

YG-DCO-146

Yorkshire Green Energy Enablement (GREEN) Project

Volume 8

**Document 8.31 Applicant's Comments on Interested Parties' Deadline
6 Submissions**

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Version History

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06/09/2023	A	Final	First Issue
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1. About this document

1.1 Introduction

- 1.1.1 This document provides National Grid Electricity Transmission plc's (National Grid) (the Applicant) response to Interested Parties' submissions made at Examination Deadline 6 for the Yorkshire Green Energy Enablement Project (Yorkshire GREEN or the Project), where National Grid considers a response is required. It also provides a response to the late submissions accepted at the discretion of the Examining Authority (ExA).
- 1.1.2 National Grid has reviewed all Interested Parties' submissions made at Deadline 6, but has not provided comments on all responses if not deemed necessary. For the avoidance of doubt, where National Grid has chosen not to comment on matters raised by Interested Parties this is not an indication that National Grid agrees with the point or comment raised or opinion expressed.
- 1.1.3 The responses provided in this document are either in the form of a short response providing National Grid's latest position on the matter, a cross-reference to the most relevant documentation, or a more detailed response where this is considered relevant to clarify matters.

2. Applicant’s Response to Interested Parties’ Deadline 6 Submissions

2.1 Ainsty (2008) Internal Drainage Board

Table 2.1 – Ainsty (2008) Internal Drainage Board: Comments on the Applicant’s updated draft Development Consent Order [REP6-067]

Reference	Topic	Applicant’s Response
Comments on the Applicant’s updated draft Development Consent Order	Difference between clearance requested by Ainsty IDB, and that proposed by National Grid in some locations.	<p>National Grid has provided a full response against Q4.0.2 of the Applicant’s Response to the Examining Authority’s commentary and questions on the draft Development Consent Order (DC1) (Document 8.33) as to why it fundamentally disagrees with an Internal Drainage Board (IDB) control which would enable the IDB to require clearances in excess of the statutory minimum clearances. In short, this would not enable National Grid to comply with its statutory duty to be economic and efficient and, in respect of the particular crossing concerned, would not be deliverable under the powers sought in the draft DCO (Document 3.1(F)) so would require additional or new consents, has not been environmentally assessed and would likely require additional land rights to construct.</p> <p>National Grid provided a detailed technical response regarding overhead line clearances above maintained watercourses in Ainsty Internal Drainage Board’s (AIDB) district in the Applicant’s Comments on Interested Parties Deadline 5 Submissions (Document 8.28) [REP6-058] in Table 2.1. National Grid’s further technical response</p>

Reference	Topic	Applicant's Response
		<p>to AIDB's subsequent Deadline 6 submission on this matter and its reasoning as to why AIDB will be able to maintain their watercourses below the overhead lines at the clearances proposed by the Project is set out below. In this respect, it should be noted that there is only one crossing (the span between pylons XC459 to XC460) where AIDB's proposed minimum clearance is not met by the existing design of the Project, and this is at an existing crossing (under which AIDB already maintain the ordinary watercourse) where the overhead line will be reconducted. In addition, as a result of the reconducting the minimum clearance will be increased by at least 1m compared with the existing position, so results in a higher clearance than is currently the case without the Project.</p> <p>National Grid design overhead lines to the statutory clearances specified in the Electricity Safety, Quality and Continuity Regulations 2002, which are a minimum of 7.0m ground clearance for a 275kV overhead line, and 7.3m for a 400kV overhead line. These clearances are also set out in Energy Networks Association's Technical Specification 43-8, which forms the basis for overhead lines design, setting out the minimum statutory safe clearance distances that overhead lines must achieve, such as over roads, clearance to objects etc. The key clearance in Energy Networks Association's Technical Specification 43-8 in this instance is the minimum clearance to any object to which access is not required and which a person cannot stand or lean a ladder on, which is 2.4m for 275kV and 3.1m for 400kV overhead lines. These are the distances that equipment under the</p>

Reference	Topic	Applicant's Response
		<p>overhead line must be from the lowest conductor to ensure that it is safe to work under the operating overhead line.</p> <p>In their Deadline 6 response, AIDB make reference to the Health and Safety Executive's Guidance Note GS6 Avoiding Danger from Overhead Power Lines. National Grid note that the GS6 guidance advises a 7m exclusion zone around 275kV and 400kV overhead lines. However, this is intended as guidance for working under an overhead line without any control measures in place and National Grid would still need to be contacted to provide accurate clearances under that section of overhead line. Importantly, the GS6 guidance does not limit working within this 7m exclusion zone with appropriate control measures in place. This could include measures such as line watchers, and height limiters on machinery. The AIDB have stated that they already limit their machinery to 3.5m when maintaining their watercourses. Under the safe working clearances as set out in the Energy Networks Association's Technical Specification 43-8 referred to above, by limiting the height of the machinery to 3.5m, there is no possibility that maintaining the AIDB watercourses would breach these safe clearances following construction of the Project, and in all instances it would be safe to work underneath the overhead line with appropriate control measures in place. In summary, National Grid maintain that by designing to the statutory clearances, it is safe to maintain the IDB watercourses underneath the overhead lines subject to an appropriate Risk Assessment and Method Statement being in place, as would ordinarily be required as a matter of standard practice when working below overhead lines.</p>

Reference	Topic	Applicant's Response
		<p>AIDB are asking for a minimum of 10.5m clearance between overhead lines and the top of bank of their maintained watercourses. This is based on a maximum 3.5m working height for their machinery plus the 7.0m exclusion zone advised in GS6. National Grid provided a table in Appendix D of Applicant's Response to ISH4 Hearing Action Points (Document 8.29.4) [REP6-062] which sets out the existing and proposed clearances for crossings over AIDB watercourses. For existing crossings, current clearances are improved upon in all cases, and for all but one of these (the span between pylon XC459 and XC460), the 10.5m clearance requested by AIDB is achieved. For the two new crossing locations in AIDB's district, the requested 10.5m clearance is met. Whilst these clearances are subject to detailed design, the majority of the crossings are on the existing overhead line with existing pylons being reconducted, so clearances will be similar to what is proposed when detailed design is undertaken.</p> <p>National Grid note that AIDB currently maintain watercourses in two locations with approximately 8.0m clearance and note that the frequency of the maintenance is approximately once a year. With the measures stated above and by limiting the height of their machinery to 3.5m, National Grid asserts that it is safe in all instances for AIDB to continue to manage their watercourses in the same way that they currently do.</p> <p>As explained in Applicant's Response to the Examining Authority's commentary and questions on the draft Development Consent Order (DC1) (Document 8.33) (Q4.0.2) should an approval right be included for IDBs in the</p>

