



STATEMENT OF COMMON GROUND BETWEEN NATIONAL GRID ELECTRICITY TRANSMISSION AND DRAX POWER LIMITED

Drax Bioenergy with Carbon Capture and Storage

The Planning Act 2008 (as amended)

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AUTHOR: Rob Makin

APPROVER: Cassie Fountain

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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 National Grid Electricity Transmission (NGET) 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 examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

NGET is interested in the Proposed Scheme as the owners of the electricity transmission network. Following NGET's request, this SoCG has been prepared with NGET, who are responsible for undertaking any modification works to NGET owned assets, which are required for the Proposed Scheme.

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 or parties.

1.1.2. Paragraph 58 of the Department for Communities and Local Government's (DCLG, now Department for Levelling Up, Housing and Communities) 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), as amended by the Change Request - 8.5.1 Proposed Changes Application Report (document reference AS-045).

1.2.2. Of particular relevance to NGET are the required upgrade works to the existing 132 kV air insulated switchgear and possible required upgrade works to the 400 kV substation, both located at the Drax Power Station Site. Further details of the relevant works are provided in section 1.4 below.

1.3. THIS STATEMENT OF COMMON GROUND WITH NGET

1.3.1. This SoCG has been prepared between NGET and the Applicant (jointly referred to as the Parties) in relation to the Application.

1.3.2. NGET own the electricity transmission network and are responsible for undertaking any modification works to their electricity transmission network assets.

1.3.3. As part of this SoCG, reference has also been made to the National Grid Electricity System Operator (NG ESO). NG ESO manage the electricity transmission network to

ensure the system is balanced and ensure that as the energy mix (types of generation) changes and more flexibility is required on the network, electricity can still be distributed to homes / business at all times. NG ESO are responsible for processing the Modification Application (Mod App) for any upgrade works to NGET owned assets, which are required for the Proposed Scheme. The Applicant is seeking to prepare a separate SoCG with NG ESO (document reference 8.1.1).

- 1.3.4. After processing the Mod App, NG ESO can request NGET to perform system studies which dictate the upgrade works required by Drax as User Works or NGET as part of wider system works, shown on Drax's Bilateral Connection Agreement (BCA).
- 1.3.5. This SoCG addresses topics of interest to NGET. NGET is interested in the Proposed Scheme as the organisation who own the existing 132 kV air insulated switchgear and the 400 kV substation, both located at the Drax Power Station. NGET owns the land registered at HM Land Registry under title number NYK324916.
- 1.3.6. National Grid wish to place on record that the DRAX4 (400kV) Substation (the "Drax Substation") has been designated as a Critical National Infrastructure ("CNI") site. As such, the Drax Substation site currently benefits from enhanced security measures, including a high security palisade fence, CCTV surveillance and 'anti-dig' foundations. External contractors are also subject to additional security screening before entering onto the site.
- 1.3.7. In order to avoid any detrimental impact on the availability, integrity or delivery of essential services, National Grid request that the exercise of any powers pursuant to the Order which are likely to affect, or be undertaken within the vicinity of, the Drax Substation site be subject to appropriate restrictions so as to avoid interference with existing security measures.
- 1.3.8. NGET will also be undertaking new installation and upgrade works for a separate project at and around the Drax Power Station Site, the Scotland to England Green Link (SEGL2) project. The project comprises a 2 GW electricity transmission network connection which proposes to increase the capability of our network between Scotland and the rest of the UK with a link between Peterhead and Drax and involves installation of a converter station to the east of Drax Power Station, across New Road and approximately 500m of underground cabling between the converter station and the 400 kV substation at Drax Power Station. There will be also works to be undertaken at the 400 kV substation. Ofgem has approved the initial needs case and the final needs case for the SEGL2 Project, with the final needs case approved in the Eastern HVDC – Conditional Decision: Final Needs Case dated 8 July 2022 ('Ofgem FNC Decision'). In the Ofgem FNC Decision, Ofgem confirmed that the SEGL2 Project is necessary and will deliver significant benefits for consumers by allowing additional renewable generation to connect to the network and reduce constraint costs. There is a national need for the SEGL2 project.

