



BEDFORD BOROUGH COUNCIL

Borough Charter granted in 1166



Chief Executive: Laura Church

Planning Inspectorate
Submitted via PINs Portal
East Park Energy Project Web Page (PINs)

Email: planning@bedford.gov.uk
Date: 1st September 2026
Ref. EPE 23-02405LPA/2.14D7

RESPONSE TO DEADLINE 7: Cover Letter

Dear Sir,

Application by BSSL Cambsbed 1 Limited for an Order Granting Development Consent (DCO) for the East Park Energy Farm (EN010141).

BBC Reference No.: 25/01836/DCO | Examination Ref. FB8D70A75

LOCATION: Land at and Between Keysoe Pertenhall and Little Staughton, Staughton Road, Little Staughton, Bedfordshire (the 'Site').

PARTICULARS OF DEVELOPMENT: The Proposed Development comprises a new ground-mounted solar photovoltaic energy generating station and an associated on-site battery energy storage system (BESS) on land to the north-west of St Neots. The Proposed Development also includes the associated infrastructure for connection to the national grid at the Eaton Socon National Grid Substation... generation and export of 400 megawatts (MW) of renewable electricity, as well as the storage of 100 MW of electricity in the BESS [the 'Proposed Development']

This response is solely that of Bedford Borough Council, submitted without prejudice.

Case Officers:

Should you require any clarification, please contact [REDACTED] (Lead Case Officer) or [REDACTED] (Principal Planning Officer) [REDACTED] (Planning@bedford.gov.uk).

DELEGATED AUTHORITY

This response has been reviewed and approved under the Council's Planning Committee Scheme of Delegation to Officers (adopted 2022):

Signature: [REDACTED]
[REDACTED] Head of Planning and Building Control

Date: 1st September 2026

[REDACTED] Deputy Chief Executive & Director for Environment
Borough Hall, Cauldwell Street, Bedford MK42 9AP

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1.0 INTRODUCTION

Context Cover Statement

- 1.1 This statement is prepared by Bedford Borough Council (the 'Council') in response to Deadline 7 (1st September 2026).
- 1.2 It is noted that the Council remains in discussion with the other Host Authorities and the Applicant (the 'Parties') in addressing and concluding matters, and where possible, to attain resolution.
- 1.3 This Report is solely that of Bedford Borough Council, submitted without prejudice, and signed-off under delegated authority (Bedford Borough Council, Planning Committee Scheme of Delegation, adopted 2nd February 2022).

2.0 DCO Agreement

- 2.1 The Applicant has submitted an updated draft Development Consent Order [REP6-006]; Schedule of Changes undertaken in discussion with the Host Authorities [REP6-050]; and, Summary of outstanding matters on the draft DCO [REP6-053] as part Deadline 6. Whilst some matters/ issues remain outstanding, ongoing discussions are continuing to resolve these, including the potential to agree a position of 'Matter not Agreed'.
- 2.2 The Council intends that any remaining areas of disagreement or unresolved drafting points will be captured in the FINAL Statement of Common Ground (SoCG) to be submitted at **Deadline 8** (16 September).
- 2.3 Highways Side Agreement: the Council notes that Parties are in discussion regarding a Highways Side Agreement that would replace the current suggested Highways Protective Provisions set in the DCO Agreement.
- 2.4 A draft Highway Side Agreement has been circulated between Parties with the intention that this would be concluded prior to the end of the Examination.
- 2.5 Deed of Easement: it is noted that in the Council's Covers to Deadlines 3 to 6, that the Council as Local Highway Authorities (LHA) have been in discussion with the Applicant regarding the Applicant's request of securing land and property rights and power through a separate licence outside the DCO Agreement. The Applicant tabled the possibility of a Deed of Easement which was directed at private property rights in the subsoil interests below the highway strata, assumed that the Council were the freehold owner and held an interest in the land beyond it being adopted highway.
- 2.6 Following discussions, the Council notes the Applicant's statement (email 14 and 19 Aug) regarding a Deed of Easement – *'no separate licence will be necessary in this case because the works are being authorised through the DCO, removing the need for a separate licence under Section 50 of the New Roads and Street Works Act 1991'; '...all relates to works carried out on streets, which means that its framework and approval mechanism by the streets/highway authority will be governed by the highways side agreement we are currently negotiating'; and, '...On that basis, if the Order is granted as drafted, the undertaker would not need to obtain a separate section 50 licence for the street works authorised by Article 10 read together with Schedule 4'.*
- 2.7 On the basis that the Highway Side Agreement will be engrossed as part of the Examination, this matter is concluded.

