

PROJECT

**THE NATIONAL GRID GAS PLC (WESTERN GAS NETWORK PROJECT)
COMPULSORY PURCHASE ORDER 2022**

SUMMARY STATEMENT OF EVIDENCE

**JAMES TOMISON
SENIOR PROJECT MANAGER
NATIONAL GRID GAS PLC**

1. **QUALIFICATIONS AND EXPERIENCE**

- 1.1 I am James Tomison, Senior Project Manager at National Gas Transmission Plc ("National Gas"). I have a master's degree in mechanical engineering and am a Chartered Engineer with the Institute of Mechanical Engineers.
- 1.2 I have over ten years' experience working in Gas Construction in a variety of Design & Project Management roles.

2. **INTRODUCTION AND SCOPE OF EVIDENCE**

- 2.1 My proof of evidence is set out as follows:-
- 2.1.1 The Western Gas Network Project ("the Project")
 - 2.1.2 The need for and benefits of the Project
 - 2.1.3 Development of the Project and alternatives
 - 2.1.4 The land and rights needed for the Project
 - 2.1.5 Acquisition strategy and status of negotiations
 - 2.1.6 Project delivery and funding
 - 2.1.7 Planning position
 - 2.1.8 Power under which the Order is made
 - 2.1.9 Human Rights and the Equality Act
 - 2.1.10 Response to objections
 - 2.1.11 Conclusions

3. **THE PROJECT**

- 3.1 The Project consists of a new 9km section of gas pipeline between Wormington (Gloucestershire) and Honeybourne (Warwickshire), a new 2km section of gas pipeline at Churchover (Warwickshire) and works to facilitate pressure uprating of the existing gas pipeline (Feeder Main 28) between Felindre (Swansea) and Three Cocks (Powys).

4. **THE NEED FOR AND BENEFITS OF THE PROJECT**

- 4.1 South Hook Gas Company Limited ("SHGCL") has submitted a Planning and Advanced Reservation of Capacity Agreement ("PARCA") application to National Gas requesting additional entry capacity. National Gas has a duty under the Gas Act 1986 to comply with any reasonable request by shippers to convey gas.

4.2 Analysis of gas flows around the National Transmission System (“NTS”) showed that, given this increase in capacity, restrictions to gas flow were likely in most scenarios due to constraints on the existing NTS infrastructure.

4.3 To remove the constraints, there is a need to reinforce the existing NTS.

5. **DEVELOPMENT OF THE PROJECT AND ALTERNATIVES**

5.1 To assess potential alternative options available to address the shortfall in capability of the NTS to accept gas from the South Hook Terminal, National Gas carried out a Strategic Options Appraisal (**CD E3**).

5.2 The Strategic Options Report (**CD E11**) considered whether the requested capacity could be delivered through, or by a combination of, the following mechanisms:

5.2.1 Commercial Mechanisms

5.2.2 System Management

5.2.3 Upgrading of Operational Pressures and Potential Modification of Existing Infrastructure

5.2.4 Additional Infrastructure & Other Measures

5.2.5 Storage

5.3 Following the appraisal, a shortlist of options was costed from an asset investment perspective. The preferred strategic proposal (known as F6.6) comprised the following elements:

- Pressure upgrading of the existing Feeder 28 pipeline between Milford Haven (Pembrokeshire) and Three Cocks (Powys);
- Construction of 9km of new pipeline between Wormington and Honeybourne and 2km of new pipeline between Churchover Compressor and Churchover Multijunction;
- Related works at several existing AGI sites to facilitate the pressure upgrading, connection of new pipelines and effective compression at existing stations.

5.4 Since the appraisal, National Gas has continued to review and refine the detailed composition and scope of the preferred strategic proposal.

5.5 Following identification of the preferred strategic proposal, a process to identify routes for the two new sections of pipeline was commenced.

6. THE LAND AND RIGHTS NEEDED FOR THE PROJECT

- 6.1 National Gas is taking a proportionate approach to acquisition, mainly acquiring rights save for one area where freehold acquisition is necessary (Churchover Tee).

7. ACQUISITION STRATEGY AND STATUS OF NEGOTIATIONS

- 7.1 National Gas has engaged constructively in meaningful discussions with all known owners and occupiers of the Order Land with a view to acquiring the land and new rights required for the Project by voluntary agreement if possible.
- 7.2 The overriding aim of the engagement has been to minimise impact on landowners.