- 1.3.9. National Grid has submitted a planning application (ref: 2022/0711/EIA) to Selby District Council and a planning application (ref: 22/01990/STPLFE) to East Riding of Yorkshire Council for the delivery of the SEGL2 project.
- 1.3.10. Any discussions had with NGET, which are relevant to the modification works for the Proposed Scheme, have been included in Table 2.1.
- 1.3.11. 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.
- 1.3.12. Following the Applicant's consultation on the Proposed Changes to the Application, and the acceptance of them into the Examination by the Examining Authority, NGET agrees that the statements in this SoCG apply to the application inclusive of those Proposed Changes. If NGET have any concerns in respect of the Proposed Changes, these will be expressed through the Relevant Representation process currently being undertaken.
- 1.3.13. The SoCG is a document which will evolve during the examination stages, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.
- 1.3.14. This SoCG has been prepared in accordance with the DCLG Guidance.

1.4. DESCRIPTION OF THE ELECTRICAL WORKS REQUIRED FOR THE DRAX BECCS PROJECT

- 1.4.1. The Proposed Scheme includes an alternate secondary electrical supply.
- 1.4.2. The secondary electricity supply will be provided from the 132 kV air insulated switchgear on the Drax Power Station Site. With respect to ownership of the 132 kV switchgear, the Applicant owns and manages the circuit breakers, bus bar disconnectors and earth switches prior to the bus bar connection and NGET owns and manages the bus bars, the 400/132 kV supergrid transformers, associated cabling and telemetry.
- 1.4.3. To enable the required secondary electricity supply, upgrade works will be required to the 132 kV air insulated switchgear and possibly to the adjacent 400 kV substation if NGET determines this is necessary.
- 1.4.4. The extent of the upgrade works is unknown. Notwithstanding the pending conclusions from the Mod App, the Applicant has included an outline description of the upgrade works has been included in Schedule 1 of the draft DCO, specifically Work No. 1F (i), which covers the potential upgrade to the existing 400 kV National Grid substation, and Work No. 1F (ii) which covers the modifications and upgrade to the 132 kV air insulated switchgear including but not limited to circuit breakers, busbar disconnectors, and earth switches. The areas in which these works can be undertaken have been indicated on the Works Plans (document reference OD-005) under the wider Work No. 1F.

- 1.4.5. Preliminary work undertaken by the Applicant indicates upgrades will be required on the Applicant owned circuit breaker, bus bar disconnectors and earth switches within the 132 kV air insulated switchgear however this will be confirmed following submission of the Mod App. It is acknowledged that any work undertaken within the 132 kV air insulated switchgear will need to be carried out under NGET safety rules, by NGET approved contractors and in accordance with protective provisions in the form required by NGET.
- 1.4.6. Relevant comments on discussions regarding protective provisions and, if appropriate, land agreements between the parties are set out in sections 2 and 4, below.

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
5 October 2021	<u>Teams Meeting</u> (BECCS Project) Drax; NGET; NG ESO.	Discussion points included: <ul style="list-style-type: none"> • Overview of BECCS supply • If Carbon Capture plant trips, could we transfer the CHP power onto the 132 kV air insulated switchgear? Implications commercial/technical • Metering requirements • Boundary of ownership in 132 kV air insulated switchgear for asset condition. (tying in outages for breaker replacement/cable replacements) • Consequence of 2 x 100MVA supplies on wider network and timings of new solar/battery projects into Drax.
9 December 2021	<u>Email</u> From NG to Drax.	National Grid response to the Section 42 Planning Act 2008: Statutory Consultation.
November 2020 – January 2022	<u>Ongoing Online Meetings</u> (SEGL2 Project (<i>For Reference</i>)) NGET; Drax.	<u>SEGL 2 Project Updates</u> <ul style="list-style-type: none"> • System design studies were to be completed by NGET, ongoing. • NGET confirmed Drax spare bay 5 and 6 were under considerations for connection of the SEGL 2 project. • Overhead line clearances were discussed for constructability and transport studies.

