



STATEMENT OF COMMON GROUND BETWEEN GOOLE AND AIRMYN INTERNAL DRAINAGE BOARD AND DRAX POWER LIMITED

Drax Bioenergy with Carbon Capture and Storage

The Planning Act 2008 (as amended)

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EXECUTIVE SUMMARY

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 Goole and Airmyn Internal Drainage Board (IDB) 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 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 examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

Goole and Airmyn IDB is interested in the Proposed Scheme as a local public authority that manages water levels within areas of special need for drainage. The drainage channels that are the responsibility of this IDB are located in the vicinity only of Work No. 8 of the DCO.

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

1. INTRODUCTION AND PURPOSE

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 LO) 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 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), and as amended by the Change Request - 8.5.1 Proposed Changes Application Report (document reference AS-045).

1.3. THIS STATEMENT OF COMMON GROUND WITH GOOLE AND AIRMYN IDB

- 1.3.1. This SoCG has been prepared between Goole and Airmyn IDB and the Applicant (jointly referred to as the Parties) in relation to the Application.
- 1.3.2. It addresses topics of interest to Goole and Airmyn IDB. Goole and Airmyn IDB is interested in the Proposed Scheme as a local public authority that manages water levels in respect of the parts of the Proposed Development located within their administrative boundary. The Goole and Airmyn IDB administrative areas covers the area in which Work No. 8 is to be carried out, and does not extend to the Power Station Site.

- 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 all other environmental topics covered in the Environmental Statement submitted with the Application but not referred to in this SoCG, Goole and Airmyn IDB has no comments to make.
- 1.3.5. Following the Applicant's consultation on the Proposed Changes to the Application, and the acceptance of them into the Examination by the Examining Authority, Goole and Airmyn IDB agrees that the statements in this SoCG apply to the application inclusive of those Proposed Changes.
- 1.3.6. The SoCG is a document which will evolve during the examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the Examination.
- 1.3.7. 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.
- 2.1.2. As the need for the PC-02 works as detailed within PCAR [AS-045] was only identified post submission of the DCO no engagement was undertaken during the Pre-application stage.

Table 2.1 – Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages

Date	Form of Contact and Attendees	Summary
October 2022	<u>Letter</u> From WSP to Goole and Airmyn IDB and email response	Notification of Proposed Scheme as a result of the proposed change request.
February 2023	Emails Between WSP and Goole and Airmyn IDB	Agreement to Rev 01 of this Statement of Common Ground.

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

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:

- Water environment and drainage strategy within the IDB's remit.

3.1.2. In respect of matters relevant to the Proposed Scheme but not referred to in this SoCG, Goole and Airmyn IDB 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

Document Reference	Document Name
APP-037-178	6.1 - 6.4 Environmental Statement
AS-088 and AS-090	6.3.12.1 Flood Risk Assessment (Clean) - Rev 02 Accepted at the discretion of the Examining Authority
APP-161	6.3.12.2 Environmental Statement - Volume 3 - Appendix 12.2: Water Framework Directive Screening Note
APP-180-183	6.6.1-6.6.2.3 Outline Landscape and Biodiversity Strategy
AS-076	3.1 Draft Development Consent Order (Clean) - Rev 4 - Accepted at the discretion of the Examining Authority
AS-092	6.5 Register of Environmental Actions and Commitments (Clean) - Rev 3 - Accepted at the discretion of the Examining Authority
AS-045	Change Request - 8.5.1 Proposed Changes Application Report - Accepted at the discretion of the Examining Authority

4. CURRENT POSITION

4.1. WATER ENVIRONMENT

Table 4.1 – Water Environment

Ref	Description of Matter	Applicant – Current Position	Goole and Airmyn Internal Drainage Board – Current Position	Position
Flood Risk Assessment and WFDa				
4.1.1	Whole Report	The Applicant agrees with the FRA (document reference APP-160) and WFDa (document reference APP-161) being a matter for the Environment Agency and the LLFA to consider.	The IDB agree that the Flood Risk Assessment is a matter for the Environment Agency and the LLFA to review and approve. The IDB agree that the Proposed Scheme will not have an adverse impact on the flood risk to their existing apparatus / infrastructure.	Agreed
Proposed Changes Application Report				
4.1.2	Whole Report	The Applicant agrees with the IDB.	The IDB agree with the findings of the Water Environment ES Chapter (document reference AS-045).	Agreed
Surface Water Drainage Strategy				
4.1.3	Whole Report	The proposed PC-02 works as detailed within PCAR [AS-045]	The IDB agree that the proposed PC-02 works as detailed within	Agreed

