



EAST PARK ENERGY

East Park Energy

EN010141

Statement of Common Ground

Bedford Borough Council

(Statement of Common Ground: FINAL

Reviewed by Bedford Borough Council ('BBC') for Deadline 8 (11 Sept 2026).

To be submitted by the Applicant to the ExA.

(This SoCG response 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).

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Procedure) Regulations 2009: Regulation 5(2)(q)

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EAST PARK ENERGY

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

Statement of Common Ground

**between the Applicant
and
Bedford Borough Council**

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1.0 INTRODUCTION

1.1 Purpose of this Document

- 1.1.1 This is a Statement of Common Ground (“SoCG”) made between the following parties:

BSSL Cambsbed 1 Ltd (hereafter referred to as the ‘Applicant’)

and

Bedford Borough Council (BBC)

- 1.1.1 The purpose and scope of this SoCG is to record areas of agreement and, as appropriate, areas of disagreement, between the parties in respect of the assessment of the Applicant’s proposals.

1.2 The Scheme

- 1.2.1 The Scheme 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 Scheme also includes the associated infrastructure for connection to the national grid at the Eaton Socon National Grid Substation.
- 1.2.2 Subject to the Scheme securing Development Consent in early 2027 it is anticipated that works would start on site in early 2028 and be completed by mid-to late 2030 (although initial energisation of the Scheme is likely to commence prior to 2030). The Scheme comprises a temporary development with an operational phase of 40 years; decommissioning activities would therefore likely commence in 2070, 40 years after commissioning, lasting for a period of approximately two years.

1.3 The Site

- 1.3.1 The Scheme is located to the north-west of the town of St Neots, and is across two administrative areas; Bedford Borough Council (BBC) (a unitary authority) and Huntingdonshire District Council (HDC) (a two-tier authority with Cambridgeshire County Council) (the Site). The Site location is shown on **ES Vol 3 Figure 1-1: Site Location [APP-120]**. The Site area extends to approximately 773 hectares (ha).
- 1.3.2 With reference to **ES Vol 3 Figure 1-2: Site References [APP-120]**, for ease of reference the Order Limits have been sub-divided into East Park Sites A to D, in which all of the above ground infrastructure proposed as part of the operational Scheme would be located (excluding works to the Eaton Socon Substation). The Order Limits also cover land outside of East Park Sites A to D which will be required for access, cabling, and the grid connection to the Eaton Socon Substation.
- 1.3.3 With reference to **ES Vol 3 Figure 1-2: Site References [APP-120]**, there are three linear corridors proposed for underground cabling within the Order limits that connect the different parts of the Site and provide a grid connection to the Eaton Socon Substation.

1.4 Status of the SoCG

- 1.4.1 This SoCG is the final version of the SoCG at the conclusion of the Examination. It identifies those aspects, matters and issues relating to the Scheme that have been agreed between the parties, together with those not agreed. The following definitions are provided for Matters Agreed or Not Agreed:
- **Matter Agreed** – means that agreement on the point recorded in the SoCG has been reached, having regard to the information available at the date of that version of the document. No further discussion on that matter is considered necessary unless new information, amendments to the Application, or other material changes arise. Agreement on a particular

matter does not, of itself, indicate that the Council supports the Application overall.

- **Not Agreed** – means the Applicant and the Council have reached a clear and settled difference in position such that the matter is not capable of agreement. In these circumstances, further discussion is not expected to resolve the issue.

1.4.2 Where matters are not agreed, the parties have set out the issues to ensure reference and clarity for the Examining Authority.

1.5 Structure of the SoCG

1.5.1 This SoCG is structured as follows:

- Section 2.0 – provides a summary of consultation undertaken with BBC; and,
- Section 3.0 – sets out whether matters are ‘agreed’, ‘under discussion’, or ‘not agreed’.

1.5.2 A signing sheet between the Applicant and BBC is provided at Appendix A to be signed on final Agreement.

2.0 ROLE OF BEDFORD BOROUGH COUNCIL IN DCO PROCESS AND SUMMARY OF CONSULTATION

2.1 Role of Bedford Borough Council

- 2.1.1 BBC is one of three local planning authorities for the area within which the Scheme is located and is a prescribed consultee under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).
- 2.1.2 BBC is responsible for the preparation and implementation of the development plan for its area and for providing local planning, environmental and technical input to the Examination of the application, including through the submission of a Local Impact Report under section 60 of the Planning Act 2008.
- 2.1.3 Subject to the grant of development consent, BBC will be one of the local planning authorities responsible for the approval of applications made pursuant to the requirements set out in Schedule 2 of the DCO, and for monitoring and taking appropriate enforcement action in respect of compliance with those requirements within its administrative area.

2.2 Summary of Consultation Undertaken

- 2.2.1 The Applicant has consulted with BBC from the earliest stages of the application process, with an initial inception meeting held in June 2023. Since this time, the Applicant has held regular joint progress meetings generally at monthly intervals with Bedford Borough Council, Huntingdonshire District Council and Cambridgeshire County Council (collectively, the 'Host Authorities'). Following submission of the application in October 2025, the frequency of these joint progress meetings has increased to a fortnightly basis.
- 2.2.2 From the outset of the project the Host Authorities requested a joint Planning Performance Agreement (PPA) with the Applicant. To achieve this, the Host

Authorities agreed a separate Memorandum of Understanding between the three Host Authorities setting out areas of delegated authority in order to speak as a 'single voice' on the project. The Applicant is not privy to this Memorandum of Understanding but has supported the approach. The Applicant has agreed a single PPA with the Host Authorities that was signed in July 2025, before being extended to cover the post-submission phase through to the Secretary of State issuing a decision. The PPA includes an intent for the PPA to be extended to cover the post-decision phase, should the Scheme be granted development consent.

2.2.3 It is noted that each authority retains their independence in reviewing the Application.

2.2.4 The Applicant has not sought to set out every correspondence or meeting record with the Host Authorities within this SoCG. Key areas of discussion from the pre-application, pre-examination and examination of the project have included:

- Approach to consultation;
- Approach to Environmental Impact Assessment;
- Approach to Scheme design;
- Approach to environmental surveys and assessment;
- Approach to assessment of cumulative effects;
- Approach to the draft Development Consent Order;
- Review and discussion of Host Authorities' Relevant Representations and Local Impact Reports;
- Review of the various outline management plans; and
- Discussions regarding a Highways Side Agreement.

3.0 MATTERS OF AGREEMENT AND DISAGREEMENT

3.1 Introduction

3.1.1 The matters covered by the SoCG on which agreement between the parties has been sought include (but are not necessarily limited to) the matters as requested in Annex F of the Examining Authority's **Rule 6 Letter [PD-005]**; namely:

- a) Principle of Development.
- b) Economic and social effects, including any implications for the Local Plan strategy and of transport effects on local communities.
- c) Construction traffic.
- d) Environmental Impact Assessment, including cumulative effects.
- e) Landscape and visual effects, including lighting.
- f) Any other potential effects, including on heritage assets, biodiversity, noise and vibration, air quality, emissions, contamination and emergency planning.
- g) Good design.
- h) Various environment management plans, both during construction and operation.
- i) The draft DCO Agreement, including requirements and discharge mechanisms.

3.1.2 The aspects, matters and issues that have been agreed or are not agreed between the Applicant and Bedford Borough Council, as defined in Para1.4.1, are set out in Table 2.

Table 2: Position between the Applicant and Bedford Borough Council on matters of discussion / consultation

