

YG-DCO-082

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

**Document 8.5.15 Statement of Common Ground Between National
Grid Electricity Transmission plc and Canal & River Trust**

**Draft Version 1
March 2023**

Planning Inspectorate Reference: EN020024

Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009 Regulation 5(2)(q)

Contents

1.	Introduction	4
1.2	Description of the Project	4
1.3	This Statement of Common Ground	7
2.	Record of Engagement	9
2.1	Role of the Canal & River Trust in the DCO process	9
2.2	Summary of pre-application discussions	10
2.3	Summary of post-submission discussions	11
3.	Matters Agreed	13
4.	Matters Not Agreed	15
5.	Matters outstanding	16
6.	Approvals	18

Table 2.1 – Pre-application discussions	10
Table 2.2 – Post-submission discussions	11
Table 3.1 – Matters agreed	13
Table 4.1 – Matters not agreed	15
Table 5.1 – Matters outstanding	16

Figure 1– Location of the Yorkshire GREEN Project	7
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Yorkshire GREEN Project

Document control

Version History

Document	Version	Status	Description / Changes
Statement of Common Ground	1.0	Draft	For discussion with Canal & River Trust
Statement of Common Ground	1.0	Draft	Draft for signing

1. Introduction

- 1.1.1 A Statement of Common Ground (SoCG) is a written statement produced as part of the application process for a Development Consent Order (DCO) and is prepared jointly between the applicant and another party. It sets out matters of agreement between both parties, as well as matters where there is not an agreement. It also details matters that are under discussion.
- 1.1.2 The aim of a SoCG is to help the Examining Authority manage the Examination Phase of a DCO application. Understanding the status of the matters at hand will allow the Examining Authority to focus their questioning, and provide greater predictability for all participants in examination. A SoCG may be submitted prior to the start of or during Examination, and then updated as necessary or as requested during the Examination Phase.
- 1.1.3 This SoCG is between National Grid Electricity Transmission Plc (“National Grid”) and Canal & River Trust relating to the DCO application for the Yorkshire GREEN Project. The SoCG relates to the DCO application for the Yorkshire Green Energy Enablement (GREEN) Project (referred to as the Project or Yorkshire GREEN). It has been prepared in accordance with the guidance¹ published by the Department for Levelling Up, Housing and Communities (DLUHC).
- 1.1.4 This SoCG has been prepared to identify matters agreed, matters not agreed and matters currently outstanding between National Grid and Canal & River Trust.
- 1.1.5 This version (V1 March 2023) of the SoCG represents the position between National Grid and Canal & River Trust at the pre-examination period. The SoCG will evolve as the DCO application progresses to through the examination process.

1.2 Description of the Project

Need for the Yorkshire GREEN Project

- 1.2.1 National Grid propose to upgrade and reinforce the electricity transmission system in Yorkshire. This reinforcement is needed to improve the transfer of clean energy across the country.
- 1.2.2 Electricity flows are set to double within the next ten years as a result of offshore wind developments, other sources of clean energy and expanding interconnection capacity (high-voltage cables that connect the electricity systems of neighbouring countries) in both Scotland and north-east England. Yorkshire GREEN would contribute towards strengthening the national electricity transmission network so that it can accommodate this growth in electricity flows. Reinforcement would ensure that the network is not

¹ Planning Act 2008: Guidance for the examination of applications for development consent. Available at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418015/examinations_guidance-final_for_publication.pdf

overwhelmed, and that potential future pressures on the network are relieved in the north and north-east of England, whilst balancing supply and demand.

1.2.3 Without additional reinforcement, the existing transmission system would become overloaded. To stop these overloads from happening, National Grid Electricity System Operator would need to constrain power generation. Such action could result in significant costs to consumers.

1.2.4 As a result, it is necessary and economical to invest in network reinforcement in the long term, and critically to ensure that Yorkshire GREEN is designed, tested and installed in sufficient time to meet the 2027 earliest in service date. Reinforcement of the network would enable an increase in the transfer of clean energy, increasing network capacity and avoiding constraint costs.

