

[REDACTED]

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**From:** [REDACTED]@fieldfisher.com>  
**Sent:** 02 March 2026 13:54  
**To:** Fosse Green Energy  
**Cc:** [REDACTED]  
**Subject:** RE: Application Reference: EN010154 - Application by Fosse Green Energy for an order granting Development Consent for the Fosse Green Energy Project - Our Client: The British Pipeline Agency Limited as agents for Prax [FFW-DOCS.FID8680808]  
**Attachments:** Letter to ExA (Updated) - Fosse Green - 24.02.2026 - 137537088\_1.pdf

Dear Planning Inspectorate

**Application by Fosse Green Energy ("the Applicant") for an order granting Development Consent ("DCO") for the Fosse Green Energy Project ("the draft Order") Application Reference: EN010154 ("the Application")**

Thank you for your email below.

We apologise for any errors in the library references included in our letter, submitted to the Inspectorate as an Additional Submission on behalf of the British Pipeline Agency Limited ("**BPA**") as agents for Prax Downstream UK Limited ("**PDUK**") and Prax Lindsey Oil Refinery Limited (in liquidation) ("**PLOR**") (PDUK and PLOR together being herein referred to as "**Prax**").

Please see an updated version of our letter attached, with library references updated where necessary, which has again been sent by email only.

As with the original submission, the attached submission constitutes a written update to (i) the Applicant's responses to the post-hearing summaries (Revision 1) (**REP2-032**) and (ii) the Applicant's risk assessment referred to in the Applicant's responses **REP2-032** and dated 29 January 2026.

Please kindly acknowledge safe receipt.

We thank the Planning Inspectorate for its assistance with this matter.

Yours faithfully

**Fieldfisher**

[REDACTED]  
Paralegal  
D: [REDACTED]



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**From:** Fosse Green Energy <FosseGreenEnergy@planninginspectorate.gov.uk>  
**Sent:** Monday, March 2, 2026 12:15 PM  
**To:** [REDACTED]@fieldfisher.com>; Fosse Green Energy <FosseGreenEnergy@planninginspectorate.gov.uk>  
**Cc:** [REDACTED]@fieldfisher.com>; [REDACTED]@fieldfisher.com>  
**Subject:** RE: Application Reference: EN010154 - Application by Fosse Green Energy for an order granting

Dear [REDACTED],

Thank you for your email and your letter.

The ExA can use their discretion to accept your letter as an Additional Submission into examination in advance of the hearings, but I just want to raise to your attention that paragraphs 1.2, 1.3 and 1.4 may need to be amended to cite the full library references. It has been noticed by the Inspectorate that there may be errors in the library references provided as Deadline 1 submissions were allocated reference numbers beginning with REP1- rather than REP-. If you wish to amend these references and provide the amended letter this week, then the Inspectorate may be able to include this in examination from this week.

Kind regards,

Simon

  
Planning  
Inspectorate

**Simon Raywood** ([REDACTED])  
Case Manager – National Infrastructure  
Planning Inspectorate  
T [REDACTED] | M [REDACTED]  
[www.gov.uk/pins](http://www.gov.uk/pins)

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**From:** [REDACTED] <[REDACTED]@fieldfisher.com>  
**Sent:** 24 February 2026 09:14  
**To:** Fosse Green Energy <FosseGreenEnergy@planninginspectorate.gov.uk>  
**Cc:** [REDACTED] <[REDACTED]@fieldfisher.com>; [REDACTED] <[REDACTED]@fieldfisher.com>  
**Subject:** Application Reference: EN010154 - Application by Fosse Green Energy for an order granting Development Consent for the Fosse Green Energy Project - Our Client: The British Pipeline Agency Limited as agents for Prax [FFW-DOCS.FID8680808]

Dear Planning Inspectorate

**Application by Fosse Green Energy ("the Applicant") for an order granting Development Consent ("DCO") for the Fosse Green Energy Project ("the draft Order") Application Reference: EN010154 ("the Application")**

Fieldfisher LLP ("**Fieldfisher**") act for The British Pipeline Agency Limited ("**BPA**") as agents for Prax Downstream UK Limited ("**PDUK**") and Prax Lindsey Oil Refinery Limited (in liquidation) ("**PLOR**") (PDUK and PLOR together being herein referred to as "**Prax**"). PLOR is the owner of the Pipeline and BPA is employed as agent by Prax to operate and maintain the Pipeline and to act on its behalf in respect of this DCO process.

We write further to the following examination documents.

- a) BPA's relevant representations (**RR-038** and **RR-039**);
- b) the issues outlined in BPA's request to participate in the CAH1 and ISH2 (**PDA-004**);
- c) the oral submissions made by Fieldfisher on behalf of BPA at both the CAH1 and ISH2 on 8 January 2026 and the post-hearing summaries (**REP-085** and **REP-086**); and
- d) BPA's written representations (**REP-087**).

Please see correspondence attached, marked for your attention, which has been sent by email only.

The attached submission constitutes a written update to (i) the Applicant's responses to the post-hearing summaries (Revision 1) (**REP2-032**) and (ii) the Applicant's risk assessment referred to in the Applicant's responses **REP-032** and dated 29 January 2026.

Please kindly acknowledge safe receipt.

We thank the Planning Inspectorate for its assistance with this matter.

Yours faithfully

**Fieldfisher**

[Redacted]  
Paralegal  
D: [Redacted]



Fieldfisher, 17th Floor, 1 Spinningfields, 1 Hardman Square, Manchester, M3 3EB

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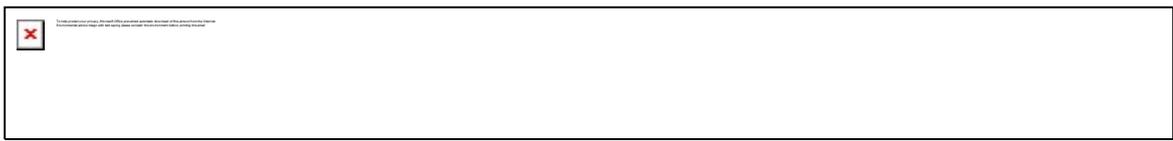
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The Planning Inspectorate  
c/o QUADIENT  
69 Buckingham Avenue  
Slough  
SL1 4PN

Riverbank House  
2 Swan Lane  
London EC4R 3TT  
T +44 (0)330 460 7000  
F +44 (0)20 7488 0084  
E [info@fieldfisher.com](mailto:info@fieldfisher.com)  
CDE 823  
[www.fieldfisher.com](http://www.fieldfisher.com)

By Email Only ([FosseGreenEnergy@planninginspectorate.gov.uk](mailto:FosseGreenEnergy@planninginspectorate.gov.uk))

Our ref: RS34/ETJ/UK01-000162-00367

██████████  
Director  
██████████ (Direct Dial)  
██████████ (Mobile)  
██████████@fieldfisher.com

24 February 2026

Dear Planning Inspectorate

**Fosse Green Energy Limited (the "Applicant") Development Consent Order (EN010154) (the "Application")**  
**British Pipeline Agency Limited ("BPA") responses to the Applicant's responses to the post-hearing summaries (Revision 1) (REP2-032)**

## 1. Background

1.1 Fieldfisher LLP ("**Fieldfisher**") continue to act for BPA as agents for Prax Downstream UK Limited and Prax Lindsey Oil Refinery Limited (in liquidation) (together being herein referred to as "**Prax**") (interested party reference F7876C980) and any reference to 'BPA' should be interpreted as a reference to BPA acting on behalf of and as agents of Prax.

