



Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	05 March 2024
Subject:	National Grid Upgrade Grimsby to Walpole Scheme
Decision Reference:	n/a
Key decision?	n/a

Summary:

This report sets out the basis of the County Council's objection to the non-statutory consultation held between the 18 January 2024 to 13 March 2024 by National Grid Electricity Transmission (NGET) for the proposed Grimsby to Walpole new 400KV electricity overhead transmission line and associated substations. The entire scheme is 140km in length and includes 5 substations and although starts in North-East Lincolnshire to the west of Grimsby and finishes in Walpole in Norfolk the vast majority of the 140km overhead lines, pylons and 3 substations are proposed in Lincolnshire.

Recommendation(s):

- 1) That based on the detail set out in the report the Council submits a formal objection to any onshore overhead line proposal;
- 2) That the Executive recognise and supports Officers to commissioning an independent review of the strategic options report included with the consultation document to enable the Council to challenge the reasoning for the strategic options approach that dismisses the subsea and underground cabling alternatives to the proposed onshore overhead line

Alternatives Considered:

That the Council does not object to the proposal based on the Council's existing Energy Infrastructure position and the conclusions of the strategic option document included with the consultation details.

Reasons for Recommendation:

By adopting the recommendations, the Council will set out clearly its opposition to the project and make it clear that it believes the strategic options report is flawed in terms of the conclusions it reaches for dismissing the subsea and underground cable alternatives. This position backed up by the necessary evidence through the

commissioning of an independent review of the proposals will enable the council to continue to make the case for a subsea alternative during further rounds of consultation and in preparation for the Council to submit its formal position on the proposal once an application has been submitted to the Planning Inspectorate (expected 2027) for a decision on the application by the relevant Secretary of State.

1. Background

At its meeting on 9 January 2024 the Executive received a presentation by representatives of National Grid on the forthcoming non-statutory consultation for the Grimsby to Walpole onshore overhead line proposal. At this meeting the Executive requested National Grid to bring forth its business case and costing in line with Treasury Green book principles for each of the 3 options referred to in the consultation document, this information at the time of writing this report has still not been received. Following, this presentation National Grid commenced its non-statutory consultation on 18 January 2024.

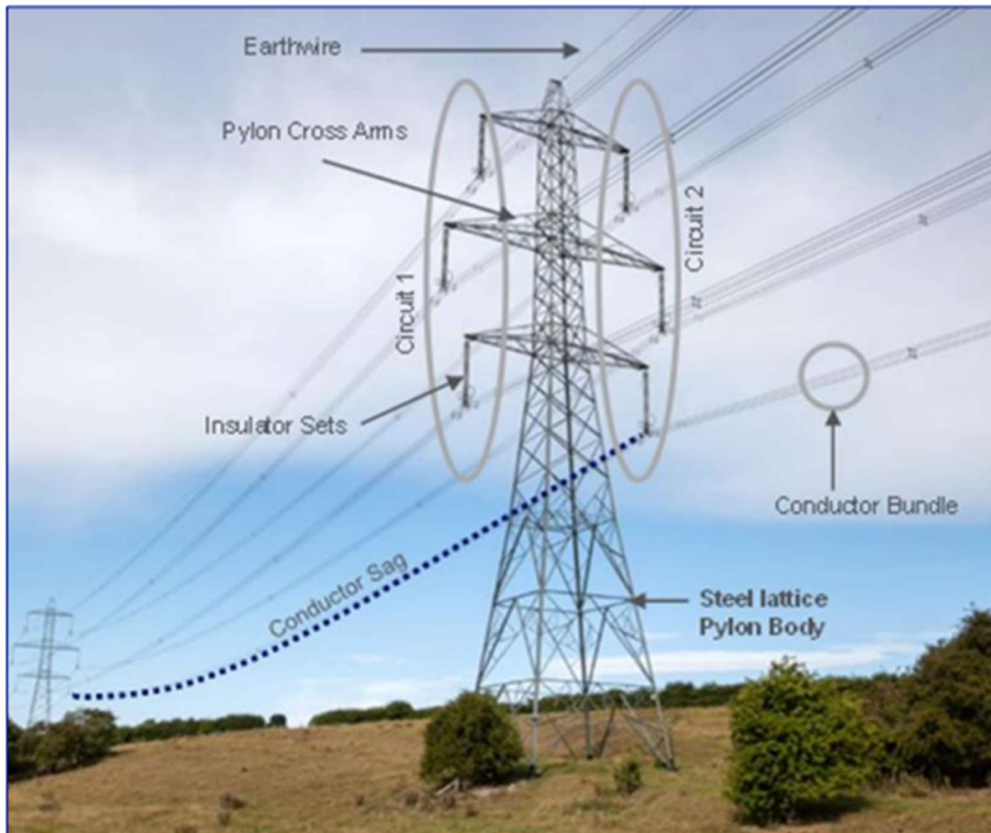
This report sets out currently known limited details about, the proposal, current issues and approach to further consultations ahead of the expected date for submission of the application to the Planning Inspectorate in 2027.

