



SCHEDULE OF NEGOTIATIONS AND POWERS SOUGHT (TRACKED)

Drax Bioenergy with Carbon Capture and Storage

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations, 2009 – Regulation 5(2)(h); Planning Act 2008

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1. INTRODUCTION

- 1.1.1. The Schedule of Negotiations and Powers Sought document- (application Document Ref. 4.1.1) has been prepared on behalf of Drax Power Limited (the 'Applicant'), to sit alongside the document reference 4.1 - Statement of Reasons. The Statement of Reasons explains why it is necessary, proportionate and justifiable for the Application to seek powers of compulsory acquisition, and why there is a compelling case in the public interest for the Applicant to be granted these powers.
- 1.1.2. This document previously formed Appendix 1 to the Statement of Reasons, but is provided as a separate document which will be updated during the Examination to track progress in negotiations undertaken.
- 1.1.3. This document provides a summary of the position in relation to the negotiations undertaken to date with affected land interests and statutory undertakers. The Applicant's updates are provided in Chapter 2 of this document.

2. SCHEDULE OF NEGOTIATIONS AND POWERS SOUGHT

2.1. INTRODUCTION

- 2.1.1. This chapter provides the Applicant's update on the position regarding negotiations with affected owners, occupiers and others, set out in **Table 2-1**, and with statutory undertakers in **Table 2-2**, below.
- 2.1.2. The information provided below sets out the position at the time of writing, and will be updated throughout the Examination, as appropriate.
- 2.1.3. The Tables set out the following for each affected party:
- a. Name of the party;
 - b. Plot Numbers (from the Book of Reference (Document 4.3));
 - c. Category of Interest (identifying the nature of the affected party's interest with reference to the categories in section 44 of the Planning Act 2008);
 - d. Work Numbers (identifying the purpose for which the plots are sought by reference to the Work Numbers in Schedule 1 of the DCO);
 - e. Reason for acquisition or possession; and
 - f. Negotiations (summary of contact with party and progress made).
- 2.1.4. Please note that **Table 2-1** of this Schedule does not include entries for the parties listed below or the Applicant's own interests. These parties all provide some form of service to, or are a customer of Drax at the Existing Power Station and have service agreements or similar arrangements with Drax. As this involves some form of occupancy of land, there is the potential for there to be a landlord and tenant arrangement between the Applicant and the company. As such, each company has been identified as having a Category 1 interest as a precaution (and will be subject to Works 1-4). The Applicant does not seek powers to acquire land or new rights with respect to this interest. Powers sought relate only to extinguishing existing rights which would interfere with the construction and operation of the Proposed Scheme. The Applicant will be managing the interface with these parties through the existing contractual arrangements between the parties.
- Alfred Bagnall And Sons Limited
 - Altrad Support Services Limited
 - Amco Giffen Limited
 - C-Capture Limited
 - Costain Group Plc
 - Crowle Wharf Engineers Limited
 - Denman Instrumentation Limited
 - Diamond Power Limited

- East Midlands Instrument Company Limited
- Hargreaves (Uk) Services Limited
- Howden Uk Limited
- Ipsum Limited
- Oceaneering International Services Limited
- Philford Design Engineers Limited
- Protec Fire Detection Public Limited Company
- Rotork P.L.C.
- Schenck Process (Clyde) Limited
- Severn Unival Limited
- Sewell Construction Limited
- Siemens Public Limited Company
- Team Industrial Services (Uk) Limited
- Tei Limited
- Veolia Bioenergy Uk Limited
- Xylem Water Solutions Uk Limited

2.1.5. **Table 2-2** sets out the latest position regarding negotiations with statutory undertakers.

