



BEACON FEN ENERGY PARK

Planning Inspectorate Reference: EN010151

Statement of Common Ground between the Applicant and the Black Sluice Internal Drainage Board

Document Reference: 8.17

October 2025



Quality information

Prepared by	Checked by	Verified by	Approved by
RG	AS	BGG	AS

Revision History

Revision	Revision date	Details	Authorized	Name	Position

Abbreviation	Description
AC	Alternating Current
AIS	Air Insulated Switchgear
Applicant	Beacon Fen Energy Park Ltd
BBC	Boston Borough Council
BESS	Battery energy storage system
CCTV	Closed circuit television
DC	Direct Current
DCO	Development Consent Order
EA	Environment Agency
ES	Environmental Statement
GIS	Gas Insulated Switchgear
HOT	Head of Terms
HV	High Voltage
IDB	Internal Drainage Board
LCC	Lincolnshire County Council
LFR	Lincolnshire Fire and Rescue Service
LLFA	Local Lead Flood Authority
Low Carbon	Low Carbon Ltd
MW	Megawatts
NGR	National Grid Reference
NKDC	North Kesteven District Council
NPSs	National Policy Statements
NSIP	Nationally Significant Infrastructure Project
OBSMP	Outline Battery Safety Management Plan
OCEMP	Outline Construction Environmental Management Plan
OCTMP	Outline Construction Traffic Management Plan
ODEMP	Outline Decommissioning Environmental Management Plan
OLEMP	Outline Landscape and Ecological Management Plan
Order	The Beacon Fen Energy Park Order
PCU	Power Conversion Unit
PINS	Planning Inspectorate

PEIR	Preliminary Environmental Information Report
Proposed Development	The entire development to be constructed and operated within the Site, as set out in Schedule 1 of the draft DCO
PRoW	Public Right of Way
PV	Photovoltaic
RR	Relevant Representation(s)
SLR	SLR Consulting, formerly Wardell Armstrong (WA)
SoCC	Statement of Community Consultation
SoCG	Statement of Common Ground
SoS	Secretary of State
The Site	The entire draft Order Limits or red line boundary located approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington

List of Outstanding Issues and Information

Outstanding issue/info.	Section/Paragraph	Responsibility	Action

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1. Introduction

1.1 Overview

- 1.1.1 This Statement of Common Ground ('SoCG') with the Black Sluice Internal Drainage Board (IDB) (**Document Ref: 8.17**) has been prepared on behalf of Beacon Fen Energy Park Ltd (the 'Applicant'). It forms part of the application (the 'Application') for a Development Consent Order ('DCO'), that has been submitted to the Secretary of State (the 'SoS') for the Department for Energy Security and Net Zero, under Section 37 of the Planning Act 2008 (the '2008 Act').
- 1.1.2 The Applicant is seeking development consent for a ground-mounted solar photovoltaic ('PV') electricity generation and battery energy storage system ('BESS'), together with associated grid connection infrastructure (the 'Proposed Development'), at an area sited approximately 6.5 km northeast of the village of Sleaford and 2.5 km north of Heckington (the 'Site'). The Proposed Development would have a generation capacity of approximately 400 megawatts ('MW') of electricity, with a 600 MW BESS.
- 1.1.3 The Site corresponds to the entire Order Limits and represents the entire land area required for construction, operation and decommissioning of the Proposed Development. It is made up of the Solar Array Area (comprising the solar PV and BESS infrastructure) the Cable Route Corridor (comprising an electrical connection from the Solar Array Area to the Bicker Fen National Grid 400 kV substation) and the Bespoke Access Corridor (for a bespoke access from the A17 to the Solar Array Area). This is termed the Bespoke Access Road.
- 1.1.4 The Proposed Development falls within the definition of a 'Nationally Significant Infrastructure Project' ('NSIP') under Section 14(1)(a) and Sections 15(1) and (2) of the 2008 Act, as it is an onshore generating station in England that would have a generating capacity greater than 50 MW electrical output. As such, a DCO application is required to authorise the Proposed Development in accordance with Section 31 of the 2008 Act.
- 1.1.5 The DCO, if made by the SoS, would be known as 'The Beacon Fen Energy Park Order' (the 'Order').

