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Core Document  
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Our Ref: UK01-2002969.00045  
Your Ref: Sheffield Cables Replacement Project

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3 January 2024

Dear Sirs

**Fieldfisher LLP on behalf of BOC Limited ("BOC")  
The National Grid Electricity Transmission PLC (Pitsmoor-WincoBank-Templeborough 275 KV Cable Replacement Scheme) Compulsory Purchase Order 2023 (the "Order")**

Fieldfisher LLP represent BOC. We write further to the letter dated 29 November 2023 and the notice dated 30 November 2023 from National Grid Electricity Transmission Plc ("**NG**").

BOC is the largest provider of industrial, medical and special gases in the UK and Ireland. As well as atmospheric gases, BOC supply thousands of different types of gas, and gas mixtures to more than 400,000 customers in an enormous range of industries. With a network of major production facilities, distribution centres and retail stores across the UK and Ireland, BOC supplies compressed, bulk and pipeline gases, chemicals, engineering solutions and associated equipment.

Objection

BOC objects to the Order given the absence of acceptable contractual arrangements with NG to ensure that all of BOC's pipelines (including water supply conduits) and other apparatus (the "**Infrastructure**") and associated land rights and restrictive covenants (the "**Rights**") that may be affected by the Order are protected and the Infrastructure can remain operational at all times.

In particular, at this stage BOC has the following concerns:

**1. Land to be compulsorily acquired**

The land identified for compulsory acquisition (identified on the Order plan 8 as parcel 8-07) sits immediately adjacent to and may overlap with the Rights designed to safeguard the safety of and access to BOCs nitrogen, oxygen and water pipelines.

If any of BOC's existing rights to operate and/or access the Infrastructure are extinguished (either in part or in full) under the Order without equivalent replacement rights being granted, BOC may become unable to properly or safely operate its Infrastructure and / or carry out maintenance and emergency works. This could ultimately become hazardous / result in a breach of health and safety requirements, and / or lead to an inability to supply critical gases to the ultimate end-user (a steel producer).

## **2. Rights to be created**

Where NG seeks to create rights pursuant to the Order, BOC has Infrastructure beneath parts of Balk Lane and adjacent to Balk Lane, and a right of access along Balk Lane.

To ensure the safe operation of the Infrastructure underneath Balk Lane, BOC will require that NG lorry movements are subject to maximum loading restrictions. In addition, to the extent that such NG lorry movements present any risk to the Infrastructure, BOC will require NG to carry out and pay for any necessary road strengthening works and make good / indemnify BOC for any damage caused. To avoid conflict between NG traffic movements and the Rights, BOC will require NG to agree that any necessary access to the Infrastructure will not be impeded.

Before BOC will be able to withdraw this objection, it will require NG to complete a protective provisions agreement with BOC to address these concerns.

Please can all further correspondence relating to the Order be sent to John Bowman at Fieldfisher (details above) and Emily Tetley-Jones ([emily.tetley-jones@fieldfisher.com](mailto:emily.tetley-jones@fieldfisher.com)).

Yours faithfully



**Fieldfisher**