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## Via Norwich to Tilbury DCO Portal

Our ref: CC33/ETJ/UK01-000162-00331

██████████  
Director  
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10 April 2026

Dear Planning Inspectorate

### **Request to participate in further hearing compulsory acquisition hearing in relation to the Norwich to Tilbury Development Consent Order (Application Reference: EN020027) (the "Application") submitted by National Grid Electricity Transmission (the "Applicant")**

Fieldfisher LLP ("**Fieldfisher**") continue to act for the British Pipeline Agency Limited ("**BPA**") as agents for United Kingdom Oil Pipelines Limited ("**UKOP**").

We write further to the representations and submissions made on behalf of BPA / UKOP to date including RR-0413, PDA-011, AS-086, REP1-235 – 238 (inclusive) and the oral submissions made by Fieldfisher on behalf of BPA / UKOP at CAH1.

#### **1. Update**

- 1.1 BPA / UKOP continue not to have objections to the Project in principle. However, BPA / UKOP's position remains that they cannot support the draft Order in its current form until BPA / UKOP's concerns (as set out in the submissions made on behalf of BPA / UKOP to date) have been satisfactorily addressed and appropriate protections have been agreed (either on the face of the Order as protective provisions or by private treaty (albeit that the preference is for agreement by private treaty only)).
- 1.2 BPA / UKOP notes that the Applicant has been engaging proactively with a view to finding solutions to the issues between the parties (including submitting Change Request 1 (CR1-001-017) in order to facilitate the construction and retention of the required mitigation works). As noted in REP1-238, BPA / UKOP are in strong support of Change Request 1 in its currently submitted form.
- 1.3 BPA / UKOP and the Applicant continue to work proactively towards seeking agreement in respect of draft contractual protections that will address our client's need to protect its asset as affected by

the Project. BPA / UKOP are hopeful that a negotiated settlement will be ready and agreed with the Applicant by Deadline 4, to enable BPA / UKOP to withdraw its objection to the Project.

1.4 However, until such time as the Applicant is able to guarantee the installation and long-term retention and upkeep of adequate mitigation and safeguards and these have been formalised contractually (or if necessary by way of protective provisions) there remains a significant risk that damage to the Pipeline will be caused either by damage or due to accelerated corrosion, resulting in unacceptable levels of risk to (inter alia):

- (a) the public and the environment due to the potential of rupture and leakage; and
- (b) the safety and security and resilience of the country's nationally significant fuel infrastructure

1.5 The need to safeguard critical national infrastructure and the risks to the Pipeline are more particularly set out in RR-0413 and REP1-238 and in the UKOPA guidance submitted with PDA-011

## **2. Upcoming hearings**

2.1 Absent a successful Change Request 1 BPA / UKOP's position remains as more particularly set out in its submissions made to date; we do however note and accept that the change application in respect our client's asset has been accepted into the examination by the ExA and that the DCO application will now be examined on that basis.

2.2 As such, BPA / UKOP do not propose to attend the hearings to be held on the week commencing 27 April 2026. This decision is, however, based on the assumption that the parties will be able to reach or be very close to agreeing a suitable negotiated solution regarding protection of the Pipeline by Deadline 4.

2.3 In the event however, that the matters outstanding between the Applicant and BPA/UKOP remain unresolved, we kindly request that the Planning Inspectorate hold a further stand-alone issue specific hearing to address such outstanding concerns held by BPA / UKOP and/or to attend any further hearings that may be applicable.

3. For the avoidance of doubt, while we remain confident that a negotiated settlement can be reached, given the critical nature of the infrastructure in question, BPA / UKOP do need to reserve the right to make further representations during the examination process and (if necessary change) the nature of their objection.

Yours faithfully



**Fieldfisher**