

YG-DCO-098

# Yorkshire Green Energy Enablement (GREEN) Project

**Volume 8**

**Document 8.4.1.2 Applicant's Written Summary of Oral  
Representations made at Issue Specific Hearing 1**

**Final Version A  
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# Contents

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<b>1.</b>	<b>About this document</b>	<b>1</b>
1.1	Introduction	1
1.2	Attendees on behalf of the Applicant	1
<b>2.</b>	<b>The Applicant's Summary of Case on Item 3: Scope of the Proposed Development</b>	<b>2</b>
2.1	Item 3.1 Overall scope of the Proposed Development as secured by the dDCO	2
2.2	Item 3.2 The scope of Work No. 6, southeast of Moor Monkton	5
2.3	Item 3.3 The scope of Work No. 8, southwest of Tadcaster	7
2.4	Item 3.4 The scope of Work No. 10, southwest of Lumby	10
2.5	Item 3.5 Changes to the Proposed Development	12
2.6	Further Item (3.6) Construction Programme	13
2.7	Further Item (3.7) Environmental Statement Addendum	14
2.8	Further Item (3.8) Height of pylons	15
2.9	Further Item (3.9) Programme	16
<b>3.</b>	<b>Applicant's Summary of Case on Item 4: Draft Development Consent Order</b>	<b>17</b>
3.1	Item 4.1: Updates to the draft Development Consent Order (dDCO)	17
3.2	Item 4.2: Articles of the dDCO	18
3.3	Item 4.3: Schedules of the dDCO	26
	Table 2.1 – Item 3.1	2
	Table 2.2 – Item 3.2	5
	Table 2.3 – Item 3.3	7
	Table 2.4 – Item 3.4	10
	Table 2.5 – Item 3.5	12
	Table 2.6 – Further Item 3.6	13
	Table 2.7 – Further Item 3.7	14
	Table 2.8 – Further Item 3.8	15
	Table 2.9 – Further Item 3.9	16
	Table 3.1 – Item 4.1	17
	Table 3.2 – Item 4.2 Article 2: Interpretation	18
	Table 3.3 – Item 4.2 Article 5: Limits of deviation	20
	Table 3.4 – Item 4.2 Article 48: Certification of Plans	23
	Table 3.5 – Item 4.2 Article 54: Temporary closure of, and works in, the river Ouse	24
	Table 3.6 – Item 4.2 Other matters: Works affecting scheduled monuments	25
	Table 3.7 – Item 4.3 Schedule 1: Authorised Development	26

Table 3.8 – Item 4.3 Requirement 1: Interpretation	27
Table 3.9 – Item 4.3 Requirement 4: Stages of authorised development	28
Table 3.10 – Item 4.3 Requirement 5 and 6: Construction management plans	30
Table 3.11 – Item 4.3 Requirement 7: Construction hours	31
Table 3.12 – Item 4.3 Schedule 4: Discharge of Requirements	32
Table 3.13 – Item 4.3 Schedule 15 Protective Provisions	33

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## Version History

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Document	Version	Status	Description / Changes
05/04/2023	A	Final	First Issue

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# 1. About this document

## 1.1 Introduction

- 1.1.1 This document summarises the case put by the Applicant, National Grid Electricity Transmission plc (National Grid), at the Issue Specific Hearing on the Scope of the development and Draft Development Consent Order (DCO) for the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the Project or Yorkshire GREEN throughout).
- 1.1.2 The hearing opened at 10:00am on 23 March 2023 at Novotel York and closed at 04:10pm on 23 March 2023. The agenda for the hearing was set out in the Examining Authority's letter published on the Planning Inspectorate's website on 2 March 2023.
- 1.1.3 In what follows, National Grid's submissions on the points raised broadly follow the items set out in the Examining Authority's agenda.

## 1.2 Attendees on behalf of the Applicant

- 1.2.1 Richard Turney, Counsel instructed by Womble Bond Dickinson (UK) LLP appeared on behalf of National Grid Electricity Transmission plc, the Applicant.
- 1.2.2 The following expert witnesses also made submissions throughout the hearing:
- Steve Fowler, National Grid Electricity Transmission plc (Engineering);
  - Bethany Kington, National Grid Electricity Transmission plc (Consents);
  - Emer Mcdonnell, National Grid Electricity Transmission plc (Senior Project Manager);
  - Neil Furber, HCUK Group (Environmental Statement Addendum);
  - Victoria Redman, Womble Bond Dickinson (UK) LLP (DCO Drafting);
  - Elizabeth Tones, Womble Bond Dickinson (UK) LLP (Protective Provisions).

## 2. The Applicant's Summary of Case on Item 3: Scope of the Proposed Development

### 2.1 Item 3.1 Overall scope of the Proposed Development as secured by the dDCO

2.1.1 Following a clarification by the ExA that this agenda item focusses around the question of widening XC435 & XC536 and why one has a wider swathe, the below oral submissions were made by National Grid.

Table 2.1 – Item 3.1

<b>ExA Question/Agenda sub-item for discussion</b>	<b>Summary of oral case</b>
Why the works at Osbaldwick substation are necessary.	<p>National Grid gave a description by reference to the Works Plan showing Osbaldwick Substation.</p> <p>Currently there are two circuits running between Osbaldwick and Norton, a two ended circuit (2TW / YR). As part of the Yorkshire GREEN works, a double tee is being created off the existing YR route to Overton, resulting in two three-ended circuits, between Osbaldwick, Overton and Norton. Both of these three-ended circuits will have banked transformers at the Overton end and therefore there is a risk of ferroresonance, which is a temporary over voltage condition where there is an increase in current which can burn out and damage substation equipment. Therefore, without this work, the Project is open to damage and the works are required as part of the overall Project.</p>
The nature of the works that would be included in existing overhead lines to be reconducted, in overhead lines to	<p><b>Reconductoring</b></p> <p>There are a number of different terms regarding reconductoring. Reconductoring comprises working on existing overhead lines and replacing existing conductors, fixings and insulators. Reconductoring is covered in Schedule 1 (authorised development) of the draft DCO (and the Works Plan) under the following works: Work no. 2, 6, 7, 8 and 9.</p>

