

# **PLANNING AND HIGHWAYS REGULATORY COMMITTEE**

## **North West Coast Connections Project: Stage 3 (s42) Formal Consultation Response**

**12<sup>th</sup> December 2016**

### **Report of the Chief Officer (Regeneration & Planning)**

#### **PURPOSE OF REPORT**

To enable the Committee to give formal views on behalf of the City Council to National Grid, on the route and siting proposals for this national infrastructure project, with particular reference to the tunnel-head proposals at Middleton (Heysham).

**This report is public**

#### **RECOMMENDATIONS**

- (1) That the Committee agrees to submit this report and Appendix 1 as the Council's response to National Grid's formal consultation on the North West Coast Connections Project, and authority is delegated to the Chief Officer (Regeneration & Planning) to agree any amendments.**
- (2) That the Committee delegates authority to the Chief Officer (Regeneration & Planning) to approve the technical response prepared by the consultant team on behalf of the Council and the local authorities within the Planning Performance Agreement group.**

#### **1.0 Summary**

1.1 National Grid Electricity Transmission plc (National Grid) is undertaking a formal public consultation on the North West Coast Connections (NWCC) project. The project will connect proposed new nuclear generation at Moorside (near Sellafield, West Cumbria) by new electricity transmission lines to the existing national grid electricity transmission network at Harker, near Carlisle and Heysham. This project is a Nationally Significant Infrastructure Project (NSIP), which will be decided by the Secretary of State through the Development Consent Order (DCO) process.

1.2 The public consultation on the project runs between 28<sup>th</sup> October 2016 and 6th January 2017. This is a formal stage of consultation under Section 42 of the Planning Act 2008 with the public and local authorities, and is the main opportunity to comment on this project before a DCO application is submitted to the Planning Inspectorate, currently scheduled for April 2017.

1.3 Members received reports on National Grid's consultation on the Strategic Options at the meeting of this Committee on 25<sup>th</sup> June 2012, and Routeing Corridor Study on the 10<sup>th</sup> November 2014.

1.4 Lancaster City Council has been involved in the evolution of the project through a Planning Performance Agreement to help steer the project and identify any issues which need to be considered prior to an application being made. This involvement does not prejudice the way the Council should respond to any consultation nor does it prejudice the Council's involvement in later, formal stages of the project, when the council deals directly with the Planning Inspectorate

1.5 The City Council is a statutory consultee and this report sets out a proposed response for approval by the Planning & Highways Regulatory Committee on behalf of the Council. This important project will bring significant economic benefits to the district. The City Council's support should continue to be subject to the project:

- Utilising a rail based option to export tunnel spoil from, and to import construction materials to the tunnel head during the construction phase of the project;
- Maximising the employment of local labour, and expenditure on locally sourced goods and services;
- Achieving legacy impacts from the project, which should include investment in the local housing stock to provide workforce accommodation.

1.6 The representations summarised in Appendix 1 set out the Council's case for changes to be made to the project, including the need to deal with specific concerns about the adverse impacts of the temporary works at Middleton on residential properties at Mossgate.

## 2.0 Background

2.1 To meet future energy demand, to increase security of supply and to decarbonise electricity generation, the Government's National Policy Statement (NPS) EN-1 concludes that there is a significant need for new major energy infrastructure. NPS EN-1 includes information regarding the specific need for major new electricity networks infrastructure. National Grid is required to strengthen its electricity transmission network in Lancashire and Cumbria to connect proposed new nuclear generation at Moorside (near Sellafield, West Cumbria) by new electricity transmission lines to the existing electricity network. The need for the project has been demonstrated by virtue of NPS EN-1.

2.2 The process for bringing forward the NWCC Project is set out below:

- Stage 1 Strategic Options (informal consultation)
- Stage 2 Routeing Corridor/Siting (public consultation)
- Stage 3 Detailed Routeing/Siting – **Current Stage**
- Stage 4 The Application
- Stage 5 Consideration of the application by the Planning Inspectorate (PINS) and Secretary of State for Energy & Climate Change

2.3 Stage 1: National Grid undertook an informal consultation on six Strategic Options between 11 May 2012 and 19 July 2012. Their appraisal work concluded that Option 3 (Cumbria Ring onshore) achieved the best balance between the technical, socio-economic and environmental considerations.

