

Secretary of State for Transport  
National Transport Casework Team  
Department for Transport  
Tyneside House  
Skinnerburn Road  
Newcastle Upon Tyne  
NE4 7AR

By e-mail to: [nationalcasework@dft.gov.uk](mailto:nationalcasework@dft.gov.uk)

Our reference AHPK/1201649

North Somerset Council's reference AM35/DW06/2294.110/MCGRE

13 April 2023

Dear Sir/Madam

**The North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order (No.2) 2023 ("the Supplemental CPO")**

We continue to act on behalf of National Grid Electricity Distribution (South West) plc ("**NGED**") (formerly Western Power Distribution (South West) plc), whose registered office is at Avonbank, Feeder Road, Bristol, BS2 0TB.

NGED was previously notified of the North Somerset Council (Banwell Bypass and Southern Link) Compulsory Purchase Order 2022, and the North Somerset Council (Banwell Bypass and Southern Link) (Side Roads) Order 2022 (the "**Original Orders**") and submitted holding objections in respect of these.

22 March 2023, we were informed that prior to planning permission determination on 16 March 2023, comments received from Natural England and North Somerset Council (Natural Environment) during the statutory consultation process highlighted that additional mitigation and a potential alteration to the associated scheme was required in the context of the Original Orders. Subsequently, the Supplemental CPO was made to effect the delivery of the changes on 20 March 2023 and effects land over which NGED has a qualifying interest.

NGED is the licensed distribution network operator under Section 6 Electricity Act 1989 (the "**EA1989**") for part of the area in which the Orders and the Supplemental CPO are proposed to have effect. Section 9 of the EA1989 places a duty on the electricity distributor to develop and maintain an efficient, co-ordinated and economical system of electricity distribution.

Pursuant to Section 16 of the Acquisition of Land Act 1981 (the "**ALA1981**"), NGED is a statutory undertaker.

To date NGED has not yet determined the full impact of the Supplemental CPO on its electricity network. In particular, as with the Original Orders, NGED wishes to understand:

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- How the proposal will ensure security of electricity supply in the area.
- How the proposal will protect the electricity network during the construction phase of the scheme and following its completion.
- Precise details of the design or construction of the scheme and therefore potential operational implications.
- Precise details of the property rights and interests that will be affected by the implementation of the Supplemental CPO.

The Supplemental CPO has the potential to cause serious detriment to the carrying on of NGED's statutory responsibilities which may result in a significant negative impact upon the distribution of electricity in the area.

Therefore, in order to ensure that no detrimental impact is suffered by NGED as a result of the confirmation of the Supplemental CPO, NGED may require an asset protection agreement to be entered into by North Somerset Council before the Supplemental CPO is confirmed.

Please therefore accept this letter as NGED's representation to the Supplemental CPO consisting of a holding objection. The objection is framed as a "holding" objection as NGED would not wish for this to be considered as an outright objection to the project. The objection is being made in order to protect NGED's statutory rights and duties pursuant to the EA1989.

We would expect the objection to be withdrawn once discussions are finalised with North Somerset Council regarding solutions to protect NGED's electricity network and formal agreements are concluded.

A formal objection under Section 16 ALA1981 in similar terms is being sent to the Secretary of State for Business, Energy and Industrial Strategy as the appropriate Minister to receive that objection.

We would be grateful if you could confirm receipt of this letter to the undersigned at the address or e-mail given, and address all further correspondence to the same.

Yours faithfully



**Osborne Clarke LLP**

**T** +44 117 917 3215

**E** [lauren.gardner@osborneclarke.com](mailto:lauren.gardner@osborneclarke.com)

Cc. [banwell.bypass@n-somerset.gov.uk](mailto:banwell.bypass@n-somerset.gov.uk) and [daniel.whittle@burges-salmon.com](mailto:daniel.whittle@burges-salmon.com)