



Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

The Applicant's Statutory Undertakers Position Statement (Revision D) (Clean)

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Table of Contents

1. CURRENT STATUS OF STATUTORY UNDERTAKER NEGOTIATIONS.....4

Table of Tables

Table 1 Status Key Applicable For One Or More Of The Following Points:4
Table 2 Current Status of Statutory Undertaker Negotiations.....5

1. CURRENT STATUS OF STATUTORY UNDERTAKER NEGOTIATIONS

Table 1 below includes details of each Statutory Undertaker listed within Part 1 of the **Book of Reference** (document reference 4.1), together with the reason why land or rights are being acquired or temporary possession taken. The final column of the table includes the current status of negotiations with each Statutory Undertaker.

The Applicant has included a status key to more accurately reflect the Applicant's position through the different stages of negotiations.

Table 1 Status Key Applicable For One Or More Of The Following Points:

Status Key	
	<ul style="list-style-type: none"> No representation made but can rely on standard provisions; Representation made and bespoke Protective Provisions agreed; or Representation made but no Protective Provisions required.
	<ul style="list-style-type: none"> Representation made but not including objection¹. Bespoke Protective Provisions and / or other agreements under negotiation; and Agreement likely to be reached during examination.
	<ul style="list-style-type: none"> Representation including holding objection. Bespoke Protective Provisions and / or other agreements under negotiation; and Agreement likely to be reached during examination.
	<ul style="list-style-type: none"> Representation including holding objection. Bespoke Protective Provisions and / or other agreements under negotiation; and Not likely to reach agreement during Examination.
	<ul style="list-style-type: none"> Apparatus no longer within the Order Limits.

¹ The Applicant has made a distinction between a relevant representation as an objection or a relevant representation made without an objection

Table 2 Current Status of Statutory Undertaker Negotiations

Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
Water undertakers and drainage authorities					
Water					
Anglian Water Services Limited (Anglian Water)	Water undertaker within the meaning of the Water Industry Act 1991. Sewerage undertaker within the meaning of Part 1 of the Water Industry Act 1991	01-020, 01-023, 01-024, 01-025, 01-026, 01-027, 01-028, 01-033, 01-034, 01-035, 01-036, 01-038, 01-042, 02-012, 02-013, 02-014, 02-015, 03-005, 03-006, 03-007, 04-004, 04-006, 04-007, 04-008, 04-009, 04-017, 05-012, 05-013, 05-014, 05-015, 06-002, 06-004, 06-005, 09-001, 09-002, 09-003, 09-004, 09-005, 10-007, 18-007, 18-008, 18-009, 18-014, 18-015, 19-010, 20-001, 22-003, 22-004, 22-005, 25-003, 25-004, 25-005, 25-006, 25-009, 25-011, 25-012, 25-013, 25-014, 25-015, 25-016, 25-017, 26-003, 26-005, 26-006, 26-007, 28-009, 28-010, 28-011, 29-005,	Anglian Water have apparatus within the Order Land. The Applicant will take new rights in plots in which Anglian Water apparatus is located. The Applicant does not intend to relocate any Anglian Water apparatus.	Anglian Water will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO (Revision H) [document reference 3.1] which the Applicant believes will provide adequate protection for Anglian Water's apparatus. The Applicant considers that Anglian Water's statutory operations will not be detrimentally impacted by SEP and/or DEP. The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].	Protective provisions in Part 9 of Schedule 14 of the draft development consent order ("DCO") (Revision J) [document 3.1] represent the final version as agreed between the Applicant and Anglian Water. Please see Final Statement of Common Ground with Anglian Water (Revision B) [document 19.12].