<p>be modified, and in overhead lines to be reconfigured;</p>	<p>These works mainly cover reconductoring the XC line between Poppleton and Monk Fryston substation. Overhead line reconductoring works comprise the replacement of the existing conductor system with a new conductor system so that the overhead line can meet the rating requirement of the project. The Project needs to increase the capacity of the existing overhead line, and increase the rating to allow more power to be transferred. The new conductor system proposed can achieve a higher rating than the existing conductor system that cannot achieve the rating required.</p> <p><b>Overhead Line Modification</b> Modification is mentioned in relation to overhead line and Pylon works, but in this context refers only to the overhead line. This relates to works at Tadcaster where existing XD 275kV conductors will be temporarily used as part of the proposed temporary diversion before the conductors are returned back to the existing structures. This may result in changes to the sag, tension and regulation of the conductor for the length of the XD overhead line, therefore, re-tensioning works (using winches to pull the conductors to the correct tension) may be required to optimize and set the line to achieve statutory clearances. Overhead line modification works are independent of pylon modification works. There are no new works; modification works will make sure the electrical clearances are achieved.</p> <p><b>Reconfiguration (realignment)</b> Overhead line reconfiguration is also commonly referred to as overhead line realignment (<b>ES Chapter 3 Description of the Project (Document 5.2.3) [APP-075]</b>) throughout the Application documentation. This happens when the existing line is replaced with new sections. An example is shown on <b>Works Plan Section B (Document 2.6.2) [APP-021]</b>, Sheet 5 (Work No. 6), where a section of the existing line is dismantled, a short section of new overhead line built on the same alignment, but then a new section deviates slightly from the existing alignment to connect back to the existing XC overhead line.</p>
<p>In practical terms, what are the staff and vehicle requirements to reconductor or reconfigure between two stretches of pylons; how many members of the workforce and</p>	<p>For a reconductoring scheme on a tension to tension pylon, a typical section would take around 2 weeks to string and use four gangs (4 to 8 members). Some will be required on the pylons and some on the winch positions. Winching positions are needed to string conductors at tension pylons. In terms of vehicle requirements, there will also be a requirement for HGVs for deliveries.</p> <p>In terms of sequencing, the sequencing of this work is quite complex on this Project because of the relationship to the existing overhead line, the way temporary alignments are used and the complex outages required. Works will be done at different sections of the Project at the same time. There will be elements of new build that will be undertaken during the build offline and then, when the outages allow, sections will be strung.. An outage window is typically between April and October, this will need to happen over a number of years and outage seasons to accommodate the outages required.</p>



<p>what vehicles will be required? Do you plan to do the work in stretches from South to North?</p>	
<p>DCO definition of maintenance talks about re-tensioning</p>	<p>This is included within that and also around modifications to ensure that conductors are at the right tension.</p>
<p>Reasons for Order limit variations in width (other than for access and undergrounding) along linear sections.</p>	<p>At all tension pylons, a winching position has been included. This allows National Grid to pull the Project in the most coordinated manner and allows the contractor flexibility in how this is delivered. The standard is to allow winching at each tension pylon. A tension pylon also shows a change in direction.</p> <p>Wider order limits have been included to allow for the required winching positions and accommodate flexibility in the way the contractors design and construct the Project.</p>
<p>On sheet 3 of AS-017, there is a widening around a pylon that isn't changing direction.</p>	<p>This is an example where the pylon is a tension pylon but not changing direction. In long sections, there might be a need for an in-line tension pylon in between other pylons. This is an example of an in-line tension pylon.</p> <p>It would be possible to identify in-line tension pylons on the ground, but not from the drawings. Therefore, a list of all tension pylons including in-line tension pylons will be provided to the Examination.</p>

## 2.2 Item 3.2 The scope of Work No. 6, southeast of Moor Monkton

2.2.1 Following initial explanation from the ExA that this matter should focus on Works Plan section B, sheet 5 (Work No. 6), being a new section of line joining into an existing section, and the way that this line turns the corner.

Table 2.2 – Item 3.2

Agenda sub-item	Summary of oral case
What the works comprise in this area.	<p>This is a new section of overhead line connecting into the existing overhead line at XC422. This then joins the alignment of the existing XC overhead line from Poppleton to Monk Fryston. There is then a reconfiguration / realignment of the existing overhead line from pylons XC422 to XC429 (Work No. 6). This is a new overhead line on the same alignment but deviates slightly on sheet 5 so there was an opportunity to realign works to the south to ensure the net loss of a pylon and to increase the distance from Moor Monkton. Therefore, this was an attempt to achieve a gain by reducing the number of pylons and taking the line further away from Moor Monkton.</p>
The likely sequence of construction activities.	<p><b>ES Chapter 3 Description of the Project (Document 5.2.3) [APP-075]</b> provides an indicative construction programme at <b>Table 3.2</b>. The full detailed construction programme would be developed in line with the programme in the ES by the Main Works Contractor once appointed. An indication of the likely sequence of construction activities is set out below but the actual sequence followed will be subject to the detailed programme developed by the Main Works Contractor.</p> <p>The first element of works will be enabling works. This will take place at locations where crane access is required to create and install bellmouths and access tracks to the pylon sites. This will include vegetation management, site preparation, installation of stone access tracks to new pylons, and trackmatting to existing pylons, as well as installing gates/fences. There will also be works to underground the third party 11kV and 33kV overhead lines. Following this, temporary pylons will be installed so the circuit can be moved onto the temporary pylons. As much as possible will be constructed offline so that works can be undertaken without an outage. An outage allows work on the existing line. Following this, the sections of offline build would be strung and then the other sections would be strung and temporary alignments removed.</p> <p>National Grid anticipate works starting in the summer of 2024 (foundation works and access works). In 2025 the temporary diversions would be undertaken (these require outages over summer months); the pylons constructed</p>

	and temporary alignments put in place. Through 2026 the sections of existing overhead line would be strung. By the end of 2026, this section would be mostly complete.
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## 2.3 Item 3.3 The scope of Work No. 8, southwest of Tadcaster

Table 2.3 – Item 3.3

Agenda sub-item	Summary of oral case
<p>What the works comprise in this area.</p>	<p>The works involve reconductoring of the XC overhead line from pylons XC479 to XC485, changing from a single to twin conductor system and strengthening several existing pylons to accommodate the new system.</p> <p>The XD line will be taken onto a temporary alignment and following completion the existing conductors will be brought back onto the existing XD overhead line National Grid need to ensure the eastern circuit can also connect into Knaresborough. to the works will come underneath the overhead line and then back up onto the existing overhead line.</p> <p>In this area there is a high pressure gas pipeline and medium pressure gas pipeline. Therefore, the only area we can divert the medium pressure pipeline is to the south. The diversion is needed because of the connection into the Cable Sealing End Compound (CSEC) at XC481 which would conflict with the medium pressure pipeline in its current location.</p> <p>A replacement pylon is required at XD001 to facilitate the connection to the new Tadcaster West CSEC. This is on the same alignment as the existing overhead line therefore, a temporary diversion to the north is needed, maintaining the supply while XD001 is erected and the existing XD001T is dismantled.</p> <p>Works in the area also comprise of the undergrounding of a 33kV overhead line to avoid interacting with the temporary diversion.</p> <p>The works would also involve the removal of the foundation of XD00T down to 1.5m.</p> <p>Currently, there are two circuits on the XD line. However, a section of underground cable would be installed which means that the span on the southern side can be removed. This is because only the circuit on the northern side would be needed. The underground cable section performs the function of the overhead line, so there is no need for conductors on that single span between XC481 and XD001. The removal of that circuit is only possible because the underground cable is being installed. The wording of Work No. 8(e) will be revisited to determine whether clarification is required.</p>

