

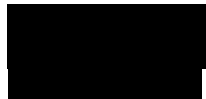
From: [Abigail Walters](#)
To: [Norfolk Vanguard](#)
Cc: [REDACTED]
Subject: National Grid - Correspondence and Written Representation
Date: 16 January 2019 12:37:49
Attachments: [image002.png](#)
[DOC Northern Vanguard Written Reps - National Grid 15.01.19.pdf](#)
[DOC Letter to PINS with Written Representation - 16.01.19.p.pdf](#)
[NG comments on Change Report.pdf](#)

Dear Sirs,

Please find attached correspondence from National Grid along with a copy of their Written Representation and comments on the Change Report.

Kind regards

Abigail Walters
Partner



E abigail.walters@shma.co.uk

Main T 0116 254 5454 ext 6968



Shakespeare Martineau

Two Colton Square, Leicester, LE1 1QH
DX744174 Leicester 41



FRAUD PREVENTION

Please do not reply to or act upon any email you might receive purporting to advise you that our bank account details have changed. Please always speak to the lawyer acting for you to check any changes to payment arrangements. We will also require independent verification of changes to any bank account to which we are asked to send money.

We have now joined forces with our city centre office and have moved to 2 Colton Square, Leicester, LE1 1QH (DX744174 Leicester 41). Our main telephone number has changed to 0116 254 5454 but our direct telephone numbers and email addresses have not changed.

Shakespeare Martineau is a business name of Shakespeare Martineau LLP (the "Firm"), a limited liability partnership registered in England and Wales with number OC319029. We are a firm of solicitors qualified to practise in England and Wales

and are authorised and regulated by the Solicitors Regulation Authority ("SRA") with number 442480. A list of members of the Firm is available for inspection at its registered office: No 1 Colmore Square, Birmingham, B4 6AA. Any reference to a 'partner' in relation to the Firm means a member of the LLP or an employee or consultant with equivalent standing and qualifications. This email and any communication (written or otherwise) is provided for and on behalf of the Firm and no contractual relationship of any nature will arise with, nor will any services be provided by, any individual member, employee and/or consultant of the Firm other than for and on behalf of the Firm.

This email is CONFIDENTIAL (and may also be privileged or otherwise protected from disclosure) and is intended solely for the person(s) to whom it is addressed. If you have received it in error please notify the sender immediately and delete the original message from your system. You must not retain, copy or disseminate it. We do not accept any liability for any loss or damage caused as a result of computer viruses and it is your responsibility to scan any attachments.

From time to time we would like to update you on issues affecting businesses, events and topical news. If you would like to update your preferences or unsubscribe from receiving our marketing updates, please click [here](#)

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This matter is being dealt with by
Abigail Walters

Two Colton Square
Leicester LE1 1QH
DX 744174 Leicester 41
T +44 (0)116 254 5454

National Infrastructure Planning
Temple Quay House
2 The Square Bristol,
BS1 6PN

Our ref: .6.1051879.10.AW.

Your ref:

16 January 2019

By e-mail to: - NorfolkVanguard@pins.gsi.gov.uk

Dear Sirs,

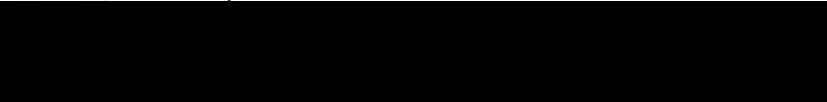
Norfolk Vanguard Development Consent Order Application

Please find enclosed a copy of the Written Representation by National Grid Plc on behalf of both National Grid Electricity Transmission Plc ("NGET") and National Grid Gas Plc ("NGG") and a short response to the Change Report issued by the Promoter.

We have prepared a Statement of Common Ground with the promoter and understand that they will be submitting a copy of the same to PINS. Whilst there are questions in relation to National Grid contained in the ExA's first round of written questions, there do not appear to be any questions specifically asked of National Grid, accordingly we are not submitting any response to ExA's first round of written questions.

