



Great North Road Solar and Biodiversity Park

Statement of Common Ground with National Grid Electricity Transmission
plc

Document Reference – EN010162/APP/8.7C

Revision number 4

March 2026

EP Rule 8(1)(e) Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010



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Revision History

Revision	Revision Date	Authorised By	Position	Comment
Issue 1	5 th December 2025	Elena Sarieva	Head of Planning	For NGET Review
Issue 2	15 th January 2026	Elena Sarieva	Head of Planning	For NGET Review
Issue 3	12 th February 2026	Elena Sarieva	Head of Planning	For NGET Review
Issue 4	17 th February 2026	Elena Sarieva	Head of Planning	D3 Updates
Issue 5	17 th March 2026	Elena Sarieva	Head of Planning	D4 Updates

1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared to support an application (the Application) for a Development Consent Order (DCO) from the Secretary of State (SoS) for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (PA 2008) for the proposed Great North Road Solar and Biodiversity Park Development (the Development). The Application has been submitted by Elements Green Trent Limited (the Applicant).
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority (ExA) where agreement has been reached between the Parties, and where agreement has not (yet) been reached.
- 1.1.3 SoCGs are an established means in the planning process of allowing all Parties to identify and focus on specific issues that may need to be addressed during the examination. This SoCG will be revised and updated as discussions between the Parties progress during the Examination.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1 This SoCG has been prepared by (1) Elements Green Trent Limited as the Applicant and (2) National Grid Electricity Transmission plc (collectively, 'the Parties').

1.3 TERMINOLOGY

- 1.3.1 In the table in the Issues section of this SoCG:
- "Agreed" (Green) indicates where the issue has been resolved;
 - "Under discussion" (Amber) indicates where a matter is the subject of ongoing discussion; and
 - "Not Agreed" (Red) indicates a final position.
- 1.3.2 Where National Grid Electricity Transmission plc expresses agreement, it does so only in so far as it has considered the issue with regards to its statutory remit and on the basis of the information provided by the Applicant. Agreement is offered without prejudice to the submissions of other interested Parties who may have greater knowledge of technical or site-specific issues.

1.4 RECORD OF RELEVANT CORRESPONDENCE

- 1.4.1 The Applicant has undertaken consultation and engagement with National Grid Electricity Transmission plc throughout the development of the Application. The Applicant consulted National Grid Electricity Transmission plc in accordance with Section 42 of the PA 2008, about the Development and environmental impact assessment as part of the formal pre-application consultation and publicity procedures. This process afforded National Grid Electricity Transmission plc the opportunity to provide responses to the information provided at various stages of the pre-application process.

2 CURRENT POSITION OF THE APPLICANT AND NGET

2.1 PROTECTIVE PROVISIONS

Table 2-1 Protective Provisions

Ref	Relevant Document	Description of Matter	NGET's Position	Applicant's Position	Status
2.1.1	RR, WR 1.10-1.13	Protective Provisions on existing NGET infrastructure	<p>Current Position: No response received from NGET on the SoCG update.</p> <p>Deadline 3 Position: NGET confirmed to the Applicant on 15 January 2026 that good progress were made and they are confident that the issues will be resolved in advance of the end of the Examination.</p> <p>Deadline 1 and 2 Positions: The Applicant is seeking temporary and permanent rights over several plots containing NGET existing infrastructure, including parcels 1/6, 1/7, 1/8, 1/9, 1/10, 1/11, 1/12, 1/13, 1/15, 1/16, 1/17, 1/18, 1/19, 1/20, 1/21, 1/22,</p>	<p>Current Position: The Applicant has proactively sought to progress technical discussions with NGET to understand the interface between the Development and NGET's current and future interests.</p> <p>NGET has not engaged directly with the Applicant on technical discussions, but the Applicant has been able to meet with Ardent, NGET's agent in relation to The National Grid Electricity Transmission (West Burton to Ratcliffe-on-Soar Refurbishment Project) Compulsory Purchase Order 2026 (the "CPO") made by NGET on 12 February 2026. The CPO has been made pursuant to the proposed</p>	Under discussion