1.2 This submission is made further to:

- (a) BPA's relevant representations (**RR-038** and **RR-039**);
- (b) the issues outlined in BPA's request to participate in the CAH1 and ISH2 (**PDA-004**);
- (c) the oral submissions made by Fieldfisher on behalf of BPA at both the CAH1 and ISH2 on 8 January 2026 and the post-hearing summaries (**REP1-085** and **REP1-086**); and
- (d) BPA's written representations (**REP1-087**).

1.3 These submissions will use where appropriate the definitions used in **REP1-085** and **REP1-086**.

1.4 This submission constitutes a written update in relation to:

- (a) the Applicant's responses to the post-hearing summaries (Revision 1) (**REP2-032**); and

- (b) the Applicant's risk assessment referred to in the Applicant's responses **REP2-032** and dated 29 January 2026 (the "**Risk Assessment**").
- 1.5 The Applicant asserts that the matters raised by Fieldfisher in the submissions referred to at paragraph 1.2 of this letter have either been addressed or will be addressed. For the reasons set out below, BPA does not agree that this position has been demonstrated.
- 1.6 BPA continue to have significant concerns in respect of the proposed interaction of the Project with the Pipeline (in particular as regards the risks posed by AC interference as detailed in the BPA Technical Note dated 18 February 2026 which is appended hereto (the "**Tech Note**")).
- 1.7 Despite the Applicant confirming on 6 February 2026 in their post-hearing summaries (REP2-032) that a draft would be provided shortly no provisions were received until 20 February 2026. The provisions provided are generic in nature and unsuited to govern the specific concerns relating to the crossing of an operational fuel pipeline. In addition, there is of course the significant problem that there is as yet no adequate risk assessment on which to base any crossing agreement / protective provisions. As a result, BPA currently have no comfort in respect of matters including:
- (a) ensuring that any land rights sterilised will be regranted on no less materially favourable terms;
  - (b) that there will be no interference (either in the short or long term) with the Pipeline or BPA/Prax's ability to access, use, repair, maintain, repair and replace it in line with its contractual, statutory and regulatory requirements;
  - (c) that Prax will be indemnified in respect of any damage to the Pipeline and any claims relating thereto (bearing in mind that the Pipeline is critical to the UK fuel supply and energy security);
  - (d) that there will be no working over or in close proximity to the Pipeline without BPA/Prax consent not to be unreasonably withheld; and
  - (e) that any and all safeguards agreed will benefit not only BPA/Prax but also the successors in title to the ownership / operatorship of the Pipeline (given that Prax intends to sell this asset).
- 1.8 We also draw the Examining Authority's attention to the table appended to this letter, which sets out BPA's additional comments to the Applicant's responses contained in **REP2-032**.

## **2. Findings of Risk Assessment dated 29 January 2026 in relation to AC Interference**

- 2.1 In **REP2-032**, the Applicant states that the Risk Assessment "*concluded that there is no corrosion risk to the pipeline*". The Applicant's reliance on the Risk Assessment is wrong and potentially dangerously misleading, as it contains a high number of unproven and untested assumptions. The conclusions presented in **REP2-032** materially overstate the level of certainty that can be drawn from the work undertaken to date and do not provide an adequate assessment of risk to the Pipeline infrastructure. We refer the Examining Authority to the Tech Note which sets out BPA's observations relating to the Risk Assessment.
- 2.2 In a meeting between AECOM and BPA on 11 February 2026, AECOM confirmed that it will revisit both the input data and the model used to generate the Risk Assessment and complete a more detailed study. The outstanding technical information that AECOM will need to obtain and insert into the Risk Assessment is detailed in the Tech Note.

- 2.3 Further, the current assessment does not model all relevant sources of AC interference. Notably, the impact of overhead lines has not been properly incorporated into the modelling, despite this being a known and relevant contributor to AC interference effects.
- 2.4 Crucially without adequate assessment of the AC interference risk, it is not possible to ascertain whether or not significant mitigation work will be required and if so whether such works can be undertaken within the dDCO limits pursuant to the rights requested pursuant to the dDCO and the consultations undertaken with relevant land owners.
- 2.5 AECOM initially advised that it would be prudent to pause and fully understand the risks before drawing conclusions. That approach was not adopted, and instead conclusions have been advanced prematurely, before the necessary technical work has been completed. This is not an appropriate basis upon which the Examining Authority can be asked to conclude:
- (a) that risks to third-party assets comprising critical national energy infrastructure; or
  - (b) that the potentially considerable risk to the public and the environment have been adequately addressed and do not outweigh the potential benefits of the Project.
- 2.5.2 BPA have been advised by SESTech, (the developers of CDEGS software which was used for the AC interference modelling in the Risk Assessment) that the AC current density calculation is inherently incorrect. The conclusions presented by the Applicant in **REP2-032** relating to likely effects of the Project on the Pipeline being either minimal or non-existent are therefore based on flawed data. This also means that on the current data available neither the Applicant nor BPA/ Prax are in a position to assess the level of risk to the Pipeline. Given the findings by SESTech, the Risk Assessment remains unacceptable to Prax.

### **3. Current Risk Position (AC Interference)**

- 3.1 Without prejudice to BPA's position that the Risk Assessment provided by AECOM is based on incorrect AC current density calculations, based on the initial modelling undertaken to date (which is insufficient), the results indicate that the AC current density (the relevant corrosion parameter) is above the relevant British Standards levels which are deemed safe. BPA consider this a moderate to high concern unless potentially the proposed angle of the cable crossing route were significantly altered (albeit that would need to be confirmed by modelling).
- 3.2 The current modelling is preliminary only and could need to change significantly as inputs are refined. The current modelling will also need to change in light of the findings of SESTech as outlined in paragraph 2.5.2 above. It is important to distinguish between the identification of a credible risk and the quantification of that risk. While the initial work undertaken to date is sufficient to confirm that there is a credible threat to the pipeline infrastructure, it is not yet possible to quantify the effectiveness or sufficiency of any potential mitigation measures.
- 3.3 The quantification of required mitigation and the evaluation of cumulative effects can only be properly undertaken through a detailed computer modelling study. That work is currently at a very early stage.
- 3.4 In the wider geographical context, the concern is further magnified. The proposed development is one of at least four known schemes in the area, in addition to a new substation and a significant 240 MW / 1840 MW upgrade to the electricity transmission network. AC interference effects are cumulative in nature, and the combined impact of multiple developments has the very real potential to result in a significant overall risk to pipeline integrity (and by extension damage to public and the environment).