Table 2-1 – Schedule of Negotiations and Powers Sought – Land Interests

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|----------------------------|--|----------------------|-----------------|--|--|
| Amir Hussain | 01-42, 01-43, 01-44, 01-45, 01-46, 01-47, 01-48, 01-49, 01-50, 01-51, 01-52, 01-56, 01-57 | 1 | 8A | 8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines. | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant issued survey access requests on 1 November 2022, and carried out site visits (door knocking) throughout October and November to chase Request for Information responses, signed consent forms, and survey access permissions from Mr Hussain.</p> <p>The Applicant met the interested party, Mr Hussain, when visiting the site in October/November. The Applicant received a signed survey access letter from Mr Hussain at the site visit, and Mr Hussain also verbally confirmed his land ownership, but confirming his Request for Information and consent form is sitting with his land agent.</p> <p>The Applicant is continuing to engage with this party and attended a site meeting with the party on 10th February 2023 to discuss the potential works and obtain feedback. The party was generally supportive of the proposals and indicated that the works on his land would likely to be acceptable, subject to providing sufficient prior notification and liaison to ensure the site is available for works to take place and cleared of obstructions. The Applicant confirmed to this party they will be in contact again once responses from the asset owners have been received and more details of the nature of the works are available.</p> <p><u>The Applicant met with this party on 21/04/23 and explained the changes included in the Second Change Application and the effects on this party's land. Mr Hussain verbally confirmed that he was happy with the changes, and requested that he is given plenty of notice in advance of the works being undertaken to ensure that the relevant parts of his land can be cleared in time to facilitate easy access for the works.</u></p> |
| David Eric Roustoby | 01-70, 01-71, 01-72, 01-73, 01-74, 01-75, 01-119 , 01-121 | 1 | 8A, 8B | <p>8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines.</p> <p>8B Works to facilitate the delivery of abnormal indivisible loads to</p> | The Applicant was advised by ERYC of this party's agricultural tenancy on 20/03/23, and subsequently made contact with this tenant and served a s102 notification to provide further details to this party regarding the proposed works affecting their interests being in respect of OHL1 and TCL1. |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|---|---|----------------------|-----------------|---|--|
| | | | | the site including diversion of existing telecommunications overhead line. | <p>The Applicant will continue to engage with this party, particularly once responses have been received from Northern Powergrid and Openreach regarding the design of the works to their assets at OHL1 and TCL1. The Applicant confirmed to this party on 20/03/23 that they will be in contact again once responses from the asset owners have been received.</p> <p>The Applicant made contact with Mr Roustoby on 21 April 2023 by telephone to provide an update on the Second Change Application. The party was generally supportive of the changes and asked whether the landowner, ERYC had been updated. The Applicant confirmed that ERYC had been informed. The Applicant requested an email address to send further details and plans to enable discussions to progress with this party.</p> |
| David Watson | 01-01 | 1 | 6 | 6 Habitat Provision Area | Drax Power Limited has been in correspondence with the land interest since September 2021. |
| | 01-03 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-04 | 1 | 6 | 6 Habitat Provision Area | Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land. |
| | 01-05 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-06 | 1 | 6 | 6 Habitat Provision Area | <p>Since early 2021, Drax has been in discussions and negotiations with Mr Richard Watson (on behalf of both Mr Richard Watson and Mr David Watson) regarding the sale of land owned by Drax at that time, known as Drax Abbey Farm (which Mr R Watson and Mr D Watson occupied as tenant under an agricultural tenancy). The sale of the land to Mr R Watson was completed in Q3 2022. The contract of sale with Mr R Watson includes (with respect to the Habitat Provision Area forming part of the Proposed Scheme) the right for Drax to undertake the relevant hedgerow planting (together with associated rights). . Other aspects of the Proposed Scheme forming part of the contract of sale with Mr R Watson include access points and arrangements in order to undertake the hedgerow planting and maintenance activities. The Applicant is seeking compulsory acquisition powers as a fall-back position in case the landowner is unable to give Drax the required rights pursuant to the agreement reached.</p> |
| | 01-10 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-16 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| East Riding of Yorkshire Council ('ERYC') | 01-39, 01-40, 01-41, 01-53, 01-54, 01-55, 01-58, 01-59, 01-60, 01-61, 01-62, 01-63, 01-64, 01-65, 01-66, | 1 | 8A | 8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines. | Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|--|----------------------|-----------------|---|---|
| | 01-67, 01-68, 01-70, 01-71, 01-72, 01-96, 01-97, 01-100, 01-118, 01-102, 01-103, 01-111, 01-112, 01-114, 01-116 | | | | <p>September 2022. The Applicant issued survey access requests on 1 November 2022.</p> <p>ERYC corresponded via email to grant survey access. Further to this, ERYC submitted Relevant Representations on 14 November 2022 in response to the non-statutory consultation, and submitted a similar objection in the formal Relevant Reps following the notification under the CA Regs on 13 January 2023. ERYC's Representations objected to the changes proposed to the DCO Application on the basis that more information should be provided relating to the following:</p> <ul style="list-style-type: none"> • Cable route and depth; • Soil management; • Field drainage; • Future rights; • Works compound and access; and • Impact of undergrounding telecommunication line. <p>The Applicant notes ERYC's comments on the abovementioned matters and will ensure they are taken into consideration as the proposal is developed further.</p> <p>With regard to concerns raised relating to 'future rights,' these are the subject of ongoing discussions with the relevant asset owners (Northern Powergrid and Openreach) to confirm the detailed design of the proposed works. The Applicant anticipates receipt of the detailed design from the asset owners shortly, following the submission of the C4 design and cost estimate request to both asset owners. Until such details are known, it is difficult for the Applicant to confirm precise cable routes. At this stage, the Proposed Changes Application Report (AS-045), alongside the appended Statement of Reasons (AS-063) and DCO updates (AS-061) sets out what is anticipated to be the maximum area of land that could be affected by proposed works and the rights required. However, the scale of works may reduce once asset owners provide their detailed designs.</p> <p>Whilst ERYC's RR of 13/02/23 advised that the Applicant had not been in touch since January 2023, this RR was written prior to the further engagement set out below.</p> <p>The Applicant will continue to engage with this party, particularly once responses have been received from Northern Powergrid and Openreach regarding the design of the works to their assets at OHL1, OHL2 and TCL1. The Applicant confirmed to this party on 10th February 2023 that</p> |
| | 01-73, 01-74, 01-75, 01-76 | 1 | 8A, 8B | <p>8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines.</p> <p>8B Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line.</p> | |
| | 01-77, 01-78, 01-79, 01-80, 01-81, 01-82, 01-83, 01-85, 01-86, 01-87, 01-88, 01-89, 01-90, 01-91, 01-92 | 1 | 8B | <p>8B Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line.</p> | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|-----------------------------|--------------------------|----------------------|-----------------|---|---|
| | | | | | <p>they will be in contact again once responses from the asset owners have been received.</p> <p>The Applicant (via WSP's Land Referencing team and the Land Agent appointed by Drax) has tried to engage with ERYC since Deadline 2, but has not been successful at making contact with ERYC or Mr James Cowling (the tenant farmer) to date.</p> <p>The Applicant had discussions with ERYC on 15/03/23, and was advised of a further tenant of some of the land, Mr David Roustoby. The Applicant subsequently also spoke to Mr Roustoby (see further details above).</p> <p>The Applicant welcomes the Council's preference that these various matters be dealt with by negotiation between the parties. The Applicant intends to have substantive discussions with ERYC as soon as the detailed responses have been received from NPG and Openreach. The Applicant notes that the conclusion of such discussions would be subject to formal Council approval.</p> <p>On 19/04/23, the Applicant provided further details to ERYC by email to explain the scope and extent of changes proposed in the Second Change Application and the implications for the Council's land interests.</p> <p>On 21/04/23, the Applicant contacted ERYC by telephone to check receipt of the updated information . ERYC confirmed receipt and that the details were being considered. ERYC were generally positive regarding the changes, but will respond in detail in due course. ERYC also confirmed their hope that a consensual agreement will be reached without the need to rely on compulsory powers.</p> |