NGET would like to reserve their right to attend and appear at either the Compulsory Acquisition Hearings or the Issue Specific Hearings on the drafting of the DCO on 7th February or 28th March, in the event that negotiations with the Promoter do not come to an agreed conclusion in the near future.

Yours sincerely


Abigail Walters

Direct Line: 0116 281 6968
Direct Fax: 0116 254 5454
E: abigail.walters@shma.co.uk

THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010

NORFOLK VANGUARD OFFSHORE WINDFARM

WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID PLC



2 Colton Square

Leicester

LE1 1QH

Telephone: 0116 289 2200

Facsimile: 0116 289 3733

PINS Ref:EN010079

Objector Registration No. : 20012728

Ref: AW/1051879-7

WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID PLC

1. INTRODUCTION

- 1.1 National Grid Plc have made a relevant representation in this matter on 13th September 2018 in order to protect apparatus owned by National Grid Gas Plc ("NGG") and National Grid Electricity Transmission PLC ("NGET"). National Grid Plc does not object in principle to the development proposed by the Promoter.
- 1.2 National Grid does, however, object to the Authorised Works, which include connection to their Electricity Transmission Network being carried out in close proximity to their extensive apparatus in the area unless and until suitable protective provisions and related agreements have been secured to their satisfaction, to which see further at paragraph 6 and 7. They also object to any compulsory acquisition powers for land or rights or other related powers to acquire land temporarily, override easements or rights or stop up public or private rights of access being invoked which would affect their land interests, rights apparatus, or right to access and maintain their apparatus. This is unless and until suitable protective provisions and any necessary related amendments to the wording of the DCO have been agreed and included in the Order.
- 1.3 NGG is the licensed gas transporter under section 7 of the Gas Act 1986 and owner of the National Transmission System in England, Wales and Scotland, with a statutory responsibility to transport gas throughout the UK. It is responsible for balancing supply and demand and delivering gas to the distribution networks to supply the UK.
- 1.4 NGG is required to comply with the terms of its Gas Transmission Licence in the delivery of its statutory responsibility. It is regulated by the Network Code which contains relevant conditions as to safe transmission of gas and compliance with industry standards on transmission, connection and safe working in the vicinity of its apparatus.
- 1.5 NGET own and operate the electricity transmission network in England and Wales, with day-to-day responsibility for balancing supply and demand. NGET operate but do not own the Scottish networks. NGET is required to comply with the terms of its Electricity Transmission Licence in the delivery of its statutory responsibility. Under Section 9 of the Electricity Act 1989, NGET have a statutory duty to maintain 'an efficient, co-ordinated and economical' system of electricity transmission.

2 NGG ASSETS – FEEDER MAIN 02, 03 and 05 - GAS PIPELINES

- 2.1 The Order seeks powers to do works (Work 5 to 7(A to D)) to bring an onshore cable route to the National Grid Sub Station at Necton. The On Shore Cable Route will cross NGG's High Pressure Gas Feeder Mains as follows: -
 - Feeder Main 02 - (Plot 10/12 Temp Possession)
 - Feeder Main 02 - (Plot 11/07 and 11/11 permanent access rights)
 - Feeder Main 03 - (Plot 06/05)
 - Feeder Main 05 - (Plot 05/08)
- 2.2 Feeder Mains 02 (Bacton to Wishbech Nene West), 03 (Bacton to Roudham Heath), and 05 (Bacton to Yelverton) are essential parts of the gas transmission network connecting Bacton with Norfolk and Cambridgeshire.

