

Cottam Solar Project

Statement of Commonality

Prepared by: Lanpro Services
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Statement of Commonality Revision A

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Issue Sheet

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Statement of Commonality

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1 Introduction

1.1 Purpose of this Document

1.1.1 This document has been prepared to provide the Examining Authority (ExA) with the latest position on Statements of Common Ground (SoCG) between Cottam Solar Project Ltd. (the 'Applicant') and statutory consultees, statutory undertakers and other Interested Parties (the 'parties') in relation to the proposed Cottam Solar Project (the 'Scheme').

1.1.2 This document provides a position on the commonality on specific points between SoCGs at Deadline ~~12~~ (being ~~17th October~~ [21st November](#) 2023).

1.1.3 The Applicant will, for each deadline, update this Statement during the course of the Examination as a record of the progress being made with the various parties. When sufficient progress has been made on agreements between parties, this document will also discuss those areas of commonality between parties to enable the efficient resolution and focusing in on the remaining issues.

1.2 Structure of this Document

1.2.1 This Statement of Commonality is structured as follows:

- Section 2 details the structure of each SoCG document. Table 2.1 provides a full list of SoCGs being produced and offers an overview of the status of each SoCG ~~being submitted to Deadline 1~~;
- Section 3 sets out the commonality between SoCGs; and
- Section 4 provides a narrative on specific topic areas for each SoCG being progressed.

2 Statements of Common Ground

2.1 Structure of SoCGs

2.1.1 Each SoCG has sought to adopt a standard format to ensure consistency in the approach taken to documenting those matters agreed, matters subject to ongoing discussion or matters not agreed, other than where an individual party has expressed a preference for an alternative format.

2.1.2 Each SoCG is structured as follows:

- Section 1 provides an introduction to the SoCG, identifies the relevant parties and describes the purpose of the document;
- Section 2 summarises the parties' engagement undertaken to date; and
- Section 3 details those matters agreed, those matters under discussion and those matters which have not been agreed.

Table 2.1: List of and Status of SoCGs at Deadline 1

Doc. Ref.	Party	Deadline 1	Deadline 2	Deadline 3	Deadline 4	Deadline 5	Deadline 6
EX1/C8.3.1	Nottinghamshire County Council & Bassetlaw District Council	Draft Submitted to Party No comments have yet been received. Discussions Ongoing.	Meeting held 14/11 and Rev A SoCG submitted.				
EX1/C8.3.2	Lincolnshire County Council	Draft Submitted to Party. Comments have been received on Cultural Heritage only. Discussions Ongoing.	No further update				
EX1/C8.3.3	West Lindsey District Council	Draft Submitted to Party. No comments have yet been received. Discussions Ongoing.	No further update				
EX1/C8.3.4	Historic England	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	No further update				
EX1/C8.3.5	National Highways	Submitted. Final signed SoCG with all matters agreed.					
EX1/C8.3.6	UK Health Security Agency	Submitted. Final signed SoCG with all matters agreed.					
EX1/C8.3.7	Upper Witham Internal Drainage Board	Submitted. Final signed SoCG with all matters agreed.					
EX1/C8.3.8	The Environment Agency	Draft Submitted to Party. Comments have been received. Discussions Ongoing.	EA confirmed all matters agreed except EMF still under discussion.				
EX1/C8.3.9	Network Rail	Draft Submitted to Party. No comments have been received to date.	Draft submitted to Network Rail's solicitors for comment. No further update				
EX1/C8.3.10	Lincolnshire Wildlife Trust	Submitted. Final signed SoCG with all matters agreed.					
EX1/C8.3.11	Natural England	Draft Submitted. Comments received.	Discussions ongoing. Rev A version submitted. Now with NE for signing.				

		Discussions Ongoing.					
EX1/C8.3.12	Nottinghamshire Wildlife Trust	Submitted. Final signed SoCG with all matters agreed.					
EX1/C8.3.13	Gate Burton Energy Park, Tillbridge Solar Project and West Burton Solar Project	Draft Submitted. Discussions Ongoing.	Signed Rev A version submitted				
EX1/C8.3.14	Anglian Water	Draft Submitted. Comments have been received. Discussions Ongoing	Signed Rev A version submitted				

3 Commonality

3.1.1 This section of the Statement provides an overview of the topics covered in the SoCGs. Table 3.1 presents, at a high level, where there is commonality in the topics discussed between the Applicant and the parties, or where matters are progressing through discussion, or where matters discussed have reached a final position of 'Not Agreed'.

3.1.2 Where a topic is not relevant to a particular party, the cell has been greyed out. Where the topic is relevant to the party, the status is shown as follows:

Figure 3.1: Summary of Commonality Key

Cell	Status
	Matter agreed
	Matter subject to ongoing discussion
	Matter not agreed
	Matter not relevant to parties

3.1.3 The colour of each cell corresponds to the status figure (as above) in each individual SoCG.

3.1.4 At Deadline ~~1~~², the Applicant has shared draft SoCG's with a number of parties and is awaiting feedback from them. Therefore, where the Applicant considers there to be a high degree of certainty over matters being agreed and is waiting for confirmation, they are marked as green in Table 3.1.

