



# **STATEMENT OF COMMON GROUND BETWEEN EAST RIDING OF YORKSHIRE COUNCIL AND DRAX POWER LIMITED**

## **Drax Bioenergy with Carbon Capture and Storage**

The Planning Act 2008 (as amended)

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## **EXECUTIVE SUMMARY**

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A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO). It is prepared jointly by the applicant and another party, to assist the Examining Authority in examining the DCO Application by providing an understanding of the status of discussions or negotiations between the applicant and the other party.

This SoCG has been prepared between East Riding of Yorkshire Council (ERoY) and Drax Power Limited (the 'Applicant') (jointly referred to as the Parties) to show where agreement has been reached to date in relation to the Applicant's application (the DCO Application) for a DCO for their Bioenergy with Carbon Capture and Storage (BECCS) project (referred to as the Proposed Scheme). The SoCG represents an accurate and up to date reflection of matters discussed between the Parties. It is a document which will evolve during the pre-examination and examination stages, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

ERoY is interested in the Proposed Scheme as the neighbouring local planning authority and highway authority.

Throughout this document, points of agreement and disagreement between the Parties are clearly indicated.

# **1. INTRODUCTION AND PURPOSE**

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## **1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND**

1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.

1.1.2. Paragraph 58 of the Department for Communities and Local Government's (DCLG, now Ministry of Housing, Communities and Local Government) guidance entitled 'Planning Act 2008: examination of applications for development consent' (26 March 2015) (DCLG, 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

1.1.3. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCGs aids an efficient examination process.

1.1.4. A SoCG may be submitted to the Planning Inspectorate (PINS) prior to the start of or during an examination and is updated as necessary or as requested during the examination.

## **1.2. DESCRIPTION OF PROPOSED SCHEME**

1.2.1. A full description of the Proposed Scheme description is included in Chapter 2 (Site and Project Description) of the ES submitted with the DCO Application (PINS document reference APP-038).

## **1.3. THIS STATEMENT OF COMMON GROUND WITH EAST RIDING OF YORKSHIRE COUNCIL**

1.3.1. This SoCG has been prepared between East Riding of Yorkshire Council (ERoY) and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

1.3.2. It addresses topics of interest to ERoY. ERoY is interested in the Proposed Scheme as a statutory consultee. ERoY are a local planning authority and highway authority responsible for understanding the impacts of the Proposed Scheme, in respect of impacts within their administrative boundary.

- 1.3.3. Section 3 summarises the topics of relevance to this SoCG and Section 4 then details whether matters are agreed, not agreed or under discussion between the Parties.
- 1.3.4. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, ERoY has no comments to make.
- 1.3.5. The SoCG is a document which will evolve during the pre-application and examination stages, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the Examination.
- 1.3.6. This SoCG has been prepared in accordance with the DCLG Guidance.

## 2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

### 2.1. RECORD OF ENGAGEMENT

2.1.1. The tables below set out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Scheme.

**Table 2.1 – Schedule of Meetings and Correspondence during the Pre-application Stage**

Date	Form of Contact and Attendees	Summary
22 February 2021	<u>Email</u> From WSP <sup>1</sup> to NYCC (Highways), National Highways, East Riding of Yorkshire Council (ERoY).	NYCC, National Highways, and ERoY provided comments on the proposed transport assessment parameters set out in a Transport Scoping Note, which had been provided to them by the Applicant. The approach was generally accepted by the highway authorities, but further discussions are required to reach final agreement ahead of the completion of the ES.  The Transport Scoping Note issued covered all transport related parameters including baseline conditions, predicted trip generation, trip distribution, assessment scenarios, proposed growth factors, and other general items ahead of a scheduled meeting with consultees.
02 March 2021	<u>Online Meeting</u> NYCC (Highways); ERoY; National Highways; Drax; WSP Transport.	Inception call to introduce Drax BECCS to highway authorities, Proposed Scheme overview, transport scoping note content, Abnormal Indivisible Loads (AIL) strategy, and approach to future engagement.  NYCC, National Highways, and ERoY resolved to provide comment on the Transport Scoping Note and AIL strategy.
02 March 2021	<u>Email</u> From ERoY to WSP.	ERoY reviewed the Transport Scoping Note and comments were limited to raising the main concern related to peak hour impacts. Contact details for PRow officer, abnormal loads, and