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Draft Development Consent Order				
01	The Articles of the draft DCO set out in Parts 1 to 7.	Bedford Borough Council (BBC) has no objections to the Articles contained within Parts 2 to 7 of the draft DCO, insofar as they relate to BBC's statutory functions and remit. In relation to Part 1 (Preliminary), BBC (and the Host Authorities) consider that, as a matter of principle, the DCO should contain a defined replacement phase which is secured within the DCO itself. Whilst this is not yet common practice within precedent DCOs, BBC's view is that this approach should be taken in light of the potential need for significant replacement works across the lifetime of the project and the known likelihood of technological change and advance over the duration of the Scheme. Notwithstanding this in principle position, BBC has reviewed the amended approach now set out in the updated outline Operational Environmental Management Plan (oOEMP), and other related Management Plans, and are content with the substantive details now contained within the oOEMP including the inclusion of, distinction between, and provision for, a) Routine Replacement Works; b) Planned Partial Replacement Campaign;	The Applicant welcomes agreement with BBC on this matter. The Applicant's response in relation to the inclusion of replacement works within the DCO is set out with reference to Item 1 in the Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [REP6-073] .	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		and, c) Major Replacement Campaign Method Statement and Environmental Review. Consequently, without prejudice to BBC's in-principle position that a "replacement phase" should be embedded within the DCO itself for this Scheme, BBC agrees that the Applicant's approach as now amended can be progressed.		
01a	The disapplication and modification of legislative provisions set out under Article 8 of the draft DCO.	The Applicant has requested the disapplication of section 23 (prohibition on obstructions etc. in watercourses) of the Land Drainage Act 1991, as set out under Article 8 of the Applicant's draft DCO. BBC agrees and consents to the disapplication of these byelaws for the purposes of section 150 of the Planning Act 2008.	The Applicant welcomes agreement on this matter.	Matter Agreed
02	The description of the Authorised Development at Schedule 1 of the draft DCO. (Issue: definition of the terms permanent and temporary)	BBC (and the other Host Authorities) has requested that the Applicant amend Schedule 1 to the draft DCO, and all management plans, to clarify what works are permanent and what works are temporary in the context of the Application (the Scheme is defined as a temporary application for a period of 40-years) (ref. [REP1-071]). This has bearing in that by example the temporary highway and public rights of way' works as requested could, as currently read, be undertaken for the entire duration of the Scheme. It is noted that the	The Applicant's position on this matter is set out with reference to Item 3 in the Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [REP6-073] . The Applicant considers that it is inappropriate to circumscribe the duration of works through the DCO itself. Schedule 1 follows the established approach adopted in made solar DCOs by identifying works whose temporary character is material, while leaving other operational works unqualified and	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Work as defined in the DCO Schedule 1, in [APP038] The Scheme – Work Packages, and various Management Plans do not provide absolute clarity regarding the duration of all work activities, in all cases. The re-definition of terms would provide the clarity sought. It is noted that the Status given to the Management Plans within the SoCG below is read on the basis that this matter is resolved. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	addressing the permanent or temporary status of individual highway alterations and means of access through the relevant detailed schedules and certified documents. The term “permanent” distinguishes infrastructure retained following construction from temporary construction works and does not disapply the separate decommissioning and restoration controls applying to the Scheme. The Applicant does not consider there to be any ambiguity that the Scheme is a temporary development. Section 2.4.1 to 2.4.10 of the oDEMP [REP6-036] sets out that all infrastructure would be removed at decommissioning, except for underground conduit in what would be exceptional circumstances.	
02a	The description of the Authorised Development at Schedule 1 of the draft DCO. (Issue: definition of the terms “street”)	BBC (and the other Host Authorities) has requested that the Applicant amend Part 1 (Req.2 Interpretation) to the draft DCO so that the term “street” is interpreted to the full extent of the Highway Act (1980) Section 329(1) inclusive of both “bridleway” and “footpath”; and, that amendment F35 is read in that the interpretation of “street” in the New Roads and Street Works Act (1991) Part III Section 48(1) is read to be inclusive of	The Applicant has made these amendments which are reflected in the final DCO to be submitted at Deadline 8.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Public Rights of Way (Footpaths and Bridleways); or wording to this effect. The Applicant has agreed that they would include the definition for footway, bridleway etc. in the DCO with reference to s.329 of the Highways Act 1980. In principle, this matter has been agreed between Parties.		
03	The Requirements at Part 1 of Schedule 2 of the draft DCO. (Issue: Replacement Phase)	In relation to Part 1 of Schedule 1, BBC (and the Host Authorities) consider that, as a matter of principle, the DCO should contain a defined replacement phase which is secured within the DCO itself. Whilst this is not yet common practice within precedent DCOs, BBC's view is that this approach should be taken in light of the potential need for significant replacement works across the lifetime of the project and the known likelihood of technological change and advance over the duration of the Scheme. Notwithstanding this in principle position, BBC has reviewed the amended approach now set out in the updated outline Operational Environmental Management Plan (oOEMP), and other related Management Plans, and are content with the substantive details now contained within the oOEMP including the inclusion of, distinction between, and provision for, a) Routine Replacement Works; b)	The Applicant notes BBC's position and has set out its response in relation to the replacement works with reference to Items 1 and 5 in the Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [REP6-073].	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Planned Partial Replacement Campaign; and, c) Major Replacement Campaign Method Statement and Environmental Review. Consequently, without prejudice to BBC's in-principle position that a "replacement phase" should be embedded within the DCO itself for this Scheme, BBC agrees that the Applicant's approach as now amended can be progressed (Ref. SoOM No. 5).		
03a	The Requirements at Part 1 of Schedule 2 of the draft DCO. (BNG)	It is noted that the Applicant does not agree that it is necessary to secure the BNG commitment by way of the requirement when it is not a statutory requirement for the Scheme. Moreover, they note that the commitment to BNG is already secured by the outline LEMP. Nonetheless, the Applicant has prepared an updated requirement on a without prejudice basis, which sets out the wording that the Applicant would propose is used in the event that the Secretary of State is minded to include a requirement securing BNG on the face of the DCO. BBC support the addition as submitted by the Applicant (on a without prejudice basis [REP6-054]. However, BBC is of the view that the DCO should secure as part of requirement 4 the BNG obligation, as BNG is a feature and benefit of the scheme, so it should be	The Applicant's position in relation to BNG and Requirement 4 is set out at Item 6 in the Summary of outstanding matters on the draft DCO between the Host Authorities and the Applicant [REP6-073] . The Applicant has prepared an updated requirement on a without prejudice basis, which sets out the wording that the Applicant would propose is used in the event that the Secretary of State is minded to include a requirement securing BNG on the face of the DCO. This is submitted at [REP6-054] .	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		secured through being included in the DCO. BBC (and the Host Authorities) has requested that the Applicant introduces a new sub-paragraph to Schedule 2 Req. 4 (LEMP) to ensure that the Plan would secure the biodiversity net gain ("BNG") offered and committed by the Applicant (i.e. minimum 70% net gain in area-based habitat units; 30% net gain in hedgerow units; and, 5% in watercourse units). BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.		
03b	The discharge procedure set out in Part 2 of Schedule 2 of the draft DCO (Issue: Decision Period et al)	BBC has noted in terms of: Decision Period 1. Req. 24(1): in order to assess any application made under the Requirements, the Local Planning Authority may need to: a) seek confirmation/ approvals from statutory authorities (as referenced) as part of that application. It is noted that some statutory consultees are granted upto 21-days to respond; b) that some Requirements sit across Host Authorities' jurisdictions and will require consultation between LPAs;	The Applicant does not agree with BBC's proposed amendments to paragraphs 24 and 25 of Part 2 of Schedule 2 to the draft DCO [EN010141/DR/3.1]. BBC has requested that the determination period for applications made under the DCO Requirements be increased from 8 weeks to a minimum of 13 weeks and that the period should commence only once the application, and any further information subsequently supplied, has been "validated" by the relevant authority. The Applicant does not consider either amendment to be necessary or proportionate.	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		c) that there may be the need for further consultation and resolution of issues prior to assessment; and, d) this assumes that such applications can be assessed via delegated authority (i.e. no call-in) which may not be the case, and consequently the Council suggests that the 8-week period, as an obligation to the Agreement, is too short to conclude the above and suggest that the decision period should be made a minimum of 13 weeks. Submission of application With regards to: 2. Req.24(1)(a): <i>'the day immediately following that on which the application is received validated by the relevant authority; or,</i> <i>(b) where further information is requested under paragraph 25, the day immediately following that on which the further information as supplied by the undertaker has been validated by the relevant authority';</i> 3. Req.25(1): this requirement must be amended to state that the	The procedure in Part 2 of Schedule 2 materially follows the established approach to the discharge of DCO Requirements. Appendix 1 to the Planning Inspectorate's Advice Note Fifteen provides standard drafting under which the determination period begins with the day immediately following <u>receipt</u> of the application or, where further information has been requested, the day immediately following the supply of that information. The standard drafting provides a period of 42 days and requires any further information request to be made within 10 business days of receipt. The Applicant's draft DCO provides the relevant authority with a longer period of 8 weeks (56 days). The Applicant therefore does not accept that a minimum 13 week period represents standard practice for the discharge of DCO Requirements. Where the nature or complexity of a particular application means that additional time is genuinely required, paragraph 24(1) already permits a longer period to be agreed in writing between the Applicant and the relevant authority. That provides an appropriate and proportionate mechanism without applying a 13 week period to every application, including	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		determination period will be extended from the date of <u>validation</u> of such additional information sufficient or as requested by the local planning authority to determine the application; and, 4. Req.25(2): ‘...<i>within ten business days of receipt <u>validation</u> of the application...</i>’; 5. Req.25(3): in both cases the word receipt needs to be replaced with validation (changes to clauses as above underlined/ amended), it is noted that all planning/ discharge of requirements applications will need to be validated by the Local Planning Authority (LPA). This process is to ensure that the Applicant has submitted sufficient and relevant material to enable assessment, that the Applicant has paid fees due, and that the necessary statutory consultees are notified. Only once the LPA accepts the application as validated, does the application pass onto the Case Officer for assessment leading to determination. As the submission of sufficient and relevant material to enable assessment sits with the Applicant and is NOT in the gift of the LPA, the decision period should be enacted from the validation date and NOT	applications which may be straightforward or limited in scope. The Applicant also does not agree that receipt should be replaced by an application having been “validated by the relevant authority”. This amendment would allow the relevant authority to determine when the statutory period begins, including potentially by seeking successive information before treating the application as validated. This would introduce significant uncertainty and would undermine the purpose of the fixed determination period, the deemed approval provision in paragraph 24(3), the appeal procedure in paragraph 26 and the fee refund provisions in paragraph 27. For the avoidance of doubt, the reference in paragraph 27(2)(a) to an application being rejected as “invalidly made” does not establish a separate administrative validation procedure. Equivalent wording appears in the Planning Inspectorate’s standard drafting alongside a determination period which begins on receipt. It preserves the distinction between a purported application which has not been made in accordance with the relevant requirement and a properly made application in relation to which the relevant authority considers that further technical information is necessary.	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		the date when the application was received by the LPA. Sufficient and relevant material 6. Req.25(4): this needs to be expanded to state that the onus rests with the undertake/ Applicant to ensure that they submit sufficient information such that the application can be validated by the LPA. Consultation 7. Req.25(2): '<i>...and the requirement concerned does not specify that consultation with a consultee is required...</i>' and (3) '<i>...consultation with a consultee is required...</i>'. Significant concern is raised by BBC due to the longevity of this Scheme and the changing nature of local and statutory authorities which may not be known currently, but may need to be consulted in the future regarding the <u>Operational Phase and Decommissioning Phase</u> management plans and similar. It remains within the planning remit of local planning authorities to consult with statutory consultees and consequently the specificity and/or exclusion of such consultations in these requirements as currently stated is NOT SUPPORTED.	The latter circumstance is already addressed comprehensively by paragraph 25. Paragraph 25(1) enables the relevant authority to request such further information as it considers necessary to enable it to consider the application. Paragraph 24(1)(b) then provides a fresh eight-week determination period beginning with the day immediately following the supply of that information. The relevant authority may also refuse an application or approve it subject to reasonable conditions and must give reasons for doing so. Paragraph 25(4) does not require the relevant authority to approve an inadequately supported application. Its effect is limited to deeming the authority to have sufficient information to consider the application where it has not identified any further information within the prescribed period. The authority retains its full decision making function under paragraph 24(2). The Applicant therefore does not agree that an additional provision placing the "onus" on the Applicant to secure validation is required. The Applicant already has the responsibility for submitting details which demonstrate compliance with the relevant requirement, and an application which fails to do so may be refused.	