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		29-006, 29-008, 30-002, 30-003, 30-004, 30-006, 30-010, 30-011, 31-004, 31-006, 32-002, 32-003, 32-004, 32-005, 32-006, 34-002, 34-003, 34-004, 34-006, 35-011, 36-003, 36-004, 36-005, 36-006, 36-007, 36-008, 37-003, 37-004, 37-005, 37-006, 38-002, 38-003, 38-004,			
Drainage					
Environment Agency (EA)	Flood and drainage authority and statutory undertaker pursuant to section 262 Town and Country Planning Act 1990	N/A	The EA has responsibility for main rivers and the consent of the EA is required in relation to main river crossings. This consent is required under the Environmental Permitting (England and Wales) Regulations 2016, which the	The EA will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for the rivers which the EA are responsible for. The Applicant considers that the Environment Agency statutory operations will not be detrimentally impacted by SEP and/or DEP.	Protective provisions in Part 4 of Schedule 14 of the draft DCO (Revision J) [document 3.1] represent the final version of provisions as agreed between the Applicant and the Environment Agency. The Applicant understands that the Environment Agency will confirm this position at Deadline 8 and also confirm that it therefore has no objection to the disapplication of legislation in Article 6(1)(a) and 6(1)(b) of the draft DCO.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			<p>Applicant is seeking to disapply under Article 6 of the draft DCO.</p> <p>Main river watercourse crossings are identified in Table 18-15 in Chapter 18 of the Environmental Statement [APP-104].</p>	<p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].</p>	
<p>Norfolk Rivers Internal Drainage Board (the 'Internal Drainage Board')</p>	<p>Drainage authority who are not deemed to be a statutory undertaker but are being treated as one for the purposes of the protective provisions</p>	<p>N/A</p>	<p>The Internal Drainage Board regulates ordinary watercourses within the Norfolk Rivers Internal Drainage District and the consent of the Internal Drainage Board is required in relation to ordinary watercourse crossings, any</p>	<p>The Internal Drainage Board will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Internal Drainage Board's apparatus.</p> <p>The Applicant considers that the Internal Drainage Board's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>The Applicant initiated contact with the Water Management Alliance (which represents the Internal Drainage Board) relating to Protective Provisions in March 2022 and at this point they received draft Protective Provisions from the Water Management Alliance.</p> <p>Updated protective provisions have been included in Part 5 of Schedule 14 of the draft DCO (Revision J) [document 3.1]. There are only two minor drafting points left outstanding between the parties and the Applicant is confident these will be resolved by Deadline 8 and that the Internal Drainage Board will be in a position to write into the Examination jointly with the Lead Local Flood Authority at Deadline</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			works within 9 metres of an arterial watercourse and for the direct or indirect increase in flow or volume of water within any drainage infrastructure within the Internal Drainage District. These consents are required under section 23 of the Land Drainage Act 1991, Byelaw 10 and Byelaw 3 of the Internal Drainage Board's Byeseleys respectively, which the Applicant is seeking to disapply under Article 6 of the draft DCO.	The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].	8 to confirm this position and confirm it has no objection to the disapplication of legislation in Article 6(1)(c) and 6(1)(d) of the draft DCO.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			<p>Ordinary watercourse crossings are identified in Table 18-15 in Chapter 18 of the Environmental Statement [APP-104].</p>		
<p>Norfolk County Council in their role as Lead Local Flood Authority (the 'Lead Local Flood Authority')</p>	<p>Flood and drainage authority who are not deemed to be a statutory undertaker but are being treated as one for the purposes of the protective provisions</p>	<p>N/A</p>	<p>The Lead Local Flood Authority has responsibility for ordinary watercourses within its area where those are not within a drainage district and the consent of Norfolk County Council is required in relation to ordinary watercourse crossings. This consent is required under section 23 of the Land Drainage</p>	<p>The Applicant considers that the Lead Local Flood Authority's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The Applicant initiated contact with the Lead Local Flood Authority relating to Protective Provisions in January 2023.</p> <p>Updated protective provisions have been included in Part 5 of Schedule 14 of the draft DCO (Revision J) [document 3.1]. There are only two minor drafting points left outstanding between the parties and the Applicant is confident these will be resolved by Deadline 8 and that the Lead Local Flood Authority will be in a position to write into the Examination jointly with the Internal Drainage Board at Deadline 8 to confirm this position and confirm it has no objection to the disapplication of legislation in Article 6(1)(c) and 6(1)(d) of the draft DCO.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			<p>Act 1991, which the Applicant is seeking to disapply under Article 6 of the draft DCO.</p> <p>Ordinary watercourse crossings are identified in Table 18-15 in Chapter 18 of the Environmental Statement [APP-104].</p>		
Gas and Electricity					
Centrica PLC (Centrica)	Gas Distributor within the meaning of Part 1 of the Gas Act 1986	10-014, 11-001, 11-002, 13-014, 13-016, 25-005, 25-006, 25-009, 25-016, 25-017, 26-001, 26-006, 26-007, 36-006, 36-007, 36-011, 37-001, 37-003, 37-005, 39-025, 39-028, 39-029, 39-032, 39-033, 39-034, 39-035, 39-036, 39-037, 39-038, 39-039, 39-040, 39-041, 39-042,	Centrica have apparatus within the Order Land. The Applicant will take new rights in plots in which Centrica's apparatus is located.	<p>Centrica will have the benefit of the standard protective provisions set out in Part 1 of Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Centrica's apparatus.</p> <p>The Applicant considers that Centrica's statutory operations</p>	<p>The Applicant initiated contact with Centrica in relation to Protective Provisions in December 2021.</p> <p>Following no response, the Applicant shared the draft standard Protective Provisions for electricity, gas, water and sewerage undertakers with Centrica PLC on 12th July 2022.</p> <p>Centrica will be able to rely on standard Protective Provisions for electricity, gas, water</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		39-043, 39-044, 40-001, 40-006, 40-008, 40-009	The Applicant is not relocated any Centrica apparatus.	will not be detrimentally impacted by SEP and/or DEP. The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].	and sewerage undertakers included within Schedule 14 of the draft DCO.
Cadent Gas Limited (Cadent Gas)	Gas Distribution Owner and Operator within the meaning of Part 1 of the Gas Act 1986	05-001, 05-004, 05-005, 13-010, 13-013, 13-016, 34-004, 34-006, 36-005, 36-006, 36-007, 36-011, 37-002, 37-005, 39-036, 39-040, 39-043, 40-001, 40-002, 40-005	Cadent Gas have apparatus within the Order Land. The Applicant will take new rights in plots in which Cadent Gas apparatus is located. The Applicant does not intend to relocate any Cadent Gas apparatus.	Cadent Gas will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Cadent Gas's apparatus. The Applicant considers that Cadent Gas's statutory operations will not be detrimentally impacted by SEP and/or DEP. The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].	The following update has been agreed through discussions between the Applicant and Cadent Gas: Protective provisions in Part 8 of Schedule 14 of the draft DCO (Revision J) [document 3.1] represent the final version as agreed between the Applicant and Cadent Gas. The Applicant and Cadent Gas are in the process of formalising this position between the parties and provided that is achieved, Cadent Gas will write into the Examination at Deadline 8 to confirm this position and withdraw is representation to the Application.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
National Gas Transmission (formerly National Grid Gas) (National Gas Transmission)	Gas transporter within the meaning of Part 1 of the Gas Act 1986	10-014, 11-001, 11-002, 11-006, 13-009, 13-010, 13-011, 13-013, 13-014, 13-016, 25-005, 25-006, 25-009, 25-016, 25-017, 26-001, 26-006, 26-007, 39-033, 39-034, 39-036, 40-001	<p>National Gas Transmission have apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots in which National Gas Transmission apparatus is located.</p> <p>The Applicant does not intend to relocate any National Gas Transmission apparatus.</p>	<p>National Gas Transmission will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for National Gas Transmission's apparatus.</p> <p>The Applicant considers that National Gas Transmission's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The following update has been agreed through discussions between the Applicant and National Gas Transmission: Protective provisions in Part 6 of Schedule 14 of the draft DCO (Revision J) [document 3.1] represent the final version as agreed between the Applicant and National Gas Transmission. The Applicant and National Gas Transmission are in the process of formalising this position between the parties and provided that is achieved, National Gas Transmission will write to the Examining Authority and/or the Secretary of State (as the case may be) to confirm the withdrawal of National Gas Transmission's existing objection to the Application.</p>
National Grid Electricity Transmission PLC (National Grid)	Electricity Undertaker within the meaning of Part 1 of the	31-012, 39-001, , 39-005, 39-006, , 39-008, , 39-015, 39-019, 39-020, 39-022, 39-025, 39-026, 39-027, 39-028, 39-029, 39-030, 39-031, 39-032, 39-033,	National Grid Electricity Transmission has apparatus within the Order Land.	The Applicant believes the inclusion of Protective Provisions in the draft DCO will ensure suitable protection for National Grid Electricity Transmission's apparatus	The following update has been agreed through discussions between the Applicant and National Grid Electricity Transmission: Protective provisions in Part 7 of Schedule 14 of the draft DCO (Revision J) [document 3.1] represent the final version as agreed between