3.1.5 Following the Summary of Commonality in Table 3.1, Section 3.2 outlines the principal outstanding matters which are subject to further discussion before a final position can be reached.

Table 3.1: Summary of commonality with parties

SoCG Party	Topic																		
	Principle of Development/ General	Alternatives and Design Evolution	Climate Change	Landscape and Visual Impact	Ecology and Biodiversity	Hydrology, Flood Risk and Drainage	Ground Conditions and Contamination	Minerals	Cultural Heritage	Transport and Access	Noise and Vibration	Glint and Glare	Air Quality	Socio-Economics, Tourism and Recreation	Soils and Agriculture	Waste	Other Environmental Matters	Draft Development Consent Order	
Nottinghamshire County Council & Bassetlaw District Council	Green	Green	Green	Green	Green	Green	Grey	Green	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Green	Yellow
Lincolnshire County Council	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Grey	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Grey
West Lindsey District Council	Yellow	Green	Yellow	Yellow	Yellow	Grey	Grey	Yellow	Yellow	Yellow	Green	Green	Yellow	Yellow	Grey	Green	Yellow	Yellow	
Historic England	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
National Highways	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
UK Health Security Agency	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green	Green	Grey	Grey	Grey	Green	Grey	Grey
Upper Witham Internal Drainage Board	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
The Environment Agency	Grey	Grey	Grey	Grey	Yellow	Green	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Green	Green
Network Rail	Yellow	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow
Lincolnshire Wildlife Trust	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
Natural England	Grey	Grey	Grey	Green	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Yellow	Grey	Grey	Grey	Grey
Nottinghamshire Wildlife Trust	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey
Gate Burton Energy Park, Tillbridge Solar Project and West Burton Solar Project	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green
Anglian Water	Grey	Grey	Grey	Grey	Grey	Green	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Grey	Green

4 Positions at Deadline ~~1~~2

4.1.1 This section provides a summary of the position reached across all SoCG being progressed and submitted to Deadline ~~1~~2. The Applicant will continue to engage with those parties through the examination on matters which are ongoing.

4.2 Nottinghamshire County Council & Bassetlaw District Council

~~4.2.1 The matters recorded in the SoCG have been subject to discussion, through monthly catchups, between the Applicant and the Host Authorities. The Applicant has submitted a draft to the parties and is awaiting comments back. The matters listed as agreed in Table 3.1 are based on the Applicants judgement on the high likelihood of them being agreed.~~

4.2.1 The main matters A meeting was held between the Applicants and the two parties on 14th November to discuss the draft Statement of Common Ground. As a result of the meeting the majority of matters which were still under discussion at Deadline 1 have now been confirmed as agreed.

4.2.2 ~~The only matters still~~ subject to further discussion relate to ~~principle of development, climate change, transport, noise, glint and glare, soils and agriculture, waste, other environmental matters and~~ drafting of the DCO and some heritage matters in respect of the draft DCO: written scheme of investigation. An updated SoCG ~~will be~~ (Rev A) has been submitted for Deadline 2 ~~where it is anticipated a number of ongoing matters will become agreed matters~~ [EX2/C8.3.1_A] which sets out the updated position.

4.3 Lincolnshire County Council

4.3.1 The matters recorded in the SoCG have been subject to discussion, through monthly catchups, between the Applicant and the Host Authorities as well as some topic specific meetings e.g. landscape and visual impact. Detailed discussions on cultural heritage matters have also taken place with the latest meeting held on 3.10.23 following the Examining Authority's request at Issue Specific Hearing 1 that the matters of disagreement in relation to the Written Scheme of Investigation be set out clearly for Deadline 1. ~~The submitted draft SoCG therefore sets out the outcome of those discussions indicating those cultural heritage matters which are considered by the Applicant to be agreed at this stage and those which are not yet agreed and which are indicated as being still under discussion.~~ Feedback on the final wording of the cultural heritage sections of the SoCG [REP-063] was still awaited from Lincs CC at Deadline 1 submission but ~~is considered by~~ has now been provided. An updated version of the document [EX2/C8.3.2_A] responding to the Applicant to set out the current position comments raised has been shared with LCC and is submitted at Deadline 2..

4.3.2 An updated SoCG will be submitted for Deadline [23](#) where it is anticipated a number of ongoing matters will become agreed matters.

4.4 West Lindsey District Council

4.4.1 The matters recorded in the SoCG have been subject to discussion, through monthly catchups, between the Applicant and the ~~Host Authorities~~[host local authority](#). The Applicant has submitted a draft to the party and is awaiting comments back. The matters listed as agreed in Table 3.1 are based on the ~~Applicants~~[Applicant's](#) judgement on the high likelihood of them being agreed.