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		8. It is noted that Schedule 2 Part 1 by its very nature requires the LPA to seek consultation as required by its obligations to determine the application. In this regard, the Management Plans' consultation refers: (4) LEMP: inter alia Historic England, National Gas, National Grid, relevant parish councils; (5) CEMP: refer to para 3.2.2, 4.1.39 and 7.2.5; (6) Waste MP: Environment Agency; (7) Soil MP: consultation parties as per DCO; (8) CTMP: consultation parties as per DCO; (9) OEMP: refer to para 4.1.43, Table 5.4 CF&RS and Emergency Response Plan; (10) BSMP: consultation parties as per DCO. However, may need to consult as referenced in para 4.4.4 (16); (11) to (16): consultation parties as per DCO; (18)(6): this needs to be expanded regarding statutory authority consultation in light of the above;	The Applicant also does not agree that the identification of formal consultees within individual requirements improperly limits the local planning authority's consultation functions. The requirements identify consultees according to their relevant statutory or technical functions. For example, Historic England and the county archaeologist are formal consultees on archaeology and heritage matters; the Environment Agency is a formal consultee on a range of environmental management plans; the relevant highway authorities are consulted on transport and public rights of way matters; and the fire and rescue service is consulted on the battery safety management plan. This targeted approach provides certainty regarding the bodies whose consultation is statutorily required before a particular requirement can be discharged. It does not prevent the local planning authority from seeking non-statutory advice from another body where it considers that useful, provided that the application is determined in accordance with the procedure and timescales in Part 2. The concern regarding future changes to statutory bodies is also already addressed. Article 2(5) of the draft DCO provides that references to statutory bodies include their successor bodies from time to time. Requirement 22	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		(19) Skills: consultation parties as per DCO, and consequently BBC suggests that all consultees should be noted in the Requirements (as per Req.25(2)), including a provision that these may change over the duration of the Application. Currently the DCO wording in this regard allows little flexibility for the LPA; specifically in relation to consultation that may affect the decision period. The above matters/ issues have been discussed with the other Host Authorities and Applicant. In this regard, BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	additionally applies where consultation is required either by the Order or by another statute. Any future statutory consultation obligation applicable when an application is made would therefore continue to apply without the need to provide the local planning authority with an open-ended power to add formal consultees to individual requirements. The Applicant does not consider that references to engagement with an organisation within an outline management plan necessarily justify making that organisation a formal consultee on approval of the final plan as a whole. Formal consultation should be required where the body has a direct statutory or technical function relevant to the approval in question. An unrestricted or non-specific consultation requirement would introduce duplication, uncertainty and potential delay without providing a corresponding additional safeguard. The receipt-based procedure in paragraphs 24 and 25 is necessary to provide an objective and legally identifiable commencement date for the determination period. It balances the relevant authority's ability to obtain information genuinely required to assess an application with the Applicant's need for certainty that applications will not remain undetermined indefinitely. That	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			balance is the reason receipt-based deadlines and time-limited further information procedures are standard and well-precedented features of DCOs.	
04a	The highways and public rights of way works set out in Schedule 4 of the draft DCO. (Schedule 4)	Schedule 4 (Streets subject to Street Works) - cable works beneath the width of the street (defined as roadway, footpath and/or bridleway – see SoCG Ref 2a above). BBC has reviewed the information available at the date of that version of the document. No further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter. Schedule 4 of the draft DCO identifies the specific streets and public rights of way in which cable works may be undertaken, and defines those works as works to place, retain and maintain underground apparatus. Those powers are exercised under Article 10 and are subject to the applicable provisions of Part 3 of the New Roads and Street Works Act 1991. They are separate from the access and public rights of way management powers in Schedules 5 to 7.	Matter Agreed
04b	The highways and public rights of way works set out in Schedule 5 of the draft DCO. (Schedule 5)	Schedule 5 (Alteration of Streets): - works for the provision of Part 1 Permanent and Part 2 Temporary means of access with reference to [REP3-006] Street Works, Rights of Way and Access Plan. Schedule 6 (Article 15) (Part 1: Temporary prohibition or restriction of use of streets and public rights of way and authorising vehicular use on public rights of way). et al	The Applicant does not agree that the use of the terms 'permanent' and 'temporary' gives rise to an unresolved issue in Schedule 5 of the draft DCO. The distinction is functional and is necessary to identify whether an alteration is to remain after the relevant construction phase works, or is to be restored once those works have been completed. As the Applicant has explained in its submissions through the examination, 'permanent' in this context means for the lifetime of the	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		This matter requires the resolution of SoCG Ref. 02 (terms: permanent and temporary). BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	Scheme, not in perpetuity, while 'temporary' refers to an alteration required only for the relevant temporary works. Article 13(1) requires each alteration set out in Schedule 5 Part 1 to be completed to the reasonable satisfaction of the relevant highway authority and governs its initial maintenance. Articles 12(3) and 13(3)-(4) require alterations set out in Schedule 5 Part 2 to be restored and maintained to the reasonable satisfaction of the street authority. The description of works as 'permanent' does not remove them from the time-limited authorised development. Requirement 18 of the draft DCO requires decommissioning of each phase to commence no later than 40 years after final commissioning. Paragraph 2.4.2 of the oDEMP [REP6-036], with which the final DEMP must be in substantial accordance, requires all access tracks installed for the Scheme, new junctions to the public highway and associated crossings to be removed at decommissioning, with affected highway boundaries reinstated. BBC's concern therefore appears to conflate a permanent alteration for the lifetime of the Scheme with an alteration authorised in perpetuity. The Applicant's clear position is that no amendment to Schedule 5 of the draft	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			DCO is necessary, and that the decommissioning and removal of the access works is appropriately secured through the DCO.	
04c	The highways and public rights of way works set out in Schedule 6 (Part 1) of the draft DCO. (Schedule 6)	Schedule 6 (Article 15) (Part 1: Temporary prohibition or restriction of use of streets and public rights of way and authorising vehicular use on public rights of way). On the basis that: 1. Notwithstanding the above SoCG 04b; 2. BBC and Cambridgeshire County Council (CCC) as Local Highway Authorities (LHA) and the Applicant are in discussion and agreement to engross a Highway Side Agreement to enable the LHA's statutory duties; and, 3. With reference to Schedule 6 Part 1 in-so-far that the works to the Public Rights of Way (Footpath and Bridleways) as defined in column Table (3) 'extent of temporary alterations, prohibitions, diversions or restriction of use of street or public rights of way' are limited to the laying of the underground cable more-or-less transversing the PRoW and specifically the Schedule does not infer agreement by BBC for the use of the PRoW for Scheme vehicle traffic,	The Applicant welcomes BBC's in-principle agreement in relation to the temporary management of public rights of way affected by cable installation. However, the Applicant's agreement should not be taken in a way which agrees with the more narrow agreement on Schedule 6 Part 1 of the draft DCO set out by BBC. Schedule 6 Part 1 identifies the route specific extents in which temporary alteration, prohibition, diversion, restriction or closure may be required. The separate disagreement concerning travel by Scheme vehicles along identified public rights of way is addressed under Items 04d and 04e.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
04d	The highways and public rights of way works set out in Schedule 6 (Part 1) of the draft DCO. (Schedule 6/P1)	Schedule 6 (Article 15) (Part 1: Temporary prohibition or restriction of use of streets and public rights of way and authorising vehicular use on public rights of way). On the basis that: 1) BBC and Cambridgeshire County Council (CCC) as Local Highway Authorities (LHA) and the Applicant are in discussion and agreement to engross a Highway Side Agreement to enable the LHA's statutory duties; and, 2) With reference to Schedule 6 Part 1 in-so-far that the works to the Public Rights of Way (Footpath and Bridleways) as defined in column Table (3) 'extent of temporary alterations, prohibitions, diversions or restriction of use of street or public rights of way' refers to works to inter alia use the PRow for Scheme vehicle traffic, BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear	The Applicant does not agree with BBC's in-principle objection or with its suggestion that an alternative must be demonstrated before the scheduled powers may be granted (the Applicant does not understand what is meant by this). The Applicant's clear position is that the limited, identified interactions are necessary and can be undertaken safely and acceptably. The use of public rights of way by Scheme vehicles has been shown to be necessary and is confined to specified lengths shown on the certified plans. As previously explained in response BBC-D5-98 in the Applicant's Response to Deadline 4 and 5 Submissions - Host Authorities [REP6-051], the longitudinal sections are made tracks already used by agricultural vehicles, including a PRow within Site A previously used for the construction, operation and maintenance of the existing Manor Farm Solar Array. The approach is consistent with paragraphs 2.10.40 to 2.10.45 of NPS EN-3, which recognise that solar development may affect public	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		and settled difference in position such that the matter is not capable of agreement. It is noted that the Applicant has not evidenced any alternative approach/routes that would then mitigate the need to use these PRowWs.	rights of way and favour maintaining access so far as practicable and safe, supported by a public rights of way management plan, rather than imposing an absolute prohibition. The oPROWMP [REP6-040] contains a comprehensive, route-specific control regime which includes temporary diversions where vehicles travel along a public right of way, managed crossing arrangements, priority and stop-and-hold controls for equestrians, driver give-way signage, pre- and post-work condition surveys, approval of any surface strengthening and reinstatement, daily inspections while temporary controls are in place, immediate action in response to defects or incidents, and repair of Scheme attributable damage. The final PROWMP will be approved by the local planning authority in consultation with the relevant highway authority under Requirement 11 of the draft DCO. Article 15 also requires prior consultation with the street authority for the scheduled routes. The Applicant therefore maintains that a blanket objection to any vehicle use of a PRowW is neither reasonable nor proportionate and is not supported by national policy.	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
04e	The highways and public rights of way works set out in Schedule 6 (Part 2) of the draft DCO. (Schedule 6/P2)	Schedule 6 (Article 15) (Part 2: Authorising permanent use of motor vehicles on public rights of way). The in-principle point of difference is the use of the Public Rights of Way (Footpath and Bridleways) for Scheme vehicle (construction and replacement) access and movement (see BBC's position on the oPRoWMP). It is noted that the Applicant has not evidenced any alternative approach/ routes that would not need to use these PRoWs. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	The Applicant notes that BBC continues to refer to Schedule 6 Part 2 of the draft DCO as 'Authorising permanent use of motor vehicles on public rights of way' when this wording was amended at Deadline 6 to remove the word 'permanent' at the request of BBC. Schedule 6 Part 2 of the current draft DCO [REP6-006] is headed 'Authorising use of motor vehicles on public rights of way'. Each entry under Schedule 6 Part 2 is limited to motor vehicles authorised by the undertaker for the purposes of constructing or maintaining the authorised development passing along or crossing the identified length. Read with Article 15(1), (3) and (10), this creates the lawful authority needed for those limited movements. It does not create a public vehicular right, dedicate any public right of way for general motor traffic or confer an unrestricted right of use. Where the power is exercised after construction, it is limited to maintenance activities falling within the Article 2 definition of 'maintain', which includes inspection, repair, alteration, refurbishment, reconstruction and replacement of part of the authorised development, subject to the prohibition on materially new or materially different	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			environmental effects. It is therefore not a permanent operational access right in the sense suggested by BBC. The necessity and acceptability of the identified routes, and the comprehensive controls secured through the oPROWMP and Requirement 11 of the draft DCO are addressed under Item 04d above. The current drafting controls the Article 15 power by purpose, route and extent, while the management plan and street authority controls protect public rights of way users.	
04f	The highways and public rights of way works set out in Schedule 7 of the draft DCO. (Schedule 7)	Schedule 7 (Access to Works)(Part 1: Provision of permanent means of access)(Part 2: Provision of temporary means of access) with reference to [REP3-006] Street Works, Rights of Way and Access Plan. This matter requires the resolution of SoCG Ref. 02 (term: permanent and temporary). Notwithstanding SoCG Ref. 02, and on the same basis as SoGC Ref. 4e, BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	As above in the Applicant's response to Item 04b, the Applicant does not agree that the use of the terms 'permanent' and 'temporary' gives rise to an unresolved issue in Schedule 7 of the draft DCO. The distinction is functional and is necessary to identify whether an access is to remain after the relevant construction phase or temporary works, or is to be restored once those works have been completed. As the Applicant has explained in its submissions through the examination, 'permanent' in this context means for the lifetime of the Scheme, not in perpetuity, while 'temporary' refers to an alteration required only for the relevant temporary works. Article 14(1)(a)-(b) authorises the accesses at the specific locations shown	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			on the certified plan, while Article 14(3) requires every access temporarily created under the Order to be restored to the reasonable satisfaction of the street authority. Detailed design of vehicular access, parking and circulation is subject to approval under Requirement 3 of the draft DCO. Any additional access under Article 14(1)(c) also requires prior local planning authority approval after consultation with the relevant highway authority. Crucially, Requirement 18 of the draft DCO and paragraph 2.4.2 of the oDEMP [REP6-036] require the Scheme to be decommissioned, including all access tracks installed for the Scheme and new junctions to the public highway to be removed, with affected highway boundaries reinstated. The use of the term 'permanent' in Schedule 7 of the draft DCO therefore cannot reasonably be read as authorising those means of access beyond the Scheme's lifetime. The Applicant notes that BBC has not identified any separate objection to the location or outline design of the required accesses.	
04g	The highways and public rights of way works set out	Schedule 8 (Traffic regulation measures) (Part 1: Temporary Speed Limits)(Part 2: Temporary Traffic Signals) with reference	BBC's concern about 'permanent' and 'temporary' terminology does not arise in Schedule 8 as Part 1 is headed	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
	in Schedule 8 of the draft DCO. (Schedule 8)	to [REP3-007] Traffic Regulation Measures Plan. This matter requires the resolution of SoCG Ref. 02 (term: permanent and temporary). Notwithstanding SoCG Ref. 02, BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	'Temporary Speed Limits' and Part 2 is headed 'Temporary Traffic Signals'. Article 17 of the draft DCO authorises temporary safety measures for construction and a general temporary power for construction, maintenance or decommissioning. No permanent traffic regulation measure is authorised. The powers are subject to the applicable police and traffic authority consultation or consent, advance notice, publication and site-notice requirements, and an approved construction or decommissioning traffic management plan where applicable. They may also be suspended, varied or revoked. BBC has identified no objection to the listed locations, extents or controls. The Applicant is not clear on why this matter is not capable of agreement.	