- 2.3 The HP main has a maximum operating pressure of 70 bar and is 1.2m in diameter. A gas main of this nature is classified as a Major Accident Hazard Pipeline (see further paragraph 4.1), and a specific regulatory framework is applicable to its operation and maintenance, as well as development in its vicinity. NGG object to work in the vicinity of a high pressure main of this nature unless and until suitable protective provisions and related agreements have been secured to their satisfaction, to which see paragraph 6 and 7.
- 2.2 The Order as currently drafted allows for compulsory acquisition of rights for the On Shore Cable Route which could affect National Grids HP Mains and related land rights. The rights acquired may need to be modified to ensure that they do not affect, override or contradict with National Grid's existing rights and easements for the Gas Mains. Additionally Crossing Agreements will be required to be entered into prior to any work being carried out in the easement strip of any National Grid easement. The Protective Provisions will ensure that this is required before any works in proximity to their assets are started and as such National Grid wish to ensure that appropriate Protective Provisions are in place along with appropriate amendments to the wording of the Order to ensure that there can be no acquisition of land or rights affecting NGG's interest in the HP Main.

3. NGET ASSETS

- 3.1 National Grid Electricity Transmission PLC ("NGET") has high voltage electricity overhead transmission lines (OHL) and an existing substation within close proximity to the authorised works and related connection works. Details of the overhead transmission lines are as follows:

(a) 400kV Overhead line route Norwich Main to Walpole 1 and Norwich Main to Walpole 2 connecting into Necton Sub Station;

- 3.2 In addition, NGET's Necton (400kV) electricity substation is partially included within and/or adjoining the order limits. NGET have related underground cables and fibre optic cables connecting in to their substation and land rights for the same. The overhead lines, underground cables and substation form an essential part of the electricity transmission network in England and Wales. NGET may require the Undertaker to enter into crossing agreements in respect of crossings of their existing underground cables.
- 3.3 NGET will also require that works for construction of the new sub station extension (Works No. 10 (A to C) and connection to the new sub station extension and overhead line modification and related pylon relocations (Work 11 and 11A), which are all part of the authorised development are carried out by NGET unless otherwise agreed in accordance with a connection agreement.
- 3.3 In respect of all NGET infrastructure located within the DCO boundary, or in close proximity to the proposed project and associated works, NGET will require protective provisions to be put in place to ensure (i) that all NGET interests and rights of access are unaffected by the powers of compulsory acquisition, grant and extinguishment of rights and temporary use powers and (ii) to ensure that appropriate protection for the retained apparatus is maintained during and after construction of the project. This includes compliance with all relevant standards on safety clearances EN 43 -8, Development near overhead lines and HSE Guidance Note GS6 Avoiding Danger from Overhead Electric Lines.

4. NGG - REGULATORY PROTECTION FRAMEWORK

- 4.1 By virtue of its situation, and its high pressure nature, the HP Main is categorised as a "major accident hazard pipeline" by the Health and Safety Executive. Major Accident Hazard pipelines are regulated by the Pipeline Safety Regulations 1996. Under Regulation 15, it is an offence to cause damage to a pipeline as may give rise to a danger to persons and could result in enforcement action by the HSE.

- 4.2 The Pipeline Safety Regulations 1996 requires that pipelines are designed, constructed and operated so that the risks are as low as is reasonably practicable. In judging compliance with the Regulations, the HSE expects duty- holders to apply relevant good practice as a minimum.
- 4.3 Well established National Grid standards and protocols for major accident hazard pipelines assist the HSE in ascertaining whether the risks incurred in working with such pipelines have been mitigated as much as reasonably practicable. The following standards are relevant to the HP main:
- IGEM/TD/1: Steel Pipelines for High Pressure Gas Transmission (Pipeline over 16 bar).
 - (a) This Standard applies to the design, construction, inspection, testing, operation and maintenance of pipelines and associated installations, designed after the date of publication. It sets out engineering requirements "for the safe design, construction, inspection, testing, operation and maintenance of pipelines and associated installations, in accordance with current knowledge."
 - (b) This Standard is intended to protect from possible hazards members of the public and those who work with pipelines and associated installations, as well as the environment, so far as is reasonably practicable. It is also intended to ensure that the security of gas is maintained.
 - T/SP/SSW/22 'Safe Working in the Vicinity of National Grid HP pipelines'
 - (a) This specification manages industry protection of plant.
 - (b) It is aimed at third parties carrying out work in the vicinity of National Grid high pressure gas pipelines (above 7 bar gauge) and associated installations and is provided to ensure that individuals planning and undertaking work take appropriate measures to prevent damage.
 - (c) It states that *"any damage to a high pressure gas pipeline or its coating can affect its integrity and can result in failure of the pipeline with potential serious hazardous consequences for individuals located in the vicinity of the pipeline if it were to fail"*. The requirements in this document are in line with the requirements of the IGE (Institution of Gas Engineers) recommendations IGE/SR/18 Edition 2 - Safe Working Practices To Ensure The Integrity Of Gas Pipelines And Associated Installations, and the HSE's guidance document HS(G)47 Avoiding Danger from Underground Services.
- 4.4 The Industry Standards referred to above have the specific intention of protecting:
- (a) The integrity of the pipelines and thus the transmission of gas;
 - (b) The safety of the area surrounding a major accident hazard pipeline;
 - (c) The safety of personnel involved in working with major accident hazard pipelines.

