

29 March 2022

**THE INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010
HORNSEA PROJECT FOUR OFFSHORE WIND FARM DEVELOPMENT CONSENT
ORDER**

WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID GAS PLC

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RESPONSE TO THE EXAMINING AUTHORITY'S FIRST WRITTEN QUESTIONS

REF: TWHI/20T0726.145



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WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID GAS PLC

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RESPONSE TO THE EXAMINING AUTHORITY'S FIRST WRITTEN QUESTIONS

1 INTRODUCTION

- 1.1 National Grid Gas Plc ("**NGG**") made a relevant representation in this matter on 16 December 2021 in order to protect its existing apparatus.
- 1.2 NGG does not object in principle to the development proposed by Orsted Hornsea Project Four Limited (the "**Promoter**") and as defined as the "**Authorised Development**" in the draft Development Consent Order (the "**Draft Order**").
- 1.3 NGG does, however, object to:
- (a) the Authorised Development being carried out in close proximity to its apparatus in the area unless and until suitable protective provisions and related agreements have been secured to its satisfaction, to which see further at Paragraph 5; and
 - (b) any compulsory acquisition powers for land or rights or other related powers to acquire land temporarily, override or otherwise interfere with easements or rights or stop up public or private rights of access being invoked which would affect its land interests, rights, apparatus, or right to access and maintain its apparatus. This is unless and until suitable protective provisions and any other necessary and related amendments have been agreed and included in the Draft Order.
- 1.4 NGG owns, manages and operates the national gas transmission infrastructure in Great Britain. NGG has a statutory duty (under Section 9 of the Gas Act 1986) to develop, maintain, and operate economic and efficient networks and to facilitate competition in the supply of gas in Great Britain.

2 NGG ASSETS

- 2.1 NGG owns and operates two High Pressure Gas Transmission Pipelines (Feeder 6 and Feeder 29) and associated apparatus, including above ground installations, ("**Feeder 6 and Feeder 29**") which are located within the current Order Limits.
- 2.2 Feeder 6 and Feeder 29 form an essential part of the gas transmission network in England, Wales and Scotland.
- 2.3 In respect of Feeder 6 and Feeder 29 (and any other NGG infrastructure located within the current Order Limits, or in close proximity to the Authorised Development and associated works), NGG will require protective provisions to be put in place to ensure:
- (a) that all NGG interests and rights, including rights of access to Feeder 6 and Feeder 29, are unaffected by the powers of compulsory acquisition, temporary possession, and the grant and/or extinguishment of rights as set out in the Draft Order; and

- (b) that appropriate protection for Feeder 6 and Feeder 29 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 as set out in Paragraphs 3 and 5.

3 NGG REGULATORY PROTECTION FRAMEWORK

- 3.1 Relevant guidance in respect of standards and protocols for working in the vicinity of high pressure gas pipelines applies in the form of National Grid Guidance for Safe Working in the vicinity of High Pressure Pipelines T/SP/SSW/22 which is aimed at parties carrying out work in the vicinity of high pressure gas pipelines and associated installations and is provided to ensure that those planning and undertaking work take appropriate measures to prevent damage.
- 3.2 The requirements in T/SP/SSW/22 are also in line with the IGE (Institution of Gas Engineers) recommendations in IGE/SE/18 Edition 2 – Safe Working Practices to Ensure the Integrity of Gas Pipelines and Associated Installations and HSE’s guidance document HS (G) 47 Avoiding Danger from Underground Services.
- 3.3 NGG requires specific protective provisions to be put in place to provide for an appropriate level of control and protection for all retained assets (including Feeder 6 and Feeder 29) and assurance that industry standards will be complied with in connection with works to and in the vicinity of the same.

4 PROPERTY ISSUES

- 4.1 NGG asserts that maintaining appropriate property rights to support its assets and protecting these from compulsory acquisition and related powers in the Draft Order is a fundamental safety issue.
- 4.2 Insufficient property rights would have the following safety implications:
 - (a) inability for qualified personnel to access apparatus for its maintenance, repair and inspection;
 - (b) risk of strike to buried assets if development occurs within the easement zone which seeks to protect the such buried assets; and
 - (c) risk of inappropriate development within the vicinity of the assets, thereby increasing the risk of damage to the asset and to the integrity of the gas transmission network.

5 PROTECTIVE PROVISIONS

- 5.1 NGG seeks to protect its statutory undertaking, and insists that in respect of connections and work in close proximity to its apparatus (including Feeder 6 and Feeder 29) as part of the Authorised Development the following procedures are complied with by the Promoter:
 - (a) NGG is in control of the plans, methodology and specification for works within 15 metres of any retained Apparatus;
 - (b) works within the vicinity of NGG’s apparatus are not authorised or commenced unless protective provisions are in place preventing compulsory acquisition of NGG’s land or rights or the overriding or interference of the same. Any acquisition of rights must be subject to NGG’s existing interests and rights and not contradict with or cut across such rights; and

(c) appropriate surety and insurance provisions are in place to back up an uncapped indemnity to protect NGG from any damage, losses or claims arising from the Authorised Development.

