The Great Grid Upgrade

Sea Link

Sea Link

Volume 7: Other Documents

Document 7.4.9 Draft Statement of Common Ground Between National Grid Electricity Transmission and the Harwich Haven Authority.

Planning Inspectorate Reference: EN020026

Version: A
March 2025

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 Regulation 5(2)(q)

nationalgrid

Page intentionally blank

Contents

1. Introduction

1.1 Overview

1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application process for a Development Consent Order (DCO) and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.

1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination and then updated as necessary or as requested during the Examination Phase.

1.1.3 This SoCG is between National Grid Electricity Transmission Ltd (National Grid) and the Harwich Haven Authority (HHA) relating to the DCO application for the Sea Link Project (the Proposed Project). It has been prepared in accordance with the guidance published by the Ministry of Housing, Communities and Local Government (Ministry of Housing, Communities and Local Government, 2024).

1.2 This Statement of Common Ground

1.2.1 This SoCG has been prepared to identify matters agreed and matters currently outstanding between National Grid and HHA. The SoCG will evolve as the DCO application progresses through examination.

1.2.2 For the purpose of this SoCG, National Grid and the HHA will jointly be referred to as the "Parties". When referencing the HHA alone, they will be referred to as "the Consultee".

1.3 Role of the Harwich Haven Authority in the DCO Process

1.3.1 The Consultee is a not-for-profit organisation, which was established in 1863 by the Harwich Harbour Act in order to preserve 150 square miles of the Haven.

1.3.2 The Consultee is responsible for the maintenance, conservation and protection of the Harwich Haven, where 40% of the country's container traffic travels through. The Consultee designates areas, routes or channels which vessels must or must not use, plans and coordinates the safe movement of vessels and takes any action needed for the maintenance, operation, improvement and conservation of the Haven.

1.3.3 The Consultee is an independent organisation with no shareholders and income is generated via the services that the Consultee provides. The Consultee is accountable to many stakeholders, such as government bodies like the Department for Transport, commercial users, community, employees and recreational users; and acts on behalf of these stakeholders in order to provide what is in the best interests of each stakeholder.

1.4 Description of the Proposed Project

1.4.1 The Proposed Project is a proposal by National Grid to reinforce the transmission network in the South East and East Anglia. The Proposed Project is required to accommodate additional power flows generated from renewable and low carbon generation, as well as accommodating additional new interconnection with mainland Europe.

1.4.2 National Grid owns, builds and maintains the electricity transmission network in England and Wales. Under the Electricity Act 1989, National Grid holds a transmission licence under which it is required to develop and maintain an efficient, coordinated, and economic electricity transmission system.

1.4.3 This would be achieved by reinforcing the network with a High Voltage Direct Current (HVDC) Link between the proposed Friston substation in the Sizewell area of Suffolk and the existing Richborough to Canterbury 400kV overhead line close to Richborough in Kent.

1.4.4 National Grid is also required, under Section 38 of the Electricity Act 1989, to comply with the provisions of Schedule 9 of the Act. Schedule 9 requires licence holders, in the formulation of proposals to transmit electricity, to:

1.4.5 *Schedule 9(1)(a) '…have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest;' and*

1.4.6 *Schedule 9(1)(b) '…do what [it] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects'.*

1.4.7 The Proposed Project would comprise the following elements:

The Suffolk Onshore Scheme

- A connection from the existing transmission network via Friston Substation, including the substation itself. Friston Substation already has development consent as part of other third-party projects. If Friston Substation has already been constructed under another consent, only a connection into the substation would be constructed as part of the Proposed Project.
- A high voltage alternating current (HVAC) underground cable of approximately 1.9 km in length between the proposed Friston Substation and a proposed converter station (below).
- A 2 GW high voltage direct current (HVDC) converter station (including permanent access from the B1121 and a new bridge over the River Fromus) up to 26 m high plus external equipment (such as lightning protection, safety rails for maintenance works, ventilation equipment, aerials, similar small scale operational plant, or other roof treatment) near Saxmundham.
- A HVDC underground cable connection of approximately 10 km in length between the proposed converter station near Saxmundham, and a transition joint bay (TJB) approximately 900 m inshore from a landfall point (below) where the cable transitions from onshore to offshore technology.