**4. Conclusion**

4.1 In light of the concerns set out in this letter, and those to be detailed further in the Tech Note, Fieldfisher and BPA/Prax respectfully request that the Examining Authority either hold an additional hearing at which these matters can be properly considered or confirms that this can be addressed as part of ISH3.

4.2 Based on the information currently available, BPA must maintain its objection.

Yours faithfully

*fieldfisher.*

**Fieldfisher**

## Tech Note: Fosse Green 400kV FINALINE Cable Crossing

### 1 Introduction

Fosse Green is a proposed large-scale solar farm south-west of Lincoln. The project includes an approximately 10km buried 400kV powerline connecting to the national grid at a proposed Navenby 400kV substation. The project application has been submitted and the DCO is currently at the examination stage.

FINALINE is a high-pressure fuel pipeline which is utilised to transport gasoline, diesel and jet products from Lindsey Oil Refinery in North Lincolnshire to the Hertfordshire Oil Storage Terminal ("HOSL"). Jet fuel is supplied from HOSL to Heathrow via the West London pipeline system. British Pipelines Agency (BPA) provide operations and maintenance services for FINALINE.

The proposed 400kV buried cable from Fosse Green will cross FINALINE to the west of Navenby and will cause an electrical interaction on FINALINE. This tech note outlines BPA safety concerns related to the electrical interactions from the development.

#### 1.1 BACKGROUND

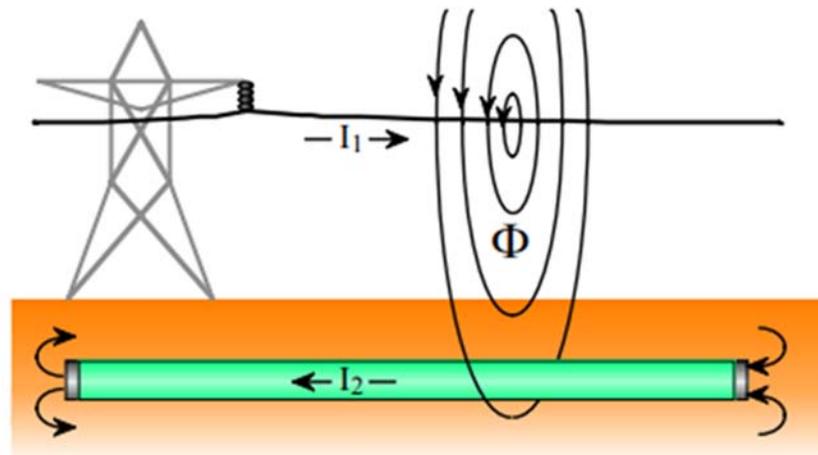
Powerlines cause two main types of electrical interactions on buried pipelines, inductive coupling and conductive coupling.

##### 1.1.1 Inductive Coupling

Inductive coupling is where current flowing through the powerlines creates an electric field which interacts with metallic structures nearby (e.g. pipelines), see an illustrative example in Figure 1.

Consequences:

- 1) The pipeline becomes "electrically live"
- 2) If the voltage is sufficient there is a personnel safety hazard for anyone in contact with the pipeline (pipeline personnel or members of the public due to above ground pipeline apparatus such as Cathodic Protection Test Posts, which are part of the anti-corrosion infrastructure)
- 3) Where the current is discharged from the pipeline this can result in rapid AC (Alternate Current) corrosion which can lead to perforation of the pipeline in short period of time (safety, environmental and sustainability issue)



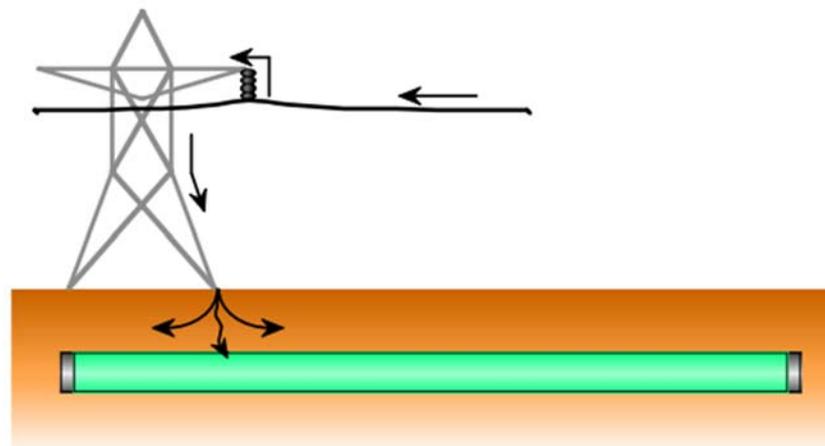
**Figure 1:** Illustrative example of inductive coupling (same applies for buried power cables)

### 1.1.2 Conductive Coupling

Conductive coupling occurring during a powerline fault event, current is discharged into the ground until the circuit breakers are triggered, see an illustrative example in Figure 2.

Consequences:

- 1) For a short duration, a massive amount of power is discharged into the ground and will interact with anything nearby (e.g. pipelines)
- 2) This power can be picked up by nearby pipelines resulting in dangerous high voltage along the pipeline which is a personnel safety issue and can also damage pipeline equipment
- 3) Where the power enters the pipeline, this high voltage can cause damage to the pipeline and its coatings



**Figure 2:** Illustrative example of conductive coupling (same applies for buried power cables)

## 1.2 REGULATION

There are various regulations, legislation, standards and guidance related to electrical interactions for pipelines. Two key regulations are listed below.

**The Pipelines Safety Regulations 1996** - Regulation 15 states that “no person shall cause such damage to a pipeline as may give rise to a danger to persons”.

**The Electricity at Work Regulations 1989** - Regulation 4 states that “All systems shall at all times be of such construction as to prevent so far as is reasonably practical danger “.

## 2 FOSSE Green FINALINE 400kV Cable Crossing

### 2.1 INITIAL RISK ASSESSMENT

Due to the number of variables, the extent of electrical interaction (and therefore risk) generally can only be determined from detailed studies using computer modelling or direct assessment (for existing electrical interactions). However, based on some key parameters an initial assessment can be completed.

