



# NORTH LINCOLNSHIRE GREEN ENERGY PARK

Planning Act 2008

Infrastructure Planning  
(Applications: Prescribed  
Forms and Procedure)  
Regulations 2009

Regulation 5(2)(q)

## North Lincolnshire Green Energy Park

Volume 9

9.10 Status of Negotiations with Statutory  
Undertakers

PINS reference: EN010116

February 2023

Revision number: ~~32~~



STATUS OF NEGOTIATIONS WITH STATUTORY UNDERTAKERS - DEADLINE [45](#)

<b>Planning Inspectorate Scheme Reference:</b>	<b>EN010116</b>
<b>Document Number:</b>	<b>9.10</b>
<b>Author:</b>	<b>The Applicant</b>

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	December 2022	Deadline 2
Rev 1	January 2023	Deadline 3
Rev 2	February 2023	Deadline 4
<a href="#">Rev 3</a>	<a href="#">February 2023</a>	<a href="#">Deadline 5</a>

## 1. INTRODUCTION

- 1.1 The Development Consent Order (**DCO**) application for the Scheme was submitted on 31 May 2022 and accepted for examination on 27 June 2022.
- 1.2 This document identifies the status of negotiations with statutory undertakers in relation to protected provisions.
- 1.3 Table 1.1.2 below details discussions that are ongoing with all statutory undertakers. The Applicant has grouped these interested parties into categories depending on the current status of negotiations; the categories are listed in Table 1.1.1 below.

**Table 1.1.1:** Allocation of Category 1 interested parties based on status of land negotiations.

Agreements Category	Total Number
SECTION 1 – No Agreement Required	<del>23</del>
SECTION 2 – Agreement Completed/Protective Provisions agreed and PINS notified	0
SECTION 3 – Engagement/Negotiation underway in respect of protected provisions and/or agreement	<del>76</del>

- 1.5 The status descriptions are further clarified below:
- SECTION 1: No agreement required.
  - SECTION 2: Protected provisions/Agreement agreed
  - SECTION 3: Protected provisions/Agreement in Negotiation – a detailed update is given regarding negotiations underway in order to reach an agreement. No agreement/protective provisions yet in place.
- 1.6 In Table 1.1.2:
- Column A identifies the name of the statutory undertaker.
  - Column B identifies the category of interest of the Landowner.
  - Column C identifies whether the Applicant is proposing the acquisition of permanent, temporary or new rights in the land.
  - Column D identifies the plot as referenced in the Book of Reference where the interest is listed.
  - Column E identifies the latest position in the negotiations.
  - Column F identifies the status of the voluntary agreement in accordance with Table 1.1.1.

**Table 1.1.2: Statutory Undertakers Schedule of Negotiations**

A	B	C	D	E	F
Land Interest	Type of Interest	Permanent, Temporary and/or New Rights	Plot No(s).	Progress in negotiation of Protective Provisions	Status of agreement
<b>SECTION 1 – No Agreement Required</b>					
Openreach Limited	Category 2 (and in relation to easements)	a) Permanent b) Temporary c) Rights and Temporary	(a) 4-69, 5-2, 5-10, 5-13, 5-14, 5-15, 5-16, 5-17, 5-20, 5-21, 5-22, 5-34, 5-35, 5-38, 5-39, 5-40, 5-43, 5-44, 5-45, 5-46, 5-47, 5-48, 5-49, 5-50, 5-51, 5-52, 5-78, 5-84, 5-85, 5-86, 7-2, 7-3,  (b) 5-54, 9-3, 9-6, 9-36, 9-40, 9-41, 9-44, 9-45, 10-8, 10-9, 10-41, 10-45, 10-52, 10-58, 10-63, 10-65, 10-66, 10-67, 10-71, 10-72, 10-74,  (c) 4-38, 4-39, 5-24, 5-25, 5-26, 5-33, 5-36, 5-55, 5-56, 5-57, 5-64, 8-8, 9-22, 9-29, 9-31, 9-37, 10-2, 10-4, 10-5, 10-6, 10-7, 10-10, 10-12, 10-13, 10-18, 10-23, 10-24, 10-25, 10-27, 10-32, 10-34, 10-37, 10-38, 10-50, 10-54, 10-56, 10-62, 10-64, 10-73, 10-75, 10-76, 10-79, 10-80, 10-81, 10-82,	Openreach Limited confirmed on 28 November 2022 that the protective provisions contained in Schedule 14 of the draft DCO is acceptable and specific protective provisions are not required.	No agreement required.
Associated British Ports Limited	Category 1 (Occupiers or Reputed Occupiers)	(a) Permanent b) Temporary	(a) - (b) -	ABP confirmed by email on 13 January 23 that protective provisions would not be required.	No agreement/protective provisions required.