2.4 Stage 2: Based on consultation feedback and further technical appraisal of the options, National Grid identified potential route corridors where new infrastructure could be located, and undertook consultation between 4 September 2014 and 28 November 2014. These route corridor options fell into three groups:

- Onshore North and Onshore South with Tunnel
- Onshore North and Onshore South
- Onshore North and Offshore South

2.5 Having reviewed all responses, National Grid decided in June 2015 to proceed with the Onshore North and Onshore South with Tunnel option, which they have worked up into the current Stage 3 consultation.

### **3.0 Proposals**

3.1 National Grid plans to build a 400 kilovolt (kV) connection from the proposed Moorside Power Station to the national electricity grid at Harker, near Carlisle and Heysham. This project will only be implemented if the new nuclear power station at Moorside goes ahead.

3.2 The proposed project (the subject of consultation) includes the following principal elements:

- Construction of 400kV transmission connections totalling approximately 163km from Harker to Heysham. This connection comprises overhead lines, underground cables and the use of tunnelling technology;
- Construction of new 400kV substations at Stainburn and Roosecote and extensions to the existing 400kV substations at Harker and Middleton (Heysham);
- Relocation of existing 400kV overhead line west of Harker;
- Construction of a tunnel beneath Morecambe Bay between tunnel head houses at Roosecote and Middleton (Heysham);
- Modifications to existing 132kV distribution infrastructure and removal of certain existing 132kV overhead lines (including at Heysham);
- Works to modify the existing Electricity North West Limited (ENW) 132kV and lower voltage network where necessary to allow construction of the 400kV connections;
- Modifications to the railway network to provide access to temporary rail sidings in certain locations;
- Areas of mitigation, restoration and/or reinstatement; and
- Associated works, for example, temporary access roads, highways works, temporary compounds (rail, helicopter and general construction) two temporary shafts, work sites and ancillary works.

3.3 The area of the consultation is divided up into two parts in order to better help consultees understand the areas that affect them – North (Moorside to Harker near Carlisle) and South (Moorside to Heysham). National Grid has further divided these two parts into geographic sections for ease of reference; section H2 covers the route under Morecambe Bay and section H3 covers the route between the coast and the sub-station at Middleton (Heysham).

3.4 The documents comprising National Grid's consultation can be viewed on National Grid's web site [www.northwestcoastconnections.com](http://www.northwestcoastconnections.com).

3.5 As an NSIP, the project needs approval from the Secretary of State through the DCO process. A DCO is a composite consent that avoids the requirement for several different consents for a single project. It can include planning permission, the compulsory acquisition of land and interests in land, the stopping up of highways and highways works. The DCO application is submitted to the Planning Inspectorate (PINS) for determination.

3.6 As part of the S.42 consultation, the applicants have provided what is known as a Preliminary Environmental Information (PEI) report, which sets out the likely environmental effects of the development at this stage. The PEI is the precursor to a full Environmental Statement (ES) that will be submitted with the DCO.

3.7 Lancaster City Council is a statutory consultee in the DCO process and is classified as a 'host authority'. The Council's role as part of the current consultation is to:

- ensure that the developer provides and responds to evidence on likely impacts;
- develop solutions for how the impacts can be avoided or mitigated;
- maximise benefits for the local community;
- consider the prospective detailed terms of any DCO, including requirements (planning conditions) and legal obligations.

3.8 The Council (jointly with the other local authorities affected by project) has entered into a Planning Performance Agreement (PPA) with National Grid to enable it to engage in a positive way and to reach an informed view on the impacts of the proposal. Consultants WYG are supporting the work of this PPA Group. WYG is preparing the technical consultation response to National Grid's formal consultation on behalf of the PPA Group.

