

During Issue Specific Hearing 3 the Ex(A) asked if Boston Borough Council were happy with articles 32 and 45 and the exclusion of work packages 6b and 6c from requirements 16 and 18.

Work package 6B is:— *an extension to the existing substation, including—*

- (a) outdoor AIS or indoor GIS, including circuit breakers, disconnectors and earth switches;*
- (b) substation electrical apparatus, including bus-bars, bus-section and a bus-coupler, steel supports, insulation posts, cable sealing ends, surge arrestors, instrument transformers; and*
- (c) underground and above ground electrical cables and electrical conductors, including cables for power, control and communication with electrical bays and to connect into Work No. 6A and the existing network within the existing substation, including associated outdoor AIS or indoor GIS and electrical apparatus.*

Work package 6C is:— *works in connection with the extension to the existing substation, including—*

- (a) a cable sealing end compound and construction of a new circuit bay connecting into the existing substation; and*
- (b) underground and above ground electrical cables and electrical conductors, connecting the existing 400kV transmission tower and the new feeder bay.*

Art 32 says: *Subject to article 33 (consent to transfer the benefit of the Order), the provisions of this Order have effect solely for the benefit of the undertaker save for Work No. 6B, Work No. 6C, and Work No. 7 in relation to which the provisions of this Order have effect for the benefit of the undertaker and NGET.*

The Borough Councils response:

In relation to work packages 6b and 6c art 32 shares the powers provided by the DCO between Ecotricity and National Grid Electricity Transmission. Our understanding of this is that either company could undertake 6b or 6c work. The Borough Council is happy with this.

Art 45 says:

(1) If NGET elects to undertake any elements of the works described in Work No. 6B or 6C pursuant to planning permission granted under Part 3 of the 1990 Act or Article 3 of the 2015 Order then the requirements contained in Schedule 2 will not have effect in so far as they relate to those works and NGET will serve written notice of the same on the relevant planning authority.

(2) As from the date on which Work No. 6A, 6B, or 6C is commenced any conditions of the NGET 2005 Permission that relate to the land at plot 99G and 99H cease to have effect to the extent they are inconsistent with the authorised development or with anything done or approved under the requirements in Schedule 2 (requirements).

The Borough Councils response:

The Borough Councils understanding of the first part of art 45 is that it provides NGET the option of either seeking planning permission for the works contained in 6b or 6c or constructing those works using permitted development powers contained in The Town and Country Planning (General Permitted Development) (England) Order 2015. The Borough Council is happy with this.

The Borough Councils understanding of the second part of art 45 is that the planning permission for the substation, B/05/0046, would cease to have effect on the two referenced parcels that lie to the

south of the substation compound. The planning permission would still be in force on the rest of the site to which it relates. The reason for this is to clarify which consent has precedence where inconsistency between the two permissions arise. The Borough Council is happy with this.

Req 16 says:

16.—(1) No part of Works No. 1, 2, 3, 4, 5, 5A and 5B may commence until a supply chain, employment, and skills plan (which must be substantially in accordance with the outline supply chain, employment, and skills plan) has been submitted to and approved by both relevant planning authorities, such approval to be in consultation with the county authority.

(2) The supply chain, employment, and skills plan must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with the construction, operation and maintenance of the authorised development (excluding Work No. 6B and 6C), and the means for publicising such opportunities.

(3) The supply chain, employment, and skills plan must be implemented as approved.

The Borough Councils response:

Requirement 16 relates to the skills plan. The developments contained in 6b and 6c are specialist and unlikely to be skills that are locally available and so the Borough Council are content these work packages are not in the supply chain, employment and skills considered under requirement 16.

Req 18 says:

18.—(1) No later than 12 months prior to the date the undertaker intends to decommission any part of the authorised development, the undertaker must notify the relevant planning authority and county authority of the intended date of decommissioning.

(2) Within 12 months of the date notified pursuant to paragraph (1) but no later than 6 months prior to the 40 year period referred to in paragraph (3), the undertaker must submit to the relevant planning authority for that part (or both relevant planning authorities where that part falls within the administrative areas of both the District of North Kesteven and the Borough of Boston) for approval a decommissioning and restoration plan for that part, such approval to be in consultation with the county authority and the Environment Agency.

(3) Save for Work No. 6B, 6C and Work No. 9C, decommissioning must commence no later than 40 years following the date of final commissioning that is the subject of the last notice given by the undertaker pursuant to requirement 3(5) (phasing of the authorised development and date of final commissioning).

(4) The plan submitted and approved pursuant to paragraph (2) must be substantially in accordance with the relevant part of the outline decommissioning and restoration plan.

(5) No decommissioning works must be carried out until the relevant planning authority or both relevant planning authorities (as applicable) has or have approved the plan submitted under paragraph (2) in relation to such works.

(6) The plan submitted and approved pursuant to paragraph (2) must be implemented as approved.

(7) This requirement is without prejudice to any other consents or permissions which may be required to decommission any part of the authorised development.

The Borough Councils response:

Requirement 18 relates to decommissioning and in (3) excludes 6b and 6c from the decommissioning process. The works are part of the substation that is in the ownership of NGET. This therefore, is a reasonable stance to take as it is up to NGET to decide if it should be removed or reused. The Borough Council is happy with this.