
EAST YORKSHIRE SOLAR FARM

East Yorkshire Solar Farm
EN010143

Statement of Common Ground between East Yorkshire Solar
Farm Limited and National Gas Transmission Plc

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Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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Prepared for:

East Yorkshire Solar Farm Limited

Prepared by:

AECOM Limited

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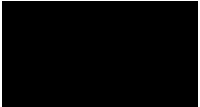
Statement of Common Ground

Signatures ~~FINAL VERSION TO BE SIGNED~~

This Statement of Common Ground has been prepared and agreed by East Yorkshire Solar Farm Limited and National Gas Transmission Plc.

Helen Standing, NSIP Development Manager on behalf of East Yorkshire Solar Farm Limited

Date:.....08.08.2024.....

Signed:..........

~~Name, Position, Sam Blaize, Land Rights Manager~~ on behalf of National Gas Transmission Plc.

Date:.....09.08.2024.....

Signe .....

1. Introduction and Purpose

1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) made 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 (PA 2008) for the proposed East Yorkshire Solar Farm (the Scheme). The Application has been submitted by East Yorkshire Solar Farm Limited (the Applicant).
- 1.1.2 This SoCG has been prepared between (1) the Applicant and (2) National Gas Transmission Plc (NGT) (jointly referred to as the Parties).
- 1.1.3 NGT is a statutory undertaker responsible for maintaining and operating ~~electricity and~~ gas transmission networks across the UK. NGT is listed as a prescribed consultee in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 and so has been consulted throughout the preparation of this DCO.
- 1.1.4 The Examining Authority requested the SoCG include the following matters as set out in the Rule 6 Letter **[PD-002]**:
- a. Effect on existing apparatus;
 - b. Compulsory Acquisition affecting ~~National Gas Transmission~~NGT land and assets; and
 - c. Protective Provisions.
- 1.1.5 It can be taken that any matters not specifically referred to in sections 2 and 3 of this SoCG are not of material interest or relevance to the NGT's representations and therefore have not been considered in this document.
- 1.1.6 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. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 Description of the Scheme

- 1.2.1 The Scheme comprises the construction, operation (including maintenance) and decommissioning of a solar photovoltaic electricity generating facility with a total capacity exceeding 50 megawatts (MW) and export connection to the national grid, at National Grid's Drax Substation. A detailed description of the Scheme is included in Chapter 2: The Scheme, Environmental Statement Volume 1 which was submitted with the DCO Application **[APP-054]** and a description of the development to be authorised is set out in Schedule 1 of the draft DCO **[REP3-004AS-008]**.

1.3 Format of Document and Terminology

- 1.3.1 Section 2 of this SoCG summarises the engagement the Parties have had with regard to the Scheme.

1.3.2 Section 3 of this SoCG summarises the issues that are ‘agreed’, ‘not agreed’ or are ‘under discussion’. ‘Not agreed’ indicates a final position where the Parties have agreed to disagree, whilst ‘Agreed’ indicates where the issue has been resolved. The Parties have also indicated the likelihood that agreement will be reached on each item.

1.3.3 Abbreviations used within the SoCG are provided in Table 1-1 below.

Table 1-1 Abbreviations

Abbreviation/Term	Definition
DCO	Development Consent Order
ES	Environmental Statement
MW	Megawatts
NGT	National Gas Transmission Plc
PA	Planning Act 2008
PEI Report	Preliminary Environmental Information Report
PINS	Planning Inspectorate

2. Record of Engagement

2.1 Record of Engagement

2.1.1 The tables below set out a summary of the meetings and correspondence between the Parties in relation to the Scheme.

Table 2-1 Schedule of Meetings and Correspondence during the Pre-application Stage

Date	Form of correspondence and attendees	Summary of topics discussed and outcomes
3 May 2023	Letter	Letter from the Applicant to NGT notifying them of the dates of the Section 42 Statutory Consultation.
8 March 2024	Relevant Representation	Relevant Representation from NGT regarding protective provisions and NGT's rights of access to inspect, maintain, renew and repair apparatus.
April, May, June, July and May/August 2024	Email correspondence	Email correspondence between the Applicant and NGT solicitors regarding form of protective provisions.

3. Areas of Discussion between the Parties

3.1 Effects on Existing Apparatus and Protective Provisions

Table 3-1 Effects on Existing Apparatus and Protective Provisions

Ref	Relevant Application document	Summary of description of Matter	NGT's Position	Applicant's Current Position	Status
3.1.1	Relevant Representation	Effects on existing apparatus and protective Protective Provisions	<p>NGT require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus. NGT's rights of access to inspect, maintain, renew and repair such apparatus must also be maintained at all times and access to inspect and maintain such apparatus must not be restricted. NGT will require protective provisions to be included within the draft Development Consent Order (the "Order") DCO for the Project Scheme to ensure that its interests are adequately protected and to ensure compliance with relevant safety standards.</p> <p>As a responsible statutory undertaker, NGT's primary concern is to meet its statutory obligations</p>	<p>The Applicant has proposed protective provisions for the benefit of gas undertakers in the standard form of Part 1 of Schedule 14 of the draft DCO which operate to protect NGT's apparatus. Notwithstanding, the Applicant is in discussions with NGT regarding a bespoke form of protective provisions to seek to address its concerns. The Applicant understands that these protective provisions, when agreed and completed, will allow NGT to withdraw its objection to the Scheme. The Applicant is confident that agreement will be reached with National Gas Transmission NGT at an early stage of the Examination.</p>	Under Discussion.

and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGT has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the Order Limits.



3.2 Compulsory Acquisition

Table 3-2 Compulsory Acquisition

Ref	Relevant Application document	Summary of description of Matter	NGT's Current Position	Applicant's Current Position	Status
3.2.1	Relevant Representation	Approach to compulsory acquisition of land under which NGT has interests	<p>Not raised previously by NGT (but a status update is requested by PINS). Where the Applicant intends to acquire land or rights, or interfere with any of NGT's interests in land or NGT's apparatus, NGT will require appropriate protection and further discussion is required on the impact to its apparatus and rights.</p> <p><u>In relation to operational apparatus, where the Applicant intends to acquire land or rights, or interfere with any of NGT's interests in land, NGT will require further discussion with the Applicant. NGT reserves the right to make further representations as part of the Examination process in relation to specific interactions with its assets but in the meantime will continue to liaise with the Applicant with a view to reaching a satisfactory agreement.</u></p>	<p>-Given the nature of NGT's interests in the Order land (being third party rights to apparatus), the Applicant does not require a voluntary land agreement with NGT. The Applicant has committed not to compulsorily acquire any apparatus of NGT (or any other relevant statutory undertaker) <u>otherwise than by agreement</u>, as set out in paragraph 5 of Part 1 of Schedule 14 (Protective Provisions). Should a <u>in the</u> bespoke form of protective provisions <u>be agreed</u> currently being negotiated between the parties, the Applicant anticipates a similar restriction on acquisition of apparatus will be <u>has been</u> included.</p>	Under Discussion.