

Relevant Representation of NGET (National Grid Electricity Transmission Plc) in respect of the Five Estuaries Offshore Windfarm DCO (the “Project”)

This relevant representation is submitted on behalf of National Grid Electricity Transmission Plc (“NGET”) in respect of the Project, and in particular NGET’s proposed infrastructure and land interests which will be located within and in close proximity to the proposed Order Limits.

At the moment NGET do not have any existing apparatus within or in close proximity to the proposed Order Limits for the Project. However NGET requests that all future assets are given due consideration given their criticality to distribution of energy across the UK. There are two future NGET projects which interact with the Project to a greater or lesser degree.

Norwich to Tilbury

The Norwich to Tilbury project comprises the construction of around 159km new overhead line and around 25km of underground cabling over a total route of 184km between the existing National Grid Norwich Main Sub-Station and Bramford substations in the North East Anglia (NEA) region, continuing from Bramford down to Tilbury substation in the South East Anglia (SEA) region, via a New East Anglia Connection Node Substation located in the Tendring District, east of Ardeigh. The East Anglia Connection Node (EACN) Substation will be the point of operational interface where the connection between the Project and the National Grid Electricity Transmission System will be established.

National Grid has commenced their Section 42 Statutory Consultation and intends to submit an application to the Planning Inspectorate on behalf of the Secretary of State, for a Development Consent Order for the Norwich to Tilbury project in mid 2025.

Sea link

Sea Link involves the installation of a new 2 gigawatt (GW) high voltage direct current (HVDC) cable link between Suffolk and Kent, approximately 145 kilometres (km) long and predominantly offshore. Currently the Project has an offshore interaction in the form of cable crossing with the Sea Link project. National Grid intends to submit an Application to the Planning Inspectorate on behalf of the Secretary of State for a Development Consent Order for the Sea Link project in quarter 1 2025.

NGET’s proposals are part of The Great Grid Upgrade – the largest overhaul of the grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. NGET’s infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about NGET’s current projects please refer to NGET’s network and infrastructure webpage. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects>. NGET needs to ensure adequate protection for their future projects both in terms of protection for future assets and future land and rights for the delivery of these project.

Co-operation with Norwich to Tilbury Project

In line with good practice and the new policy considerations in the updated Energy NPS’, particularly EN-5, which requires that “2.14.2 the construction planning for the proposals has been co-ordinated with that for other similar projects in the area on a similar timeline;”, the parties will continue to co-operate on co-ordination. NGET, Five Estuaries and the North Falls Offshore Wind Farm project have been co-operating since the announcement of the grid connection points in 2022 with the objectives of minimising cumulative impacts particularly in relation to Traffic and Transport (including construction traffic and site access), Landscape and

Visual and Operational Noise. Further information is provided in the Tripartite Position Statement Document included within the Coordination Document (Application Document 9.30).

Protection of NGET Assets

As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits or proposed to be so located in future.

As noted, NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits (or which will be so located) should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.

NGET will therefore require protective provisions to be included within the draft Development Consent Order (the "**Order**") for the Project to ensure that assets existing at the time of construction of the Project are adequately protected and to ensure compliance with relevant safety standards.

NGET is liaising with the Applicant in relation to such standard protective provisions, along with any supplementary agreements including crossing agreements in respect of the Sea Link Project which may be required. Accordingly NGET have not appended the version of the Protective Provisions which they require to be included in the Order to the relevant representation. However NGET will submit these at Written Representation Stage, if not agreed between the parties by that point with an explanation of any outstanding issues.

In addition given the interaction with the Project, NGET and the Promoter (along with the promoters of the North Falls Offshore Windfarm Project) are co-operating with each other to work up a Co-operation Agreement between the parties to govern the interactions between the parties in respect of the three interacting projects in particularly in terms of issues such as Traffic and Transport Interactions and Site Access, Landscape and Visual Interactions and operational noise, drainage as well as other construction related interfaces. NGET will also require bespoke Protective Provisions to govern the relationship between the parties in connection with the use of their overlapping Compulsory Acquisition powers to ensure that all three parties can deliver their Projects and the connection to the new NGET EACN. These are being worked up between the parties and again NGET will submit their preferred wording for these bespoke Protective Provisions at the Written Representation Stage, if they are not agreed with the parties by that point with an explanation of any outstanding issues.

Compulsory Acquisition Powers in respect of the Project

As noted, where the Applicant intends to acquire land or rights, or interfere with any of NGET's existing interests in land, NGET will require further discussion with the Applicant and requires protective provisions requiring NGET's consent to any compulsory acquisition of any rights affecting NGET's interests existing at the time. The Project will include the ability to compulsorily acquire rights over the land within which the EACN will be constructed to allow the projects to get their cables to the connection points which will be specified by NGET following detailed design. As those connection points are not yet known, the rights are sought over the whole area to allow flexibility to route the cables as required to meet the then current standards. A commercial connection agreement will also manage the connection works between the parties within the proposed substation footprint. The Project have agreed to enter into reciprocal protective provisions to secure the delivery of both projects. These provisions provide each undertaker sufficient protection from overlapping development consent and compulsory acquisition powers, providing sufficient assurance to each Examining Authority and the Secretary of State that each DCO can be granted as sought. The detail of these protections now needs to be worked up and agreed between the parties.

NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with it's Norwich to Tilbury and Sealink Projects as negotiations continue but in the meantime will continue to liaise with the Applicant with a view to reaching a satisfactory agreement during the DCO Examination and will keep the Examining Authority updated in relation to these discussions.