3.9 Following submission of the DCO, PINS will have 28 days in which to confirm their acceptance of the application. Within this period, the Council will have 14 days to submit comments on the Adequacy of Consultation. Once the application has been accepted, the Council will be asked to submit relevant representations within the next 28 days. To inform the Examination, the Council will also be invited to submit a Local Impact Report (LIR) and Statement of Common Ground. The LIR sets out the Council's view on how the project will affect the local area and effectively forms the evidence base against which the case will be assessed by PINS for mitigation and or legacy measures sought by the Council. The Council will also submit written representations to the Examining Authority and participate in oral Examination hearings, when invited to do so. The LIR will be approved by Executive prior to submission to PINS.

3.10 The expected timetable for the project is as follows:

- |                               |                        |
|-------------------------------|------------------------|
| • DCO application submitted   | April 2017             |
| • Prepare Local Impact Report | Summer/Autumn 2017     |
| • Examination                 | Nov 2017 to April 2018 |
| • Consent (if secured)        | October 2018           |
| • Construction                | 2019 onwards           |
| • Operation begins            | 2024                   |

3.11 The Council has worked with the PPA Group authorities to prepare a joint response to the current S.42 consultation (including the PEI report) highlighting the key issues. Appendix 1 provides a summary response setting out the issues of key concern to the Group. The more detailed PPA Group response will be submitted jointly with the support of all the PPA authorities.

## Key Issues arising from the S.42 Consultation/PEI report relevant to the City Council

3.12 The key concerns arising from the current S.42 consultation focus on the following topic areas:

- Landscape and Visual Impact;
- Ecology;
- Socio Economics;
- Construction and Operational Noise & Vibration;
- Air Quality;
- Hydrology and Flood Risk;
- Traffic and Transport;
- The Tunnel;
- Lack of Information and Timescales; and
- Community Benefits.

3.13 The following sections consider each of the key topic areas in turn together with appropriate recommendations relating to those areas.

### Landscape & Visual Impact

3.14 There are general concerns about the significant impact of installing new overhead lines on the landscapes across Cumbria. The project proposal incorporates substantial mitigation measures, which are acknowledged including the deployment of 23.4km (14.5 miles) of new underground cable and removal of the ENW 132kV line through the western section of the Lake District National Park (LDNP); a tunnel beneath Morecambe Bay to avoid the southern section of the LDNP and a reduction in the extent of existing ENW 132kV lines in the area around the Hadrian's Wall World Heritage Site.

3.15 Within the district there are concerns about the lack of proper assessment of the impacts of the temporary works at the Middleton tunnel-head on nearby residential properties. These works include provision for slurry treatment tanks, a separation plant, muck bins, segment and pipe storage, a settlement lagoon, a retained topsoil storage area, offices, car parking, a fitters' yard, muckway conveyors and a batching plant. Leaving local residents to discover the potential impacts of the temporary works buried deep within the PEI documentation is a serious flaw in the approach to consultation.

3.16 The size, purpose and potential impacts of the temporary structures at the Middleton tunnel-head is not properly dealt with in the PEI. Save for the draft layout at Figure 4.14.1 (Tunnel Temporary Works Plan – Middleton), there is nothing specific to alert local residents of the scale or intensity of the proposals which will be no more than 40 metres away from the closest residential property.

### *Recommendations*

3.17 National Grid must explain what processes are involved that require the construction of the temporary buildings at the Middleton tunnel-head, exactly how will these uses/operational processes relate to each other, and what will be the impacts on people who live in the neighbouring properties. The Council expect that the final proposals will include modifications which (a) avoid impacts on residential properties; (b) minimise impacts or (c) mitigate impacts,

## Ecology

3.18 Many of the ecology assessments for the project are based on incomplete survey data. The completed information will now only be available at the ES stage, and so the Council will not be able to comment on any of the final ecology evaluations and assessments before the DCO submission. Survey methodologies appear to be satisfactory but it is difficult to identify all habitats and the degree to which these will be harmed or lost. The PEI contains no Habitats Regulation Assessment (HRA) of the impacts of the project on internationally important wildlife.

3.19 It appears that the existing incomplete information has been used to scope in or out various designated sites, habitats and species. This approach will not provide a robust assessment until all the information has been considered, and scoping out features prior to obtaining all the data may result in these features being ignored prior to the final ES.

3.20 There appears to be no information on undesignated priority habitats in the assessment for each section. Some assessments provide a conclusion of no significant effect despite the fact that surveys are still ongoing. Issues have then been scoped out (habitats and/or species) from certain sections prior to assessing completed survey material.