| EOF Holdings Limited | 01-98, 01-101 | 1 | 8A | 8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines. | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to access to works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant carried out site visits (door knocking) throughout October and November to chase Request for Information responses, signed consent forms, and survey access permissions.</p> <p>The Applicant met the interested party on site in October/November 2022 where the Applicant obtained verbal confirmation of EOF Holdings Limited's land interest. In addition, the interested party presented the Applicant with completed Request for Information documents and consent form.</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|-------------------------------------|---|
| | | | | | <p>Correspondence granting survey access permissions was confirmed to the Applicant via email.</p> <p>The Applicant is endeavouring to obtain further engagement from this party to determine whether an agreement can be reached.</p> <p><u>The Applicant met with Mr Pickering of the Consortium and Mr Andrews of JRS Leeds on 13/04/23 and followed this meeting with an email providing the scope and extent of changes proposed in the Second Change Application and the implications for the Consortium and EOF Holdings.</u></p> <p><u>Following this meeting, the Applicant provided the party with a copy of the topographic survey which accurately plotted the location of boundaries, fences, position of poles, stays and access routes.</u></p> <p><u>Mr Roger Pickering provided an updated response by E-mail on 20/04/23 on behalf of the Consortium and EOF Holdings confirming that at the current time they see no concerns or issues which cannot be resolved.</u></p> <p><u>A further email was received from Mr Pickering on behalf of the Consortium and EOF Holdings Limited on 21/04/23, which confirmed the following:</u></p> <p><u>Further to our meeting last week when you presented updated plans showing amendments to the areas within our boundary requiring “permanent” and “temporary” access to facilitate the under-grounding of current overhead cables we comment as follows:-</u></p> <ul style="list-style-type: none"> <u>• The amendments indicate that there is no significant change to areas requiring permanent access while there is a reduction in temporary access areas. Neither we nor Elite have any objections at this stage to these proposals including the additional amendment regarding the “bell-mouth” to the access gate.</u> <u>• It should be noted that our understanding of the existing underground cable route has been in error and only came to light when you showed us the Northern Powergrid plan ENQ23117461. I have had brief discussions with Carl Sillito[REDACTED] of Northern Powergrid and he has indicated that he is willing to meet me on site to clarify the routing. Although it does not alter our position with regard to the granting of rights indicated above we need to formalise with Northern Powergrid the presence of cables under our land. I will keep you informed of any relevant information which comes to light.</u> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|------------------------|--|----------------------|-----------------|---|---|
| Harry Dickinson | 01-93, 01-94 | 1 | 8B | 8B Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line. | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant issued survey access requests on 1 November 2022, and carried out site visits (door knocking) throughout October and November to chase Request for Information responses, signed consent forms, and survey access permissions.</p> <p>The Applicant met the interested party on site on 15 November 2022 where the Applicant obtained a completed Request for Information, a signed consent form and a signed survey access permission from the interested party.</p> <p>The Applicant is progressing negotiations with BT Openreach on the works for TCL1, and will progress discussions with Mr Dickinson once the scope and extent of necessary works are confirmed.</p> <p>The Applicant met with this party on 20/04/23 to explain the changes proposed in the Second Change Application and the effects on this party's interest. Mr Dickinson was happy about the changes and the proposed works being carried out in due course.</p> |
| James Cowling (Tenant) | | | | | Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant issued survey access requests on 1 November 2022, and carried out site visits (door knocking) throughout October and November to chase Request for Information responses, signed consent forms, and survey access permissions. |
| | 01-120, 01-121 01-74, 01-75 | 1 | 8A, 8B | <p>8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines.</p> <p>8B Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line.</p> | <p>The Applicant met the interested party on site where the Applicant obtained a signed letter to confirm survey access permission, and the interested party also verbally confirmed their land interest.</p> <p>The Applicant is progressing negotiations with BT Openreach on the works for TCL1, and with Northern Powergrid for OHL1 and OHL2, and will progress discussions with Mr Cowling once the scope and extent of necessary works are confirmed.</p> <p>As noted in the row above relating to ERYC, the Applicant (via WSP's Land Referencing team and the Land Agent appointed by Drax) has tried to engage with ERYC since</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|---|--|----------------------|-----------------|--|--|
| | | | | | <p>Deadline 2, but has not been successful at making contact with ERYC or Mr James Cowling (the tenant farmer) to date.</p> <p>The Applicant made contact with Mr Cowling in March 2023, to explain the broad nature of the proposed changes, and again on 21 April 2023 by telephone to provide an update on the Second Change Application. The party was supportive of the changes, and the Applicant requested an email address to send further details and plans to enable discussions to progress with this party.</p> |
| John Prickett | 01-27 | 1 | 4, 5 | <p>4 Construction Access</p> <p>5 Temporary Construction Laydown</p> | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>The Applicant is endeavouring to obtain further engagement from this party to determine whether an agreement can be reached.</p> |
| <p>John Valentine Shaw,</p> <p>Roger John Vincent Pickering,</p> <p>Stephen Butterworth,</p> <p>Terence John Fisher (Collectively known as Investors in Court House Farm/Delta Enterprise Park)</p> | 01-96, 01-97, 01-100, 01-118, 01-123, 01-124 | 1 | 8A | <p>8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines.</p> | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant issued survey access requests on 1 November 2022, and carried out site visits (door knocking) throughout October and November to chase Request for Information responses, signed consent forms, and survey access permissions.</p> <p>The Investors in Court House Farm/Delta Enterprise Park (represented by Mr Pickering) submitted Relevant Representations following the notification under the CA Regs in January 2023 and identifies concerns regarding the following matters:</p> <ul style="list-style-type: none"> • boundary issues which have come to light; • the extent position and scale of sections of "Order Land" (permanent) coloured blue on plan; • the extent and position of sections of "Order Land" (temporary) coloured yellow on the plan; and • the timescale for completion of this aspect of the project. <p>The Applicant notes the parties' comments on the abovementioned matters and will ensure they are taken into consideration as the proposal is developed further following further feedback from Northern Powergrid and BT Openreach. As set out in the REAC, the Applicant is committed to engaging with this party throughout the development of these works to ensure that impacts are minimised.</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|-------------------------------------|--|
| | | | | | <p>The Applicant has had discussions and a meeting with the parties to discuss the works associated with the undergrounding of OHL2. The Consortium have provided the Applicant with updated information on land ownership boundaries and details of further undergrounded electric cables within the plots, which was different from the information provided by the official C2 search. This information was used to update a C4 request for a detailed design cost estimate of works to OHL2 from the asset owner – Northern Powergrid.</p> <p>The Applicant welcomes the positive engagement that has been ongoing with these parties, and will continue to engage with these parties, particularly once a response has been received from Northern Powergrid regarding the design of the works.</p> <p><u>The Applicant met with Mr Pickering of the Consortium on 13/04/23 to explain the scope and extent of changes proposed in the Second Change Application and the implications for the Consortium.</u></p> <p><u>Following this meeting, the Applicant provided the party with a copy of the topographic survey which accurately plotted the location of boundaries, fences, position of poles, stays and access routes. Mr Roger Pickering provided an updated response by E-mail on 20/04/23 on behalf of the Consortium and Elite Furniture confirming that at the current time they see no concerns or issues which cannot be resolved.</u></p> <p><u>A further email was received from Mr Pickering on behalf of the Consortium and EOF Holdings Limited on 21/04/23, which confirmed the following:</u></p> <p><u>Further to our meeting last week when you presented updated plans showing amendments to the areas within our boundary requiring “permanent” and “temporary” access to facilitate the under-grounding of current overhead cables we comment as follows:-</u></p> <ul style="list-style-type: none"> <u>The amendments indicate that there is no significant change to areas requiring permanent access while there is a reduction in temporary access areas. Neither we nor Elite have any objections at this stage to these proposals including the additional amendment regarding the “bell-mouth” to the access gate.</u> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|-------------------------------------|--|----------------------|-----------------|---|--|