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
Electricity Transmission)	Electricity Act 1989	39-034, 39-035, 39-036, 39-037, 39-038, 39-039, 39-040, 39-041, 39-042, 39-043, 39-044, 40-001, 40-002, 40-003, 40-004, 40-005, 40-006, 40-007	<p>The Applicant is taking rights in land owned by National Grid Electricity Transmission.</p> <p>The Applicant will take new rights in plots in which National Grid Electricity Transmission apparatus is located.</p> <p>The Applicant is not relocated any National Grid Electricity Transmission apparatus.</p>	<p>The Applicant considers National Grid Electricity Transmission's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing Network Rail apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>the Applicant and National Grid Electricity Transmission. The Applicant and National Grid Electricity Transmission are in the process of formalising commercial terms to regulate the physical and temporal interface between the SEP and DEP and future proposed development at Norwich Main Substation. Provided that is achieved, National Grid Electricity Transmission will write to the Examining Authority and/or the Secretary of State (as the case may be) to confirm the withdrawal of National Grid Electricity Transmission's existing objection to the Application.</p>
Eastern Power Networks / UK Power Networks (Operations) Limited	<p>Electricity distribution owner and operator.</p> <p>Electricity Undertaker</p>	01-019, 01-020, 01-031, 01-032, 01-033, 01-035, 01-036, 01-037, 01-038, 01-039, 01-040, 01-041, 02-013, 02-014, 02-015, 03-001, 03-002, 03-005, 03-006, 03-007, 05-009,	The Applicant is taking rights in land owned by Eastern Power Networks / UK Power Networks	The Applicant believes the inclusion of Protective Provisions in the draft DCO will ensure suitable protection for Eastern Power Networks' / UK Power Networks' apparatus	<p>The Applicant initiated contact with Eastern Power Networks / UK Power Networks regarding Protective Provisions in February 2022.</p> <p>An undertaking for the Eastern Power Networks' / UK Power Networks' costs in</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
	within the meaning of Part 1 of the Electricity Act 1989	05-012, 05-013, 05-015, 05-016, 06-001, 06-004, 06-005, 07-006, 07-007, 07-008, 07-010, 07-011, 07-014, 07-020, 07-021, 08-001, 08-002, 09-003, 10-014, 11-002, 11-007, 11-008, 12-001, 12-002, 12-004, 12-005, 12-006, 13-006, 13-010, 14-001, 14-002, 14-004, 14-006, 14-007, 15-004, 16-001, 16-003, 16-007, 16-008, 16-009, 16-010, 16-013, 16-014, 16-015, 16-017, 16-020, 17-001, 17-006, 17-007, 17-009, 18-009, 19-001, 21-006, 21-007, 21-010, 21-013, 22-001, 22-002, 22-009, 22-010, 23-031, 24-007, 25-001, 25-005, 25-012, 25-014, 25-015, 25-016, 25-017, 26-007, 27-004, 28-001, 28-002, 28-003, 28-004, 28-006, 28-007, 28-008, 28-009, 28-017, 28-023, 28-024, 29-006, 30-002, 32-001, 33-005, 33-008, 34-004, 34-006, 34-009, 34-010, 35-002, 35-011,	<p>Eastern Power Networks / UK Power Networks has apparatus within the Order Land</p> <p>The Applicant will take new rights in plots where h Eastern Power Networks' / UK Power Networks' apparatus is located.</p> <p>The Applicant does not intend to relocate any Eastern Power Networks / UK Power Networks apparatus.</p>	<p>will be protected and access retained during construction.</p> <p>The Applicant considers Eastern Power Networks' / UK Power Networks' statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing Eastern Power Networks / UK Power Networks apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>relation to agreeing the Protective Provisions was provided on 24th June 2022.</p> <p>Eastern Power Networks have confirmed they are the entity which require the benefit of protective provisions within the DCO. Following agreement with Eastern Power Networks Part 13 of Schedule 14 of the draft DCO (Revision J) [document 3.1] has been updated to reflect minor tweaks as agreed with Eastern Power Networks. The Applicant understands Eastern Power Networks will confirm to the Examining Authority by Deadline 7 that they are satisfied with the set of Protective Provisions which are included in the draft DCO.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		36-005, 36-006, 36-007, 36-009, 37-006, 38-004, 38-006, 38-007, 38-008, 38-009, 38-010, 38-011, 38-012, 38-014, 39-015, 39-016, 39-017, 39-018, 39-019, 39-020, 39-021, 39-022, 39-023, 39-025, 39-027, 39-028, 39-029, 39-032, 39-033, 39-034, 39-035, 39-036, 39-037, 39-038, 39-039, 39-040, 39-041, 39-042, 39-043, 39-044, 40-001, 40-007, 40-008			
Transport Undertakers					
National Highways	Operator and maintainer of the strategic road network pursuant to Section 8(1) Acquisition of Land Act 1981	27-005, 27-006, 28-002, 28-004, 28-005, 28-006, 28-007, 28-008, 28-009, 28-010, 28-023, 28-024, 28-02735-002	<p>The Applicant is taking new rights in land owned by National Highways.</p> <p>National Highways are responsible for the strategic road network within the Order Land.</p>	<p>The Applicant is crossing the strategic road network using trenchless crossing.</p> <p>The Applicant considers National Highway's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of</p>	<p>National Highways owns land within the Order Land. The Applicant initiated contact with National Highways in respect of the Protective Provisions in February 2022.</p> <p>As noted in the Written Summary of the Applicant's Oral Submissions at Compulsory Acquisition Hearing 1 [document reference 16.12], when the DCO application was submitted the Applicant had not reached a point where there was clarity on whether protective provisions were required. National Highways did provide confirmation</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			<p>The Applicant will take new rights in plots where National Highways apparatus is located.