The Grimsby to Walpole proposals are part of a scheme to upgrade the electricity network and infrastructure known as 'The Great Grid Upgrade' being promoted and developed by National Grid Electricity Transmission (NGET). The proposal is in the very early stages of development. The first stage of public consultation on the proposal commenced on 18 January 2024 for a period of 8 weeks and concludes on 13 March 2024.

The Proposal

NGET preferred option is to construct a new high voltage 400,000 volt (400kv) electricity transmission line and associated works between a new substation at Grimsby West in North East Lincolnshire and a new substation in the Walpole area, in Norfolk. Two new connection substations near the Lincolnshire coast and a new substation at Weston Marsh in Lincolnshire are also proposed. The new infrastructure would increase the capability of the network to carry electricity from the north of England to the south and would also provide grid connection capacity for planned new offshore wind generation, solar energy generation and battery storage, interconnectors with other countries and subsea cable links to Scotland.

The proposed upgrade would involve the construction and operation of approximately 140 kilometres (km) of new 400 kV overhead electricity transmission line. New pylons and conductors (electrical wires) would be located along the overhead line route. Pylons would typically be around 50 metres (m) in height (as shown in the photo below), with approximately three pylons per kilometre. This would roughly require 420, 50m high steel lattice pylons similar to that shown in the photo below.



At this stage information about the project is limited, the precise location and design of the proposal is not yet available and there are no environmental assessment reports available as the precise route of the overhead lines and location of the substations remains to be confirmed. More detailed information will be provided at the next stages of consultation. However, an indicative route corridor has been provided in the consultation documents to provide the current area of search of the overhead lines. The consultation feedback will help determine a more definitive corridor for the next round of consultation.

In addition five substations are also proposed as part of the Grimsby to Walpole upgrade.

- One substation, to be located in the vicinity of the existing Grimsby West substation, to replace the existing substation and to connect three solar energy/battery storage projects, plus two additional supergrid transformers for Northern Powergrid.
- Two connection substations south west of Mablethorpe and north-east of Alford, to facilitate the connection of planned offshore wind generation, interconnectors with other countries and a subsea link from Scotland.
- One substation near existing overhead lines at Weston Marsh, north east of Spalding, to connect an offshore windfarm and two solar energy/battery storage projects.
- One substation in the vicinity of the existing Walpole substation, to connect proposed subsea links from Scotland and a combined cycle gas turbine power station.

Additional land would also be required for temporary use for construction activities and for mitigation, compensation and enhancement of the environment as a result of the environmental assessment process and to deliver Biodiversity Net Gain (BNG).

Other than listing the committed connection points for a significant number of energy projects to connect into the substations, no reference is made to the infrastructure that each of these energy projects will require. The cumulative impact from the overhead lines pylons, National Grid substations and those substations that will be required for the other energy projects would overwhelm community of Alford and have the potential to significant impact on the character of the Lincolnshire Wolds Area of Outstanding Natural Beauty.

NGET claim that the proposed upgrades to the electricity network and infrastructure are required to be operational by 2030 in order to meet Governments ambition to increase energy from offshore wind to 50GW by 2023 as detailed in the policy paper British Energy Security Strategy (April 2022).