1.2 The Applicant

- 1.2.1 The Applicant is a subsidiary of Low Carbon Ltd ('Low Carbon'). Low Carbon is a privately-owned global renewable energy company.

1.3 The Site

- 1.3.1 The Site represents the entire Order Limits and is located east of Sleaford in Lincolnshire. It extends to approximately 758 ha and comprises of three functional areas: the Solar Array Area, the Cable Route Corridor and the Bespoke Access Corridor.

Solar Array Area

- 1.3.2 The Solar Array Area is approximately 529 ha in size and located to the north of Heckington, centred at the National Grid Reference ('NGR') 514682 347825. The Solar Array Area is located wholly within the administrative areas of North Kesteven District Council ('NKDC') and Lincolnshire County Council ('LCC').
- 1.3.3 The Solar Array Area predominantly comprises agricultural land in arable use, divided by ditches with sparse tree cover that is limited to small woodland blocks and scattered hedgerow trees. A small reservoir is located in the south-west of the Solar Array Area.
- 1.3.4 The Solar Array Area is bound to the south, west and north by local highways, and bound to the east by the Car Dyke. Public Right of Way ('PRoW') Ewer/12/1 extends across the north-eastern corner of the Site, close to the northern Site boundary. There are no other PRoW within the Solar Array Area.
- 1.3.5 Villages in proximity to the Solar Array Area include:
- Howell immediately to the south-west, with Heckington c. 1.7 km beyond;
 - Ewerby Thorpe immediately to the west, with Ewerby c. 1.1 km beyond;
 - Anwick c. 2.7 km to the north-west;
 - North Kyme c. 2.4 km to the north; and
 - South Kyme c. 1.5 km to the east.

Cable Route Corridor

- 1.3.6 The Cable Route Corridor is approximately 183 ha in size and extends c. 13 km south-east from the Solar Array Area to Bicker Fen substation, at NGR TF 19684 38599. The Cable Route Corridor is located wholly within the administrative area of LCC. The majority of the Cable Route Corridor is located within the administrative area of NKDC; however, the southern section is located within the Boston Borough Council ('BBC') administrative area.
- 1.3.7 Land use within the Cable Route Corridor is predominantly agricultural. A number of local highways cross the Cable Route Corridor, and the A17 crosses east to west within the north-west section of the Corridor. The railway linking Heckington west to Sleaford and east to Swineshead intersects the mid-section of the Corridor. There are a number of PRoW within the Cable Route Corridor, including one alongside the South Forty Foot Drain which also crosses the Cable Route Corridor.

Bespoke Access Corridor

- 1.3.8 The Bespoke Access Corridor is approximately 45.4 ha in size comprising predominantly agricultural land and extends approximately 3 km south-west from the Solar Array Area to the A17. The Bespoke Access Corridor is located wholly within the administrative areas of LCC and NKDC.
- 1.3.9 The Bespoke Access Corridor has been refined during the pre-application stage, informed by results from environmental surveys and consultation feedback.
- 1.3.10 Asgarby Road and Heckington Road cross the Bespoke Access Corridor and there are four PRoW located within the route.

1.4 The Proposed Development

- 1.4.1 The main components of the Proposed Development are summarised below and defined in Schedule 1 to the **Draft DCO (APP-039)**.

