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Draft Statement of Common Ground between the Applicant and Anglian Water Services Limited
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Gate Burton Energy Park Limited



Prepared for:
Gate Burton Energy Park Limited

Prepared by:
AECOM Limited

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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Gate Burton Energy Park Limited and (2) Anglian Water Services Limited.

Lauren McGill, Project Manager on behalf of Gate Burton Energy Park Limited

Date:: 22/09/2023

Signed: [REDACTED]

[NAME] [POSITION] Phil Jones, Growth Strategy Manager on behalf of Anglian Water Services Limited

Date:: 22/09/2023

Signed: [REDACTED]



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1. Introduction

1.1 Introduction

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to accompany an application made to the Secretary of State for Energy Security and Net Zero for a Development Consent Order (the Application) under section 37 of the Planning Act 2008 (PA 2008). The Application seeks consent for the proposed Gate Burton Energy Park (hereafter referred to as the Scheme).
- 1.1.2 The Application is submitted by Gate Burton Energy Park Ltd (the Applicant). The Applicant is funded by Low Carbon Limited (company number 13356797) ("Low Carbon"), which is a privately-owned UK investment and asset management company specialising in renewable energy. The Funding Statement [EN010131/APP/6.7] provides further information on the Applicant and Low Carbon.
- 1.1.3 This SoCG has been prepared by (1) Gate Burton Energy Park Ltd (the Applicant) and (2) Anglian Water Services Limited (AW).
- 1.1.4 AW is the statutory undertaker for water and sewerage services in the application area. AW engages on nationally significant infrastructure projects (NSIP) to reduce the impacts on customers. AW seeks to minimise the need for pipelines to be diverted and for new connections as this then reduces the greenhouse gas emissions caused by the project and AW's work on infrastructure supporting those projects. For example, AW supported the use of rainwater harvesting for non-potable uses at another solar NSIP, such as water stored for firefighting as this removes the need for a water connection and use of scarce water resources.
- 1.1.5 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties, where agreement has not been reached (and that is the parties' final position) and where discussions are still ongoing.
- 1.1.6 This version has been prepared by the Applicant for submission at Deadline 14 to document discussionthe matters that have been under discussion between parties to date. Therefore, it does not yet incorporate comments from CRT. The document will continue to be revised and updated as discussions progress during the Examination periodAll matters are now agreed between the parties.**

1.2 The Scheme

- 1.2.1 Gate Burton Energy Park is a proposed solar photovoltaic electricity generating facility. The Application is for development consent to construct, operate, maintain and decommission ground mounted solar photovoltaic (PV) panel arrays, on-site battery storage and associated infrastructure. Associated infrastructure includes, but is not limited to, access provision and an underground 400kV electrical connection of approximately 7.5km to the National Grid Substation at Cottam Power Station. A detailed description of

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the Scheme is included in Chapter 2: The Scheme of the Environmental Statement [EN010131/APP/3.1].

1.2.2 The land within the Order Limits is wholly contained within one site and will comprise of two distinct areas, based on the elements of the Scheme that are proposed in each:

- The **Solar and Energy Storage Park**: is the main area for the Scheme, including the area where the solar panels, Battery Energy Storage System (BESS) and on-site substation would be located. This is an area of 652 hectares.
- The **Grid Connection Corridor**: this comprises of land between the Solar and Energy Storage Park and Cottam Substation for grid connection works. This is an area of 172 hectares.

1.3 Format of Document and Terminology

1.3.1 Sections 2, 3 and 4 summarise the issues that are 'agreed', 'not agreed' or are 'under discussion'. 'Not Agreed' indicates a final position where the parties have agreed to disagree, 'Agreed' indicates where the issue has been resolved.

This SoCG is supported by Appendix A, which details the full record of engagement between the parties.



2. ~~Areas of discussion~~ Matters agreed between the Parties

Ref.	Document	Subject	AW Position/Issue	Applicant's position	Status
4.2.1	AW Relevant Representation (RR)	Impact on portable water resource	AW has considered the impact on its portable water resource, and assumes that the supply required would not have a significant impact, particularly as the supply would be for an emergency event for which probability of occurrence is low.	Comments noted.	Agreed
4.2.2	AW RR	Foul water assessment	AW agree that as there would be no discharge of foul water to a watercourse, and no discharge to the public foul sewer is anticipated, no further assessment of foul waste from the Scheme is proposed.	Comments noted.	Agreed
4.2.3	AW RR	Protective provisions	<p>In their Relevant Representation response [RR-015], AW referenced the ongoing discussions with the Applicant regarding Protective Provisions.</p> <p>The Applicant has included protection draft DCO includes agreed protective provisions in the draft DCO at Part 6 of Schedule 15 [APP-215/REP3-006] for the protection of AW. The parties have been in discussions over these protective provisions and agreement is expected to be reached imminently they were agreed between the parties on 13 September 2023.</p> <p>Under these provisions, the Applicant will only be able to exercise any powers in the DCO subject to those protective provisions, which ensures protection and safeguards for AW's assets and interests are in place. In finalising the protective provisions, the parties will agree have agreed that appropriate protection is in place for AW and that as a result AW will not suffer serious detriment to the carrying on of its undertaking as a result of the Scheme.</p> <p>The final draft protective provisions were returned to AW on 23 June 2023. As the Applicant had amended the protective provisions in line with AW's comments, there are no issues anticipated in this latest draft being agreed.</p>	Under discussion	Under discussion

