

UNC Workgroup 0741S Minutes
Updating specific gender references to neutral terms
Monday 22 April 2021
via Teleconference

Attendees		
Alan Raper (Chair)	(AR)	Joint Office
Helen Bennett (Secretary)	(HB)	Joint Office
Andy Clasper	(AC)	Cadent
Carl Whitehouse	(CW)	Shell Energy
Chris Hooper	(CH)	E.ON Energy
Claire Manning	(CM)	E.ON Energy
Dan Simons	(DS)	Gemserv
Dave Mitchell	(DM)	SGN
David Addison	(DA)	Xoserve
Ellie Rogers	(ER)	Xoserve
Guv Dosanjh	(GD)	Cadent
Hilary Chapman	(HC)	SGN
Kate Lancaster	(KL)	Xoserve
Kirsty Dudley	(KD)	E.ON Energy
Mark Jones	(MJ)	SSE
Richard Pomroy	(RP)	Wales & West Utilities
Steve Mulinganie	(SM)	Gazprom Energy
Tracey Saunders	(TS)	Northern Gas Networks

Copies of all papers are available at: <https://www.gasgovernance.co.uk/0741/220421>

The output from this Workgroup is due to be presented at the UNC Modification Panel on 20 May 2021.

1.0 Introduction

AR explained that following the March UNC Panel this modification was issued for consultation but as a result of consultation responses some changes have been suggested to the original Legal Text, (published on 09 February 2021), and the Workgroup was being asked by Panel to review these changes.

2.0 Review of Legal Text

Tracey Saunders (TS) confirmed that as part of the Northern Gas Networks consultation response, it was mentioned there are some instances where the Legal Text could be viewed as ambiguous.

Andy Clasper (AC) confirmed that following receipt of the responses, Cadent have completed a further thorough review of the original Legal Text which and a further change marked iteration has been completed.

AC explained in certain instances where the pronoun 'his' was used, this was changed initially to 'their', but in certain circumstance where two parties are present in the clause it is not obvious which party 'they' is referring to.

TS concurred with this assessment.

AC clarified that the potential ambiguity exists in nine clauses. They occur when two parties are referenced the same clause but each party has specific actions linked to it. He went on to provide an overview of the nine instances.

AC explained that in many instances, the word 'he' has been changed to 'they' but in one instance, they text would be improved if 'he' was changed to 'the chairperson'.

Paragraph 2.4.1 requires a further amendment to change from 'they' to 'other parties'.

Paragraphs 2.4.8; 2.4.10 and 2.61 have been amended to include the word 'expert' rather than 'their'.

Paragraphs 2.2.6 (b) (i), 2.3.1, 2.4.5 (a), 2.4.5 (b), 2.10.5, 2.10.6, 2.10.6 (b), 2.10.6. (c), 3.2.3, 3.3.7, 3.4.2, 3.7.1, 3.7.2 references to 'he' have been amended to 'the mediator'.

This concluded the explanation.

AR agreed to check the governance for this amendment as this may require a supplemental report to accompany the Final Modification Report.

The proposer, Kirsty Dudley (KD) thanked Cadent for working through the amendments.

A new version of the Legal Text and a requisite report will be submitted to the May UNC Panel.

3.0 Next Steps

The Workgroup agreed that:

- A new version of the Legal Text and a requisite report will be submitted to the May UNC Panel.

4.0 Any Other Business

None.

5.0 Diary Planning

No further Workgroup meetings are required.