Solar Array Area

- 1.4.2 The Solar Array Area consists of solar PV panels and modular ground-mounting structures. The height of the panels considered will be up to 3.9 m above ground level in fields to the east and 3.5 m above ground level in fields to the west, south and an isolated field in the north. The proposal is for a fixed (i.e., static) panel orientation, facing due south (i.e., 180° azimuth) which is commonly seen on existing UK solar farms, and angled 10° to 45° from horizontal. Supporting infrastructure includes inverters, combiner boxes, transformers and switchgear converting the Direct Current ('DC') to Alternating Current ('AC') and stepping up the voltage so it can be exported to the National Grid. An inverter, transformer and switchgear comprised together is termed a Power Conversion Unit ('PCU'). This could be located separately as an "Outdoor Solar Station" or enclosed within a single container, referred to as "Indoor Solar Station."
- 1.4.3 A 600 MW BESS adjacent to the Onsite Substation is included in the Proposed Development within the Solar Array Area. This will allow the electricity generated by the panels to be stored on site at times when grid demand is low, then exported at times of higher demand. The BESS containers and switch rooms are anticipated to be up to 8 m x 3 m in size, with a height of up to 4.5 m.
- 1.4.4 Low voltage onsite electrical cabling is required to connect the PV modules and BESS to the inverters, and the inverters to the onsite transformers. Higher voltage cables are required between the transformers and the switchgear and from switchgear to the substation.
- 1.4.5 A new Onsite Substation is proposed and would have up to four High Voltage (HV) transformers with a maximum footprint of no more than 40,000 m² (e.g. 250 m x 160 m (or 200 m x 200 m)) and a height of up to 13 m). The substation will include a 33 kV switchroom, control and storage buildings that would house office space and welfare facilities, as well as operational monitoring and maintenance equipment and equipment for reactive compensation and/or harmonic filtering. The design control building and office/welfare will be defined as part of detailed design.
- 1.4.6 The perimeter fence would likely comprise standard post and wire, deer fencing up to 3 m tall around the Solar Array Area. Security fencing, up to 3.4 m will be installed around the substation compounds and, possibly, other infrastructure / compounds. Acoustic fencing, up to 4 m tall, may be required around the BESS, subject to the detailed design and layout.
- 1.4.7 Mounted internal-facing closed circuit television (CCTV) systems will likely be deployed around the perimeter of the operational areas of the Site; anticipated to be 5 m high. The CCTV cameras would have fixed view sheds and will be aligned to face along the fence. Motion detection security lighting will be used around the electrical infrastructure and potentially at other pieces of critical infrastructure.

- 1.4.8 During construction, temporary construction compounds will be required, as well as temporary roadways, to enable access to all the land within the Site. Localised earthworks to form suitable development platform for the substation and BESS will also be required.
- 1.4.9 There will be one primary access on the western edge of the Solar Array Area and a secondary access to the north, both of which will allow larger vehicles (including first responders) to access the BESS and on-site substation. Tertiary operational access primarily for smaller vehicles is provided to the north-west and south.
- 1.4.10 PRoW Ewer/12/1 is being extended in a south and westerly direction as a permissive path terminating in the vicinity of Ewerby Thorpe, and will be in place for the operational duration of the Proposed Development. The exact route of the permissive path will be determined via discharge of a requirement in the **Draft DCO (APP-039)**, but it is anticipated to run in a south easterly direction along Car Dyke then heading south west on the north side of Hodge Dike. An undetermined number of footbridges (unlikely to be more than eight in number) to cross existing watercourses, will be required and will require the usual water course crossing agreements to be sought with the relevant Internal Drainage Board (IDB) in parallel with discharge of requirement.

Cable Route

- 1.4.11 The Cable Route running between the Solar Array Area and the Bicker Fen 400 kV Substation will be constructed through trenched methods and, where required, trenchless methods.
- 1.4.12 During construction, temporary construction compounds will be required approximately every 1-3 km, as well as temporary roadways, to enable access to all land. It is anticipated that there will be 6 main compounds that are distributed at approximately equal distances along the cable route to facilitate proper construction management. Smaller temporary compounds may also be located anywhere within the final working area.
- 1.4.13 The Cable Route perimeter will include replacement planting of vegetation and hedgerows lost during construction of the Cable Route and will be re-instated where possible subject to easement restrictions.

Bespoke Access Road

- 1.4.14 A dedicated access from the A17 to the Solar Array Area is required. It will be constructed in advance of and to facilitate the construction of the development within the Solar Array Area. During construction, temporary construction compounds will be required which may be anywhere along the route.
- 1.4.15 The Bespoke Access Road will likely be the last component of the Proposed Development to be removed as it will be used to facilitate decommissioning of the Solar Array Area. Whilst it is assumed in the **Environment Statement ('ES') (APP-052 to APP-274)** that the road will be removed (unless otherwise stated in the relevant chapter), it is possible that engagement with the landowners at that time will establish a preference for it to be retained. Optionality has been deliberately retained in the Application to facilitate such a scenario.