Yorkshire GREEN Project Description

1.2.5 Yorkshire GREEN comprises both new infrastructure and works to existing transmission infrastructure and facilities. The Project is divided into six sections (see **Figure 1**), located within six Local Authority boundaries² :

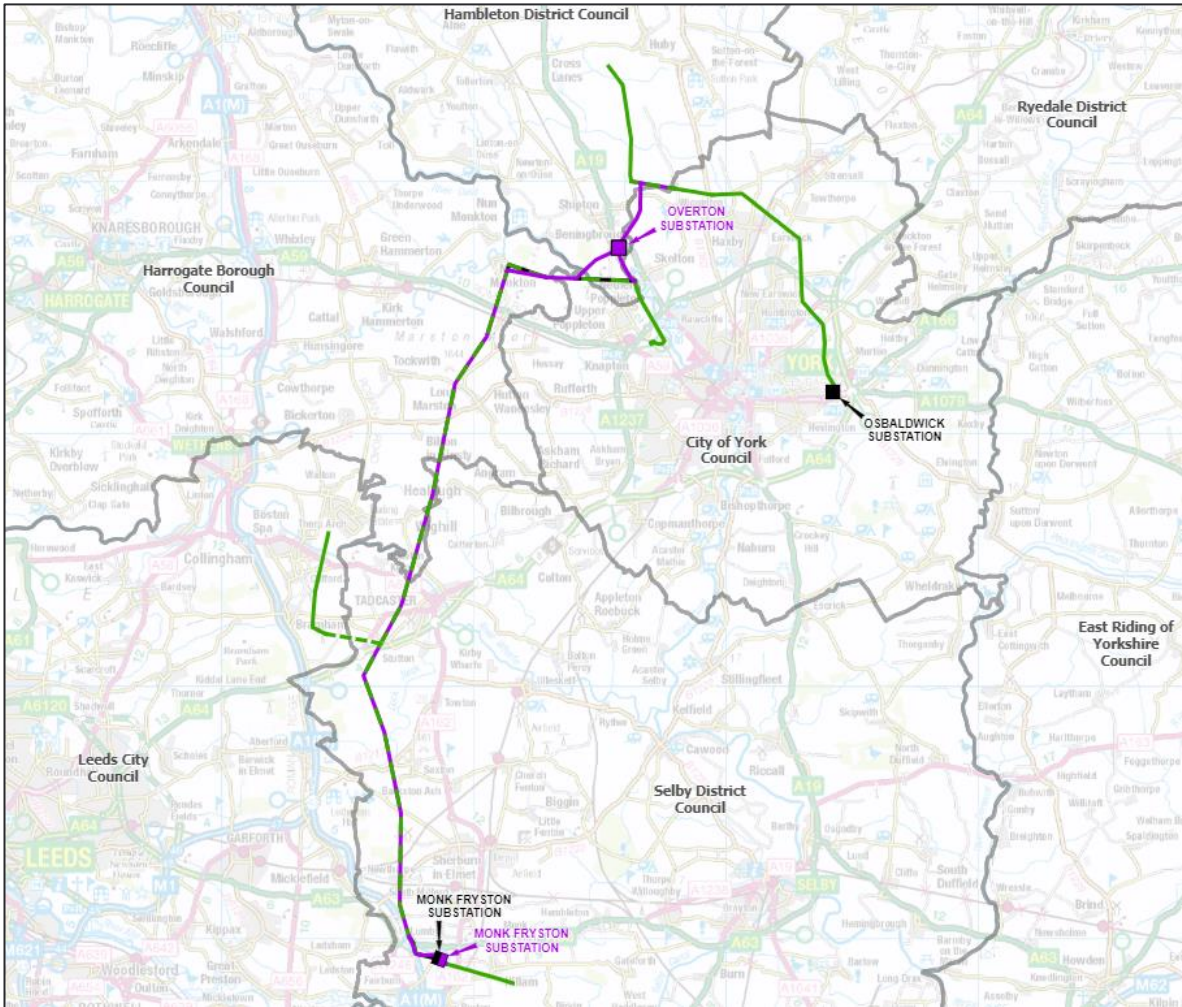
- **Section A (Osbalwick Substation):** Minor works would take place at the existing Osbalwick Substation comprising the installation of a new circuit breaker and isolator along with associated cabling, removal and replacement of one gantry and works to one existing pylon. All substation works would be within existing operational land.
- **Section B (North west of York Area):** Works would comprise:
 - reconductoring of 2.4km of the 400kV Norton to Osbalwick (2TW/YR) overhead line and replacement of one pylon on this overhead line;
 - the new 400kV YN overhead line (2.8km), north of the proposed Overton Substation;
 - the new Shipton North and South 400kV cable sealing end compounds (CSECs) and 230m of cabling to facilitate the connection of the new YN 400kV overhead line with the existing Norton to Osbalwick YR overhead line;
 - a new substation (Overton 400kV/275kV Substation) approximately 1km south of Shipton by Beningbrough;
 - two new sections of 275kV overhead line which would connect into Overton Substation from the south (the 2.1km XC overhead line to the south-west and the 1.5km SP overhead line to the south-east);
 - works to 5km of the existing XCP Poppleton to Monk Fryston overhead line between Moor Monkton in the west and Skelton in the east comprising a mixture of decommissioning, replacement and realignment. To the south and south-east of Moor Monkton the existing overhead line would be realigned up to 230m south from the current overhead line and the closest pylon to Moor Monkton (340m south-east) would be permanently removed. A 2.35km section of this existing overhead line permanently removed between the East Coast Mainline (ECML) Railway and Woodhouse Farm to the north of Overton.