5.2 Whilst discussions with the Promoter remain ongoing, the Draft Order does not yet contain agreed protective provisions expressed to be for the protection of NGG to NGG’s satisfaction, making it currently deficient from NGG’s perspective.

5.3 Should it not be possible to reach agreement with the Promoter, NGG reserves the right to attend a Compulsory Acquisition Hearing or Issue Specific Hearing to address the required format of the Protective Provisions and any necessary amendments to the Draft Order.

5.4 If this is necessary NGG reserves the right to provide the Examining Authority with further written information in advance in support of any detailed issues remaining in dispute between the parties at that stage.

6 RESPONSE TO WRITTEN QUESTIONS

6.1 The following table contains NGG’s response to the Examining Authority’s First Written Questions.

6.2 NGG would be pleased to provide the Examining Authority with further clarification in respect of matters set out in the following response:

ExQ1:	Question to:	Question:	NGG Response:
INF 1.8	Northern Gas Networks National Grid Gas PLC	Location of Pipelines: In your Relevant Representation [RR-30 and RR-026] Northern Gas Networks you indicate that the onshore cable route would cross two high pressure bulk supply gas pipelines and three medium pressure gas mains and National Grid Gas PLC you indicate that you have two high power gas transmission lines in close proximity to the Order limits can you both provide a plan showing the location of these pipelines in relation to the proposed Order limits.	Please find enclosed a plan showing the location of two existing High Pressure Gas Transmission Pipelines (Feeder 6 and Feeder 29) relative to the draft Order Limits.