<p>Orientation of the CSEC and impact on Mr Watson's rights of way; what other options there are to maintain corners in the field.</p>	<p>National Grid are aware of Mr Watson's concerns. The access issue is one that there is unlikely to be a resolution for and therefore is unlikely to be agreed. The alternative route around pylon XC481 has an important constraint, which is the dual carriageway running alongside it. It has been made clear through representatives that it will not be possible to accommodate an access for Mr Watson in this location.</p> <p>In respect of the location of the CSECs, National Grid are in discussion with Mr Watson as to what can be achieved; noting Mr Watson's concerns about the shape of fields that would remain. National Grid will give a full response to Mr Watson's relevant representations. There has also been correspondence between the parties on this point.</p> <p>Therefore, in summary, whilst not all of Mr Watson's issues are capable of resolution, discussions are ongoing.</p>
<p>Alternatives that are being considered here. Is it true to say this area of works is one of the busiest areas of work in this Project, in proximity to residential properties, where land is proposed to be compulsorily acquired by the Owner.</p>	<p>National Grid recognise this is an important location that will need to be examined carefully.</p> <p>In terms of alternatives, due to the constraints in the area, there is a need to move the CSEC close to pylon XC481. This reduces the amount of earth works required due to the sloping topography to the highway, ensures a suitable corridor for the diversion of the gas pipeline can be achieved, and also allows for optimal phase clearances.</p> <p>There is also a new telecoms mast which has an access road, constraining where the pipeline and CSEC can go. To be able to overcome all constraints in the area, the CSEC needed to be re-positioned. In order to bring the CSEC closer to the pylon and achieve the required electrical clearances the solution needed to utilise anchor blocks (concrete blocks in the ground that the downloads connect to, which can be located much closer to the pylon as the downloads come down in a more vertical direction) rather than a gantry solution. Safety clearances to the downloads from vehicles using the existing track that currently goes around XC481 would not be achieved with more vertical downloads, so the pylon XC481 was required to be encompassed in the cable sealing end compound fence line.</p> <p>In general, the need for the Project and alternatives are set out in <b>ES Chapter 2: Project Need and Alternatives (Document 5.2.2) [APP-074]</b>. The location is constrained by the location of existing infrastructure and by National Grid's obligations to provide an efficient, economic and coordinated transmission system.</p> <p>At the Corridor and Preliminary Routing and Siting Study (CPRSS) stage, ten siting areas were considered for the two new CSECs: 3 on the XC overhead line, and 7 on the XD overhead line. The CPRSS (section 5) includes a full options appraisal of the siting areas, considering environment, socio-economic, technical, and cost considerations. This is in accordance with National Grid's Option Appraisal Guidance.</p>

	<p>From an engineering perspective, siting areas XC1 and XD1 were preferred as they would limit the length of underground cabling required between the two CSECs. In addition, XC1 would allow the re-use of an existing pylon, which was preferable to a new pylon. The limited cable length in turn would limit potential impacts associated with the loss of vegetation, such as impacts on biodiversity and landscape. The two sites also benefit from good access (7.1.4 and 5.3 of CPRSS).</p> <p>The CPRSS can be found in the examination library as <b>Corridor and Preliminary Routeing and Siting Study 2021 (Document 7.8) [APP-209]</b>.</p>
<p>Access to the CSEC.</p>	<p>The access is shown on the <b>Access Rights of Way and Public Rights of Navigation Plan (Document 2.7.1-2.7.6) [APP-026-APP-031]</b> and would be from the A659.</p> <p>The Order Limits are extended in this location based on a visibility splay to provide adequate visibility on that side and also the southern side. Visibility splays are calculated using the speed of the road and DMRB guidance, in consultation with the local highway authority.</p> <p>National Grid can provide a diagram that combines the different elements on the drawings, works plans and access plans for illustrative purposes at Deadline 2.</p>
<p>Document references.</p>	<p>National Grid will ensure that Mr Waite is sent all relevant document references.</p>

## 2.4 Item 3.4 The scope of Work No. 10, southwest of Lumby

Table 2.4 – Item 3.4

Agenda sub-item	Summary of oral case
<p>What the works comprise in the area between pylon XC521 and pylon XC525T.</p>	<p>Sheet 1 of the <b>Works Plan Section F (Document 2.6.6) [APP-025]</b> shows the section that passes over the Travellers' Encampment.</p> <p>In principle, existing pylons have been re-used for the Project where possible. However, two pylons in this location were over utilised by the new proposed conductor system, meaning that the pylons themselves need to be replaced entirely and there is a requirement for re-routing or realignment to accommodate this.</p> <p>There are a number of constraints in this location, one of which is taking the alignment of pylon XC522 away from the Travellers' Encampment and pushing XC523 south, further away from Pollums House Farm, by keeping as close to the A1(M) as possible. In terms of pylon XC524, this would be replaced due to the need to move alignment from the existing substation to the new Monk Fryston Substation. National Grid have tried to retain the original alignment as close as possible to minimise impact of the realignment.</p> <p>Another pylon, XC526 is needed in the area and, again, National Grid have tried to minimise impact by keeping this as close to the A1(M) as possible, whilst realigning into the new substation.</p>
<p>What ongoing engagement and consultation with residents is taking place.</p>	<p>Engagement with the Travellers has been undertaken primarily through the landowners identified in the <b>Book of Reference (Document 4.3 [APP-071])</b> and the landowner's land agent. National Grid have also met on site with the occupiers, facilitated by the local authority during which the landowner and agent were also present.</p> <p>In terms of the Environmental Statement Addendum, National Grid will be writing to the landowners, the landowner's agent and the Local Authority to advise them that the Addendum has been submitted and is available for comment.</p> <p>To date, photography has been taken from adjoining land and no surveys have taken place on the Travellers' Encampment itself.</p>

<p>The likely sequence of construction activities.</p>	<p>National Grid would construct offline works first as well as the temporary alignment, similar to the sequence described above, and would then undertake works on the existing alignment. – As explained above, National Grid has tried to minimise the number of temporary pylons by re-using existing infrastructure where possible.</p>
<p>The likely timescale of construction activities (chronology with other works and duration).</p>	<p>Works would commence in the summer of 2024, involving access roads and construction compounds. Following that, the civil works would commence in the late summer of 2024 through to 2025. Through 2026, the electrical installation works at the substation would continue. Then the XC overhead line would be brought in for completion of the electrical works in August/September 2027. Following that, there would be a period of reinstatement works (landscape and planting), continuing through to 2028, with works likely to be complete by the end of 2028.</p> <p>There will be various stages of construction activity at the construction compounds, with construction activities at the western compound being more sporadic. The eastern compound is likely to be in place from 2024 to 2027. From 2027 onwards the construction activities will reduce.</p>



## 2.5 Item 3.5 Changes to the Proposed Development

Table 2.5 – Item 3.5

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
The Applicant will be asked to confirm whether or not it intends to seek to make any changes to the scope of the Proposed Development as a result of the submissions of IPs to date.	National Grid have reviewed the Relevant Representations made and will respond in detail to these. At this stage, no changes are proposed to the Application. If any changes are proposed, these would be brought forward as soon as possible during the examination process.

