

By email to:

A1BirtleytoCoalHouse@planninginspectorate.gov.uk

20 April 2020

Dear Sirs,

Application by Highways England for an Order Granting Development Consent for the A1 Birtley to Coal House Improvement Scheme (the “Scheme”)
Your reference: TR010031

- 1 We are providing this letter in response to the Examiner’s Written Questions 2.3.4 and 2.4.14 dated 6 April 2020, which we set out below. In light of the current circumstances, we have answered these questions to the best of our ability and provided as much clarification as possible. Where further clarification is not currently possible, NGN seek to rely on the previous Written Representations and submissions made in the course of the Examination up until this date.
- 2 As a result of the Coronavirus, there are contacts who are not currently available for consultation, therefore, if the Planning Inspectorate requires further clarification on the below responses, NGN asks that this does not prejudice their position in the Examination and instead hopes to work with the Planning Inspectorate to provide additional information as soon as is reasonably practicable.

- 3 Question 2.3.4:

Northern Gas Networks Limited (NGN) have submitted representations [including REP1-019] regarding the Applicant’s proposed use of Plot 3/6c for a construction compound.

a) In the light of such representations from NGN, the Applicant is requested to provide a full justification of its need for the entirety of land within Plot 3/6c, supplemented by any up to date drawings of the construction compound layout.

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b) NGN is requested to provide details of the proposed timetable for each stage of the implementation of the Compressed Natural Gas refuelling station, taking into account the design, planning and construction process.

- 3.1 NGN is able to provide a response to question 2.3.4(b) as follows:
- 3.2 NGN is not currently in a position to give a definitive timeline for the implementation of the CNG refuelling station. There are two principal reasons for this:
- (a) ENGIE, who are currently intending to construct and operate the CNG Refuelling Station has informed NGN that before works can commence on the construction of the CNG Station, it is necessary to have secured customers to use CNG Refuelling Station. This is an important part of the viability assessment process. Whilst this market development is currently underway, there are obvious limits to how far this process can be taken whilst the proposed site is subject to a potential DCO. This process is therefore dependent on when the proposed CNG station becomes available.
 - (b) The global Coronavirus pandemic and the UK Government's response to it may impact on (a) investment decisions of ENGIE and/or its customers and (b) on construction timelines, availability of certain items of equipment, workforce etc. All of these could potentially delay the timelines for the delivery of the CNG Refuelling Station, therefore it would be imprudent to state exact timescales which may need to be varied.
- 3.3 However, subject to the site being available to NGN, we expect the delivery timelines to be as follows:
- (a) Planning would be obtained as soon as practicable and we do not anticipate that planning consent would take longer to obtain than the statutory 13-week period.
 - (b) NGN understands that actual construction of the CNG station (excluding civils work) is around 4 weeks.

4 Question 2.4.14:

NGN's Written Representation [REP1-019] expresses concern regarding paragraphs 7(6) and 9 of Schedule 11 of the draft DCO. In its response, the Applicant includes reference to similar provisions within the A19/A184 Testo's Junction Alteration Development Consent Order 2008.

a) NGN is requested to set out further justification of why it considers that the protective provisions as currently drafted would cause serious detriment to the carrying on of its undertaking?

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b) Notwithstanding the reference to Testo's, are there any other precedents in Development Consent Orders where such provisions have been agreed in similar circumstances to those of the application?

c) Please provide an update on discussions between the two parties on the proposed protective provisions and related matters, with any suggested alternative drafting where appropriate and a full justification for such alternative drafting.

- 4.1 NGN received a response from Highways England ("HE") in relation to the proposed protective provisions on Sunday evening (19 April 2020), less than 24 hours before Deadline Four. NGN are therefore taking instructions and will respond to HE as soon as possible in the hope that this will lead to a further update on the above matters.

Yours faithfully,

Northern Gas Networks Limited

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