown hatched black on the attached plan at Wogden Foot required for a sealing end compound, the granting of the necessary easements between the sealing end compound and the car park located at Dunford Bridge and temporary 2 year lease of land amounting to 8.77 acres shown cross hatched black on the attached plan, required for site compound purposes.
- 1.2 Also referred to in this report is the associated way leave required by National Powergrid for the laying of the overhead low voltage power supply underground to help facilitate the Visual Impact Project (VIP).
- 1.3 All of the above is required in relation to the National Grid Visual Impact Project (VIP) at Dunford Bridge facilitating the removal of 7 Overhead Towers at Dunford Bridge.

#### **2. Recommendations**

**It is recommended that:**

- 2.1 **Cabinet approves the granting of the necessary easements, lease and land disposal in relation to the Visual Impact Project proposed by National Grid for the removal of 7 Overheads Towers at Dunford Bridge as part of their Visual Impact Project funded by Ofgem.**
- 2.2 **Cabinet notes that the Overhead Towers are to be replaced by underground cables to be laid within the easement route which shall run under the Trans Pennine Trail between the public car park at Dunford Bridge and the sealing end compound where it will reconnect to the Overhead Towers.**
- 2.3 **Cabinet approves the granting of a 2 year lease of land is required for site compound purposes allowing for the works to be undertaken and will be used for storage of materials during the works. At the same time National Powergrid are to replace the local overhead low voltage power supply network with an underground power supply to facilitate the Visual Impact Project as it currently traverses the National Grid overhead line.**

- 2.4 The Corporate Asset Manager be authorised to negotiate and finalise Heads of Terms for the option agreements relating to the sale of land required for a sealing end compound.**
- 2.5 The Corporate Asset Manager shall by way of Officer delegation dated May 2018 para 23 (j) (iii) and (v) grant, a temporary 2 year lease for site compound purposes and cable easements required by National Grid.**
- 2.6 The Corporate Asset Manager shall by way of Officer delegation dated May 2018 para 23 (j) (v) grant to Northern Powergrid a way leave in relation to the underground power supply where it affects the land owned by the Council within the car park at Dunford Bridge.**
- 2.7 That the Executive Director Core Services (Legal) be authorised to complete the necessary documentation so that the option agreements can be completed together with the land transfer, lease and easements as part of National Grids Visual Impact Project at Dunford Bridge.**

### **3. Introduction**

- 3.1 Back in 2016 National Grid began a conversation with the Council having identified as part of their Visual Impact Programme funded by Ofgem the removal of 7 overhead towers at Dunford Bridge replacing them with underground cables. At the time National Grid presented a number of options for discussion and investigation.
- 3.2 At the time a stakeholders group was established in order to consider the options and challenge the proposals in order to ensure the best outcome.
- 3.3 The stakeholders group was and remains made up of representatives from Peak District National Park, BMBC, Dunford Parish Council and Ward Members. National Grid has continued to consult with the stakeholder group and local community throughout the whole of the process.
- 3.4 There were initially 5 options put forward by National Grid, after much deliberation and investigation it has been concluded that there is only one viable option which would facilitate the removal of the 7 overhead towers. This is for the overhead towers to be removed and the cables laid under the existing Trans Pennine Trail between the car park at Dunford Bridge and terminating with a sealing end Compound at Wogden Foot where the cabling would be reconnected to the existing overhead towers. Prior to the commencement of the laying of the cables the TPT will be temporarily diverted by National Grid to the North of the river Don and reinstated once the former Line of the TPT is opened again for use. This will involve significant earth movements and temporary access routes will be created in order to facilitate this over third party land.
- 3.5 During the period the works are being undertaken an area has been identified for storage of materials and it is proposed that a temporary 2 year lease be granted allowing for the use of the Councils land for such purposes. This area is shown crossed hatched black on the attached plan.
- 3.6 The transfer of 1.02 acres or thereabouts of the land showed hatched black on the attached plan is required for National Grid to create a new sealing end compound

where the underground cables will be lifted over the river Don and rejoin the overhead cables once again.