Ref	Description of Matter	Applicant – Current Position	Goole and Airmyn Internal Drainage Board – Current Position	Position
		will not lead to a change in runoff rates.	PCAR [AS-045] will not lead to a change in runoff rates. The IDB agree that the Proposed Scheme will not have an adverse impact on drainage.	
Water Environment ES Chapter				
4.1.4	Whole Report	The Applicant agrees with the IDB.	The IDB agree with the findings of the Water Environment ES Chapter (document reference APP-048).	Agreed
DCO				
4.1.5	Relevant DCO Requirements/Articles	The Applicant has disapplied the IDB byelaws as defined under section 66 of the Land Drainage Act 1991 and the need for IDB consent under section 23 of the Land Drainage Act 1991, pursuant to section 150 of the Planning Act 2008 and The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015.	The IDB consents to the disapplication of section 23 of the Land Drainage Act 1991, pursuant to section 150 of the Planning Act 2008 and The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015. This is on the basis that the agreed updates will be made to the REAC.	Agreed

Ref	Description of Matter	Applicant – Current Position	Goole and Airmyn Internal Drainage Board – Current Position	Position
		<p>The Applicant agrees to keep the IDB informed of the timing / duration / progress of the temporary works and that this will be added to the next iteration of the Register of Environmental Actions and Commitments (REAC) submitted to Examination, alongside amendments to measures already in the REAC that have been put in place for Selby IDB which will be extended to Goole and Airmyn IDB where relevant.</p>		
4.1.6	DCO drafting and Protective Provisions	The Applicant agrees with the IDB.	The IDB does not require the inclusion of any specific protective provisions within the DCO and is content with the controls included in the REAC (which are to be secured in a CEMP pursuant to Requirement 14).	Agreed

Ref	Description of Matter	Applicant – Current Position	Goole and Airmyn Internal Drainage Board – Current Position	Position
The Applicant and the IDB have discussed the following aspects of the Proposed Scheme which would ordinarily require consent:				
4.1.7	Works within 9.0 m of the edge of the piped ordinary watercourse, and / or 9.0 m from the edge of the bank top of the open channels	The Applicant notes that whilst the majority of the works are not located in close proximity of the IDB designated watercourses (OLH1 and TCL1), part of the boundary of OLH2 is adjacent to a designated waterbody.	<ul style="list-style-type: none"> – The IDB agree with the location of the Proposed Scheme and agree that that the works will be designed in such a manner so that they would not extend into the channel (i.e. impact flow conveyance) or prevent maintenance to the culvert / channel from being undertaken (see D8 in the REAC); – With regard to the construction compounds the IDB agree with the measure W12 of the REAC (to be submitted to Examination) which provides suitable maintenance access for the IDB to their drainage assets; – Should any assets be proposed to be below ground these are to be 1500mm below the existing hard bed of the designated watercourse, unless separately agreed 	Agreed

Ref	Description of Matter	Applicant – Current Position	Goole and Airmyn Internal Drainage Board – Current Position	Position
4.1.8	Groundwater abstractions from temporary excavations or trenches	The Applicant considers that groundwater abstractions, (which require discharge to the surface water environment) are not intended to be required during the construction phase; and has recognised in the REAC that IDB or EA consent (as appropriate) may be required for any such abstractions.	The IDB agree that should these be required, they would be acceptable subject to all groundwater discharges being filtered with the groundwater pumping rate and volume to be confirmed as part of the CEMP, and in compliance with the Guidance for Pollution Prevention.	Agreed
4.1.9	IDB Costs	The Applicant agrees to pay the IDB's reasonable costs of dealing with our proposals if the Scheme takes place within the IDB's assets or within the byelaw zones.	The IDB agree that the Applicant is to pay all reasonable costs incurred by the IDB in dealing with their proposals within the IDB's assets or within the byelaw zones.	Agreed

5. SIGNATURES

Table 5.1 – Signatures

Ref	Goole and Airmyn Internal Drainage Board	Drax Power Ltd (the Applicant)
Signature		
Printed Name		
Title		
On behalf of	Goole and Airmyn Internal Drainage Board	Drax Power Ltd
Date		