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Customer Services: 0303 444 5000
e-mail: NKillingholme@infrastructure.gsi.gov.uk

Your Ref:

Our Ref: EN010038

Date: 11 September 2014

Dear Sir/Madam

Planning Act 2008 (as amended) – Sections 116 and 117 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulation 23

Application by C.Gen for an Order Granting Development Consent for the North Killingholme Power Project

Notice of the decision by the Secretary of State

I write to notify you of the publication of the Secretary of State's decision and statement of reasons and the Order granting development consent in relation to the above application.

The Secretary of State as the decision maker under s103 and s104 of the Planning Act 2008 (as amended) has decided that development consent should be granted, with modifications, and therefore has made an Order under s114 (1)(a) of the Planning Act 2008.

Electronic copies of the decision documentation, including the Secretary of State's decision letter, Habitats Regulations Assessment and the text of the made Order can be viewed at:

<http://infrastructure.planningportal.gov.uk/projects/yorkshire-and-the-humber/north-killingholme-power-project/>

The report submitted to the Secretary of State by the Examining Authority is also available at the same link.

Hard copies of the decision documentation will also be available to inspect at the Planning Inspectorate's offices (by appointment using the contact details above). If you wish to receive a copy of the Secretary of State's decision letter and the text of the Order, please write to or email us using the contact details provided at the top of this letter. No charge will be made if you wish us to send you a copy.

There is no right of appeal under the Planning Act 2008. The High Court may entertain proceedings to question an Order granting development consent from the day on which the Development Consent Order is published or (if later) the day on which the decision letter is published. The procedure is to make an application for judicial review. This must be done within the statutory period of time set out in s118 of the Planning Act 2008. Please contact the Administrative Court Office for further information on 0207 947 6655 or follow this link:

<http://www.justice.gov.uk/courts/rcj-rolls-building/administrative-court/applying-for-judicial-review>

If you have any queries about the Secretary of State's decision letter, the Habitats Regulations Assessment or the made Order please contact:

Giles Scott
Head of National Infrastructure Consents Team
Department of Energy & Climate Change
3 Whitehall Place
London
SW1A 2AW

Alternatively, if you would like to find out further details about the project you can visit the applicant's website at <http://www.cgenpower.com/> or contact the applicant on 01469 542 133.

Yours faithfully

Mark Southgate

**Director of Major Applications and Plans
For and on behalf of the Secretary of State for Energy and Climate Change**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.