

9 June 2022

**INFRASTRUCTURE PLANNING (EXAMINATIONS PROCEDURE) RULES 2010
THE NET ZERO TEESIDE PROJECT**

**WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID ELECTRICITY
TRANSMISSION PLC**

REF: ADEA/2026502.426



WRITTEN REPRESENTATION ON BEHALF OF NATIONAL GRID ELECTRICITY TRANSMISSION PLC

INTRODUCTION

- 1.1 BCLP made a relevant representation on behalf of National Grid Electricity Transmission Plc ("**NGET**") in this matter on 10th December 2021 in order to protect apparatus owned by NGET.
- 1.2 NGET does not object in principle to the development proposed by NZT Power and NZNS Storage (the "**Promoter**") and as defined as the "**Authorised Development**" in the draft Development Consent Order (the "**Draft Order**").
- 1.3 NGET does however, object to 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.
- 1.4 NGET also objects to 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.
- 1.5 NGET owns the electricity transmission network in England and Wales. NGET has licences to operate the electricity transmission network, and is required to comply with the terms of these licences in the delivery of their statutory responsibilities. NGET is subject to a statutory duty (under section 9 of the Electricity Act 1989) to, inter alia, maintain 'an efficient, co-ordinated and economical' system of electricity transmission.

2 **NGET ASSETS**

- 2.1 NGET has sub stations and high voltage electricity overhead transmission lines within or in close proximity to the proposed Order limits. The details of the electricity assets are as follows:
 - Tod Point 275kV Substation and associated fibre cables
 - Tod Point 66kV Substation
 - Saltholme 275kV Substation (outside the red line but in close proximity so may be some impact on access etc)
 - YYQ (275kV) overhead line Hartlepool - Tod Point, Lackenby - Tod Point
 - ZZA (400kV) overhead line Lackenby - Norton 400kv 1, Lackenby - Tod Point
 - YYJ/N (400kV) overhead line Lackenby - Norton 400kv 1 Norton

as shown on the plans appended. These Assets form an essential part of the electricity transmission network in England and Wales.

- 2.2 In respect of the NGET Assets and OHL's (and any other NGET infrastructure located within the current Order limits, or in close proximity to the Authorised Development

and associated works), NGET will require protective provisions to be put in place to ensure:

- (a) that all NGET interests and rights, including rights of access to pylon bases, 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 the NGET Assets and OHL 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 below.

2.3 Investigations regarding site specific interactions and impacts, including clearance requirements, are ongoing between NGET and the Promoter, and NGET reserves the right to raise further issues as these discussions progress.

3 **NGET REGULATORY PROTECTION FRAMEWORK**

3.1 NGET has issued guidance in respect of standards and protocols for working near to electricity transmission equipment in the form of:

- (a) Third Party Working near National Grid Electricity Transmission equipment - Technical Guidance Note 287. This cross refers to statutory electrical safety clearances which are used as the basis for ENA (TA) 43-8, which must be observed to ensure safe distance is kept between exposed conductors and those working in the vicinity of electrical assets; and
- (b) Energy Network Associations Development near Overhead Lines ENA (TS) 43-8, which sets out the derivation and applicability of safe clearance distances in various circumstances including crossings of overhead lines and working in close proximity.
- (c) Additionally, HSE's guidance note 6 "Avoiding Danger from Overhead Power Lines" summarises advice to minimise risk to life/personal injury and provide guidance to those planning and engaging in construction activity in close proximity to overhead lines.

3.2 NGET requires specific protective provisions in place to provide for an appropriate level of control and assurance that industry standards will be complied with in connection with works to and in the vicinity of its electricity assets (including the OHL).

4 **PROPERTY ISSUES**

4.1 NGET 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 or cable/overhead lines if development occurs within the easement zone which seeks to protect such apparatus; 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 electricity transmission network.

5 **PROTECTIVE PROVISIONS**

5.1 NGET seeks to protect its statutory undertakings, and insists that in respect of connections and work in close proximity to its apparatus as part of the Authorised Development the following procedures are complied with by the Promoter:

- (a) NGET as relevant is in control of the plans, methodology and specification for works within specified distances of any retained Apparatus;
- (b) works within the vicinity of NGET's apparatus are not authorised or commenced unless protective provisions are in place preventing compulsory acquisition of NGET's land or rights or the overriding or interference of the same. Any acquisition of rights must be subject to NGET's existing interests and rights and not contradict or cut across such rights; and
- (c) appropriate surety and insurance provisions are in place to back up an uncapped indemnity to protect NGET from any damage, losses or claims arising from the Authorised Development.