Reference	Topic	Applicant's Response
		<p>DCO and AIDB require a minimum clearance of 10.5 metres in this location, this could not be delivered under the powers contained in the draft DCO (Document 3.1(F)) and would require new or additional consents. This is because the crossing is identified only for reconductoring under Schedule 1 and the Works Plans, and an increase in height would require new taller pylons and restringing which is not the works for which development consent has been sought or environmentally assessed, or for which necessary land rights are being secured. For this reason, it would result in substantial delay to the delivery of the Project which would likely not achieve the earliest in service date. Additionally, such a decision would call into question whether the statutory clearances contained in Schedule 2 of the Electricity Safety, Quality and Continuity Regulations 2002, to which National Grid designs its overhead lines, are fit for purpose.</p> <p>In summary, by designing the overhead lines to the statutory clearances, National Grid has ensured that statutory safety distances are in place for working underneath all overhead lines forming part of the Project. National Grid is willing to continue discussions with AIDB around working safely underneath overhead lines installed at the clearance proposed, but cannot accept any requirement to install overhead lines with a minimum 10.5m clearance, given this significantly exceeds the statutory minimum clearances and could not be delivered (in all cases) under the terms of the DCO being sought for this particular Project.</p>

2.2 Carter Jonas LLP on behalf of Philip Watson

Table 2.2 – Carter Jonas LLP on behalf of Philip Watson: Responses to the Examining Authority’s Further Written Questions (ExQ2) [REP6-068]

Reference	Topic	Applicant’s Response
<p>Responses to the Examining Authority’s Further Written Questions (ExQ2)</p>	<p>Agricultural Land Officer (ALO)</p>	<p>National Grid understands Mr Watson’s concerns around the availability of the ALO and the ability for the ALO to give an out of office support service. Table 2.1 of the Code of Construction Practice (CoCP) (Document 5.3.3B(E)) details the structure and roles of both the Land Officer and ALO which together provide a two-tier contact system for landowners, occupiers and agents. The contact details of the Land Officer and the ALO will be made available to landowners, occupiers and agents, who will be contactable throughout the notified working hours. Outside of these times and in the event of emergency, out of hours contact details will be provided.</p> <p>In addition, contact details will be made available for the Community Relations Team. The responsibilities of this team can be found in sections 2.2.9 to 2.2.13 of the CoCP (Document 5.3.3B(E)). The Community Relations Team is required to be contracted through National Grid.</p> <p>With regard to the compensation payable and if agreement cannot be reached between the parties, Alternative Dispute Resolution or the Upper Tribunal (Lands Chamber) will be available, which in each case are independent of National Grid – it is however National Grid’s preference to reach agreement on compensation as well as terms to acquire the necessary interests by agreement.</p>

2.3 Leeds City Council

Table 2.3 – Leeds City Council: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the Examining Authority [REP6-069]

Reference	Topic	Applicant's Response
<p>Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the Examining Authority</p>	<p>3a(i) Planting</p> <p>Terminology for planting types, replacement planting ratios and maintenance periods.</p>	<p>National Grid welcomes Leeds City Council's (LCC) confirmation that the LCC replanting ratio of 3:1 (as defined in Policy Land 2) is not relevant to the Project, as no trees are to be removed within LCCs administrative boundary. National Grid confirms that some trees/hedges within this area are classed as <i>potentially affected</i> (as shown on Sheet 2 of Section D of the Trees and Hedgerows Potentially Affected Plan (Document 2.11.4) [APP-053]) which means should the scheme design change within the limits of deviation there could be a potential for removal or management, and should this occur, replacement planting would be delivered in accordance with Requirement 10 of the draft Development Consent Order (Document 3.1(F)).</p> <p>National Grid also acknowledges that LCC has confirmed that it is satisfied with the proposed 5 year maintenance period and the amended wording within Requirement 10 (3) (c) (referring to <i>replacement</i>, rather than <i>reinstatement</i>).</p>
<p>Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the</p>	<p>3b(ii) BNG</p> <p>Proposed location of BNG, and timing of delivery</p>	<p>Subject to the Project obtaining consent, National Grid will continue to work with all host Local Planning Authorities (LPAs) to explore BNG opportunities available (including the suggestions put forward by Leeds City Council). Subject to suitable opportunities, National Grid will seek to deliver BNG in proximity to the Project, and across the host LPAs, proportionate to the amount of development within each</p>

Reference	Topic	Applicant's Response
Examining Authority		authority. This intention is reflected within the S106 Agreement.

Table 2.4 – Leeds City Council: Response to Issue Specific Hearing 4 (ISH4) Action Point 5 [REP6-070]

Reference	Topic	Applicant's Response
Response to Issue Specific Hearing 4 (ISH4) Action Point 5	S106 Agreement	A copy of the S106 signed by all parties, including Leeds City Council, is provided in Document 8.22(B) .

2.4 Marion and David Blacker

Table 2.5 –Marion and David Blacker: Post hearing submissions including written summaries of oral submissions to the hearing and any documents requested by the Examining Authority [REP6-071]

Reference	Topic	Applicant's Response
<p>Post hearing submissions including written summaries of oral submissions to the hearing and any documents requested by the Examining Authority</p>	<p>The use of undergrounding rather than constructing new overhead lines</p>	<p>As detailed within ES Chapter 2 - Project Need and Alternatives (Document 5.2.2) [APP-074], National Grid considered several different strategic options, including underground cables, at the early stages of Project design.</p> <p>As detailed within section 7.4 of the Consultation Report (Document 6.1) [APP-195], National Grid develops its projects in line with national policy and the statutory duties to develop an efficient, economic and coordinated network, and have regard to preserving amenity and mitigating impacts. National Grid recognise that overhead lines can give rise to adverse landscape and visual effects, and therefore carefully consider these along with technical requirements and cost when developing projects.</p> <p>The Yorkshire GREEN Project, the majority of which will involve the refurbishment of an existing overhead line with only approximately 7km of new route proposed- does not affect any nationally designated landscapes – which National Grid seek to avoid in the first instance. National Grid have carefully considered potential impacts of a new above ground route and likely mitigation required through careful routing and screening. Having considered the factors identified above, it is proposed that the new connection required between the two existing overhead lines for the Yorkshire GREEN project will be delivered by way of a new overhead line (see Strategic Proposal 2019</p>