| | | | | | <ul style="list-style-type: none"> <u>It should be noted that our understanding of the existing underground cable route has been in error and only came to light when you showed us the Northern Powergrid plan ENQ23117461. I have had brief discussions with Gar Sillite[REDACTED] of Northern Powergrid and he has indicated that he is willing to meet me on site to clarify the routing. Although it does not alter our position with regard to the granting of rights indicated above we need to formalise with Northern Powergrid the presence of cables under our land. I will keep you informed of any relevant information which comes to light.</u> |
| JRS Services (Leeds) Limited | 01-104, 01-107, 01-108, 01-110, 01-112, 01-115 | 1 | 8A | 8A Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines. | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022. The Applicant issued survey access requests on 1 November 2022.</p> <p>09 November 2022, the interested party, emailed the Applicant requesting a phone call to discuss the Applicant's request to enter the premises to conduct surveys on 16 and 17 November 2022. Following discussions with the interested party a signed survey access consent form was received via email on 15 November 2022.</p> <p>The Applicant has visited the site and sought to obtain the Request for Information and consent form signature but has been unable to do so at present.</p> <p>A response to the Proposed Changes consultation via email was received from JRS Services (Leeds) Limited (the 'interested party') on 15 November 2022.</p> <p>The response stated:</p> <ul style="list-style-type: none"> <i>"The area for the proposed OHL would encroach on land that we own, and this land has the benefit of a planning consent for commercial development.</i> <i>Therefore, this proposed change is unacceptable to us."</i> <p>The Applicant has taken on board the above comment received and has reviewed the consultee's planning application to understand where the potential overlap positions are (planning application reference 21/03027/STPLF).</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|-------------------------------------|--|
| | | | | | <p>The Applicant understands that ERYC granted planning approval for an employment development on land south of Rawcliffe Road (A614) on 23 December 2022.</p> <p>Discussions are being progressed with the asset owner (Northern Powergrid) of OHL2 on the design of a solution for undergrounding works and which will seek to minimise the impact on these land interests. In this regard the Applicant is in further detailed discussions with Northern Powergrid to investigate design options to minimise impact.</p> <p>The Applicant will endeavour to minimise impact on the interested party's development site, and welcomes ongoing engagement with the interested party to keep them updated on discussions with Northern Powergrid regarding the detailed design options for the undergrounding works to OHL2.</p> <p>A C4 request for a detailed design and cost estimate of necessary works to underground OHL2 (and OHL1) has been requested from Northern Powergrid, and the parameters for the design requested were revised following the receipt of the interested party's comments and a review of the proposed site layout for the application referred to by the interested party. The updated illustrative design parameters included with the updated request to Northern Powergrid are shown in Plates 6-3 and 6-4 of the Proposed Changes Application Report (AS-045), and in Figure 1 in Annex 1 of Appendix 14 of the PCAR (AS-063).</p> <p>This work has informed the requirement to consider and appraise the impacts of a number of crossing techniques as well as the anticipated maximum land take requirements that formed part of the Proposed Changes Application.</p> <p>The Applicant, and the Applicant's land agent, will progress engagement with the interested party to address the issues raised in the detailed design of the proposed works to OHL2. The Applicant formally commits to the aforementioned engagement, as set out in reference ID G21 of Table 6-2 Register of Environmental Actions and Commitments - Suggested Additions in Relation to PC-02 of the Proposed Changes Application Report (AS-045).</p> <p>Conversation had by telephone between the Applicant and Graham Andrews from JRS (Thursday 2nd March and Monday 27th March). Update provided regarding design expected from Northern Power Grid. Information provided on</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|---|-------------|----------------------|-----------------|---|---|
| | | | | | <p>likely timings of receiving information and looking to discuss the information at the end of March.</p> <p>The Applicant met with Mr Andrews on behalf of JRS Leeds on 13/04/23 to explain the scope and extent of changes proposed in the Second Change Application and the implications for JRS Leeds and the consented employment development.</p> <p>After this meeting, the Applicant provided an updated Overlay plan to show the impact of the changes on the consented employment development.</p> |
| Martin Nunns (Tenant) | 01-38 | 1 | 7 | 7 Provision of Floodplain Compensation Area | <p>The Applicant was able to confirm that there had been no change in tenants of this area of land. The interested party, Martin Nunns, corresponded via email to grant survey access.</p> <p>The Applicant intends to terminate its tenancy with Mr Nunns for this land to enable the FCA works to take place on this land.</p> |
| National Grid Electricity Transmission plc | 01-20 | 1 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>With respect to protective provisions, Drax Power Limited sent correspondence to National Grid Electricity Transmission plc on 24 March 2022 to seek their confirmation of whether they would prefer to provide their own protective provisions for inclusion in the draft DCO or if Drax Power Limited's legal team would be drafting bespoke provisions. Subsequently National Grid Electricity Transmission plc has provided its preferred set of protective provisions, which the parties are currently negotiating, with the intention being to include an agreed set of protective provisions in a future draft of the DCO. Most recently comments were received from National Grid Electricity Transmission on 3 February 2023, which the Applicant is considering. The parties have exchanged various emails with respect to this set of comments, and there are few points remaining outstanding. Parties anticipate reaching agreement during the course of the Examination.</p> |
| | 01-22 | 1 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|---|---|
| | | | | 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | <p>The freehold in the land on which the 132 kV air insulated switchgear and 400 kV substation is situated is owned by NGET (WN1F and supporting works in WN3), subject to certain rights over such land that Drax has the benefit of. Drax requires additional rights in the land on which the substation is located to enable Drax to install and maintain the electrical connection upgrade works. These additional rights are being sought through the DCO, but Drax is also discussing these rights with NGET to seek to reach a voluntary agreement.</p> <p>Around 6 months ago discussions with NGESO and NGET commenced to introduce them to the Proposed Scheme. Drax has been asked to submit a Modification Application ('Mod App') and this will be submitted to NG ESO, which will enable NG ESO to instruct NGET to conduct system studies to determine the exact upgrades required on both the 132 kV air insulated switchgear and 400 kV substation to enable an increase in import capacity.</p> <p>Discussions between parties are ongoing.</p> |
| | 01-23 | 1 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-25 | 1 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------------------------|--|----------------------|------------------------|---|--|
| National Highways Limited | 01-83, 01-87 | 1 | 8B | 8B Diversion of Existing Telecommunication Overhead Lines | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical and telecommunications lines were issued in September 2022.</p> <p>Drax Power Limited has been in discussions with asset owners (BT Openreach and Northern Powergrid) since Autumn 2022 regarding their assets and the proposed works required to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead lines.</p> <p>The Applicant has requested design and cost estimates for necessary works from the asset owners.</p> <p>Once the scope and extent of works are identified, the Applicant will progress discussions with National Highways.</p> <p>The Applicant is currently negotiating protective provisions with National Highways. National Highways has provided its preferred form of provisions, which the Applicant has commented on. National Highways has responded on 22 February 2023, and the Applicant is currently considering the further amendments proposed by National Highways. It is anticipated agreement will be reached during the course of the Examination, and the dDCO updated to include agreed protective provisions accordingly.</p> |
| | 01-96, 01-97, 01-100, 01-102, 01-111 01-114 01-116, 01-118, <u>01-124</u> | 1 | 8A | 8A Diversion of Existing Electrical 11 kV Overhead Lines | |
| North Yorkshire County Council | 01-07 | 1 | 6 | 6 Habitat Provision Area | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>During consultation, North Yorkshire County Council have been consulted with regards to assessing the Proposed Scheme's impacts to the public highway. This has included transport scoping discussions comprising the issue of a Transport Scoping Note and associated meetings, EIA Scoping, and preliminary assessment included in the Preliminary Environment Information Report (PEIR). The consultation discussions have informed the assessment set out in the ES, and as a result of the discussion, NYCC is aware of the proposals affecting their road network.</p> |