Ref	Relevant Document	Description of Matter	NGET's Position	Applicant's Position	Status
			<p>2/1, 2/2, 2/5, 2/6, 2/7, 2/8, 2/9, 2/10, 2/11, 2/16, 2/17, 2/18, 2/19, 2/20, 2/21, 2/22, 2/23, 2/24, 2/25, 2/26, 2/28, 2/29, 2/31, 2/37, 2/38, 2/40, 2/41, 2/42, 2/43, 2/44, 2/47, 3/1, 3/4, 3/5, 3/6, 3/11, 3/12, 3/13, 4/1, 4/8, 4/9, 4/14, 4/16, 5/1, 6/2, 6/3, 11/5, 11/22, 11/23, 13/3, 13/4, 13/19, 13/20, 13/21, 19/2, 19/7, 19/8, 19/23, 19/25, 19/36, 19/49, 25/7, 25/8, 25/15, 26/7, 26/8, 27/39, 28/1, 29/7, 29/8, 29/12, 31/21, 32/1, 32/2, 32/3, 32/4, 32/5, 32/6, 32/7, 32/8, 32/9, 32/24, 32/26, 32/31, 32/36, 32/37, 34/4, 34/5, 34/6, and 37/1 of the Land Plans and referenced in the draft Order as Work Area 2, 6, and 8.</p> <p>1.10 NGET owns and operates substations and multiple 400 kV overhead lines that are located within and in close proximity to the Order Limits for the Project. These assets form an essential part of the electricity transmission network in England and Wales. The details</p>	<p>refurbishment of an existing overhead line.</p> <p>Based on the technical discussions held so far, there are various intersections of land that is both subject to the CPO and within the Order Land (for which the Applicant has the benefit of an option agreement). The CPO (as made) does not identify all of the Applicant's interests which would be impacted in the event of the CPO being confirmed. NGET did not engage with the Applicant prior to making the CPO to discuss the potential intersections or to seek to negotiate land rights, contrary to the clear guidance on compulsory purchase that it should be a measure of last resort (see paragraph 2.8 of the <i>Guidance on the compulsory purchase process</i>, UK Government, 31 January 2025). Nonetheless, the Applicant has already taken account of the route of the existing overhead</p>	

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			<p>of the electricity assets are as follows:</p> <ul style="list-style-type: none"> (a) Staythorpe 1B 132 kV Substation (b) Staythorpe 1C 132 kV Substation (c) Staythorpe 400 kV Substation (d) Associated overhead and underground apparatus including cables Overhead Lines (e) ZDF 400 kV OHL (i) Cottam- Staythorpe 1 (ii) High Marnham-Stoke Bardolph (f) ZDA 400 kV OHL (i) Cottam-Grendon (ii) Cottam-Staythorpe 2 (g) KK 25 kV OHL (i) Newark BR – Staythorpe B (h) 4ZV 400 kV OHL (i) Chesterfield- High Marnham 1 (ii) Chesterfield- High Marnham 2 (i) ZD 400 kV OHL (i) High Marnham – Stoke Bardolph (ii) Ratcliffe-Staythorpe Cable Apparatus 	<p>line in the design of the Development, the route of which will not be changed by the refurbishment works to which the CPO relates. The Applicant understands that the interfaces between the NGET refurbishment works and the Development concern, in the main, new access routes for NGET to the overhead line. The Applicant considers that suitable access routes for the NGET refurbishment works can be accommodated by the Development such that the co-existence of both projects can be achieved. The Applicant continues to engage with NGET to identify a mutually agreeable solution.</p> <p>The Applicant arranged meetings with Ardent on 13th February 2026, 24th February 2026, and 12th March 2026 to seek further information on NGET's CPO, to discuss project interfaces, and to seek to develop a suitable land and</p>	

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			<p>(j) Cable Fibre- 6789 (k) Cable Fibre- 4826</p> <p>1.11 As a responsible statutory undertaker, NGET must meet its statutory obligations and ensure that any development does not adversely affect its ability to meet those obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits.</p> <p>1.12 NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the Order Limits must be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>1.13 The NETS is itself nationally significant infrastructure and a highly valuable national resource. It is</p>	<p>interface agreement and land rights arrangements..</p> <p>It is the Applicant's understanding that Ardent is not able to progress the discussion further without further instructions from NGET.</p> <p>In the interim, the Applicant is seeking agreement of proportionate protective provisions in favour of NGET that have been adapted as necessary from NGET's standard form so they accurately reflect and take account of the Development, in accordance with the Planning Inspectorate Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project published on 30 April 2024.</p> <p>Deadline 3 Position: The Applicant and NGET met on 15 January 2026 and had a productive conversation on the</p>	