## 2.6 Further Item (3.6) Construction Programme

Table 2.6 – Further Item 3.6

Agenda sub-item	Summary of oral case
<p>Lack of clear alignment between table 3.2 on Project Description and the relevant Gantt chart;</p> <p>Overton substation information should include the alternative alignment for NCN65 cycle route.</p>	<p>National Grid will consider how best to provide further narrative and clarification and can certainly consider including the specific items that have been identified by the ExA. The precise programme would be established by the contractor to be appointed, so National Grid cannot provide precise timings. However, it is acknowledged that what has been shown needs to be clear.</p>

## 2.7 Further Item (3.7) Environmental Statement Addendum

Table 2.7 – Further Item 3.7

Agenda sub-item	Summary of oral case
ESA	<p>National Grid's landscape and visual expert has undertaken a site visit from the land adjacent to the Travellers' Encampment, undertaken reference photography and discussed with the engineering team the changes proposed at that location both for construction and operation. The initial conclusions are that there would be significant adverse visual effects for the Travellers during the construction phase; particularly those located in caravans towards the western end of the Travellers' Encampment, noting that as it is an elongated site residents towards the eastern end would be less affected by construction works. The preliminary assessment is not just informed by construction of scaffolding but also likely vegetation removals required as a result of the removal of the existing pylon and construction of the new replacement pylon and overhead line approximately 50m further to the west.</p> <p>At the construction phase the effects would be significant adverse. At operation, they would be adverse but not significant because the replacement pylon would be further away from the majority of the caravans, even though it will be 15m taller. By year 15, replacement mitigation planting will have had time to mature.</p> <p>The Addendum will be submitted as a separate document and include reference to the assumptions presented in the Environmental Statement.</p>

## 2.8 Further Item (3.8) Height of pylons

Table 2.8 – Further Item 3.8

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
Why pylons need to be taller.	When moving to a different alignment, National Grid need to accommodate for differences in ground topography and different span lengths. This means that pylon height varies from the existing overhead line to achieve statutory clearances. A 'no higher than needed' approach has been taken.

## 2.9 Further Item (3.9) Programme

Table 2.9 – Further Item 3.9

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
Assumptions based on assumption that consent is granted In March 2024. If consent came later, would everything shift forward.	National Grid has assumed that a decision on the Application would be made in March 2024, and if consent is granted, that requirements would be discharged immediately thereafter to enable construction to commence in the Summer of 2024. If consent is granted, it is necessary to meet the earliest in service date for the Project, which requires the Project to be operational in 2027. The ES has assumed a programme which is considered to be a reasonable worst case, however if consent was granted after March 2024 it may be that the programme is altered to still achieve the EISD of operational by 2027.
Until contractors appointed, how certain is programme.	There would not be a delay for the appointment of contractors if consent is granted. In light of time pressures, that procurement process is currently underway, and is proceeding without prejudice to Secretary of State's determination. National Grid hopes to have a contractor appointed prior to determination of the Application, so that if consent is granted National Grid would be in a position to discharge requirements immediately following this and construction could commence in the Summer of 2024.

# 3. Applicant's Summary of Case on Item 4: Draft Development Consent Order

## 3.1 Item 4.1: Updates to the draft Development Consent Order (dDCO)

Table 3.1 – Item 4.1

Agenda sub-item	Summary of oral case
The ExA will invite the Applicant to give a brief overview of the changes to the DCO between the submitted version [APP-066] and the Rev. B version [AS-011].	There is a <b>Schedule of Changes to the draft Development Consent Order (DCO) (Document 8.1) [AS-019]</b> document setting out the changes made. Essentially the changes are administrative in nature and generally, respond to Section 51 advice received by either addressing typographical errors or correcting sheet references.  When the draft DCO is updated at Deadline 3, an updated Explanatory Memorandum and new Schedule of Changes document will also be provided.

## 3.2 Item 4.2: Articles of the dDCO

Table 3.2 – Item 4.2 Article 2: Interpretation

Agenda sub-item	Summary of oral case
Environmental Statement	Regarding addenda documentation to the ES, this definition will be updated to include addendum and errata as submitted to the Examination.
Maintain	<p>The definition of ‘maintain’ does, in certain respects, go beyond the definition used in previous DCOs for overhead lines.</p> <p>The additional descriptions include: dismantle, clear, refurbish, re-tension, paint, surface treat, decommission, improve, and there are additional words in respect of gadgets etc. (the updating provisions).</p> <p>During the life of a project such as this, one would expect the Project to remain in place for 80 years or more. The Project has a long lifespan and is not time-limited. During those periods, National Grid have identified that there will be a need to carry out certain works which could include, for example, the replacement of conductors. The <b>Environmental Statement (ES) Chapter 3 Description of the Project Figures (Document 5.2.3 ) [APP-075]</b> states that conductors have a life expectancy of approximately 40 to 50 years and insulators and fittings have a life expectancy of approximately 20 to 40 years. There is also equipment at substations and CSECs which may require replacement during their lifetime. The definition allows the dismantling or removal of equipment and then the improvement of the Project in terms of using updated equipment. The same rationale applies to refurbishment.</p> <p>Removal could include removal of dismantled or worn components. This could include dismantling pylons in need of repair or dismantling elements of a substation. For example, noise enclosures on transformers may need to be replaced over time. Decommissioning would comprise taking out of operation some part of the authorised development and that may be necessary to take account of updated technology or because part of the project is no longer required. There is a control on decommissioning in the requirements.</p> <p>Whilst this definition is broader than Richborough and Hinkley Point C, it is an appropriate definition in the context of the power to maintain. There are restrictions on what National Grid could do by way of maintenance through the environmental assessment. In the Environmental Statement, maintenance activities have been assessed and impacts have been identified where relevant to the assessments provided. In respect of Biodiversity, future maintenance activities and how these may result in impacts have been identified.</p>

	<p>Improve could include foundation works. There may be a need to strengthen existing foundations for reconductoring in the future, which may require improvement to foundations of an existing pylon.</p> <p>Decommissioning covers both parts of and the whole Project (as does the decommissioning scheme referred to in Requirement 16). There may be a need to decommission some part of the Project and the requirement for the submission of a decommissioning scheme also extends to partial decommissioning. The power to maintain also includes the power to decommission. This leads to us being empowered to decommission. The check on that is the associated Requirement 16.</p> <p>The use of drones, gadgets and similar devices is becoming more apparent in the yearly inspection of overhead lines in the way National Grid detect defaults. It prevents the need to put people on the ground. For example, equipment can be put on a conductor and used to detect faults. This definition accommodates the way National Grid inspect and maintain overhead lines, which is evolving with technology.</p> <p>National Grid will consider whether the definition of 'maintain' includes everything required for landscaping maintenance.</p>
NPG	<p>The Order limits cross assets owned by both Northern Power Grid (Northeast) PLC and Northern Power Grid (Yorkshire) PLC. Through initial engagement with NPG, it was understood that the entity who would be working with National Grid in bringing forward the Project would be the Northeast entity. However, a relevant representation has now been received from the Yorkshire entity. National Grid has contacted NPG to confirm which entity should be referred to as an undertaker in the draft DCO.</p> <p>It has now been confirmed that both entities should be referenced in the draft DCO and the draft DCO will be updated at Deadline 3 accordingly.</p>
CSEC	CSEC was not a term considered necessary to define as it is used in the definition of non-linear works.
Commence	National Grid recognise that the use of the word 'commencement' in article 26 could give rise to confusion and so will amend the reference to 'carrying out', such that the definition of 'commence' can remain as currently drafted.
Design and Access Statement	The <b>Design and Access Statement (Document 7.2) [APP-023]</b> does not include anything beyond that which is secured in the certified plans. Therefore, National Grid do not consider this needs to be defined.