² North Yorkshire County Council, Selby District Council, Harrogate Borough Council, Hambleton District Council, City of York Council, and Leeds City Council.

- **Section C (existing 275kV Poppleton to Monk Fryston (XC) overhead line north of Tadcaster (Section D)):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations.
- **Section D (Tadcaster):** Two new CSECs (Tadcaster East and West 275kV CSECs) and approximately 350m of cable would be installed approximately 3km south-west of Tadcaster and north-east of the A64/A659 junction where two existing overhead lines meet. One pylon on the existing 275kV Tadcaster Tee to Knaresborough (XD) overhead line would be replaced.
- **Section E (existing 275kV Poppleton to Monk Fryston (XC) overhead line south of Tadcaster (Section D)):** Works proposed to this existing 275kV overhead line include replacing existing overhead line conductors, replacement of pylon fittings, strengthening of steelwork and works to pylon foundations. Work to the existing overhead line similar to those outlined for Section C would be undertaken; and
- **Section F (Monk Fryston Area):** A new substation would be constructed to the east of the existing Monk Fryston Substation which is located approximately 2km south-west of the village of Monk Fryston and located off Rawfield Lane, south of the A63. A 1.45km section of the 275kV Poppleton to Monk Fryston (XC) overhead line to the west of the existing Monk Fryston Substation and south of Pollums House Farm would be realigned to connect to the proposed Monk Fryston Substation. East of the existing Monk Fryston Substation the existing 4YS 400kV Monk Fryston to Eggborough overhead line, which currently connects to the existing substation, would be reconfigured to connect to the proposed Monk Fryston Substation.

1.2.6 Temporary infrastructure would be required to facilitate the Project, including temporary overhead line diversions and temporary construction compounds.

Figure 1– Location of the Yorkshire GREEN Project



1.3 This Statement of Common Ground

- 1.3.1 For the purpose of this SoCG, National Grid and Canal & River Trust will jointly be referred to as the “Parties”. When referencing Canal & River Trust alone, they will be referred to as “the Consultee”.
- 1.3.2 Throughout the SoCG:
 - Where a section begins ‘matters agreed’, this sets out matters that have been agreed between the Parties or where no issues have been raised by Canal & River Trust, and therefore where there is no dispute;
 - Where a section begins ‘matters not agreed’, this sets out matters that are not agreed between the Parties and where a dispute remains; and
 - Where a section begins ‘matters outstanding, this sets out matters that are subject to further negotiation between the Parties.
- 1.3.3 This SoCG is structured as follows:
 - **Section 1:** Provides an introduction to this SoCG and a description of its purpose together with a broad description of the Project;
 - **Section 2:** States the role of Canal & River Trust in the DCO application process and details consultation undertaken between the Parties;

- **Section 3:** Sets out matters agreed between the Parties;
- **Section 4:** Sets out matters not agreed between the Parties;
- **Section 5:** Sets out matters where agreement is currently outstanding between the Parties; and
- **Section 6:** Sets out the approvals and the signing off sheet between the Parties.