Included with the consultation documents is a flimsy Strategic Options report that considers onshore and subsea options and different technologies for the transmission upgrade without any clear understanding of costs benefits or how the conclusions were reached.

The subsea option has been discounted from an economic perspective, on the basis that it would be significantly more expensive to both build and maintain over a 40-year period. This is why the Executive requested the business case and financial assessment based on Treasury Green Book principles for all options.

Whilst it is acknowledged that the various options that have been provided in the strategic options reports is helpful in setting out National Grid's position the it is considered essential that a more comprehensive and cohesive evidence is provided to show that other options such as the reinforcement of existing Grid infrastructure, an off-shore subsea connection or underground cables are not feasible or desirable alternative.

The strategic report includes 2 off-shore, subsea options from the Grimsby sub-station, one of these involves a proportion of the cable being off-shore and making landfall around the Anderby Creek area and then following a on-shore route to Walpole. The other option is for an subsea cable from Grimsby to the Norfolk Coastline involving 190km of subsea cable without the need for the on-shore infrastructure but would involve landfall in the Wash Estuary on the Norfolk coastline line impacting on sensitive nature conservation areas.

The onshore option that is proposed has a capital cost estimate (including substations) of £1,074 million, compared to £4,391.7 million for an equivalent subsea option (including substations). This costing has no regard to the compensation required for the loss of tourism and property prices.

Whilst the strategic option report is extremely helpful in allowing a partial understanding of how the various options have been considered it is not helpful in setting out the reasons for dismissing the subsea option other than on purely cost grounds but without detailed investigation of technical, environmental and socio-economic criteria being undertaken.

Whilst the Council will pursue rigorously the subsea option and make it fundamentally clear that this is the only correct approach it will also be necessary to engage with National Grid to ensure that any proposal can be progressed in a way that all steps necessary can manage the project are undertaken .It is the Council view that there is no mitigation possible that can manage the unacceptable impact t on the natural and historic landscape of the east of the County. There are numerous planning decision at PINS going back many years that clearly indicate that tall vertical structures in flat open landscape can never be justified due to the scale of impact on the landscape over a very wide area.

At this stage for the onshore option NGET has not provided enough information to fully assess the impacts .

In addition the Council is confused as to why NGET did not propose the shorter **T-pylon** design for the project as a whole. This has precedent in being used in other projects.

Substations – 3 substations are proposed in Lincolnshire 2 between Mablethorpe and Alford and one to the north-east of Spalding. At this time extensive search areas are identified and preferred locations are emerging although with still substantial work to be undertaken. The substations provide a means of connection for multiple energy projects some from the local area and others from much further afield such as Scotland which involve the use of subsea cables for upto 500km

Again no firm details of the location and design of these substations are available at this stage but as a starting point these must seek to minimise the impact upon local residents and environments as a whole. Whilst details are still to emerge from knowledge of the necessary infrastructure for these substations it must be questioned if any mitigation and screening can be effective in such an unspoilt landscape that currently exist in the areas of search. This is exacerbated by the very fact of the purpose of these substations is to provide connection points for other energy projects which in many cases will require their own substations and therefore the cumulative impacts from these additional infrastructure needs to be taken into account in both the construction and operation of the other substations that will need to be developed in proximity to the National Grid substations.

Other than listing the committed connection points for a significant number of energy projects to connect into the substations, no reference is made to the infrastructure that each of these energy projects will require. The cumulative impact from the overhead lines pylons, National Grid substations and those substations that will be required for the other energy projects would overwhelm community of Alford and have the potential to significant impact on the character of the Lincolnshire Wolds Area of Outstanding Natural Beauty.

It is considered essential that a masterplan of the substation areas is produced to consider not only the National Grid substations but also the other substations that will be necessary so that this can be considered holistically rather than in an unplanned incremental approach should developers bring their proposals forward at some future date.