- A landfall on the Suffolk coast (between Aldeburgh and Thorpeness).

The Offshore Scheme:

- Approximately 122 km of subsea HVDC cable, running between the Suffolk landfall location (between Aldeburgh and Thorpeness), and the Kent landfall location at Pegwell Bay.

The Kent Onshore Scheme:

- A landfall point on the Kent coast at Pegwell Bay.
- A TJB approximately 800 m inshore to transition from offshore HVDC cable to onshore HVDC cable, before continuing underground for approximately 1.7 km to a new converter station (below).
- A 2 GW HVDC converter station (including a new permanent access off the A256), up to 28 m high plus external equipment such as lightning protection, safety rails for maintenance works, ventilation equipment, aerials, and similar small scale operational plant near Minster. A new substation would be located immediately adjacent.
- Removal of approximately 2.2 km of existing HVAC overhead line, and installation of two sections of new HVAC overhead line, together totalling approximately 3.5 km, each connecting from the substation near Minster and the existing Richborough to Canterbury overhead line.

1.4.8 The Proposed Project also includes modifications to sections of existing overhead lines in Suffolk (only if Friston Substation is not built pursuant to another consent) and Kent, diversions of third-party assets, and land drainage from the construction and operational footprint. It also includes opportunities for environmental mitigation and compensation. The construction phase will involve various temporary construction activities including overhead line diversions, use of temporary towers or masts, working areas for construction equipment and machinery, site offices, parking spaces, storage, accesses, bellmouths, and haul roads, as well as watercourse crossings and the diversion of public rights of way (PROWs) and other ancillary operations.

1.5 Format of Document and Terminology.

1.5.1 Section 2 of this SoCG summarises the engagement the Parties have had with regard to the Proposed Project.

1.5.2 Section 3 of this SoCG summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’. ‘Not agreed’ indicates a final position where the Parties have agreed to disagree, whilst ‘Agreed’ indicates where the issue has been resolved.

1.5.3 Abbreviations used within the SoCG are provided in Table 1.1 below.

Table 1.1 Abbreviations

Abbreviation/Term	Definition
ALARP	As Low as Reasonably Practicable
DCO	Development Consent Order
DF	Design Freeze
EIA	Environmental Impact Assessment
ES	Environmental Statement
HHA	Harwich Haven Authority
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
NIP	Navigation Installation Plan
NM	Nautical Mile
NRA	Navigational Risk Assessment
PROW	Public Right of Way
RAM	Restricted Ability to Manoeuvre
RRZ	Recommended Restricted Zones
SIMOPS	Simultaneous Operations
SOCG	Statement of Common Ground
TJB	Transition Joint Bay
TSS	Traffic Separation Scheme
UKC	Under Keel Clearance
UXO	Unexploded Ordnance
VTS	Vessel Traffic Service

2. Record of Engagement

2.1 Summary of pre-application discussions

2.1.1 Table 2.1 summarises the consultation and engagement that has taken place between the Parties prior to submission of the DCO application.

Table 2.1 Pre-application discussions

Date	Topic	Discussion points
03 June 2021	*Shipping and navigation*	*Project introduction and indicative marine routeing.*
12 July 2022	*Shipping and navigation*	*Additional marine surveys.*
09 September 2022	*Shipping and navigation*	*Marine route refinement regarding the Inner Sunk Precautionary Area.*
28 April 2023	*Shipping and navigation consultation meeting and Hazard workshop*	*and navigation consultation, project update, scoping comments, data sources, assessment methodology. Presented initial results from Navigational Risk Assessment and conducted Hazard workshop to identify potential shipping and navigation impacts.*
06 November 2023	*Shipping and navigation*	*Discussion on survey area 3 of the marine survey.*
15 December 2023	*Shipping and navigation*	*Harwich Haven written response to consultation.*
27 March 2024	*Shipping and navigation*	*Email correspondence acknowledging revised routeing*
February 2024	*Shipping and navigation*	*In person meeting at HHA to discuss HHA written response to consultation*
14 February 2024	*Shipping and navigation*	*Email to HHA with previous meeting minutes, summarising the current HHA positions and Applicant responses*