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Ref. Document	Subject	AW Position/Issue	Applicant's Status position
2.4 AW RR	Connection Agreement	<p>In their Relevant Representation response [RR-015], AW reference the ongoing discussions around the Applicant entering into a connection agreement with AW.</p> <p>A Point of Connection (PoC) reportThe Applicant has proposed two water tanks holding 228,000 litres of water which are located within the BESS compound within its Scheme design which are sufficient to provide water capacity for the BESS. The Applicant is also considering other options to achieve the necessary water supply as an additional, but not necessary, option for the Scheme.</p> <p>The Applicant has submitted three Point of Connection (PoC) or New Water Connection (NWC) applications to AW to explore three options. A Point of Connection application was submitted, POC-0155908, to look into the Applicant connecting into Anglian Water's 7" water pipeline on the A156, with the intention of having a personal water supply to the battery energy storage system. This water supply would provide a water flow of 1900 litres per minute for a minimum of 120 minutes. The Applicant has been told that Anglian Water can provide a water flow of 1900 litres per minute with significant network upgrades. The Applicant has also submitted two further applications</p> <p>A New Water Connection application, NWC-0178377 and NWC-0178379, was submitted to look into two further options. One option would be the Applicant connecting into Anglian Water's 7" water pipeline on the A156, with the intention of having a personal dedication water supply supplying to the battery energy storage system providing a water flow of 950 litres per minute for a minimum of 120 minutes, and one water tank holding holding 114,000 litres. The other option would be having</p> <p>A New Water Connection Application, NWC-0178379 was submitted to look into Anglian Water refilling the two water tanks holding 228,000 litres between them. These of water tanks would be located near the battery energy storage system.</p> <p>Anglian Water has responded to say that the tanks can be filled in 120 hours and 240 hours respectively. The Applicant is seeking further information with the relevant network upgrades that would be required for each option.</p> <p>AW has asked the applicant to consider rainwater harvesting for non-potable use.</p> <p>Both parties will continue to engage on this- matter but agree that it is not a matter of any concern for the purposes of the DCO and the position does not need to be finalised pre-consent.</p>	Under discussion

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Ref.	Document	Subject	AW Position/Issue	Applicant's Status position
4.5	n/a	n/a	There are no known areas of disagreement between the Applicant and Anglian Water Services.	n/a

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3. Matters currently under discussion between the Parties

Ref.	Document	Subject	Issue
3.1	n/a	n/a	There are no matters under discussion between the Applicant and Anglian Water Services.

4. Matters not agreed between the Parties

<u>Ref.</u>	<u>Document</u>	<u>Subject</u>	<u>Issue</u>
4.1	n/a	n/a	<u>There are no known areas of disagreement between the Applicant and Anglian Water Services</u>

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Appendix A: Record of Engagement

Date	Correspondence	Topics discussed and outcomes
17/10/2022	Email between VC (AW) and LM (Low Carbon)	Email from VC to summarise points of discussion.
20/10/2022	Email from LM (Low Carbon) to VC (AW)	LM reply to previous email.
01/11/2022	Email from LM (low Carbon) to VC (AW)	Email regarding Point of Connection (PoC) application
08/11/2022	Email from LM (Low Carbon) to AW	Email with PoC report requesting next steps and information on network upgrades.
14/11/2022	Email from VC (AW) to LM (low Carbon)	Reply from VC stating more information will be required and this will be communicated to the new connections team.
15/11/2022	Email from LM (Low Carbon) to VC (AW)	Acknowledged VCs previous response.
20/12/2022	Email from LM (Low Carbon) to VC (AW)	Email regarding Protective Provisions
09/12/2020	Email from LM (Low Carbon) to AW	Email to follow-up on PoC next steps and information on network upgrades.
12/01/2023	Email from LM (Low Carbon) to VC and MW (AW)	Email regarding Protective Provisions (VC out of office)
12/01/2023	Email from MW (AW) to LM (Low Carbon)	MW response stating this information would be forwarded on to the relevant team.
07/02/2023	Email from LM (Low Carbon) to AW	Email to follow-up on PoC next steps and information on network upgrades.
10/02/2023	Email from LM (Low Carbon) to MW (AW)	Email to request update on comments on Protective Provisions (PPs).
10/02/2023	Email from MW (AW) to LM (Low Carbon)	Email confirming internal AW call to discuss PPs and would respond subsequently.

