

**From:** [REDACTED]  
**To:** [Immingham OCGT](#)  
**Cc:** [REDACTED]  
**Subject:** VPI Immingham OCGT Project DCO - Cadent Gas Limited - Deadline 6 [CMCK-UK.FID14234943]  
**Date:** 20 December 2019 17:22:05  
**Attachments:** [REDACTED]

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Good afternoon,

Please see the attached.

Merry Christmas.

Kind regards,  
Katy

**Katy Abrahams**  
**Associate**

[REDACTED]  
F +44 20 7367 2000  
[REDACTED]



CMS Cameron McKenna Nabarro Olswang LLP | Cannon Place, 78 Cannon Street | London EC4N 6AF | United Kingdom

[cms.law](http://cms.law)  
[cms-lawnow.com](http://cms-lawnow.com)

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**THE VPI IMMINGHAM OCGT DEVELOPMENT CONSENT ORDER 20[ ] (“THE PROJECT”)  
DEADLINE 6 – 20 DECEMBER 2019  
CADENT GAS LIMITED**

**1. INTRODUCTION**

- 1.1 Cadent Gas Limited (“Cadent”) is a statutory undertaker for the purposes of the Planning Act 2008 and is providing comments on the draft DCO (dDCO) submitted by the Promoter at deadline 5.
- 1.2 Cadent has made a number of submissions to the examination of the Project to date. This document should be read alongside Cadent’s relevant representation in respect of the Project which was made on 24 June 2019, the written representations made on 12 September 2019, and the responses to the Examining Authorities’ further written questions which were submitted on 14 November 2019.
- 1.3 Cadent has withdrawn its objection regarding the inclusion of its operational land at Thornton Curtis PRS because the Promoter has removed plots 111 and 107 from the Land Plans and has relocated the boundary of Plot 109.

**2. BACKGROUND**

- 2.1 Cadent has intermediate pressure and high pressure (major accident hazard) gas pipelines which are affected by the dDCO. The Promoter is seeking to acquire rights over plots 78, 79, 80, 86, 107, 108, 109 and 110.
- 2.2 The Promoter is seeking powers of compulsory acquisition over this land to ensure that it has the necessary rights to operate and maintain the existing pipeline. Schedule 6 of the dDCO provides that over the plots where Cadent has apparatus, the Promoter is seeking the acquisition of the following rights:
- (a) To pass and repass on foot, with or without vehicles, plant and machinery; and
  - (b) To retain, use, maintain, inspect, alter, remove, refurbish, reconstruct, replace, protect and improve an underground gas pipeline, control systems and any other ancillary apparatus and any other works necessary.

**3. PROTECTIVE PROVISIONS**

- 3.1 The dDCO submitted at deadline 5 included at Schedule 9, Part 11, protective provisions for the benefit of Cadent. However, these protective provisions are not adequate from Cadent’s perspective.
- 3.2 As Cadent has outlined in its previous submissions, adequately worded protective provisions are critical to remove the risk of serious detriment to its undertaking. The version submitted by the Promoter at deadline 5 removes much of Cadent’s standard wording. Cadent has clearly explained to the Promoter why such wording is required.
- 3.3 Cadent understands that the Promoter is discussing various points internally before reverting as to whether Cadent’s required wording can be accepted.
- 3.4 Cadent will continue to negotiate with the Promoter regarding the wording of the protective provisions with a view to reaching agreement ahead of close of examination.
- 3.5 Cadent will update the Examining Authority in the new year as to the status of negotiations.