04h	Schedule 1 (Authorised Development), Article (3) Work No. 8	BBC has requested that 'public rights of way' is defined in the DCO (Interpretation) as both Footpaths and Bridleways to provide absolute clarity and for the avoidance of doubt. The Applicant has agreed that these terms will be defined with reference to section 329 of the Highways Act 1980. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the	This matter reflects the agreement at Item 02a above.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Application, or other material changes arise: in-principle agreement.		
05	The hedgerow works set out in Schedule 12 of the draft DCO.	The hedgerow works set out in Schedule 12 of the draft DCO, with reference to the [APP-015) Hedgerow Plan, includes part removal of hedgerows in locations identified as V01-07 within BBC's administrative boundary. BBC is satisfied the hedgerow removal has been adequately assessed in the Environmental Statement and mitigation is secured through the draft DCO and outline management plans. In principle, this matter has been agreed between Parties.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
06	The Protective Provisions set out in Schedule 13 of the draft DCO	Local Highway Authority: In response to the rule 17 letter dated 27th August 2026 please find attached suggested protective provisions for the Local Highway Authorities. Cambridgeshire County Council and Bedford Borough Council are negotiating a separate Highways Side Agreement with the Applicant which, if concluded, would remove the need for protective provisions to be included in the Development Consent Order. The agreement is close to being finalised, but it has not been possible to conclude it prior to Deadline 8	The Applicant notes this comment and welcomes agreement on the protective provisions at Part 3 of Schedule 13 of the draft DCO [REP6-006] for the benefit of BBC as local drainage authority. In relation to highways, the Applicant's position remains that separate protective provisions for the benefit of the local highway authorities are not necessary, for the reasons set out at reference CCC-RR-24 of the Applicant Responses to Relevant Representations - Host Authorities, Statutory Environmental Bodies, and Other Interested Parties [REP1-055]. The Applicant's preferred	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		of the Examination. These protective provisions are based on those contained in Part 6 of Schedule 15 to the Cambridge Waste Water Treatment Plant Relocation Order 2025. Should the Legal Side Agreement be concluded with the Applicant, the Councils will notify the Examining Authority accordingly and confirm that the protective provisions submitted at Deadline 8 is no longer required. Subject to this, BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement. Lead Local Flood Authority: BBC would prefer that the deemed consent mechanism in paragraph 19(3)(b) of Part 3 of Schedule 13 was excluded. However, BBC acknowledges the Applicant's position that such mechanisms are established practice in DCO protective provisions and, on that basis, raises no objection to its retention. BBC are therefore content with the protective provisions at Part 3 of Schedule 13 of the draft DCO [REP6-006] for the benefit of BBC as local lead drainage authority (LLFA).	approach is to conclude the Highways Side Agreement currently being negotiated with CCC and BBC. However, in the event that the Highways Side Agreement is not concluded, the Applicant has submitted at Deadline 8 its preferred form of protective provisions for the benefit of the local highway authorities. These are submitted on a precautionary and without prejudice basis and should not be taken as altering the Applicant's position that separate highways protective provisions are not required.	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
07	The list of documents to be certified, set out in Schedule 15 of the draft DCO.	The list of documents to be certified as set out in Schedule 15 of the draft DCO is considered acceptable, subject to document revision numbers being updated in the final draft DCO. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant notes this comment and can confirm that final document revision numbers will be inserted in the final draft DCO to be submitted at Deadline 8.	Matter Agreed
Topic: Other Consents and Licences				
08	The Applicant's scope of other consents and licences required for the Scheme, and the approach to obtaining these.	BBC has reviewed [REP3-021] Other Consents and Licences Statement, Table 1 in so far that it applies to BBC as either LLFA, LHA, and/or LPA. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		All other consents and licences as listed are to the responsibilities of statutory authorities as noted by the Applicant.		
Topic: Control Documents				
09	The scope of the Design Parameters and Principles Document.	BBC has reviewed the [REP4-023] Design Parameters and Principles Statement. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
10	The scope of the outline Construction Environmental Management Plan	BBC has reviewed the [REP6-030] oCEMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4 Cover Letter Appendix E. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
11	The scope of the outline Construction Traffic Management Plan	BBC has reviewed the [REP6-032] oCTMP (and outline Construction Worker Travel Plan) which substantially addresses the in-principle comments raised by BBC in their [REP4-032] Deadline 4 Cover	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Letter and the review undertaken by AECOM on behalf of BBC. On the basis that the swept-path comments (as identified by AECOM) can be resolved as part of detailed design resolution to be submitted post-consent if attained, BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
12	The scope of the outline Operational Environmental Management Plan	BBC has reviewed the [REP6-034] oOEMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4. BBC notes the clarification provided through the [REP3-075] Technical Note on Replacement Works and subsequent amendments to the oOEMP regarding the management of replacement activities. In this regard, refer to BBC's position set out in SoCG Ref.01. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
13	The scope of the outline Decommissioning Environmental Management Plan	BBC has reviewed the [REP6-036] oOEMP which substantially addresses in-principle comments raised by BBC in their [REP4-032] Deadline 4. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
14	The scope of the outline Landscape and Ecological Management Plan (oLEMP: Farmland Birds)	BBC has reviewed the [REP6-038] oLEMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4 Cover Letter, Appendix F. Regarding the outline Farmland Bird Mitigation Strategy, BBC (and the other Host Authorities) request a more detailed summary of the areas of the different land parcels that are to be created for the bird population. Specifically, a table at para5.2.3 setting out the area of each relevant land parcel is requested, as this will assist with future compliance monitoring. This information has been submitted by the Applicant. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter. The Applicant has made the requested amendment to the outline Farmland Bird Mitigation Strategy to set out the land parcels proposed for farmland bird mitigation.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
14a	The scope of the outline Landscape and Ecological Management Plan (oLEMP: Permissive Paths)	BBC note its significant concern regarding the nature of the Permissive Path as offered and set-out in the oLEMP [REP6-038], both in terms of; a) The weight the Applicant attributes to these Paths (BBC would suggest very limited to no weight); b) They are temporary in nature, at best rough cut grass pathways; c) They do not facilitate Active Travel; and, d) They offer limited merit, to offset the impacts of the development, to the affected communities. BBC discussed with the Applicant, pathways offered in terms of the CCC' specification; pathways that contributed to the network aspirations of BBC and CCC; and, general technical improvements to the public rights of way network in the area to mitigation for the proposed development. This has not been secured. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	The Applicant notes BBC's position but does not agree. The Applicant refers to its previous responses at BBC-D5-82 and BBC-D5-89 to BBC-D5-92 [REP6-051]. The Applicant has consistently attributed limited positive weight to the permissive paths and has not presented them as permanent compensatory mitigation for the Scheme's other effects. Nevertheless, the Scheme will provide approximately 5.3km of additional access for its operational lifetime, comprising a 2.35km equestrian access between the B660 Kimbolton Road and Green End and approximately 3km of new pedestrian routes in Sites B and C, including the Site C heritage trail. These represent genuine additional recreational opportunities. Walking is a form of active travel, but the permissive paths are intended as rural recreational routes similar to the existing footpath network rather than engineered, all-weather multi-user routes. The access rights proposed reflect those available on the connecting PRow network and those agreed with the relevant landowners.	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
15	The scope of the outline Public Rights of Way Management Plan	BBC has reviewed the scope to the [REP6-040] oPRowMP and note that significant concerns remain; namely: a) The scope does not address EN1 §5.11.24 <i>'where possible, to <u>mitigate</u> any adverse impact and, where appropriate, to <u>improve</u>'.</i> b) The scope does not address EN1 §5.11.30 <i>'facilities for example for walkers, cyclist,s and horse riders. ...other rights of way and open access land and, where appropriate, to consider what opportunities there may be to <u>improve or create new</u> access..'; and other EN3 policy.</i> c) The scope does not maximise the opportunities to facilitate enhancements to the public rights of way and the opportunity to enable/ deliver connections to the local and strategic PRow networks (both as existing and as work-in-progress by the Council as shared with the Applicant in say the Local Impact Report and at ISH3 - mapping network). d) That the same statement above is made in terms of the permissive paths. e) There is a lack of accessibility provided for all forms of Active Travel. f) The scope does not demonstrate [APP-034] Design Approach para5.4.12	The Applicant notes that each of the matters raised by BBC appear to relate to the provision of additional access opportunities, rather than any specific concerns with the oPRowMP [REP6-040] around the safety of PRow users. The Applicant does not agree that the scope of the oPRowMP [REP6-040] is inadequate and the Applicant has previously addressed the matters raised by BBC at BBC-D5-82 to BBC-D5-101 in the Applicant's Response to Deadline 4 and 5 Submissions – Host Authorities [REP6-051], and made consequential amendments to the oPRowMP [REP6-040]. The matters set out in this SoCG by BBC are separate network enhancement requests and do not demonstrate that the measures necessary to mitigate the effects of the Scheme or protect PRow users are inadequate. The statutory role of the relevant highway authority is preserved as Requirement 11 of the draft DCO [REP6-006] requires the relevant final PRowMP to be in substantial accordance with the oPRowMP, to be approved by the relevant local planning authority following consultation with the relevant highway authority, and thereafter to be	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		where four ‘opportunities’ were identified by the Applicant, inter alia: (i) Opportunity to <u>upgrade</u> public footpaths to bridleway status; (ii) Opportunity to <u>improve</u> public rights of way / expand the public rights of way <u>network</u> across the Site; g) The scope remains to clarify approach, technical specification and delivery, legal framework, management and maintenance works, and intent at decommissioning. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	implemented and maintained as approved. The Applicant considers that the oPROWMP [REP6-040] is appropriately detailed, proportionate and enforceable and does not propose further amendment.	
16	The scope of the outline Soil Management Plan	BBC has reviewed the [REP6-042] oSMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
17	The scope of the outline Battery Safety Management Plan	BBC has reviewed the [REP6-044] oBSMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4 Cover Letter Appendix C. BBC specifically note that the detailed content, technical adequacy and acceptability of the document are matters for Cambridgeshire Fire and Rescue Service (and the Environment Agency where applicable) in their capacities as consultees identified in Schedule 2 of the draft DCO. On this basis, BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise.	The Applicant welcomes agreement on this matter.	Matter Agreed
18	The scope of the outline Skills, Supply Chain and Employment Plan	BBC has reviewed the [APP-163] oSSCEP which substantially addresses the comments raised by BBC (and the other Host Authorities) in their representations in so far as the Plan is an overarching framework and subject to concluding the final SSCEP (including further analysis of local skills gaps and provision, identification of tailored initiatives, measurable outputs, and a clear programme for stakeholder engagement).	The Applicant has set out that the oSSCEP establishes an overarching framework and commitments for maximising local employment, skills development and supply chain opportunities. Requirement 19 of the draft DCO [AS-008] secures the submission of a final Skills Supply Chain and Employment Plan (SSCEP), following consultation with the relevant local planning authorities, prior to commencement of construction. The final SSCEP will include further analysis of	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		On this basis, BBC agree that the Applicant's approach can be progressed.	local skills gaps and provision, identification of tailored initiatives, measurable outputs, and a clear programme for stakeholder engagement, thereby providing the route map sought by Bedford Borough Council. In relation to the roles and responsibilities, and employment numbers, the Applicant considers these are clearly set out within the environmental management plans.	
19	The scope of the outline Waste Management Plan	BBC has reviewed the [REP6-046] oWMP which substantially addresses the in-principle comments raised by BBC in their [REP4-032] Deadline 4. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
20	The scope of the outline Surface Water Management Plan	BBC has reviewed the [REP6-048] oSWMP which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4 Cover letter Appendix D. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
21	The scope of the outline Archaeological Mitigation Strategy	BBC has reviewed the [REP4-028] oAMS which substantially addresses the comments raised by BBC in their [REP4-032] Deadline 4 Cover letter. Broadly, BBC would suggest that the review identified minor issues that can be overcome. However, in many cases these would actually need the completed evaluation to be undertaken prior to the final version of the AMS being drafted, which will only take place following a grant of the DCO if forthcoming. It is suggested that the Applicant submits an indicative programme (including LPA approvals) accordingly to conclude such matters. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter. In relation to the request for an indicative programme, the Applicant refers to its response at BBC-D5-06 in the Applicant Response to Deadline 4 and 5 Submissions - Host Authorities [REP6-051].	Matter Agreed
22	The scope of the outline Heritage Enhancement Strategy	BBC has no further comment to make and is in agreement with the strategy.	The Applicant welcomes agreement on this matter.	Matter Agreed
23	The approach to mitigation for Site Preparation Works	BBC agrees with the Applicant's approach to mitigating any site preparation works insofar as it relates to matters relevant to BBC's statutory functions.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Project Benefits				
24a	The benefits of the Scheme set out in Section 5 of the Planning Statement.	In relation to [APP-031] Planning Statement Chp 5 Benefits of the Scheme, BBC notes: <i>§5.2 Project benefits addressing identified national needs:</i> the Council notes the national strategic benefit of the Scheme as identified by the Applicant and has no comment to make. <i>§5.3 Project benefits addressing identified local needs:</i> the Council notes the local strategic benefit of the Scheme as identified by the Applicant and has no comment to make. <i>Additional scheme benefits:</i> §5.6.1 bullets (6)(7)(8) the benefits of the Scheme are for the duration of the Scheme only and should be assessed accordingly. §5.6.1 bullets (9) the benefits of the Agrisolar Research facility are viewed by the Council as an in-principle benefit, the benefit as such not yet known nor realised. <u>Position:</u> BBC agrees that the Scheme may deliver benefits in relation to local economic investment and biodiversity enhancement during the operational lifetime of the Scheme. However, BBC	The Applicant welcomes the broad agreement from BBC on these benefits identified for the Scheme, and agrees that the weight to be afforded to those benefits is ultimately a matter for the Examining Authority and Secretary of State. In relation to BBC's position that the benefits should be considered in the context of the temporary nature of the development, the Applicant's position is that almost all of the benefit and harm arising from the Scheme should be considered in the context of the temporary nature of the development. In relation to the Agrisolar Research Area, the Applicant acknowledges that whilst discussions have been ongoing with Rothamsted as to their aspirations for the area, the specific research projects that would be pursued are not yet defined, and a detailed research strategy is not yet in place.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		considers that these benefits should be considered in the context of the temporary nature of the development. In particular, there is no assurance that landscaping, biodiversity enhancements, and permitted pathways will be retained following decommissioning. BBC does not attribute weight to the Application as the planning balance is ultimately a matter for the Examining Authority and Secretary of State. On this basis, BBC has no further comment to make.		