- 1.4.16 There will be no permanent lighting installed, and access will be controlled through gates at all stages.
- 1.4.17 Vegetation and hedgerows lost during construction of the Bespoke Access Road will be re-instated.

In any or all of the above areas

- 1.4.18 Along with the above, in any or all of the three areas, the Proposed Development will include the following (subject to certain requirements):
- Access tracks of between 3.5 m to 9 m width for construction access and routine maintenance when operational. Access tracks located adjacent to drainage ditches will incorporate the necessary ecological, Environment Agency (EA) and/or IDB buffers where required;
 - Boundary treatments, means of enclosure, security measures, and paths;
 - Landscaping and reinstatement planting and Biodiversity Net Gain related habitats;
 - Flood resilience measures including swales and storm water attenuation, and works to existing irrigation systems;
 - Utility diversions;
 - Bunds, embankments, protective works to buildings, maintenance, and improvement of streets; and
 - Construction related (and decommissioning related) work sites.

Bicker Fen Substation Works

- 1.4.19 The extension of Bicker Fen substation will include a new generation bay, a new generation bay control room and a perimeter access road. A new generation bay will also include electrical equipment required for connection to the transmission system.
- 1.4.20 National Grid have requested that there be optionality within the design of the extension to Bicker Fen substation. The two design options that have been assessed in the **ES (APP-052 to APP-274)** and included in the Application are: Air Insulated Switchgear ('AIS') and Gas Insulated Switchgear ('GIS').

Draft Development Consent Order

- 1.4.21 The Proposed Development is described in detail in Schedule 1 to the **Draft DCO (APP-039)**, and the areas in which each component (the 'Work Numbers') may be constructed are shown on the **Works Plan (APP-010)**.
- 1.4.22 The Proposed Development is split into 10 Work Numbers as follows:
- Work No. 1 – a ground mounted solar photovoltaic generating station with a gross electrical output capacity of over 50 megawatts;
 - Work No. 2 — a battery energy storage system compound and associated works (including fire safety infrastructure);
 - Work No. 3 — development of an onsite substation and associated works;
 - Work No. 4 — works in connection with electrical cabling and associated compounds;
 - Work No. 5 — works to the existing Bicker Fen National Grid substation to create a new generation bay and substation extension;

- Work No. 6 — various ancillary works relating to the Solar Array Area, including cabling, fencing, security features, access tracks, watercourse crossings and landscaping and biodiversity mitigation measures;
- Work No. 7 — construction and decommissioning compounds in connection with Work Nos. 1, 2 and 3;
- Work No. 8 — works to create the Bespoke Access Road;
- Work No. 9 — areas of habitat management; and
- Work No. 10 — works to facilitate access to Work Nos. 1 to 9.

1.4.23 In addition, Schedule 1 to the **Draft DCO (APP-039)** lists other associated works (referred to as "further associated development") which may be carried out in connection with the construction of Work Nos. 1 to 10.

1.5 The Development Consent Order Process

1.5.1 As a NSIP, the Applicant is required to seek a DCO to obtain planning and other powers to construct, operate and maintain the generating station, in accordance with Section 31 of the 2008 Act. Sections 42 to 48 of the 2008 Act govern the consultation that an applicant must carry out before submitting an application for a DCO and Section 37 of the 2008 Act governs the form, content and accompanying documents that are required as part of a DCO application.

1.5.2 An application for development consent for the Proposed Development has been submitted to and accepted for examination by the Planning Inspectorate ('PINS') acting on behalf of the SoS. PINS is now examining the Application and will make a recommendation to the SoS, who will then decide whether or not to make (grant) the DCO.

1.6 Purpose of this Document

1.6.1 This document is intended to summarise clearly the agreements reached between the Applicant and the Black Sluice IDB on matters relevant to the examination of the Application, in order to assist the Examining Authority to understand the progress of negotiations between the parties. It has been prepared having regard to the guidance in 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects' (Ministry of Housing, Communities and Local Government and Department for Levelling Up, Housing and Communities, April 2024).

1.6.2 It is intended that the SoCG will provide information for the examination process, facilitating a smooth and efficient examination and managing the amount of material that needs to be submitted. Updates to this document will be made periodically (and on request) during the examination, with a view to submitting a final signed version of the SoCG at the end of the examination.

