

Application by Millbrook Power Limited (“MPL”), dated October 2017 for development consent under s37 of the Planning Act 2008 for a gas fired power generation plant of up to 299 MW, and associated development of gas and electrical connections

Statement of Common Ground

Statement of Common Ground between **Millbrook Power Limited** and **Highways England**

17th January 2018

Revision	Date	Details
Draft for discussion	05 January 2018	
Final Version	17 January 2018	

1. INTRODUCTION

Purpose of this Statement of Common Ground

- 1.1 This Statement of Common Ground (SOCG) has been prepared by Millbrook Power Limited (MPL) and Highways England (HE). For the purpose of this SOCG, MPL and HE will jointly be referred to as "the Parties".
- 1.2 MPL has applied to the Secretary of State under the Planning Act 2008 for powers to construct, operate and maintain:
- 1.2.1 A new Power Generation Plant in the form of an Open Cycle Gas Turbine (OCGT) peaking power generating station, fuelled by natural gas with a rated electrical output of up to 299 Megawatts (MW). This is the output of the generating station as a whole, measured at the terminals of the generating equipment. The Power Generation Plant comprises:
- a) Generating equipment including one Gas Turbine Generator with one exhaust gas flue stack and Balance of Plant (together referred to as the 'Generating Equipment'), which are located within the 'Generating Equipment Site';
 - b) A new purpose built access road from Green Lane to the Generating Equipment Site (the 'Access Road or the 'Short Access Road'); and
 - c) A temporary construction compound required during construction only (the 'Laydown Area');
- 1.2.2 A new underground gas pipeline connection, approximately 1.8 km in length (the 'Pipeline') to bring natural gas to the Generating Equipment from the National Transmission System (the 'Gas Connection'). The Gas Connection also incorporates an Above Ground Installation (AGI) at the point of connection to the National Transmission System; and
- 1.2.3 A new electrical connection to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS) (the 'Electrical Connection').
- 1.3 Preparation of this SOCG has been informed by discussions between the Parties. The purpose of this SOCG is to set out agreed factual information about the Application.
- 1.4 It is intended that this SOCG will provide information to facilitate a smooth and efficient examination process.
- 1.5 This SOCG relates to the following topics which have been assessed in the Environmental Impact Assessment (EIA) presented in the Environmental Statement (ES) submitted with the DCO Application (Document Reference 6.1):
- Traffic and Transport.
- 1.6 Overall this SOCG is intended to give a clear position of the state and extent of agreement between the Parties as at the date on which this SOCG is signed and submitted to the Secretary of State.

2. **THE APPLICATION**

2.1 The Application was submitted on 23rd October 2017 and accepted by the Secretary of State on 20th November 2017. The Application was accompanied by an ES.

2.2 **It is agreed** that the ES forms the full and complete Environmental Statement for the purposes of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations) and it is further agreed that the ES contains sufficient environmental information to enable the Secretary of State to make his determination.

2.3 It is understood that the Project falls under the EIA Regulations 2009 regime and not the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations 2017) regime. In accordance with the transitional arrangements at Regulation 37 of the EIA Regulations 2017.

3. **THE EXAMINATION**

3.1 An examination ("the Examination") of the Application is to be held pursuant to Chapter 4 of the Planning Act 2008 ("the Act") and the Infrastructure Planning (Examination Procedure) Rules 2010 (the EP Rules).

3.2 Pursuant to s61 of the Act, the Secretary of State determined that the Application will be handled by a single appointed person ("the Examining Authority"). The procedure to be followed during the Examination into the Application is governed by the Act and the EP Rules.

3.3 A Preliminary Meeting, pursuant to Rule 7 of the EP Rules, will be held in the near future. Following the Preliminary Meeting, the Examining Authority will set the timetable and procedure for the Examination.

4. **THE PROPOSED DEVELOPMENT AND ITS DESCRIPTION**

4.1 The Proposed Development is described above at paragraph 1.2.

4.2 The project site within which the Proposed Development is located is within the administrative boundaries of Bedfordshire Borough Council (BBC) and Central Bedfordshire Council (CBC).

5. **MATTERS AGREED BETWEEN THE PARTIES**

- 5.1 The Parties are AGREED on all matters, excluding those outlined in section 6 below, and in particular are AGREED on the points set out in this section (section 5).

Traffic and Transport

- 5.2 The scope of the Traffic and Transport assessment is defined within Section 12.1 Chapter 12 of the ES (Document Reference 6.1). This description of the topic is an appropriate basis upon which to produce the ES chapter.

Traffic and Transport: Legislation and Policy Context

- 5.3 The legislation, policy and guidance considered in the assessment of Traffic and Transport is presented in Chapter 2 of the ES, and Section 12.2 Chapter 12 of the ES.
- 5.4 The legislation, policy and guidance considered to inform the assessment is appropriate.