Guidance is summarised in UKOPA/GPG/027: AC Corrosion Guidelines. The guidance has been applied against FOSSE Green FINALINE 400kV cable crossing in Table 1.

| Parameter<br>(UKOPA/GPG/027<br>Reference) | Criteria                        |                                  | FOSSE Green FINALINE 400<br>kV Cable Crossing |                    |
|---|---------------------------------|----------------------------------|---|--------------------|
|   |                                 |                                  | Value   | Risk               |
| Soil Resistivity<br>(Table 1)             | Soil resistivity ( $\Omega$ .m) | AC Corrosion Risk                | Unknown                                       | Unknown            |
|   | 0 to 25                         | Very High                        |   |                    |
|   | 25 to 100                       | High                             |   |                    |
|   | 100 to 300                      | Medium                           |   |                    |
|   | > 300                           | Low                              |   |                    |
| Separation<br>Distance<br>(Table 3)       | Separation Distance<br>(m)      | Severity of HVAC<br>Risk Ranking | Cable<br>Crossing                             | High               |
|   | < 30                            | High                             |   |                    |
|   | 30 to 150                       | Medium                           |   |                    |
|   | 150 to 300                      | Low                              |   |                    |
|   | 300 to 750                      | Very Low                         |   |                    |
| Powerline Current<br>(Table 4)            | Powerline Current<br>(A)        | Severity of HVAC<br>Risk Ranking | 347A  | Medium-High        |
|   | 1000                            | Very High                        |   |                    |
|   | 500 to 1000                     | High                             |   |                    |
|   | 250 to 500                      | Medium-High                      |   |                    |
|   | 100 to 250                      | Medium                           |   |                    |
| < 100                                     | Low                             |                                  |   |                    |
| Parallelism<br>(Table 5)                  | Parallelism Length<br>(m)       | Severity of HVAC<br>Risk Ranking | N/A<br>(crossing not<br>a parallelism)        | N/A                |
|   | > 1500                          | High                             |   |                    |
|   | 300 to 1500                     | Medium                           |   |                    |
|   | < 300                           | Low                              |   |                    |
| Crossing Angle<br>(Table 6)               | Crossing Angle                  | Severity of HVAC<br>Risk Ranking | 60° <sup>1</sup>                              | Medium / Low       |
|   | < 30°                           | High                             |   |                    |
|   | 30° to 60°                      | Medium                           |   |                    |
|   | > 60°                           | Low                              |   |                    |
|   |                                 |                                  | <b>Overall Risk:</b>                          | <b>Medium-High</b> |

**Table 1:** Risk Assessment of FOSSE Green FINALINE 400 kV Cable Crossing

<sup>1</sup> Crossing angle based on measured angle in crossing diagram in AECOM Fosse Green Energy 400 kV cable – pipeline crossing technical note

## 2.2 ONGOING ASSESSMENT

AECOM are completing a more detailed study using computer modelling (on behalf of Fosse Green Energy). An initial report (rev 1) was issued to BPA on 29<sup>th</sup> January 2026, this report has been reviewed and comments returned on 6<sup>th</sup> February 2026.

BPA's main observations:

- 1) Study includes a high number of assumptions on parameters which limits the accuracy. Some of these parameters (such as soil resistivity) can be measured and must be measured as it's a critical parameter.
- 2) The study does not include other nearby electrical infrastructure and thus does not consider cumulative inductive coupling and therefore underestimates risk. BPA notes the following major electrical infrastructure:
  - a) There is an existing 400 kV transmission powerline crossing very nearby to proposed crossing (within 500m / within DCO application area). Further to this the load on this powerline crossing is likely to increase after the connection of FOSSE Green solar farm
  - b) There are several other major electrical developments in the area (within 10km) which are likely to have a cumulative effect. BPA are aware of
    - i) Leoda solar farm (600 MW) with FINALINE 400kV cable crossing
    - ii) Green Man Road BESS (600 MW) with FINALINE 400kV cable crossing
    - iii) Navenby 400kV substation (nearby to FINALINE and likely to increase load on existing FINALINE 400kV powerline crossing)
    - iv) Springwell Solar Farm (600MW) increasing load in iii)
- 3) The AC current density calculation used to produce figure 3 of rev 1 of AECOM report is not correct as it's not calculated for a 1cm<sup>2</sup> coating defect as required for the 30A/m<sup>2</sup> AC current density criteria (detailed in BS EN ISO:18086). The correct calculation is equation 1 in rev 1 of AECOM report and using this calculation the AC current density exceeds the 30A/m<sup>2</sup> criteria. This shows that with the development as planned the FINALINE would be at risk of AC corrosion

Whilst the ongoing detailed assessment is currently not considered accurate based on the data used in rev 1 of the AECOM report, the report does indicate the AC current density exceeds criteria in (British Standards). Based on the data available the development should be considered not compliant with Pipelines Safety Regulations 1996 - Regulation 15 or Electricity at Work Regulations 1989 - Regulation 4.

AC corrosion is known to cause high corrosion rates on cross country pipelines and in extreme cases could result in perforation within only a few years. This short timescale makes it difficult to detect and repair prior to failure. It is therefore very important to minimize the risk of AC corrosion and stay within parameters advised in the standards.

## 2.3 RECOMMENDATIONS

Based on the data available to BPA, the following recommendations are made:

- 1) Update the AECOM study to reflect BPA's comments and:
  - a) Collect accurate information on parameters (where possible)
  - b) Where accurate information will not be available until the detailed design phase then appropriate values can be considered with suitable safety factors or ranges. These values must be fed into the project design specification and followed during the detail design.  
(Example values: cable crossing angle, crossing depth, powerline load, fault currents etc)
- 2) Where the AECOM study indicates values exceed criteria then steps must be taken to reduce electrical interference. Example solutions to consider:

- a) Reduce electrical interference on FINALINE (preferred approach)
  - i) Cross FINALINE perpendicular
  - ii) Increase separation at crossing
  - iii) Avoid crossing nearby to existing sources of electrical interference
- b) Manage electrical interference (secondary approach) by installing zinc ribbon AC mitigation systems and enhancing pipeline monitoring

These steps must be considered as part of the design submitted in the DCO application to ensure the development can be delivered safely.

- 3) There are other major electrical infrastructure developments planned nearby, these are considered likely to have a cumulative electrical interaction effect and its important these are not assessed in isolation. BPA request that planning inspectorate requires new electrical infrastructure development applications consider existing electrical infrastructure and already granted electrical infrastructure projects into any assessments or studies to ensure cumulative effects are calculated and appropriately managed.