Table 3.3 – Item 4.2 Article 5: Limits of deviation

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
<p>To explore how the limits of deviation for non-linear works described in Article 5(1)(b) are shown on plans and drawings.</p>	<p>The Limits of Deviation (LoD) for non-linear works (Article 5(1)(b)) are shown on the parameter plans in the <b>Design Drawings (Document 2.15) [APP-064]</b>. The reason for separating linear and non-linear LoD on the Works Plan and Design Drawings was because there are a number of other LoD shown on the Works Plans. For example, <b>Works Plan Section B, Sheet 1 (Document 2.6.2) [APP-021]</b> shows LoD for the overhead line and underground cable. There was a concern that if LoD for non-linear works were included on the Works Plans this may make the plans complicated and difficult for readers to distinguish the separate LoD.</p> <p>National Grid notes the preference for a single plan showing both LoD and will consider this further and the best way for this to be shown.</p>
<p>For the Applicant to explain the flexibilities described in Article 5(1)(c) and (d) and the circumstances in which they may be exercised.</p>	<p>The term supporting structures could cover both pylons and masts.</p> <p>The profiles in the <b>Design Drawings (Document 2.15) [APP064]</b> are based on the alignment and positions shown in the plans. Therefore, the drawings are indicative because the locations are based on the design as currently shown and these locations can move within the lateral LoD, which could also lead to a change within the vertical LoD.</p> <p>Whilst the profiles are indicative in so far as it relates to the location of the pylon (given the flexibility in the limits of deviation), the profiles do provide the height of each pylon to which the vertical limit of deviation would apply, thus the profiles in the design drawings do provide the height of each pylon.</p>
<p>Why there is a 6m deviation as opposed to precedent 4m deviation.</p>	<p>The 6m vertical limit of deviation accounts for up to two extension panels of 3m each. The projects are not comparable in this respect as they relate to different types of pylons, such as the T Pylon, and different works to pylons (i.e. new pylons or works to existing pylons).</p>
<p>Unlimited downward depth</p>	<p>A limit downwards has not been identified. National Grid appreciate the need to confirm how this has been assessed.</p>

Article 5(1)(e)	<p>This power is intended to cover other activities taking place within the Order limits. If National Grid have to deviate laterally, the related construction works would also need to move within the same limits. This is particularly relevant in respect of lateral deviation.</p> <p>National Grid will consider whether a definition of construction activities is required.</p>
To explore the practical implementation of Article 5(2).	<p>The wording is preceded in The Northampton Gateway Rail Freight Interchange Order 2019, which allows for the local planning authority to certify deviation outside the LoD where there would be no materially new or different environmental effects. The A428 Black Cat to Caxton Gibbet Development Consent Order 2022 contains parallel wording to the <b>Draft Development Consent Order (DCO) (Document 3.1(B)) [AS-011]</b>.</p> <p>This provision provides flexibility in the event that the detailed design process necessitates an amendment to the Project which would fall outside of the LoD set but not cause any materially new or different environmental effects from those reported in the Environmental Statement. The Secretary of State’s approval is required and the local authority, as well as any other appropriate persons, are required to be consulted.</p> <p>In the absence of this provision, a formal process would be required for any minor design modifications outside of the LoD set. Therefore, this wording allows for a more focussed consultation and ultimately a quicker approval of any such change so as to prevent any risks to the delivery of the Project resulting from unnecessary programme delays.</p> <p>It would not extend any rights of Compulsory Acquisition and, if the change could not be achieved within the powers of compulsory acquisition under the Order, a separate voluntary agreement in respect of that land would need to be negotiated.</p> <p>This wording is appropriate because it gives a quicker route to approval. For example, it may be that in detailed design, an alteration to re-position the Tadcaster West CSEC might suit all parties. However, if entirely constrained by LoD, that would require a formal and potentially lengthy process to achieve. This power therefore gives a small amount of flexibility subject to the Secretary of State’s approval.</p>
Article 5(4)	<p>The cross-sections and elevations referred to in the design drawings are the parameter plans. The maximum height is identified on the parameter plans.</p> <p>National Grid will consider specifying those specific parameter plans in the draft DCO by drawing number (<b>Design Drawings (Document 2.15) [APP-064]</b> DCO_DE/PS/14_01, DCO_DE/PS/15_01, DCO_DE/PS/16_01, DCO_DE/PS/17_01, DCO_DE/PS/18_01, DCO_DE/PS/19_01, DCO_DE/PS/20_01).</p>

	<p>The parameters for the NPG transformer compound are shown on the Overton plan (<b>Document 2.15</b>) [APP-064] (DCO DE/PS/14_01). On that plan, there is a small square which shows the compound (as shown on the screen at the Hearing). National Grid will update these plans to label the compound.</p>
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Table 3.4 – Item 4.2 Article 48: Certification of Plans

Agenda sub-item	Summary of oral case
Environmental Statement	<p>The main purpose of certification is to ensure that where documents are used to limit the scope of development, those documents are fixed and therefore certain at the point that consent is granted.</p> <p>Where there is mitigation referred to in the ES and relied on in the ES, that is secured by other means e.g. through certification of the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> and other management plans, schemes and strategies.</p> <p>National Grid consider that a proportional approach should be taken in deciding whether it is necessary to certify the ES. The ES will continue to exist and can be relied on and referred to even if not certified, and certification is a time intensive and burdensome process for the Secretary of State.</p> <p>It is considered appropriate to certify only those documents where there is a requirement for certainty such that those specific plans need to be fixed at a point in time. National Grid consider that the ES will be a substantial addition to that list and certification is not justified only because the ES is used as a reference point for some of the powers in the articles.</p> <p>It was accepted that it was not necessary to certify the ES for the Hinkley Point C Order and that Order also contained reference points to the ES for some of the powers in the articles and/or requirements.</p>
Embedded measures schedule	<p>This document is a signposting document; it does not secure any mitigation or measures under the draft DCO. For that reason, it is not considered necessary to certify the Embedded Measures Schedule.</p>
Outline landscape mitigation plans	<p>Where a plan has been included in a Requirement, this has been certified. The Outline Landscape Mitigation Plans are listed in Article 48 of the draft DCO for certification. Article 48(1)(j) lists - <i>the outline landscape mitigation strategy (Figures 3.10 – 3.12, Document 5.4.3).</i></p>