Reference	Topic	Applicant's Response
		<p>(Document 7.5) [APP-206], Strategic Proposal Back Check and Review 2020 (Document 7.6) [APP-207], Strategic Proposal Addendum 2021 (Document 7.7) [APP-208] and Corridor and Preliminary Routing and Siting Study 2021 (Document 7.8) [APP-209] for further details regarding the Project design evolution).</p>
<p>Post hearing submissions including written summaries of oral submissions to the hearing and any documents requested by the Examining Authority</p>	<p>15% loss of farmland</p>	<p>National Grid had a site meeting with Mr David Blacker and his agent on 24 July 2023. National Grid followed up this meeting with an email on 24 July 2023 confirming the reasoning for the proposed pylon (SP006) location, and constraints around the pylon location. With regard to the loss of agricultural land, there may be potential to mitigate this further by micrositing of the pylons within the limits of deviation to further minimise impact on agricultural practices, as discussed at the meeting on 24 July 2023, however this can only be considered once the main works contractor is appointed.</p> <p>National Grid have added a commitment to the Code of Construction Practice (Document 5.3.3B(D)) [REP6-037] that they would liaise with affected landowners on the final siting of pylons SP005 and SP006 during the detailed design to establish whether there is potential to minimise impacts on farming practices by micro-siting in this location.</p> <p>With regard to the comment on the loss of farmland due to pylon SP007, it is important to note that this is an existing pylon (SP007) National Grid are aware part of the field is not cropped but still farmed, approximately 0.53 hectares of the field. National Grid's proposal is not to alter the existing pylon location (SP007) as detailed further below, and the</p>

Reference	Topic	Applicant's Response
		<p>permanent effect of pylon SP007 will remain the same as the existing baseline.</p>
<p>Post hearing submissions including written summaries of oral submissions to the hearing and any documents requested by the Examining Authority</p>	<p>Pylon SP007</p>	<p>National Grid has responded in detail regarding SP007 and the removal of this pylon in Table 2.18, Q13.0.3 in Applicant's Comments on Interested Parties Deadline 5 Submissions (Document 2.28) [REP6-058]. A summary of why this is not a feasible proposal is set out below:</p> <ul style="list-style-type: none"> • SP008 is a suspension pylon, meaning it is unsuitable for use in the proposal and would need to be replaced with a tension pylon • A replacement SP008 would be taller than the existing pylon • A significant and complex temporary diversion would be needed to replace SP008, which is very complex with the interaction with the railway, and would need additional outages • The span between SP006 and SP008 would be over the design limit for the pylon suite, whilst in some instances this may be possible it is dependent on constraints and would likely require larger pylons and more steelwork strengthening. <p>For these reasons, National Grid is unable to remove SP007. However, National Grid has added a commitment to the Code of Construction Practice (Document 5.3.3B(D)) [REP6-037] that they will liaise with affected landowners on the final siting of pylons SP005 and SP006 during the detailed design to establish whether there is potential to minimise impacts on farming practices by micro-siting in this location.</p>

2.5 National Gas Transmission Plc

Table 2.6 – National Gas Transmission Plc: Preferred Protective Provisions [REP6-072]

Reference	Topic	Applicant's Response
Preferred Protective Provisions	National Gas Transmission (NGT) has supplied a copy of its preferred protective provisions.	<p>Full details of the outstanding drafting points between National Grid's preferred protective provisions, as included within Part 7 of Schedule 15 to the draft DCO (Document 3.1(E)), and NGT's preferred protective provisions supplied within [REP6-072] is included within Proposed Protective Provisions to benefit National Gas Transmission (Document 8.30.3) [REP6-065].</p> <p>National Grid has also submitted a Position Statement at Deadline 7 which summarises National Grid's position on the Protective Provisions not yet agreed with NGT (Document 8.34.4).</p>

Table 2.7 – National Gas Transmission Plc: Response to Compulsory Acquisition Hearing 2 (CAH2) Action point 16 [REP6-073]

Reference	Topic	Applicant's Response
Response to Compulsory Acquisition Hearing 2 (CAH2) Action point 16	NGT's Apparatus and Undertaking	<p>Notwithstanding the importance of NGT's undertaking for distribution of gas across the national network, National Grid maintains that the impacts of the Project will be less than that of current agricultural practices which currently operate above the high-pressure pipeline. These works are really limited to the delivery of steel and fixtures and fittings for the pylons, and the scaffold delivery, typically with a roll on roll off scaffold wagon, and a tractor with a winch attached. In a very worse case situation National Grid would need to cross with a crane. However, any vehicle that is used would be</p>

Reference	Topic	Applicant's Response
		<p>limited to the same axle weight as a vehicle that can travel on the public highway, which is 11.5 tonnes. This would be the same as any agricultural vehicle, and no more. National Grid has provided protective provisions for the benefit of NGT to ensure that the gas consumer is adequately protected. However, in order to act in the best interests of the electricity consumer, these provisions need to be proportionate to the impacts of the Project.</p> <p>The protective provisions included in the draft DCO (Document 3.1(F)) provide for protection from damage and that National Grid will pay for losses incurred by NGT as a result of damage caused by the Project. In addition to the commitment made under the protective provisions, which carry criminal implications for breach, and the normal contractual mechanism for recovery of costs that NGT has available to it under the terms of the protective provisions, National Grid has provided an indemnity to NGT for potential loss and damage as a direct result of the proposed development. This indemnity is limited to what would be expected in line with normal practice activities.</p>
	NGT's Land	<p>To the extent that they may affect NGT's pipeline, all of these activities would be captured by the definition of 'specified work' within the protective provisions included at Part 7 of Schedule 15 to the draft DCO (Document 3.1(F)). This would necessitate NGT's approval before such specified works take place and provide protections in the event that any specified works interfere with the existing NGT pipeline or associated access rights or restrictive covenants.</p>

Reference	Topic	Applicant's Response
		<p>It remains National Grid's position that the works involved give rise to no further risk than the agricultural activities currently undertaken within the proposed working areas. Whilst it is agreed that approval is required, it is appropriate that this be subject to deemed approval because otherwise there is a risk that the delivery of the Project will be held to ransom. As the proposed works are non-invasive and incur only minimal safety or operational risks for NGT, this is considered an appropriate approach by National Grid.</p>
	Section 127 Application	<p>For the reasons stated above, it is National Grid's position that the approvals and protections in place through the protective provisions included within the draft DCO (Document 3.1(F)) ensure that there will be no serious detriment to the carrying out of NGT's undertaking as a result of the Project and/or any detriment would be made good by the terms required within the protective provisions.</p>
	Section 138 Application	<p>For the reasons explained above in response to the topic of 'NGT's Land', National Grid maintains its position in respect of the Application under sections 127 and 138 Planning Act 2008 – National Gas Transmission plc (Document 8.27.3) [REP5-088].</p>
	Conclusion	<p>Please refer to the Applicant's Position Statement - Protective Provisions Not Yet Agreed with National Gas Transmission (Document 8.34.4) for a full summary of National Grid's position in respect of NGT.</p>