24b	The benefits of the Scheme set out in Section 5 of the Planning Statement.	In relation to [APP-031] Planning Statement Chp 5 Benefits of the Scheme, BBC notes: <i>Additional scheme benefits:</i> §5.6.1 bullets (10) '<i>Delivering enhanced access and recreation opportunities across the Site</i>' – as noted against the PRoWMP, there are no improvements nor enhancements proposed to the PRoWs; BBC has noted their strong objection to the use of the PRoW for Scheme vehicle traffic which in their view would cause harm; and, the existing PRoWs and proposed permissive routes offer no comprehensive Active	The Applicant does not agree with BBC's conclusion which appears to conflate physical improvement of existing PRoW with the separate benefit arising from the creation of additional access and recreational opportunities. The Applicant has not claimed that the Scheme will deliver a comprehensive strategic active travel network or that each existing PRoW will be upgraded. Paragraph 2.10.44 of NPS EN-3 identifies both the adoption of new PRoW and the <u>creation of permissive paths</u> as legitimate means of providing public access enhancements. It does not require permissive routes to be permanently	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Travel access, improvements, or permanency; and, (11) '<i>Delivering educational benefits through the provision of visitor amenity features</i>' – this statement remains un-evidenced, on this basis, BBC do not agree with the statement made by the Applicant. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	dedicated before they can constitute a planning benefit. The Applicant has previously set out its position that the Scheme through the delivery of additional permissive access will provide increased recreation opportunities, but acknowledges that the weight which may be afforded to this benefit could be limited. In relation to educational benefits, these are considered to arise through the delivery of the outline Heritage Enhancement Strategy which commits to further research on the historic environment, to be disseminated on site through the provision of information boards around the Site and a 'heritage trail' within Site C. The Applicant therefore maintains that the access, recreation and educational measures represent genuine, secured benefits to which appropriate, albeit limited, positive weight should be afforded.	
Topic: Landscape and Visual				
25	The study area and methodology used for the landscape and visual impact assessment.	BBC remains of the view that the ES does not provide sufficient justification as to why certain operational effects assessed as	The Applicant welcomes agreement with HDC on this matter. As set out in response BBC-D2-16 of [REP3-073] and Appendix C of [REP4-110] , the Applicant maintains that the methodology used for	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		moderate are not identified as significant effects. In this regard the Council refers to the D4 Cover Letter, Appendix A - Written Summary of Oral Representation made at Hearing (ISH3) PRoW – change to setting and footpath experience. BBC's overall conclusion in respect of this matters is that there is some slight under-representation of significant effects and that the screening of views as a result of mitigation planting has generally been assessed as an improvement to magnitude of impact and not been assessed as a potentially adverse change. However, in terms of the ES this conclusion would not of itself require a significantly change to the Scheme's methodology used for the landscape and visual impact assessment. On this basis, BBC has no further comment to make on the methodology..	the assessment of impacts and effects is in accordance with published best practice, including the application of professional judgement in determining significance. The Applicant considers that the LVIA appropriately identifies the likely significant effects of the Scheme.	
26	The baseline data for the landscape and visual impact assessment.	BBC agree in principle with the landscape character areas and approach to identifying representative viewpoints and visual receptors for the purposes of the assessment.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
27	The measures proposed to mitigate landscape and visual effects.	BBC has reviewed the Applicant's [APP-var] LVIA and BBC refers the ExA to BBC's submission made against Deadline 4 (Master Cover) Appendix A: Written Summary of Oral Representation made at Hearing (ISH3) PRow: change of setting (and experience) of the PRow routes within an open landscape. BBC consider that the landscape proposals are responsive to the location and required functions of each part of the Scheme, noting that these change across the Site. The design approach and resolution are considered; retains the legibility and broader character of the landscape; and reduces the visual effects, where possible, especially for visual receptors, at the edges of settlements, and along routes connecting settlements. It is specifically noted the Applicant's commitment to using indigenous planting for screening which will support local habitat protection and creation. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
28	The conclusions in respect of the assessment	BBC has reviewed the Applicant's [APP-var] LVIA and BBC refers the ExA to	The Applicant welcomes HDC's position that they broadly accept the identification	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
	of landscape and visual effects.	BBC's submission made against Deadline 4 (Master Cover) Appendix A: Written Summary of Oral Representation made at Hearing (ISH3) PRoW: change of setting (and experience) of the PRoW routes within an open landscape. BBC broadly accepts the identification of landscape and visual effects in the LVIA. However, the Council remains concerned that the Year 10 assessment places considerable reliance on the effectiveness of mitigation planting in reducing effects over time. Whilst BBC acknowledges that mitigation planting would reduce visibility of the Scheme, it considers that greater weight should be given to the long-term presence of the development and the resulting changes to landscape character, land use, openness, views and the experience of users of Public Rights of Way over the operational lifetime of the Scheme. BBC also considers that mitigation planting may itself result in changes to landscape character which may require an appropriate management approach should this be removed following decommissioning. On the basis that the landscape screening as proposed to mitigate the visual impact of the Scheme on the broader landscape setting will mitigate views, this of itself does not distract from the issue raised that this very landscape screening WILL	of landscape and visual effects in the LVIA. As set out in response BBC-D2-16 of [REP3-073] and Appendix C of [REP4-110], the Applicant maintains that the methodology used for the assessment of impacts and effects is in accordance with published best practice, including the application of professional judgement in determining significance. The Applicant considers that the LVIA appropriately identifies the likely significant effects of the Scheme. The Applicant considers that the Year 10 assessment is robust, and that reliance on mitigation planting is standard practice, with the outline Landscape and Ecological Management Plan [REP3-056] setting out how the planting will be established and managed to ensure the conclusions set out in the LVIA can be relied upon. The Applicant's assessment acknowledges that planting, in some areas, will screen the infrastructure but continue to have adverse (moderate or minor adverse) effects on views. The Applicant's position is that whilst this is judged as an adverse change to a view, the change does not reach the threshold of a significant adverse environmental effect.	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		change the reading of an open landscape as read from the PRowWs. However, it should be recognised that if the landscape screening were not instated, views from the PRowWs would be that of overlooking the Scheme's solar panel. Consequently, on balance, BBC concludes that the Applicant has, in terms of the ES assessment, addressed harm as identified to the broader landscape setting and PRowWs. On this basis, BBC has no further comment to make on the measures proposed to mitigate landscape and visual effects and conclusions set out and is in agreement on this specific matter.		
Topic: Glint and Glare				
29	The conclusions in respect of the glint and glare assessment	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Cultural Heritage				
30	The study area and methodology used for the assessment of impacts on the historic environment.	BBC has no further comment to make and is in agreement with the assessment.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
31	The baseline data for the historic environment.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
32	The measures proposed to mitigate impacts on the historic environment.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
33	The conclusions in respect of the assessment of effects on the historic environment.	BBC is in agreement with the conclusions of the assessment of effects on the historic environment; with the singular area of disagreement on this Aspect being the setting impacts to the All Saints Church at Little Staughton which is now referred to the ExA for assessment and determination. BBC's position in relation to the All Saints Church is set out at paragraph 8.6 of its relevant representation [RR-111]; inter alia – <i>'Factoring in the lack of a direct impact on the asset or a 'blocking' effect on existing key views, the Scheme would result in 'less than substantial' harm to the significance of the asset, likely around the mid-point of that range (low to high). Noting its Grade I listed status, and the lack of further mitigation measures</i>	The Applicant welcomes agreement with BBC on the assessment of the historic environment, and notes the only area of disagreement is in relation to the impact on the setting of the All Saints Church at Little Staughton. The Applicant has provided a response to BBC's comments in relation to All Saints Church at Little Staughton with reference to BBC-RR-39 of its Responses to Relevant Representations [REP1-055]. The Applicant has reached a different professional opinion on the impact to the setting of the church (in EIA terms), but notes that BBC and the Applicant are not far apart in the level of harm arising – BBC consider there to be less than substantial harm at the mid-point of the scale – the Applicant considers there to be less than	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		<i>proposed by the Applicant, this would amount to a 'significant effect' in EIA terms'.</i> BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	substantial harm at the low-to-mid point of the scale. As noted by BBC at paragraph 8.6c of their Relevant Representation, the less than substantial harm arising from the Scheme should be weighed against the public benefits in accordance with paragraph 5.9.32 and 5.9.36 of NPS EN-1 (2024 version). In relation to this balancing exercise, the Applicant highlights not only the public benefits arising from the Scheme and its status as critical national priority infrastructure, but also the heritage-specific public benefits. Historic England acknowledge at paragraphs 2.4, 4.51, 6.5 of their Written Representation [REP1-079] that the Scheme will deliver significant / considerable, heritage-focused, public benefit.	
Topic: Archaeology				
34	The Applicant's approach to archaeological investigation.	BBC is satisfied following the submission of the final first phase evaluation report for Site B [REP2-016]. Some of the programme of archaeological evaluation took place too late to inform the Environmental Statement, and elements of intrusive evaluation, such as grid connection corridors, that would ideally have taken place pre-consent, are now proposed as a requirement of any	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Development Consent Order. BBC is satisfied with the approach set out in the [REP2-034] outline Archaeological Mitigation Strategy. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
35	The conclusions of the assessments with respect to archaeology.	BBC is satisfied with the final first phase evaluation report for Site B [REP2-016]. The [REP2-034] outline Archaeological Mitigation Strategy has confirmed impacts can be avoided during both construction and operation phases. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
Topic: Ecology and Biodiversity				
36	The study areas and methodology used for the assessment of ecological receptors and resources.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
37	The baseline data for the assessment of ecological receptors and resources.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
38	The measures proposed to mitigate impacts to ecological receptors and resources.	BBC acknowledges the proposed ecological mitigation and compensation measures proposed, with the measures as committed set out in [REP6-038] oLEMP and [REP6-030] oCEMP and as secured by Requirements 4 and 5 of the [REP6-006] draft DCO. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
39	The conclusions in respect of the assessment of impacts and effects to ecological receptors and resources.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
40	The biodiversity net gain assessment.	BBC is supportive of the Applicant's BNG assessment. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Application, or other material changes arise: in-principle agreement.		
Topic: Habitats Regulations Assessment				
41	The Applicant's conclusion that the Scheme will not have adverse effects on the integrity of a European Site.	BBC notes the [REP1 062] Statement of Common Ground with Natural England, which confirms agreement with the conclusions of the Applicant's Information to Inform a Habitats Regulations Assessment [APP 035]. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Flood Risk and Drainage				
42	The Applicant's Flood Risk Assessment.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
43	The Scheme meets the requirements of the 'Sequential Test'.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Application, or other material changes arise: in-principle agreement.		
44	The Scheme meets the requirements of the 'Exception Test'.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Water Quality and Resources				
45	The approach to assessing impacts and effects on the water environment.	BBC in so far as its role as Lead Local Flood Authority accepts the conclusions of the Applicants assessment of impacts to the water environment. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
46	Water Framework Directive Water Bodies	Following in-house discussions with the Council's Flood Investigation Officer, review of the Applicant's response [REP3-048] oCEMP para 4.1.22-25, as set out in the Cover to Deadline 6, this matter is resolved and concluded – this is within the remit of the Environment Agency, not the LLFA.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		BBC in so far as its role as Lead Local Flood Authority consider the Applicant's WFD Assessment to be adequate, subject to the required mitigation being secured through the draft DCO. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
Topic: Traffic and Transport				
47	The study areas and methodology used for the assessment of traffic and transport impacts and effects.	BBC agree with the <u>study area and methodology</u> used to assess the impact of construction traffic on the public highway and PRoW network.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
48	The baseline data for the assessment of traffic and transport impacts.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
49	The measures proposed to mitigate traffic and transport impacts on the Public Highway (excluding	BBC has reviewed updated information/ submissions made and the management plan and refer the ExA to BBC's submission made against Deadline 4 (Master Cover):	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
	PRoW which is addressed below).	a) [REP3-052] Outline Operational Environmental Management Plan (OEMP): issues as set out. b) [REP3-054] Outline Decommissioning Environmental Management Plan (oDEMP): issues as set out. c) Response to [REP3-075] Technical Note on Replacement Works: issues as set out. i.e. the effect, harm, mitigations and enhancement measures relating specifically to the replacement campaign activity/ works remains unclear across all public highways, access, internal haul route, visibility splays across PRoWs, staff travel/minibus provision, PRoW safety, Condition Surveys, monitoring and highway authority approval issues. This requires clarity and address. BBC has reviewed their observations made against the above management plans at Deadline 4 against further correspondence and an update of the management plans. Aside from the matter of a 'Replacement Phase' which is dealt with elsewhere in this SoCG, the matters raised have been addressed by the Applicant to the point that there are not further matters and/or issues outstanding regarding the measures proposed to mitigate traffic and transport impacts on the Public Highway		