</p> <p>The Applicant will be crossing National Highways apparatus using trenchless techniques.</p>	<p>Reasons (Revision E) [document reference 4.3].</p>	<p>that it expected protective provisions to be included in the draft DCO. However, this was received too late for the Applicant to include in the draft DCO submitted with the application. National Highways submitted a different set of protective provisions in March 2023 at Deadline 3. A further set of protective provisions was then provided to the Applicant in April 2023. The Applicant further updated the protective provisions in Part 14 of Schedule 14 in the draft DCO [REP6-002]. These remain subject to ongoing negotiations with National Highways. As stated at Compulsory Acquisition Hearing 2 (see the Written Summary of the Applicant's Oral Submissions at Compulsory Acquisition Hearing 2 (Revision A) [document reference 21.4]) the Applicant is unsure of whether it will be possible for the parties to reach an agreed position within the Examination. The matters under discussion between the parties remain as set out at Compulsory Acquisition Hearing 2. However, comments from National Highways were received on 7 July and the Applicant is continuing to progress negotiations with National Highways to endeavour to reach agreement.</p> <p>The Applicant and National Highways have agreed to enter into a cooperation agreement</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
					<p>as per the Draft Statement of Common Ground with National Highways (Revision C) [document reference 12.2]. The terms of the proposed cooperation agreement are commercially sensitive and go beyond the scope of the protective provisions. They are aimed at managing cooperation between two complex developments. Given the complexity, the terms will require detailed consideration albeit the Applicant still hopes to reach agreement with National Highways before the end of the Examination.</p>
<p>Network Rail Infrastructure Limited (Network Rail)</p>	<p>Maintaining and operating railway infrastructure pursuant to section 8(1) Acquisition of Land Act 1981</p>	<p>03-003, 03-004, 17-001, 23-001, 35-003, 40-002</p>	<p>The Applicant is taking rights in land owned by Network Rail.</p> <p>The Applicant will take new rights in land which may interact with Network Rail rights.</p> <p>Network Rail has apparatus within the Order Land.</p>	<p>The Applicant believes the inclusion of Protective Provisions in the draft DCO will ensure suitable protection for Network Rail's apparatus.</p> <p>The Applicant considers Network Rail's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing Network Rail apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of</p>	<p>The Applicant commenced discussions with Network Rail relating to Protective Provisions in December 2021.</p> <p>An undertaking for Network Rail's costs in relation to agreeing the Protective Provisions was provided on 24th June 2022.</p> <p>The Applicant's solicitors are currently negotiating Protective Provisions with Network Rail's solicitors. These are subject to ongoing negotiation with only a small number of points left outstanding between the parties including the provisions around to electro magnetic interference and related testing requirements. A further update will be provided to the Examining Authority at Deadline 8 but the Applicant is confident that agreement will be reached with Network Rail.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
				Reasons (Revision E) [document reference 4.3].	It had been hoped that the clearance process required by Network Rail will be agreed before the end of examination resulting in agreement for permanent rights. At present, the Applicant has cleared the first stage of the clearance process and moves to technical clearance stage which can take around eight weeks, so agreement will not be possible in full by close of the examination. However, discussions for permanent rights are progressing positively and constructively between the parties.
				Offshore Wind/ OFTO's	
Vattenfall Wind Power Limited (Vattenfall Wind Power)	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	N/A	<p>Norfolk Boreas and Norfolk Vanguard are constructing apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots in which Norfolk Boreas and Norfolk Vanguard are constructing apparatus.</p>	<p>Vattenfall Wind Power will have the benefit of the protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Vattenfall Wind Power's apparatus.</p> <p>The Applicant considers that Vattenfall Wind Power's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is</p>	<p>The Applicant initiated contact with Vattenfall Wind Power in January 2022.</p> <p>Protective Provisions for the benefit of Norfolk Boreas and Norfolk Vanguard have been included in Parts 11 and 12 of Schedule 14 of the draft DCO.</p> <p>The Applicant has agreed Protective Provisions with Norfolk Boreas and Norfolk Vanguard and the final version was included in the draft DCO [REP2-008].</p> <p>Vattenfall Wind Power have informed the Applicant that it will write to the Examination confirming that the position is agreed between</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
			The Applicant does not intend to relocate any Norfolk Boreas or Norfolk Vanguard apparatus.	set out in the Statement of Reasons (Revision E) [document reference 4.3].	the parties and confirm that its representations are withdrawn. The Parties continue to recognise that a cooperation agreement will be of assistance for managing interactions between the projects and will continue to negotiate this outside of the DCO process.