22/02/2023	Email from MW (AW) to LM (Low Carbon)	Email setting out AW's comments on PPs.
24/02/2023	Email from LM (Low Carbon) to MW (AW)	Confirming receipt of comments on would respond in due course.
17/03/2023	Email from LM (low Carbon) to MW (AW)	Email with updated PPs.
17/03/2023	Email from MW (AW) to LM (Low Carbon)	Email confirming receipt of updated PPs.
17/04/2023	Relevant Representation	Anglian Water Services Limited's Relevant Representation is published on the Gate Burton Energy Park webpage of the National Infrastructure website.
02/05/2023	Email from LM (Low Carbon) to MW (AW)	Email to forward on information and follow-up on PoC next steps and information on network upgrades.
26/05/2023	Email from MW (AW) to LM (Low Carbon)	Email to confirm meeting held on PoC for 30/05/2023.
05/06/2023	Email from MW (AW) to LM (Low Carbon)	Email with updated PPs
05/06/2023	Email from LM (Low Carbon) to MW (AW)	Emailed to confirm receipt of these queries on the PPs
23/06/2023	Email from LM (Low Carbon) to MW (AW)	Email with updated PPs
27/06/2023	Email from MW (AW) to LM (Low Carbon)	Email to confirm receipt of PPs and to ask for an update on whether information has been supplied for the water connection
29/06/2023	Email from LM (Low Carbon) to MW (AW)	Email to update MW on water connection information
29/06/2023	Email from MW (AW) to LM (Low Carbon)	Email with one final point of clarification on the PPs
04/07/2023	Email from LM (Low Carbon) to MW (AW)	Email to confirm receipt of PP query
04/07/2023	Email from LM (Low Carbon) to DSinflow (AW)	AW asked LM to send more information for the two applications via email. LM supplied this via email

04/07/2023	Email from SM (AW) to LM (Low Carbon)	Email to confirm receipt and with further queries
04/07/2023	Email from LM (Low Carbon) to SM (AW)	Email to provide further information
04/07/2023	Email from SM (AW) to LM (Low Carbon)	Email to discuss application
04/07/2023	Email from LM (Low Carbon) to SM (AW)	Email to discuss application
04/07/2023	Email from SM (AW) to LM (Low Carbon)	Email to discuss application
04/07/2023	Email from LM (Low Carbon) to SM (AW)	Email to discuss application
04/07/2023	Email from SM (AW) to LM (Low Carbon)	Email to discuss application
05/07/2023	Email from LM (Low Carbon) to SM (AW)	Email to provide information on previous PoC application submitted
05/07/2023	Email from JP (AW) to LM (Low Carbon)	Email to confirm information received and application is being worked on
05/07/2023	Email from LM (Low Carbon) to JP (AW)	Email to confirm information required
12/07/2023	Email from SM (AW) to LM (Low Carbon)	Email with information for the two applications
17/07/2023	Email from LM (Low Carbon) to SM (AW)	Email to request further information
<u>17/07/2023</u>	<u>Email from LM (Low Carbon) to MW (AW)</u>	<u>Email providing first draft of SoCG</u>
<u>31/07/2023</u>	<u>Email from LM (Low Carbon) to MW (AW)</u>	<u>Email to confirm status of SoCG</u>
<u>02/08/2023</u>	<u>Email from Jack Parris (JP) to LM (Low Carbon)</u>	<u>Email with comments on SoCG</u>

<u>10/08/2023</u>	<u>Email from LM (Low Carbon) to MW (AW)</u>	<u>Email with an update on PPs</u>
<u>11/08/2023</u>	<u>Email from MW (AW) to LM (Low Carbon)</u>	<u>Confirmation of receipt of comments on PPs</u>
<u>14/08/2023</u>	<u>Email from LM (Low Carbon) to JP (AW)</u>	<u>Email with comments on SoCG</u>
<u>21/08/2023</u>	<u>Email from LM (Low Carbon) to MW (AW)</u>	<u>Email to confirm status of PPs</u>
<u>21/08/2023</u>	<u>Email from MW (AW) to LM (Low Carbon)</u>	<u>Email with an update on PPs</u>
<u>29/08/2023</u>	<u>Email from LM (Low Carbon) to MW and JP (AW)</u>	<u>Email to confirm status of PPs and SoCG</u>
<u>12/09/2023</u>	<u>Email from LM (Low Carbon) to MW and JP (AW)</u>	<u>Email to confirm status of PPs and SoCG</u>
<u>12/09/2023</u>	<u>Email from MW (Anglian Water) to LM (Low Carbon)</u>	<u>Email with an update on PPs and SoCG</u>
<u>12/09/2023</u>	<u>Email from LM (Low Carbon) to MW and JP (AW)</u>	<u>Email with an update on PPs and SoCG</u>
<u>13/09/2023</u>	<u>Email from MW (AW) to LM (Low Carbon)</u>	<u>Email to confirm PPs and SoCG are agreed</u>