3.21 The tunnel-head development at Middleton appears to result in a large local loss of habitat from both permanent and temporary impacts, with significant adverse effects on the adjacent SSSI and BHS. The PEI does not demonstrate that impacts on designated sites would be avoided or (where unavoidable) that adequate mitigation or compensation would be delivered. Similarly, the loss of habitat (which should properly be considered cumulatively with the other developments in this area) under the temporary and permanent substation/ construction compound at Heysham appears to be dismissed as insignificant and no adequate (or indeed any) compensation appears to be proposed.

## *Recommendations*

3.22 A key issue is the lack of information supplied with the PEI in order to assess the potential impacts on terrestrial and avian ecology. As a result there is no satisfactory mitigation or compensation proposed. National Grid must provide sufficient detailed ecology information to address this issue as part of the Environmental Statement submitted with the DCO.

## Socio Economics

3.23 National Grid has underestimated the disruption to the visitor economy across the area, by relying on limited local survey and other national tourism studies. Little primary information regarding the visitor economy has been provided in the PEI, with full assessment of the impact on the visitor sector and visitor perceptions not available until the Environmental Statement.

3.24 It is in the interests of National Grid and the local economy for the skills required by this project to be locally available and for the businesses to be equipped to become part of the supply chain for the project. National Grid should show how they will invest in local skills development and supply chain capability development. Funding will need to be provided to support training providers in delivering additional training to meet National Grid's requirements, but also to support ancillary skills training to mitigate wider impacts on the labour market.

3.25 National Grid has developed an outline Employment and Skills Framework (ESF)

setting out key principles that will be used to provide opportunity to local businesses and workers. National Grid is proposing that 20% of the project workforce and supply chain would be derived from the local area, which is welcomed as a minimum at this stage. However, detailed analysis of the PEI material must be undertaken to understand the justification and appropriateness of this figure. Additionally, further investigation is required to understand how the appropriate local level of involvement on NWCC will be secured; for example at Hinckley Point C Connections (HPCC) project the equivalent figure was secured by a S.106 Agreement.

3.26 During the construction of the project there are likely to be 380 workers employed at the Middleton tunnel-head. The accommodation proposals for this workforce are incomplete. In particular, the PEI under-estimates the opportunity to work in partnership with accommodation providers to raise standards of investment and provide a legacy of improved quality accommodation (including the refurbishment of existing housing stock). Given the City Council's previous experience of working with major construction contracts, an accommodation plan for the area around Heysham is required. This need not include the direct investment in or provision of workforce accommodation, but must show engagement with suppliers to provide quality accommodation.

#### *Recommendations*

3.27 A key issue is the need for National Grid to guarantee that at least 20% of the project workforce and supply chain would be derived from the local area, and this must be supported through a legally binding agreement. Appropriate mitigation, such as support for marketing and promotional activities is required to counter the disruption caused during the construction period and the negative perception driven by the adverse impact of NWCC on the landscape which attracts visitors.

3.28 More investigation is required to understand the detail of National Grid's workforce accommodation proposals to ensure the impacts are considered and where possible legacy can be secured.

#### Construction and Operational Noise and Vibration

3.29 Insufficient attention and assessment has been given to construction and operational design at the Middleton tunnel head to ensure noise/vibration impacts can be sufficiently mitigated particularly given that construction work may last up to six years. The assessment should consider and respond to this unusual position. However no quantified assessment of the impact of mitigation options or of different design/layout/process choices or options has been provided for either the operational or construction phases to allow proper consideration of the likely impacts. The PEI submission does not provide the reassurance that the development with or without modification, can be constructed and operate without a significant impact on nearby receptors. Further information is required in the Environmental Statement to properly consider the impact of the proposed development and provide suitable opinion on the acceptability of the proposal.

3.30 Classifying residential receptors (such as the residents living in houses at Mossgate, close to the tunnel-head site) as being of 'medium' sensitivity is not acceptable. Recommendations have previously been provided by the PPA Group stating that residential/school receptors should be classed as 'high' sensitivity for noise impacts. This has not been accepted in the submitted assessments and impacts on all the predictions and outcomes. The outcome of the assessments therefore under-estimate the impacts and fail to apply mitigation which would otherwise be required, especially for properties at Mossgate.