		c) Rights and Temporary	(c) -		
<a href="#">Scunthorpe &amp; Gainsborough Water Management Board</a>	<a href="#">Category 1 (Freehold or Reputed Freehold Owners, Lessees or Tenants or Reputed Lessees or Tenants)</a>	<a href="#">(a) Permanent</a> <a href="#">b) Temporary</a> <a href="#">c) Rights and Temporary</a>	<a href="#">(a) 4-67, 4-71,</a> <a href="#">(b)</a> <a href="#">(c)</a>	<a href="#">SGWMB confirmed by an email dated 13 February 2023 that protective provisions are not required.</a>	<a href="#">No agreement/protective provisions required.</a>
	<a href="#">Category 1 (Occupiers or Reputed Occupiers)</a>	<a href="#">a) Permanent</a> <a href="#">b) Temporary</a> <a href="#">c) Rights and Temporary</a>	<a href="#">(a) 4-11, 4-28, 4-53, 4-54, 4-73, 4-74, 4-75, 4-83, 4-84, 4-85, 4-89, 5-77</a> <a href="#">(b)</a> <a href="#">(c) 2-14, 3-11, 3-13, 4-34</a>		
	<a href="#">Category 2 (and in relation to easements)</a>	<a href="#">a) Permanent</a> <a href="#">b) Temporary</a> <a href="#">c) Rights and Temporary</a>	<a href="#">(a) 4-60, 4-64, 4-65, 4-66, 5-20</a> <a href="#">(b)</a> <a href="#">(c)</a>		
<b>SECTION 2 – Protected provisions agreed</b>					
<b>SECTION 3 – Engagement/Negotiation underway of protected provisions/agreement</b>					
Network Rail Infrastructure Limited	Category 1 (Freehold or Reputed Freehold Owners, Occupiers or	a) Permanent b) Temporary c) Rights and Temporary	(a) - (b) - (c) 2-6, 8-3	Discussions have been ongoing between the parties. The Applicant received further comments on the protective provisions on 23 January 2023 and responded to NR on 3 February 2023. A response from NR is	Engagement/Negotiation underway leading to development of protected provisions.