Orsted Hornsea Project Three (UK) Limited (Orsted Hornsea Project Three)	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	01-002, 01-003, 01-005, 01-006, 01-007, 01-008, 01-011, 01-012, 01-013, 01-014, 01-015, 01-016, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-026, 01-027, 01-028, 01-029, 01-031, 01-032, 01-033, 01-034, 01-035, 22-009, 22-011, 23-002, 23-019, 23-020, 23-021, 23-022, 23-023, 23-028, 23-029, 23-030, 23-031, 24-001, 24-004, 24-006, 24-007, 25-005, 25-006, 25-009, 25-010, 28-011, , 28-017, 28-018, 28-019, 38-007, 38-008, 38-011, 38-012, 38-016, 39-014, 39-015, 39-016, 39-017, 39-018, 39-019, 39-020, 39-021,	<p>Orsted Hornsea Project Three are constructing apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots in which Orsted Hornsea Project Three are constructing apparatus.</p> <p>The Applicant does not intend to relocate any Orsted Hornsea Project Three apparatus.</p>	<p>Orsted Hornsea Project Three will have the benefit of the bespoke protective provisions set out in Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Orsted Hornsea Project Three's apparatus.</p> <p>The Applicant considers that Orsted Hornsea Project Three's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The Applicant initiated contact regarding Protective Provisions in April 2022.</p> <p>The Applicant provided draft Protective Provisions to Orsted Hornsea Project Three in May 2022.</p> <p>The Applicant has included an updated set of Protective Provisions in Part 10 of Schedule 14 of the draft DCO (Revision J) [document 3.1]. Only a couple of outstanding points remain between the parties which are further discussed in The Applicant's Comments on Orsted Hornsea Project 3 Deadline 6 Submission (Revision A) [document 21.15]. The Protective Provisions currently remain subject to ongoing negotiation and the Applicant and Orsted will provide a further update to the Examining Authority by Deadline 8.</p> <p>The Applicant and Orsted Hornsea Project Three continue to negotiate detailed Heads of Terms for a cooperation agreement. The terms</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		39-022, 39-023, 39-024, 39-025, 39-028, 39-029, 39-032, 39-033, 39-034, 39-035, 39-036, 39-037, 39-038, 39-039, 39-040, 39-041, 39-042, 39-043, 39-044			of proposed cooperation agreement go beyond the scope of the protective provisions and are aimed at managing cooperation between the two complex developments. Given the complexity of the developments, the terms will require detailed consideration and the Applicant and Orsted will continue to negotiate the cooperation agreement post Examination.
TC Dudgeon OFTO PLC (TC Dudgeon OFTO)	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	01-002, 01-003, 01-005, 01-006, 01-007, 01-008, 01-011, 01-012, 01-013, 01-014, 01-015, 01-016, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-025, 01-026, 01-027, 01-028, 01-029, 01-031, 01-032, 01-033, 01-034, 01-035, 01-037	<p>TC Dudgeon OFTO has apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots in which TC Dudgeon OFTO apparatus is located.</p>	<p>The Applicant believes the inclusion of Protective Provisions in the draft DCO will ensure suitable protection for TC Dudgeon OFTO's apparatus.</p> <p>The Applicant considers TC Dudgeon OFTO's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing TC Dudgeon OFTO apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The Applicant commenced discussions relating to a Crossing Agreement in February 2022.</p> <p>TC Dudgeon OFTO will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers included within Schedule 14 of the draft DCO.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
Blue Transmission Sheringham Shoal Limited	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	01-001, 01-002, 01-003, 01-005, 01-006, 01-007, 01-008, 01-011, 01-012, 01-013, 01-014, 01-015, 01-016, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-026, 01-027, 01-028, 01-029, 01-030, 01-031, 01-032, 01-033, 01-034, 01-035, 01-037, 01-040, 01-041, 01-043, 01-044, 02-001, 02-003, 02-004, 02-005, 02-007, 02-008, 02-009, 02-010, 07-006, 07-010, 07-011, 07-013, 07-014, 07-016, 07-017, 07-018, 09-002, 09-003, 09-007, 09-008, 09-009, 10-001, 10-002, 10-003, 10-006, 10-007, 10-008, 10-009, 10-010, 10-013, 11-006, 11-007, 11-008, 12-001, 12-003, 12-004, 12-005, 12-007	<p>Blue Transmission Sheringham Shoal Limited has apparatus within the Order Land</p> <p>The Applicant will take new rights in plots in which Blue Transmission Sheringham Shoal Limited apparatus is located.</p> <p>The Applicant does not intend to relocate any Blue Transmission Sheringham Shoal Limited apparatus.</p>	<p>The Applicant believes the inclusion of Protective Provisions in the draft DCO will ensure suitable protection for Blue Transmission Sheringham Shoal Limited's apparatus.</p> <p>The Applicant considers Blue Transmission Sheringham Shoal Limited's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing Blue Transmission Sheringham Shoal Limited apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The Applicant initiated contact relating to a Crossing Agreement in February 2022.</p> <p>Blue Transmission Sheringham Shoal Limited will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers included within Schedule 14 of the draft DCO.</p> <p>The owner of the transmission assets is Blue Transmission Sheringham Shoal Limited. Frontier Power are the managers of those assets.</p>
Dudgeon Offshore Wind Limited	Electricity Undertaker	01-002, 01-005, 01-006, 01-007, 01-013, 01-014, 01-015, 01-016, 01-017,		Dudgeon Offshore Wind do not own any apparatus within the onshore area of the Order	Dudgeon Offshore Wind is a subsidiary of Applicant. Internal discussions regarding a



