

BT-NG-020621-545-0201

# Bramford to Twinstead Reinforcement

Volume 8: Examination Submissions

Document 8.3.2.1: Applicant's Written Summary of Oral Submissions to Preliminary Meeting

Final Issue A  
September 2023

Planning Inspectorate Reference: EN020002

The Infrastructure Planning (Examination Procedure) Rules 2010  
Rule 8(1)(k)

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# 1. About This Document

## 1.1 Introduction

- 1.1.1 This document summarises the case put by National Grid Electricity Transmission plc (the Applicant), at the Preliminary Meeting on 12 September 2023 for the Bramford to Twinstead Reinforcement project (referred to as the project).
- 1.1.2 The Preliminary Meeting opened at 10am and closed at 1:15pm. The Rule 6 letter containing the agenda (at Annex A) for the meeting was published on the Planning Inspectorate’s website on 7 August 2023 [**PD-002**].
- 1.1.3 The Applicant submitted its Response to the Rule 6 Letter dated 7 August 2023 at Procedural Deadline A [**PDA-003**].
- 1.1.4 In what follows, the Applicant’s submissions on the points raised broadly follow the items set out in the Examining Authority’s (ExA) agenda.

## 1.2 Attendees on behalf of the Applicant

- 1.2.1 Michael Humphries KC, Counsel instructed by Bryan Cave Leighton Paisner LLP (BCLP), appeared on behalf of National Grid, the Applicant.
- 1.2.2 The following representatives were also present:
- John Bevan, National Grid
  - James Parker, BCLP
  - James Greenhalgh, National Grid
  - Jagdeep Parmar, National Grid

## 2. Applicant's Summary of Case on Item 2: The ExA's Remarks about the Examination Process (Annex B to the Rule 6 Letter)

### 2.1 Item 2 (The ExA's Remarks about the Examination Process)

Table 2.1 – Item 2 (The ExA's Remarks about the Examination Process)

Issue Discussed	Summary of Oral Case
The Applicant made no oral submissions in relation to Item 2.	

# 3. Applicant's Summary of Case on Item 3: Initial Assessment of Principal Issues (Annex C to the Rule 6 Letter)

## 3.1 Item 3 (Initial Assessment of Principal Issues)

Table 3.1 – Item 3 (Initial Assessment of Principal Issues)

Issue Discussed	Summary of Oral Case
<b>i. Other Procedural Deadline A Submissions</b>	
At PDA, Braintree District Council and Essex County Council raised three additional matters to be considered.	The Applicant noted that it understood the additional points raised to be ones that the ExA would already have under consideration and confirmed that it had no further comment at this stage.
At PDA, Suffolk County Council proposed giving explicit recognition to the impact on the AONB in item 10 of Annex C to the Rule 6 Letter [PD-002].	The Applicant noted that it understood the issue raised to be implicit in item 10 of Annex C to the Rule 6 Letter [PD-002] and as such be one that the ExA would already have under consideration and confirmed that it had no further comment at this stage.

# 4. Applicant's Summary of Case on Item 4: Draft Examination Timetable (Annex D to the Rule 6 Letter)

## 4.1 Item 4 (Draft Examination Timetable)

Table 4.1 – Item 4 (Draft Examination Timetable)

Issue Discussed	Summary of Oral Case
<b>i. Timing of Written Questions (and Responses)</b>	
<p>The possibility of extending the time permitted to respond to both First Written Questions and Second Written Questions.</p>	<p>The Applicant highlighted that both response periods are markedly shorter than those permitted in the context of other comparable ongoing Examinations:</p> <ul style="list-style-type: none"><li>• First Written Questions – for the most recent seven, a range of 21 to 35 days to respond, with an average of 26 days. 14 days are allowed in the draft examination timetable; and</li><li>• Second Written Questions – for the most recent seven, a range of 21 to 28 days to respond, with an average of 23 days. 24 days are allowed in the draft examination timetable, although this includes three public holidays over the Christmas period, when the capacity of all parties to respond effectively is likely to be further constrained.</li></ul> <p>The Applicant noted the importance of having sufficient time to prepare responses, without putting undue pressure on those to provide them, to ensure the parties can most helpfully respond to the written questions. The Applicant requested extensions in line with that previously set out in its Response to the Rule 6 Letter dated 7 August 2023 [PDA-003].</p>
<b>ii. Local Impact Reports</b>	
<p>The deadline for submitting comments on the Local Impact Reports and the Written Representations.</p>	<p>The Applicant noted that its comments on the Local Impact Reports are currently due at Deadline 2, while its comments on the Written Representations (due to be submitted at Deadline 2) are due at Deadline 3. Given the close alignment of the Local Impact Reports and the Written Reports and the Written Representations, the Applicant proposed that comments on both the Local Impact Reports and the Written Representations be due at Deadline 3.</p>
<b>iii. Protective Provisions</b>	
<p>The deadline for final agreed Protective Provisions.</p>	<p>The Applicant noted that final agreed Protective Provisions are currently due at Deadline 5. Although the Applicant will endeavour to work towards this deadline, a situation could arise whereby further changes are required after Deadline 5 in order to take full account of any concurrent commercial negotiations with affected statutory undertakers.</p>
<b>iv. Schedule of Changes to the draft Development Consent Order (DCO)</b>	
<p>A further opportunity for the ExA to provide feedback on the draft DCO between Deadline 8 and Deadline 9.</p>	<p>The Applicant noted that its response to the ExA's commentary on, or schedule of changes to, the draft DCO is currently due at Deadline 8. If following Deadline 8 the ExA had further comments pursuant to that set out in the Applicant's response at that deadline, any further feedback from the ExA would be appreciated by the Applicant,</p>