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			<p>the system that transports vital electricity to homes and businesses across England and Wales. Connections to it are essential if the Government's ambition for the UK to accelerate its transition from fossil fuel generation to renewable energy is to be achieved. It is therefore vital that the NETS receives the highest degree of protection in the draft DCO. NGET requires protective provisions ("PPs") to ensure that the NETS is adequately protected and to ensure compliance with relevant safety standards. NGET is liaising with the Applicant in relation to such PPs, along with any supplementary agreements which may be required.</p> <p>1.14 In addition to the existing infrastructure set out above, NGET is proposing to bring forward other projects in the area which have the potential to interact with the Project.</p>	<p>interfaces between the Development and NGET's future and existing infrastructure. The Applicant and NGET have made good progress in resolving the matters raised. Both parties are confident that the issues will be resolved in advance of the end of the Examination.</p> <p>Deadline 1 and 2 Positions: The Applicant is not seeking to acquire land which is in the ownership of National Grid Electricity Transmission Plc (NGET). It's operational land at the Staythorpe substation is expressly excluded from acquisition (Plot 1/10 on sheet 1 of the Land Plans [EN010162/APP/2.2B] [REP1-004] is shaded yellow on the land plans (land not subject to compulsory acquisition or temporary use) and the power to compulsorily acquire land in respect of that Plot has been excluded pursuant to Article 22(3) of the Draft</p>	

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				<p>Development Consent Order [EN010162/APP/3.1C][REP2-005]. Section 127(2) of the Planning Act 2008 does not therefore apply.</p> <p>The Applicant does seek compulsory acquisition powers over land in NGET's ownership by way of the acquisition of new rights and/or the imposition of restrictive covenants as follows:</p> <p>Plots 1/9 and 1/10 - Cable Rights and Cable Restrictive Covenant for the purposes of Work No.6 (National Grid Substation)</p> <p>Plot 1/11 – Access Rights for the purposes of Work No. 8 (Access)</p> <p>As explained in paras 11.2.4-11.2.8 of the Statement of Reasons [EN010162/APP/4.1] [APP-010], the Applicant has concluded an option agreement for easement with NGET in relation to these land parcels, however the land parcels are retained in the Draft</p>	

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				<p>Development Consent Order [EN010162/APP/3.1C] [REP2-005] to ensure that the Applicant is able to overcome any third party interests in the land.</p> <p>Protection for NGET is included within the terms of the option agreement and the protective provisions in Part 1 of Schedule 13 to the Draft Development Consent Order [EN010162/APP/3.1C] [REP2-005]. The Applicant does not consider that NGET will suffer serious detriment to the carrying on of its undertaking as a result of the compulsory acquisition of rights and restrictive covenants over land or powers of temporary possession. The test set out in section 127(6) of the 2008 Act is therefore satisfied.</p> <p>NGET has a number of category 2 interests (easements, rights and restrictive covenants) in respect of its apparatus within the</p>	

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				<p>Order Land. The Applicant does not currently envisage any changes to any of NGET's electrical equipment.</p> <p>Article 33 of the Draft Development Consent Order [EN010162/APP/3.1C] [REP2-005] which permits the Applicant to extinguish relevant rights or relocate the relevant apparatus of statutory undertakers is subject to the provisions of Schedule 13 which contain protective provisions for the benefit of statutory undertakers' assets and which ensure that NGET's interests will be safeguarded. The test in section 138 of the 2008 Act is therefore satisfied.</p> <p>The Applicant has been engaging with NGET with regard to the issues raised in their Relevant Representation.</p> <p>The Draft Development Consent Order [EN010162/APP/3.1C] [REP2-005] includes adequate protection for NGET in Part 1 of</p>	

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				<p>Schedule 13 of the draft Order (Protective Provisions for the protection of electricity, gas, water and sewerage undertakers) in line with standard protective provisions for these undertakers, in accordance with the Planning Inspectorate Advice Note Fifteen: drafting Development Consent Orders.</p> <p>The Applicant continues to engage with NGET to address the points in its Relevant Representation, including negotiating bespoke Protective Provision for the benefit of NGET should that be considered appropriate through the course of technical discussion with NGET and is confident that the points raised can be resolved before the end of the examination period.</p>	
2.1.2	RR WR 1.5-1.11	Protective Provisions on future NGET infrastructure	<p>Current Position: No response received from NGET on the SoCG update.</p>	<p>Current Position: See discussion above and below on updates on the further information required on NGET's</p>	Under discussion