Table 3.5 – Item 4.2 Article 54: Temporary closure of, and works in, the river Ouse

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
<p>For the Applicant to respond to the Canal and River Trust's (the Trust's) concerns regarding interruption to river traffic and maintenance operations as set out in the <b>CRT's Relevant Representation (RR) [RR-004]</b>.</p>	<p>National Grid is grateful for the Trust's engagement on the wording of this article and the protective provisions. The article is necessary because the works interfere with the river Ouse. In particular, there is an existing crossing over the river Ouse and National Grid would need to install new lines over the river.</p> <p>The point of ongoing discussion is how these works are managed. <b>The Construction Traffic Management Plan (Document 5.3.3F) [APP-099]</b> confirms that there will be only a short period where National Grid prevent people travelling over that part of the river Ouse – for a one hour duration, approximately eight times over the construction period of the Project.</p> <p>National Grid notes the Trust's confirmation that it may be possible for the shorter 28 notice period to be used where the timings and period of closure are adequately secured.</p> <p>The article also requires closure for maintenance purposes. This may be required and would form a similar interruption as the construction works. In terms of giving notice, National Grid need to ensure that emergency works can be undertaken without notice and also that any scheduled maintenance can be undertaken within the same notice period as required for the construction works.</p> <p>National Grid anticipate some updated drafting to the protective provisions will be needed to reflect agreement between the parties. The principle is not in dispute and provided a period of appropriate notice can be agreed the parties are likely to reach agreement.</p>

Table 3.6 – Item 4.2 Other matters: Works affecting scheduled monuments

Agenda sub-item	Summary of oral case
<p>Other matters: Works affecting scheduled monuments.</p>	<p>The access to pylon XC407, which affects a scheduled monument, would be to a scaffold position only in order to enable stringing, and is not required to construct a pylon. These stringing works are necessary to construct the Project.</p> <p>It is not necessary to include a specific article or requirement on the face of the draft DCO to deal with this. <b>The Code of Construction Practice (Document 5.3.3B) [APP095]</b> (CoCP) includes a paragraph securing the relevant mitigation, referring back to an ES Appendix, which is a Technical Note in respect of the access to be taken. The reference contained in the CoCP is incorrect and will be corrected to refer to <b>Appendix 5.3.7G [APP-122]</b> of the ES.</p> <p>In discussions with Historic England, it has been agreed that the potential impacts of the access can be mitigated to an acceptable level.</p> <p>As a matter of law, the grant of development consent for these works, means there is no requirement separately to comply with the duties under the 1979 Act. Section 2(1) of the Ancient Monuments and Archaeological Areas Act 1979 now states: <i>"(1) If any person executes or causes or permits to be executed any works to which this section applies he shall be guilty of an offence unless the works are authorised under this Part of this Act <u>or by development consent.</u>"</i></p> <p>The matter is agreed with Historic England. Currently, it is understood that Historic England do not consider it necessary to sign a Statement of Common Ground. This is because they are not an Interested Party (due to the fact that all matters have been agreed) but National Grid will seek confirmation that Historic England are content with the approach taken which can be submitted into the Examination.</p>

### 3.3 Item 4.3: Schedules of the dDCO

Table 3.7 – Item 4.3 Schedule 1: Authorised Development

Agenda sub-item	Summary of oral case
Work No. 11: Monk Fryston Substation	<p>The diversion of Yorkshire Water’s existing watermain pipeline is required for the delivery of the proposed Monk Fryston Substation.</p> <p>There are three other developments in the area around the Monk Fryston Substation that also require the diversion of this watermain. Therefore, to ensure the most efficient diversion route is taken; this diversion is anticipated to be carried out by Yorkshire Water using their statutory powers rather than in reliance of any consent granted through the DCO process. The preferred route to be taken by Yorkshire Water in the event that all three developments around the Monk Fryston substation come forward falls outside of the Order limits.</p> <p>However, as a contingency, if the other developments surrounding the Monk Fryston Substation do not come forward, the necessary watermain diversion could be delivered as associated development within the Order limits under the powers granted through the draft DCO.</p> <p>This would come under limb (t) of associated development but there is a degree of overlap between (c) and (t) and those sub-paragraphs will be consolidated for clarity.</p>
To understand the justification for the broad scope of the other associated development listed at parts (a)-(u).	<p>A list of examples can be provided in writing.</p> <p>Part (u) limits activity by reference to the effects in the ES. The ES has assessed the scope of the development. Therefore, reference to the ES is more appropriate where dealing with such other works not assessed, and should not encompass all of (a) to (t). This phrase is also included in Work (r) for that reason.</p>

Table 3.8 – Item 4.3 Requirement 1: Interpretation

Agenda sub-item	Summary of oral case
<p>To consider whether the definitions, such as those of ‘commence’, ‘pre-commencement works’ and ‘stage’ are appropriate.</p>	<p>These definitions provide for preparatory works to be undertaken before the formal discharge of requirements process has been completed. This enables progress to be made in preparation for the main works of the Project whilst these formal discharge processes are being followed. All of the plans named within Requirement 5 would still need to be adhered to whilst undertaking pre-commencement works. However, activities which require compliance with Requirement 6 would not be undertaken as pre-commencement works because the Requirement 6 plans would not have been prepared and approved at this time. One example is in respect of lighting, which the details of external lighting would not be put in place until approval of the Lighting Strategy under Requirement 6.</p> <p>In terms of environmental mitigation at limb (c), there are certain seasons within which environmental mitigation can be undertaken. For example, netting, hedging and strimming works can be undertaken in a certain season associated with relevant species. It is not anticipated that tree or hedgerow clearance would take place as a pre-commencement activity. Some environmental mitigation works may be needed, due to links to seasonality, but pre-commencement works would not go as far as permanent removal.</p> <p>With regards limbs (h) – (l), it is possible that those activities might require lighting or pollution measures which Requirement 6 controls. However, in respect of works such as enabling works for construction compounds, the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> secured by Requirement 5 sets out embedded measures for the pre-commencement activities. As explained above, the pre-commencement works would be undertaken to the extent that no external lighting was required, because lighting is secured in Requirement 6. .</p> <p>Works listed in (i) and (j) may be the same as the utilities ('U') works identified in Schedule 1 but is not limited to the 'U' works. Utilities diversions may be required for certain elements of the pre-commencement works. For example, there are typically services in highway verges that may need protective works prior to installing temporary hard standing at access points which connect to the local highway. There would not be any consultation on limb (n). Whether an activity will give rise to likely significant effects would be determined by the contractor. This would be an iterative process following development consent rather than a determination by National Grid or anyone else. Limb (n) is the limitation on what can be done rather than the approval of assessment of effects. The necessary control is, however, provided by Requirement 5.</p> <p>National Grid will consider further how pre-commencement works are defined. National Grid do require the ability to carry out pre-commencement works due to the level of detail and effort required with discharge of requirements and the fact that some of these works feed into the detail of the discharge stage.</p>



