

Tween Bridge Solar Farm

7.12 Statutory Undertakers Position Statement

Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009

APFP Regulation 5(2)(q)

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STATUTORY UNDERTAKERS POSITION STATEMENT

Table of Contents:

1 Introduction.....2

1.1. Purpose of this document.....2

2 Summary of current position with statutory undertakers43

List of Tables:

Table 2-1: Statutory undertaker position schedule.....43

List of Figures:

No table of figures entries found.

1 Introduction

1.1. Purpose of this document

- 1.1.1. This purpose of this document is to set out the current position of engagement between RWE Renewables UK Solar and Storage Ltd (the Applicant) and statutory undertakers (which includes, for ease of reference in this document, code operators as defined by the Communications Act 2003) that have assets or interests that would potentially be affected by Tween Bridge Solar Farm (the Scheme), as identified by the Book of Reference [**REP1-0083-012**]. This document will be updated during Examination of the Development Consent Order (DCO) application, particularly to track the parties' negotiation of protective provisions and related agreements, as relevant.
- 1.1.2. In respect of each relevant statutory undertaker, Table 2-1 of this document summarises the status of negotiations between the parties. In the version of this document submitted at Deadline 4, euNetworks Fiber UK Limited were removed from Table 2-1 because they do not have an interest in the Order Land identified in the Book of Reference and have previously confirmed that the Scheme would not affect their assets. On the other hand, Hutchinson 3G UK Limited and On Tower UK Limited were added to Table 2-1 at Deadline 4, alongside an update on the latest position, - because these parties do have interests in the Order Land identified in the Book of Reference.
- 1.1.3. The Applicant's engagement with statutory undertakers follows the Applicant's pre-application statutory consultation as set out in the **Consultation Report [APP-022]**. This included notifying all relevant statutory undertakers and persons with an interest in the land under Section 42(a) and Section 42(d) of the Planning Act 2008 respectively. The Applicant sought to engage with statutory undertakers in response to feedback received to that consultation. Additionally, throughout the development of the Scheme prior to DCO application, the Applicant sought to engage with statutory undertakers identified through diligent inquiry as land interests. The activities undertaken as part of diligent inquiry are reported in the **Statement of Reasons [APP-019Document Reference 4.1 Revision 4]**.
- 1.1.4. The approach taken by the Applicant to existing statutory undertaker apparatus is to avoid any conflict between the Scheme and that existing apparatus. The effect

of that approach is that there is not presently expected to be any requirement to divert existing statutory undertaker apparatus as part of the Scheme. Powers are included within the **draft DCO [Document Reference 3.1 Revision 47]** which would enable the Applicant to carry out diversions where required, but it is not currently expected that those powers will need to be relied on.

2 Summary of current position with statutory undertakers

- 2.1.1. Table 2-1 provides a summary of the position between the Applicant and each relevant statutory undertaker in relation to each individual asset affected.
- 2.1.2. The table includes traffic light model to indicate the progress of engagement between each statutory undertaker and the Applicant:
- **Green** – There are no outstanding issues in dispute between the parties.
 - **Amber** – There are outstanding issues between the parties and engagement is ongoing.
 - **Red** – There are outstanding issues between the parties and engagement is not ongoing.

Table 2-1: Statutory undertaker position schedule

Statutory undertaker (SU)	Latest position	Status
British Telecommunications PLC (Openreach)	Protective Provisions were issued on 3 June 2025 and the Applicant awaits a response. The Applicant has contacted Openreach again to	

STATUTORY UNDERTAKERS POSITION STATEMENT

	request a relevant contact and awaits a response. The Applicant considers that the protective provisions included at Schedule 14, Part 2 of the draft DCO [Document Reference 3.1 Revision 47] for the benefit of operators of electronic communications code networks provides adequate protection to British Telecommunications PLC. The Applicant awaits confirmation that British Telecommunications PLC are satisfied with the protection offered. <u>No representation has been made by British Telecommunications PLC in respect of the Application to date.</u>	
<u>Hutchinson 3G UK Limited</u>	<u>The Applicant considers that the protective provisions included at Schedule 14, Part 2 of the draft DCO [Document Reference 3.1 Revision 7], for the benefit of operators of electronic communications code networks, provide an</u>	