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			<p>Deadline 3 Position: The proposed Order limits overlap with or are in close proximity to land on which NGET already has infrastructure which is in the early stages of development but is planned to be upgraded in the near future. This will include the overhead line being reconducted (new conductor wires) and replacement of other fittings and tower parts (subject to obtaining the necessary consents and land rights). This would also include existing agreed easements for maintenance of the line along with any potential new accesses that may be required. These works are known as - Upgrading of existing high voltage electricity transmission lines 400kV OHL Cottam – Staythorpe 1 – High Marham – Stoke Bardolph and 400kV OHL – High Marnham – West Burton also known as SCRE/WRRE Project. The</p>	<p>future infrastructure projects within the Order Land. NGET has provided a plan of the land subject of the CPO (The National Grid Electricity Transmission (West Burton to Ratcliffe-on-Soar Refurbishment Project) Compulsory Purchase Order 2026, formerly referred to as SCRE/WRRE), and certain further information has been provided. However, NGET has not yet entered into discussions to identify a solution in terms of the reciprocal land rights required in order to address the interface between the project for which the CPO has been made and the Development. The Applicant has been proactively seeking agreement with NGET and will continue to pursue a solution in the context of the Protective Provisions as well as a land and interface agreement.</p>	

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			<p>SCRE/WRRE project are in early stages of development but it is essential that the Great North Road Solar and Biodiversity Park proposed works do not interfere with NGET's access and ability to undertake essential works to this existing overhead line. The proposals are part of NGET's Great Grid Upgrade – the largest overhaul of the grid in generations. NGET infrastructure projects across England and Wales are connecting additional renewable energy to homes and businesses and therefore NGET must ensure adequate protection for its future projects both in terms of protection for future assets and future land and rights for the delivery of these projects.</p> <p>1.16 Based on information currently available, NGET has identified potential interfaces between the Project and</p>	<p>Deadline 3 Position:</p> <p>The Applicant has only recently been informed by NGET of the potential for overlap of the Development with works proposed by NGET. The Applicant seeks clarity on the location of the potential interface and the anticipated programme for NGET's works, and it has requested meetings to progress discussions.</p> <p>The Applicant and NGET met on 15 January 2026 and had a productive conversation on the interfaces between the Development and NGET's future and existing infrastructure. The Applicant anticipates that agreement can be reached on a suitable solution before the end of examination based on the information given by NGET in the meeting on 15 January 2026.</p> <p>Paragraph 1.17 of NGET's written representation points to NGET's relevant representation</p>	

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			<p>proposed NGET infrastructure projects as part of its Great Grid Upgrade. The proposed project identified to date as being within or within close proximity to the proposed Order limits is the uprating of existing high voltage electricity transmission lines 400kV OHL Cottam – Staythorpe 1 – High Marham – Stoke Bardolph and 400kV OHL – High Marnham – West Burton also known as SCRE/WRRE Project.</p> <p>1.17 The details of this proposed project, and the potential interfaces with the Project, are more fully set out in NGET's Relevant Representation. These can be summarised as follows: (a) SCRE (South-Cottam– Staythorpe Reinforcement Ex Works) focuses on uprating the existing 400 kV overhead line (OHL) between Cottam and Staythorpe 1. (b) WRRE (West Burton–Retrofitting &</p>	<p>as containing details of the interfaces between the proposed SCRE/WRRE works and the proposed Development, but no such details are provided in NGET's relevant representation. Currently, the only information available to the Applicant on NGET's SCRE/WRRE proposal is the brief summary in NGET's written representation and its relevant representation, and a publicly available summary of SCRE/WRRE dated December 2024 (NationalGrid: RIIO-T3 Major Projects EJP Summary SCRE (COTT4-STAY4) and WRRE (WBUR4 – RATS4) OHL) which states that development was to due begin in Q1 2025. In the meeting between NGET and the Applicant on 15 January 2026, NGET disclosed further information on the anticipated programme and works for SCRE/WRRE and has agreed</p>	