2. Record of Engagement

2.1 Role of Canal & River Trust in the DCO process

- 2.1.1 The Canal & River Trust (the Trust) is the charity which looks after and brings to life 2000 miles of canals & rivers. The Trust is a charitable organisation and is the navigation authority for the whole of the navigable River Ouse. The Trust has a duty under S105 Transport Act 1968 to maintain commercial waterways in a suitable condition for use and this applies to the relevant part of the River Ouse. In relation to this function and the Act it has duties relating to the safety of navigation on the River, and provision of navigation for vessels which is used by both leisure and commercial vessels. Under its articles of association, the Trust's objects include the object to preserve, protect, operate and manage inland waterways for public benefit for navigation.
- It is a prescribed consultee under Section 42³ of the Planning Act 2008 and therefore National Grid must consult with Canal & River Trust before submitting a Nationally Significant Infrastructure Project (NSIP) application.
 - The Planning Inspectorate must consult Canal & River Trust before adopting a scoping opinion in relation to any Environmental Impact Assessment (EIA)⁴ and as a prescribed consultee for the environmental information submitted pursuant to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
 - It is a statutory party in the examination of Development Consent Order (DCO) applications⁵.
- 2.1.2 As part of the consultation process the Applicant carried out non statutory and statutory consultation. Further information on this consultation is set out in **Section 4 and 5** of the **Consultation Report (Section 4 and 5, Volume 6, Document 6.1) [APP-195]**.
- 2.1.3 On submission of the DCO, the Canal & River Trust has been invited to participate in the examination of the Project as an Interested Party. During the examination process, the Canal & River Trust may prepare written representations, and respond to written questions from the Examining Authority as well as participate in hearings.

³ Section 42(a) Planning Act 2008 and Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

⁴ Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

⁵ Section 88(3) (c) and section102(ca) Planning Act 2008 and the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

2.2 Summary of pre-application discussions

2.2.1 **Table 2.1** summarises the consultation and engagement that has taken place between the Parties prior to submission of the DCO application. This includes discussions relating to EIA Scoping, s42 statutory consultation and additional technical engagement.

Table 2.1 – Pre-application discussions

Date	Topic	Discussion points
9 April 2021	Acknowledgement of notice of non- statutory consultation.	
29 March 2021	Response to non-statutory consultation regarding crossing of the river Ouse	Canal & River Trust Code of Practice, landscape and visual impacts, and stability/ vibration impacts.
11 November 2021	Section 42 consultation response	Section 42 consultation response relating to works in proximity to the river Ouse
10 October 2022	Detailed response from National Grid to the Trust in relation to the Section 42 consultation response	Detailed letter responding to the points raised by the Trust in their consultation responses, following further design work.
21 October 2022	Letter from the Trust to National Grid	Letter raising concerns regarding suspending navigation rights on the river Ouse, and the need to co-ordinate with the Trust
1 November 2022	Introductory Meeting email from Bethany Kington to Simon Tucker	Email from National Grid to request a meeting with Canal and River Trust
3 November 2022	Introductory Meeting- Simon Tucker (the Trust), and National Grid (Emer Mcdonnell, Steve Fowler and Bethany Kington	Introduction to the project, overview of proposals around the river Ouse (including timing, duration, and construction approach), draft protective provisions intended for the DCO.

2.3 Summary of post-submission discussions

2.3.1 **Table 2.2** will summarise the consultation and engagement that takes place between the Parties post submission of the DCO application.

Table 2.2 – Post-submission discussions

Date	Topic	Discussion points
21 November 2022	Email from Bethany Kington to Simon Tucker	Email follow up and request for any comments from the Trusts' legal team on draft DCO wording
2 December 2022	Email from Alexandra Dillistone to Bethany Kington	Noted that the Trust are keen to progress matters with regards to the wording of the DCO in advance of the start of the Examination.
7 December 2022 9 December 2022 5 January 2023 18 January 2023	Emails between Bethany Kington to Alexandra Dillistone	Exchanges with regards to Protective Provisions and agreement of Undertaking provided by National Grid.
19 January 2023	Email from Emer Mcdonnall to Simon Tucker	Commitment to ongoing engagement.
7 February 2023	Draft Protective Provisions	Canal & River Trust response to draft Protective Provisions sent to National Grid
27 February 2023	Email from Simon Tucker to Bethany Kington and Emer Mcdonnall	Email highlighting a request for a SoCG for Deadline 1 (5 th April), and enquiry on the provision of a draft SoCG for the Trust for review.