Date	Topic	Discussion points
05 August 2024	*Shipping and navigation*	*Letter response - further consultation*

3. Areas of Discussion Between the Parties

3.1 Assessment Methodologies

Table 3.1 Assessment Methodologies

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
3.1.1	**Application Document 6.14 Environmental Scoping Report 2022**	Environmental Impact Assessment (EIA) Scoping Report	The Consultee has confirmed that the methodology and scope for the EIA as set out in the EIA Scoping Report is adequate	The scope of the EIA is adequate.	Agreed

3.2 Shipping and Navigation

Table 3.2 Shipping and Navigation

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
3.2.1		Harwich deep water channel approach	The Consultee deepened their channel in early autumn 2023 to 16.0 m below chart datum, to accommodate Megamax vessels which call at the Haven ports. These vessels are 400 metres with a draught of 17.3 metres, and they are quite greatly restricted in their ability to manoeuvre. From a collision point of view, they are very much restricted in where they can go.	National Grid notes the deepened Harwich Haven approach channel and confirms that the planned Project route does not cross the Harwich channel. At Design Freeze 3 the Project Draft Order Limits boundary is more than 4.5 km from the Harwich Haven approach channel at both the Southwest Shipwash and South Shipwash buoys.	Agreed
3.2.2	**Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation**	Scheduling	The Consultee requests that no works conducted as part of the Proposed Project should run concurrently with works already planned by Five Estuaries and North Falls project operators in the area, as it is their opinion that this would cause an unacceptable level of navigation risk. The Consultee requests that no Restricted Ability to Manoeuvre (RAM) works conducted by the Proposed Project should run concurrently with RAM works already planned by the Five Estuaries and North Falls project developers in the Sunk area. It is the Consultee's opinion that this would cause an unacceptable level of navigational risk. Therefore, the Consultee insists that the Sea Link project liaise with other planned project teams and the Consultee to avoid this situation. This requirement for no RAM concurrent works, operations or activity must be written into the DCO.	National Grid agrees with the Consultee that simultaneous operations (SIMOPS) between different projects would be undesirable but at the moment we cannot commit to no concurrent works. However, National Grid will consult with the other projects on timescales and keep all of its marine stakeholders informed on any potential interactions. Simultaneous RAM works would be avoided where possible, however, this may not always be practicable. Communication with other projects will help to reduce this possibility. These mitigations are captured within **Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.**	Under discussion
3.2.3	**Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation** **Application Document 6.3.4.8.A ES Appendix 4.8.A Commercial**	Exclusion zones and safety zones	The Consultee states that exclusion zone(s) must not be put in place in the Sunk area or channel that would restrict 24/7/365 vessel access requirements or pilot boarding operations etc., and that safety zone(s) will not be able to impede vessel traffic	National Grid confirmed that no exclusion zones would be sought for either installation or operation of the HVDC cable system. Rolling 500 m radius Recommended Restricted Zones (RRZs) will be in place	Agreed