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		(excluding PRow which is addressed below). BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.		
50	The measures proposed to mitigate impacts on users of public rights of way.	BBC has reviewed the [REP6-040] Outline Public Rights of Way Management Plan and refer the ExA to BBC's submission made against Deadline 4 (Master Cover, Appendix B), the Observations then made still stand, namely: Obs1: Environmental Statement – Applicant's Design Approach (Section 5.2 – refer to SoCG Matter 15); Obs2: Active Travel (not addressed); Obs3: Technical specification (i.e. adoption of CCC's design technical standards); Obs4: Permissive paths – technical specification(i.e. adoption of CCC's design technical standards); Obs5: Betterment (No footpath nor bridleway improvements offered in contrast to the Scheme's stated commitments); Obs7: Green Lanes (not addressed);	The Applicant refers to its position at Item 15 above and to its detailed responses at BBC-D5-82 to BBC-D5-101 in the Applicant's Response to Deadline 4 and 5 Submissions – Host Authorities [REP6-051]. The Applicant considers that BBC's conclusion does not reflect the substantial amendments made to the oPROWMP [REP6-040] during the Examination. BBC's suggestion that the management framework requires the user or rider to make way for Scheme vehicles is incorrect. Paragraph 5.1.9 of the oPROWMP [REP6-040] requires equestrian users to be given priority and requires drivers, and banksmen where deployed, to stop and hold plant and vehicle movements until the equestrian user has safely cleared the works interface. Similarly, paragraph 5.1.20 states that at every Scheme vehicle crossing of a PRow, signs will inform drivers that they must give way to PRow	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		a) Obs8: Maintenance (e.g. need for condition surveys, monitoring of structural damage during the life of the Scheme and repairs and re-instatement, etc); Obs10: Temporary closure and diversions (including the statutory duties and responsibilities of the Local Highway Authority regarding PRowWs); Obs11: Vehicle traffic (i.e. alternative routes); Obs12: Decommissioning Phase; and, Obs13: General safety issues (e.g. safety to horse and rider on proposed shared PRowWs (principle not accepted). BBC is in-principle NOT SUPPORTIVE of the measures proposed to mitigate impacts on users of public rights of way (Footpaths and Bridleways) as set out in the Outline Public Rights of Way Management Plan on the basis that the in-principle approach is that the user/ rider makes way for the Scheme vehicle activity, and that the safety is regulated from this starting point. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	users. References to 'give way' signage are made throughout Section 6 of the oPROWMP [REP6-040] in relation to each relevant PRow. The control framework therefore <u>requires Scheme vehicles to make way for PRow users</u>, not the reverse. The oPROWMP provides for a comprehensive and route specific approach to safety. The oPROWMP commits to the provision of signage, physical segregation, managed crossings, banksmen, driver briefings, stop-and-hold procedures. The scope of the measures proposed for each route are proportionate to the nature and level of the particular interaction. Where necessary, the oPROWMP and draft DCO allow for temporary closure or diversion, which must be limited to the area and period reasonably required, and only where safe passage cannot be maintained through lesser measures. Routes and controls must be inspected before use, at the start of each working day while the interaction remains in place and following completion of the relevant works. Any obstruction, defect, near miss or complaint must be recorded and any safety defect made safe immediately. The Applicant has also secured a temporary diversion of Bolnhurst and Keysoe BW37 and Pertenhall BW26,	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			which will operate for the duration of the relevant construction works affecting those routes. This is in addition to temporary diversions of other PRow where vehicles are proposed to travel along the length of the PRow. It is therefore not correct to suggest that the Applicant has not provided an alternative route where one has been demonstrated to be appropriate and deliverable. Aside from raising an in-principle objection to the use of PRow by vehicles, BBC has not set out any specific location where the mitigation measures proposed by the Applicant (including temporary diversion) is inadequate. An in-principle position against the use of motor vehicles on PRow is neither reasonable, proportionate or supported by national policy. Paragraphs 2.10.40 to 2.10.45 of NPS EN-3 recognise that closures and diversions may be necessary and require routes to be kept open only so far as practicable and safe, with appropriate protection for users. The Applicant's approach directly reflects that policy. Several of BBC's residual observations concern wider active travel aspirations, permanent dedication or physical betterment of the existing network. Those are separate enhancement requests and	