| | 01-11 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-12 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-14 | 1 | 1A, 2A, 2B, 3, 4, 5, 6 | 1A Pre-Treatment Plant 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|---|---|---|
| | | | | 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown 6 Habitat Provision Area | The Applicant will continue to engage with NYCC regarding their land interests which are focussed in the highway and so will be minimally affected. |
| | 01-19 | 2 | 1A, 1B, 1C(i), 1C(ii), 1C(iii), 1D(i), 1D(ii), 1D(iii), 1D(iv), 1D(v), 1D(vi), 1D(vii), 1E(i), 1E(ii), 1F, 2A, 2B, 3, 4, 5, 6 | 1A Pre-Treatment Plant 1B Cooling Water Connection 1C(i) Process Steam Connection with Unit 1 1C(ii) Process Steam Connection with Unit 2 1C(iii) Process Steam Processing 1D(i) Absorber and Quench System for Unit 1 1D(ii) Absorber and Quench System for Unit 2 1D(iii) Solvent Regeneration System for Unit 1 1D(iv) Solvent Regeneration System for Unit 2 1D(v) Supporting Infrastructure for Unit 1 1D(vi) Supporting Infrastructure for Unit 2 1D(vii) Storage and Make up System 1E(i) Carbon Dioxide Processing and Compression Plant for Unit 1 1E(ii) Carbon Dioxide Processing and Compression Plant for Unit 2 1E(iii) Carbon dioxide Main Vent Stack for Unit 1 1E(iv) Carbon dioxide Main Vent Stack for Unit 2 1F Electrical Connections | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|--|--------------|
| | | | | 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown 6 Habitat Provision Area | |
| | 01-21 | 1 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-26 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-28 | 1 | 4, 5 | 4 Construction Access | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|----------------------------------|-------------|----------------------|-----------------|---|--|
| | | | | 5 Temporary Construction Laydown | |
| | 01-29 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-30 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-31 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-32 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-33 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-34 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-35 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-36 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| Robert Charles Huddleston | 01-84 | 1 | 8B | 8B Works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line. | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical lines and overhead telecommunications line were issued in September 2022.</p> <p>The Applicant is progressing negotiations with BT Openreach on the works for TCL1 and will progress discussions with Mr Huddleston once the scope and extent of necessary works are confirmed.</p> <p>The Applicant met with this party on 21/04/23 and confirmed that this party's land would be removed from the Order Limits as part of the Second Change Application, and that works would no longer involve this party's land. Mr Huddleston welcomed the change.</p> |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|------------------------------------|-------------|----------------------|---------------------|--|---|
| Richard Watson | 01-01 | 1 | 6 | 6 Habitat Provision Area | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>Since early 2021, Drax has been in discussions and negotiations with Mr Richard Watson (on behalf of both Mr Richard Watson and Mr David Watson) regarding the sale of land owned by Drax at that time, known as Drax Abbey Farm (which Mr R Watson and Mr D Watson occupied as tenant under an agricultural tenancy). The sale of the land to Mr R Watson was completed in Q3 2022. The contract of sale with Mr R Watson includes (with respect to the Habitat Provision Area forming part of the Proposed Scheme) the right for Drax to undertake the relevant hedgerow planting (together with associated rights). Other aspects of the Proposed Scheme forming part of the contract of sale with Mr R Watson include access points and arrangements in order to undertake the hedgerow planting and maintenance activities.</p> <p>The Applicant is seeking compulsory acquisition powers as a fall-back position in case the landowner is unable to give Drax the required rights pursuant to the agreement reached.</p> |
| | 01-03 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-04 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-05 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-06 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-10 | 1 | 6 | 6 Habitat Provision Area | |
| | 01-16 | 1 | 4, 5 | 4 Construction Access 5 Temporary Construction Laydown | |
| Selby Area Internal Drainage Board | 01-01 | 2 | 6 | 6 Habitat Provision Area | <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>Drax Power Limited has been in correspondence with the land interest since November 2021.</p> <p>These discussions have enabled the Applicant and the IDB to agree all matters, as evidenced in the SoCG through ensuing appropriate assessments were undertaken and the inclusion of measures within the REAC.</p> <p>During consultation, Selby Area IDB advised that an appropriate consent from them is required for any works above ground within 7 metres of the edge of the pipe or 7 metres from the edge of the bank top of the open channel watercourse maintained by the IDB or by riparian owners. The requirement for such consents is disapplied in the draft DCO with the IDB given an appropriate role in other parts of the DCO in order to ensure appropriate protection for their interests.</p> |
| | 01-03 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-14 | 2 | 1A, 2A, 2B, 3, 4, 5 | 1A Pre-Treatment Plant 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connection | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|---|---|--------------|
| | | | | 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-19 | 2 | 1A, 1B, 1C(i), 1C(ii), 1C(iii), 1D(i), 1D(ii), 1D(iii), 1D(iv), 1D(v), 1D(vi), 1D(vii), 1E(i), 1E(ii), 1F, 2A, 2B, 3, 4, 5, 6 | 1A Pre-Treatment Plant 1B Cooling Water Connection 1C(i) Process Steam Connection with Unit 1 1C(ii) Process Steam Connection with Unit 2 1C(iii) Process Steam Processing 1D(i) Absorber and Quench System for Unit 1 1D(ii) Absorber and Quench System for Unit 2 1D(iii) Solvent Regeneration System for Unit 1 1D(iv) Solvent Regeneration System for Unit 2 1D(v) Supporting Infrastructure for Unit 1 1D(vi) Supporting Infrastructure for Unit 2 1D(vii) Storage and Make up System 1E(i) Carbon Dioxide Processing and Compression Plant for Unit 1 1E(ii) Carbon dioxide Main Vent Stack for Unit 2 1E(iii) Carbon dioxide Main Vent Stack for Unit 1 1E(iv) Carbon dioxide Main Vent Stack for Unit 2 1F Electrical Connections 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------------|-------------|----------------------|--------------------|--|---|
| | | | | 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown 6 Habitat Provision Area | |
| The Coal Authority | 01-01 | 2 | 6 | 6 Habitat Provision Area | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>In response to the Statutory Consultation, the interested party confirmed on 08 November 2021 the following: <i>“Whilst the proposed development site falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. Therefore, the planning team at the Coal Authority, have no specific comment to make on this Proposed Scheme.”</i></p> <p>The Coal Authority confirmed in an email to the Applicant on 31 January 2023 that the Proposed Changes do not affect any previous comments that were made, notwithstanding that they are now identified as a land interest. They advised that comments dated 08 November 2021 (submitted in relation to the Statutory Consultation) remain valid.</p> |
| | 01-02 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-03 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-04 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-11 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-13 | 2 | 6 | 6 Habitat Provision Area | |
| | 01-17 | 2 | 2A, 2B, 3, 4, 5, 6 | 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|---|---|--------------|
| | | | | 5 Temporary Construction Laydown 6 Habitat Provision Area | |
| | 01-18 | 2 | 2A, 2B, 3, 4, 5 | 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | |
| | 01-19 | 2 | 1A, 1B, 1C(i), 1C(ii), 1C(iii), 1D(i), 1D(ii), 1D(iii), 1D(iv), 1D(v), 1D(vi), 1D(vii), 1E(i), 1E(ii), 1F, 2A, 2B, 3, 4, 5, 6 | 1A Pre-Treatment Plant 1B Cooling Water Connection 1C(i) Process Steam Connection with Unit 1 1C(ii) Process Steam Connection with Unit 2 1C(iii) Process Steam Processing 1D(i) Absorber and Quench System for Unit 1 1D(ii) Absorber and Quench System for Unit 2 1D(iii) Solvent Regeneration System for Unit 1 1D(iv) Solvent Regeneration System for Unit 2 1D(v) Supporting Infrastructure for Unit 1 1D(vi) Supporting Infrastructure for Unit 2 | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|--------------|-------------|----------------------|-----------------|---|--------------|
| | | | | 1D(vii) Storage and Make up System 1E(i) Carbon Dioxide Processing and Compression Plant for Unit 1 1E(ii) Carbon Dioxide Processing and Compression Plant for Unit 2 1E(iii) Carbon dioxide Main Vent Stack for Unit 1 1E(iv) Carbon dioxide Main Vent Stack for Unit 2 1F Electrical Connections 2A Carbon Dioxide Delivery Compound 2B Carbon Dioxide Delivery Pipeline 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown 6 Habitat Provision Area | |
| | 01-24 | 2 | 1F, 3, 4, 5 | 1F Electrical Connections 3 All combined 3 (related to 1A) - Pre-Treatment Plant 3 (related to 1B) - Cooling Water Connection 3 (related to 1C) - Process Steam Connection | |