Table 3.9 – Item 4.3 Requirement 4: Stages of authorised development

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
<p>For the Applicant to clarify what is meant by a ‘stage’ of the authorised development, including whether it would be temporal or spatial, or both, and whether stages could be concurrent or consecutive.</p>	<p>The intention is that National Grid would define the stages of the authorised development once it has been determined how the scheme will be delivered. Through the nature of a Project such as this, there will be works that take place at a particular location and on a particular date, but it may then be necessary to return to the same site to undertake further works at subsequent points during the construction process. The written scheme setting out the stages of the authorised development would confirm the spatial scope of the stage (the area within which the works will take place), the temporal scope (when it is likely to commence and be completed), and the works that it relates to. The purpose of Requirement 4 is to give prior notice to the relevant planning authorities that National Grid are proposing to bring forward the Project in these stages so the LPA will be able to discharge the plans which subsequently come forward in that knowledge.</p> <p>It is accepted that this is something that should be provided, but it is not appropriate for the LPA to approve the stages because National Grid should be able to define the way the Project is constructed. The purpose of the Requirement is to assist the local authorities in the subsequent discharge and approval process, rather than give controls over the proposed staging itself.</p> <p>A stage is similar to a phase you would see in a normal planning permission. Often conditions in a planning permission refer to phases without requiring approval of a phasing plan. This requirement simply provides the architecture as to how those stages will fit together.</p> <p>On the Richborough and Hinkley Point C Orders, they both have similar requirements to this. In terms of those written schemes of stages, both are nearing completion of construction. In developing the stage plans, National Grid needs to take into account a number of factors, such as the type of construction activity and methodology, geographic location, time period, and administrative boundaries of relevant planning authorities in respect of discharge of requirements. Taking into account those areas and National Grid’s contract strategy for the Project; there may be multiple main works contractors, for example. Overhead Line Contractor and Substation Contractor(s), which also need to be taken into account because those contractors that will be involved in the discharge of the requirements.</p> <p>The plans used on previous National Grid projects are distinctively different because Hinkley Point C is for an overhead line, removal, modification, undergrounding and distinct geographical locations. Similarly, Richborough was staged differently because it was a new 20Km overhead line with no Substations or Cable Sealing End Compounds.</p>

In both cases there has been a single plan notified to all LPAs and both have been required to be updated on multiple occasions due to minor changes in programme dates or to remove or add stages/sub-stages. Those Orders do require an approvals process, but this is not considered appropriate in practice given the potential for changes throughout the construction process (as demonstrated on those projects).

Paragraph 2.2.9 of the **Code of Construction Practice (Document 5.3.3B [APP-095])** confirms that information will be available on the website including project programme and progress updates. This allows people to understand what is coming and when.

In relation to the stage plan, how the stage plan sets out the stages of the works is more complicated than how this may be presented on the Project website. It may be more appropriate for a Project website to present this based on location markers for local people as can be seen on the Project website for the Hinkley Point C Connection Project.

In relation to the NPG works, NPG will be undertaking the works themselves on behalf of National Grid and the parties will be seeking to maintain a close relationship throughout the Project. Those works would all be included within the stage plan (including NPG works) unless the works are undertaken in advance of construction commencing under NPG's statutory powers.

Requirement 4 will be updated requiring compliance with the stage plan.

Table 3.10 – Item 4.3 Requirement 5 and 6: Construction management plans

Agenda sub-item	Summary of oral case
<p>The relationship between the plans in requirement 5 and requirement 6.</p>	<p>The list of plans in Requirement 5 are full versions which have been submitted with the Application and in accordance with which the development must be carried out, unless there is subsequent agreement to deviate from them.</p> <p>Requirement 6 requires the approval of the listed plans as a pre-requisite to commencement of works. Requirement 6 plans will be subject to detailed design once the contractor is appointed, and prepared and submitted to discharge Requirement 6.</p> <p>Requirement 6(2) is a deliberate piece of drafting. For example, the drainage management plan is a new plan to be submitted post-consent, which must accord with the schemes and strategies secured in Requirement 5(2). The Requirement 5(2) plans would be fixed at the point that consent is granted, whereas the matters in Requirement 6(1), would need to be submitted to the relevant planning authority and align with the plans in Requirement 5(2).</p> <p>In respect of Requirement 5, of those plans, the primary document is the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b> (CoCP) because this sets out all the measures and these measures will then inform plans such as the drainage management plan, the pollution incident control plan, the lighting scheme etc.. To use the lighting scheme as an example, this ties into the CoCP and the <b>Biodiversity Mitigation Strategy (Document 5.3.3D) [APP-097]</b> listed in Requirement 5. Similarly, the details in the CoCP will inform the drainage management plan, including the drainage management principles that will only become known through detailed design (e.g. permanent drainage at the substations).</p> <p>The <b>Outline Soil Management Plan (Document 5.3.3E) [APP-098]</b> is submitted as a certified document. Any pre-commencement works would comply with this plan. The detail would then become fully set out in the soil and aftercare management plan as secured in Requirement 6.</p> <p>In respect of requirement 6(4) referencing consultation with the drainage authority. In developing that plan, National Grid would engage with relevant parties and once submitted for approval, those parties would also be consulted through the Schedule 4 process. Where not a consultee but an approver, they would be the relevant authority approving.</p> <p>National Grid will produce a 'Plan of Plans' document to explain the interaction between Requirements and the plans they secure, that will be submitted into the Examination.</p>

Table 3.11 – Item 4.3 Requirement 7: Construction hours

Agenda sub-item	Summary of oral case
<p>For the Applicant to explain whether any changes to the draft wording are proposed to respond to <b>RRs [RR-018, RR-019, RR-032, RR-034]</b> from the Councils in relation to core working hours.</p>	<p>National Grid has seen the <b>local authorities' relevant representations (RR-018, RR-019, RR-032 and RR-034)</b> and will respond in full to their relevant representation. National Grid considers it should retain the hours set out in Requirement 7. There is a nuance to these hours through the restriction of piling between 8am to 5pm Monday to Friday and 9am to 2pm on Saturdays.</p> <p>These hours are needed. Delivery of the Project is under time pressure and the way in which overhead line projects are constructed is by teams working on sections and completing their specific tasks. The general working practice is to work for 10 continuous days. Some important work will take place during periods of outages. The assessment of impact has taken those construction hours into account, so it is not the case that there are impacts which have fallen outside of assessment. In light of that assessment, National Grid do not consider there is a residential amenity case for further restricting the working hours.</p> <p>In respect of 7(2), there is nothing else to include beyond piling, all activities have been assessed – piling is the noisy activity. In terms of oil processing, there is a time pressure to ensure this is on site and restricting this would be a significant constraint on construction.</p> <p>In respect of 7(3), National Grid had understood that the City of York Council was content with that wording. Whilst one could conceive of 7(3)(c) being abused, this is an important provision to include. If being abused, it would be questionable as to whether there would be substantive compliance. There is a safety caveat, and this decision would be made by a contractor.</p> <p>In terms of noise impacts, these have been assessed in the ES and Requirement 5(2) secures the <b>Noise and Vibration Management Plan (Document 5.3.3H) [APP-101]</b> as well as the <b>Code of Construction Practice (Document 5.3.3B) [APP-095]</b>, which contains a range of important mitigation measures for noise impacts. Construction noise has been assessed in accordance with standard methodology.</p> <p>In terms of the point made in respect of works over the river Ouse, night time working would be permitted by requirement 7(2)(b) because the work being carried out over the Ouse (necessitating a temporary closure) is installation of pilot wires and protective netting across that watercourse, and so falls within the carve out to operating hours.</p>

