

The Drax Power (Generating Stations) Order

Land at, and in the vicinity of, Drax Power Station, near Selby, North Yorkshire

Schedule of Negotiations (Submitted for Final Submissions)



The Planning Act 2008 The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

Drax Power Limited

Drax Repower Project

DRAX POWER LIMITED Applicant:

Date: **April 2019** Document Ref: 8.5.4 PINS Ref: EN010091

Document History

Document Ref	8.5.4
Revision	003
Author	Alexis Coleman
Signed	Date 04/04/2019
Approved By	Richard Griffiths
Signed	Date 04/04/2019
Document Owner	Pinsent Masons



Glossary and Abbreviations

The updated Glossary and Abbreviations for the Proposed Scheme are contained in Document Reference 1.6 submitted in November 2018 at Deadline 3 of the Examination.



Table of Tables

Table 1 - Table of negotiations in relation to land in respect of which powers of compulsory
acquisition of land and rights are being sought, and land in respect of which temporary
possession is sought



Table 1 - Table of negotiations in relation to land in respect of which powers of compulsory acquisition of land and rights are being sought, and land in respect of which temporary possession is sought

Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
Power St	tation Site a	and Carbon capture	readiness reserve space	
3, 6, 7	3, 9A, 10, 11, 12B, 13	Plot 3 - extinguish private rights Plot 6 - compulsory acquisition to acquire the leasehold (in relation to the unknown interest) Plot 7 - extinguish private rights	 Plot 3 9A: Temporary construction laydown area 10: Carbon capture reserve space 11: Retained and enhanced landscaping Plot 6 3: Up to two Battery Storage Facilities 9A: Temporary construction laydown area 12B: Decommissioning and demolition of sludge lagoons and construction of replacement lagoons 13: Removal of existing 132kV overhead line and pylons 	The Applicant owns these plots and there are no identified tenants/occupiers on these plots - hence no agreements are being sought. There is an unknown interest in Plot 6 and the Applicant is diligently continuing to identify that person. In addition, the occupiers that occupy Plot 2 also have a right of access over Plot 7. The extinguishment of this right of access has formed part of the discussions between the Applicant and the occupiers that are referenced in the row below for Plot 2.
			Plot 7	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
			 10A: Carbon capture readiness reserve space 10C: Landscaping 11: Retained and enhanced landscaping 	
2	1, 2, 3, 4, 8, 9A, 10A, 11, 12 and 13	Compulsory acquisition to acquire the leasehold		Cool and Heat Limited; Costain Group; Crowle Wharf Engineers Limited; Denman Instrumentation Limited; Doosan Babcock; East Midlands Instrument Limited; Grantfen Fire & Security Limited; Hamworthy Combustion Engineering Limited; Hertel UK Limited; Lodge Environmental Solutions Limited; Philford Design Engineers Limited; Protect Fire Detection Plc; Rotork Plc; Schenck Process (Clyde) Limited; Severn Unival; Siemens Plc; Specialist Power Engineering Contracts Limited; TEI Limited; WS Atkins Limited; Xylem Water Solutions UK Limited All of these companies provide services to the Applicant through services agreements. The services agreement enables each company to occupy parts of Plot 2. Given the potential for the services agreement to establish a landlord



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
				and tenant arrangement between the Applicant and the company, each company has been identified as having a Category 1 interest.
				The Applicant has been in discussions with each company regarding the need to relocate each company to another area within the Existing Drax Power Station Complex since before the service of the section 42 statutory consultation letters in January 2018. Since then, the Applicant has continued those discussions and will continue to do so as part of both the services agreement and as part of the Planning Act 2008 process. Outstanding comments from these contractors have been of a relatively minor nature.
4	9A and 10A	Compulsory acquisition to acquire the leasehold	, , , , , , , , , , , , , , , , , , ,	Martin Nunns Mr Nunns occupies Plot 4 under a licence. The initial licence expired on 30 November 2018.
				The Applicant has agreed an extension to Nunns' licence to 31 May 2019. Accordingly,