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			<p>Reinforcement Ex Works) covers uprating the 400 kV OHL circuits between West Burton–High Marnham, High Marnham–Stoke Bardolph, and Ratcliffe-on-Soar–Stoke Bardolph.</p> <p>1.18 Reinforcement includes reconductoring and uprating thermal capacity to enhance power flow from High Marnham substation. The SCRE/WRRE Project enables ~2.5GW additional connection capacity for new renewable generation.</p> <p>1.19 The Proposed NGET Projects are nationally significant infrastructure projects which will be brought forward via DCOs. The Proposed NGET Project is a project of Critical National Priority ("CNP") as defined by NPS EN-1 and NPS EN-5. It is therefore vital to achieve the UK's energy objectives, together with the national security, economic,</p>	<p>to provide further information to the Applicant in due course.</p> <p>At present, NGET has not provided sufficient detail to confirm whether SCRE/WRRE would be classed as a Nationally Significant Infrastructure Project or Critical National Priority project, and the Applicant is not aware of any application for development consent having been made for SCRE/WRRE. The Applicant understands from the meeting with NGET on 15 January 2025 that SCRE/WRRE is intended to be taken forward with the benefit of a Compulsory Purchase Order (CPO) and awaits further detail to be provided by NGET.</p> <p>Furthermore, the Applicant requires provision by NGET of the details of and a plan showing the SCRE/WRRE proposal to allow the Applicant to consider the points of interface with the Development. The Applicant has requested</p>	

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			<p>commercial, and net zero benefits.</p> <p>1.20 It is essential to avoid as far as possible any conflict arising between the carrying out, maintenance and operation of the Project and the carrying out, maintenance and operation of the Proposed NGET Project. NGET considers that the PPs must make provisions for this.</p> <p>1.21 A key area of concern for NGET is the likelihood of the potential cumulative effects of the construction of the Project and the Proposed NGET Projects (together with any other projects during the same time period).</p> <p>1.22 The PPs proposed by NGET would require the Applicant to use reasonable endeavours to avoid conflict between the Project and the Proposed NGET Projects, as follows: Without limiting any other provision of this Part of this Schedule, the undertaker must use reasonable</p>	<p>further information in correspondence with NGET and reiterates that this information is required to enable discussions to progress. NGET agreed to provide this information at the meeting with the Applicant of 15 January 2026.</p> <p>Following the meeting with NGET on 15 January 2026, the Applicant has received a Land Interest Questionnaire relating to NGET's West Burton to Ratcliffe-On-Soar Refurbishment project for which a CPO is intended to be made(dated 22 January 2026). NGET has since confirmed that the SCRE/WRRE project referred to previously is the same as the West Burton to Ratcliffe-On-Soar Refurbishment project. The Applicant is still awaiting details of NGET's proposed 'Great Grid Upgrade' works so that the points of interface between the parties' respective</p>	

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			<p>endeavours to avoid any conflict arising between the carrying out, maintenance and operation of the authorised development and the Proposed NGET Projects . For the purposes of this paragraph, "reasonable endeavours" means – (a) undertaking consultation with National Grid Electricity Transmission Plc on detailed design and programming of works for the authorised development, taking into account such reasonable representations as National Grid may provide in relation to proposed plans and timetables and ensuring the plans as submitted for approval under the requirements do not unreasonably impede or interfere with the construction of the Proposed NGET Projects; (b) having regard to the anticipated programme of works for the Proposed NGET Projects and facilitating a co-ordinated approach to</p>	<p>projects can be properly understood. The Applicant is also seeking to clarify the extent and nature of the interaction of any land rights required and the form of agreement which will need to be entered into between the Applicant and NGET to govern these matters, as well as the coexistence of the parties' projects and any ongoing collaboration required during construction.</p> <p>The Applicant has requested the above noted information on NGET's proposed works a number of times as it is urgently needed to progress discussions between the parties, but NGET has not yet provided this information.</p> <p>NGET refers to a key concern for the potential cumulative effects of SCORE/WRRE and the Development (paragraph 1.21). Given the Applicant is not aware of any application being made for development of the</p>	