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
	Fisheries Technical Report		movements within the Sunk area or normal operations such as pilot boarding.	around operation fleet vessels, to protect both operation fleet vessels (restricted in their ability to manoeuvre) and passing vessels from collision, as standard practice. This would not appear to impact the Sunk pilot boarding station, as the DF3 planned cable route is 2 km distant from the Sunk pilot station at the closest point. RRZs will be in force by guard vessel at all times during the operation including whilst passing through the Sunk Traffic Separation Scheme (TSS). RRZs would be established with communication to stakeholders and advanced notice to all and in liaison with Harwich and Sunk Vessel Traffic Service (VTS). This is detailed in **Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation** and **Application Document 6.3.4.8.A ES Appendix 4.8.A Commercial Fisheries Technical Report**.	
3.2.4	**Application Document 6.3.4.7.A ES Appendix 4.7.A Navigational Risk Assessment**	Cable joints in the Sunk area	The Consultee suggests that no cable joints are in locations in the Sunk area, due to the extra work that would be required in this busy shipping area, leading to increased navigational safety risk. The Consultee then clarified that a cable joint to the north of “The Sunk Area” would be acceptable in the area bounded by the following: North of the Storm Buoy, and NW of the Whiskey 1 Buoy, and East of the Shipwash It was also confirmed that a joint to the south of the Whiskey 2 Buoy would also be acceptable, but National Grid should check with other stakeholders.	National Grid notes this request and has taken this into account in the design of the Proposed Project. The Proposed Project has committed to mitigating collision risk and avoiding disruption to the Sunk anchorage area and Sunk pilot boarding area (within the Sunk TSS) during construction by minimising time spent in this region during construction and avoiding cable joints in these areas where possible. This is discussed in **Application Document 6.3.4.7.A ES Appendix 4.7.A Navigational Risk Assessment**.	Under discussion
3.2.5	**Application Document 6.3.4.7.A ES Appendix 4.7.A Navigational Risk Assessment**	Reduction of water depth/under keel clearance/cable depth	The Consultee notes that the world’s largest vessels use the Sunk and that anything that would affect the depth of vessels needs to be	National Grid notes this request and has taken this into account in the design of the Proposed Project.	Under discussion

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
			flagged with them. This would include rock berms or other cable protection. The Consultee states that in the Sunk area, cable depth needs to consider that the world's largest vessels may anchor and dredge anchors in emergency scenario. The cable depth must take into account the draught of current and future vessels and future dredging. Consider a maximum draught of 20m plus 10% Under Keel Clearance (UKC), as such minimum depth required 22m below chart datum. The Consultee confirmed that the 22m LAT requirement relates to “The Sunk Area” as defined as the area bounded by the following: • North of the Storm Buoy, and • NW of the Whiskey 1 Buoy, and • East of the Shipwash	These concerns surrounding under-keel clearance are noted and addressed in the **Application Document 6.3.4.7.A ES Appendix 4.7.A Navigational Risk Assessment**, in Section 7.6. In line with MCA guidance, it is not planned to reduce the existing navigable water depth by more than 5% along any section of the cable (with respect to Chart Datum). It is therefore expected that under-keel clearance is only reduced at a very small number of locations, which are anticipated to be located close into shore. Any anticipated areas where reductions in water depth may be greater than 5% will be discussed with relevant stakeholders including port and harbour authorities.	
3.2.6	**Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.**	Project vessels with restricted ability to manoeuvre in the Sunk area	The Consultee suggest that no project vessels with Restricted Ability to Manoeuvre (RAM) (cable laying, UXO clearance, survey etc) are to operate in the wider Sunk area when visibility is below nautical 2 miles. The Consultee recommended that National Grid consult the Sunk VTS.	National Grid notes this request and has taken this into account in Proposed Project design and planning, while noting that some operations cannot be halted once they commence. National Grid will aim to avoid RAM activities within the Sunk area when visibility is below 2 NM. This mitigation is captured within **Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation**. National Grid has attended the January 2025 Sunk VTS User Group meeting to provide project update and will continue to engage with these stakeholders.	Under discussion
3.2.7		Proximity to Sunk pilot boarding station	The Consultee is concerned at the proximity of the planned Project routeing to the Sunk pilot boarding station. There is a marked pilot boarding diamond for Sunk pilot station on	National Grid appreciates the importance of the Sunk pilot station to the Consultee’s operations and has worked with the Consultee to refine the planned offshore cable route in order to reduce such	Under discussion

