

COTTAM SOLAR PROJECT

DEADLINE 4 – 30 JANUARY 2024

RESPONSE TO EXA SECOND WRITTEN QUESTIONS

NATIONAL GRID ELECTRICITY TRANSMISSION PLC

1. National Grid Electricity Transmission plc (“NGET”) is a statutory undertaker for the purposes of the Planning Act 2008.
2. NGET has assets which have been identified as being within, or within close proximity to, the proposed Order limits as particularised in NGET’s Deadline 1 Submissions dated 12 October 2023.
3. Question 2.1.16 asks all parties with protective provisions for their benefit to “*provide an update on discussions re the protective provisions, identifying any outstanding areas of disagreement / proposed alternative wording*”.
4. NGET’s response to question 2.1.16 is set out below:
 - a. As noted in NGET’s Deadline 1 Submissions, NGET will require protective provisions to be included within the DCO to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards. An associated side agreement may also be required.
 - b. NGET sent its proposed form of protective provisions to the Applicant on 20 March 2023 together with a draft side agreement. To date, NGET are yet to receive any substantive comments on the draft protective provisions or the side agreement despite several requests for said comments.
 - c. We note that a form of protective provisions for the benefit of NGET has been included in the draft DCO at Part 3 of Schedule 16; however, these differ from NGET’s preferred protective provisions.
 - d. NGET had originally understood the delay in engagement to be as a result of the planned change request application which the Promoter wished to advance ahead of discussions; however, a response has not been forthcoming since the change request was accepted.
 - e. NGET is concerned by the lack of engagement from the Applicant and is keen to further progress the protective provisions and side agreement to ensure that adequate protection is provided for its assets and interests.
 - f. In the event of further non-engagement from the Applicant, NGET will submit its preferred form of protective provisions to the Examining Authority for consideration.



CMS CAMERON MCKENNA NABARRO OLSWANG LLP

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