<sup>1</sup> WSP acting on behalf of the Applicant

Date	Form of Contact and Attendees	Summary
		area engineer, and street works team were also provided.
<b>25 March 2021</b>	<u>Online Meeting</u> NYCC (Highways); ERoY; National Highways; Drax; WSP Transport.	Call with highway authorities to discuss approach to AIL routes.  National Highways to liaise with the DfT and seek confirmation and Approval in Principle for the Port of Goole 'Road Option' (as per the agreed approach for AIL movements associated with Drax Repower).
<b>25 March 2021</b>	<u>Email</u> From WSP to NYCC (Highways), National Highways and ERoY.	Request from the Applicant for National Highways to liaise with the DfT and seek confirmation and Approval in Principle for the Port of Goole 'Road Option' (as per Drax Repower).
<b>22 April 2021</b>	<u>Email</u> From ERoY to WSP.	ERoY Bridges and Structures Team response regarding the AIL route including request for various surveys to check the structures along the Proposed Scheme AIL route.
<b>10 May 2021</b>	<u>Online Meeting</u> ERoY; WSP.	ERoY Bridges and Structures Team survey requirements.
<b>09 June 2021</b>	<u>Online Meeting</u> ERoY; Collett Transport; Drax; WSP.	ERoY Bridges and Structures Team survey requirements.
<b>01 November</b>	<u>Statutory Submission</u>	The preliminary environmental assessment, report in the Preliminary Environmental

<b>Date</b>	<b>Form of Contact and Attendees</b>	<b>Summary</b>
	NYCC (Highways) National Highways ERoY	Information Report (PEIR) was issued to all parties as part of s42 process.
<b>10 January 2022</b>	<u>Online Meeting</u> ERoY; WSP.	Follow up discussion to regarding Abnormal Indivisible Load (AIL) route between Goole Docs and Drax Power Station, structures, previous loads, surveys, and DCO.
<b>12 January 2022</b>	<u>Email</u> From WSP to ERoY.	AIL vehicle configuration and associated loading data issued to ERoY for review and approval in principle by the Infrastructure and Facilities team.
<b>14 January 2022</b>	<u>Email</u> From ERoY (Forward Planning) to WSP	S42 Response – confirmation of no comments from Forward Planning team.
<b>20 January – 22 February 2022</b>	<u>Email</u> From WSP to ERoY	Email to ERoY in relation to the anticipated AIL vehicle configuration and associated loading data for review and comment by ERoY Infrastructure and Facilities officers, including follow up discussions related to timescales for receipt of response.
<b>07 March – 14 April 2022</b>	<u>Email</u> From ERoY to WSP	Further emails with regards to AIL deliveries on the ERoY network and assets.

**Table 2.2 – Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
<b>22 August 2022</b>	<u>Online Meeting</u> ERoY; WSP; Drax.	The purpose of the meeting was to discuss the DCO submission and examination programme, information sharing with regards to AIL deliveries, and approach to SoCG.



<b>30 September 2022</b>	<u>Online Meeting</u> ERoY; WSP Highways and Planning; Drax.	The purpose of the meeting was to discuss ERoY Relevant Representation submission. It was communicated that ERoY was not expecting to provide a full response (whereas typically the authority would provide a detailed response or not one at all). If a response is made, this would likely be limited to Traffic and Transport matters. It was agreed on that basis that the SoCG would also be limited to Traffic and Transport matters.
<b>14 October 2022</b>	<u>Email</u> From ERoY to Drax	ERoY advised that RRs have not been submitted, and that if PINS have any questions for ERoY as part of the DCO process, they will respond.
<b>20 October – 1 November 2022</b>	<u>Emails</u> Between WSP and ERoY.	Agreement of Revision 01 of the Statement of Common Ground.

### **3. SUMMARY OF TOPICS COVERED BY THIS STATEMENT OF COMMON GROUND AND RELEVANT DOCUMENTS**

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#### **3.1. TOPICS COVERED IN THIS STATEMENT OF COMMON GROUND**

3.1.1. The following topic discussed between the Parties is covered by this SoCG:

- Traffic and Transport.

3.1.2. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, ERoY have no comments to make.

#### **3.2. RELEVANT DOCUMENTS FOR THIS STATEMENT OF COMMON GROUND**

3.2.1. Table 3.1 provides a list of documents of particular relevance to this SoCG. This list will be updated to keep a record of the most recent version of the relevant document.