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			<p>construction programming, land assembly, and the carrying out of works in connection with the authorised development and the Proposed NGET Projects where reasonably possible; (c) undertaking consultation on the detailed design and programming of the authorised development to ensure that the design and programme for the authorised development does not unreasonably impede or interfere with the NGET Projects; (d) where possible, undertaking the placing of ducting or making provision for the Proposed NGET Projects; and (e) providing a point of contact for continuing liaison and co-ordination throughout the construction and operation of the authorised development.</p> <p>1.23 As can be seen, the wording generally requires cooperation and collaboration between the parties. The inclusion of these provisions will ensure a clear framework</p>	<p>SCRE/WRRE proposal, it is unclear how this is proposed to be considered or the cumulative effects that are of concern to NGET.</p> <p>NGET has further provided proposed wording for a provision to be included in the Protective Provisions for NGET in the draft DCO at paragraph 1.22 of its written representation. However, this proposal has not previously been shared with the Applicant and is not included in the proposed Protective Provisions which are 'set out in full' in Appendix 2 to NGET's written representation. Clarity is sought from NGET on the scope of the 'full set' of Protective Provisions it requires. The Applicant considered and provided a response to NGET on 12 December 2025 on the set of preferred Protective Provisions that NGET previously issued to the Applicant in correspondence. NGET since</p>	

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			<p>for managing coordination between different NSIPs and help to ensure that all projects can be brought forward in an efficient manner. NGET's proposed PPs are set out in full in Appendix 2.</p> <p>1.24 There is clear precedent for NGET' proposed approach in the Awel Y Mor Offshore Wind Farm DCO, which was granted development consent on 20 September 2023. The protective provisions secured in the AYM DCO ensured the protection of existing and future NGET infrastructure at the Bodelywddan substation. In that case, NGET was bringing forward a project to upgrade the existing Bodelwyddan substation comprising extending the substation itself as well as associated overhead line works to the south of the existing substation to enable the connection of multiple projects in this location. The</p>	<p>provided comments on the Protective Provisions on 15 February 2026 which the Applicant is considering. The Applicant will continue to work collaboratively with NGET on its future proposals.</p>	

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			<p>AYM DCO project was just one of the connecting projects and therefore specific protective provisions were included in the AYM DCO to avoid those future NGET works from being prejudiced by the AYM DCO project. As such, NGET will seek a form of protective provisions based on those included in the AYM DCO.</p> <p>1.25 NGET requests that the Applicant continues to engage with it in relation to how the Applicant's works pursuant to the Order (if made) will ensure protection for those proposed NGET assets, along with facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations. NGET will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the</p>		

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			Examining Authority updated in relation to these discussions.		
2.1.3	RR, WR 1.30-1.32	Compulsory Acquisition	<p>Current Position: TBC</p> <p>Deadline 3 Position: Where the Applicant seeks powers of compulsory acquisition over NGET land or rights, the Protective Provisions must provide that the Applicant may only exercise such powers with NGET's consent.</p> <p>1.30 In order to prevent serious detriment to the carrying on of NGET's undertaking, protective provisions in the DCO must prevent the exercise of compulsory powers by the Applicant without NGET's consent. Allowing NGET to exercise control over the use of powers of compulsory acquisition will enable it to ensure that serious detriment does not occur. The restriction</p>	<p>Current Position: On 12 February 2026, NGET made The National Grid Electricity Transmission (West Burton to Ratcliffe-on-Soar Refurbishment Project) Compulsory Purchase Order 2026 (the "CPO").</p> <p>The Applicant was not notified of the CPO in advance of it being made, and no attempt has been made by NGET to negotiate with the Applicant for acquisition of the land rights which NGET is seeking to compulsorily purchase.</p> <p>NGET subsequently confirmed that the SCRE/WRRE project referred to in NGET's written representation is the same project in respect of which the CPO has been made, and refers to the same NGET interests with an interface with the Order Land.</p>	Under discussion

