

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

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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 **[REP3-012]**. 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. 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 [REP4-007]**.
- 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 this 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 8]** 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 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	

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	8] 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. No representation has been made by British Telecommunications PLC in respect of the Application to date.	
Hutchinson 3G UK Limited	The Applicant considers that the protective provisions included at Schedule 14, Part 2 of the draft DCO [Document Reference 3.1 Revision 8], for the benefit of operators of electronic communications code networks, provide an appropriate and highly precedented level of protection to Hutchinson 3G UK Limited. 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 still awaited. No representation has been made by Hutchinson 3G UK Limited in respect of the Application to date.	

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On Tower UK Limited	The Applicant considers that the protective provisions included at Schedule 14, Part 2 of the draft DCO [Document Reference 3.1 Revision 8], for the benefit of operators of electronic communications code networks, provide an appropriate and highly precedented level of protection to On Tower UK Limited. Nevertheless, the Applicant has contacted On Tower 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 still awaited. No representation has been made by On Tower UK Limited in respect of the Application to date.	
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 and Cadent have exchanged a further set of comments and the Applicant is pleased to note that substantial progress has been made. There	

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		remains one point that is yet to be agreed – Cadent's insistence on a veto mechanism – and this is detailed within the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2]. In view of the nature of the matter outstanding and for the reasons explained in that document, the Applicant does not anticipate that an agreement will be reached with Cadent in relation to this matter before the end of the examination. However, in all other respect, the protective provisions for Cadent are agreed. At Deadline 5, the Applicant has included the protective provisions for the benefit of Cadent, at Part 9 of Schedule 14 of the Draft DCO [Document Reference 3.1 Revision 8] to reflect the version that is agreed in principle (with the exception of the aforementioned veto mechanism) between the parties.	
Exolum System Ltd	Pipeline	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 prior to the close of the examination. The Applicant is	

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	confident agreement will be reached on many if not all of the points which are outstanding before the end of the examination and has returned comments to Exolum on the latest set of protective provisions ahead of Deadline 5. At Deadline 5, the Applicant updated the protective provisions for the benefit of Exolum in Part 6 of Schedule 14 of the Draft DCO [Document Reference 3.1 Revision 8] submitted at Deadline 5, to reflect the current status of the discussions between the parties. These updates incorporate both amendments agreed between the Applicant and Exolum and also provisions on which agreement has not yet been reached. The matters which remain unresolved at Deadline 5 are reflected in Table 3 in the Justification for the Applicant's Preferred Protective Provisions [Document Reference 8.23 Revision 2].	
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.	

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National Electricity Transmission (NGET)	Grid PLC	The Applicant is in ongoing discussions with NGET regarding the protective provisions and will continue to engage with NGET to seek to agree protective provisions prior to the close of the examination. The Applicant has received a further set of comments on the protective provisions from NGET and the Applicant will respond to these comments shortly. The Applicant has not included the protective provisions for NGET in the Draft DCO [Document Reference 3.1 Revision 8] at Deadline 5 as it is considered that there had not been sufficient progress on the outstanding matters of disagreement to justify an update at this point. The Applicant is confident agreement will be reached on many of the outstanding points prior to the close of the examination but, as a minimum, does not consider that agreement will be reached in relation to NGET's insistence upon a veto mechanism, for the reasons explained in detail in the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2].	
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Northern Powergrid (NPG)	The Applicant is in ongoing discussions with NPG regarding the protective provisions and will continue to engage with NPG to agree to the protective provisions prior to the close of the examination. The Applicant has been provided with a copy of NPG's preferred protective provisions and returned comments on 29 June 2026. The Applicant is now awaiting a response. The Applicant contacted NPG to follow up, most recently on 24 July 2026 but comments are still awaited. Accordingly, the Applicant did not consider that sufficient progress had been made on the outstanding matters between the parties to justify the inclusion of the protective provisions within the Draft DCO [Document Reference 3.1 Revision 8] at Deadline 5. However, the outstanding points between the Applicant and NPG are reflected in Table 7 of the Justification for the Applicant's Preferred Protective Provisions [Document Reference 8.23 Revision 2].	
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	

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	Schedule 14 of the draft DCO [Document Reference 3.1 Revision 8] .	
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 8] for the benefit of protection for electricity, gas, water and sewerage undertakers provide adequate protection to Yorkshire Water Services Limited. 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.	