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
(Dudgeon Offshore Wind)	within the meaning of Part 1 of the Electricity Act 1989	01-018, 01-019, 01-020, 01-021, 01-027, 01-028, 01-029, 01-031, 01-032, 01-033, 01-034, 01-035, 01-037		<p>Land, but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p> <p>The Applicant considers Dudgeon Offshore Wind's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>Crossing Agreement commenced in December 2021.</p> <p>Dudgeon Offshore Wind will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers.</p>
Scira Offshore Energy Limited (Scira Offshore Energy)	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	01-001, 01-002, 01-003, 01-005, 01-006, 01-007, 01-008, 01-011, 01-012, 01-013, 01-014, 01-015, 01-016, 01-017, 01-018, 01-019, 01-020, 01-021, 01-022, 01-023, 01-024, 01-026, 01-027, 01-028, 01-029, 01-030, 01-031, 01-032, 01-033, 01-034, 01-035, 01-037, 01-040, 01-041, 01-043, 01-044, 02-001, 02-003, 02-005, 02-007, 02-008, 02-009, 02-010, 07-006, 07-010, 07-011, 07-016, 07-017, 07-018, 09-002, 09-003,		<p>Scira Offshore Energy do not own any apparatus within the onshore area of the Order Land, but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p> <p>The Applicant considers Scira Offshore Energy's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>Scira Offshore Energy is a subsidiary of the Applicant. Internal discussions regarding a Crossing Agreement commenced in December 2021.</p> <p>Scira Offshore Energy will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers included within Schedule 14 of the draft DCO.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		09-007, 09-008, 09-009, 10-001, 10-002, 10-003, 10-006, 10-007, 10-008, 10-009, 10-010, 10-013, 11-006, 11-007, 11-008, 12-001, 12-002, 12-003, 12-004, 12-005, 12-007			
Telecommunications					
British Telecommunications PLC (BT)	Telecommunications apparatus pursuant to section 148 Town and Country Planning Act 1990.	N/A	N/A	N/A	BT no longer have apparatus within the Order Land so will no longer be treated as statutory undertakers for this Application.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
Virgin Media Limited (Virgin Media)	Telecommunications and Media apparatus pursuant to section 148 Town and Country Planning Act 1990.	23-014, 23-015, 23-028, 39-040, 39-042, 40-002, 40-003	<p>Virgin Media have apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots where Virgin Media apparatus is located.</p> <p>The Applicant does not intend to relocate any Virgin Media apparatus,</p>	<p>The Protective Provisions in the draft DCO ensure that Virgin Media's apparatus will be protected, and access retained during construction.</p> <p>The Applicant considers Virgin Media's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The compulsory acquisition of rights in land containing Virgin Media's apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>Virgin Media has apparatus within the Order Land. The Applicant initiated contact with Virgin Media in December 2021.</p> <p>Following no response, the Applicant shared the draft standard Protective Provisions for electronic communications operators with Virgin Media on the 3rd February 2022 and has received no response to date.</p> <p>Virgin Media will be able to rely on standard Protective Provisions for electronic communications code operators included within Schedule 14 of the draft DCO.</p>
Openreach Limited (Openreach)	Telecommunications apparatus pursuant to section 148 Town and Country Planning Act 1990.	01-001, 01-004, 01-019, 01-020, 01-031, 01-032, 01-033, 01-034, 01-035, 01-036, 01-037, 01-038, 02-012, 02-013, 03-005, 03-006, 03-007, 04-005, 04-007, 04-008, 04-009, 04-015, 04-017, 05-001, 05-002, 05-004, 05-005, 05-009, 05-010, 05-011, 05-012, 06-002, 06-005,	<p>Openreach have apparatus within the Order Land.</p> <p>The Applicant will take new rights in plots where Openreach apparatus is located.</p>	<p>The Protective Provisions in the draft DCO ensure that Openreach's apparatus will be protected, and access retained during construction.</p> <p>The Applicant considers Openreach's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>The Applicant initiated contact with Openreach regarding Protective Provisions in December 2021.</p> <p>Following no response, the Applicant shared the draft standard Protective Provisions for electronic communications operators with Openreach on the 3rd February 2022 and has received no response to date.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		07-006, 07-009, 07-011, 07-016, 07-017, 07-019, 08-002, 09-001, 09-003, 09-004, 09-005, 09-006, 10-008, 11-002, 11-004, 11-005, 11-006, 12-002, 12-003, 12-004, 13-004, 13-005, 13-006, 13-007, 13-008, 13-010, 13-012, 13-013, 13-015, 16-001, 16-005, 16-009, 16-011, 16-012, 16-013, 16-015, 16-016, 16-017, 18-001, 18-003, 18-007, 18-009, 18-015, 18-016, 19-004, 19-005, 19-006, 19-008, 19-010, 22-009, 22-010, 23-007, 23-008, 23-009, 23-012, 23-014, 23-015, 23-016, 23-031, 24-003, 24-005, 24-007, 25-008, 25-011, 25-012, 25-014, 25-017, 26-001, 27-001, 27-003, 27-004, 28-004, 28-006, 28-008, 28-009, 29-002, 29-005, 29-006, 30-010, 30-011, 31-001, 32-002, 32-003, 33-005, 33-010, 34-003, 34-004,	The Applicant does not intend to relocate any Openreach apparatus.	The compulsory acquisition of rights in land containing Openreach's apparatus is necessary for the development of SEP and DEP and is further justified in the Statement of Reasons (Revision E) [document reference 4.3].	Openreach will be able to rely on standard Protective Provisions for electronic communications code operators included within Schedule 14 of the draft DCO.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
		34-005, 34-006, 34-008, 34-009, 35-007, 35-008, 35-010, 35-011, 36-001, 36-002, 36-004, 36-007, 36-011, 37-001, 37-002, 38-002, 38-006, 38-007, 38-009, 38-014, 39-037, 39-038, 39-040, 39-041, 39-042, 39-043, 39-044, 40-002, 40-003, 40-004, 40-005, 40-007, 40-008, 40-010			
Energis Communications Limited (Energis Communications)	Telecommunications pursuant to Section 148 Town and Country Planning Act 1990	31-012, 38-011, 38-012, 38-013, 38-016, 38-017, 39-015, 39-016, 39-017, 39-018, 39-019, 39-020, 39-021, 39-022, 39-023	Energis Communications have apparatus within the Order Land. The Applicant will take new rights in plots in which Energis Communications' apparatus is located. The Applicant will not relocate any of Energis Communications' apparatus.	Energis Communications will have the benefit of the standard protective provisions set out in Part 2 of Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Energis Communications' apparatus. The Applicant considers that Energis Communications' statutory operations will not be detrimentally impacted by SEP and/or DEP. The justification for the acquisition of rights in land is set out in the Statement of	The Applicant initiated contact with Energis Communications in relation to Protective Provisions in December 2021. Energis Communications will be able to rely on the standard protective provisions for electronic communications code operators included within Schedule 14 of the draft DCO.