4.4.2 The main matters subject to further discussion relate to principle of development, climate change, landscape and visual impact, ecology, transport, noise, socio-economic, tourism and recreation, soils and agriculture and the draft DCO. An updated SoCG will be submitted for Deadline [23](#) where it is anticipated a number of ongoing matters will become agreed matters.

4.5 National Highways

4.5.1 All matters ~~have been~~[were](#) agreed between the parties by Deadline 1.

4.6 UK Health Security Agency

4.6.1 Following extensive discussions between the parties, the Applicant has, at the request of the UK Health Security Agency, produced an 'Updated Air Quality Impact Assessment of a Solar Panel Fire Incident' [~~EN010133/EX1/C8.4.17.1~~[REP-078](#)] and an 'Air Quality Impact Assessment of Battery Energy Storage Systems (BESS) Fire' [~~EN010133/EX1/C8.4.17.2~~[REP-079](#)]. The UK Health Security Agency have confirmed this additional modelling satisfactorily addresses their concerns and as such, all matters between the parties are agreed.

4.7 Upper Witham Internal Drainage Board

4.7.1 All matters ~~have been~~[were](#) agreed between the Parties by Deadline 1.

4.8 The Environment Agency

4.8.1 The Parties have agreed all matters within the draft SoCG except for those relating to the potential impact of Electromagnetic Fields (EMF) upon ecology. This issue ~~has been~~[was](#) added to the draft SoCG [for Deadline 1](#) at the request of the Environment Agency (10.11.23) following it being raised as an issue in a written representation [EN010131-000735] by a member of the public during the Gate Burton Solar Project examination. It is shown as an 'under discussion' matter within the draft SoCG (included under 'Ecology and Biodiversity and 'Other Environmental Matters' in Table 3.1). [Since Deadline 1, the Environment Agency has confirmed that it is happy that the Statement of Common Ground sets out the agreed position between the](#)

[parties, with all matters other than potential EMF impacts upon ecology now agreed.](#)

4.9 Network Rail

4.9.1 The draft SoCG was sent to Network Rail in April 2023. The applicant has attempted to engage with Network Rail on a number of occasions since then to try and progress agreement of the SoCG. [Since Deadline 1 the draft SoCG has also been shared with Network Rail's solicitors for review and comment,](#) but to date no feedback has been received.

4.10 Lincolnshire Wildlife Trust

4.10.1 All matters have been agreed between the Parties by Deadline 1.

4.11 Natural England

4.11.1 Extensive discussions have been undertaken between the parties with agreement already reached on ~~a number of~~ ecology and landscape issues as indicated in the draft document. The Applicant ~~is in the process of responding~~[has now responded](#) to Natural England's requests to provide some additional clarity on matters related to soils and best and most valuable agricultural land. [These amendments are included within the Rev A version submitted for deadline 2 \[EX2/C8.3.11_A\]](#) and it is hoped that all matters can be agreed by Deadline ~~23~~.

4.12 Nottinghamshire Wildlife Trust

4.12.1 All matters have been agreed between the parties by Deadline 1.

4.13 Gate Burton Energy Park, Tillbridge Solar Project and West Burton Solar Project

4.13.1 The parties ~~are continuing~~[have continued](#) discussions as they progress through their respective Examinations and, in the case of the Tillbridge Solar Project, impending submission. [An updated version of the SoCG has now been signed and is submitted at Cottam Deadline 2 \[EX2/C8.3.13_A\].](#) An equivalent SoCG has been submitted into the Gate Burton Solar Project examination [for Deadline 5 as an update to the previous version \[REP-017\].](#)

4.13.2 ~~One matter which refers to~~[The parties have now reached agreement on](#) the Joint Report on Interrelationships between the four projects ~~remains under discussion, with the parties seeking agreement on the joint report.~~[\[EX2/C8.1.8_A\].](#) The teams have reviewed the applications submitted by the other developers to compare sections on cumulative impacts and ~~are continuing~~[have continued](#) to look for further ways to collaborate and reduce cumulative impacts (e.g. on access). ~~Whilst there are not currently any known areas of disagreement, these topics remain under discussion.~~ The report is the joint cooperation agreement and each Scheme's respective

protective provisions for the benefit of other parties, are contained within the respective Schemes' draft Development Consent Orders.

4.14 Anglian Water

4.14.1 ~~All matters remain under discussion with the focus being on the parties agreeing the wording of the protective provisions for the benefit of Anglian Water and Requirement 11 in Schedule 2 of the Draft DCO [EN010133/EX1/C3.1_B].~~ A signed version of the SoCG is submitted for Deadline 2 [EX2/C8.3.14_A]. All matters are now agreed. As compared to the Deadline 1 version of the SoCG, the signed version has been amended to provide further clarity about the use of rainwater harvesting as requested by Anglian Water.