

From: Stewart, Sophie [mailto: Sophie.Stewart@dlapiper.com]
Sent: 20 January 2016 09:14
To: Triton Knoll Electrical System
Cc: vicky.stirling@nationalgrid.com; Batterton, Andrew; Kristen Read (Kristen.Read@burges-salmon.com)
Subject: EN020019 - Triton Knoll Windfarm [DLAP-UKMATTERS.FID3814403]

Dear Sir

JOINT STATEMENT OF NATIONAL GRID AND THE APPLICANT

1. This constitutes a joint statement on behalf of National Grid Gas Plc ("NGG"), National Grid Electricity Transmission Limited ("NGET") (together "National Grid") and the Applicant (Triton Knoll Offshore Windfarm Limited) in relation to this Application and should be read in conjunction with the earlier relevant representations submitted by National Grid on 9 July 2015 and the written representations submitted on 3 October 2015.
2. National Grid registered its intention to appear at the hearing taking place on Thursday 21 January 2016 to make representations in respect of the compulsory acquisition of its interests. National Grid wished to appear if sufficient progress had not been made with the Applicant in agreeing the terms of the land documentation to be entered into between the parties by that date. This statement is now provided in lieu of National Grid appearing at the hearing on 21 January 2016, in respect of the matters raised in its written representations. Any residual issue relating to the matter of a request from the local planning authority for an Article 4 direction have been and are being addressed separately by NGET.
3. The parties have agreed the protective provisions and other measures that are required to safeguard National Grid's existing apparatus and mechanisms for the implementation of the Order in so far as it may affect National Grid's assets. Documentation relating to the protection of National Grid's assets is in agreed form. This takes the form of an asset protection agreement. Execution and completion of that documentation by the parties is subject to finalising land documentation (see below).
4. The parties have agreed heads of terms in respect of the land documents (principally an easement and option agreement) required to safeguard National Grid's land holdings, in so far as the interests would otherwise be compulsorily acquired pursuant to the Order. The promoter agrees not to exercise compulsory rights in the Order as against National Grid in lieu of the entering into of the land documents. In such circumstances, National Grid does not need to continue to object to the Order.
5. The parties are now working towards finalising the drafting of the land documentation in accordance with the agreed detailed heads of terms. The land documentation is to be prepared and entered into before the close of the Examination. The asset protection agreement will be entered into at the same time.
6. In the event that the documents have not been concluded by Monday 29 February 2016, National Grid wishes to reserve its right to submit further written representations to the Examining Authority and/or to appear before the Examining Authority, to provide further details of its objections to the proposed compulsory acquisition of its land and to respond to any written or oral submissions from the promoter in respect of National Grid's written representations. National Grid proposes to proceed in this manner in the interests of efficiency of the Examination timetable, avoiding wasted costs and in light of the progress now made with the Applicant.
7. National Grid and the Applicant would be most grateful if the Examining Authority could indicate its acknowledgment of the proposed way forward, set out above, to avoid appearances at the hearing on Thursday, 21 January 2016, being the last currently scheduled hearing in the timetable.

8. This request is made in an abundance of caution as the parties have a high degree of confidence that the necessary outstanding documentation can be concluded in advance of the deadline, subject to the diligent and co-operative efforts of all parties. The parties will keep the Examining Authority updated as to progress.

The Applicant's solicitor is copied into this correspondence and will confirm the joint nature of this statement.

We look forward to hearing from you as soon as possible in respect of our request at paragraph 7.

Yours faithfully

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From: Best, Simon - UK Legal [mailto:Simon.Best@nationalgrid.com]
Sent: 20 January 2016 09:43
To: Triton Knoll Electrical System
Subject: National Grid - update as at 20 January 2016

Dear Sir or Madam,

I thought it may be of assistance if I documented the current position on two matters to assist the Examining Authority.

1 Question CA 2.11

It may assist the Examining Authority to know that the Applicant has shared their answer to CA 2.11 with NGET.

1. National Grid notes the text in paragraphs 1-4 of the answer to CA 2.11.
2. National Grid has noted that the revisions required are within operational land which is already consented for use as a high voltage substation. The revised layout for the substation has improved resilience and provides sufficient flexibility for the contracted and anticipated connections as required by National Grid's statutory duties.
3. National Grid does not believe that further changes to the TKOWL DCO application will be required to address iterative design changes at Bicker Fenn substation.

2 Boston Borough Council; Statement of Common Ground

National Grid and Boston Borough Council will be meeting in February with a view to agreeing the final text of the Statement of Common Ground. Dates in the first half of February are being discussed. The revised Statement of Common Ground may be available shortly after.

Copies of this email have been sent to the Applicant and Boston Borough Council for information. I hope this assists the Examining Authority.

Kind regards,
Simon Best

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