Table 2.8 – National Gas Transmission Plc: Response to Compulsory Acquisition Hearing 2 (CAH2) Action point 18 [REP6-074] and Response to Compulsory Acquisition Hearing 2 (CAH2) Action point 18 - Appendix 1 - List of Development Consent Orders with Protective Provisions for National Grid Gas [REP6-075]

Reference	Topic	Applicant's Response
<p>Response to Compulsory Acquisition Hearing 2 (CAH2) Action point 18</p>	<p>NGT's Apparatus</p>	<p>The importance of the national, high-pressure gas transmission network and NGT's responsibility for this network is acknowledged by National Grid. Indeed, National Grid have included bespoke protective provisions for the benefit of NGT on the face of its draft DCO (Document 3.1(F)). These provisions ensure that any works which may affect NGT's apparatus would be subject to their advance approval. Additionally, they provide for NGT to inspect works, for protective works to be carried out where necessary and for compliance with NGT's policies for safe working in proximity to gas apparatus.</p>
<p>Action point 18 - Appendix 1 - List of Development Consent Orders with Protective Provisions for National Grid Gas.</p>	<p>Unlimited Indemnity</p>	<p>Whether or not the indemnity provided for within the protective provisions is capped or uncapped has no bearing on the test under sections 127 or 138 of the Planning Act 2008. The mechanism through which costs are recovered under the protective provisions does not contribute to a test of whether "<i>land can be purchased and not replaced without serious detriment to the carrying on of the undertaking</i>" because, fundamentally, should there be any damage to NGT's apparatus above the capped amount, they would still have recourse through the usual contractual channels to seek costs from National Grid for damage attributable to it under the provisions (such losses would simply need to be proven as opposed to being outright indemnified). The indemnity merely provides a more beneficial starting point for NGT with respect to recovering their costs. Additionally, the remainder of the bespoke protective provisions for the benefit of NGT (for which the majority of elements are</p>

Reference	Topic	Applicant's Response
		<p>agreed) provide protections which would prevent any such damage being incurred.</p> <p>NGT point to a number of precedents where uncapped indemnities have been provided on different DCOs. None of these involve DCOs promoted by National Grid Electricity Transmission. Indeed, the majority of the examples presented were negotiated by National Grid in respect of its Electricity and Gas undertakings as a third party statutory undertaker affected by the DCOs listed. This does not set any precedent; the other DCOs relate to protection for both electricity and gas apparatus and for projects where the scale of works is not necessarily comparable with this Project.</p> <p>NGT point to a hypothetical future instance where the potential impacts of work near gas pipelines become 'catastrophic'. Whilst flexibility is allowed for within the draft DCO (Document 3.1(F)) for the detailed design of the Project, these would not go so far as to allow a deviation to the extent that any works proposed would have a 'catastrophic' or even moderate impact on NGT apparatus. Even in the remotely hypothetical event that the level of works change near NGT apparatus, the remainder of the protective provisions would still ensure that works are undertaken with its prior approval and protective measures are in place. Moreover, the proposed cap of £30m would facilitate any such shift because it is already at the upper end of normal practice.</p> <p>As has been evidenced by National Grid's approach to the Network Rail protective provisions, where a clear justification can be established for an uncapped indemnity with respect to the specific project in question and its</p>

Reference	Topic	Applicant's Response
		<p>interfaces with third party apparatus, National Grid is open to discussion with that statutory undertaker on the approach. However, in its duty to the electricity consumer, National Grid cannot blindly rely on a precedent from a DCO promoted by a different entity where the circumstances are not analogous to the present case as justification for exposing itself (and therefore the electricity consumer) to an uncapped indemnity.</p>
	Level of interaction	<p>NGT are unable to quantify the potential risks of damage to their network and want to ensure that all possible scenarios are covered.</p> <p>As a regulated company, National Grid need to ensure that it is not exposed to risks which are disproportionate to the works it undertakes. Provision of an uncapped indemnity when the works in question do not break ground over or near NGT apparatus would be disproportionate. National Grid have sought to cap the indemnity at the upper end of normal working practice liability expectations. The works themselves form part of a Nationally Significant Infrastructure Project due to the thresholds set out in the Planning Act 2008, but are within the normal course of National Grid activities to maintain its network. If National Grid were simply reconductoring an overhead line above an NGT pipeline outside of a DCO, no equivalent protective provisions would be required or provided.</p>
	Conclusion	<p>Please refer to the Applicant's Position Statement in respect of Protective Provisions not yet agreed with National Gas Transmission (Document 8.35.4) for a full summary of National Grid's position in respect of all matters not agreed in the Protective Provisions with NGT and the capped indemnity in particular.</p>

2.6 National Highways Limited

Table 2.9 – National Highways Limited: Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the ExA (if held) [REP6-076]

Reference	Topic	Applicant's Response
<p>Post-hearing submissions, including written summaries of oral submissions to the hearings and any documents requested by the ExA (if held)</p>	<p>Compulsory Acquisition Hearing 2 – Post-hearing submissions, including written summaries of oral submissions to the hearing. Plus, National Highways response to the Applicant's s127 and s138 case.</p>	<p>National Grid has agreed the position in respect of the compulsory acquisition powers over the strategic road network with National Highways. National Highways has requested protective provisions in respect of land forming part of the local road network, which is owned by National Highways but not held for its statutory purpose or part of its statutory undertaking. National Grid considers that protective provisions for National Highways should not extend to the local road network as this is not part of National Highways' undertaking and the powers relating to streets in the draft DCO (Document 3.1(F)) is a matter which has been agreed with the local highway authority in the Statement of Common Ground (item 3.2.1 in Document 8.5.2(D)). Therefore, whether the protective provisions for National Highways should extend to the local road network remains a point of disagreement between National Grid and National Highways.</p> <p><u>Compulsory acquisition powers sought over the strategic road network</u></p> <p>No land owned by National Highways, which is directly used for their undertaking as part of the strategic road network, would be compulsorily acquired; only rights over that land. Under the protective provisions included in Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)), consent is required from National Highways before any acquisition of</p>