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			<p>proposed by NGET is well-precedented and appears in NGET's protective provisions in almost all DCOs, as well as protective provisions in favour of other statutory undertakers such as Network Rail.</p> <p>1.31 NGET's proposed PPs provide that whenever NGET's consent, agreement or approval is required for the taking of any action by the Applicant, this must not be unreasonably withheld or delayed. To the extent that the Applicant considers a refusal by NGET to agree to the use of powers of compulsory acquisition to be unreasonable (which NGET considers to be extremely unlikely), it would be able to use the arbitration procedure in the DCO to resolve the dispute. NGET submits that this represents a reasonable balance between the interest of the Applicant and the protection of NGET's undertaking.</p>	<p>The Applicant has been proactively seeking further information and answers from NGET on the technical position and interface between the rights to be acquired under the CPO and the Development. While the Applicant has been provided with some information by Ardent, an agent for NGET in relation to the CPO, there has been no meaningful engagement from NGET on a suitable land and interface agreement that does not frustrate either the CPO project or the Development.</p> <p>Accordingly, the Applicant has not yet been able to agree a position on land rights with NGET, and the Applicant requires to retain its compulsory acquisition powers under the DCO unless and until the conflict in relation to land rights has been resolved in a binding agreement.</p> <p>Deadline 3 Position:</p>	

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			<p>1.32 The Secretary of State for Energy Security and Net Zero's decision on the Rampion 2 Offshore Wind Farm Extension Project Development Consent Order ("R2DCO") provides a recent precedent for this approach. A restriction on the use of powers of compulsory acquisition was included at paragraph 5 of Part 3 of Schedule 10 of the R2DCO. Similar provisions have also previously been included by the Secretary of State in the Sheringham and Dudgeon DCO.</p>	<p>The Applicant will continue to work with NGET regarding the draft protective provisions wording but it first requires clarity on the NGET future works referred to above. While NGET has made reference to other DCOs concerning the Protective Provisions it has requested in relation to both existing and future NGET infrastructure (such as Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm DCO, Rampion 2 Offshore Wind Farm Extension Project Development Consent Order and Awel Y Mor Offshore Wind Farm DCO), the Planning Inspectorate Guidance on the content of a Development Consent Order required for a Nationally Significant Infrastructure Project published on 30 April 2024 is clear that Protective Provisions <i>"must be adapted as necessary so they accurately reflect the proposed"</i></p>	

Ref	Relevant Document	Description of Matter	NGET's Position	Applicant's Position	Status
				<p><i>development</i>" (paragraph 12). Accordingly, the Applicant reiterates that it requires full details of NGET's proposed future project and further engagement from NGET on the Development to reach agreement on suitable Protective Provisions.</p> <p>As previously noted, the Applicant is not opposed in principle to provision for SCRE/WRRE, but requires details of the SCRE/WRRE proposal to progress this discussion.</p>	
2.1.4	WR 1.26 – 1.29	Policy Support	<p>Current Position: No response received from NGET on the SoCG update.</p> <p>Deadline 3 Position: 1.26 The co-operation and co-ordinations requirements sought by NGET in its proposed PPs reflect national</p>	<p>Current Position: No further update provided by NGET. The Applicant's position remains as at Deadline 3.</p> <p>Deadline 3 Position: The Applicant wishes to clarify that paragraph 2.8.34 of EN-3 and paragraph 2.14.2 of EN-5</p>	Under discussion

Ref	Relevant Document	Description of Matter	NGET's Position	Applicant's Position	Status
			<p>policy, as set out in the National Policy Statements for Energy.</p> <p>1.27 Overarching National Policy Statement ("NPS") for Energy EN-1 states that "[t]o support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development" (para 4.11.3).</p> <p>1.28 This is reflected in the NPS for Renewable Energy Infrastructure EN-3 which states at paragraph 2.8.34 that "a more co-ordinated approach to offshore-onshore transmission is required" and EN-5, at paragraph 2.14.2, which states that applicants should demonstrate that "the construction planning for the proposals has been co-ordinated with that for other similar projects in the area on a similar timeline".</p>	<p>relate to offshore-onshore transmission and is therefore not relevant to the Development which is an onshore solar project or NGET's SCRE/WRRE proposal based on the information provided by NGET.</p>	



Ref	Relevant Document	Description of Matter	NGET's Position	Applicant's Position	Status
			1.29 The Energy NPSs are therefore strongly supportive of NGET's proposed approach		

3 SIGNATURES

3.1.1 The above SoCG is agreed between the Applicant and National Grid Electricity Distribution (East Midlands National Grid Electricity Transmission plc) plc, as specified below.

Duly authorised for and on behalf of Elements Green Trent Limited	Name
	Job Title
	Date
	Signature

Duly authorised for and on behalf of National Grid Electricity Transmission plc	Name
	Job Title
	Date
	Signature