		Email also enquired about provision of response to Trust's comments on Protective Provisions sent on 7 th February
3 March 2023	SoCG and draft Protective Provision	Holding email confirming that National Grid will be responding to the Trust's comments on the draft Protective Provisions shortly. Also confirmation that National Grid will draft a SoCG and circulate to the Trust
10 March 2023	SoCG and draft Protective Provision	Provision of National Grid's comments on the draft Protective Provisions provision of a draft SoCG for discussion

3. Matters Agreed

3.1.1 This section sets out the matters that have been agreed between National Grid and Canal & River Trust. In particular **Table 3.1** details these matters.

Table 3.1 – Matters agreed

SoCG ID	Matter	Agreed position	Date of Agreement
3.1.1	PEIR	Canal and River Trust take no issue with the PEIR conclusions	March 2023
3.1.2	River Ouse Crossing	Canal & River Trust take no issue with proposals relating to access to the scaffold for crossing of the River Ouse, subject to agreement of protective measures	February 2022
	Construction Approach	The Canal and River Trust take no issue with the construction approach, which the applicant identifies will be further detailed through the use of Construction Management Plans to be secured via the DCO requirements.	February 2023
3.1.3	Loading and Vibration	The Canal and River Trust take no issue with the proposed approach to managing loading and vibration risks, which the applicant identifies will be mitigated against through the use of a Noise and Vibration Management Plan. Canal and River Trust recognises that the applicant has addressed this matter within the submitted Noise and Vibration Management Plan	February 2023

SoCG ID	Matter	Agreed position	Date of Agreement
3.1.4	Approach to Pollution	The Trust have no issue with the proposed approach to the prevention of pollution.. The Canal and River Trust anticipates that appropriate mitigation measures will be identified within the outline Construction Management Plan details to be reserved through schedule 4, part 6 of the draft DCO	February 2023

4. Matters Not Agreed

4.1.1 Section 4 sets out matters not agreed between National Grid and Canal & River Trust. **Table 4.1** details these matters.

Table 4.1 – Matters not agreed

SoCG ID	Matter	Canal & River Trust position	National Grid position
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5. Matters Outstanding

5.1.1 Section 5 sets out matters where agreement is currently outstanding between National Grid and Canal & River Trust. In particular **Table 5.1** details these matters.

Table 5.1 – Matters outstanding

SoCG ID	Matter	Canal & River Trust position	National Grid position
5.1.1	<p>Draft Development Consent Order (Document 3.1) [APP-066]</p> <p>Protective provisions have been provided for the Trust (Schedule 12, part 3, of the draft DCO) EN020024 [AS-011].</p>	<p>These do not offer appropriate protection for the Trust as currently written.</p> <p>Outstanding matters include:</p> <ul style="list-style-type: none"> - Notice periods for works that interfere with the waterway under article 54 (temporary closure of, and works in, the River Ouse) - Details of fencing and lighting associated with the works to cross the River Ouse - Measures for the approval of plans to Cross the Ouse by the Trust - Details of making good any detriment; compensation and indemnity 	<p>Protective Provisions are currently included in the draft Development Consent Order and further discussions between the Canal & River Trust to be held throughout Examination.</p>

5.1.2	Relevant Representations (RR-004)	<p>Our position is that any operations affecting navigation on the River Ouse need to be co-ordinated with the Trust appropriately, so as to ensure that those operations do not adversely impact upon the Trust's charitable objectives and maintenance responsibilities.</p> <p>Further discussions between the Canal & River Trust to be held throughout Examination.</p>
5.1.3	<p>(B) Volume Draft DCO EN020024 [AS-011]</p> <p>The draft article 54 of the dDCO as submitted.</p>	<p>The draft article 54 of the dDCO do not offer appropriate protection for the Trust as currently written. Notably with regards to the rights sought to temporarily interfere with the relevant part of the river. The Trust's position is that the protective provisions under Schedule 12, part 3, need to be amended to provide appropriate protection.</p> <p>Further discussions between the Canal & River Trust to be held throughout Examination.</p>

6. Approvals

Signed	B.Kington
On Behalf of	National Grid
Name	Bethany Kington
Position	Consents officer
Date	31.3.23
Signed	S. Tucker
On Behalf of	Canal & River Trust
Name	Simon Tucker
Position	Area Planner
Date	03.04.2023