### *Recommendations*

3.31 A key issue is that National Grid must work with the Council to provide sufficient information to enable it to understand the noise and vibration impacts of the proposed temporary construction compound at Middleton infrastructure on local communities, especially at Mossgate, Heysham.

### Air Quality

3.32 The PEI for Air Quality has considered the effects of the construction phase in accordance with the relevant guidance. However it does not include final confirmed information about the temporary works compound at the Middleton tunnel-head, or the way in which the various structures will be used during the construction phase. Given the proximity of receptors (such as the houses at Mossgate) it is unclear whether dust or odour impacts would arise from general construction activity or from the operation of the slurry treatment plant.

3.33 An assessment of emissions from construction traffic should be undertaken as the EPUK and IAQM document 'Land Use Planning and Development Control: Planning for Air Quality limit on HGVs is triggered particularly along the Bay Gateway (Heysham M6 Link-Road) between the Heysham tunnel-head and junction 34 of the M6.

### *Recommendations*

3.34 A key issue is that National Grid must work with the Council to provide sufficient information to enable it to understand the air quality impacts of the proposed temporary works at Middleton infrastructure on local communities, especially at Mossgate, Heysham.

3.35 In addition, the Environmental Statement must provide evidence of an assessment of emissions from construction traffic from the proposed development.

### Hydrology & Flood Risk

3.36 Clarification of the appropriate standard of protection from flooding and critical infrastructure needs to be clearly set out and established in the Environmental Statement.

3.37 Specific modelling may be required to assess flood risk to take account of the following:

- (i) Any re-assessment of Flood Zones following the December 2015 floods arising from the current EA modelling programme;
- (ii) Specific modelling of ordinary watercourses and overland flood routes where these are impacted either by the construction works or the permanent works;
- (iii) Modelling to assess impacts of any stockpiling of materials or re-shaping of land (either permanent or temporary) within Flood Zones 2 and 3 or in areas of identified surface water flood risk.

3.38 The design appears to be based on 'desk top' studies. At sensitive locations there is uncertainty over the deliverability of the proposed design due to the absence of supporting intrusive geotechnical data. The potential associated risk could result in forced changes and associated wider impacts on other discipline areas.

3.39 Careful consideration is therefore required to establish the nature of impacts on the hydrology of Heysham Moss, especially on the area around the tunnel-head at Middleton, which is drained by a network of ditches. The impacts of surface water flood



risk (including overland flows) needs to be considered for both the construction process and on the permanent works.

### *Recommendations*

3.40 A key issue is that National Grid must work with the Council to provide sufficient information on the baseline, impacts and mitigation planned for to counter the risk of flooding at the Middleton tunnel-head.

### Traffic and Transport

#### Transport Strategy

3.41 National Grid's conclusion there are no traffic reasons to favour a multi-modal option for moving materials and workers to the construction sites is not acceptable. The Council disagrees with the assessment of impacts relating to 'road based' and 'multi-modal' options, and consider that a multi-modal strategy can reduce traffic in certain locations, and a multi-modal approach could have a significant reduction in overall vehicle-distance travelled, especially for HGVs, which might reduce emissions and accidents. These benefits have not been considered in the PEI, which is a considerable shortcoming.

3.42 National Grid has suggested that an additional reason for not choosing the multi-modal option because of the limited capacity available on local railway lines. The Council does not agree with this conclusion as the approach should be to provide investment to mitigate rail capacity issues, in order to keep traffic off the highway and also provide a legacy benefit.

#### Transport Improvements

3.43 The NWCC project will generate extensive traffic resulting from the importing (and decommissioning) of material for access and haul roads, construction materials, cabling and waste. The Council is concerned about the cumulative impact of these movements on the transport network, especially if a single source is used and a road based approach is adopted. These measures need to be informed by modelling of traffic flows both for the individual development and for the cumulative impact, and is dependent upon the completion of survey data.