5.2 Despite preliminary discussions with the Promoter relating to the same, the Draft Order does not yet contain fully agreed protective provisions to NGET's satisfaction, making it currently deficient from NGET's perspective.

5.3 Should it not be possible to reach agreement with the Promoter, in relation to protective provisions and related contractual obligations between the parties NGET 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.

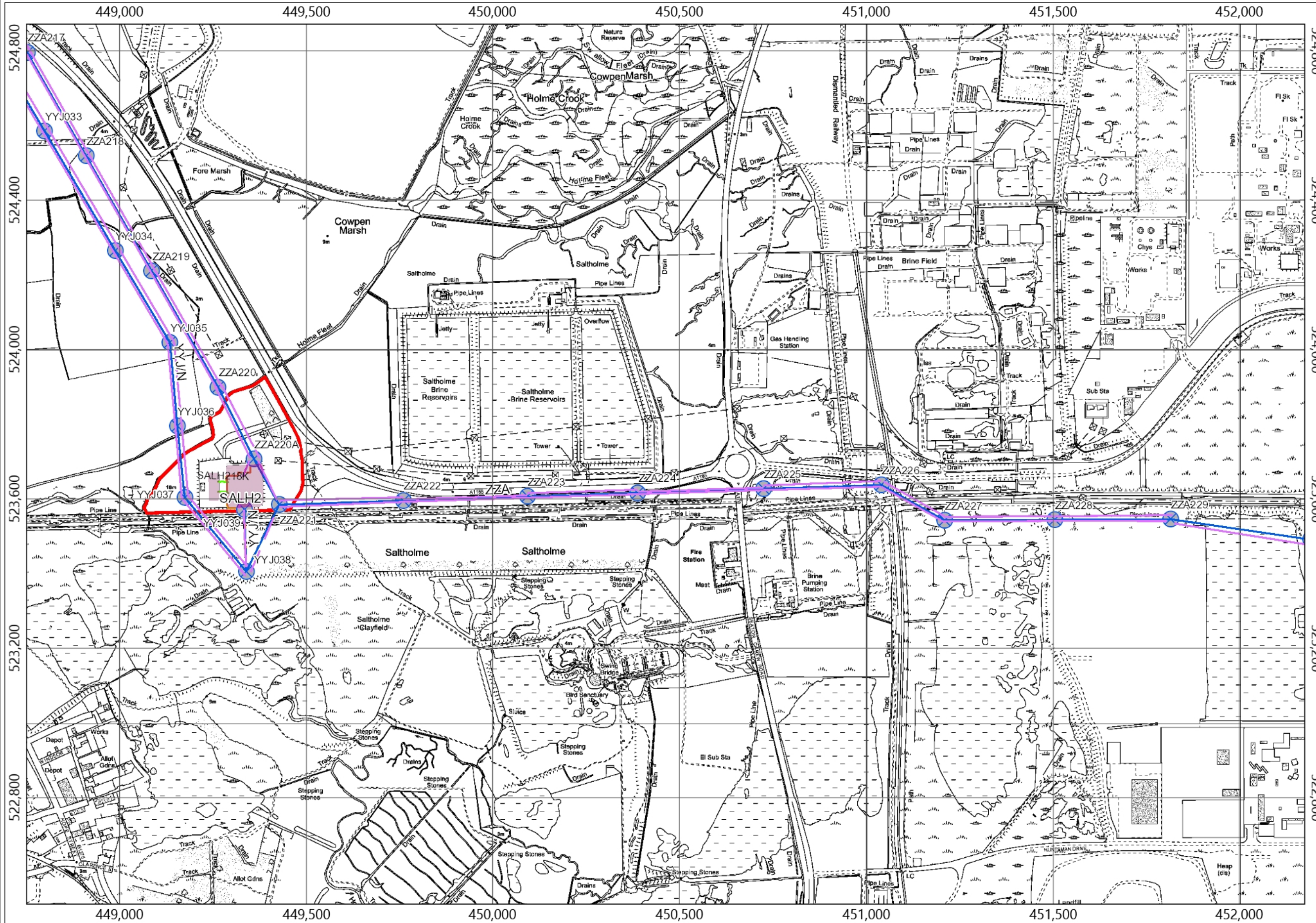
5.4 If this is necessary, NGET reserves the right to provide the Examining Authority with further written information in advance in support of any detailed issues remaining in dispute between the parties at that stage.