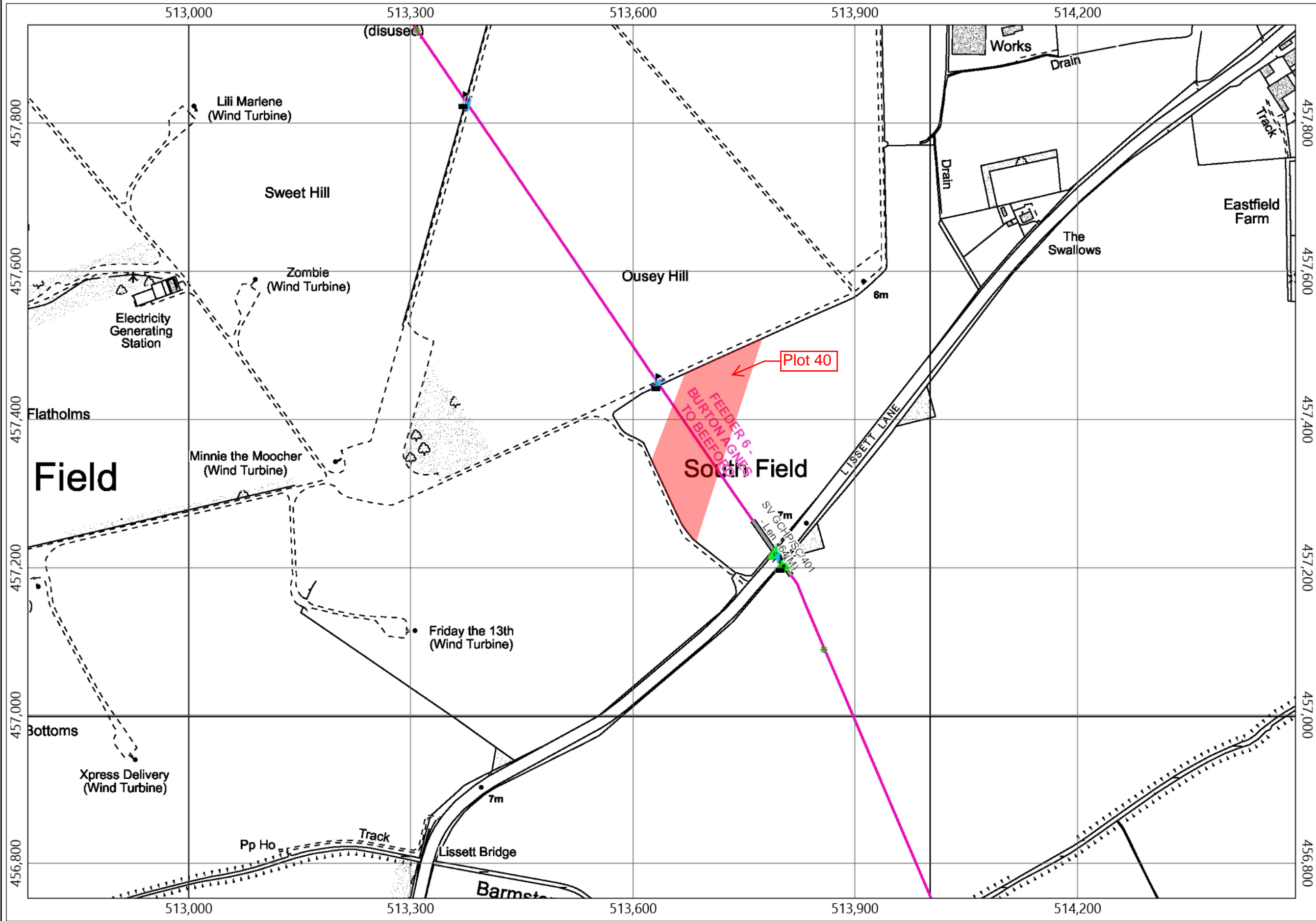
Bryan Cave Leighton Paisner LLP

For and on behalf of National Grid Gas Plc

29 March 2022

Enclosures

Response to ExQ1 – INF 1.8



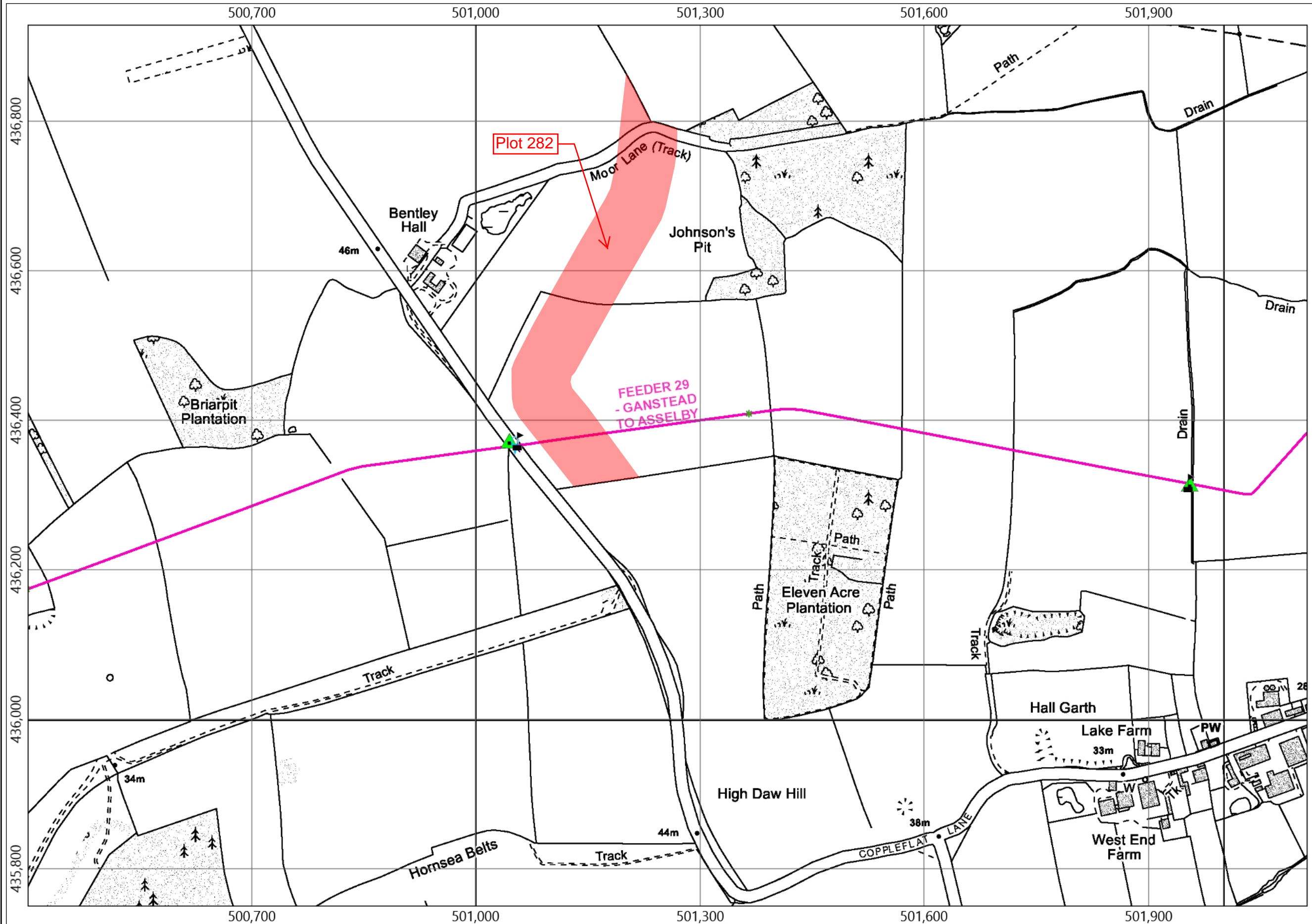
Legend:

- Substations Commissioned
- Circuits
 - Commissioned
 - - - Decommissioned Group
 - - - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Pillar
- Oil Tank
- Link Box
- Gauge
- Joint Bay
- Cable Joint
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
 - Nitrogen Sleeve
 - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Hornsea 4 Plot 40 Feeder 6





Legend:

- Substations Commissioned
- Circuits
 - Commissioned
 - Decommissioned Group
 - Planned and Spares
- OHL 400kV Commissioned
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- Nitrogen Sleeve
- Other Sleeves
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Notes:
Hornsea 4 Plot 282 Feeder 29