1.7 Role of Key Stakeholders

1.7.1 This SoCG refers to communications and correspondence with the Black Sluice IDB. The role of the Black Sluice IDB and how it relates to the Application is summarised, below.

- 1.7.2 The Black Sluice IDB is an authority set up to control water levels and reduce the risk of flooding within the Board's area. The activities and responsibilities of the Black Sluice IDB is controlled by Land Drainage Act 1991. It operates 34 pumping stations and maintains 500 miles of watercourses within its area and has a policy of undertaking this work with regard to protecting and enhancing the environmental features in these watercourses.
- 1.7.3 The Black Sluice IDB is a prescribed consultee in respect of all DCO applications that are likely to affect land in England. Annex D of Advice Note 11 'Working with Public Bodies'¹ produced by PINS sets out in detail the role of the Black Sluice IDB in the DCO process, including the level of input and agreement be expected from the Black Sluice IDB. The Applicant has consulted the Black Sluice IDB throughout development of the Proposed Development.
- 1.7.4 The Black Sluice IDB role covers various matters, including the following:
- powers to adopt watercourses within its District for regular maintenance;
 - powers to construct new or improve existing works;
 - powers to make Byelaws to assist in controlling activities adjacent to watercourses. These Byelaws are approved by the then Department for Environment, Food and Rural Affairs (Defra);
 - consult with the Planning Authorities on drainage matters and comments are returned incorporating engineering advice where necessary;
 - have their own labour force who carry out maintenance and improvement works. These works include operating pumping stations, flail mowing, removing silt and obstructions, piling slipping banks, and maintaining grids, culverts and other flood defence structures; and
 - Acts as an agent to the Lead Local Flood Authority (Lincolnshire County Council) for Land Drainage Act 1991 Section 23 consenting and enforcement matters and as non-statutory sub-consultee for matters relating to flood risk and surface water drainage.

1.8 Status of this Version

- 1.8.1 This SoCG is intended to be prepared in collaboration with The Black Sluice IDB and, as such, the Applicant is providing this draft version of the SoCG to The Black Sluice IDB for comment on the matters outlined in Sections 3 and 4.
- 1.8.2 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties, where agreement has not been reached (and that is the parties' final position) and where discussions are still ongoing.
- 1.8.3 One or more further versions (revised drafts) are anticipated to be agreed between the parties during the examination period and submitted to the Examining Authority to assist the examination of the Application.

¹ Available online at: <https://www.gov.uk/guidance/nationally-significant-infrastructure-projects-advice-on-working-with-public-bodies-in-the-infrastructure-planning-process-annex-d-environment-ag>.

- 1.8.4 It can be taken that any matters not specifically referred to in the 'Matters Agreed during Pre-Examination Stage' or 'Matters not yet agreed during Pre-Examination Stage' sections of this SoCG are not of material interest or relevance to The Black Sluice IDB representations and have, therefore, not been considered in this SoCG.
- 1.8.5 Section 2 of this document summarises the consultation undertaken with The Black Sluice IDB to date and Section 3 sets out the matters agreed between the parties during the pre-examination stage in respect of the Application. Section 4 sets out the matters currently still subject to discussion between the parties.