3.0 Management Plans

- 3.1 The Council has reviewed the Applicant's substantive responses to the Host Authorities' review of the various management plans (first made at Deadline 4 [REP4-032]) tabled at Deadline 6.
- 3.2 The Council has reviewed the amended management plans, have continued discussions between the Host Authorities and the Applicant on issues raised in this review, and it is agreed that there is an **in-principle agreement** on most of the Management Plans – the final position will be set out in the final Statement of Common Ground made at Deadline 8.

4.0 Statement of Common Ground

- 4.1 Matters and issues marked as 'Under discussion' within the SoCG remain under discussion between Parties with the intent to conclude prior to the end of the Examination.
- 4.2 The Council intends that any outstanding areas of disagreement will be captured within the final SoCG submitted at Deadline 8 to assist the Examining Authority.

5.0 Examining Authority: Rule 17 Letter (27 August)

- 5.1 In terms of the request made by the Examining Authority regarding requested Protective Provisions or side agreements:
- 5.2 (LHA) Highways: The Council, as Local Highway Authority, are in discussion with Cambridgeshire County Council (as the other LHA) and the Applicant to conclude a Highway Side Agreement which would remove the need for a Highway Protective Provision on the proviso that,
- 5.3 the Highway Side Agreement is to be taken forward outside the DCO Agreement but is to conclude and engrossed as part of the Examination as this has direct reference to the drafting of the final DCO Agreement (inter alia Part 3 and Schedule 4, 5, 6, 9 and 11); and, with refer to [REP3-021] 'Other Consents and Licences Statement's statement para 2.3.1(3) Ongoing Relevant Authority Control that *'the protective provisions are drafted to remain in force unless and until the relevant authority agrees otherwise with the Applicant. This ensures the relevant authority retains control, and any detailed plans or methodologies required (previously obtained via the separate consent) must be approved by that relevant authority under the DCO's protective provisions. The relevant authority can monitor compliance and, if necessary, enforce the protective provisions as if they were conditions or requirements'*.
- 5.4 It is the intent of Parties that the Highway Side Agreement will be concluded prior to Deadline 8 and consequently the Examining Authorities' request to provide drafting of a final suggested Highway Protective Provision will not be required.
- 5.5 (LLFA) Drainage: one of the issues that remain outstanding on the draft DCO is the deemed consent requirement contained in the Local Lead Flood Authority's Protective Provisions contained at Part 3 of Schedule 13 to the draft DCO. The protective provision is intended to replace the ordinary approval mechanism for consents under section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991.
- 5.6 Further, Section 150 of the Planning Act 2008 provides that a DCO may not disapply or

remove a requirement for a prescribed consent or authorisation unless the relevant body has consented to the inclusion of the provision. Section 23 of the Land Drainage Act 1991 is a prescribed consent under Part 1 of Schedule 2 to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 (linked here). The relevant bodies in this case will be the LLFAs and as such, the Applicant will require the consent of BBC to include Article 8(1)(a) in the draft DCO.

- 5.7 This matter is currently under consideration by the Council. The Council will revert regarding their position on the possible disapplication of section 23 at Deadline 8.

The Council trust that this information is of assistance to the Examining Authority. Should you wish to discuss any matters raised in the submissions made against Deadline 7, then please do not hesitate to contact the Lead Case Officer by email.

PD-QA/5pg end