STATUTORY UNDERTAKERS POSITION STATEMENT

	<u>appropriate and highly precedented level of protection to Hutchinson 3G UK Limited.</u> <u>Nevertheless, the Applicant has contacted Hutchison 3G UK Limited to seek confirmation that it is content with the proposed protective provisions and that it has no other matters to raise. A response is awaited. No representation has been made by Hutchinson 3G UK Limited in respect of the Application to date.</u>	
<u>On Tower UK Limited</u>	<u>The Applicant considers that the protective provisions included at Schedule 14, Part 2 of the draft DCO [Document Reference 3.1 Revision 7], for the benefit of operators of electronic communications code networks, provide an appropriate and highly precedented level of protection to On Tower UK Limited.</u> <u>Nevertheless, the Applicant has contacted On Tower UK Limited to seek confirmation that it is content with the proposed protective</u>	

STATUTORY UNDERTAKERS POSITION STATEMENT

	<u>provisions and that it has no other matters to raise. A response is awaited. No representation has been made by On Tower UK Limited in respect of the Application to date.</u>	
Cadent Gas Limited	The Applicant is in ongoing discussions with Cadent Gas regarding the protective provisions and will continue to engage with them to seek to agree protective provisions for the benefit of Cadent Gas prior to the close of the examination. The Applicant is confident agreement will be reached. The Applicant and Cadent have exchanged a further set of comments and is pleased to note that progress is being made. The Applicant is considering Cadent's comments on the latest set of protective provisions shared and will return further comments shortly. <u>There remains one point that is yet to be agreed.</u>	
euNetworks Fiber UK Ltd	euNetworks confirmed that the Scheme would not affect their assets.	

STATUTORY UNDERTAKERS POSITION STATEMENT

Exolum Pipeline System Ltd	The Applicant is in ongoing discussions with Exolum Pipeline System Ltd regarding the protective provisions and will continue to engage with them to seek to agree protective provisions for the benefit of Exolum Pipeline System Ltd prior to the close of the examination. The Applicant is confident agreement will be reached and <u>is considering comments returned from Exolum on the latest set of protective provisions shared.</u> will share an updated set of protective provisions with Exolum Pipeline System Ltd shortly.	
National Gas Transmission (NGT)	NGT has confirmed [AS-025] that they are not impacted by the Scheme and no longer require protective provisions in the Order or to participate in the Examination process.	
National Electricity Grid	The Applicant is in ongoing discussions with NGET regarding the protective provisions and will continue to engage with them to seek to agree protective provisions for the benefit of	

STATUTORY UNDERTAKERS POSITION STATEMENT

Transmission (NGET)	PLC	NGET prior to the close of the examination. The Applicant has shared an updated version of protective provisions with NGET prior to Deadline 2 on 19 May 2026 but has not had a response as yet. <u>The Applicant contacted NPG on 8 June 2026, 3 July 2026, 10 July 2026 and 17 July 2026.</u> The Applicant is confident agreement will be reached prior to the close of the examination.	
Northern (NPG)	Powergrid	The Applicant is in ongoing discussions with NPG regarding the protective provisions and will continue to engage with them to agree to the protective provisions for the benefit of NPG prior to the close of the examination. The Applicant is awaiting <u>has been provided with a copy of NPG's preferred protective provisions and returned comments on 29 June 2026. We are awaiting a response. The Applicant contacted NPG to follow up on 10 July 2026 and 17 July 2026 but comments have not been returned.</u>	

STATUTORY UNDERTAKERS POSITION STATEMENT

Severn Trent Water	The Applicant met with Severn Trent Water on 26 July 2025 and it was confirmed that no issues were identified with the Scheme or proposed Protective Provisions in Part 1 of Schedule 14 of the draft DCO [Document Reference 3.1 Revision 47].	
Yorkshire Water Services Limited	Protective Provisions were issued on 3 June 2025 and the Applicant awaits a response. The Applicant has contacted Yorkshire Water again to confirm whether they wish to comment on the Protective Provisions and awaits a response. The Applicant considers that the protective provisions included at Schedule 14, Part 1 of the draft DCO [Document Reference 3.1 Revision 47] for the benefit of protection for electricity, gas, water and sewerage undertakers provide adequate protection to Yorkshire Water Services Limited.	