2. Summary of Consultation

2.1.1 Table 2.1, below, contains a record of pertinent correspondence between the Applicant and The Black Sluice IDB.

Table 2.1 – Summary of Correspondence

DATE	FORM OF CORRESPONDENCE	NOTES
15/08/2025	Virtual Meeting attended by Black Sluice IDB and the Applicant	Black Sluice IDB confirmed development standoff buffers 9m. Black Sluice IDB's access to onsite access tracks to be retained. The Applicant provided the presentation slides, a SHP file of the project's PEIR red line boundary following the meeting. Black Sluice IDB sent shapefiles of IDB drains, an example culvert design and the Black Sluice IDB area.
30/03/2023	Letter from Ardent (on behalf of the Applicant) to Black Sluice IDB	Letter to Black Sluice IDB to introduce the Proposed Development and in relation to survey access. A follow up request was issued in April 2023.
19/04/2023	Planning Inspectorate on behalf of the Secretary of State notified the Black Sluice IDB under Regulation 11(1)(a) of the EIA Regulations regarding the Scoping Request.	Black Sluice IDB did not provide a response.
05/05/2023	Letter from Ardent to Black Sluice IDB	Invitation to first non-statutory consultation event on 18/05/2023.
05/12/2023	Letter from Ardent to Black Sluice IDB	Request for Black Sluice IDB to complete a Land Interest Questionnaire as part of Ardent's land referencing process. A completed LIQ was returned in January 2024.
17/01/2024	Letter from Ardent to Black Sluice IDB	Advising commencement of the statutory consultation period on 22/01/2024 and providing project information, including the PEIR and non-technical summary.
29/02/2024	Section 42 Response to Preliminary Environmental Information Report (PEIR)	The Black Sluice IDB reviewed the Preliminary Environmental Information Report (PEIR) and provided a response in February 2024. All of the points from this response are included in either Section 3 Matters Agreed during Pre-Examination Stage or Section 4. Matters not yet agreed during Pre-Examination Stage.

DATE	FORM OF CORRESPONDENCE	NOTES
28/05/2024	Email from the Applicant to Black Sluice	Email introducing the prospect of introducing a permissive path to extend the current PRow along the River Slea, which included the addition of pedestrian footbridges. The Applicant shared three plans showing the local area on the Main River Map, and the local area on Black Sluice's Map of District highlighting the ditches in question. The Applicant also attached a KMZ file showing the potential crossing locations.
10/07/2024	Email from Black Sluice to Applicant	Black Sluice confirmed they had no particular issue regarding installing a footbridge over Drain 8/1 (Carr Dyke), but explained that any structure would need the consent of the Board under Section 23 Land Drainage Act 1991 and the bridge would need to be a freespan bank top-to-bank top structure - no supporting structures such as pillars in the middle of the watercourse.
13/12/2024	Letter from Ardent to Black Sluice IDB	Letter to consultees identified for second targeted consultation regarding small extensions to draft Order limits.
17/01/2025	Letter from Ardent to Black Sluice IDB	Ardent issued detailed Heads of Terms to secure the rights required to construct and operate the Proposed Development.
27/02/2025	Email from the Applicant to Black Sluice	The Applicant wrote to Black Sluice to confirm that Beacon Fen Energy Park will not be proposing to use the DCO to disapply any relevant byelaws of the IDB or the need to apply for ordinary watercourse consents for works in proximity to ordinary watercourses managed by the IDB.
24/03/2025	Email from Black Sluice to the Applicant	Black Sluice confirmed that it will therefore not require protective provisions in the DCO.
05/08/2025	Email from Ardent to Black Sluice IDB's Agent	Following a period of negotiations, Ardent issued updated Heads of Terms to Black Sluice IDB's appointed Agent.
22/08/2025	Email from Black Sluice IDB's Agent to Ardent	Black Sluice IDB signed and returned Heads of Terms for an Option for Easement, securing the rights required to construct and operate the Proposed Development within Black Sluice IDB's ownership.

3. Matters Agreed during Pre-Examination Stage

- 3.1.1 Table 3.1, below, contains a list of ‘matters agreed’ at the date of submission of the document to The Black Sluice IDB, along with a concise commentary of what each item refers to and how it came to be agreed between the two parties.
- 3.1.2 In addition, Annex G of the Rule 6 Letter from PINS explicitly states that the SoCG with Black Sluice IDB should include the following:
- Effects on both the IDB and non IDB maintained watercourses;
 - Adequacy of information in relation to watercourse crossings;
 - Byelaws under the Land Drainage Act 1991; and
 - Relevant other agreements, consents, permits and licences.
- 3.1.3 These points, as well as the other key matters, have been addressed in Table 3.1, below.

