

## STATEMENT OF COMMONALITY

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### **1. INTRODUCTION**

- 1.1 This document has been prepared in respect of an application for the proposed Heckington Fen Solar Park made by Ecotricity (Heck Fen Solar) Ltd (“the Applicant”) to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (“DCO”) under section 37 of the Planning Act 2008.
- 1.2 The purpose of this document is to summarise the status and progress of all Statements of Common Ground (SoCGs) and to provide a Statement of Commonality, i.e. matters that are common to more than one SoCG.
- 1.3 Overleaf, Table 2.1 summarises the SoCG status and Section 3 provides more detail of the current position on SoCGs that are not yet finalised. In the following section, Table 4.1 shows matters that are common to several interested parties.
- 1.4 In Table 2.1 of this SoC:
- “Final and signed” indicates where issues are resolved;
  - “Final” indicates where issues are resolved but not signed;

- “Under discussion” indicates a number of points remain under discussion between the parties;
- “Draft shared” is whereby the Applicant is yet to receive a response from the other party; and
- “Capable of resolution” provides a view as to whether the parties are likely to agree by the close of the Examination.

Statement of Common Ground

1.5 The Rule 6 Letter (PD-009) requested Statements of Common Ground with the parties listed in Table 2.1. The exception is Cadent Gas who is omitted following confirmation to the Planning Inspectorate on 14 September 2023 (AS-033) they have no assets being affected by the project.

Deadlines

- 1.6 The following deadlines were provided in the Rule 6 Letter (PD-009) and confirmed in the Rule 8 Letter (PD-010):
- Deadline 1 – 3 October 2023
  - Deadline 2 - 7 November 2023
  - Deadline 3 - Tuesday 5 December 2023
  - Deadline 4 - Tuesday 16 January 2024
  - Deadline 5 - Tuesday 13 February 2024 – Final SOCGs to be received.
  - Deadline 6 – Tuesday 20 February 2024

**2. STATEMENT OF COMMON GROUND - OVERVIEW**

**Table 2.1 – Overview**

<b>Party to SOCG</b>	<b>Deadline 1</b>	<b>Deadline 2</b>	<b>Deadline 3</b>	<b>Deadline 4</b>	<b>Deadline 5</b>
Boston Borough Council, North Kesteven District Council and Lincolnshire County Council	Under discussion	<u>Updated with BBC and NKDC</u>			
Anglian Water	Final and signed				
Black Sluice Internal Drainage Board	Single item remains under discussion, capable of resolution	<u>No update</u>			
Environment Agency	Under discussion, capable of resolution	<u>Updated</u>			
Lincolnshire Wildlife Trust	Final and signed				
National Gas Transmission plc	Under discussion, capable of resolution	<u>No update</u>			
National Grid Electricity Transmission plc	Under discussion, capable of resolution	<u>No update</u>			
National Grid Viking Link Ltd	Under discussion, capable of resolution	<u>No update</u>			
Natural England	Draft shared	<u>Updated</u>			
Network Rail Infrastructure Ltd	Draft shared	<u>No update</u>			
Triton Knoll OFTO Limited	Under discussion, capable of resolution	<u>No update</u>			

**3. PROGRESS SUMMARY**

Position at Deadline ~~2~~

3.1 This section provides a summary of the current position on individual SoCGs between the Applicant and each party at Deadline 1 (~~3-October~~7 November 2023). Individual SoCGs submitted to the ExA should be referred to for the full detail on specific matters.

Boston Borough Council (BBC)

3.2 A small number of points remain under discussion. The SOCG may be capable of resolution if biodiversity linkages can be improved to the satisfaction of BBC.

North Kesteven District Council

3.3 A number of points remain under discussion. Archaeology and ecology are likely capable of resolution with further survey effort. The topic of best and most versatile land is likely to remain under discussion for much of the Examination.

Lincolnshire County Council

3.4 A number of points remain under discussion. The topic of best and most versatile land is likely to remain under discussion for much of the Examination.

Anglian Water

3.5 This SOCG is final and signed.

Black Sluice Internal Drainage Board

- 3.6 Discussions are ongoing between the Applicant and BSIDB to agree an efficient process for the Applicant providing adequate information to BSIDB about the multiple watercourse crossings. In any event, this information will need to be provided prior to any crossing works commencing (as secured under the Protective Provisions). No update is provided at Deadline 2 to this SOCG.