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
				Mr Nunns continues to be treated by the Applicant as a Category 1 party.
				Summary: Licence extended and terminable by the Applicant on short notice.
5	8 and 13	Compulsory acquisition to acquire only new rights	8: Electrical Connection13: Removal of existing 132kV overhead line and pylons	National Grid Electricity Transmission Plc The protective provisions and side agreement are agreed.
8, 8a, 10, 13, 15	9B, 10 and 11	Plot 8 - compulsory acquisition to acquire the leasehold Plot 8a - compulsory acquisition to acquire only new rights	 Plot 8 10: Carbon capture readiness 11: Retained and enhanced landscaping Plot 8a 10C – hard and soft landscaping in connection with carbon capture readiness 11 – Retained and enhanced landscaping 	David Watson and Richard Watson (as partners in I.D. Watson Farmers) The Applicant, to facilitate access for engineering and environmental surveys has, since October 2017, engaged with the leaseholders to gain access. Voluntary access arrangements were secured to enable survey work to be undertaken. Regarding the permanent acquisition of the leasehold (the Applicant owns the freehold),



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		Plot 10 - compulsory acquisition to acquire the leasehold Plots 13, 15 - compulsory acquisition to acquire the leasehold	Plot 10 9B: Temporary construction laydown 10A: Carbon capture readiness reserve space 10B: Diversion of PRoW 11: Retained and enhanced landscaping Plots 13 and 15 9B: Temporary construction laydown 10A: Carbon capture readiness reserve space 10B: Diversion of PRoW 11: Retained and enhanced landscaping	the Applicant and the leaseholders have been in active discussions since March 2018, following which there have been various meetings, discussions and exchanges of correspondence regarding partial surrender of the lease and payment of compensation. An offer was made to, but not accepted by, Mr Richard Watson (copies of correspondence have been sent to Mr David Watson, however, negotiations have been led by Mr Richard Watson), on 14 September 2018. Negotiations have continued since that time, with an alternative offer made by Mr Watson on 29 January 2019. Whilst agreement has not yet been reached, discussions are continuing, with the last discussion occurring on Monday 11 March 2019. Following the Compulsory Acquisition Hearing in December 2018, the Applicant amended the rights sought over part of Mr Watson's land (at that time Plot 8), in order to create Plots 8 and 8a, and to seek acquisition of



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
				rights with respect to Plot 8a, rather than acquisition of the leasehold.
				It is noted that Mr Watson is in support of the Proposed Scheme, as he confirmed to the Examining Authority at the Open Floor Hearing on 4 October 2018.
				Summary: Heads of Terms for plots remain under discussion, and have not been agreed as at the end of the Examination.

Pipeline Area



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		Plot 11 - take temporary possession Plot 12 - compulsory acquisition to acquire only new rights	 Plot 9a 1C: Gas Pipeline connecting Work No. 1A to Work No. 5 1D: General infrastructure required for Work Nos 1A-1C 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C 	
		Plot 18 - compulsory acquisition to acquire only new rights Plots 26, 28, 30 - take temporary possession Plots 25, 27, 29 - compulsory acquisition to	 7B: Temporary construction laydown Plot 12 1C: Gas Pipeline connecting Work No. 1A to Work No. 5 1D: General infrastructure required for Work Nos 1A-1C 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C 5: GRF 7: Gas Pipeline 	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		acquire only new rights.	 Plot 18 7: Gas Pipeline Plots 26, 28, 30 7B: Temporary construction laydown Plots 25, 27, 29 7: Gas Pipeline 	
9, 9a, 9b, 11, 12, 18, 19, 21, 24, 25, 26a, 27, 27a, 28, 28a, 29a, 30a, 31, 32, 33, 35, 37, 41, 42, 43, 44,	7	Plots 19, 21, 26a, 28a, 30a, 31, 32, 35, 41, 44, 45 - take temporary possession Plots 24, 27a, 29a, 33, 37, 42, 43 - compulsory acquisition to acquire only new rights		John Neville Stones (trading as R. Stones & Son) The Applicant, to facilitate access for engineering and environmental surveys has, since October 2017, engaged with the landowner to gain access. Voluntary access arrangements were secured to enable survey work to be undertaken. Regarding (1) securing the necessary rights over plots and (2) securing the temporary possession of plots, the Applicant and the