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			do not demonstrate that the measures necessary to mitigate the effects of the Scheme or protect PRoW users are inadequate. The Applicant considers that the mitigation is appropriately robust, proportionate and enforceable and does not propose further amendment.	
50a	The use of public rights of way by motor vehicles.	BBC is in-principle NOT SUPPORTIVE of the approach and measures proposed regarding the use by Scheme vehicles on the public rights of way (Footpaths and Bridleways) as set out in the Outline Public Rights of Way Management Plan. To date no alternative routes have been proposed by the Applicant. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	The Applicant refers to its responses above at Item 15 and Item 50, and disagrees with BBC's in-principle position that PRoW cannot be used by motor vehicles. Paragraphs 2.10.40-45 of NPS EN-3 (2024 version) recognise that solar development may affect PRoWs and that routes may need to be temporarily closed or diverted to enable construction, but expresses a clear preference towards keeping PRoW open during construction, as far as is practicable and safe, in accordance with a public rights of way management plan. This is the approach the Applicant has taken, ensuring that PRoW remain open and safe where practicable, with temporary diversions where necessary. The mitigation measures set out by the Applicant are set out in the outline Public Rights of Way Management Plan [REP3-058] which the	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
			Applicant is continuing to refine where necessary in response to feedback. The use of PRow by motor vehicles on this Scheme has been shown to be necessary, and is limited to PRow which are made tracks already used by agricultural vehicles, including as construction access for existing solar development (at Site A). An in-principle position against the use of motor vehicles on PRow is neither reasonable, proportionate or supported by national policy.	
51	The conclusions in respect of the assessment of traffic and transport impacts and effects.	In-so-far that this excludes the aspect and matters to do with the PRow and Permissive paths, BBC has no further comment to make and is in agreement with the assessment. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement (caveated as above).	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Noise and Vibration				
52	The conclusions in respect of the assessment of noise and vibration.	BBC had specific concerns in relation to the operational phase with regard to the impact of panel cleaning and night-time tractor activity. BBC note the Applicant has updated paragraph 2.4.49 of the oOEMP to remove reference to the panels being cleaned overnight. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Air Quality				
53	The conclusions in respect of the assessment of air quality.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Ground Conditions				
54	The conclusions in respect of the assessment of ground conditions.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the	The Applicant welcomes agreement on this matter.	Matter agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Application, or other material changes arise: in-principle agreement.		
54a	Land contamination post-decommissioning.	BBC, on the basis of written representations and other submitted material (Ref. [REP4-032]) made against this matter, has reviewed the [REP6-036] oDEMP in terms of long-term land and water course contamination. BBC position remains NOT SUPPORTIVE of the Applicant's decommissioning mitigation and management measures that propose leaving the Applicant's underground cable's plastic sleeving (conduit) buried in-situ post-decommissioning. The Applicant's reasoning, as set-out in [REP6-036] oDEMP Table 5.2, is not substantiated and does not address the effect of micro-plastics leaching into soils, sub-soils and groundwater. BBC has reviewed the information available at the date of that version of the document. Parties have reached a clear and settled difference in position such that the matter is not capable of agreement.	The Applicant's position is that cables and jointing chambers will be removed. Conduit and casing are also expected to be removed in ordinary circumstances, but may exceptionally be retained where a future, site-specific environmental assessment demonstrates that removal would cause greater harm than leaving in-situ. This is set out at paragraph 2.4.2 of the oDEMP [REP4-099]. The final DEMP will require approval by the relevant local planning authorities and the Environment Agency prior to decommissioning, which in the Applicant's opinion gives BBC adequate control and oversight of the decommissioning end state. The Applicant notes that the EA is in agreement with the Applicant's approach on this matter, as set out in the Statement of Common Ground with the Environment Agency [REP4-104].	Matter Not Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Land Use and Soils				
55	The methodology used for the assessment of impacts and effects on land and soils.	BBC has no further comment to make and is in agreement with the methodology used for the assessment.	The Applicant welcomes agreement on this matter.	Matter Agreed
56	The survey data for the assessment of land and soils.	It is noted that Natural England has accepted the density of survey proposed by the Applicant. On this basis, BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
57	The measures proposed to mitigate impacts on soils.	BBC has reviewed the [REP6-042] Outline Soil Management Plan and notes that issues as raised have been addressed. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
58	The conclusions in respect of the assessment of land and soils.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
58a	Mineral safeguarding	Matter 95 and LIR 3.10: Minerals Safeguarding Area (MSA) Plan – a review of [APP-150] ES Land & Soils Fig. 13.5 illustrates the effected MSA Area. In discussion with the Minerals and Waste Team at Central Bedfordshire Council (CBC), the Applicant's statement 9 Appendix B of the Planning Statement [APP-031]) that this is a temporary application is accepted. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes confirmation from BBC that they accept the Applicant's position in relation to mineral safeguarding.	Matter Agreed
Topic: Socio Economics				
59	The conclusions in respect of the assessment of socio-economics.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Climate Change				
60	The methodology used for the assessment of climate change impacts and effects.	BBC welcome the approach taken by the Applicant in carrying out the greenhouse gas assessment, and the methodology applied to the Climate Change Risk Assessment (CCRA) and note that it is consistent with guidance issued by ISEP. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
61	The baseline data for the assessment of climate change impacts.	BBC note that an inconsistent use of historic climate data is apparent. The current baseline uses data for Bedford for the period 1991-2020 while the future baseline uses data for the same location from 1981-2010. This inconsistency is unlikely to compromise the overall outcome of the CCRA, but will be addressed by the Applicant by way of a written statement prior to the conclusion of the Examination, on this basis this matter is agreed. BBC states that no further discussion on this matter is considered necessary unless	The Applicant acknowledges the noted inconsistency in the presentation of the historic climate data within the Climate Change Risk Assessment (CCRA). Upon review, the Applicant confirms that this inconsistency is an error in reporting. The 1991-2020 dataset has been consistently used to calculate both the current and future climate baselines, in line with the methodology and guidance issued by ISEP.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		new information, amendments to the Application, or other material changes arise: in-principle agreement.		
62	The measures proposed to mitigate climate change impacts.	BBC notes that in terms of ES Chp.15 Aspect: Climate Change [APP-051] para 15.7.3/4/7 (Embedded mitigation and enhancement measures - Construction/ Operation/Decommissioning), and para 15.9.2 (GHG Emissions), measures regarding Climate Change Risk assessment (CRRA) or similar, have been addressed within the oCEMP. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement with BBC on this matter.	Matter Agreed
63	The conclusions in respect of the assessment of climate change impacts and effects.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Human Health				
64	The conclusions in respect of the Scheme's effects on human health.	BBC is satisfied that, subject to the required mitigation being secured through the draft DCO, the Scheme does not pose a significant risk to human health insofar as it relates to matters relevant to BBC's statutory functions. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Waste				
65	The Applicant's assessment of waste impacts.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
Topic: Major Accidents and Disasters				
66	The conclusions in respect of major accidents and disasters.	Insofar as it relates to matters relevant to BBC's statutory functions, BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		Application, or other material changes arise: in-principle agreement.		
Topic: Electromagnetic Fields				
67	The conclusions in respect of the Scheme's impacts arising from electromagnetic fields.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant notes this comment.	Matter Agreed
Topic: Cumulative Effects				
68	The scope of other developments assessed for potential cumulative effects.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed
69	The conclusions of the assessment of cumulative effects.	BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
Topic: Compulsory Acquisition				
70	The land rights sought by the Applicant through the draft DCO insofar as they relate to BBC.	In response to this matter (inter alia the Compulsory Acquisition Hearing 1 (10 June), the land and property rights and powers as requested by the Applicant, and the Council's detailed review of the Applicant's suite of documents; namely: the Land and Crown Land Plan [APP-008]; the Street Works, Rights of Way and Access Plan [APP-010]; the Draft DCO Agreement [APP-016]; the Book of Reference [APP-021]; the Land and Rights Negotiation Tracker [APP-022]; and, the outline Public Right of Way Management Plan [APP-159]), the Council's position is: 1) <u>Compulsory Acquisition</u>: the Council notes that the Application as currently made has NOT identified any plots/land within the ownership and/or responsibilities of the Council that would be subject to compulsory acquisition. Consequently, the Council has no further comment to make in this regard. BBC states that no further discussion on this matter is considered necessary unless new information, amendments to the Application, or other material changes arise: in-principle agreement.	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
70a	The land rights sought by the Applicant through the draft DCO insofar as they relate to BBC.	In response to this matter (inter alia the Compulsory Acquisition Hearing 1 (10 June), the land and property rights and powers as requested by the Applicant, and the Council's detailed review of the Applicant's suite of documents; namely: the Land and Crown Land Plan [APP-008]; the Street Works, Rights of Way and Access Plan [APP-010]; the Draft DCO Agreement [APP-016]; the Book of Reference [APP-021]; the Land and Rights Negotiation Tracker [APP-022]; and, the outline Public Right of Way Management Plan [APP-159]), the Council's position is: 2) <i>(Key) Acquisition of Rights (1): 'In respect of plots shaded blue on the Land and Crown Land Plan [APP-008], where the Applicant proposes to create and acquire new rights over land or extinguish or suspend private rights (including the right to impose restrictive covenants to protect the new cable corridor), the plot description includes this wording: "Acquisition of rights over..." (Ref. [APP-021] para 2.1.4b and 2.1.5 to be cross-referenced to DCO Article 23).</i> In principle, in so far that it effects the Council, the Council is NOT SUPPORTIVE of the extensive powers sought by the Applicant through acquisition of rights which are viewed as	The Applicant welcomes agreement on this matter.	Matter Agreed

