



Your Gas Network

## **Application by National Highways for an Order Granting Development Consent for A428 Black Cat to Caxton Gibbet Improvements**

### **Response to the Examining Authority's commentaries and proposed changes to the draft Development Consent Order (dDCO) – issued on Friday 14<sup>th</sup> January 2022**

#### **Cadent Response to Q4.3.6 Article 11 – Consent to transfer benefit of Order**

I'm writing on behalf of Cadent Gas Limited ('Cadent') in response to the Examining Authority's commentaries and proposed changes to the latest version of the dDCO [REP6-002].

Cadent is the largest regulated distributor of gas in the UK, owning four of the eight regulated gas distribution networks and operating over 131,000 kilometres of lower-pressure gas distribution mains across the North West, West Midlands, East of England and North London.

Cadent is the holder of a gas transporter license under section 7 of the Gas Act 1986 and is required to comply with the terms of its License in the delivery of its statutory responsibilities. It is regulated by The Office of Gas and Electricity Markets (Ofgem), who set out Guaranteed Standards of Performance. Section 9 of the Gas Act states that a Gas Transporter has general duties in the planning and development of their system, which include the duty to develop and maintain an efficient and economical pipe-line system for the conveyance of gas and Cadent is committed to providing a resilient network.

As the owner and operator of a large gas distribution network, Cadent from time to time receives requests to relocate apparatus in order to facilitate development. It's important for safety reasons that Cadent are made aware of planned works well in advance, as the new location of diverted apparatus will need to comply with safety guidance and policies such as Cadent's 'Specification for safe working in the vicinity of Cadent assets - requirements for third parties' (<https://cadentgas.com/nggdwsdev/media/Downloads/Digging%20Safely/Dial-before-you-dig-brochure.pdf>). In relation to this specific project, Cadent has been asked by National Highways to relocate an existing high pressure (Major Accident Hazard) pipeline shown as work number 51 on sheet 4 of the Works Plans.

Major Accident Hazard pipelines are regulated by the Pipeline Safety Regulations 1996. The Pipeline Safety Regulations 1996 requires that pipelines are operated so that the risks are as low as is reasonably practicable. Cadent has a statutory duty under its Licence to ensure that these Regulations are complied with. For these reasons, it's essential that Cadent has an appropriate level of control in relation to the delivery of these diversionary works and confirms that as a license holder under the Gas Act 1986, it has the ability to deliver the works which could be transferred under Article 11 (5).