

## Gate Burton Energy Park EN010131

S.172 Statutory Undertakers Tracker (Revision 32)

Document Reference: 8.8 September-October 2023



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1. Statutory Undertakers Objection Schedule...... 1



## 1. Statutory Undertakers Objection Schedule

Statutory undertaker	Nature of the undertaking.	Land and/ or rights affected, identified with reference to the most recent version of the Book of Reference (BoR) and Land Plan available at that time;	in relation to land, whether and if so how the tests in PA2008 s127(3)(a) or (b) can be met;	in relation to rights, whether and if so how the tests in s127(6)(a) or (b) can be met; and	in relation to these matters, whether any protective provisions and /or commercial agreements are anticipated, and if so whether these are already available to the ExA in draft or final form; whether a new document describing them is attached to the response to this question: or whether further work is required before they can be documented; and	in relation to a statutory undertaker named in an earlier version of the table but in respect of which a settlement has been reached: whether the settlement has resulted in that statutory undertaker's representation(s) being withdrawn in whole or part; and identifying any documents providing evidence of agreement and withdrawal.
Canal & River Trust	Navigation Authority for the River Trent.	Plot 13/4 Leaseholder of the River Trent	N/A	Agreed protective provisions for the benefit of Canal & River Trust are included within Part 11 of Schedule 15 of the draft DCO at Deadline 3.	Agreed protective provisions for the benefit of Canal & River Trust are included within Part 11 of Schedule 15 of the draft DCO at Deadline 3.	



	7	1	1	1		
EDF Energy	Electricity	1/2, 2/4, 17/5,	N/A	The Applicant will	The Applicant is awaiting a	
	Generation and	17/6, 17/7, 17/8		monitor the	proposed set of bespoke	
	Transmission.			situation and,	protective provisions to be	
				mindful of the	issued by EDF. Meantime, the	
				Examination	standard protective provisions	
				timetable, make	at Part 1 of Schedule 15 draft	
				representations	DCO apply to protect EDF's	
				pursuant to s127 of	interests.	
				the Planning Act		
				2008 in sufficient	The Applicant has continued to	
				time to allow those	engage with EDF to reach	
				to be examined, if	technical and commercial	
				necessary. The	solutions to coexistence. A	
				Applicant is	bespoke set of protective	
				confident that it can	provisions were provided by	
				satisfy s127 if it is	EDF on 29th September 2023	
				necessary to do so,	and are currently under review.	
				in light of the	The Applicant is confident	
				protective	these can be agreed by	
				protections offered	Deadline 5 or earlier.	
				by the draft DCO.		
Anglican	Water and	1/2, 1/3, 1/4, 1/6,	N/A	The Applicant will	Agreed p₽rotective provisions	
Water	Sewage	2/2, 2/5, 2/6, 3/3,		monitor the	for the benefit of Anglian Water	
Services	Services.	4/3, 5/1, 5/4, 7/6,		situation and,	Limited are included at Part 6	
		7/7, 8/7, 9/1, 11/1,		mindful of the	of the draft DCO. The	
		11/2, 11/3, 11/4,		Examination	Applicant has continued to	
		11/6, 11/7, 12/24,		timetable, make	seek agreement on the form of	
		14/11, 14/20,		representations	protective provisions with	
		14/9, 15/10, 16/1,		pursuant to s127 of	Anglian Water, the provisions	
		16/2, 16/3		the Planning Act	are in almost final form and the	

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				2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so, in light of the protective protections offered by the draft DCO.	Applicant expects agreement to be reached imminently	
Exolum Pipeline Systems	Fuel distributor	10/7, 11/8, 12/25	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act 2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so, in light of the protective protections offered by the draft DCO.	The Applicant has been engaging with Exolum Pipeline Systems Limited (Exolum) regarding protective provisions. The protective provisions at Part 1 of Schedule 15 draft DCO provide protection to Exolum however the Applicant has added a placeholder for provisions for the benefit of Exolum in the draft DCO at Deadline 1, to confirm its intention that bespoke protections will be provided once further negotiated.	