Traffic and Transport: Consultation

- 5.5 Consultation undertaken with regards to Traffic and Transport is summarised in Section 12.3 Chapter 12 of the ES.
- 5.6 The summary presented is correct so far as it provides an accurate record of consultation on Traffic and Transport.
- 5.7 Non-Statutory engagement was held with HE throughout October-December 2017.

Traffic and Transport: Topic Specific Realistic Worst Case Scenario for Assessment

- 5.8 The topic specific realistic worst case scenario for assessment of Traffic and Transport is presented in Section 12.4 Chapter 12 of the ES.
- 5.9 The topic specific realistic worst case scenario for assessment is considered appropriate for the robust assessment of Traffic and Transport impacts arising from the proposed development.

Traffic and Transport: Assessment methodology

- 5.10 The methodology for Traffic and Transport is presented in Section 12.5 Chapter 12 of the ES. The assessment methodology, including assumptions used, is reported in the Transport Assessment appended within the ES; this is considered appropriate.
- 5.11 The cumulative assessment methodology for Traffic and Transport is presented in Section 4.10 Chapter 4 and Section 12.8 Chapter 12 of the ES.
- 5.12 The cumulative assessment methodology, including assumptions used, is considered appropriate.

Traffic and Transport: Baseline Information

5.13 The baseline information for Traffic and Transport is presented in Section 12.6 Chapter 12 of the ES.

5.14 The baseline information presented is considered appropriate.

Traffic and Transport: The Results, Analysis and Conclusions

5.15 The results, analysis and conclusions for Traffic and Transport are presented in Section 12.6 Chapter 12 of the ES.

5.16 The results, analysis and conclusions of the field survey work are considered appropriate.

Traffic and Transport: Embedded Mitigation

5.17 The embedded mitigation which is either implicit in the design of the Project or its operation (through standard control measures, such as working within best practice guidance) for potential Traffic and Transport effects is set out in Section 3.6 Chapter 3 of the ES. The Outline Construction Environmental Management Plan (CEMP) (Appendix 3.2 of the ES) provides a framework from which a final CEMP can be developed, as secured in Requirement 10 of the draft DCO. The Outline CEMP includes mitigation measures for potential Traffic and Transport effects during construction.

5.18 The embedded mitigation is considered appropriate and adequate, in terms of their nature and scale, to address potential Traffic and Transport effects.

Traffic and Transport: Assessment of Effects during Construction and Decommissioning

5.19 The assessment of effects during construction and decommissioning for Traffic and Transport is presented in Section 12.7 Chapter 12 of the ES.

5.20 The assessment of effects during construction and decommissioning presented is considered appropriate.

Draft DCO Requirement 11 sets out the need for a Construction Traffic Management Plan and draft DCO Requirement 16 sets out the need for a Construction Travel Plan.

Traffic and Transport: Assessment of Effects during Operation

5.21 The assessment of effects during operation for Traffic and Transport is presented in Section 12.7 Chapter 12 of the ES.

5.22 The assessment of effects during operation presented is considered appropriate.

Traffic and Transport: Assessment of Cumulative and In-combination Effects

5.23 The assessment of cumulative effects for Traffic and Transport is presented in Section 12.8 Chapter 12 of the ES.

5.24 The cumulative effects presented are considered appropriate.

5.25 The assessment of in-combination effects for Traffic and Transport is presented in Section 12.8 Chapter 12 of the ES.

5.26 The in-combination effects presented are considered appropriate.

Traffic and Transport: Detailed Mitigation Measures & Assessment of Residual Effects

- 5.27 The mitigation measures and an assessment of Residual Effects for Traffic and Transport are presented in Section 12.9 Chapter 12 and Section 12.10 Chapter 12 of the ES.
- 5.28 The measures are considered to be appropriate and adequate in terms of their nature and scale to address potential Traffic and Transport effects.

Traffic and Transport: Additional Matter(s)

Not Required.

Draft Development Consent Order (DCO)

- 5.29 The Parties are agreed on the wording of the operative provisions of the draft DCO (Articles 1-43) (Document Reference 3.1).
- 5.30 The Parties are agreed on the wording of the requirements contained in Schedule 2 of the DCO and the procedure for the discharge of requirements contained in Schedule 12 of the DCO (Document Reference 3.1).

6. **MATTERS YET TO BE AGREED BETWEEN THE PARTIES**

The Parties confirm that there are no areas outstanding and all matters are agreed.

This SOCG is prepared jointly and agreed by the Parties:

Signed by)
For and on behalf of Millbrook Power Limited)

[Redacted signature]

Date: 24/01/18

Signed by)
For and on behalf of Highways England)

[Redacted signature]

Date: .23rd January 2018