| Contact Name | Plot Number | Category of Interest | Works Number(s) | Reason of Acquisition or Possession | Negotiations |
|-------------------------------|-------------|----------------------|-----------------|---|--|
| | | | | 3 (related to 1D) - Carbon Capture Auxiliaries 3 (related to 1F) - Electrical Connections 4 Construction Access 5 Temporary Construction Laydown | |
| The Environment Agency | 01-03 | 2 | 6 | 6 Habitat Provision Area | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>During consultation, the Environment Agency advised that an environmental permit is needed for works located within 16m of flood defences and in undefended areas of Flood Zone 3. The Environment Agency also advised that an environmental permit will be required for tree planting if it is in undefended area of Flood Zone 3 and within 16m of flood defences, or if tree planting is associated with ground raising. These comments have all been taken on board in the design of the Proposed Scheme.</p> <p>The Applicant confirmed in their response to Relevant Representations (PDA-002) that no works are proposed within 16 m of the toe of the landward side of the defences adjacent to the River Ouse, as detailed in Chapter 2 (Site and Project Description) of the ES (APP-038), which states that “a 30m offset from the River Ouse has been implemented to avoid impacts related to the watercourse” which demonstrates that there would not be a requirement for an EA Permit as described above.</p> <p>The Applicant understands that this matter has been agreed by the EA, and it is no longer an outstanding matter to be agreed in the Statement of Common Ground with the EA.</p> |