### *Recommendations*

3.44 A key issue is that National Grid must take a multi-modal approach to the project, and they must provide investment to mitigate rail capacity issues, in order to avoid cumulative impacts, keep traffic off the highway and also provide a legacy benefit.

### The Tunnel

3.45 Access to the tunnel will be created by constructing two vertical shafts at Roosecote (Barrow) and Middleton (Heysham). Tunnel Boring Machines (TBM) will be used to dig the tunnel at an average depth of 30-40 metres, meeting at a point mid-way across the Bay, where a new islet will be constructed. The islet will be the place where the TBMs will be recovered, and once built, its main purpose will be to provide an air intake to cool the cables in the tunnel.

3.46 The islet will have a small impact on views across the Bay. The tunnel construction route will pass below the gardens of 6 residential properties and 5 park

homes in south Heysham. National Grid has designed the route of the tunnel to have minimal impacts on properties and has already contacted all affected property owners (which include the City Council) to explain any potential impacts and agree mitigation or compensation measures.

#### Lack of Information and timescales

3.47 Insufficient information has been presented within the PEI for a full assessment of the potential effects of the development to be carried out by the PPA Group and its specialists. There are gaps as well as assumptions made across a number of topic study areas (landscape, ecology, noise, hydrology etc), which if carried through to the final Environmental Statement could lead to incorrect assessments and the wrong conclusions drawn on the likely effects. This is addressed in more detail in the topic by topic analysis and will be drawn out in the PPA's final response to the PEI. National Grid will need to address these matters in the final Environmental Statement to be submitted with the DCO application.

3.48 The delay by National Grid in presenting material in the PEI has meant that a full consideration of all the documentation presented has been a significant challenge within the timescales to enable the PPA Group to provide National Grid with a properly considered and approved consultation response.

#### *Recommendations*

3.49 A key issue cross-cutting the whole of the S.42 consultation is the general lack of sufficient environmental and other information to assess the potential impacts of the development on the local area. National Grid must address this issue in order for it to satisfy not only the Local Authorities and their communities but also the Planning Inspectorate and ultimately the Secretary of State.

#### Community benefits

3.50 National Grid are aware of the local desire to secure a community benefit package. Ofgem, National Grid's regulator, will decide whether a community benefit package is justified: it sees National Grid's role as a purely statutory one, in that the upgrade to the grid is only taking place because of NuGen's request to connect the Moorside power station. This has implications as to which organisation would be responsible for the negotiation and payment of any community benefit package. However, notwithstanding this the Council will expect National Grid and NuGen to work with local communities to deliver benefits to the local area where the proposal is located.

3.51 'Bringing Energy To Life' is National Grid's new community investment programme in the UK. It is designed to fund projects in communities affected by National Grid's operations, focusing on projects run by charities and community groups that meet local community needs by providing a range of social, economic and environmental benefits. These might include initiatives that:

- support hard-to-reach members of the community improving inclusion and diversity;
- support economic regeneration or prosperity (for example the development of a social enterprise);
- support a work placement or retraining scheme which increases employability of people disadvantaged in the workplace;
- have a direct and positive environmental impact such as renewable energy or

conservation projects.

3.52 Whilst 'Bringing Energy To Life' offers a general approach to community benefits, National Grid do not appear to have any community benefit/grant funding scheme specific to the localities affected by the project, and in these circumstances it is unlikely that local communities will derive any social or other benefits from the project development.

#### *Recommendations*

3.53 A key issue is the need to address adequate and specific community benefits in the district in association with National Grid's project proposals.

### **4.0 Consultation**

4.1 The NWCC Project is being put forward by National Grid and Lancaster City Council is a statutory consultee, and therefore it has a direct role in the consultation procedure and the timescales. National Grid's Statement of Community Consultation (SoCC) has sought to achieve maximum public engagement with all stakeholders during the consultation process, but it has not allowed sufficient time to undertake the S.42 consultation, given the magnitude of the project, the quantity of material contained in the PEI and the timing of the consultation to include the Christmas Holiday period.

4.2 Given how little information has been provided by National Grid on the proposed temporary works at Middleton (Heysham) tunnel-head, the current exercise falls short of full consultation on this part of the project. Therefore, additional consultation will be required by National Grid to address this issue.

