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Submitted by email only: [REDACTED]@planninginspectorate.gov.uk

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Dear Mr Wheadon,

Planning Act 2008 (as amended)

Application by National Grid Electricity Transmission Plc (National Grid) for an Order granting Development Consent for the Bramford to Twinstead Reinforcement

Applicant's Response to Request for Information dated 17 July 2024

1. This letter constitutes National Grid's (the Applicant) response to the Request for Information, issued on behalf of the Secretary of State for Energy Security and Net Zero, on 17 July 2024 (the Request for Information).

Commercial Side Agreements

2. Paragraph 3 of the Request for Information requires the Applicant to provide further information regarding the status of the negotiations for commercial side agreements with TC East Anglia One OFTO Limited, East Anglia THREE Limited and Scottish Power Renewables UK Limited.
3. The following paragraphs of this letter set out the status of engagement with each of those parties and should be read in the context of matters previously set out at Deadline 10 in the Applicant's Protective Provisions and Commercial Side Agreements Tracking List [REP10-012].

TC East Anglia One OFTO Limited

4. The Applicant has agreed the terms of the Interface Agreement which is to be entered into with TC East Anglia One OFTO Limited.
5. The Applicant anticipates execution and completion of the Interface Agreement very shortly.
6. The Applicant intends to provide the Secretary of State with confirmation of the completion of the Interface Agreement by way of separate post-Examination correspondence, noting in any event the position as set out in Table 1.1 of the Application under Section 138 Planning Act 2008 – Statutory Undertakers' & Electronic Communications Code Operators' Rights and Apparatus [REP9-066], including that TC East Anglia One OFTO Limited will continue to benefit from protective provisions included within Part 1 of Schedule 14 to the draft Development Consent Order [REP9-006].

East Anglia THREE Limited & Scottish Power Renewables UK Limited

7. The Interface Agreement between (1) the Applicant, (2) East Anglia THREE Limited and (3) Scottish Power Renewables UK Limited is now complete.

8. Solicitors acting on behalf of East Anglia THREE Limited and Scottish Power Renewables UK Limited wrote to the Secretary of State on 5 August 2024 in order to confirm the withdrawal of East Anglia THREE Limited's and Scottish Power Renewables UK Limited's existing Relevant Representation [RR-029] and Written Representation [REP2-022].

Protective Provisions (Network Rail Infrastructure Limited)

9. Paragraph 4 of the Request for Information requires the Applicant to provide further information on whether protective provisions have been agreed with Network Rail Infrastructure Limited (NRIL) since the end of the Examination and, if so, to provide a copy of those protective provisions marked up with changes from the previously submitted draft Development Consent Order.
10. Discussions are ongoing between the Applicant and NRIL, and progress has been made in reaching an agreed position on commercial matters. Unfortunately, both parties remain in disagreement regarding the 'lift and shift' provisions required by NRIL to be included in the proposed voluntary land agreements relating to the project. The background to the disagreement on this matter is as set out in the Applicant's Application under Section 127 Planning Act 2008 – Network Rail Infrastructure Limited [REP8-037]. The parties are committed to working together collaboratively in order to try to reach an agreed position on this matter.
11. Notwithstanding, and without prejudice to, those continuing discussions, the Applicant's position in respect of the protective provisions included for the benefit of NRIL in Part 4 of Schedule 14 to the draft Development Consent Order [REP9-006] remains as set out in the Final Position on Protective Provisions to benefit Network Rail Infrastructure Limited submitted at Deadline 10 of the Examination [REP10-016].
12. The Applicant is also cognisant of the form of protective provisions recently included by the Secretary of State for the benefit of NRIL in Part 4 of Schedule 15 to The National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024 (S.I. 2024/393), noting in particular the close parallels between Paragraphs 29(1) and 29(2) of those protective provisions and Paragraphs 30(1) and 30(6) of the protective provisions included by the Applicant in the draft Development Consent Order [REP9-006]. As is made clear in Table 2.1 of [REP10-016], it is the Applicant's view that the limited interactions between the project and NRIL's asset(s) (the Sudbury Branch railway line) are of a lower order of magnitude and complexity to those on other projects, including the Yorkshire Green Energy Enablement Project.
13. From the Applicant's perspective, there remains, therefore, a compelling justification for the protective provisions included for the benefit of NRIL in Part 4 of Schedule 14 of the draft Development Consent Order [REP9-006].

Compulsory Acquisition/Temporary Possession

14. Paragraph 5 of the Request for Information requires the Applicant to provide any final updates on compulsory acquisition matters.
15. The Applicant has engaged with affected persons throughout the pre-application, application and Examination stages of the process and has continued to do so following close of the Examination.

16. Permanent acquisition of land is required from nine landowners. The Applicant has secured two legally completed agreements, three agreed sets of Heads of Terms are awaiting legal completion and four agreements remain under negotiation.
17. In addition to this, the Applicant has now secured signed Heads of Terms from 57 affected persons in respect of voluntary rights for an option to take an easement for overhead lines, pylons, underground cables, temporary compounds, temporary accesses, BNG areas, environmental mitigation areas and to take down existing UKPN and National Grid apparatus. This represents an increase of 17 signed Heads of Terms, from 40, since last reported at Deadline 9 [REP9-056]. The remaining 40 Heads of Terms are still under negotiation.
18. The Applicant notes the published correspondence on issues of compulsory acquisition. As with other parties, the Applicant is continuing to negotiate to seek to reach voluntary agreement. Since that correspondence, the Applicant has continued liaising with the affected person's agent, including in respect of the issues raised. The Applicant is continuing those discussions and currently has a way forward to progress its efforts to secure a bilateral agreement.

Concluding Remarks

19. The Applicant trusts that the above update assists.
20. As set out in the Applicant's Closing Statement [REP10-015], the project will deliver an essential reinforcement of the electricity transmission network in East Anglia, directly enabling the decarbonisation of the energy system and increasing energy security. The need for the project is urgent and, should Development Consent be granted, construction is planned to commence as soon as possible.

Yours sincerely,



John Bevan
Senior Project Manager
For and on behalf of National Grid Electricity Transmission