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Isle of Axholme and North Nottinghamshire Water Level Management Board (IANWLMB)	The Applicant met with IANWLMB on 9 July 2025 and discussions are at an early stage in relation to 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 8] provide adequate protection for IANWLMB but welcomes comments from IANWLMB. A further substantive update will be provided at Deadline 6 via this document and the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2].	
Doncaster East IDB (DEIDB)	The Applicant met with DEIDB on 9 July 2025 and discussions are at an early stage in relation to 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 8] for the benefit of drainage authorities provide adequate protection for DEIDB but welcomes comments from DEIDB. A further	

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	substantive update will be provided at Deadline 6 via this document and the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2] .	
Network Rail	The Applicant considers that the protective provisions included at Schedule 14, Part 8 of the draft DCO [Document Reference 3.1 Revision 8] for the benefit of those with railway interests provides adequate protection for Network Rail (NR). The Applicant is in ongoing discussions with NR regarding the protective provisions and returned an updated iteration of the protective provisions on 23 July 2026 and will continue to engage with NR to seek to agree the protective provisions for the benefit of NR prior to the close of the examination. The Applicant has updated the protective provisions for the benefit of NR at Part 8 of Schedule 14 of the Draft DCO [Document Reference 3.1 Revision 8] submitted at Deadline 5. The revisions made are limited only to matters on which agreement has been	

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	reached between the Applicant and NR at the current time.	
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 the Trust to seek to agree the protective provisions prior to the close of the examination. The Applicant is confident agreement will be reached on many of the outstanding points prior to the close of the examination however, as a minimum, does not consider that agreement will be reached in relation to the Trust's insistence upon a veto mechanism, for the reasons explained in substantial detail in the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2]. The Applicant and the Canal and River Trust had a productive meeting on 8 July 2026 to discuss the protective provisions. The Applicant returned an updated iteration of the protective provisions to the Trust on 28 July 2026. The Applicant has updated the protective provisions for CRT in Part 4 of Schedule 14 in the	

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	Draft DCO [Document Reference 3.1 Revision 8] submitted at Deadline 5. The updates to the protective provisions at Deadline 5 incorporate a number of amendments agreed between the Applicant and the CRT but also a number of matters which are unresolved and on which the Applicant will continue to engage with the CRT, with a view to reaching agreement.	
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 8].	
National Highways	The Applicant considers that the protective provisions included at Schedule 14, Part 7 of the draft DCO [Document Reference 3.1 Revision 8] for the benefit of National Highways provide adequate protection for its interests. 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 acceptable form of protective provisions for NH's benefit. The Applicant	

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	provided NH with a revised version of the protective provisions on 29 May 2026, and the parties held a productive meeting on 11 June 2026 to discuss the outstanding points. Discussions have continued positively since that meeting, and further progress has been made towards resolving the remaining issues. The Applicant is currently awaiting from NH receipt of a further version of the protective provisions for comment. Accordingly, the Applicant did not consider that there had been sufficient progress on outstanding matters to justify updating the protective provisions for the benefit of NH in Part 7 of Schedule 14 of the Draft DCO [Document Reference 3.1. Revision 8] at Deadline 5. A further update will be provided at Deadline 6 via this document and the Justification for the Applicant's preferred protective provisions [Document Reference 8.23 Revision 2].	
City of Doncaster Council as Highway Authority	The Applicant is in early discussions with City of Doncaster Council as Highway Authority (CDC) regarding protective provisions for the benefit of CDC. The Applicant has included an early draft of the protective provisions for	

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	CDC in Part 10 of Schedule 14 of the Draft DCO [Document Reference 3.1 Revision 8] submitted at Deadline 5. These are not currently agreed in all respects however the Applicant is committed to continuing engagement with CDC with a view to reaching agreement on the protective provisions by the close of examination. A further update will be provided at Deadline 6.	
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