

**THE EAST YORKSHIRE SOLAR FARM DEVELOPMENT CONSENT ORDER (THE
ORDER)
DEADLINE 8 – 14 NOVEMBER 2024
NATIONAL GAS TRANSMISSION PLC
NGT RESPONSE TO APPLICANT’S SUBMISSIONS AT DEADLINE 7**

1. We write on behalf of National Gas Transmission plc (NGT) in response to the Applicant’s Deadline 7 submission, specifically addressing the Applicant’s response to ExQ3.1.1 and its understanding of the discussions on NGT’s Protective Provisions (PPs).
2. The Applicant’s submission suggests that the outstanding drafting points have been agreed upon between the parties. The Applicant’s response to ExQ3.1.1 stated:

“The two outstanding drafting points which were subject to discussion between the parties were:

- 1) Addition of ‘intrusive’ before ‘monitoring’ in the definition of commence in paragraph 118 of Part 9 of Schedule 14; and*
- 2) Addition of ‘referred to in sub-paragraph (7)’ after ‘authorised works’ in sub-paragraph 127(7)(a) and (b) of Part 9 of Schedule 14.*

The first drafting point was considered necessary by the Applicant to ensure that the protections offered by the provisions are triggered by intrusive monitoring i.e. monitoring which may affect NGT assets, as otherwise there is no interaction between the projects.

The second drafting point is a simple cross-referencing addition which was considered necessary by the Applicant to ensure that the provision of insurance and security remains linked to the purpose and intention of the wording in the main body of sub-paragraph (7) i.e. works in the vicinity of NGT assets.

The Applicant notified NGT that it had included this wording within the draft DCO at Deadline 6 and received an acknowledgement of the same. As such, the Applicant considers the wording to be agreed between the parties.”

3. NGT wishes to clarify that: (1) the wording noted above is not agreed; and (2) the Applicant appears to have confused the acknowledgement of an email out of courtesy as acceptance of a substantive position. NGT’s position remains as set out in the submission at Deadline 7.
4. NGT respectfully requests that the Examining Authority considers NGT’s position in this submission and NGT’s Deadline 7 submission on the outstanding drafting points and includes NGT’s preferred PPs in the Order.

**CMS Cameron McKenna Nabarro Olswang LLP
14 November 2024**