Environment Agency

- 3.7 Discussions are ongoing between the Applicant and the EA in relation to the land agreements. The ~~SOCG is capable of resolution subject to an update to the~~ Outline Design Principles in respect of the height of the finished floor level of the control room have been updated; along with an updateing to the OCEMP ~~to include for~~ a management and reporting system to the Site Waste Management Plan; ~~commercial agreements relating to EA owned land~~; and amended timeframes for the consultation period under paragraph 3 of Schedule 14 to the DCO.

Lincolnshire Wildlife Trust

- 3.8 This SOCG is final and signed.

National Gas Transmission plc

- 3.9 A draft has been shared and agreed with Gas Transmission plc for Deadline 1. The draft includes a number of points that remain Under Discussion. This remains the case for Deadline 2. These are expected to be capable of resolution.

National Grid Electricity Transmission plc

- 3.10 A draft has been shared and agreed with NGET for Deadline 1. The draft includes a number of points that remain Under Discussion. This remains the case for Deadline 2. These are expected to be capable of resolution.

National Grid Viking Link Ltd

- 3.11 A draft has been shared and agreed with National Grid Viking Link Ltd for Deadline 1. The draft includes a number of points that remain Under Discussion. [This remains the case for Deadline 2.](#) These are expected to be capable of resolution.

Natural England

- 3.12 ~~A draft has been shared with Natural England on 1 September 2023. No response has been received~~[Comments were received from Natural England on 1 November 2023; a revised draft is submitted for Deadline 2. Further discussions are required to address their comments about soil management and to progress the draft District level licences.](#)

Network Rail Infrastructure Ltd

- 3.13 A draft has been shared with Network Rail on 5 September 2023. No response has been received. [This remains the case for Deadline 2.](#)

Triton Knoll OFTO Limited

- 3.14 A draft has been shared and agreed with Triton Knoll for Deadline 1. The draft includes a number of points that remain Under Discussion. [This remains the case for Deadline 2.](#) These are expected to be capable of resolution.

**4. STATEMENT OF COMMONALITY**

- 4.1 The following table sets out matters that are common to SoCGs that have been drafted, and is guided by the Rule 6 Letter (PD-009). It is subject to change as SoCG discussions are progressed. A tick (✓) - denotes the subject is included.

- 4.2 The colours within Table 4.1 denote whether the topic is:

Agreed or no comment	Under discussion	Not agreed
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**Table 4.1 – Statement of Commonality**

Interested Party / Topic	Biodiversity, Ecology and the Natural Environment	Habitats Regulations Assessment	Biodiversity Net Gain	Compulsory Acquisition	Draft Development Consent Order	Energy Generation and Storage	General and Cross-Topic Matters	Historic Environment	Land Use and Soils	Landscape and Visual, and Design	Socio-Economics	Traffic and Transport	Water Environment and Flood Risk	Other Matters	Cumulative Effects	Effects on Operations	Relevant other byelaws, agreements, consents and licences
Boston Borough Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
North Kesteven District Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
Lincolnshire County Council	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓
Anglian Water					✓								✓			✓	
Black Sluice Internal Drainage Board					✓								✓			✓	✓
Environment Agency				✓	✓								✓				✓
Lincolnshire Wildlife Trust	✓	✓	✓		✓										✓		✓
National Gas Transmission plc					✓											✓	
National Grid Electricity Transmission plc					✓											✓	✓
National Grid Viking Link Ltd					✓											✓	
Natural England	✓	✓	✓		✓				✓					✓			✓



Interested Party / Topic	Biodiversity, Ecology and the Natural Environment	Habitats Regulations Assessment	Biodiversity Net Gain	Compulsory Acquisition	Draft Development Consent Order	Energy Generation and Storage	General and Cross-Topic Matters	Historic Environment	Land Use and Soils	Landscape and Visual, and Design	Socio-Economics	Traffic and Transport	Water Environment and Flood Risk	Other Matters	Cumulative Effects	Effects on Operations	Relevant other byelaws, agreements, consents and licences
Network Rail Infrastructure Ltd					✓											✓	
Triton Knoll OFTO Limited					✓											✓	