

WRITTEN REPRESENTATION

Representation by National Gas Transmission Plc to the Combined Cycle Gas Turbine (CCGT) Generating Station ("the Project")

Introduction

We are instructed by National Gas Transmission Plc (NGT) in relation to the application made by Keadby Next Generation Limited ('the Applicant') for a Development Consent Order ('the draft Order') for the proposed Combined Cycle Gas Turbine (CCGT) Generating Station ('the Project').

This Written Representation is made on behalf of NGT.

The Project comprises the construction, operation and maintenance of a new low carbon Combined Cycle Gas Turbine (CCGT) Generating Station of up to 910 megawatts (MW) of net electrical output and will be designed to run on 100% hydrogen and able to run on 100% natural gas or a blend of natural gas and hydrogen and including cooling water, electrical, natural gas and utility connections, construction laydown areas and other associated works on land to the west of the existing Keadby 2 Power Station.

NGT does not object in principle to the Project, however given the strategic importance of the gas network and apparatus in relation to the Project, NGT wishes to make this written representation to the Applicant in order to protect its position with regard to NGT's existing and any proposed infrastructure and associated land interests within or in close proximity to the proposed limits of the draft Order boundaries ("Order Limits").

NGT Statutory Obligations

National Gas owns and operates the national gas network and provides gas transmission and metering services in the UK. NGT has a licence to participate in gas transmission activities established under the Gas Act 1986, as amended (the Act). This requires NGT to develop, maintain and operate economic and efficient networks and to facilitate competition in the supply of gas in Britain. The licence also gives NGT statutory powers. NGT is under a statutory duty (under section 9 of the Gas Act 1986) to develop and maintain an efficient and economical network for the conveyance of gas. The NGT Assets form an essential part of the gas transmission network.

As a responsible statutory undertaker, NGT's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGT has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits from interference/damage, and rights of access to inspect, maintain, renew and repair it, should be maintained at all times and must not be restricted.

NGT Land Interests and Infrastructure Impacted

The following assets, including a feeder main apparatus are located within or in close proximity to the proposed Order Limits including

Feeder 7 – Eastoft to Keadby PS

This asset forms an essential part of the gas transmission networks in England and Wales.

The Applicant is seeking acquisition of new rights over plots 2-93, 2-97, 2-108, 2-36, 3-157, 3-117 to 3-118 and permanent freehold acquisition of 2-81, 2-83, 2-90, 2-92, 2-95, 2-98, 2-106, 2-107, 3-111 to 3-115, 3-116, 3-120, to 3-123, 3-134. NGT also have interests in plots 3-127, 3-128 (new rights) and 2-96 (freehold acquisition).

Where the Applicant intends to acquire land or interfere with any of NGT's interests in land or NGT's apparatus, protection from compulsory acquisition must be explicitly included in the Protective Provisions.

NGT's rights of access to inspect, maintain, renew and repair such apparatus must be maintained at all times and access to inspect and maintain such apparatus must not be restricted, any such powers would cause serious detriment to NGT's ability to comply with its statutory duties.

Further, where the Applicant intends to extinguish or otherwise interfere with any of NGT's rights over its land and NGT apparatus, the relevant protections must be secured in the Protective Provisions.

As set out in the Relevant Representation, NGT requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those NGT assets which will remain in situ, along with facilitating all future access and other rights as are necessary to allow NGT to properly discharge its statutory obligations.

Protective Provisions

NGT require protective provisions to be put in place to protect NGT Assets (and any other NGT infrastructure located within the current Order limits, or in close proximity to the Authorised Development and associated works).

NGT require that all NGT interests and rights, including rights of access to its apparatus including Feeder Mains and any other Above-Ground Installations (AGI) are unaffected by the powers of compulsory acquisition, and the grant and/or extinguishment of rights as set out in the Draft Order.

NGT also require appropriate protection for apparatus including Feeder Mains, AGI's and any other retained apparatus is maintained during and after construction of the Authorised Development in accordance with both the protective provisions and the relevant safety standards.

NGT welcomes the form of protective provisions for the protection of NGT's land interests and apparatus which are included on the face of the draft Order (Part 2 of Schedule 9). However, the current protective provisions are inadequate insofar as they do not contain the robust protections that NGT requires and accordingly the current form of protective provisions require amending in order for NGT to be able to withdraw its objection.

NGT is liaising with the Applicant in relation to the protective provisions for inclusion within the DCO along with any supplementary agreements which may be required. NGT will keep the Examining Authority updated in relation to these discussions.

NGT will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions.

NGT reserves the right to make further representations as part of the examination process but in the meantime will negotiate with the Promoter with a view to reaching a satisfactory agreement.