Table 3.12 – Item 4.3 Schedule 4: Discharge of Requirements

<b>Agenda sub-item</b>	<b>Summary of oral case</b>
<p>To test the provisions of Schedule 4 with the Applicant and relevant authorities, including practical considerations in relation to fees and appeals.</p>	<p>National Grid is in discussions with the relevant planning authorities regarding timing constraints and fees. National Grid wish to enter into a Planning Performance Agreement (PPA) for the delivery stage of the Project. That would provide for a pre-application process and paid for advice under the PPA so the fee for approval (which has been designated by the relevant regulations), would be in addition to the advice already provided and paid for under the PPA.</p>

Table 3.13 – Item 4.3 Schedule 15 Protective Provisions

<b>Agenda sub-item</b>	<b>Summary of oral case</b>												
<p>For the Applicant to explain the absence of any specific provisions for named Statutory Undertakers, some of whom have mentioned Protective Provisions in their RRs, and to give timescales for any additions to Schedule 15 for the protection of specific named undertakers.</p>	<p>Where bespoke protective provisions have not yet been included on the face of the Order, and bespoke provisions have been requested by a statutory undertaker, these are being progressed with a view to including the most up to date draft of each bespoke provision within the draft DCO at Deadline 3.</p> <p>Taking each undertaker in turn, the below table sets out the update made:</p> <table border="1" data-bbox="421 491 1939 1378"> <tbody> <tr> <td data-bbox="421 491 645 715"><b>Northern Power Grid</b></td> <td data-bbox="645 491 1939 715"> <p>Protective provisions for the benefit of electricity undertakers (part 1) (which also includes gas, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by Northern Power Grid and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p> <p>As discussed previously, this will protect both the Yorkshire and Northeast entity.</p> </td> </tr> <tr> <td data-bbox="421 715 645 831"><b>Network Rail</b></td> <td data-bbox="645 715 1939 831"> <p>Protective provisions for the benefit of Network Rail have been included within the draft DCO (part 4). These are not agreed by Network Rail and so negotiations are continuing with a view to reaching a suitable update to be incorporated into the draft DCO.</p> </td> </tr> <tr> <td data-bbox="421 831 645 954"><b>Cellnex UK</b></td> <td data-bbox="645 831 1939 954"> <p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO (part 2). The content of these protective provisions is not in dispute with Cellnex UK.</p> </td> </tr> <tr> <td data-bbox="421 954 645 1070"><b>Hutchinson 3 EE</b></td> <td data-bbox="645 954 1939 1070"> <p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with Hutchinson 3 EE.</p> </td> </tr> <tr> <td data-bbox="421 1070 645 1193"><b>BT</b></td> <td data-bbox="645 1070 1939 1193"> <p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with BT.</p> </td> </tr> <tr> <td data-bbox="421 1193 645 1378"><b>National Gas Transmission</b></td> <td data-bbox="645 1193 1939 1378"> <p>Protective provisions for the benefit of gas undertakers (which also includes electricity, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by National Gas Transmission and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p> </td> </tr> </tbody> </table>	<b>Northern Power Grid</b>	<p>Protective provisions for the benefit of electricity undertakers (part 1) (which also includes gas, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by Northern Power Grid and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p> <p>As discussed previously, this will protect both the Yorkshire and Northeast entity.</p>	<b>Network Rail</b>	<p>Protective provisions for the benefit of Network Rail have been included within the draft DCO (part 4). These are not agreed by Network Rail and so negotiations are continuing with a view to reaching a suitable update to be incorporated into the draft DCO.</p>	<b>Cellnex UK</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO (part 2). The content of these protective provisions is not in dispute with Cellnex UK.</p>	<b>Hutchinson 3 EE</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with Hutchinson 3 EE.</p>	<b>BT</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with BT.</p>	<b>National Gas Transmission</b>	<p>Protective provisions for the benefit of gas undertakers (which also includes electricity, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by National Gas Transmission and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p>
<b>Northern Power Grid</b>	<p>Protective provisions for the benefit of electricity undertakers (part 1) (which also includes gas, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by Northern Power Grid and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p> <p>As discussed previously, this will protect both the Yorkshire and Northeast entity.</p>												
<b>Network Rail</b>	<p>Protective provisions for the benefit of Network Rail have been included within the draft DCO (part 4). These are not agreed by Network Rail and so negotiations are continuing with a view to reaching a suitable update to be incorporated into the draft DCO.</p>												
<b>Cellnex UK</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO (part 2). The content of these protective provisions is not in dispute with Cellnex UK.</p>												
<b>Hutchinson 3 EE</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with Hutchinson 3 EE.</p>												
<b>BT</b>	<p>Protective provisions for the protection of Operators of Electronic Communications Code Networks have been included within the draft DCO. The content of these protective provisions is not in dispute with BT.</p>												
<b>National Gas Transmission</b>	<p>Protective provisions for the benefit of gas undertakers (which also includes electricity, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by National Gas Transmission and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.</p>												

	<b>Northern Gas Networks</b>	Protective provisions for the benefit of gas undertakers (which also includes electricity, water and sewerage undertakers) have been included within the draft DCO. These are not agreed by Northern Gas Network and so bespoke protective provisions are currently being negotiated for this statutory undertaker and will be included within the draft DCO once in agreed form.	
	<b>Canal and River Trust</b>	Protective provisions for the benefit of the Canal and River Trust have been included within the draft DCO (Part 3). These are not agreed by the Canal and River Trust and so negotiations are continuing with a view to reaching a suitable update to be incorporated into the draft DCO.	
	<b>Yorkshire Water</b>	Protective provisions for the benefit of water undertakers (which also includes electricity, gas and sewerage undertakers) have been included within the draft DCO. Whilst it is understood that these are not objected to by Yorkshire Water, an agreement is being negotiated with Yorkshire Water to ensure that their assets are satisfactorily protected.	
	<b>National Highways</b>	No protective provisions have been provided for the benefit of National Highways in the draft DCO to date. Following engagement with National Highways, it is anticipated that bespoke protective provisions will be included on the face of the draft DCO to protect National Highways' interests.	
For the Applicant and any Statutory Undertakers present to give a brief update on negotiations with all parties with whom Protective Provisions would be sought.	Negotiations are progressing with all statutory undertakers and more detail will be provided on this in the 'Applicant's planning obligations and commercial side agreements tracking list' to be submitted at Deadline 1.		