Table 3.1 – List of Matters agreed during Pre-Examination Stage

MATTER	COMMENTARY
Effects on both the Black Sluice IDB and non-Black Sluice IDB maintained watercourses	The Black Sluice IDB comments on the PEIR that impact on all watercourses within and without the red line boundary are to be considered. ES Chapter 11 Water Resources and Flood Risk (APP-062) includes assessment of watercourses within and outside of the Order limits.
Consent for works within watercourses under Section 23 and Section 66 of	The Black Sluice IDB comments on the PEIR that formal written consent is required from the Board for all works within watercourse under Section 23 of the Land Drainage Act 1991. Other Consents and Licences Statement (APP-276) acknowledges that these consents and accordance to the Black Sluice IDB bylaws will be required for

MATTER	COMMENTARY
the Land Drainage Act 1991	footbridges, culverts, temporary works and alterations to existing outfalls affecting ordinary watercourses within the IDB district area.
Application of Land Drainage Act 1991 and DCO Protective Provisions approach	<p>The Black Sluice IDB comments on the PEIR assumed that the Land Drainage Act 1991 would be disapplied, and therefore the Black Sluice IDB intended to request Protective Provisions within the DCO to protect the Black Sluice IDB's assets.</p> <p>The Applicant wrote to the Black Sluice IDB to confirm that Beacon Fen Energy Park would not be proposing to use the DCO to disapply consents/approvals under the Land Drainage Act 1991 for watercourse crossings or works within the Black Sluice IDB watercourses. Following this, the Black Sluice IDB confirmed to the Applicant that it did not require protective provisions to be included in the Draft DCO (APP-039). Prior to any relevant works commencing onsite, all appropriate consents will be secured from the Black Sluice IDB.</p>
Relevant other agreements, consents, permits and licences	The Black Sluice IDB comments on the PEIR did not identify any other relevant other agreements, consents, permits and licences in addition to the consent for works within watercourses under Section 23 and Section 66 of the Land Drainage Act 1991. The Applicant concurs.
Byelaws under the Land Drainage Act 1991	Because there is no disapplication related to Section 66 of the Land Drainage Act 1991 in the DCO, the Applicant will need to adhere to the bylaws when they apply to the works undertaken.
Heads of Terms (HOTs)	Black Sluice IDB have signed and returned Heads of Terms for an Option for Easement, securing the rights required to construct and operate the Proposed Development within Black Sluice IDB's ownership.
Adequacy of information in relation to	The Applicant acknowledges that the information presented in Chapter 11 Water Resources and Flood Risk (APP-062) does not constitute the required information for Consent for works within watercourses under Section 23 and Section 66 of the Land Drainage Act 1991 and as identified in the Other Consents and Licences Statement (APP-276) Land Drainage Consents will be required post-DCO approval. At the detailed design stage for the project, design

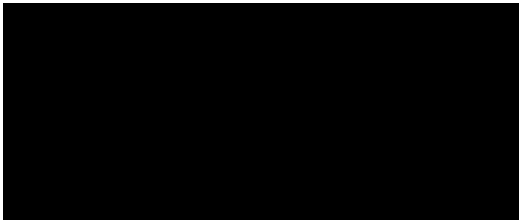
MATTER	COMMENTARY
watercourse crossings	of watercourse crossings would be developed, and this would form the basis of the application(s). Once detailed designs for the watercourse crossings are available, the Applicant intends to open discussions with the Black Sluice IDB regarding the application process including; the number of application(s), the content for supporting documentation and drawings to support the application(s).

4. Matters not yet agreed during Pre-Examination Stage

4.1.1 Table 4.1, below, contains a list of 'matters not yet agreed' correct at the date of submission of the document to The Black Sluice IDB along with a concise commentary of what the item refers to and how it came to be agreed between the two parties.

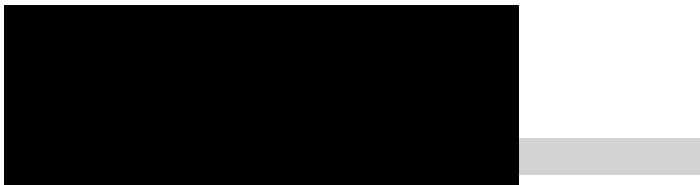
Table 4.1 – List of Matters Not Agreed during Pre-Examination Stage

MATTER	COMMENTARY
Not Applicable	No matters not yet agreed.



On behalf of: Black Sluice Internal Drainage Board

Date: 02 October 2025



On behalf of: Beacon Fen Energy Park Ltd

Date: 03 October 2025