



**NORTH FALLS**

*Offshore Wind Farm*

## **Statutory Undertakers Schedule**

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<b>Project</b>	North Falls Offshore Wind Farm
<b>Document Title</b>	Statutory Undertakers Schedule
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<b>Supplier</b>	Pinsent Masons LLP

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**Table 1 Definitions**

<b>TERM</b>	<b>DEFINITION</b>
Applicant	North Falls Offshore Wind Farm Limited
Authorised Development	The development authorised by the North Falls Development Consent Order, if made
DCO	Development Consent Order
Five Estuaries	Five Estuaries Offshore Wind Farm Limited
Order	The North Falls DCO, if made
Order Land	The land shown on the Land Plans which is within the limits of land to be acquired or used and described in the Book of Reference
Plot	Each piece or area of land identified individually in the Book of Reference; any reference to Plots or a numbered Plot shall be construed accordingly.

## 1. EXPLANATORY TEXT

- 1.1.1 This Statutory Undertakers Schedule (Document Reference: 6.7) submitted by North Falls Offshore Wind Farm Limited (registered in England and Wales under company number 12435947 and having its registered office at Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire, United Kingdom, SN5 6PB) ('the Applicant') in the application for a development consent order (DCO) under the Planning Act 2008 for the North Falls Offshore Wind Farm (herein referred to as 'North Falls').
- 1.1.2 North Falls is the proposed extension to the operational Greater Gabbard Offshore Wind Farm. North Falls includes provisions for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 40 kilometres from the East Anglian coast, including up to 57 wind turbine generators and associated infrastructure making landfall at Kirby Brook between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure near to the existing Lawford Substation to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation, which would be located nearby. All onshore connection infrastructure would be located in the administrative area of Tendring District Council, within Essex County Council. North Falls will have an overall capacity of greater than 100 Megawatts (MW) and therefore constitutes a nationally significant infrastructure project (NSIP) under Sections 14 and 15 (3) of the Planning Act 2008.
- 1.1.3 There is some optionality in the design envelope applied for in the DCO, in consideration of possible co-ordination with the Five Estuaries Offshore Wind Farm. There are three possible grid connection options:

- Option 1: An onshore electrical connection at a National Grid connection point within the Tendring peninsula of Essex, with a project alone onshore cable route and onshore substation infrastructure.
- Option 2: An onshore electrical connection at a National Grid connection point within the Tendring peninsula of Essex, sharing an onshore cable route and onshore cable duct installation (but with separate onshore export cables) and co-locating separate project onshore substation infrastructure with Five Estuaries Offshore Wind Farm.
- Option 3: Offshore electrical connection, supplied by a third-party.

1.1.4 Owing to the possible co-ordination with Five Estuaries under Build Option 2, the Applicant and Five Estuaries Offshore Wind Farm Limited are seeking to jointly negotiate protective provisions with statutory undertakers. Therefore, where reference is made to negotiations between the Applicant and the relevant statutory undertakers, this refers to negotiations conducted by the Applicant's representatives and by representatives of Five Estuaries.

1.1.5 Table 2 includes details of each statutory undertaker listed within Part 1 of the Book of Reference (Document Reference: 6.3), 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.

1.1.6 Interests which are not statutory undertakers are addressed separately within the Schedule of Negotiation (application document number 6.6).