		<ul style="list-style-type: none"> • Draft converter site location shared with Drax. • NGET explained construction will begin in 2024 with the likelihood of a requirement for laydown areas into 2029/30. <p><u>Drax Power Station / Drax BECCS Project Updates provided to NG:</u></p> <ul style="list-style-type: none"> • Drax will share with NGET programme analysis for Heavy Loads on the BECCS project later in 2022. NGET agreed to share projected traffic flows when available. • Drax shared that pre FEED for BECCS had been completed and DCO was due for submission. • Drax provided a virtual reality update of the BECCS programme. • Drax indicated that unit 1 would likely be commissioned in 2027 and unit 2 by the end of 2029. With decommissioning of flue gas desulphurisation plants to commence in 2022 with completion by 2027 to make way for BECCS. • Drax confirmed refurbishment of unit 1 400KV bay with 2/3/4 scheduled in 2023/4.
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Table 2.2 – Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages

Date	Form of Contact and Attendees	Summary
8 September 2022	<u>Online Meeting</u> Drax; NGET.	Discussed the project following NGET’s comments on the Drax DCO in its Relevant representation. Drax outlined the interfaces on the work plans and the reasoning behind the decision to include the NGET owned substations.

		<p>NGET questioned which overhead lines were to be restrung.</p> <p>NGET prompted Drax to submit Mod App as soon as possible.</p> <p>Drax agreed to ensure we work together with NGET on the interactions of the project with NGET infrastructure and with the SEGL2 project.</p>
November 2022 - February 2023	<p><u>Emails</u> Between WSP and NGET.</p>	Agreement of Revision 01 of the Statement of Common Ground.
March – April 2023	<p><u>Emails</u> Between WSP and NGESO.</p>	Agreement of Revision 02 of the SoCG.

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 topics discussed between the Parties are covered by this SoCG:

- Upgrade works to the 132 kV air insulated switchgear and possibly to the adjacent 400 kV substation to enable an increase in import capacity to Drax Power Station;
- Interaction with SEGL2; and
- Draft DCO (including Protective Provisions).

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
REP2-007	3.1 Draft Development Consent Order (dDCO) (Clean) - Rev: 05
AS-072	2.2 Land Plans - Rev: 02 - Accepted at the discretion of the Examining Authority
AS-073	2.3 Works Plans - Rev: 03 - Accepted at the discretion of the Examining Authority
APP-038	6.1.2 Environmental Statement - Volume 1 - Chapter 2: Site and Project Description
AS-094	6.6.1 Outline Landscape and Biodiversity Strategy - Volume 1 - Main Text (Clean) – Rev: 02 - Accepted at the discretion of the Examining Authority
APP-181	6.6.2.1 Outline Landscape and Biodiversity Strategy - Volume 2 - Figure 1: Landscape and Biodiversity Mitigation Plan
APP-182	6.6.2.2 Outline Landscape and Biodiversity Strategy - Volume 2 - Figure 2: Off-site Habitats Provision Area

Document Reference	Document Name
APP-183	6.6.2.3 Outline Landscape and Biodiversity Strategy - Volume 2 - Figure 3: Existing Retained Vegetation
AS-086	6.3.5.1 Environmental Statement - Volume 3 - Appendix 5.1: Outline Construction Traffic Management Plan (Clean) - Rev: 03 - Accepted at the discretion of the Examining Authority
APP-036	5.6 Grid Connection Statement