	Reputed Occupiers)			<p>awaited. <a href="#">The Applicant's last chaser to NR was on 21 February 2023.</a></p> <p>The Applicant will continue to liaise with NR's solicitor's until agreement is reached.</p>	
Anglian Water Services Limited	Category 2 (and in relation to easements)	<p>a) Permanent</p> <p>b) Temporary</p> <p>c) Rights and Temporary</p>	<p>(a) 4-9, 4-11, 4-12, 4-20, 4-24, 4-28, 4-31, 4-32, 4-47, 4-49, 4-50, 4-53, 4-58, 4-60, 4-61, 4-62, 4-65, 4-66, 4-68, 4-69, 4-70, 4-73, 4-77, 4-78, 4-83, 4-84, 4-85, 4-86, 4-101, 4-102, 4-107, 4-108, 4-109, 5-3, 5-4, 5-5, 5-6, 5-9, 5-14, 5-15, 5-16, 5-17, 5-20, 5-21, 5-34, 5-35, 5-48, 5-52, 5-70, 5-84, 5-85, 5-86, 5-87, 5-88, 6-22, 6-24, 7-2, 8-16</p> <p>(b) 4-72, 6-25, 10-41, 10-45, 10-72</p> <p>(c) 4-2, 4-5, 4-6, 4-8, 4-17, 4-19, 4-22, 4-23, 4-25, 4-26, 4-27, 4-33, 4-34, 4-41, 4-81, 4-87, 4-88, 4-98, 5-23, 5-24, 5-33, 5-36, 5-55, 5-56, 5-58, 5-60, 5-61, 5-62, 5-65, 5-66, 5-67, 5-68, 5-69, 6-1, 6-2, 6-3, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 10-4, 10-5, 10-6, 10-7, 10-10, 10-13, 10-18, 10-37, 10-38, 10-73, 10-75, 10-76, 10-79, 10-80</p>	<p>Discussions with Anglian Water Services Limited are ongoing.</p> <p>Anglian Water provided its draft proposed protective provisions on 31 October 2022. The Applicant reviewed these and provided comments to Anglian Water on 11 November 2022. Anglian Water has since requested further amendments on 28 November 2022, on which the Applicant provided further comments on 14 December 2022. The Applicant is awaiting comments in response from Anglian Water and is continuing to chase.</p> <p>The Applicant and AW are in the process of arranging a meeting to discuss the protective provisions with this currently due to be held <del>during w/e 20</del> <a href="#">on 23</a> February.</p> <p>The Applicant will continue to liaise with AW until agreement is reached.</p>	Engagement/Negotiation underway leading to development of protected provisions.
Northern Powergrid (Yorkshire) Plc	Category 1  (Lessees or Tenants or Reputed Lessees or Tenants or Occupiers or	<p>a) Permanent</p> <p>b) Temporary</p> <p>c) Rights and Temporary</p>	<p>(a) 5-17, 5-39, 5-85, 6-47</p> <p>(b) 9-6, 9-9, 9-10, 9-13, 9-15, 9-17, 9-33, 9-34, 9-40, 9-41, 9-42, 9-43, 9-44, 10-9, 10-15, 10-46, 10-47, 10-52, 10-58, 10-63, 10-67</p>	<p>The Applicant is in discussions with Northern Power Grid (Yorkshire) Plc.</p> <p>The Applicant received further comments from NPG's solicitor on 30 January and the Applicant <b>responded</b></p>	Engagement/Negotiation underway leading to development of protected provisions.