Reference	Topic	Applicant's Response
		<p>freehold land owned by National Highways for its undertaking.</p> <p>National Grid would not extinguish any rights of National Highways over land it holds for the purposes of carrying on its undertaking without National Highways' consent. This is also secured within the protective provisions included at Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>In general terms, protective provisions are included in the draft DCO (Document 3.1(F)) to protect the land held by National Highways for the purposes of carrying on its statutory undertaking.</p> <p><u>Compulsory acquisition powers sought over the local road network</u></p> <p>As summarised above, freehold acquisition is being sought over land held by National Highways which is within the local road network. As this is land within the local road network, it does not form part of National Highways' undertaking, and therefore no serious detriment can arise on National Highways' undertaking as a result of its freehold acquisition. National Highways has no maintenance obligation or statutory duties in connection with the local road network. As such, National Highways' objection to compulsory acquisition over the local road network is not relevant to the test under sections 128 or 138 of the Planning Act 2008.</p> <p>Notwithstanding this, controls are in place to ensure that no serious detriment would be caused to the local road network. The local highway authority has approval rights for</p>

Reference	Topic	Applicant's Response
		<p>the use of powers within relevant articles related to street works and within relevant requirements of the draft DCO (Document 3.1(F)). There is no disagreement with the local highway authority in this respect. Further detail on National Grid's position in this regard can be found within the Applicant's Position Statement – Protective Provisions Not Yet Agreed with National Highways (Document 8.34.5) submitted at Deadline 7.</p> <p>National Grid is not aware of any intention for the land to be transferred to North Yorkshire Council in the immediate future and there is no draft side roads order for this land as far as National Grid is aware. Accordingly, no mechanism exists through which National Grid could provide the required protection for North Yorkshire Council.</p> <p>National Grid are committed to obtaining all land rights required to deliver the Project by agreement wherever possible. However, National Grid cannot fetter its right to use compulsory acquisition powers should they be required to complete the Project.</p> <p><u>Case for compulsory acquisition</u></p> <p>Land rights is now a matter agreed within the Statement of Common Ground between National Grid and National Highways (Document 8.5.14(C)).</p> <p>National Grid is engaged in reaching a voluntary agreement with National Highways in respect of the land rights required for the delivery of the Project. These negotiations have not yet concluded.</p>

Reference	Topic	Applicant's Response
		<p>National Highways has suggested that National Grid does not need compulsory acquisition powers over the strategic and local road network because, as a statutory undertaker, National Grid can rely on the powers in the New Roads and Street Works Act 1991 (NRSWA) and the Electricity Act 1989 (1989 Act) to undertake works in the highway. National Grid strongly disagrees. National Grid has demonstrated the compelling need and urgency to deliver the Project. National Grid must have powers under the DCO to enter onto the land to undertake the works in accordance with the programme, and once the project has been constructed, must be able to acquire rights to continue to operate and maintain the Project as an essential part of the transmission network.</p> <p>The relevant powers in the 1989 Act to install electrical lines over a road are subject to street authority consent and the 1989 Act sets out no timescales for providing such consent. Therefore, without the ability to exercise compulsory powers, if a voluntary agreement cannot be reached, National Grid would be beholden to National Highways and receiving their approval. This could jeopardise not only the timescales for delivery of the Project, but possibly delivery in its entirety. This undermines the purpose of a DCO being a one stop shop for all necessary consents to ensure deliverability of nationally significant infrastructure projects. Further the powers in the NRWSA would not provide National Grid with an easement over the land which would be required to operate and maintain this part of the transmission network. Negotiations on a voluntary agreement are currently ongoing with National Highways, and there is no certainty that a voluntary agreement will be</p>

Reference	Topic	Applicant's Response
		<p>reached, or if it is reached, how long those negotiations will take. National Grid's apparatus already oversails the strategic road network in many places and the way in which National Grid will enter onto the highway and ensure that overhead lines can be safely worked on is something National Highways will be familiar with. Protective provisions have also been included in the draft DCO (Document 3.1(F)) to give National Highways an approval right over the works undertaken on the strategic road network.</p> <p>In summary, including compulsory acquisition powers in the DCO is essential for the delivery of the substantial public benefits which will result from delivery of the Project. Therefore, National Grid submit that there is a compelling case in the public interest for acquiring the rights and interests identified and set out in the DCO.</p>
	<p>Issue Specific Hearing 4 – Post-hearing submissions, including written summaries of oral submissions to the hearing.</p>	<p>It is noted that all articles are now shown as a matter agreed in the Statement of Common Ground between National Grid and National Highways (Document 8.5.14(C)).</p> <p>In respect of each article referenced by National Highways in their submission, National Grid responds as follows:</p> <p>Article 14 (Temporary stopping up of streets, cycle tracks and public rights of way) – National Grid does not anticipate needing to exercise this power over the strategic road network. In any event, it has now agreed that an approval right is provided for National Highways in the protective provisions regarding this power and this has been confirmed in the protective provisions as updated in Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p>

Reference	Topic	Applicant's Response
		<p>Article 19 (Discharge of water) – National Grid does not anticipate needing to exercise this power over the strategic road network. In any event, it has now agreed that an approval right is provided for National Highways in the protective provisions regarding this power and this has been confirmed in the protective provisions as updated in Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>Article 20 (Protective work to land, buildings, structures, apparatus or equipment) – National Grid does not anticipate needing to exercise this power over the strategic road network. In any event, it has now agreed that an approval right is provided for National Highways in the protective provisions regarding this power and this has been confirmed in the protective provisions as updated in Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>Article 21 (Authority to survey and investigate the land) – National Grid does not anticipate needing to exercise this power over the strategic road network. In any event, it has now agreed that an approval right is provided for National Highways in the protective provisions regarding this power and this has been confirmed in the protective provisions as updated in Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>Article 22 (Compulsory acquisition of land) – National Grid has not sought freehold compulsory acquisition powers over the strategic road network (as is evidenced through the Book of Reference and Land Plans). Whilst National Grid has not agreed to provide approval over the exercise of this article within the protective provisions, it has agreed that any freehold acquisition over the strategic road network would need to be subject to approval of National Highways through</p>

Reference	Topic	Applicant's Response
		<p>paragraph 77 (Land) of Part 6 of Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>Article 25 (Compulsory acquisition of rights) – the acquisition of rights over the strategic road network is fundamental to the delivery of the Project and directly relates to the works being undertaken by National Grid (for which National Highways has an approval right). National Grid is engaged in negotiations for voluntary acquisition of rights but because this has not yet concluded, it is considered appropriate that the backstop of compulsory acquisition powers be unfettered.</p> <p>Article 26 (Extinguishment and suspension of private rights) – National Grid is not seeking to extinguish any rights over the strategic road network. Notwithstanding this, protection in this respect is provided within paragraph 77 (Land) of Part 6, Schedule 15 to the draft DCO (Document 3.1(F)).</p> <p>Article 36 (Temporary use of land by National Grid) – the only plot over which temporary acquisition powers are sought over land owned by National Highways for the purposes of its statutory undertaking (as opposed to plots over which it has an interest) is plot E7-37. National Grid is experienced in working within road margins on the strategic and local road network and has safety procedures in place to ensure good practice is followed. Additionally, under article 36, notice is still required to be provided to landowners and so National Highways would have protection in the usual manner as any landowner would.</p> <p>Article 37 (Temporary use of land by NPG) – no temporary acquisition powers are sought for the benefit of NPG in respect of the strategic road network and so it is not</p>