- 3.7 As part of the project National Powergrid also need to lay their overhead low voltage supply cables underground to facilitate the works National Grid are undertaking, as the National Powergrid cables currently traverse the National Grid overhead tower lines. They have already renewed the local supply cables within the immediate vicinity as part of their works to renew the dated existing infrastructure. National Grid has confirmed that it has regular meetings with Northern Powergrid, coordination will be important to ensure that disruption for local people is kept to a minimum throughout the duration of the work.
- 3.8 As part of the project the existing car park is to be improved. The improvements include for resurfacing and an improved layout whilst still retaining the bus turning circle, horse box parking, disabled parking provisions. Provision will be made for two electric vehicle charging points. The picnic area will be upgraded and replanting and wild flower seeding will be provided for as part of the reinstatement works.
- 3.9 National Grid was required to obtain planning applications for the main project and the car park improvements. The main application had been approved at the May 2020 meeting of the Peak District National Park Authority planning committee and at the June 2020 meeting of Barnsley Council's planning regulatory board. The latter was conditional on a legal agreement to ensure the delivery of Biodiversity Net Gain which has now been completed and the planning permission issued on 21st September 2020
- 3.10 As part of the planning consent National Grid have undertaken ecology surveys in order to ensure the works commence at the appropriate time of year and for the least impact on the ecology. At the end of the project National Grid will reintroduce habitats that existed prior to the commencement of the project and improve other areas within the Borough.
- 3.11 The other areas to be improved by National Grid include;
- Two additional areas of willow tit enhancement identified at the eastern end of/adjacent to Wogden Foot.
  - Replacement / additional tree planting secured with two off site landowners
  - Off-site biodiversity enhancement at Crow Edge quarry – 1.5km from VIP site.
- At Crow Edge, the enhancement proposals centre on a site of 13.52ha of unenclosed upland, south-east of the Banks Renewables Hazelwood Wind Farm within Dunford Parish. An outline Habitat Management Plan was submitted to Barnsley Council which included 25-year monitoring / management with reports to be submitted to Barnsley Council.
- 3.12 The programme of works provided by National Grid in outline commence with main construction starting in early 2021 subject to funding being approved by Ofgem. The Trans Pennine Trail (TPT) diversion would then be scheduled to open, with the existing route closed in the autumn of 2021. The underground cables will be installed and energised by summer 2022 with the overhead line removed in autumn 2022. The car park enhancement works would follow on afterwards starting during the winter of 2022.

3.13 In order for the works to commence National Grid need r the land option agreement for the land transactions to be in place and is the purposes of this report.

#### **4. Proposal and Justification**

4.1 National Grid are through Ofgem funding undertaking a number of Visual Impact Projects throughout the UK with Dunford Bridge being identified as one of these. The Dunford Bridge proposal includes for the removal of 7 overhead towers. National Grid will as part of the proposal lay the cables under the existing TPT between the car park at Dunford Bridge and a sealing end compound they will create at Wogden Foot. In order to facilitate this National Grid need to acquire the land for a sealing end compound from the Council and for the Council to grant to national Grid a cable easement allowing them to lay the cables under the TPT. In addition a 2 year lease will also be required of land needed for storage purposes until the works have been completed.

4.2 Dunford Bridge is located on the periphery of the Peak National Park and is considered to be an area of outstanding natural beauty; the removal of the towers will reduce the impact of National Grids presence in the locality and dramatically improve the vistas in the immediate vicinity. There has been local opposition to the scheme this has been more around the disruption during the works.

4.3 As part of the scheme improvements will be made to the car park at Dunford Bridge and the adjoining picnic areas. This will provide improved facilities for visitors to the area and benefit the users of the TPT ensuring it remains accessible for all. As part of the reinstatement works additional planting will take place ensuring the sites ecology is reinstated as much as possible and invasive species identified will be removed from site during the project.

4.4 In addition to the improvements carried out to the TPT and the car park additional mitigation works have been agreed in relation to other sites within 5 kms of the TPT and are listed in more detail in 3.11 above.

#### **5. Consideration of Alternative Approaches**

5.1 At the commencement of discussions between National Grid the Council and other stakeholders an options paper was submitted offering 5 options. As part of these processes other options were discarded based on the viability and all but the project currently presented were rejected due to accessibility and ground conditions.

5.2 Not progressing this proposal will result in the 7 overhead towers remaining in situ and National Grid investing in an alternative project to improve the visual impact of their equipment/ apparatus on the environment.

#### **6. Impact on Local People**

6.1 During the undertaking of the works there will be a significant impact on the local community, due to the nature of the works there will be regular vehicle movements within the locality. The work will take place over a period of 2 years; once the works have been completed the residents will have the benefit of the 7 overhead towers having been removed as part of the Visual Impact Project.

## **7. Financial Implications**

- 7.1 Consultations have taken place with representatives of the Service Director – Finance (S151 Officer.)
- 7.2 National Grid are proposing to remove 7 overhead towers and replace them with underground cabling . They will be making an application for funding from Ofgem in order to carry out these works as such there will be financial implication in relation to the cost of the works. In addition, National Grid will also make improvement to a car park at Dunford Bridge and surrounding woodland. If the funding from Ofgem is not forthcoming then the project will not go ahead.
- 7.3 In order to facilitate these works, National Grid are seeking to purchase a plot of land from the council required for sealing end compound purposes. It is estimated that the Council will benefit from a capital receipt from the sale of land in the region of £7,800 and for the cable easement a sum in the region of £22,100. On signing the option agreements 25% will be paid and non-refundable with the remaining 75% paid upon completion.
- 7.4 In addition, National Grid also require a smaller plot of land on a 2 year lease from the council to be used as works compound. If granted the Council will also receive a rental income expected to be in the region of £70,984 for the two year period and will be received in advance. For accounting purpose of IFRS the lease will be classified as a Finance lease
- 7.5 There will be a cost implication on the Council in terms of officer time relating to dealing with the project from the Council's perspective, which is covered within existing resources.
- 7.6 There are no undue VAT implications arising for the Council as a result of the proposed lease to the Scheme.
- 7.7 Full financial implications are considered in Appendix A to this report .