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
				landowners have been in active discussions since March 2018.
				Meetings were held with the Applicant and his agent, Mr Townend, on 29 March 2018, 19 April 2018 and 17 August 2018.
				Heads of Terms were originally issued to Mr Townend on 27 July 2018 and following the gifting of land to Ms Bingley, revised Heads of Terms were issued to Mr Townend on 18 September 2018 to reflect this. A response was received from Mr Townend on 26 September 2018, and further revised Heads of Terms were issued to Mr Townend on 2 October 2018.
				Heads of Terms signed by Mr Stones recording agreement between the parties were received by the Applicant's agent on 8 October 2018.
				The Applicant's solicitors drafted the relevant contractual documents to document the agreement and provided these to Mr Stones' solicitors on 8 October 2018 (with separate



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
				documentation in relation to one plot being sent to Mr Stones' solicitors on 26 October 2018).
				The form of option and easement are well advanced and are broadly agreed with Mr Stones' solicitor. The parties are aiming for exchange as soon as practicable, however, due to personal and extenuating circumstances, it has not been possible to exchange the agreement before the end of the Examination.
				Summary: Heads of Terms for the Plots agreed and signed. Whilst the form of option and easement are well advanced and are broadly agreed, due to personal and extenuating circumstances, it has not been possible to exchange the agreement before the end of the Examination.
9, 9b, 11, 12, 19, 21, 24, 25, 26, 26a,	1C-D, 2C-D, 5, 6, 7, 14	Plots 9, 9b – compulsory acquisition to acquire the leasehold	INO TATO WOLKINO 5	Paul Cooper Gwendoline Cooper (as partners in E.P.Cooper & Sons)



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
27, 27a, 28, 28a, 29, 29a, 30, 30a, 31, 32, 33, 35, 41, 42,		Plot 11 - take temporary possession	 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C 5: GRF 7: Gas Pipeline 	The option for transfer was exchanged on 19 March 2019.
45, 49, 50, 51,		Plot 12 - compulsory acquisition to	Plot 11	
52, 53, 54, 55, 56, 57,		acquire only new rights	7B: Temporary construction laydown	
58, 59,			Plot 12	
60, 61, 62, 64, 65, 66, 67		Plots 19, 21, 26, 26a, 28, 28a, 30, 30a, 31, 32, 35, 41, 45, 51, 52, 53, 54, 55 - take temporary possession	 No. 1A to Work No. 5 1D: General infrastructure required for Work Nos 1A-1C 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C 	
		Plots 24, 25, 27, 27a, 29, 29a, 33, 42, 49, 50, 56, 58, 59 - compulsory acquisition to	 5: GRF 7: Gas Pipeline Plots 19, 21, 26, 26a, 28, 28a, 30, 30a, 31, 32, 35, 41, 45, 51, 52, 53, 54, 55	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		acquire only new rights	7B: Temporary construction laydown	
		Plot 57 - compulsory	Plots 24, 25, 27, 27a, 29, 29a, 33, 42, 49, 50, 56, 58, 59	
		acquisition to acquire the freehold	• 7: Gas Pipeline	
		Plot 60 - take temporary possession	 Plot 57 6A: GRF (MOC) 6B: GRF (PIG) 6D: Temporary construction laydown 7: Gas Pipeline 	
		Plot 61 & 65 - compulsory acquisition to acquire only new rights Plot 62 - compulsory acquisition to acquire the freehold	 Plot 60 6C: Temporary construction laydown 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
			6D: Temporary construction laydown and access7A: Gas Pipeline (landscaping)	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		Plot 64 - take temporary possession Plot 66 - compulsory acquisition to acquire only new rights	 Plots 62 6A: GRF (MOC access) 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
		Plot 67 - compulsory acquisition to acquire only new rights	 6A: GRF (MOC access) 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
			Plot 64	
			14: Rusholme Lane passing placePlot 666B: GRF (PIG)	
			7B: Temporary construction laydown Plot 67	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
			 6D: Temporary construction laydown and access 7A: Gas Pipeline (landscaping) 	
9a	1C-D, 2C-D	Compulsory acquisition to acquire only new rights	 1C: Gas Pipeline connecting Work No. 1A to Work No. 5 1D: General infrastructure required for Work Nos 1A-1C 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C 	National Grid Electricity Transmission Plc The form of protective provisions and side agreement are agreed.
9a, 14, 18, 37, 59		Powers are sought in the Order pursuant to Article 27 to enter and use the subsoil below, or the airspace above, the street without needing an easement in the street. This power is relied upon in relation to the pedestrian bridge over New	 Plot 9a 1C: Gas Pipeline connecting Work No. 1A to Work No. 5 1D: General infrastructure required for Work Nos 1A-1C 2C: Gas Pipeline connecting Work No. 2A to Work No. 5 2D: General infrastructure required for Work Nos 2A-2C Plot 14 9A: Temporary construction laydown (pedestrian bridge) 	North Yorkshire County Council The Applicant has agreed an additional requirement in the draft DCO so that the Applicant must obtain NYCC's approval of the detailed design and safety drawings for the bridge. The Applicant has also agreed a side agreement with NYCC in relation to the construction, maintenance and dismantling of the bridge.