4. CURRENT POSITION

4.1. KEY MATTERS

Table 4.1 – Key Matters

Ref.	Description of Matter	Applicant – Current Position	NGET – Current Position	Position
4.1.1	National Grid infrastructure within/in close proximity to the proposed Order Limits	<p>The Applicant will work together with NGET on their SEGL2 project (and other future projects/works), and commits to working together to make sure Drax BECCS and other projects at the Existing Power Station can co-exist with NGET projects, subject to NGET's agreeance to undertake a similar approach.</p> <p>The Applicant is keen to ensure that regular liaison continues between the Parties; and it will engage in the planning process for the SEGL2 project.</p>	<p>National Grid (NGET) owns or operates infrastructure (substations and overhead lines) within the proposed Order Limits.</p> <p>Of relevance, NGET is promoting the SEGL2 project, a 2 GW electricity transmission network connection which proposes to increase the capability of their network between Scotland and the rest of the UK with a link between Peterhead and Drax.</p> <p>NGET wishes to ensure that there is no impact on the delivery of their SEGL2 project from Drax Bioenergy with Carbon Capture and Storage.</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NGET – Current Position	Position
4.1.2	Protection of National Grid Assets	<p>The Applicant agrees with this, and considers that this matter is able to be covered via Protective Provisions.</p> <p>The Applicant agrees to ongoing discussions on these matters.</p> <p>The parties have now reached agreement on the Protective Provisions and these have been included in the draft DCO at Deadline 4 but the supplementary agreement has not been completed..</p>	<p>NGET will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus.</p> <p>NGET’s rights of access to inspect, maintain, renew and repair such apparatus must also be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>NGET provided the Applicant with in protective provisions and a draft supplementary agreement which it requires. These documents are agreed between the parties, and subject to the Protective Provisions being included in the Order (if made) and the completion of the confidential supplementary agreement, these documents will ensure protection for NGET’s land and NGET’s assets.</p>	Under discussion

Ref.	Description of Matter	Applicant – Current Position	NGET – Current Position	Position
4.1.3	Compulsory Acquisition Powers in respect of the Project	<p>Whilst the Applicant is keen to ensure that a negotiated settlement is reached with NGET, these powers have been sought to ensure that there is no doubt that the Scheme can be delivered, including the connections to NGET’s infrastructure.</p> <p>In any event the use of such powers is controlled by the Protective Provisions for NGET’s benefit contained within the draft DCO.</p>	<p>NGET will not permit the acquisition of land or rights, or the interference with any of NGET’s interests in land. NGET will require further discussion with the Applicant.</p> <p>NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with its assets but in the meantime will continue to liaise with the Applicant with a view to reaching a satisfactory agreement.</p> <p>NGET is particularly concerned about the size of, and the rights sought over plots 01-20, 01-22, 01-23 and 01-25. NGET’s position is that the acquisition of any such land or rights would cause a serious detriment to NGET.</p> <p>Protective provisions and a confidential supplementary agreement are agreed between the parties. Subject to the Protective Provisions being included in the</p>	Agreed

Ref.	Description of Matter	Applicant – Current Position	NGET – Current Position	Position
			Order (if made) and the completion of the confidential supplementary agreement, it is agreed that the appropriate protection is in place with respect to the Applicant’s ability to exercise CA rights over NGET’s land.	
4.1.4	Security	The Applicant will comply with NGET’s existing security measures and ensure the measures will not be prejudiced by works permitted by the Order and is open to discussion with NGET as to what, if any, controls need to be put within the DCO documentation. Drax regularly liaise with NGET as access to the substation is possible through Drax owned assets. Drax is well aware of the necessary security and safety controls required to protect NGET’s site and will look to work proactively with NGET to ensure that any security measures are not compromised.	In order to avoid any detrimental impact on the availability, integrity or delivery of essential services, NGET requests that the exercise of any powers pursuant to the Order which are likely to affect, or be undertaken within the vicinity of, the Drax Substation site be subject to appropriate restrictions so as to avoid interference with existing security measures.	Under discussion

5. SIGNATURES

Table 5.1 – Signatures

Ref	National Grid Electricity Transmission (NGET)	Drax Power Ltd (the Applicant)
Signature		
Printed Name		
Title		
On behalf of	NGET	Drax Power Ltd
Date		