4.5 National Grid has a statutory duty under its Gas Transmission Licence to ensure that these Regulations and protocols are complied with. National Grid requires specific provisions in place for an appropriate level of control and assurance that the industry regulatory standards will be complied with in connection with works to connect to and in the vicinity of the HP main.

5 NGET - REGULATORY PROTECTION FRAMEWORK

- 5.1 NGET have issued guidance in respect of standards and protocols for working near to Electricity Transmission equipment in the form of:
- 5.2 Third Party Working near National Grid Electricity Transmission equipment - Technical Guidance Note 287. This document gives guidance and information to third parties working close to National Grid Electricity Transmission assets. This cross refers to statutory electrical

safety clearances which are used as the basis for ENA (TA) 43-8, which must be observed to ensure safe distance is kept between exposed conductors and those working in the vicinity of electrical assets, and

- 5.3 Energy Network Associations Development near Overhead Lines ENA (TS) 43-8. This sets out the derivation and applicability of safe clearance distances in various circumstances including crossings of OHL and working in close proximity.
- 5.4 Additionally HSE's guidance note 6 "Avoidance of Danger of Overhead Lines". Summarises advice to minimise risk to life/personal injury and provide guidance to those planning and engaging in construction activity in close proximity to Overhead Lines.
- 5.5 National Grid requires specific protective provisions in place to provide for an appropriate level of control and assurance that industry standards will be complied with in connection with works to and in the vicinity of their electricity assets.

6 PROTECTIVE PROVISIONS

- 6.1 National Grid seeks to protect its statutory undertaking, and insists that in respect of connections and work in close proximity to their Apparatus as part of the authorised development the following procedures are complied with by the Applicant:
 - (a) National Grid is in control of the plans, methodology and specification for works within 15 metres of any Apparatus,
 - (b) NGET carried out Works 10 (A to C), Work 11 and 11A and all connections thereto, unless otherwise agreed in accordance with a Connection Agreement to provide the extension to it's existing sub station to accommodate connection of the Authorised Development in accordance with the Electricity Connection Agreement,
 - (c) DCO works in the vicinity of NGET and NGG's apparatus are not authorised or commenced unless protective provisions are in place preventing compulsory acquisition of National Grid's land or rights and including appropriate insurance and indemnity provisions to protect National Grid.
- 6.2 National Grid maintain that without an agreement or qualification on the exercise of unfettered compulsory powers or connection to its apparatus the following consequences will arise:
 - Failure to comply with industry safety standards, legal requirements and Health and Safety Executive standards create a health and safety risk;
 - Any damage to apparatus has potentially serious hazardous consequences for individuals located in the vicinity of the pipeline/apparatus if it were to fail.
- 6.3 The proposed Order does not yet contain fully agreed protective provisions expressed to be for the protection of National Grid to National Grids satisfaction, making it currently deficient from National Grid's perspective.
- 6.4 National Grid contend that it is essential that these provisions are addressed to their satisfaction to ensure adequate protection for their Assets and that protective provisions on their standard terms are provided. Negotiations between the parties in respect of the form of the Protective Provision to be included within the Order are well advanced but not concluded and there remain a number of outstanding issues. The parties intend to continue negotiating to resolve the remaining outstanding issues and would hope to do so. However should this