Upper Witham Internal Drainage Board	Supervision of all matters relating to drainage of land in this area.	6/15, 7/2, 8/2	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act 2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so, in light of the protective protections offered by the draft DCO.	The protective provisions for the benefit of drainage authorities at Part 3 of Schedule 15 of the draft DCO operate to protect Upper Witham Internal Drainage Board's interests.	
Network Rail Limited	Ownership, operation and maintenance of existing and former railway lines.	3/2, 5/11, 6/3, 6/6, 6/8	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act	The protective provisions are in an agreed form and have been included at Part 10 of Schedule 15 of the draft DCO at Deadline 1, save for one outstanding point which has been included as a placeholder to confirm the	

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Environment Agency  Environment Agency  River Trent.  Agency  Agency  Agency  Agency  Agency  Applicant is examined, if necessary to do so, in light of the protective protections offered by the draft DCO.  Agency  Agency are included once discussions are finalised.  Agency  Agency  Agency  Agency are included once discussions are finalised.  Protective provisions for the benefit of the Environment Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included once discussions are finalised.  Protective provisions for the benefit of the Environment Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included once discussions are finalised.  Protective provisions for the benefit of the Environment Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included once discussions are finalised.  Protective provisions for the benefit of the Environment Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included in Part 8 of Schedule 15 of the draft DCO and will be updated to reflect the agreed protective provisions one finalised. The Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included in Part 8 of Schedule 15 of the draft DCO and will be updated to reflect the agreed protective provisions one finalised. The Agency are included in Part 8 of Schedule 15 of the draft DCO.  Agency are included in Part 8 of Schedule 15 of the Graft DCO.  Agency are included in Part 8 of Schedule 15 of the Graft DCO.  Agency are included in Part 8 of Schedule 15 of the Graft DCO.  Agency are included in Part 8 of Schedule 15 of the Graft DCO.  Agency are advanced in Part 8 of Schedule 15 of the Part 15 of th							
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Environment Agency   13/4					time to allow those	once discussions are finalised.	
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						has been agreed by both	
						parties.	



National Grid Electricity Distribution (East Midlands) Plc	Electricity Distributor	4/3, 5/1, 9/1, 12/7, 12/9, 12/17, 12/18, 12/19/ 12/21, 13/4, 14/2, 14/4, 14/5, 14/6, 14/9, 14/11, 14/12, 14/20, 15/6, 15/7, 15/10, 17/4, 17/7	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act 2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so, in light of the protective protections offered by the draft DCO.	The Applicant has submitted an agreed set of protective provisions in Part 7 of Schedule 15 of the draft DCO at Deadline 2.	
Northern Powergrid (Yorkshire) Plc	Electricity Distributor	1/1, 1/2, 1/3, 1/4, 1/5, 1/6, 2/2, 2/4, 2/5, 2/6, 2/7, 2/8, 3/1, 3/2, 3/3, 3/4, 3/5, 3/6, 3/7, 4/3, 5/1, 5/3, 5/4, 5/5, 5/6, 5/7, 5/9, 5/10, 5/11, 5/12, 6/1, 6/2, 6/3, 6/6, 6/8, 6/9, 6/11, 6/12, 6/13, 6/15, 6/16, 7/1, 7/2, 7/3, 7/5, 7/6, 8/1, 8/2, 8/3, 8/4, 8/7, 9/1, 9/2, 9/3, 10/1, 10/2, 10/3, 10/4, 10/5, 10/6, 10/7, 10/10,	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act 2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so,	The protective provisions at Part 1 of Schedule 15 apply to protect NPG's interests however negotiations on a bespoke set of provisions are underway. The provisions have been negotiated, are well progressed and agreement on them is expected soon.	



		10/15, 10/16, 11/1, 11/2, 11/3, 11/4, 11/5, 11/6, 11/7, 11/8, 12/2, 12/3, 12/4, 12/5, 12/6, 12/7, 12/9, 12/16, 12/17, 12/18, 12/19, 12/20, 12/21, 12/22, 12,23, 12/24, 12/25		in light of the protective protections offered by the draft DCO.		
National Grid Electricity Transmissio n Plc.	Electricity Distributor	12/1, 12/2, 12/3, 12/4, 12/5, 12/16, 13/7, 13/8, 14/5, 14/9, 14/11, 14/20, 15/2, 15/6, 15/7, 15/8, 15/10, 15/14, 16/3, 17/5, 17/6, 17/7, 17/8	N/A	The Applicant will monitor the situation and, mindful of the Examination timetable, make representations pursuant to s127 of the Planning Act 2008 in sufficient time to allow those to be examined, if necessary. The Applicant is confident that it can satisfy s127 if it is necessary to do so, in light of the protective protections offered by the draft DCO.	The Applicant has been provided with National Grid Electricity Transmission plc's (NGET) protective provisions; engagement is engoing. The parties are in regular contact and are confident protective provisions can be agreed before the end of Examination.  Subject to certain provisions relating to powers of compulsory acquisition (which remain subject to relevant voluntary agreements with EDF as freeholder being in place), the protective provisions at Part 9 of Schedule 15 are in agreed form.	