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
			the charts, however vessels board approximately 1-1.5 miles east of that. The Consultee expresses concern at the potential for disruption to such vessels visiting Harwich Haven, noting that the Haven trade gateway is critical to UK PLC and pilotage services cannot be interrupted. Delayed or missed Megamax arrivals would cause significant cost implications to Harwich Haven Authority. The ports industry is highly competitive and dissatisfied shipping lines are highly likely to look for an alternative port, potentially in Europe, if they do not receive the service standards they require. The Consultee states that due to the location of the Sunk Pilot station and the large vessel transiting the Sunk area, the Consultee requires that the cable installation (and associated works) is north of both the Storm Buoy and the W1 buoy, and south of the charted Sunk deepwater anchorage. Moving south of the Storm or W1 buoys would not be considered safely achievable and would add an unacceptable level of navigational risk (not as low as reasonably practicable ALARP). <u>5 August 2024:</u> The Consultee notes the location of the red line development area for the cable route and that this area now passes to the north of both the Storm Buoy and the W1 buoy, and south of the charted Sunk deepwater anchorage. The Consultee reiterates that moving the cable route (and/ or associated development) south of the Storm or W1 buoys would not be considered safely achievable and would add an unacceptable level of navigational risk (not ALARP).	concerns and has moved the planned cable route to the north of the Sunk W1 buoy as requested. National Grid will work with the Consultee to reduce impact to the pilot boarding station. National Grid confirmed that its Offshore Client Representative would be the point of contact with authorities of timings of work in the vicinity of the pilot boarding station.	
3.2.8	**Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.**	Risk of environmental incident	The Consultee says that it must be considered that should a serious incident occur, there may be a significant irreversible environmental harm. As the risk of the worst	National Grid agreed with the Consultee. National Grid is mindful of the risk and will design and plan works accordingly.	Agreed

Ref	Relevant Application Document	Summary of Description of Matter	HHA Current Position	National Grid Current Position	Status
			credible outcome is not precisely calculable in advance, the precautionary principle alongside the ALARP principle must be used when considering navigational risk assessment. The Consultee indicated that its remit as Port Authority includes environmental stewardship.	Regarding the shipping and navigation assessment, the consequence of the worst-case outcome (collision) has been identified as the highest consequence category, and the likelihood of collision has also been considered remote (note that the true likelihood of a major spill would be considerably more remote). This is based largely upon stakeholder hazard identification and consultation process. Calculating the numerical risk of such a Major Environmental Incident for this project scenario is impracticable as it depends on the details and actions of numerous unidentifiable vessels. The process is therefore qualitative, based on the judgement of a number of expert mariners, stakeholders and collision risk specialists. Given the control and monitoring at the TSS, the level of ordered and disciplined vessel movement patterns in general and the safety zones, guard vessel presence and other measures, the risk has been identified as tolerable if ALARP and applying the precautionary principle is not considered necessary. This is clarified in **Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation**	
3.2.9	**Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.**	Coordination with other projects in area	The Consultee states that there are several other DCO projects that are proposed within the vicinity of the Proposed Project and the Haven. The DCO should therefore reflect the need for works to be coordinated by and with the Consultee to ensure that there are no risks to navigational safety, particularly when considered along with other projects. The Consultee is open to discussing the different mechanisms to achieve this.	National Grid agrees that there is a need for coordination between the Project, harbour authorities and other projects. National Grid intends to produce a communication protocol in the form of an Navigation Installation Plan (NIP) to address this need. This will establish the plan for communication throughout key Project phases, in particular the construction phase. This is noted in **Application Document 6.2.4.7 Part 4 Marine Chapter 7 Shipping and Navigation.**	Under discussion

4. Approvals

Signed	

On Behalf of	National Grid
Name	
Position	
Date	

Signed	

On Behalf of	Harwich Haven Authority
Name	
Position	
Date	

5. References

Ministry of Housing, Communities and Local Government. (2024). *Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects*. Retrieved from https://www.gov.uk/guidance/planning-act-2008-examination-stage-for-nationally-significant-infrastructure-projects

Page intentionally blank

National Grid plc
National Grid House,
Warwick Technology Park,
Gallows Hill, Warwick.
CV34 6DA United Kingdom

Registered in England and Wales
No. 4031152
nationalgrid.com