	Reputed Occupiers)		(c) 5-26, 5-36, 5-37, 9-5, 9-8, 9-14, 9-18, 9-19, 9-22, 9-29, 9-31, 9-32, 9-35, 10-12, 10-22, 10-24, 10-50, 10-53, 10-56, 10-62, 10-64	<a href="#">provided a substantive response</a> to these on 7 February.  <a href="#">The Applicant is considering one outstanding point and hopes to revert to</a>	
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	<p>Category 2 (and in relation to easements)</p>	<p>a) Permanent  b) Temporary  c) Rights and Temporary</p>	<p>(a) 4-11, 4-20, 4-28, 4-29, 4-32, 4-51, 4-53, 4-58, 4-60, 4-73, 4-75, 4-77, 4-78, 4-80, 4-85, 4-86, 4-89, 4-93, 4-106, 5-3, 5-4, 5-5, 5-6, 5-11, 5-14, 5-15, 5-16, 5-17, 5-18, 5-20, 5-21, 5-22, 5-35, 5-40, 5-43, 5-46, 5-51, 5-52, 5-63, 5-70, 5-71, 5-72, 5-73, 5-74, 5-75, 5-78, 5-83, 5-84, 5-85, 5-86, 5-88, 6-4, 6-41, 6-47, 6-49, 6-63, 7-1, 8-10, 8-16</p> <p>(b) 6-26, 6-27, 6-44, 6-46, 6-48, 9-3, 9-6, 9-7, 9-9, 9-10, 9-13, 9-15, 9-17, 9-33, 9-34, 9-36, 9-40, 9-41, 9-42, 9-43, 9-44, 9-45, 10-9, 10-15, 10-41, 10-45, 10-46, 10-47, 10-51, 10-52, 10-58, 10-59, 10-63, 10-65, 10-66, 10-67, 10-71, 10-72</p> <p>(c) 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-8, 4-13, 4-16, 4-17, 4-18, 4-19, 4-22, 4-23, 4-25, 4-27, 4-33, 4-34, 4-38, 4-87, 4-88, 4-98, 5-7, 5-8, 5-19, 5-23, 5-24, 5-25, 5-27, 5-28, 5-29, 5-30, 5-31, 5-32, 5-33, 5-36, 5-37, 5-55, 5-56, 5-58, 5-59, 5-60, 5-62, 5-64, 5-65, 5-66, 5-67, 5-68, 5-76, 5-82, 6-1, 6-2, 6-3, 8-1, 8-2, 8-3, 8-8, 9-1, 9-4, 9-5, 9-8, 9-14, 9-18, 9-19, 9-22, 9-26, 9-27, 9-29, 9-31, 9-32, 9-35, 9-37, 10-1, 10-2, 10-3, 10-4, 10-5, 10-6, 10-7, 10-10, 10-12, 10-13, 10-18, 10-22, 10-23, 10-24, 10-26, 10-27, 10-28, 10-30, 10-31, 10-32, 10-34, 10-37, 10-38, 10-50, 10-53, 10-54, 10-56, 10-57, 10-61, 10-62, 10-73, 10-75, 10-76, 10-79, 10-80, 10-81, 10-82</p>	<p><a href="#">NPG as soon as possible after Deadline 5.</a></p> <p>The Applicant will continue to liaise with NPG's solicitor's until agreement is reached.</p>	
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Severn Trent Water Limited	Category 1 (Freehold or Reputed Freehold Owners, Occupiers or Reputed Occupiers)	a) Permanent b) Temporary c) Rights and Temporary	(a) 5-63  (b) -  (c) 4-105	The Applicant is in discussions with the undertaker.  Severn Water advised the Applicant that they have instructed their legal team in relation to the protective provisions.  The Applicant has sent various emails to the party chasing a response. The last email the Applicant sent was dated <u>2-20</u> February 2023 and the Applicant <del>is awaiting a</del> <u>received a holding</u> response on <u>21 February</u> .	Engagement/Negotiation underway leading to development of protected provisions.
	Category 2 (and in relation to easements)	a) Permanent b) Temporary c) Rights and Temporary	(a) 4-78, 4-85, 4-86, 4-89, 5-63, 5-84, 5-85, 5-88, 6-17, 6-20, 6-23, 6-35  (b) 6-25, 6-26, 6-27, 10-46, 10-47, 10-67  (c) 4-34, 4-87, 4-88, 5-19, 5-23, 5-24, 5-33, 5-36, 5-55, 5-56, 5-58, 5-59, 5-62, 5-64, 5-65, 5-82, 5-89, 5-90, 6-1, 6-2, 6-3, 6-11, 6-34, 10-3, 10-6, 10-10, 10-50	The Applicant is currently awaiting a <u>substantive</u> response. The Applicant will continue to liaise with Severn Water.	
<del>Scunthorpe &amp; Gainsborough Water Management Board</del>	<del>Category 1 (Freehold or Reputed Freehold Owners, Lessees or Tenants or Reputed Lessees or Tenants)</del>	<del>a) Permanent b) Temporary c) Rights and Temporary</del>	<del>(a) 4-67, 4-71, (b)- (c)-</del>	<del>The Applicant received a response from the undertaker on 7 December 2022 to confirm that specific provisions are required. Following discussions the Applicant believes it has addressed the comments received from the Water Management Board and responded through correspondence on 25 January 2023. The Applicant is seeking confirmation from SGWMB that <u>protective provisions are no longer required and the last chaser was sent on 7 February 2023.</u></del>	<del>Engagement/Negotiation underway leading to development of protected provisions.</del>
	<del>Category 1 (Occupiers or</del>	<del>a) Permanent b) Temporary</del>	<del>(a) 4-11, 4-28, 4-53, 4-54, 4-73, 4-74, 4-75, 4-83, 4-84, 4-85, 4-89, 5-77</del>		