Reference	Topic	Applicant's Response
		<p>necessary to include an additional approval right over this article in the protective provisions.</p> <p>Article 38 (Temporary use of land by NGN) – no temporary acquisition powers are sought for the benefit of NGN in respect of the strategic road network and so it is not necessary to include an additional approval right over this article in the protective provisions.</p> <p>Article 39 (Temporary use of land for maintaining the authorised development) – National Grid needs to be able to maintain its network. National Grid is experienced in working within road margins on the strategic and local road network and has safety procedures in place to ensure good practice is followed. Notice is still required to be given under article 39 in any event.</p> <p>Article 45 (Traffic regulation) – approval over Article 45(2) has now been added into the protective provisions for the benefit of National Highways in the draft DCO (Document 3.1(F)). This provides that any TROs, which are not included within Schedule 14 would be subject to the approval mechanisms within the protective provisions. The two TROs for which National Highways are the traffic authority contained within Schedule 14 have remained unchanged since submission of the DCO application, with no specific objection from National Highways, and so it is appropriate that the mechanisms within Article 45(1) apply to these TROs. Wording has additionally been included within the protective provisions in the draft DCO (Document 3.1(F)) to facilitate the necessary road booking procedures to take place with respect to any TROs under paragraphs (1) and (2) of Article 45. This drafting approach is agreed with National Highways.</p>

Reference	Topic	Applicant's Response
	Protective Provisions	<p>As is demonstrated within the Statement of Common Ground between National Grid and National Highways (Document 8.5.14(C)), all but two drafting points are now agreed between National Grid and National Highways. The two points that are not agreed relate to the indemnity cap and the extension of protection to land which forms part of the local road network and therefore which is not held for the purposes of National Highways' undertaking. National Grid's position in this respect is further detailed within the Position Statement – Protective Provisions Not Yet Agreed with National Highways (Document 8.34.5) submitted at Deadline 7.</p>

2.7 Natural England

Table 2.10 – Natural England: Response to the Issue Specific Hearing 4 (ISH4) Action Points [AS-024]

Reference	Topic	Applicant's Response
<p>Response to the Issue Specific Hearing 4 (ISH4) Action Points</p>	<p>AP3 River Ouse Bird Strikes</p>	<p>It is noted that Natural England has confirmed that it does not hold any evidence to support Yorkshire Wildlife Trust's view that the Project has potential to cause population effects at the designated site level with respect to whooper swan and pink-footed goose at the specified European sites (Ouse Washes, Nene Washes, The Wash, and North Norfolk Coast). This is in line with Natural England's confirmation of agreement with the conclusions of the No Significant Effects Report (NSER) (Document 6.4(B)) [AS-018] as set out in the Statement of Common Ground between National Grid Electricity Transmission and Natural England (Document 8.5.5(B)) [REP5-037], and its confirmation of agreement with scoping out increased strike risk on bird migration from the assessment (Responses to the Examining Authority's Written Questions (ExQ1) Q3.5.1 [REP2-080]).</p> <p>It also supports National Grid's view that there is no risk of population effects at designated site level as previously stated at Issue Specific Hearing 2 (ISH2) and as set out in the following documents:</p> <ul style="list-style-type: none"> • Applicant's Written Summary of Oral Representations made at ISH2 Table 6.2 (Document 8.23.1) [REP4-023]; • Statement of Common Ground between National Grid Electricity Transmission and Yorkshire Wildlife Trust (Document 8.5.6(B)) [REP5-039];

Reference	Topic	Applicant's Response
		<ul style="list-style-type: none"> • Applicant's Response to Examining Authority's Second Written Questions (ExQ2), Q3.0.1 (Document 8.25.1) [REP5-083]; and • Applicant's Comments on Interested Parties' Deadline 5 Submissions, Table 2.17 (Document 8.28) [REP6-058].

2.8 North Yorkshire Council

Table 2.11 – North Yorkshire Council: Response to Action Points [REP6-077] and Updated Deadline 6 Action Points [AS-025]

Reference	Topic	Applicant's Response
<p>Response to Action Points</p>	<p>General</p>	<p>The comments in this document are in response to North Yorkshire Council's Deadline 6 Submission: Response to Action Points [REP6-077]. This document [REP6-077] initially noted that a response to Action Point 7 would follow in an additional submission. This additional submission was submitted by North Yorkshire Council into the examination on 4 August 2023 [AS-025] and included a detailed response to Action Point 7. As such, AP7 is responded to accordingly below.</p> <p>Where North Yorkshire Council has simply responded 'agreed' or 'confirmed' to Action Points 10, 21 and 33, no further response has been provided by National Grid below. The final Statement of Common Ground (SoCG) between National Grid and North Yorkshire Council (Document 8.5.2(D)) submitted at Deadline 7 provides a summary of the final positions on all matters between the parties.</p>
<p>Response to Action Points</p>	<p>AP6: Submit comments on updated Construction Traffic Management Plan (CTMP).</p>	<p>NYC's response to Action Point 6 refers to text at the end of the response (pages 4 and 5 of [AS-025]) comprising text entitled 'Highway Approval note to inspector' and 'Construction Traffic Management Plan'. A fuller version of the text provided by NYC in response to Action Point 6 was provided to National Grid previously and a full response to this was provided by National Grid within the Appendix of the Statement of Common Ground between National Grid and North Yorkshire Council (Document 8.5.2(C)) [REP5-031] addressing each point raised by the highway authority. NYC confirmed, via signing of the Statement of</p>