8. PROJECT DELIVERY AND FUNDING (BUSINESS DECISIONS)

- 8.1 To meet the PARCA timescales, National Gas is forecasting to award contracts for pipeline works in September 2023. Mobilisation works are scheduled to begin in November 2023, therefore all land and rights need to have been acquired significantly in advance of this date.
- 8.2 The funding for the Project will be determined through a mechanism in Ofgem's regulatory framework (RIIO-T2) known as a Funded Incremental Obligated Capacity ("FIOC") Re-Opener Price Control Deliverable Uncertainty Mechanism.
- 8.3 National Gas consider the non-approval of the scheme by Ofgem to be exceptionally unlikely.
- 8.4 In any event, given National Gas's working capital and strong credit rating, the requisite funds are available to meet the implementation and land acquisition/compulsory purchase compensation costs associated with the Project.

9. PLANNING POSITION

- 9.1 It is intended that the majority of the works comprising the Project will be carried out as permitted development.

10. POWER UNDER WHICH THE ORDER IS MADE AND DECISION TO MAKE THE ORDER

- 10.1 The Project is required to fulfil the PARCA application request from South Hook Gas Company Limited and National Gas needs to acquire the land and new rights needed for the construction, operation, and maintenance of the Project.
- 10.2 To help meet the Project programme outlined above, National Gas is promoting the Order to ensure that National Gas can secure all land and rights required for

the Project compulsorily, if voluntary agreement cannot be reached with all landowners and occupiers in time to enable the programme milestones to be achieved.

- 10.3 If any landowner negotiations are ultimately not successful, the Order will enable the land and rights needed for the Project to be acquired to ensure that the Project is not delayed.

11. **HUMAN RIGHTS AND THE EQUALITY ACT**

Human Rights

- 11.1 Each plot of land described in the Order is required for the purposes of the Project.
- 11.2 National Gas is taking a proportionate approach to compulsory acquisition and, rather than seek to acquire the freehold title to all the Order Land, is seeking to acquire a combination of freehold title and permanent rights.
- 11.3 Negotiations to acquire interests by private treaty will continue in parallel with the CPO process.
- 11.4 The requirements of the Human Rights Act 1998 (**CD A7**) and the Convention, particularly the rights of property owners, have been fully considered. There is a compelling case in the public interest for the Order to be made and confirmed.

Equality Act

- 11.5 National Gas has, as a non-public body exercising public functions, had regard to the public sector equality duty set out in s149(1) of the Equality Act 2010 (**CD A10.1**) and has, in promoting the Order, and has undertaken a landowner engagement exercise.
- 11.6 National Gas does not currently consider that the Project will give rise to any impacts or differential impacts on persons who share a relevant protected characteristic as defined in the Equality Act, or upon persons who do not share such relevant protected characteristic.

12. **RESPONSE TO OBJECTIONS**

- 12.1 On 4 December 2022 Mr. I Miles wrote to the Department for Business, Energy, and Industrial Strategy to raise an objection to National Gas acquiring rights over his land (Order plots 64-68) located between Wormington & Honeybourne (**CD C7**). The objections were made on three grounds.
- 12.2 A response to point 1 is contained within the Engineering Statement of Evidence and, Section 5 of my evidence. A response to point 2 is contained within the

Lands & Negotiations Statement of Evidence. As regards point 3, this ground of objection raised concerns around electricity supply and is not therefore relevant to the promotion of the Order for this Project.

13. **CONCLUSIONS**

13.1 My evidence satisfies the relevant sections of the CPO Guidance (**CD A15**) as follows:

13.1.1 National Gas has demonstrated that it has taken reasonable steps to acquire all the land rights included in the Order by voluntary agreement as laid out in Section 6 and the Lands statement of evidence.

13.1.2 National Gas has proceeded with the Order in parallel to progressing voluntary agreements as a sensible precaution and last resort to avoid putting the PARCA timescales at risk if negotiations with a particular landowner(s) break down.

13.1.3 National Gas has a clear idea of how it intends to use the land within the Order and has progressed designs to this effect (please see the Engineering statement of evidence).

13.1.4 National Gas has developed a detailed cost forecast and design & construction programme and is in the process of engaging a design & build contractor to carry out the required works in 2023.

13.1.5 National Gas is in frequent communication with the customer (SHGCL) and its regulator (Ofgem) to ensure that preparation for the works is carried out in line with the formal requirements of the PARCA and FIOC process and therefore the works are unlikely to be blocked by any physical or legal impediments.

13.2 There is therefore a compelling case in the public interest to make this Compulsory Purchase Order in line with the referenced guidance.

14. **DECLARATION**

I believe that the facts stated in this proof of evidence are true.



James Tomison

18th April 2023