By: [REDACTED]  
Position: Lead CP Engineer  
Date: 18<sup>th</sup> February 2026

| Agenda Item            | Prax Submissions  | Fosse Green Response  | Fieldfisher comments to Fosse Green Response  |
|------------------------|---|---|---|
| CAH1                   |   |   |   |
| 3.1 (Overall concerns) | <p>Fieldfisher summarised the concerns held by Prax relating to the Project as including (i) the balance of public interest against private loss in respect of the Project, (ii) whether risks or impediments have been managed the Applicant, (iii) whether account has been taken of the physical and legal matters regarding the Application, (iv) whether adequate consultation has been carried out in respect of the interests in the relevant land, noting that the Applicants should seek to acquire land by negotiation. Prax's position remains as described in RR-038.</p> | <p>As noted in the Written Summaries of Oral Submissions [REP1-044 and REP1-045], any required mitigation and any response to damage that could be experienced will be addressed in the protective provisions that the Applicant is planning to include in the Order for the benefit of BPA/Prax. This will address the two points made in relation to s127(6) of the PA 2008, meaning that BPA/Prax's interests will be adequately protected under the two tests in s127 of the PA 2008, even though they do not apply to BPA/Prax in this instance.</p> | <p>The Applicant's response relies on the assumption that protective provisions will be sufficient to satisfy Prax's concerns, despite failing to:</p> <ul style="list-style-type: none"> <li>(i) acknowledge the critical import of this Pipeline to National Energy Security and engaging meaningfully with Prax / BPA (following CAH1 prior to which only one all parties call had taken place, the Applicant has offered only one further all parties call on less than 24 hours' notice which Prax's legal counsel were not available to attend.);</li> <li>(ii) demonstrate that the underlying safety risks are properly understood and can be adequately mitigated;</li> <li>(iii) demonstrate that all necessary mitigation can be carried out within Order limits pursuant to Order powers; and</li> <li>(iv) demonstrate that any necessary land rights (both long and short term) required to use, repair, repair and replace such mitigation can be granted to Prax so as to benefit Prax, its operators, agents and successors.</li> </ul> <p>We have set out in the body of the letter why the risk assessment provided on 29 January 2026 is insufficient. It is therefore wrong, or at</p> |

| Agenda Item                    | Prax Submissions   | Fosse Green Response  | Fieldfisher comments to Fosse Green Response  |
|--------------------------------|--|---|---|
|                                |  |   | least premature, to rely on the prospect of protective provisions as adequate protection.   |
| 3.1 (Health and Safety)        | Prax continue to have no objection to the Project in principle but do have significant concerns in relation to health and safety which are not currently being addressed. Prax would therefore need to see an assessment of the potential risks of the Project to its pipeline as well as the impacts on Prax's ability to repair, access and maintain its pipeline. | The Applicant made submissions at CAH1 and in its Written Summaries of Oral Submission [REP1-045] that it was in the process of undertaking the necessary risk assessment. The result of this assessment concluded that there is no corrosion risk to the pipeline but there may be a negligible health and safety risks to workers on the pipeline. It is envisaged however that these risks can be mitigated by the workers wearing appropriate personal protective equipment and following industry-standard health and safety guidelines. This was shared with BPA/Prax on 29 January 2026 and the Applicant is awaiting a response from BPA/Prax in relation to these results. | <p>We have set out in the letter and BPA have set out in the Tech Note why the Applicant's statements in respect of the Risk Assessment are at worst dangerous and misleading and at best premature.</p> <p>The Applicant does not have the necessary data with which to state that "<i>there is no corrosion risk</i>" or that the only risk relates to a "<i>negligible risk [...] to workers</i>" as the Tech Note is materially insufficient to assess these risks.</p> |
| 3.1 (Mitigation & Land Rights) | Prax require certainty that mitigation measures and the necessary land rights needed in order to protect the pipeline can be provided within the Order limits and similarly require protective provisions to be provided which include indemnities and making good obligations in respect of any damage to the Pipeline.   | As noted in the Written Summaries of Oral Submissions [REP1-044 and REP1-045], the Applicant has consistently made clear to BPA/Prax that bespoke protective provisions would be provided, even though they are not a statutory undertaker and do not benefit from the protection afforded by s127 of the PA 2008. The negotiation of such protective provisions was overtaken by the   | The Applicant defers resolution of mitigation and land rights to future negotiation, despite the examination being at an advanced stage. There is no certainty that any mitigation identified as necessary can be delivered within the Order limits, nor that the rights required to install, maintain and monitor mitigation can be secured. This creates a material risk gap that needs to be resolved prior to any decisions as  |

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|                         | <p>Section 127(5) of the Planning Act 2008 ("PA") states that in the case of statutory operators, the Secretary of State should be satisfied that the necessary rights can be acquired without any serious detriment to the carrying on of the undertaking and that any consequential detriment to the carrying on of the undertaking can be made good by the undertaker by the use of other land belonging to or available for the acquisition by the undertaker.</p> <p>Whilst Prax is not a statutory undertaker (and therefore does not have any automatic land rights), it is the owner of nationally significant high pressure fuel infrastructure and the risks associated with its infrastructure should be treated equivalently (see paragraph 4 below in respect of the importance of the pipeline). Prax has its own regulatory requirements in respect of the pipeline and require 24/7 access to the pipeline in order to remain compliant.</p> | <p>carrying out of the risk assessment requested by BPA/Prax but now that the results of such assessment have been received and shared with BPA/Prax on 29 January 2026, the Applicant hopes that discussions can progress at pace. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p> | <p>to whether the dDCO should be recommended for acceptance.</p> <p>Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |
| 3.1 (Risks to Pipeline) | <p>As set out in RR-038, there are significant risks to the pipeline, the public and the environment inherent to crossing metal fuel pipelines with high voltage cables due to the potential for</p>   | <p>As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the result of this</p>   | <p>We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient.</p>   |

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|                       | uncontrolled and accelerated corrosion of those pipelines due to alternating current ("AC") interference.  | was shared with BPA/Prax on 29 January 2026.   |   |
| 3.1 (Risk assessment) | BPA (as agents for Prax) have been requesting specific risk assessments of the proposed crossing of the Prax pipeline since April 2025 and have chased on a number of occasions. On 24 October 2025, AECOM, as agents for the Applicant, advised that a risk assessment would be carried out "post-consent". Given the current stage of the Examination, Prax remain concerned that the results will not be available in sufficient time and will not be adequate to provide an appropriate mitigation plan. | As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the result of this was shared with BPA/Prax on 29 January 2026  | The risk assessment was long delayed and only provided at a late stage in the examination. We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient. |
| 3.1 (AC interference) | As set out in RR-038, there are significant risks to the public, the pipeline, and the environment as a result of the potential for uncontrolled corrosion of the pipeline due to AC interference. The documents enclosed with PDA-004 (being the guidance of the United Kingdom Onshore Pipeline Association ("UKOPA")) set out:<br><br>a. The relationship between AC interference and corrosion rates;  | As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the result of this was shared with BPA/Prax on 29 January 2026. | We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient. Please also refer to the UKOPA Guidance submitted as part of PDA-004.                      |