Table 2-2 – Schedule of Negotiations and Powers Sought – Statutory Undertakers

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---|--|---------------------------|---|--|--|--------------------|--|
| British Telecommunications plc (Openreach) | 01-74 , 01-78, 01-80, 01-86, 01-90, 01-92, 01-93, 01-100 , 01-111 , 01-114 , 01-116, 01-118, <u>01-121</u> | Telecommunications | Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through C3 design and costing process. | Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land (defined in the dDCO to include public communications providers). That article is subject to the protective provisions included at Schedule 12 of the draft DCO. Part 2 of Schedule 12 of the draft DCO includes provisions for the protection of operators of electronic communications code networks. The Applicant's position is that these provisions provide adequate protection for British Telecommunications plc's assets. Accordingly, the Applicant considers that British Telecommunications plc (Openreach) will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in section 138 of the PA 2008 are therefore satisfied. (British Telecommunications plc (Openreach) is not a statutory | Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical and telecommunications lines were issued in September 2022. Drax Power Limited has been in discussions with BT Openreach since Autumn 2022 regarding their assets and the proposed works required to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead line. The Applicant has requested and obtained a design and cost estimate for necessary works to the Openreach telecommunications lines (TCL1) and is in discussions regarding the detail of the works. | No | No representation received |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|------------------------------------|--|---------------------------|---|--|---|--------------------|--|
| | | | | undertaker for the purposes of section 127) | <p>The Applicant will continue to progress discussions with Openreach to identify the scope and extent of works necessary to facilitate the delivery of abnormal indivisible loads to the site. Once the scope and extent of works are identified, the Applicant will continue negotiations with other parties affected by these works.</p> <p>Openreach have confirmed the scope and design of works to their asset (TCL1) and the details of the design have been incorporated in to the changes proposed in the Second Change Application submitted on 21/04/23. The Applicant continues to engage with Openreach.</p> | | |
| euNetworks Fiber UK Limited | 01-103, 01-111, 01-112, 01-114, 01-116 | Telecommunications | TBC | Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land (defined in the dDCO to include public communications providers). That article is subject to the protective provisions included at Schedule 12 of the draft DCO. Part 2 of Schedule 12 of the draft DCO includes provisions | Drax Power Limited have been in discussion with euNetworks Fiber UK Limited's asset team since Autumn 2022 regarding the proposed works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing overhead telecommunications lines. | No | |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|-------------------------------------|--------------|---------------------------|--|---|--|--------------------|--|
| | | | | <p>for the protection of operators of electronic communications code networks. The Applicant's position is that these provisions provide adequate protection for euNetworks Fiber UK Limited's assets.</p> <p>Accordingly, the Applicant considers that euNetworks Fiber UK Limited will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in section 138 of the PA 2008 are therefore satisfied. (euNetworks Fiber UK Limited is not a statutory undertaker for the purposes of section 127)</p> | <p>Discussions between the Applicant and the interest confirmed that the overhead line at TCL1 was not one of EU Fiber Networks' assets,</p> <p>The Applicant is progressing negotiations with BT Openreach on the works for TCL1, and with Northern Powergrid for OHL1 and OHL2, and will progress discussions with EU Fiber Network once the scope and extent of necessary works are confirmed. The scope and extent of works to OHL1, OHL2 and TCL1 have been confirmed by the asset owners and the Applicant will continue discussions with EU Fiber Networks on this basis.</p> | | |
| National Grid Carbon Limited | 01-32 | Gas distribution | <p>Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through C3 design and costing process.</p> | <p>Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land. That article is subject to the protective provisions included at Schedule 12 of the draft DCO. The Applicant is currently negotiating bespoke protective provisions with National Grid Carbon Limited, which will be included in Schedule 12 of the draft DCO. The Applicant's position is that these provisions</p> | <p>Drax Power Limited has been in correspondence with the land interest since September 2021. Drax Power Limited sent correspondence to National Grid Carbon Limited on 24 March 2022 to seek their confirmation of whether they would prefer to provide their own protective provisions for inclusion in the draft DCO or if Drax Power Limited's legal team would be</p> | No | Ongoing negotiations |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---------------------------|--------------|---------------------------|---|--|---|--------------------|--|
| | | | | <p>will provide adequate protection for National Grid Carbon Limited's assets.</p> <p>Accordingly, the Applicant considers that National Grid Carbon Limited will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in sections 127(3), 127(6) and 138 of the PA 2008 are therefore satisfied.</p> | <p>drafting bespoke provisions. Drax Power Limited subsequently received a set of protective provisions from National Grid Carbon Limited shortly before submission of the Application. The Applicant has considered these and provided comments to National Grid Carbon Limited. The parties are in discussions with the intention being to include an agreed set of protective provisions in a future draft of the DCO. Parties anticipate reaching agreement during the course of the Examination.</p> <p>The Applicant has received draft protective provisions from National Grid Carbon Limited, which it has commented on. Those comments are being considered by National Grid Carbon Limited currently. It is expected agreement will be reached during the course of the Examination.</p> | | |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---|---|---------------------------|---|--|--|--------------------|--|
| National Grid Electricity Transmission plc | 01-10, 01-16, 01-19, 01-27, 01-31, 01-32, 01-37, 01-84 | Electricity transmission | Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through C3 design and costing process. | Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land. That article is subject to the protective provisions included at Schedule 12 of the draft DCO. The Applicant has included protective provisions in Part 3 of Schedule 12 and is currently negotiating bespoke protective provisions with National Grid Electricity Transmission plc, which will be updated in Part 3 of Schedule 12 of the draft DCO. The Applicant's position is that these provisions will provide adequate protection for National Grid Electricity Transmission plc's assets. Accordingly, the Applicant considers that National Grid Electricity Transmission plc will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in sections 127(3), 127(6) and 138 of the PA 2008 are therefore satisfied. | The Applicant has received draft protective provisions from National Grid Electricity Transmission plc, which it has exchanged several rounds of commented on. Most recently comments were received from National Grid Electricity Transmission on 3 February 2023, which the parties subsequently exchanged various follow up emails in relation to, before the Applicant responded fully on 3 March 2023. The documents are largely agreed and parties anticipate reaching agreement during the course of the Examination. | No | Ongoing negotiations |
| Network Rail Limited | | Operational railway | The Applicant notes that there are no proposed works that would interact with Network Rail Limited's assets, and no rights are sought. | Network Rail Limited has no apparatus or rights that would be affected by the Proposed Scheme. The Applicant is in discussions with Network Rail Limited as to what, if any, protection is required to be in place for its benefit. The | Parties have agreed there is very limited chance of interaction with Network Rail Limited's assets. Network Rail has provided the Applicant with a Deed of Undertaking, which the | No | Ongoing negotiations |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|--------------------------------------|--|---------------------------|---|--|--|--------------------|--|