Due to the lack of detail at this stage it is not possible to provide any specific technical response to the proposals as significant amount of background and environmental information remains to be presented at later stages as the project evolves. When this information is presented at future consultation phases the Council will in due course provide specific technical comments in the following areas:-

- Cultural heritage including archaeology and historic environment
- Ecology
- Economic Development
- Emergency Planning/Fire and Rescue
- Highways and transport
- Landscape and Visual impact
- Lead Local Flood Authority and Flood advice

- Public Health
- Public Rights of Way
- Soils and Agriculture
- Waste and Minerals Planning Authority

At this stage in the process, however, it is clear from information provided and the initial public reaction to the proposal that the scheme will have the potential to have significant impact on large swathes of the landscape of the area when viewed from both distance and locally in relation to the Fens and the impact on and from the AONB. For context previous above ground infrastructure have previously not been progressed in part due to those same type of issues. This type of planning history will be used to pursue negotiations for both off shore and on land underground options

Other localised considerations in respect of local environmental impact, ecological impact, heritage impact and localised residential amenity cannot be fully assessed at this stage given the absence of a defined route and therefore detailed technical submissions *The Lincolnshire coast, forms part of the East Atlantic Flyway and is registered as one of the seven sites in the UK on the tentative list for UNESCO World Heritage site status. These sites include some of the country's most valuable natural areas and are recognised for being of Outstanding Universal Value for their global significance to nature conservation. The East Coast Wetlands are a nationally and internationally recognised habitat for waterbird populations with 29 species found in internationally important numbers across 21 existing Special Protection Areas (SPAs) including, in Lincolnshire; The Humber Estuary, The Wash and Gibraltar Point.*

Development Consent Order process

The Grimsby to Walpole proposal is a Nationally Significant Infrastructure Project (NSIP) that will be considered through the Development Consent Order (DCO) process. This process was introduced through The Planning Act 2008 to streamline the decision-making process for major infrastructure projects, aimed at making it fairer and faster for communities and applicants alike. Applications are made to the Planning Inspectorate (PINs), an Examining Authority (ExA) are appointed to run an examination of the proposal, in public. Once this is completed the ExA make a recommendation to the relevant Secretary of State (SoS) who will make a decision on the application. The process takes around 12 months from the date of acceptance of the application by PINs. Prior to the submission of the application the applicant has to undertake extensive pre-application consultations which can occur over long periods of time and in this particular case it will be 3 years until the application will be submitted in 2027.

The Grimsby to Walpole proposal is currently in the pre-application stage of the process. The non-statutory public consultation phase, commenced on 18 January which is the first of at least 3 rounds of consultations which will take place before the application reaches the examination stage.. A second round of pre-application consultation (stage 2 statutory public consultation), is anticipated to take place in 2025. The intention of the DCO process is that it is front loaded in order for much of the time and work is undertaken at the pre-application stage to leave the examination to concentrate on those outstanding matters.

- Pre-application - Before submitting an application, potential applicants have a statutory duty to carry out consultation on their proposals. The length of time taken to prepare and consult on a project will vary depending upon its scale and

complexity. Whilst the consultation stage is often criticised by local residents and action groups for not meeting the relevant tests it must be remembered that in submitting the application the developer must include a detailed consultation report setting out the methodology used for the consultation, the feedback from the consultation and how this feedback has been used to influence the application proposals. Section 42 of the 2008 Act requires the Planning Inspectorate to consider the adequacy of the consultation undertaken by the applicant during their pre-application stage and invites the host authorities (including the County Council) as a statutory requirement to confirm if the requirements of Section 42 of the Act has been met. Therefore in 2027 the Council will have an opportunity to set out if it considers the developer has undertaken adequate consultation throughout the pre-application stage so it would be premature to comment at this stage on the applicants approach to consultation when there is still a significant amount of consultation and engagement to take place before the application is submitted.

- Acceptance - The Acceptance stage begins when an applicant submits a DCO application to PINs. There follows a period of up to 28 days for PINs, on behalf of the SoS, to decide whether or not the application meets the standards required to be accepted for examination.
- Pre-examination - At this stage, the Council must register with the Planning Inspectorate to become an Interested Party by making a Relevant Representation. A Relevant Representation is a summary of the Council's views on the application, which will be confirmed. Following on from submitting the Council's relevant representations, the Council will then submit its Local impact Report and written comments on the application which are required to be approved by the Planning and Regulation Committee prior to being submitted to the Planning Inspectorate.
- Examination –there is a six months examination period when the Council and other Interested Parties are invited to provide more details of their views in writing and during in person hearings
- Recommendation and Decision – Following the closure of the examination The Examining Authority has 3 months to prepare a report on the application to the relevant Secretary of State (SoS), including a recommendation, The relevant SoS then has a further three months to make the decision on whether to grant or refuse development consent.
- Post Decision - Once a decision has been issued by the relevant SoS, there is a six week period in which the decision may be challenged in the High Court. This process of legal challenge is known as Judicial Review.