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|             | <p>b. The fact that AC interference can cause corrosion and affect pipeline integrity;</p> <p>c. The need for mitigation where AC corrosion risks exist; and</p> <p>d. The importance of long term continued monitoring of AC corrosion risks.</p> <p>Any damage to the Prax pipeline would also constitute an offence under Article 15 of the Pipeline Safety Regulations 1996.</p> <p>Prax and the Applicant have had one all-parties meeting on 26 November 2025 where Prax stressed the critical nature of the safety issues and the ongoing concerns it has in respect of the Project. At this meeting, the Applicant agreed to prioritise a risk assessment in order to ascertain the issues. To date this has not been provided, meaning Prax is unable to assess whether sufficient mitigation can be provided and whether such mitigation can be delivered within the current draft Order limits.</p> <p>Prax therefore submit that the Applicant cannot demonstrate that it has assessed the risks and impediments and the Order cannot</p> |                      |  |

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|                                       | provide the necessary powers or land rights to cross the pipeline and provide the necessary mitigation.  |   |   |
| 3.1 (Errors in the Book of Reference) | In respect of the procedural errors encountered by Prax in relation to the Application, in relation to APP-020 and APP-022, there are several plots in which Prax have an interest (and are land critical in respect of access to the Prax pipeline) but which are not included. It is understood that the Applicant intends to address this by Deadline 1. A copy of the relevant Prax plots (as submitted to the Applicant's solicitors on 5 November 2025) is at Schedule 1 to this submission, as revised in an email to the Applicant's solicitors on 7 January 2026. | As noted in the Written Summaries of Oral Submissions [REP1-044], on 7 January 2026, the Applicant had received further details of land within the Order Limits where BPA/Prax believe they have an interest, which were not initially referred to in the Book of Reference. This information has been considered, and the changes are reflected in an updated version of the Book of Reference [AS-115] to be submitted at Deadline 2 to ensure that BPA/Prax's interests are adequately captured. | At the moment it is still unknown which plots would be needed in respect of mitigation works as the length/extent of the works is unknown until an updated risk assessment is provided. |
| 3.1 (Assessment)                      | The "Fina Line" of which the Prax pipeline forms a part, is mentioned at paragraph 14 of APP-039 and in APP-189 where it is stated by the Applicant that consultation and a desk based study would be carried out prior to construction of the Project. Whilst it is appreciated that mitigation could be provided prior to the construction of the Project, this misunderstands the issue of corrosion on a high-pressure pipeline. If mitigation works are required and those mitigation works   | As noted in the Written Summaries of Oral Submissions [REP1-045], the Applicant has carried out the required risk assessment and the result of this was shared with BPA/Prax on 29 January 2026.  | We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient.  |

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|                         | <p>needed are outside the Order land and/or cannot be delivered safely then there is the risk of material harm and damage which has not been assessed in the Environmental Statement.</p>   |   |  |
| <p>3.1 (Engagement)</p> | <p>We refer to the NSIP Advice on Preparing Applications which highlights that all parties ought to have made reasonable effort to engage early and reach resolution and that issues should be widely understood by all at the earliest point to minimise risk during examination.</p> <p>Whilst noting that one of the Prax entities is in liquidation so was delayed in engaging with the Applicant, Prax remain of the view that there has not been reasonable engagement by the Applicant and that the issues affecting Prax as a result of the Project cannot be fully known whilst a risk assessment is awaited. Insufficient activity has been taking place to resolve the issues raised by Prax and to ensure that there are effective protective provisions agreed with the Applicant.</p> | <p>As noted in the Written Summaries of Oral Submissions [REP1-045], engagement between the Applicant and BPA/Prax commenced as early as October 2023, when the Applicant team had a meeting with BPA/Prax to provide the background on the Proposed Development, and initiate engagement. Additionally, a meeting was held in April 2025, during which further details of the proposed Cable Corridor were shared, so that BPA/Prax could highlight any concerns they might have regarding interaction with the pipeline. This was then followed up in June 2025 when shapefiles were provided to BPA/Prax showing the locations and design of the Proposed Development, particularly in relation to the proposed crossing of the pipeline so that BPA/Prax could consider the potential interactions. That is the engagement which has taken place in relation to the design information.</p> | <p>BPA/Prax's position in relation to engagement with the Applicant remains as set out in the relevant representations (RR-038), post-hearing submissions (REP1-085) written representations (REP1-087) and at the CAH1 and ISH2.</p> <p>The issues cannot be meaningfully progressed until the parties are able to ascertain that the project will not constitute an unacceptable health and safety risk to the pipeline. We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient.</p> <p>It is a well-established principle that the Applicant will cover the legal costs in relation to the negotiation of protective provisions. Although the Applicant has 'promised' to pay such costs, Fieldfisher have to date not received any such cost undertaking. Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |

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|                             |  | <p>In relation to the protective provisions, contact was made with BPA/Prax's lawyers in June 2025 to launch discussions, as the Applicant was fully aware that the generic protective provisions would not be sufficient to cover their interests. The Applicant has consistently made clear to BPA/Prax that bespoke protective provisions would be provided, even though they are not a statutory undertaker and do not benefit from the protection afforded by s127 of the PA 2008.</p> <p>It was explained that those negotiations in relation to protective provisions were not able to commence in June 2025 due to a lack of instruction of the part of BPA/Prax's solicitors. Negotiation on the protective provisions has stalled slightly, as it has been overtaken by the points made in relation to the potential risk to the pipeline. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p> |  |
| 3.1 (Protective Provisions) | Generic protective provisions relating to statutory undertakers have been provided by the Applicant but are inadequate and inappropriate for a private entity such as Prax. Such | As noted in the Written Summaries of Oral Submissions [REP1-045], in relation to the protective provisions, contact was made with BPA/Prax's lawyers in June 2025 to launch   | Generic assurances that bespoke protective provisions will be provided are insufficient. Without clarity on the nature, extent and location of mitigation works, it is not possible to determine whether protective provisions can |

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|                                  | <p>provisions do not address the safety concerns of a private operator. There is a crucial need to safeguard Prax's pipeline and its associated land rights given the reasons of national energy security.</p>  | <p>discussions, as the Applicant was fully aware that the generic protective provisions would not be sufficient to cover their interests. The Applicant has always stated to BPA/Prax that bespoke protective provisions would be provided, even though they are not a statutory undertaker and do not benefit from the protection afforded by s127 of the PA 2008.</p> <p>It was explained that those negotiations in relation to protective provisions were not able to commence in June 2025 due to a lack of instruction of the part of BPA/Prax's solicitors. Negotiation on the protective provisions has stalled slightly, as it has been overtaken by the points made in relation to the potential risk to the pipeline. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p> | <p>adequately safeguard the pipeline or whether additional powers and land are required. Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |
| <p>3.1 (Mitigation Strategy)</p> | <p>Prax has not seen any information or been provided with any comfort from the Applicant that the design of the Project could be such as to include a sufficient mitigation strategy. Prax's position is therefore reserved on that front. Prax require sufficient certainty that construction and energisation of the Project will not take place until</p> | <p>As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the result of this was shared with BPA/Prax on 29 January 2026.</p>   | <p>We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient.</p>  |