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
				<p>Reasons (Revision E) [document reference 4.3].</p>	
<p>Vodafone Limited (Vodafone)</p>	<p>Telecommunications pursuant to Section 148 Town and Country Planning Act 1990</p>	<p>22-009, 22-011, 39-026, 39-027, 39-028, 39-038, 39-039, 39-040, 39-041, 39-042, 39-043, 39-044, 40-002, 40-003</p>	<p>Vodafone have apparatus within the Order Land. does not intend to relocate</p> <p>The Applicant will take new rights in plots in which Vodafone's apparatus is located.</p> <p>The Applicant does not intend to relocate any Vodafone apparatus.</p>	<p>Vodafone will have the benefit of the standard protective provisions set out in Part 2 of Schedule 14 of the draft DCO which the Applicant believes will provide adequate protection for Vodafone's apparatus.</p> <p>The Applicant considers that Vodafone's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Revision E) [document reference 4.3].</p>	<p>The Applicant initiated contact with Vodafone in relation to Protective Provisions in December 2021.</p> <p>Vodafone will be able to rely on the standard protective provisions for electronic communications code operators included within Schedule 14 of the draft DCO.</p>
<p>Offshore Other marine users</p>					



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
Perenco	Gas transporter within the meaning of Part 1 of the Gas Act 1986	N/A		<p>Perenco do not own any apparatus within the onshore area of the Order Land but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p> <p>The Applicant considers Perenco's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>The Applicant initiated contact with Perenco on 1st June 2022.</p> <p>The Applicant has included protective provisions for the benefit of Perenco North Sea Limited in a new Part 15 of Schedule 14 of the draft DCO (revision J) [document reference 3.1]. These are subject to ongoing negotiations. Further details of the outstanding matters between the parties is set out in appendix A.7 Joint Position Statement with Perenco of the Supporting Documents for the Applicant's Responses to the Examining Authority's Fourth Written Questions (Revision A) [document 25.5.1]. This confirms that the parties are submitting separate protective provisions at Deadline 7 with the main difference being the distance which defines the "facilities proximity area" for the existing Waveney platform.</p>
Shell U.K. Limited (Shell)	Gas transporter within the meaning of Part 1 of the Gas Act 1986	N/A		<p>Shell do not own any apparatus within the onshore area of the Order Land but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p>	<p>The Applicant initiated contact with Shell on 1st June 2022.</p> <p>Shell will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers included within Schedule 14 of the draft DCO.</p>



Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
				<p>The Applicant considers Shell's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>The Applicant understands that Shell is not seeking further protection, but the Applicant is in ongoing discussions with Shell.</p>
Harbour Energy	<p>Gas transporter within the meaning of Part 1 of the Gas Act 1986</p>	N/An		<p>Harbour Energy do not own any apparatus within the onshore area of the Order Land, but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p> <p>The Applicant considers Harbour Energy's statutory operations will not be detrimentally impacted by SEP and/or DEP.</p>	<p>The Applicant initiated contact with Harbour Energy on 10th June 2022</p> <p>Harbour Energy will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers.</p> <p>The Applicant understands that Harbour Energy are not seeking further protection, but the Applicant is in ongoing discussions with Harbour Energy.</p>
Independent Oil and Gas	<p>Gas transporter within the meaning of Part 1 of the Gas Act 1986</p>	N/A		<p>Independent Oil and Gas do not own any apparatus within the onshore area of the Order Land, but they do own apparatus in the offshore area of the Order Land. As such they will be treated as statutory undertakers for the purposes of the Application.</p>	<p>The Applicant initiated contact with Independent Oil and Gas on 10th June 2022.</p> <p>Independent Oil and Gas will be able to rely on standard Protective Provisions for electricity, gas, water and sewerage undertakers.</p> <p>The Applicant understands that Independent Oil and Gas are not seeking further protection,</p>

Statutory Undertaker or Other Apparatus Owner	Nature of Undertaking	Plots	Land, Rights or Apparatus Affected	Engagement of Section 127 and/or s138	Status of Negotiation
					but the Applicant is in ongoing discussions with Independent Oil and Gas.

