

Relevant Representation of National Grid Electricity Transmission Plc in respect of the Hampshire Water Transfer and Water Recycling Project DCO (the "Project")

Introduction

This relevant representation is submitted on behalf of National Grid Electricity Transmission Plc ("**NGET**") in respect of Southern Water Services Limited ("the **Applicant**") application for the Order to authorise the Hampshire Water Transfer and Water Recycling Project ("the **Project**"), and in particular NGET's existing and proposed infrastructure and land interests which will be located within and in close proximity to the proposed limits of the Order boundaries ("**the Order Limits**").

National Grid will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.

The Project is located at Hampshire, South East England, extending from Havant on the south coast, to Otterbourne near Winchester.

The Project proposes the construction, operation and maintenance of the following components; Water Recycling Plant (WRP) and associated pumping stations, Pipelines between Budds Farm Wastewater Treatment Works and the WRP site, Pipelines between the WRP site and Bedhampton Springs, connecting to pipelines being delivered by Portsmouth Water between Bedhampton Springs and Havant Thicket Reservoir, Pipeline between the WRP site and Otterbourne Water Supply Works and Above Ground Plant comprising Intermediate Pumping Stations and Break Pressure Tanks located along the Pipeline between the WRP site and Otterbourne Water Supply Works.

Further detail is set out below.

NGET Affected Land

The Application documents indicate that the Applicant is seeking the permanent freehold acquisition of land over a number of plots containing NGET assets and rights for its 400 kV overhead line routes (06-095, 20-015, 20-016, 20-017, 20-020).

The Applicant is also seeking temporary and permanent rights over a number of plots containing NGET rights for its existing 400kV overhead line route.

The Applicant is seeking temporary possession in land over plots 13-017, 18-008, 20-010, 20-018, 20-021, 20-022, 20-023, 20-024, 20-025, 20-026, 20-027, 20-028, 21-001, 23-001, 23-012, 23-103, 23-014, 23-015, 23-016, 23-017, 23-018, 23-026, 23-027, 23-028, 23-028, 23-029, 23-030, 23-031, 23-032, 24-006, 24-008, 24-009, 24-010, 24-011, 25-004.

National Grid infrastructure within/in close proximity to the proposed Order Limits

NGET owns or operates the following infrastructure within or in close proximity to the proposed Order Limits for the Project: Associated overhead and underground apparatus including cables.

Overhead Lines:

4YE 400kV OHL – Botley Wood – Lovedean and Fawley – Lovedean

4YC 400kV OHL – Lovedean – Mannington – Nursling and Lovedean - Nursling

Overhead Lines

- 4YE (400kV) overhead line Botley Wood – Lovedean and Fawley – Lovedean

- 4YC (400kV) overhead line – Lovedean – Mannington – Nursling and Lovedean – Nursling

Towers

- 4YC 48-49
- 4YC 49-50
- 4YC 58-59
- 4YC 61-60
- 4YC 62-63
- 4YE 30-31

These overhead lines form an essential part of the electricity transmission network in England and Wales.

NGET's Statutory Duties

As a responsible statutory undertaker and the holder of an electricity transmission licence under the Electricity Act 1989, NGET must meet its statutory obligations and ensure that any development does not adversely affect those statutory obligations. NGET has a statutory duty to protect its position in relation to apparatus, land and rights of access which is within or in close proximity to the draft Order Limits. Additionally, NGET must protect its ability to deliver, operate and maintain its future proposed infrastructure.

NGET will therefore require appropriate protection for retained or proposed infrastructure, including compliance with relevant standards for works proposed within close proximity of its apparatus or proposed apparatus.

NGET'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. Further, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land or NGET's apparatus, NGET will require appropriate protection. Further discussion and agreement with the Applicant is required in relation to the impact on its apparatus and rights.

National Grid is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required.

Protection of NGET Assets

As stated above, NGET requires robust Protective Provisions to be included within the draft Development Consent Order (the "**Order**") for the Project. These provisions must ensure that all NGET assets, both existing and any anticipated future assets, are adequately protected together with necessary access and maintenance rights and that all works comply with relevant safety standards.

Compulsory Acquisition Powers in respect of the Project

As noted above, the Order seeks powers of compulsory acquisition of land, temporary possession of, and compulsorily acquisition of rights and interests over land which NGET has an interest.

NGET must safeguard its ability to deliver its statutory undertaking and licence obligations, it is therefore critical that NGET's consent is a precondition to any such land being occupied, or any such interest or right being acquired. NGET's Protective Provisions, which it requires to be

included in the Order, will include provision for such consent. This protection is critical not only for existing assets but also for land and rights required for NGET's future infrastructure. In the absence of appropriate provisions for the protection of NGET, its ability to deliver its statutory duties will be severely compromised.

Conclusion

NGET is committed to co-operating with the Applicant during the course of the Examination and does not object in principle to the Project. However, NGET's ability to fully support the Project remains subject to the agreement of satisfactory Protective Provisions which are essential to ensure the appropriate protection of NGET's existing and proposed infrastructure, land interests, statutory functions and operational requirements (including access and maintenance rights).

As the holder of an electricity transmission licence under the Electricity Act 1989, NGET is under a legal duty to develop and maintain an efficient, co-ordinated and economical system of electricity transmission. That duty necessarily requires the protection of its operational apparatus, land interests and rights of access. It is therefore essential that the Order includes adequate protections to ensure that NGET is able to continue to discharge its statutory and licence obligations without impediment.

NGET's concerns therefore relate not to the principle of the proposed development, but to the need for the Order to preserve the integrity and operability of its existing infrastructure, protection for retained apparatus, confirmation that existing infrastructure will not be removed or interfered with, and the inclusion of robust protective provisions in the event that any relocation is proposed. In the absence of satisfactory agreement on these matters, NGET's ability to fulfil its statutory functions could be prejudiced.

It is for that reason that NGET objects to the Order unless and until appropriate protections are secured. NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with any NGET projects identified during the Examination process, and as negotiations continue, but in the meantime will continue to liaise with the Project with a view to reaching a satisfactory agreement including on appropriate protective provisions during the Examination process and will keep the Examining Authority updated in relation to these discussions.

NGET is currently engaged with and 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 National Grid assets which will remain in situ, along with associated interests including facilitating ongoing future access to assets and other rights as are necessary to allow National Grid to properly discharge its statutory obligations.