**Table 3.1 – List of Relevant Application Documents for this SOCG**

<b>Document Reference</b>	<b>Document Name</b>
<b>APP-041</b>	6.1.5 Environmental Statement - Volume 1 - Chapter 5: Traffic and Transport
<b>APP-062</b>	6.2.5.1 Environmental Statement - Volume 2 - Figure 5.1: Study Area (Traffic and Transport)
<b>APP-063</b>	6.2.5.2 Environmental Statement - Volume 2 - Figure 5.2: Public Rights of Way
<b>APP-064</b>	6.2.5.3 Environmental Statement - Volume 2 - Figure 5.3: National Cycle Routes
<b>APP-065</b>	6.2.5.4 Environmental Statement - Volume 2 - Figure 5.4: Traffic Survey Data Locations
<b>APP-066</b>	6.2.5.5 Environmental Statement - Volume 2 - Figure 5.5: HDV Routing
<b>APP-067</b>	6.2.5.6 Environmental Statement - Volume 2 - Figure 5.6: Abnormal Indivisible Load Routing
<b>APP-119</b>	6.3.5.1 Environmental Statement - Volume 3 - Appendix 5.1: Outline Construction Traffic Management Plan

<b>Document Reference</b>	<b>Document Name</b>
<b>APP-121</b>	6.3.5.3 Environmental Statement - Volume 3 - Appendix 5.3: Traffic Flow Diagrams
<b>APP-122</b>	6.3.5.4 Environmental Statement - Volume 3 - Appendix 5.4: Personal Injury Collision Data
<b>APP-123</b>	Limited 6.3.5.5 Environmental Statement - Volume 3 - Appendix 5.5: Schedule Planner
<b>APP-124</b>	6.3.5.6 Environmental Statement - Volume 3 - Appendix 5.6: Junction Modelling Outputs
<b>OD-009</b>	6.3.5.1 Environmental Statement Volume 3 - Appendix 5.1: Construction Traffic Management Plan - Rev 2 - Accepted at the discretion of the Examining Authority

## 4. CURRENT POSITION

### 4.1. TRAFFIC AND TRANSPORT

Table 4.1 – Transport

Ref	Description of Matter	Applicant – Current Position	East Riding of Yorkshire Council – Current Position	Position
4.1.1	Baseline	The Applicant has set out the Baseline Conditions in Section 5.7 of Chapter 5 (Transport) (APP-041).	ERoY agrees with the Applicant's position in respect to the Baseline Conditions set out in Section 5.7 of Chapter 5 (Transport) (APP-041).	Agreed
4.1.2	Methodology	The Applicant has set out the Assessment Methodology in Section 5.5 of Chapter 5 (Transport) (APP-041).	ERoY agrees with the Applicant's position in respect to the Assessment Methodology set out in Section 5.5 of Chapter 5 (Transport) (APP-041).	Agreed
4.1.3	Assessment	The Applicant has set out the assessment in Section 5.9. 5.11 and 5.12 of Chapter 5 (Transport) (APP-041).	ERoY agrees with the Applicant's position in respect to the assessment set out in Section 5.9. 5.11 and 5.12 of Chapter 5 (Transport) (APP-041).	Agreed
4.1.4	Mitigation	The Applicant has set out the Design, Mitigation and Enhancement Measures in Section 5.10 of Chapter 5 (Transport) (APP-041).	ERoY agrees with the Applicant's position in respect to the proposed Design, Mitigation and Enhancement Measures set out in Section 5.10 of Chapter 5 (Transport) (APP-041).	Agreed

4.1.5	Other – Abnormal Indivisible Loads (AIL)	The AIL route is shown on Figure 5.6 (Abnormal Indivisible Load Routeing) and the impacts are discussed in Section 5.9, paragraph 5.9.73 – 5.9.76 of Chapter 5 (Traffic and Transport) (APP-041). The route follows the defined ‘Heavy Load Route’ between the Port of Goole and Drax Power Station.	ERoY agree with the Applicant’s position in respect to the selected route and outline process set out in the Construction Traffic Management Plan (OD-009). Discussions will continue between the parties to ensure the practical implementation of the measures discussed in the CTMP.	Agreed
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## 5. SIGNATURES

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**Table 5.1 – Signatures**

<b>Ref</b>	<b>East Riding of Yorkshire Council</b>	<b>Drax Power Ltd (the Applicant)</b>
<b>Signature</b>		
<b>Printed Name</b>		
<b>Title</b>		
<b>On behalf of</b>	East Riding of Yorkshire Council	Drax Power Ltd
<b>Date</b>		