not be possible and attendance at a Compulsory Acquisition Hearing or Issue Specific Hearing is necessary then National Grid reserve the right to provide further written information in advance in support of any detailed issues remaining in dispute between the parties at that stage. If this is necessary any submission made at this point will include a version of the Protective Provisions required by National Grid at that stage in light of any outstanding issues between the parties.

7 PROPERTY ISSUES

7.1 Insufficient property rights have the following safety implications:

- Inability for qualified personnel to access apparatus for its maintenance, repair and inspection.
- Risk of strike to pipeline if development occurs within the easement zone which seeks to protect the pipeline from development.
- Risk of inappropriate development within the vicinity of the pipeline increasing the risk of the above.

7.2 NGET require assurance in the form of the Protective Provisions that existing land interests and rights and rights of access will be retained during and post construction and also physically maintained. NGET also require all necessary land rights for the sub station extension and related NGET works. NGET acknowledge that the Promoter has brought forwards a change report and recent amendments seeking some additional property rights to ensure the delivery of Works 11 and 11A, which are required by National Grid. These are agreed with National Grid subject to minor amendments and extension of these compulsory rights in respect of the Overhead line modifications. National Grid await to hear whether their position in this regard is accepted by the Promoter and reserves the right to make further comments in this respect in due course, if all matters are not fully agreed and secured with the Promoter through the DCO.

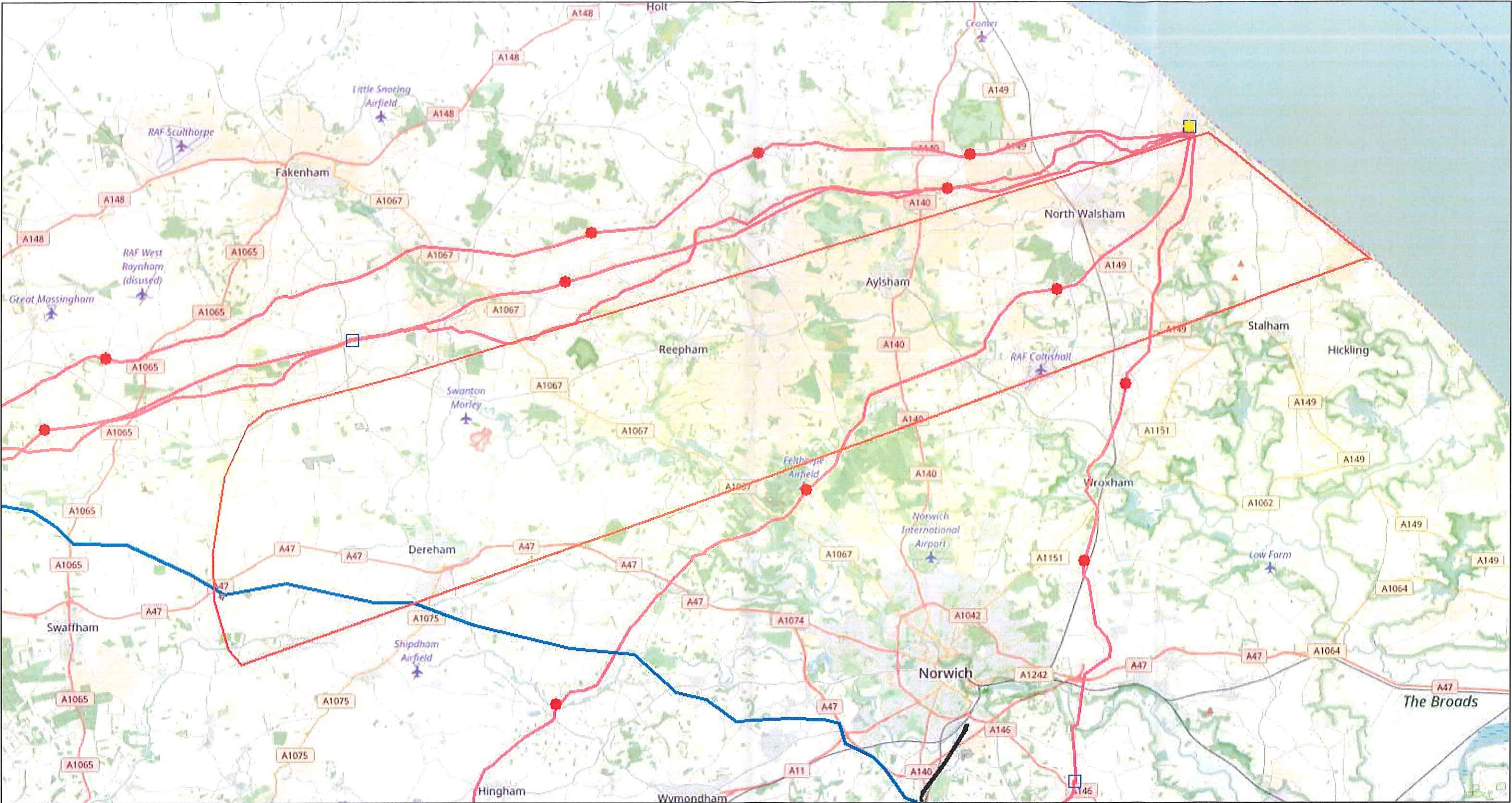
7.3 List of Appendices:

Appendix 1 – NGG's Asset Plan
Appendix 2 – NGET's Asset Plan,

Appendix 1

NGG Asset Plans

NG Transmission Apparatus



October 14, 2016

AGIS

- Block Valve (BV)
- Transferred Offtake (XT)
- Multi Junction (MJ)

LINE

400

132

CABLE

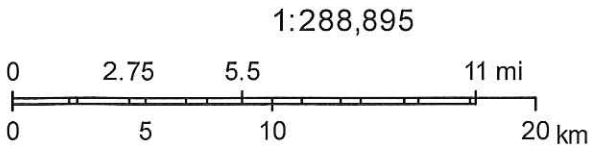
GAS_PIPE_FEEDER

N

AGI Boundary

Operational (OPB)

Site (STB)



Map data © OpenStreetMap contributors, CC-BY-SA

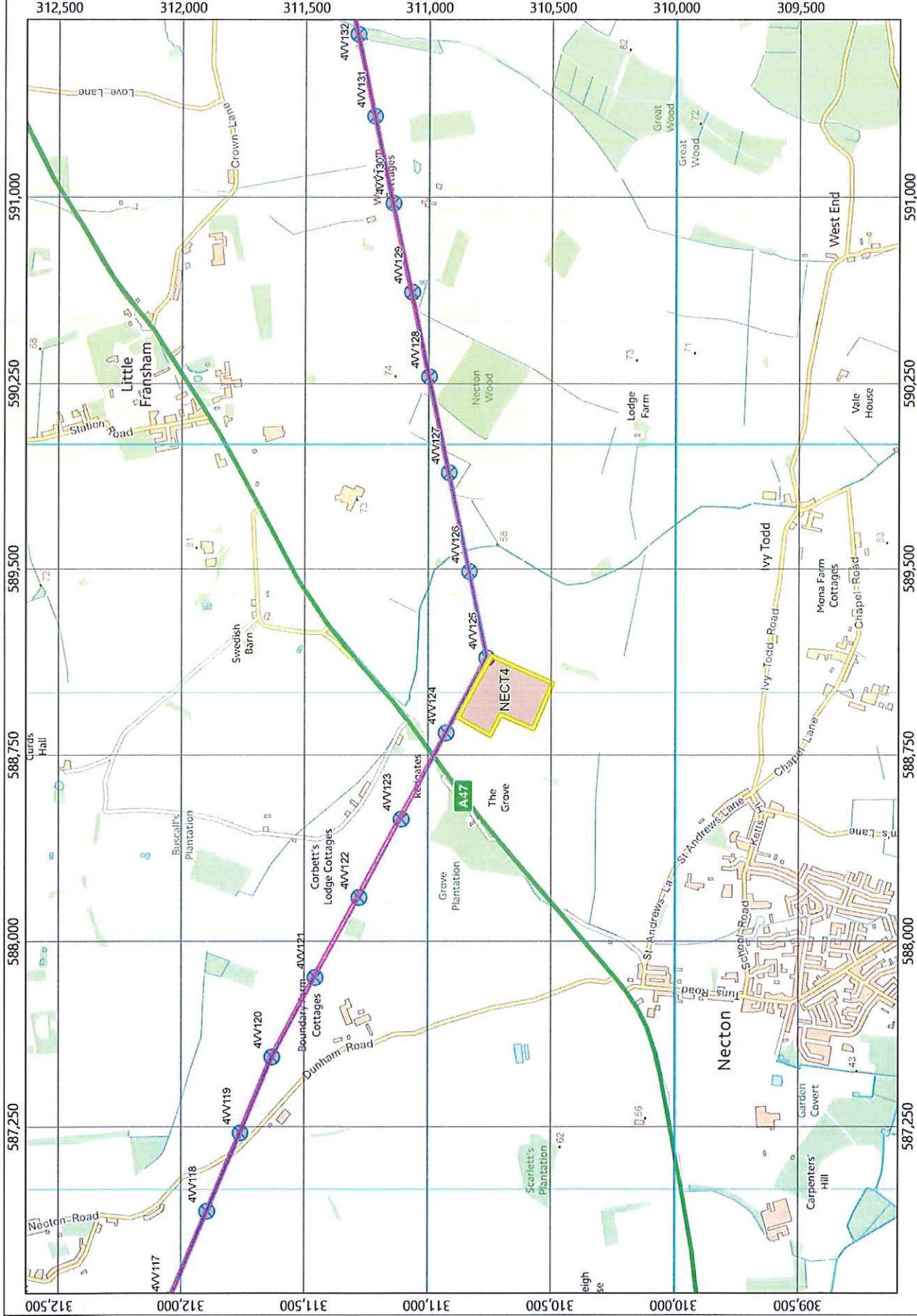
Appendix 2

NGET Asset Plans



- Legend:**
- Substations Commissioned
 - Circuit
 - Commissioned
 - Commissioned Group
 - CH-L 275kV Commissioned
 - CH-L 132kV & Below Commissioned
 - Towers Commissioned
 - Busbars Commissioned
 - Transformer Commissioned
 - Fibre Cable Commissioned
 - Pilot Cable
 - Oil Pipe
 - Coasting Pipe
 - Control Station
 - RAMM
 - Gas Operational Boundary
 - Gas Site Boundary
 - Black Valve
 - Compressor
 - LNG Site
 - Manure Office
 - Flare Office
 - Flare Office Office
 - Pressure Reduction
 - Installation
 - Pig Trap
 - Terminal
 - Transformer Office
 - Asset Menu Plot
 - CP Test Post
 - Transformer Rectifier
 - Gas Pipe Feeder
 - Commissioned
 - Commissioned Group
 - Normal and Saver
 - CP Protected Section
 - Range
 - Pipe Line Control Point

Notes:
Necton Sub Station for Vanguard



OS Disclaimer: Background Mapping Information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of Her Majesty's Stationary Office. © Crown Copyright Ordnance Survey
National Grid Easting: 309,500 to 312,500 National Grid Northing: 587,250 to 591,000

NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.
Note: Any sketches on the map are approximate and not captured to any particular level of precision.

Page size: A3 Landscape Scale: 1:15,000
Date: 09/08/2018 Time: 10:08:05
Print by: Holdsworth, Anne

0 0.38 Kilometers