STATUTORY UNDERTAKERS POSITION STATEMENT

	The Applicant awaits confirmation that Yorkshire Water Services Limited are satisfied with the protection offered.	
Lumen Technologies	Lumen Technologies confirmed on 16 June 2025 that the Scheme would have no effect on their assets.	
Isle of Axholme and North Nottinghamshire Water Level Management Board (IANWLMB)	The Applicant met with IANWLMB on 9 July 2025 and continues to await comments on the proposed protective provisions. The Applicant considers that the protective provisions for the benefit of drainage authorities included at Schedule 14, Part 3 of the draft DCO [Document Reference 3.1 Revision 47] provides adequate protection to IANWLMB. The Applicant has been trying to contact IANWLMB and has been requesting comments on the protective provisions for the benefit of drainage authorities at Schedule 14, Part 3 of	

STATUTORY UNDERTAKERS POSITION STATEMENT

	the draft DCO [Document Reference 3.1 Revision 4]. The Applicant sent emails to IANWLMB on 23 February, 9 March, 27 March, 2 April but has not yet received a response from IANWLMB yet. The Applicant awaits confirmation that IANWMLB are satisfied with the protection offered.	
Doncaster East IDB (DEIDB)	The Applicant met with DEIDB on 9 July 2025 and continues to await comments on the proposed protective provisions. The Applicant considers that the protective provisions included at Schedule 14, Part 3 of the draft DCO [Document Reference 3.1 Revision 47] for the benefit of drainage authorities provides adequate protection to DEIDB. The Applicant has been trying to contact DEIDB and has been requesting comments on the protective provisions for the benefit of	

STATUTORY UNDERTAKERS POSITION STATEMENT

	drainage authorities at Schedule 14, Part 3 of the draft DCO [Document Reference 3.1 Revision 4]. The Applicant sent emails to DEIDB on 23 February, 9 March, 27 March, 2 April but has not yet received a response from DEIDB yet. The Applicant looks forward to receiving comments.	
Network Rail	The Applicant considers that the protective provisions included at Schedule 14, Part 8 of the draft DCO [Document Reference 3.1 Revision 47] for the benefit of those with railway interests provides adequate protection to Network Rail (NR). The Applicant is in ongoing discussions with NR regarding the protective provisions and will continue to engage with them to agree to the protective provisions for the benefit of NR prior to the close of the examination.	

STATUTORY UNDERTAKERS POSITION STATEMENT

Canal and River Trust	The Applicant is in ongoing discussions with the Canal and River Trust regarding the protective provisions and will continue to engage with them to seek to agree protective provisions for the benefit of the Canal and River Trust prior to the close of the examination. The Applicant is confident agreement will be reached and was pleased to hear the Canal and River Trust's submissions at the Preliminary Meeting that they were happy with the progress being made on these. The Applicant <u>and the Canal and River Trust had a productive meeting to discuss the outstanding points of the protective provisions. The Applicant is now considering the comments shared by the</u> Canal and River Trust's <u>after this meeting</u>comments on the latest set of protective provisions shared and will return comments shortly.	

STATUTORY UNDERTAKERS POSITION STATEMENT

Environment Agency	The Applicant has been in ongoing discussions with the Environment Agency regarding the protective provisions and has agreed a set of the protective provisions for the benefit of the Environment Agency which are included at Schedule 14, Part 5 of the draft DCO [Document Reference 3.1 Revision 47] .	
National Highways	The Applicant considers that the protective provisions included at Schedule 14, Part 7 of the draft DCO [Document Reference 3.1 Revision 47] for the benefit of National Highways provides adequate protection for its interests. The Applicant is considering comments on the protective provisions provided on behalf of National Highways and will continue to engage with National Highways' lawyers in the hope of reaching an agreement before the end of the examination.<u>Notwithstanding that this is the Applicant's firm position, in view of NH's comments to date, the Applicant is working with NH to seek to agree upon a mutually</u>	

STATUTORY UNDERTAKERS POSITION STATEMENT

	<u>acceptable form of protective provisions for NH's benefit. These discussions are ongoing and the Applicant is currently awaiting from NH receipt of a further version of the protective provisions for comment.</u>	
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