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
		Road and the siting of the Gas Pipeline in the subsoil underneath streets and public rights of way.	Plots 18, 37, 59 • 7: Gas Pipeline	
37, 39, 40	7	Plots 37, 40 - compulsory acquisition to acquire only new rights Plot 39 - take temporary possession	 Plots 37, 40 7 – Gas Pipeline Plot 39 7B – Temporary construction laydown 	John & Yvonne Holgreaves The option for easement was exchanged on 22 March 2019.
46, 47, 48, 49, 51, 52	7	Plots 47, 49 - compulsory acquisition to acquire only new rights Plots 46, 48, 51, 52 - take temporary possession	Plots 47, 49 • 7 – Gas Pipeline Plots 46, 48, 51, 52 7B – Temporary construction laydown	T.W. Falkingham Limited The option for easement was exchanged on 2 April 2019.



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
64	14	Take temporary possession	14 – Rusholme Lane passing place	Bryan Major Wild The option for easement was exchanged on 21 March 2019.
26a, 27a, 28a	7	Plots 26a and 28a - take temporary possession (in respect of the freehold in mines and minerals) Plot 27a - compulsory acquisition to acquire only new rights (in respect of the freehold in mines and minerals)	Plots 26a and 28a • 7B: Temporary construction laydown Plot 27a • 7: Gas Pipeline	Highways England Historical Railways Estate Correspondence has been sent to the Highways England Historical Railways Estate with respect to the Proposed Scheme and no response has been received.
50, 53, 54, 55, 56, 57, 58, 60, 61, 62,	6, 7	Plots 53, 54, 55, 60- take temporary possession (in respect of the	Plots 53, 54, 55 • 7B: Temporary construction laydown	Lord Gerald Bernard Fitzalan Howard Correspondence has been sent to Lord Gerald Bernard Fitzalan Howard with respect to the



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
	Number Number 65, 66,	freehold in mines and minerals)	Plots 50, 56, 58, 59 • 7: Gas Pipeline Plot 57 • 6A: GRF (MOC) • 6B: GRF (PIG) • 6D: Temporary construction laydown • 7: Gas Pipeline Plot 60 • 6C: Temporary construction laydown	The state of the s
		compulsory acquisition to acquire the freehold in mines and minerals.	 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
			6D: Temporary construction laydown and access7A: Gas Pipeline (landscaping)	
			Plots 62	
			6A: GRF (MOC access)	



Plot Number	Work Number	Powers sought	Reason for acquisition or possession	Owner / Lessee / Tenant / Occupier and status of negotiation
			 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
			Plots 65	
			 6A: GRF (MOC access) 6D: Temporary construction laydown and access 7B: Temporary construction laydown 	
			Plot 66	
			6B: GRF (PIG)7B: Temporary construction laydown	
			Plot 67	
			6D: Temporary construction laydown and access7A: Gas Pipeline (landscaping)	