	Reputed Occupiers)	c) Rights and Temporary	(b) (c) 2-14, 3-11, 3-13, 4-34		
	Category 2 (and in relation to easements)	a) Permanent b) Temporary c) Rights and Temporary	(a) 4-60, 4-64, 4-65, 4-66, 5-20 (b)- (c)-		
Cadent Gas Limited	Category 1 (Occupiers or Reputed Occupiers)	a) Permanent b) Temporary c) Rights and Temporary	(a) 4-28, 4-45, 4-73, 4-75, 4-78, 4-79, 4-80, 5-5, 5-11, 5-35, 5-85, 5-86, 5-88  (b) 10-52, 10-55, 10-66, 10-67  (c) 4-27, 4-76, 5-36, 5-37, 5-55, 5-56, 5-58, 5-60, 5-62, 5-64, 5-89, 10-50, 10-53, 10-54	The Applicant and Cadent Gas' solicitors have been liaising over the form of protective provisions. The Applicant responded to Cadent on the third turn of the draft on 6 February and a response <del>is awaited</del> <u>was received</u> from Cadent <u>on 21 February</u> .  <u>The Applicant is considering two outstanding points and hopes to revert to Cadent as soon as possible after Deadline 5.</u>  The Applicant will continue to liaise with Cadent to reach agreement.	Engagement/Negotiation underway leading to development of protected provisions.
	Category 2 (and in relation to easements)	a) Permanent b) Temporary c) Rights and Temporary	(a) 4-28, 4-31, 4-45, 4-73, 4-75, 4-78, 4-79, 4-80, 5-5, 5-11, 5-35, 5-49, 5-50, 5-51, 5-52, 5-63, 5-70, 5-71, 5-72, 5-84, 5-85, 5-86, 5-88, 6-8, 6-22, 6-24  (b) 6-26, 6-27, 9-10, 9-17, 9-34, 9-42, 9-43, 10-41, 10-45, 10-46, 10-52, 10-55, 10-66, 10-67, 10-72  (c) 3-19, 3-26, 4-17, 4-26, 4-27, 4-38, 4-39, 4-76, 5-8, 5-19, 5-23, 5-24, 5-25, 5-33, 5-36, 5-37, 5-55, 5-56, 5-57, 5-58, 5-59, 5-60, 5-62, 5-64, 5-65, 5-66, 5-67, 5-76, 5-77, 5-82, 5-89, 9-11, 9-12, 9-19, 9-20, 9-22, 9-28, 9-29, 9-35, 10-3, 10-4, 10-6, 10-7, 10-30, 10-31, 10-32, 10-34,		

			10-50, 10-53, 10-54, 10-56, 10-73, 10-81, 10-82		
National Highways Limited	Category 1 (Occupiers or Reputed Occupiers)	(a) Permanent b) Temporary c) Rights and Temporary	(a) - (b) 2-11, 3-2, 3-10 (c) 2-9, 3-3, 3-9, 3-21, 3-22, 3-25	The Applicant and NH's technical teams met on 21 November to discuss the scheme further. The Applicant received confirmation that the Scheme does not impact on the strategic road network (SRN) from NH during that meeting. The Applicant and NHs legal advisers have since corresponded and NH has confirmed that protective provisions are not required.  However, NH has confirmed a Side Agreement is required. The Applicant provided a draft agreement to NH for review on 7 February <del>23</del> 2023 and <a href="#">received comments on 20 February 2023</a> .  <a href="#">The Applicant is considering the amended draft and hopes to revert back to NH as soon as possible after Deadline 5.</a>	Engagement/Negotiation underway leading to development of side agreement.
	Category 2 (and in relation to easements)	(a) Permanent b) Temporary c) Rights and Temporary	(a) - (b) 2-11, 3-2, 3-10, (c) 2-9, 3-3, 3-9, 3-21, 3-22. 3-25		