### **5.0 Conclusion**

5.1 At this late stage in the development of the NWCC project, there are significant omissions and gaps in information, which have not been presented with the S.42 consultation and the supporting Preliminary Environmental Information.

5.2 There are also major concerns over potential impacts on the environment, especially landscape and visual impacts, and there is scope for further mitigation such as rationalisation of the ENW infrastructure, notwithstanding the level of undergrounding afforded elsewhere on the route of the line.

5.3 In 2014, Members supported the preferred route, now worked up to be the detailed routing and siting for the project, subject to the scheme:

- Utilising a rail based option to export tunnel spoil from, and to import construction materials to the tunnel head during the construction phase of the project;
- Maximising the employment of local labour, and expenditure on locally sourced goods and services;
- Achieving legacy impacts from the project, which should include investment in the local housing stock to provide workforce accommodation.

5.4 Currently, none of these conditions are properly addressed in the project. The representations summarised in Appendix 1 set out the Council's case for changes to be made to the project, including the need to deal with specific concerns about the adverse impacts of the temporary works at Middleton on residential properties at Mossgate.

## 6.0 Summary of Options Considered

**(a) Do Nothing:** the Council could choose not to respond to the National Grid's consultation, however, it would not be fulfilling its obligations under the Planning Performance Agreement and as a statutory consultee. In addition, the Council would miss the opportunity to influence the development of the project and secure the best outcome for the community.

**(b) Respond to the consultation:** the Council can respond to the consultation as set out in Appendix 1. This ensures the Council fulfils its responsibility as a statutory consultee and will maximise the opportunity to influence the project and achieve appropriate mitigation of impacts and legacy for the local community.

**(c) Vary the consultation response:** the Council could agree to amend Appendix 1 in advance of its submission for the consultation deadline of 6<sup>th</sup> January 2017. This still ensures that the Council fulfils its role as statutory consultee and allows the input of specialists.

### **RELATIONSHIP TO POLICY FRAMEWORK**

The City Council supports the development and application of new power sources in the Heysham area in its Corporate Plan. It has also supported the nomination of sites at Heysham and Moorside for new nuclear power stations. The local Plan facilitates that growth alongside the existing power infrastructure at Heysham.

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

The Council should respond to the consultation as set out in Appendix 1. This ensures the Council fulfils its responsibility as a statutory consultee and will maximise the opportunity to influence the project and achieve appropriate mitigation of impacts and legacy for the local community.

### **LEGAL IMPLICATIONS**

The Legal implications are as referred to in this report regarding the City Council's land and property.

### **FINANCIAL IMPLICATIONS**

It is not expected that there will be any additional financial implications arising for the Council since previously reporting on this scheme on 10 November 2014 or as a result of this report's recommendations.

Members are again reminded that any time spent by the Council on this project up to application and examination stage is reimbursed by the National Grid under a Planning Performance Agreement. Due to the size and national importance of this project, there will be no decision making obligation falling upon the Council as this will be undertaken directly by the Planning Inspectorate, and that in this instance we are undertaking the role of 'consultee' only and may also be called upon as such during the examination period, which is normal for schemes such as this. It is expected that time spent during the examination stage can be absorbed within existing staff resources, however, with 95% of the workload expected to have been completed prior to the examination stage.

It is further re-iterated that it is during the current Stage 3 period, that the Council as 'consultee' may be able to influence the decisions made by the National Grid on the key issues arising for this District and its residents as set out in section 3.12 of the report, i.e. before Stage 4 - the application stage.

### **OTHER RESOURCE IMPLICATIONS**

**Property:** Some land and property owned by the City Council lies above the proposed tunnel route. National Grid has engaged fully with the Council's Property Services team on the legal and financial implications of their proposals.

### **SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

### **MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments.

### **Background Papers**

Planning & Highways Regulatory Committee:

- (1) National Grid North West Coast Connections  
Project: Stage 1 Consultation on Strategic Route  
Options: 25 June 2012.
- (2) National Grid North West Coast Connections  
Project: Stage 2 Consultation on Outline Route  
Corridors and Substation Siting: 10 November 2014.

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