| | | | | <p>Applicant's position is that resolution of discussions with Network Rail Limited will provide adequate protection for its assets, and that Network Rail Limited will not suffer serious detriment to the carrying on of its undertaking.</p> <p>As the dDCO does not seek any powers with respect to land or assets owned or operated by Network Rail Limited, the tests in sections 127(3), 127(6) and 138 of the PA 2008 are not applicable.</p> | Applicant has commented on, on 3 March 2023. The document is largely in agreed form, and once entered into, the Network Rail protective provisions can be removed from the dDCO. Parties expect to reach agreement during the Examination. | | |
| Northern Gas Networks Limited | 01-103, 01-104, 01-107, 01-108, 01-110, 01-114, 01-115, <u>01-125</u> | Gas distribution | Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through C3 design and costing process. | <p>Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land. That article is subject to the protective provisions included at Schedule 12 of the draft DCO. Part 1 of Schedule 12 of the draft DCO includes provisions for the protection of electricity, gas, water and sewerage undertakers. The Applicant's position is that these provisions provide adequate protection for Northern Gas Networks Limited's assets.</p> <p>Accordingly, the Applicant considers that Northern Gas Networks Limited will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in sections 127(3),</p> | <p>Requests for Information (RFIs) in order to confirm their interests within the land alongside consent forms relating to the works required to divert the existing overhead electrical and telecommunications lines were issued in September 2022.</p> <p>Northern Gas Networks Limited kindly provided a response to confirm the location and details of their assets in the vicinity of works to divert the existing overhead electrical and telecommunications lines.</p> <p>Drax Power Limited has been in discussions with asset owners (BT</p> | No | No representation received |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---|---|---------------------------|--|---|---|--------------------|--|
| | | | | 127(6) and 138 of the PA 2008 are therefore satisfied. It is noted in any event no representation has been received from Northern Gas Networks Limited. | <p>Openreach and Northern Powergrid) since Autumn 2022 regarding their assets and the proposed works required to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing telecommunications overhead lines.</p> <p>The Applicant has requested design and cost estimates for necessary works from the asset owners.</p> <p>Once the scope and extent of works are identified, the Applicant will progress discussions with Northern Gas Networks.</p> <p><u>The scope and extent of works to OHL1, OHL2 and TCL1 have been confirmed by the asset owners, and the Applicant will progress discussions with Northern Gas Networks Limited on this basis.</u></p> | | |
| Northern Powergrid (Yorkshire) plc | 01-10, 01-16, 01-39, 01-40, 01-41, 01-42, 01-45, 01-47, 01-50, 01-57, 01-61, 01-63, 01-64, 01-65, 01-66, | Electricity distribution | Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through | Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land. That article is subject to the protective provisions included at Schedule 12 of the draft DCO. Part 1 of Schedule 12 of the | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> | No | |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---------------------------|--|---------------------------|---|---|--|--------------------|--|
| | 01-67, 01-68, 01-70, 01-72, 01-74, 01-75 , 01-96, 01-97, 01-98, 01-100 , 01-108, 01-110, 01-114 , 01-115, 01-118, <u>01-121</u> | | C3 design and costing process. | <p>draft DCO includes provisions for the protection of electricity, gas, water and sewerage undertakers. The Applicant's position is that these provisions provide adequate protection for Northern Powergrid (Yorkshire) plc's assets.</p> <p>Accordingly, the Applicant considers that Northern Powergrid (Yorkshire) plc will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in sections 127(3), 127(6) and 138 of the PA 2008 are therefore satisfied. It is noted in any event no representation has been received from Northern Powergrid (Yorkshire) plc.</p> | <p>With respect to protective provisions, Drax Power Limited sent correspondence to Northern Powergrid on 23 March 2022 in relation to protective provisions. A response is awaited, and in any event the draft DCO includes standard protective provisions for the protection of electricity, gas, water and sewerage undertakers.</p> <p>Drax Power Limited have been in discussion with Northern Powergrid's asset team since Autumn 2022 regarding the proposed works to facilitate the delivery of abnormal indivisible loads to the site including diversion of existing electrical 11kV overhead lines.</p> <p>This has resulted in the submission and updating of a C4 request from the Applicant to Northern Powergrid for a design and cost of works to Northern Powergrid's assets.</p> <p>The C4 request from the Applicant has evolved following discussions with other parties with land interests and assets in the vicinity of OHL1 and OHL2 which may be affected by works.</p> | | |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---|--|---------------------------|---|---|---|--------------------|--|
| | | | | | <p>A response to the updated C4 request is anticipated from Northern Powergrid in March 2023 in accordance with their response protocols for these requests.</p> <p>The Applicant will continue to progress discussions with Northern Powergrid to identify the scope and extent of works necessary to facilitate the delivery of abnormal indivisible loads to the site.</p> <p>Once this has culminated in the scope and extent of works now having been confirmed by NPG, the Applicant will continue negotiations with other parties affected by the works</p> | | |
| Yorkshire Water Services Limited | 01-01, 01-03, 1-14, 1-19, 1-26, 1-29, 1-30, 1-31, 01-54, 01-55, 01-70, 01-71, 01-72, 01-73, 01-74, 01-75, 01-80, 01-82, 01-86, 01-90, 01-91, | Utilities | Rights to be extinguished and relevant apparatus to be moved. Diversionary works required at various locations across Scheme, subject to detailed design. Principle of diversions to be agreed through C3 design and costing process. | Article 28 of the draft DCO gives the undertaker certain powers in relation to compulsory acquisition and acquisition of rights in statutory undertakers within the Order Land. That article is subject to the protective provisions included at Schedule 12 of the draft DCO. Part 1 of Schedule 12 of the draft DCO includes provisions for the protection of electricity, gas, water and sewerage undertakers. The Applicant's | <p>Drax Power Limited has been in correspondence with the land interest since September 2021.</p> <p>Drax Power Limited has issued Requests for Information (RFIs) in order to confirm their interests within the land.</p> <p>Drax Power Limited sent correspondence to Yorkshire Water Limited</p> | No | Representation received at Deadline 3. Ongoing negotiations. |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---------------------------|--|---------------------------|---|---|---|--------------------|--|
| | 01-96, 01-100, 01-102, 01-111, 01-114, 01-116, 01-118, 01-119, 01-120, 01-121 | | | <p>position is that these provisions provide adequate protection for Yorkshire Water Services Limited's assets.</p> <p>Accordingly, the Applicant considers that Yorkshire Water Services Limited will not suffer serious detriment to the carrying on of its undertaking, and the tests set out in sections 127(3), 127(6) and 138 of the PA 2008 are therefore satisfied. It is noted in any event no representation has been received from Yorkshire Water Services Limited.</p> | <p>on 24 March 2022 to seek their confirmation of whether they would prefer to provide their own protective provisions for inclusion in the draft DCO or if Drax Power Limited's legal team would be drafting bespoke provisions. No response has been received, and in any event standard protective provisions for electricity, gas, water and sewerage undertakers have been included in the draft DCO.</p> <p>The Applicant has reviewed and will provide a response to this party regarding all clean water assets identified in their representation submitted at Deadline 3, and as discussed at CAH1. This response will be^{was} provided in document 8.10.3 – the Applicant's Responses to submissions at Deadline 3. <u>Further details have been sent to this party regarding the Second Change Application changes</u>, and a meeting has been^{will be} arranged <u>shortly</u> to discuss the Applicant's responses <u>to YW comments, the</u></p> | | |

| Statutory Undertaker Name | Plot Numbers | Nature of the Undertaking | Relevant Rights to be Extinguished; and / or the Relevant Apparatus to be Removed | Whether the Tests in s 127 & s138 can be met | Status of any Protective Provisions and / or Commercial Agreements | Settlement Reached | Representation(s) Withdrawn in Whole or Part |
|---------------------------|--------------|---------------------------|---|--|---|--------------------|--|
| | | | | | changes set out in the SCA and whether there is a need for bespoke protective provisions on 31/03/23 . | | |