## **8. Employee Implications**

- 8.1 There are no issues arising as a result of this report.

## **9. Communications Implications**

- 9.1 Throughout this process National Grid have continued to communicate with the stakeholders group and local residents. Now that planning permission has been obtained as the project progresses, subject to the approval of the recommendations included in this report the intention is that there will be a joined up communications approach between the Council and National Grid with a Community Liaison Group representing the local community throughout the project.
- 9.2 As the VIP moves from the development phase into delivery the VIP will be more visible and potentially disruptive to the local community and National Grid have emphasised the importance on clear communications and a proactive and responsive approach being taken.

- 9.3 There would be designated contacts for individual landowners provided by National Grid land team and local residents will be communicated with by the Community Relations Team who can be contacted via a dedicated email, website, and phone number.
- 9.4 Morgan Sindall the appointed contractor will also appoint a local site representative with responsibility for community issues. National Grid's Consents officers will continue to liaise with local authority officers and other statutory bodies regarding the discharge of planning conditions, while National Grid's Project Management Team supported by the Community Relations Team and local site representative will look after wider stakeholders including elected members and interest groups.

## **10. Consultations**

- 10.1 The stakeholder groups have been consulted throughout the option appraisal process and as outlined in 9 above continued consultation will take place throughout the project.
- 10.2 Local Ward Members have been consulted regarding the Visual Impact Project.
- 10.3 The Parish Council has been consulted regarding the Visual Impact Project.
- 10.4 The relevant stakeholders within the Council have been consulted in relation to the Visual Impact project and are listed as follows;

Sarah Ford – Senior Rights of Way  
Russ Boland – Park Officer  
Mandy Loach – Trans Pennine Trail Officer  
Paul Castle- Service Director Environment and Transport  
Ian Wilson – Service Manager Highways  
Joe Jenkinson – Service director  
Trevor Mayne – Countryside and Biodiversity Officer

## **11. The Corporate Plan And The Council's Performance Management Framework**

- 11.1 In approving the recommendations the VIP project will move from the development phase into the construction phase, subject to funding from Ofgem. The removal of the 7 overhead towers will improve the environment and improvement will be carried out to the car park. The addition mitigation works will also enhance the local biodiversity within the local area. All of which will support the corporate plan by meeting the Council priority of creating a Thriving and Vibrant Economy and creating an environment that improves the health of the residents of Barnsley.

## **12. Promoting Equality and Diversity and Social Inclusion**

- 12.1 There are no issues arising from this report.

### **13. Tackling The Impact Of Poverty**

13.1 There are no issues arising from this report.

### **14. Tackling Health Inequalities**

14.1 There are no issues arising from this report.

### **15. Reduction of Crime and Disorder**

15.1 In investigating the options set out in this report, the Council's duties under Section 17 of the Crime and Disorder Act 1998 have been considered.

15.2 In National Grid carrying out the works they will have to comply with appropriate standards and take all necessary measures to ensure the site remain secure minimising the potential for antisocial behaviour or fly tipping etc.

### **16. Risk Management Issues**

16.1 It is the responsibility for National Grid to secure funding from Ofgem for the VIP. Once the funding is secured there is a low risk of the VIP not progressing. If Ofgem funding is not forthcoming the Project will not proceed and other than officer time all expenses have been borne by National Grid.

16.2 Once the works are completed the temporary TPT will be returned to farmland the cost of which are included in the Ofgem funding.

16.3 National Grid has obtained the planning consents necessary for the VIP and has engaged Morgan Sindall who will carry out the works on behalf of National Grid.

16.4 National Grid advise that all other land agreement required for the scheme are in place, without these the temporary TPT route would not be secured and the proposal would not take place.

### **17. Health, Safety And Emergency Resilience Issues**

17.1 There are no direct health and safety implications arising from this report.

17.2 Any future development will be the responsibility of the National Grid to ensure full consideration is given to current Health and Safety Legislation.

### **18. Compatibility with European Convention on Human Rights**

18.1 This report recognises the promotion and importance of equality, diversity and human rights for all members of the local community and the wider Borough.

### **19. Conservation of Biodiversity**

19.1 As part of the VIP extensive ecology surveys have been undertaken and consultation with the Council's Countryside and Biodiversity Officer has been undertaken. There are no direct issues arising as a result of this report and any

biodiversity issues will have been considered as part of the planning application process.

## **20. Glossary**

20.1 VIP – Visual Impact Project

20.2 TPT – Trans Pennine Trail

## **21. List of Appendices**

Appendix A – Financial Implications.

Appendix B – Site Plan

## **22. Background Papers**

22.1 Correspondence regarding this matter is held on the files in Property – Estates – not available for inspection contains exempt information.

If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made.

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