Energy Infrastructure Position Statement

On 5 December 2023 the Council adopted an Energy Infrastructure Position Statement which set out the principles that should be applied in responding to NSIPs. One of the principles of this position statement is that all new grid infrastructure required to connect energy development to the grid should be predicated on underground first, or on existing routes. The Council's position is that it does not and will not support any new overhead pylon lines which impact on the county and its vitally important landscapes and should be prepared to explore with developers any new technologies such as smart grids which address the need for energy whilst being sensitive and suitable to the natural environment.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision-making process.

This paper makes recommendations relating to the Council's position on an external consultation. As such the recommendations does not have any impact on the Equality Act 2010

Joint Strategic Needs Assessment (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

This paper makes recommendations relating to the Council's position on an external consultation. As such the recommendations are neutral to the JSNA and JHWS

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

This paper makes recommendations relating to the Council's position on an external consultation. As such the recommendations are neutral to crime and disorder

3. Conclusion

The Council recognises that NG have been tasked with delivering new infrastructure to connect energy developments that will reduce carbon emissions, to decarbonise the grid, improve energy supply resilience, and help to meet the challenges of climate change.

However, taking into account the Councils recently adopted Energy Infrastructure Position Statement the Council's clear preference is for a coordinated, offshore centred approach, delivered at pace, to minimise onshore infrastructure in Lincolnshire. If this approach can deliver an alternative to the current onshore proposals in a timely manner, without risking wider Net Zero, renewable generation, and decarbonisation targets, it would be welcomed by the Council and the communities it represents.

However, unfortunately at this stage the Council considers that in the consultation documentation, National Grid Electricity Transmission (NGET) have not presented a comprehensive and conclusive set of evidence that the transmission objectives of this project cannot be met using an offshore link or links, with less harmful impacts on the terrestrial environment of Lincolnshire, the Council requires to reiterate the need for NGET to supply the full business cases and costings that have been mentioned in this consultation document. NGET should provide this information to the wider public in the next consultation stages. This should be updated for further consultation stages and the Council will be commissioning its own independent review of the strategic options appraisal and this report when available will be presented to support the Councils case that alternative

options have been dismissed on the basis of cost alone without detailed investigation of technical, environment and socio-economic criteria being undertaken.

For the reasons set out above the Council is left with no option but to formally **object** to the proposals as currently presented and would request that further work is done to demonstrate in a sequential approach and recognising that the Council will never support overhead pylons in order of preference:-

- considers alternative reinforcement to the existing National Grid infrastructure;
- subsea option; and
- underground cabling

4. Legal Comments:

The Council has a statutory role to play as a consultee in the Nationally Significant Infrastructure process including to identify local impacts. Responding to such projects is an executive function and the report sets out the Council's position on a consultation for a National Significant Infrastructure Project. The decision is within the remit of the Executive.

5. Resource Comments:

Accepting the recommendations within this report, would result in the commissioning of an independent review of National Grid's strategic options appraisal at this stage the cost of such work is unknown and whilst a proportion of the cost of such a report could be recovered from a Planning Performance Agreement with the developer an estimated budget of £100k would be required for this work to be undertaken

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The report has not been considered by a scrutiny committee

d) Risks and Impact Analysis

As detailed in the body of the report

7. Background Papers

The following background papers as defined by Section 100D of the Local Government Act 1972 have been used in the preparation of this report:

Document title	Where the document can be found
Minutes of the Executive meeting dated 5 December 2023	Agenda Template (moderngov.co.uk)

This report was written by Neil McBride who can be contacted on neil.mcbride@lincolnshire.gov.uk

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