Reference	Topic	Applicant's Response
		<p>Common Ground between National Grid and North Yorkshire Council (Document 8.5.2(C)) [REP5-031], that it was content with the responses provided by National Grid on those matters relating to ES Chapter 3 Appendix 3F Construction Traffic Management Plan (CTMP) (Document 5.3.3F(C)) [REP6-041]. It is noted that NYC does not agree with the use of Butts Lane, Lumby to access AP8. National Grid's comments on NYC's response to this Action Point and the use of AP7 are provided below.</p>
<p>Response to Action Points</p>	<p>AP7: Provide reasons for concerns about Heavy Goods Vehicles (HGVs) passing through the village of Lumby and any potential mitigation measures that could be used throughout the village rather than the alternative haul road, if it is not confirmed.</p>	<p>As outlined in Issue Specific Hearing 4 (ISH4) (and summarised in Applicant's Written Summary of Oral Representations made at Issue Specific Hearing 4 (Document 8.29.2) [REP6-060]), National Grid considers the use of Butts Lane to route to AP8, set out within Table 4.2 of ES Chapter 3 Appendix 3F Construction Traffic Management Plan (CTMP) (Document 5.3.3F(D)), as an acceptable route for construction traffic.</p> <p>NYC's concerns regarding the nature of the route and its suitability for HGV traffic is noted. There are a number of reasons why the proposed route through Lumby is considered acceptable which are discussed below, noting that Butts Lane and Red Hill Lane are currently used as a maintenance route for the existing pylon in this location and for agricultural vehicles.</p> <p>Only a very limited number of trips are anticipated during the construction period along this route (as explained in further detail below) and the accident records available do not indicate existing safety issues on the route.</p> <p>Construction traffic is only anticipated to use the Butts Lane, Lumby route for 8 weeks of the construction programme (as shown in Table 12A.4 and 12A.3 of Appendix 12A Traffic</p>

Reference	Topic	Applicant's Response
		<p>Modelling Tables (Document 5.3.12A) [APP-148]). In the peak week of construction for traffic using AP8 an average of up to 8 HGV two-way movements is anticipated per day. Department for Transport data (published by CrashMap Pro¹) shows an average annual accident rate of 0.4 along Butts Lane over the last five years on record (2017-2021), well below an average annual rate of 1 which would be considered a reflection of a significant existing safety issue. The records also show no accidents at the Butts Lane/Red Hill Lane junction in the last five years have been recorded.</p> <p>Noting concerns regarding turning vehicles as well as the nature of the road access, a number of traffic management measures would be implemented, if required, by way of the CTMP (see Section 7 of Document 5.3.3F(D)) to minimise impacts on Lumby, for example, signage, use of qualified banksmen and installation of a delivery management system, where relevant, to ensure the impact of construction traffic is minimised. These measures would ensure that construction traffic is suitably spread throughout the working day and safe access is maintained. Paragraph 7.1.2 of the CTMP (Document 5.3.3F(D)) outlines that mitigation measures would be discussed with the relevant highway authority.</p> <p>Regarding concerns about surfacing and over-running of property, paragraph 2.3.2 of the CTMP (Document 5.3.3F(D)) outlines the management measures, including different types of access route surfaces that would be implemented as required to protect ground conditions.</p>

¹ CrashMap Pro publishes Department for Transport data available at <https://www.data.gov.uk/dataset/cb7ae6f0-4be6-4935-9277-47e5ce24a11f/road-safety-data>

Reference	Topic	Applicant's Response
		<p>Finally, National Grid does not consider routing HGV construction traffic via Old Quarry Lane would provide any further benefit or reduce potential impacts as an alternative access to that along Butts Lane, as put forward by NYC. The route to AP8 was determined as the route with the fewest constraints, based on a variety of considerations as set out in paragraph 4.5.2 of the Construction Traffic Management Plan (Document 5.3.3F(D)) and it is considered that Old Quarry Lane contains more constraints than Butts Lane, as set out below.</p> <p>Old Quarry Lane has two priority junctions with Butts Lane and a priority junction with the A162. Routing west from the A162 (towards Lumby) Old Quarry Lane is a single-track road with no passing places for half a mile and is subject to a 7.5T weight restriction. Within Lumby, Old Quarry Lane is narrow and bound by residential properties some of which have direct frontage onto the carriageway. The junction of Old Quarry Lane/Butts Lane/Red Hill Lane is, in effect, a staggered priority junction. HGVs routing from Old Quarry Road to Butts Lane have to perform a slight turning manoeuvre with visibility limited to the left and right. Due to the nature of the Old Quarry Road route, mitigation would be required, similar to that required for the proposed route via Butts Lane, to ensure appropriate access and safety is maintained. Therefore, as previously outlined National Grid does not consider routing HGV traffic via Old Quarry Lane to reduce potential traffic and transport impacts as compared with the proposed Butts Lane route. National Grid is not considering the use of Old Quarry Lane for construction traffic.</p> <p>National Grid is continuing to progress an alternative access to pylon XC521 in the vicinity of Lumby, to avoid the use of</p>

Reference	Topic	Applicant's Response
		<p>Butts Lane by HGVs during the construction period. However, this is subject to negotiating a voluntary agreement with a landowner. The option agreement will take some time to finalise and will not be completed during the course of the examination. However, to ensure there is no ambiguity the CTMP (Document 5.3.3F(D)) has been updated and submitted at Deadline 7 to include a new paragraph 7.2.7 which states that <i>“This CTMP provides flexibility for HGV construction traffic to route to pylon XC521 via AP7 and AP8. National Grid will inform the relevant highway authority should the use of AP7 be confirmed. Should AP8 continue to be utilised for HGV construction traffic National Grid will seek to agree with the relevant highway authority any specific management measures in this location for example use of Banksman if required (as per paragraphs 7.2.2 to 7.2.5 and Section 7.3 of this CTMP)”</i>.</p>
<p>Response to Action Points</p>	<p>AP12: Confirm that the position has moved on and there is now agreement to the noise assessment in terms of the application of Annex E ABC categories to determine significance for the construction noise assessment.</p>	<p>NYC's agreement with the construction noise assessment outcomes is recognised and welcomed, and the Statement of Common Ground between National Grid and North Yorkshire Council (Document 8.5.2(D)) has been updated accordingly.</p>
<p>Response to Action Points</p>	<p>AP13: Consider the alternate Sunday working arrangements that are included in the Orders for Hinkley Point C Connector and Richborough Connection Project.</p>	<p>National Grid considers that NYC is incorrect in its assertion that the Threshold of Significance is 65dB. The Threshold of Significance for the BS 5228 Part 1 Annex E “Weekend” category, that applies to the Sunday and bank holiday hours in the construction noise assessment within ES Chapter 14 Noise and Vibration (Document 5.2.14) [APP-086] is 55dB L_{Aeq,T}, between 07:00 and 23:00 on Sundays and Bank Holidays.</p>