Bryan Cave Leighton Paisner LLP

For and on behalf of National Grid Electricity Transmission Plc

9 June 2022

Appendix



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
- Electric Land Ownership - Freehold
- Electric Land Ownership - Leasehold
- Cable Tunnel

Notes:
Net Zero Teesside NGET Asset Plan 1

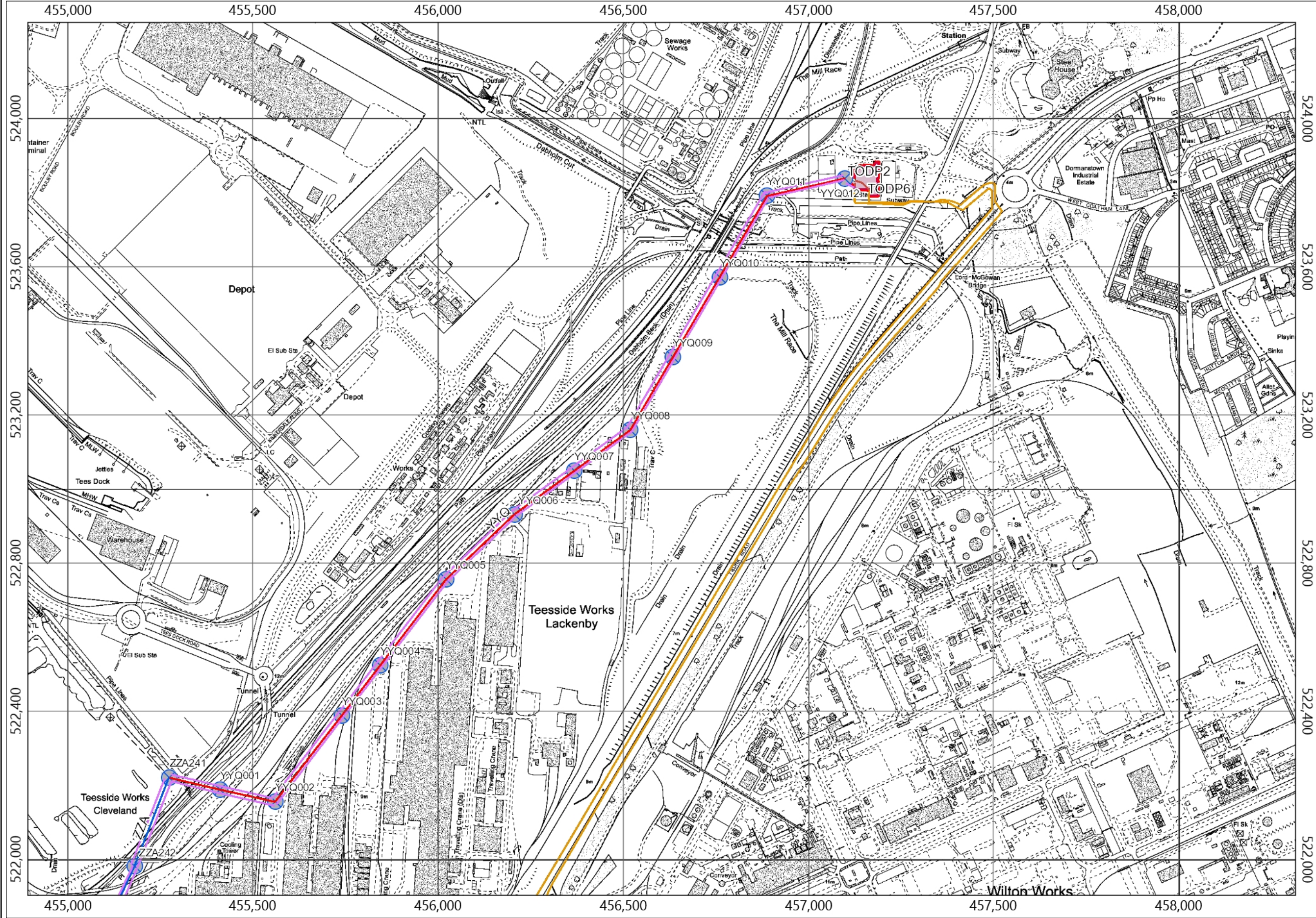
0 0.25 0.5 Kilometers

OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid UK Ltd -0100059731

Date: 07/06/2022 Page size: A3 Landscape Scale: 1: 10,000
Time: 14:28:26 Print by: Holdsworth, Anne



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.
Note: Any sketches on the map are approximate and not captured to any particular level of precision.



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
- Electric Land Ownership - Freehold
- Electric Land Ownership - Leasehold
- Cable Tunnel

Notes:
Net Zero Teesside NGET Asset Plan 2

0 0.25 0.5 Kilometers

OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid UK Ltd -0100059731

Date: 07/06/2022 Page size: A3 Landscape Scale: 1: 10,000
Time: 14:29:55 Print by: Holdsworth, Anne



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.
Note: Any sketches on the map are approximate and not captured to any particular level of precision.