1.1.7 Unregistered Land Plots in Table 2 are denoted with an asterisk (\*).

**Table 2 Status of Statutory Undertaker Negotiations**

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
<b>Water undertakers</b>					
Affinity Water Limited	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.	01-002, 02-006, 03-004, 04-002, 04-003, 04-004, 04-005, 04-006, 04-011, 05-005, 05-026, 05-027, 06-001, 06-014, 06-017, 08-005, 08-007, 08-010, 08-011, 08-014, 08-015, 08-020, 08-023, 08-024, 09-003, 09-007, 10-013, 10-019, 10-020, 12-006, 12-010, 12-011, 12-012, 12-014, 12-020, 13-001,	Acquisition of rights	The Applicant considers that Affinity Water's statutory operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)	Affinity Water will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		15-015, 16-005  02-007, 03-003, 03-006, 03-025, 05-002, 05-006, 06-010, 06-015, 06-016, 07-008, 08-001, 08-004, 08-008, 08-016, 08-025, 09-004, 10-012, 10-017, 11-002, 12-001, 12-004, 12-007, 12-008, 12-009, 12-013, 12-015, 12-016, 12-017, 12-018, 12-019, 13-004, 13-009, 13-010, 13-012	Temporary possession		



Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
Anglian Water Services Limited	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.	01-015	Acquisition of rights	The Applicant considers that Anglian Water's statutory operations will not be detrimentally impacted by North Falls. The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)	<p>Anglian Water will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).</p> <p>The Applicant wrote to Anglian Water in respect of protective provisions in April 2024. Negotiations between the Applicant and Anglian Water are ongoing.</p> <p>The Applicant is confident that a mutually acceptable solution can be agreed.</p>
<b>Gas and electricity</b>					
Gas					
Cadent Gas Limited	Gas Distributor within the meaning of Part 1 of the Gas Act 1896	03-004, 03-022, 03-024  03-003, 03-006, 04-001, 06-009, 06-010	Acquisition of rights  Temporary possession	<p>The Applicant considers that Cadent Gas's statutory operations will not be detrimentally impacted by North Falls.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons</p>	<p>Cadent will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).</p> <p>The Applicant wrote to Cadent in respect of negotiating protective provisions in November 2023. Negotiations between the Applicant and Cadent are ongoing.</p> <p>The Applicant is confident that a mutually acceptable solution can be agreed.</p>

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
				(Document Reference: 6.5)	
Electricity					
National Grid Electricity Transmission plc	Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	15-001, 15-002, 15-003, 15-010, 15-015, 16-004  15-006, 15-009	Acquisition of rights  Temporary possession	The Applicant considers that NGET's statutory operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5).	National Grid Electricity Transmission will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1). NGET wrote to the Applicant in April 2024 seeking to negotiate protective provisions with the Applicant.  Negotiations between NGET and the Applicant are ongoing. The Applicant is confident that a mutually acceptable solution can be agreed.
Eastern Power Networks plc	Electricity distribution owner and operator.  Electricity Undertaker within the meaning of Part 1 of the Electricity Act 1989	13-013, 13-017, 13-021, 13-023, 15-016, 16-001  01-015, 02-015, 02-017, 02-019, 03-001, 03-009, 03-020, 03-023, 04-007,	Freehold acquisition  Acquisition of rights	The Applicant considers that Eastern Power Networks' statutory operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons	Eastern Power Networks will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		04-009, 04-016, 05-009, 05-026, 06-001, 06-003, 07-007, 07-012, 08-014, 08-015, 08-020, 09-010, 10-013, 10-020, 11-005, 13-061, 15-001, 15-002, 15-003, 15-004, 15-010, 15-011, 15-012, 15-015, 16-004, 16-005, 16-006  02-014, 03-002, 03-003, 03-011, 03-012, 03-015, 03-025, 04-021, 05-002, 05-003, 05-014, 05-015, 06-004, 06-	Temporary possession	(Document Reference: 6.5).	

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		005, 06-010, 06-015, 08-016, 08-019, 11-002, 12-004, 13-005, 13-006, 13-008, 13-009, 13-012, 13-022, 15-006, 15-009			
Apatura Ltd	Electricity distribution owner and operator who are not deemed to be a statutory undertaker	15-001, 15-002, 15-013  15-006	Acquisition of rights  Temporary possession	The Applicant considers that Apatura's operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5).	If the relevant licences are in place, Apatura will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).  The Applicant and Apatura have held discussions in respect of co-locating the projects and the Applicant is confident that a mutually acceptable solution can be agreed.
Thorpe Park Solar Farm Limited	Electricity distribution owner and operator who are not deemed to	04-009, 04-012, 04-013, 04-014, 04-015	Acquisition of rights	The Applicant considers that Thorpe Park's operations will not be	If the relevant licences are in place, Thorpe Park will have the benefit of the protective provisions set out at Part 1 of Schedule 14 of the draft DCO (Document Reference: 6.1).