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whether tied to a formal deadline or not, to allow any additional drafting amendments to be addressed before submitting the final draft DCO at Deadline 9.

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#### **v. Publication of Documents**

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Bilateral exchange of submitted documents and/or written questions between the Applicant and the local authorities. The Applicant recognised that the ExA will publish the submissions from each deadline between certain deadlines, welcomed an indication from the ExA regarding the possibility of the Applicant and the local authorities bilaterally sharing documents in the time between submission and publication on the Examination Library.

Following questions from the ExA, the Applicant confirmed that version control would be maintained.

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#### **vi. Matters raised by Shepherd and Wedderburn LLP on behalf of East Anglia Three (EA3) and Scottish Power Renewables (SPR)**

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Progress of ongoing discussions between the Applicant and EA3 / SPR and the impact on the CA hearings. The Applicant confirmed that it was working with East Anglia Three and Scottish Power Renewables to resolve their concerns.

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# 5. Applicant's Summary of Case on Item 5: Hearings and Accompanied Site Inspections (Annex E of the Rule 6 Letter)

## 5.1 Item 5 (Hearings and Accompanied Site Inspections)

Table 5.1 – Item 5 (Hearings and Accompanied Site Inspections)

Issue Discussed	Summary of Oral Case
<b>i. Hearing Agendas</b>	
How many days before each hearing the agenda will be issued.	The Applicant noted that it would welcome the issue of the agenda at least 10 working days in advance of each hearing to allow all parties sufficient time to prepare.
<b>ii. Hearing Logistics</b>	
Provisionally scheduling further ISHs in early February to address the draft DCO.	Due to the issues around hearing logistics, the Applicant agreed in principle with Suffolk County Council's proposal to provisionally schedule dates for further ISHs in early February 2024 in case they are needed to address the draft DCO. The Applicant's comment on this was driven by the potential difficulties with finding dates and venues for hearings at short notice.
Arrangements for those hearings to be held the w/c 11 December 2023.	The Applicant noted that for those hearings scheduled the w/c 11 December 2023, suitable venues are likely to be in high demand given the proximity to the Christmas and New Year period. The Applicant requested early clarification from the ExA as to the most likely administrative requirements for those hearings so that appropriate arrangements can be put in place by the Applicant on a pre-emptive basis at the earliest opportunity.
<b>iii. Draft Itinerary for Accompanied Site Inspections</b>	
Draft itinerary for ASIs.	The Applicant noted the Procedural Deadline A submissions with suggested locations and confirmed that a draft itinerary will be submitted at Deadline 1.

# 6. Applicant's Summary of Case on Item 6: Procedural Decisions (Annex F of the Rule 6 Letter)

## 6.1 Item 6 (Procedural Decisions)

Table 6.1 – Item 6 (Procedural Decisions)

Issue Discussed	Summary of Oral Case
The Applicant made no oral submissions in relation to Item 6.	

# 7. Applicant's Summary of Case on Item 7: Any Other Matters

## 7.1 Item 7 (Any Other Matters)

Table 7.1 – Item 7 (Any Other Matters)

Issue Discussed	Summary of Oral Case
<b>i. The Rule 9 Letter [PD-001] and the Applicant's Response [AS-005]</b>	
The environmental surveys undertaken in relation to the temporary access route.	<p>The Applicant noted its clear view that the EIA (and in turn the ES) meets the legal requirements, and the Applicant agreed to produce a legal note on this topic.</p> <p>The Applicant additionally noted the role not only of the ES, but also further information and other information.</p> <p>Post hearing note. The Applicant's response to the queries raised by the ExA regarding the environmental surveys undertaken in relation to the temporary access route is set out in:</p> <ol style="list-style-type: none"><li>1. Applicant's Response to Questions Raised at the Preliminary Meeting on 12 September 2023 Regarding the Temporary Access Route off the A131 (<b>Document 8.2.2</b>), submitted to the ExA on 15 September 2023; and</li><li>2. Applicant's Legal Note on EIA Points Raised at Preliminary Hearing (<b>Document 8.3.10</b>), submitted to the ExA at Deadline 1.</li></ol>

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