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|                          | <p>there is sufficient mitigation in place in order to ensure the safety of the Pipeline.</p>  |  |   |
| <p>3.3 (Land Rights)</p> | <p>Prax are of the view that it is disproportionate for the Applicant to seek to unilaterally acquire and extinguish land rights respect of all the Prax pipeline land. Prax have been provided with no evidence to suggest that the Applicant has considered other reasonable alternatives to compulsorily acquiring such rights.</p> <p>There is no compelling case for the sterilisation of Prax's land rights and no sufficient or legitimate reason to justify the compulsory acquisition of the pipeline land. Alternatives (which remain) available have not been explored by the Applicant despite the risk of private loss which would be suffered by Prax if its pipeline land is to be acquired.</p> <p>Instead, the Pipeline land (and by extension Prax's ability to deal with its infrastructure) should be excluded from the ambit of the draft Order with rights being shared where necessary.</p> | <p>With regards to the compulsory acquisition powers being sought by the Applicant, the Statement of Reasons [REP1-013] sets out, in detail, the compelling case in the public interest for the grant of such powers.</p> <p>Under s122 of the Planning Act 2008, compulsory acquisition powers may only be granted if the Secretary of State is satisfied that the land is required for the Proposed Development, or is required to facilitate that development, or is incidental to that development, and if there is a compelling case in the public interest for inclusion of the powers. The Proposed Development meets these conditions, as detailed further in the Statement of Reasons [REP1-013].</p> <p>The scope of the powers of compulsory acquisition proposed goes no further than necessary, with all land included within the Order Limits required to achieve the identified purpose of delivering the Proposed Development. The Applicant has taken steps to ensure that the interference</p> | <p>The Applicant has not demonstrated that the compulsory acquisition, suspension or extinguishment of rights over pipeline land is necessary or proportionate. In the absence of an appropriate risk assessment and agreed bespoke protective provisions, there is no certainty that BPA/Prax's ability to safely operate, access and maintain nationally significant fuel infrastructure can be preserved. The statutory tests under sections 122 and 138 of the Planning Act 2008 are therefore not met, and the pipeline land should be excluded from compulsory acquisition, with any required rights to be shared only once adequate protections are secured.</p> |

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|             |                  | <p>with the rights of those with an interest in the affected land is no more than is necessary to deliver the Proposed Development and associated benefits. The Applicant has also considered all reasonable alternatives to the Proposed Development.</p> <p>The Applicant acknowledges that the use of compulsory acquisition powers would result in a private loss by those persons whose land or interests in land are compulsorily acquired, such as BPA/Prax. However, there is a compelling case in the public interest for the power to extinguish, suspend or interfere with private rights to the extent necessary to deliver the Proposed Development. As noted, the extent of the Order Limits is no more than is reasonably necessary for the construction, operation and maintenance of the Proposed Development and therefore any interference with private rights is proportionate and necessary. Compensation is payable to anyone whose rights are extinguished, suspended or interfered with.</p> <p>All apparatus owners that are known to have equipment on, in or over the Order Limits (including BPA/Prax) are included in the Book of Reference [AS-</p> |  |

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|             |                  | <p>115]. Section 138 of the PA 2008 applies if a development consent order authorises the acquisition of land (compulsorily or by agreement) and there subsists over the land a 'relevant right', or there is 'relevant apparatus' on, under or over the land. The Draft DCO [REP1-007] includes provision to authorise the extinguishment of a relevant right, or the removal of relevant apparatus, in connection with the delivery of the Proposed Development. The exercise of such powers will be carried out in accordance with the protective provisions contained in Schedule 14 to the Draft DCO [REP1- 007]. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p> <p>The protective provisions which the Applicant is seeking to negotiate with BPA/Prax will set out constraints on the exercise of the powers in the Order, with a view to safeguarding BPA/Prax's interests, whilst enabling the Proposed Development to proceed. The Applicant therefore considers that the test set out in section 138 of the PA 2008 is satisfied.</p> |  |

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| 3.4                                     | As submitted, draft protective provisions have been provided which remain inadequate to private entities such as Prax. Similarly, there is no side agreement yet in place between Prax and the Applicant.   | As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant is ready and willing to engage on the protective provisions. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.   | Draft protect provisions were only received from the Applicant on 20 February 2026. Any expectation that agreement can be reached quickly is unrealistic given the absence of a settled risk position. |
| 3.4                                     | Fieldfisher were provided with a draft statement of common ground ("SoCG") on 22 December 2025 despite the Inspectorate's direction that the parties engage urgently in that regard. Given that an adequate risk analysis in order to determine whether Prax's pipeline can be safely crossed by the Project using those rights within the current draft Order limits is currently awaited, any SOCG will necessarily be subject to significant caveats. Fieldfisher note the Examining Authority's requirement to see any issues which cannot be agreed between Prax and the Applicant by the mid-point of the Examination in order to include such issues in written questions or any subsequent hearing following the Examination's mid-point. | <p>As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the reokult of this was shared with BPA/Prax on 29 January 2026. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2. The Applicant therefore considers that agreement can be reached and reflected in the SoCG.</p> <p>As noted in BPA/Prax's submissions a draft SoCG was shared with BPA/Prax on 22 December 2025, in advance of the commencement of the examination. The Applicant is awaiting comments from BPA/Prax on the SoCG, despite the ExA's request that the parties engage urgently in this regard.</p> | The SoCG will need to be heavily caveated and should not be relied upon to demonstrate that risks have been satisfactorily resolved.   |
| Strategic Importance of Prax's Pipeline | At CAH1, the Examining Authority requested a summary of the strategic   | The Applicant notes this comment.   |  |

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|                          | <p>importance of Prax's pipeline. We therefore confirm that the Prax Fina line high pressure Lindsey Oil Refinery to Buncefield fuel pipeline is one of the pipelines used to supply London Heathrow and London Gatwick Airport with jet fuel and as such a key part of Nationally Significant Infrastructure and National fuel security.</p>  |   |   |
| ISH2                     |  |   |   |
| 3.1 (Impact to Pipeline) | <p>As submitted by Fieldfisher on behalf of Prax at CAH1, there is potential for the Project to cause damage to Prax's pipeline (being an offence under the Pipeline Safety Regulations 1996) and to cause harm to land, persons, and the environment if adequate mitigation is not put in place and retained, repaired, and replaced for the life of the pipeline. This may, necessarily, require short term and long term installation, retention, repair and maintenance rights for the benefit of the owner of the pipeline. The Health and Safety Executive is looking at the issue of AC interference across the pipeline industry at present. Currently, no site-specific risk assessment has been taken to establish the claim by the Applicant that no mitigation will be required over the lifetime of the</p> | <p>As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant has carried out the required risk assessment and the result of this was shared with BPA/Prax on 29 January 2026.</p> | <p>We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient.</p> |