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
	be a statutory undertaker	04-008	Temporary possession	detrimentally impacted by North Falls. The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5).	The Applicant and Thorpe Park have held discussions in respect of co-locating the projects and the Applicant is confident that a mutually acceptable solution can be agreed.
<b>Transport undertakers</b>					
Network Rail Infrastructure Limited	Maintaining and operating railway infrastructure pursuant to section 8(1) Acquisition of Land Act 1981	04-010, 04-011, 04-013, 04-014	Acquisition of rights	<p>The Applicant is crossing the railway using trenchless crossing techniques.</p> <p>The Applicant considers that Network Rail's statutory operations will not be detrimentally impacted by North Falls.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)</p>	<p>Network Rail will have the benefit of the protective provisions set out at Part 5 of Schedule 14 of the draft DCO (Document Reference: 6.1).</p> <p>The Applicant has been in active negotiation with Network Rail.</p> <p>Discussions on Business and Technical Clearance are progressing.</p> <p>Once Business and Technical Clearance are obtained negotiations on heads of terms for Land Agreements can be progressed.</p> <p>The Applicant is confident of agreeing heads of terms.</p>

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
National Highways Limited	Operator and maintainer of the strategic road network pursuant to section 8(1) Acquisition of Land Act 1981	11-004, 12-010, 12-011, 12-012  12-008, 12-009, 12-016, 12-017, 12-018, 13-004, 13-005, 13-006, 13-007, 13-008, 13-009, 13-010, 13-011, 13-012	Acquisition of rights  Temporary possession	The Applicant is crossing the strategic road network using trenchless crossing techniques, and is proposing works to the A120 junction with Bentley Road.  The Applicant considers that National Highways' statutory operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)	National Highways will have the benefit of the protective provisions set out at Part 6 of Schedule 14 of the draft DCO (Document Reference: 6.1).  The Applicant has been in technical discussions with National Highways over the technical aspects of the crossing of the strategic road network.  The Applicant wrote to National Highways in respect of protective provisions in June 2024.  Negotiations between National Highways and the Applicant are ongoing.  The Applicant is confident that a mutually acceptable solution can be agreed.
Essex County Council	Adopted highways	13-018  01-001, 01-004, 01-005, 01-015, 02-006, 02-009,	Freehold acquisition  Acquisition of rights	The Applicant considers Essex County Council's statutory operations will not be detrimentally impacted by North Falls.	The Applicant wrote to Essex County Council in respect of protective provisions in May 2024. The Applicant is confident that a mutually acceptable solution can be agreed.

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		02-017, 02-018, 02-019, 02-020, 03-001, 03-004, 03-005, 03-020, 03-021, 03-022, 03-023, 05-005, 05-010, 05-016, 05-017, 05-024, 05-026, 06-012, 06-014, 07-003, 07-007, 07-010, 07-012, 08-005, 08-007, 08-009, 08-011, 08-022, 08-024, 09-003, 09-007, 10-003, 10-008, 10-009, 10-013, 10-019, 10-020, 11-001, 12-010, 12-011, 12-012, 13-027,		The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)	

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		13-028, 13-053, 13-057, 14-003, 14-004, 14-007, 14-009, 14-016, 14-017, 14-021, 14-022, 15-002, 15-003, 15-010, 15-011, 15-012, 15-015, 16-002, 16-004, 16-005  02-007, 02-008, 02-010, 02-013, 03-003, 03-006, 03-011, 03-013, 03-014, 03-015, 05-002, 05-006, 05-011, 05-012, 05-015, 05-020, 05-025, 06-010, 06-013, 06-	Temporary possession		



Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		015, 07-002, 07-006, 07-008, 07-014, 08-001, 08-004, 08-008, 09-001, 10-002, 10-005, 10-011, 10-016, 10-017, 11-003, 12-001, 12-003, 12-004, 12-008, 12-009, 12-016, 12-017, 12-018, 13-011, 13-012, 13-019, 13-022, 13-025, 13-026, 13-039, 13-040, 13-043, 13-044, 13-049, 13-059, 13-060, 14-001, 14-005, 14-012, 14-014, 14-018,			

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		14-019, 15-008, 15-009			
<b>Telecommunications</b>					
Openreach Limited	Telecommunications and media apparatus pursuant to section 148 of the Town and Country Planning Act 1990	13-013, 13-020, 13-023, 15-014, 15-016, 16-001  02-002, 02-004, 02-006, 02-016, 02-017, 03-001, 03-004, 03-005, 03-008, 03-009, 04-017, 04-022, 05-005, 05-016, 05-018, 06-014, 07-003, 08-002, 08-005, 08-006, 08-009, 08-010, 08-011, 09-003,	Freehold acquisition  Acquisition of rights	The Applicant considers that Openreach's statutory operations will not be detrimentally impacted by North Falls.  The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)	Openreach will have the benefit of the protective provisions set out at Part 2 of Schedule 14 of the draft DCO (Document Reference: 6.1).

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		09-005, 09-007, 10-019, 10-020, 12-010, 12-011, 13-027, 13-028, 13-046, 13-061, 14-003, 14-007, 15-001, 15-002, 15-005, 15-011, 15-012, 15-013, 15-015, 16-002, 16-004, 16-005, 16-006  02-003, 02-007, 02-008, 02-010, 03-002, 03-003, 05-001, 05-002, 05-006, 05-011, 05-012, 05-013, 05-014, 05-015, 05-019, 06-009, 06-	Temporary possession		

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
		010, 06-015, 07-002, 07-006, 07-014, 08-001, 08-003, 08-004, 10-011, 10-017, 11-002, 11-003, 12-001, 12-003, 12-004, 12-007, 12-008, 12-016, 12-017, 13-004, 13-009, 13-010, 13-012, 13-019, 13-022, 13-024, 13-026, 13-041, 13-042, 13-045, 13-049, 14-002, 15-006, 15-007, 15-008			

Statutory Undertaker Or Other Apparatus Owner	Nature Of Undertaking	Plot(s)	Land, rights or apparatus affected	Engagement of s.127 or s.138	Status of negotiation
<b>Drainage and Flooding</b>					
Environment Agency	Flood and drainage authority and statutory undertaker pursuant to section 262 of the Town and Country Planning Act 1990	01-001, 01-004, 01-005, 01-006	Acquisition of rights	<p>The Applicant considers that The Environment Agency's statutory operations will not be detrimentally impacted by North Falls.</p> <p>The justification for the acquisition of rights in land is set out in the Statement of Reasons (Document Reference: 6.5)</p>	<p>The Environment Agency will have the benefit of the protective provisions set out at Part 3 of Schedule 14 of the draft DCO (Document Reference: 6.1).</p> <p>The Applicant wrote to The Environment Agency in respect of protective provisions in April 2024. At this time and in May and June 2024, the EA advised that it was in the process of updating its template protective provisions and would revert once this exercise was completed.</p> <p>The Applicant is confident that a mutually acceptable solution can be agreed.</p>



**NORTH FALLS**

*Offshore Wind Farm*



## **HARNESSING THE POWER OF NORTH SEA WIND**

*North Falls Offshore Wind Farm Ltd*

*A joint venture company owned equally by SSE Renewables and RWE.*

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