Reference	Topic	Applicant's Response
		<p>The suggestion that Monk Fryston is a very low noise area and that the underlying background is 30dB does not accord with data collected during the baseline monitoring (see Appendix 14A Baseline Noise Report (Document 5.3.14A) [APP-150]). On Sundays at the most relevant receptor locations, MF1 (Monk Fryston Lodge) existing Sunday ambient noise levels of 44dB and Background L₉₀ levels of 37 dB were measured; and at MF3 (Pollums House Farm), which is closer to the A1(M), ambient noise levels of 59dB and background L₉₀ levels of 44dB, were measured.</p> <p>It is reiterated that the underlying background (L₉₀) level is not generally referred to with respect to assessments of construction noise using BS5228. The main comparative parameter being the ambient noise (L_{Aeq,T}). Low noise areas have been considered in the assessment in the selection of the lowest noise category, Category A.</p> <p>All assessments show that with mitigation applied, the 55dB “Weekend” Threshold of Significance is met at all receptors if works are progressed on a Sunday and/or a Bank Holiday. Therefore, it is considered that prohibition of Sunday/Bank Holiday working or the application of a restriction to alternate Sunday/Bank Holiday working is not justified by reference to predicted impacts and is not needed to preserve amenity in the vicinity of Monk Fryston. The rationale for the resistance to an alternate Sunday and Bank Holiday criterion is detailed further in response to Action Point 14 of the Applicant's Response to ISH4 Hearing Action Points (Document 8.29.4) [REP6-062].</p>
Response to Action Points	AP15: Comment on the Applicant's proposed Saturday piling hours of 09:00 to 14:00, in the	NYC's acceptance on this point is noted and the Statement of Common Ground between National Grid and North

Reference	Topic	Applicant's Response
	context of the British Standard (08:00 to 13:00), under Requirement 7(2).	Yorkshire Council (Document 8.5.2(D)) has been updated accordingly.
Response to Action Points	AP30: Respond to updated Requirement 18.	<p>National Grid set out its position on the use of forms of fencing other than galvanised steel in Table 2.17 (ref. 7.01) of Applicant's Response to Examining Authorities Second Written Questions (Document 8.25.1) [REP5-083]. National Grid maintains that regardless of the landscaping mitigation strategy put forward by National Grid at these sites, the use of coloured fencing is inappropriate due to the issues with maintenance and lifespan and security issues that are associated with maintenance.</p> <p>National Grid strongly disagrees with North Yorkshire Council's statement suggesting that there could be a potential delay in the approval of a landscaping mitigation scheme due to not having the fencing secured in the DASSI requirement.</p> <p>As National Grid has previously stated, the very limited visibility of the proposed fencing from surrounding publicly accessible locations, would not result in the potential for significant landscape and visual effects, noting it is the much taller CSEC, substation and pylon structures that have the potential to result in significant effects. It is recognised that in landscapes where the perimeter of new infrastructure compounds are unduly prominent, for example elevated views into a compound, green fencing may have the potential, in some circumstances, to assist in integrating the new infrastructure into the surrounding landscape, however because the green fencing suggested by NYC contrasts with the predominant grey colour of the majority of the infrastructure within a substation or CSEC, green fencing visible against this infrastructure, also has the potential to</p>

Reference	Topic	Applicant's Response
		<p>present an unwelcome contrast and could also appear visually incongruous. National Grid and NYC have not identified any locations, with a supporting rationale, where green fencing could be justified and would represent “reasonable” mitigation, “where appropriate” to align with the policy requirements of NPS EN-1 (paragraph 5.9.8).</p> <p>It remains National Grid’s view that Requirements 8, 9 and 10 of the draft DCO (Document 3.1(F)) include appropriate provisions to facilitate the good establishment and ongoing management of the landscape mitigation scheme, noting that in most locations adjacent to the substations it is the proposed permanent earth mounding and retained existing planting that would have an important initial role in screening views of the substation fencing. The growth of new planting to provide additional screening, is predominantly designed to restrict views of the taller infrastructure, above the substation fencing.</p> <p>For these reasons, it is not appropriate to include fencing in the DASSI and this should not result in any ‘strain in the landscape mitigation strategy’ or result in any delay to determination of discharge applications relating to landscape mitigation.</p>

2.9 Weightmans LLP on behalf of National Powergrid (Yorkshire) Plc and Northern Powergrid (Northeast) Plc

Table 2.12 – Weightmans LLP on behalf of National Powergrid (Yorkshire) Plc and Northern Powergrid (Northeast) Plc: Withdrawal of Objection [AS-026]

Reference	Topic	Applicant's Response
Withdrawal of Objection	Withdrawal of Objection	National Grid welcomes the withdrawal of Northern Powergrid (Yorkshire) Plc and Northern Powergrid (Northeast) Plc's objection to the Project on the basis that agreement has now been reached on an Asset Protection Agreement and Protective Provisions.

2.10 Stepensions Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves, Mr Paul Bulmer, Benjamin Rab and Fiona Rab

Table 2.13 – Stepensions Rural LLP on behalf of Mrs Pamela Husband, Ms Gill Eves, Mr Paul Bulmer, Benjamin Rab and Fiona Rab: Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010 [REP6-078]

Reference	Topic	Applicant's Response
<p>Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</p>	<p>Stepensions Rural LLP's response to Point 4: Provide any further comments on the revised access point off Newlands Lane and the effect on the locations of passing places in response to the Applicant's response to Q4.3.4 [REP5-083] in which the Applicant sets out its reasons for not limiting traffic to the southern end of Newlands Lane and the plans provided in [REP5-082], Appendix A and Point 5: Provide any comments on the Applicant's responses to your Deadline 4 submissions [REP5-082], Sections 2.5 and 2.6.</p>	<p>National Grid has set out its position on the proposal by Mr Stephenson on access through the construction compounds and not via the public highway in Applicant's Comments on Interested Parties' Deadline 4 Submissions, Table 2.9 (Document 8.24) [REP5-082] and in response to Q4.3.4 in Applicant's Response to Examining Authority's Second Written Questions (Document 8.25.1) [REP5-083]. National Grid maintains the position that the proposal for the access between the compounds is not justifiable and that sufficient measures have been put forward to manage traffic on the existing public highway. National Grid provided an illustrative plan in Appendix A of the Applicant's Comments on Interested Parties Deadline 4 Submissions (Document 8.24) [REP5-082] which shows how construction traffic will be managed, alongside measures set out in the Construction Traffic Management Plan (Document 5.3.3F(C) [REP6-041], so as to limit traffic to the southern end of Newlands Lane as suggested by Mr Stephenson is not necessary, or justifiable. National Grid will not be adopting the proposal put forward by Mr Stephenson.</p>

Reference	Topic	Applicant's Response
<p>Any further information requested by the Examining Authority under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</p>	<p>All other matters</p>	<p>National Grid notes Stephenson's Rural LLP's position and continues to engage positively with them to try and agree voluntary terms with their clients.</p>

2.11 The Coal Authority

Table 2.14 –The Coal Authority: Response to Letter regarding Procedural Decision [REP6-079 & REP6-080]

Reference	Topic	Applicant's Response
Response to Letter regarding Procedural Decision	General	National Grid acknowledges that the Coal Authority has no comments to make.

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