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|                               | <p>pipeline. Paragraph 6.7 of the UKOPA guidance submitted by Prax with PDA-004 includes the factors which are required to be included in any risk assessment in respect of AC interference with the pipeline. Any delay in this risk assessment being provided will prevent Prax and the Applicant agreeing the necessary mitigation required.</p>  |  |  |
| <p>3.1 (Mitigation Works)</p> | <p>If mitigation works are required in order to ensure the safety and integrity of the Pipeline, the following issues in respect of the draft Order arise:</p> <p>a. The Order may not be sufficient to deliver the necessary mitigation over third party land, noting that Prax will require both short term installation and long-term monitoring rights with attendant land rights to benefit the pipeline owner.</p> <p>b. The draft Order would need to include: appropriate provisions to share the benefit of the Order with the pipeline owner, itemised provisions of what the pipeline protection works are, provisions to disapply legislation (including for example, disapplication of the Town and Country Planning Act to ensure that the pipeline protection</p> | <p>Is noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant is ready and willing to engage on the protective provisions. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p> | <p>Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |

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|                                | <p>works are not to be construed as development).</p> <p>In the current draft Order, there are no specific references to pipeline protection works in respect of works 5A, 8A and 8B which are relevant to the Prax plots listed APP-020 and APP-022 save for the overarching provisions relating to "associated development". It is submitted that the current provisions may cover de minimis works but are unlikely to sufficiently include significant mitigation works, which may be required in order to protect the pipeline.</p> |   |  |
| 3.1 (Mitigation & Land Rights) | <p>In relation to long term rights, such as the installation of monitoring equipment in accordance with the UKOPA guidance provided with PDA-004, the current draft Order does not include provision for permanent rights to be acquired by the Applicant, and thereafter shared with Prax.</p>  | <p>In the plots where BPA/Prax has an interest, the Applicant is seeking the permanent acquisition of new rights, being both cable rights and access rights. The bespoke protective provisions which the Applicant will be sharing with BPA/Prax provide that, where the Applicant acquires any rights in land in which apparatus is located, the right of BPA/Prax to maintain and access such apparatus must not be extinguished, until alternative apparatus has been constructed and is in operation, and access to it has been provided to the</p> | <p>Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |

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|                                    |  | <p>reasonable satisfaction of BPA/Prax, which would include its successors in title. As noted within the Book of Reference [AS-115], BPA/Prax has rights for the purposes of access and maintenance to the pipeline. With regards to long term rights for the installation of monitoring equipment, the Applicant is reviewing the extent of BPA/Prax's current rights. The Applicant will liaise directly with BPA/Prax in relation to this alongside the negotiation of bespoke protective provisions.</p> |  |
| <p>3.1 (Protective Provisions)</p> | <p>If the Examining Authority is minded to submit the Project for approval, we would urge that this is only done if satisfactory protective provisions are provided and that these issues (and those addressed at CAH1) have been adequately addressed and the cable is not energised until the necessary mitigation is in place</p> | <p>As noted in the Written Summaries of Oral Submissions [REP1-044], the Applicant is ready and willing to engage on the protective provisions. Draft protective provisions will be shared with BPA/Prax as soon as possible after Deadline 2.</p>   | <p>Draft protect provisions were only received from the Applicant on 20 February 2026.</p>   |
| <p>3.1 (DCO Drafting)</p>          | <p>At ISH2, the Examining Authority requested that Fieldfisher, on behalf of BPA and Prax, provide the Applicant and the Examining Authority with a proposal of what further drafting might be required to be inserted into the draft Order in order to provide Prax with further comfort in response to the</p>                     | <p>Taking BPA/Prax's points in turn: The Applicant provided the results of the risk assessment to BPA/Prax on 29 January 2026 and is awaiting a response. Taking each point in turn:</p> <ol style="list-style-type: none"> <li>1. The results of the AC interference modelling assessment conclude that</li> </ol>  | <p>We have set out in the letter and BPA have set out in the Tech Note why the Risk Assessment is insufficient. The Risk Assessment was reviewed by BPA and comments were returned to the Applicant on 6 February 2026.</p> <p>Draft protect provisions were only received from the Applicant on 20 February 2026.</p> |

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|             | <p>issues raised at ISH2 and in RR-038 and RR-039. This was in response to Fieldfisher referring to wording that was to be included pursuant to another Development Consent Order promoted by NGET. Fieldfisher confirmed they would need to check to what extent this wording was still confidential. Fieldfisher can confirm that the relevant Development Consent Order is the Norwich to Tilbury DCO (EN020027) Norwich to Tilbury - Project information. That DCO includes wording to benefit United Kingdom Oil Pipelines Limited as pipeline owner in relation to the installation and retention of significant mitigation works. The draft DCO for project EN020027 is included with the project library at reference APP-056. Fieldfisher are of the opinion that the principles set out in the Norwich to Tilbury DCO (EN020027) could be applied in this case to cover mitigation works on the assumptions that:</p> <ol style="list-style-type: none"> <li>1. At minimum the broad scope and extent of the mitigation works required is ascertained and certain enough in sufficient time so as to be included within the Order drafting; and</li> </ol> | <p>no mitigation is required beyond ensuring that any workers on the pipeline are adequately equipped with personal protective equipment (PPE), which the applicant would expect to be utilised under relevant health and safety regulations. Therefore, the Applicant's position is that the suggested DCO drafting covering the scope of mitigation works are not necessary.</p> <ol style="list-style-type: none"> <li>2. Accordingly, the Applicant is of the view that there is sufficient land within the Order Limits to provide any mitigation.</li> <li>3. On the basis of the results of the AC interference modelling assessment no mitigation is required and accordingly the rights proposed to deal with any such mitigation works are not necessary.</li> <li>4. As noted above, the bespoke protective provisions drafted by the Applicant provide the necessary land rights to BPA/Prax, including provision for these to benefit successors in title. Draft protective provisions will be shared with BPA/Prax as soon as possible following Deadline 2.</li> </ol> |  |

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|             | <p>2. Any relevant mitigation work can be undertaken within the Order limits; and</p> <p>3. The rights (temporary and permanent) to be acquired by the Applicant can be shared with Prax and its agents and are sufficient to install retain repair and replace any such mitigation works as are required to keep the Prax Pipeline safe' and</p> <p>4. All rights and benefits granted to Prax pursuant to the Order need also to be able to benefit its successors in title agents and assigns and (if different) any owners of the Prax Pipeline as it looks likely these assets may be shortly sold.</p> |                      |  |