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		disproportionate powers in relation to the Application to enable the Scheme works as identified; i.e. in the majority of cases, seeking access to lay and maintain a cable under/ adjacent to Public Highways and/or Public Right of Ways. It has consequently been agreed between Parties that this matter would be addressed and resolved through a Highway Side Agreement, engrossed as part of the Examination. On this basis, the matter is concluded.		
70b	The land rights sought by the Applicant through the draft DCO insofar as they relate to BBC.	In response to this matter (inter alia the Compulsory Acquisition Hearing 1 (10 June), the land and property rights and powers as requested by the Applicant, and the Council's detailed review of the Applicant's suite of documents; namely: the Land and Crown Land Plan [APP-008]; the Street Works, Rights of Way and Access Plan [APP-010]; the Draft DCO Agreement [APP-016]; the Book of Reference [APP-021]; the Land and Rights Negotiation Tracker [APP-022]; and, the outline Public Right of Way Management Plan [APP-159]), the Council's position is: 3) <u>(Key) Acquisition of Rights (2):</u> Sheet 14 only, plots 14.6 and 14.7 - Land use powers sought ([APP-021] para 2.1.6) blue and purple hatched:	The Applicant welcomes agreement on this matter.	Matter Agreed

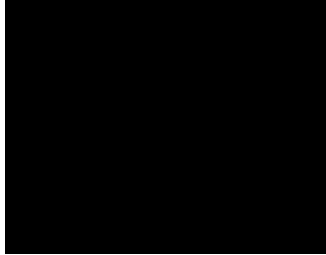
Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		<i>'Creation and compulsory acquisition of new rights (including, where necessary, a right to impose restrictive covenants to protect the new cable corridor); Articles 47'.</i> a) On the Land and Crown Land Plan [APP-008; Sheet Key plan] this is referred to as 'Crown Land'. b) It is noted that while the Plan [APP-008] seeks such Rights, the Book of Reference [APP-021] suggests temporary possession of plot 14.6 with the Council as 'freehold owner or reputed freehold owners'; the Plan appears to show the plot as Public Highway (Bushmead Road) and not Crown Land. c) Secondly, the Book of Reference [APP-021] suggests 'New Rights' over plot 14.7 with the Council as 'freehold owner or reputed freehold owners'; the Plan [APP-008] appears to show the plot as Public Highway (Bushmead Road) – road and reserve - and not Crown Land. (b) and (c) should be clarified by the Applicant. d) In correspondence between National Highways and the Council (as shared with the Applicant), NH have confirmed that the rights of this		

Ref.	Summary of Matter	Bedford Borough Council Position	Applicant Position	Status
		triangular plot (Title: BD266286) resides with the Council: In principle, in so far that it effects the Council, the Council's position regarding Acquisition of Rights (2) should be read against Acquisition of Rights (1); i.e. one of NOT SUPPORTIVE It has consequently been agreed between Parties that this matter would be addressed and resolved through a Highway Side Agreement, engrossed as part of the Examination. On this basis, the matter is concluded.		

APPENDIX A

BSSL Cambsbed 1 Ltd

Name:



Signature:

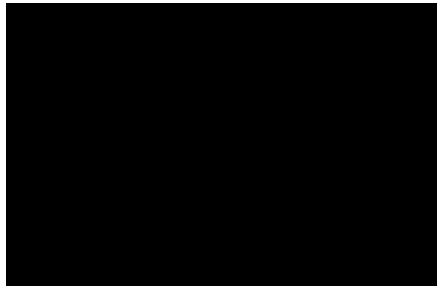
Position: Head of Project Development

On behalf of: BSSL Cambsbed 1 Ltd

Date: 11 September 2026

Bedford Borough Council

Name:



Signature:

Position: Head of Planning and Building Control

On behalf of: Bedford Borough Council

Date: 10 September 2026