



## Meeting note

<b>Project name</b>	Tilbury Energy Centre
<b>File reference</b>	EN010089
<b>Status</b>	<b>Final</b>
<b>Author</b>	The Planning Inspectorate
<b>Date</b>	22 February 2018
<b>Meeting with</b>	RWE Generation UK plc
<b>Venue</b>	Temple Quay House
<b>Attendees</b>	<b>The Planning Inspectorate</b> Richard Price – Case Manager Karl-Jonas Johansson - Case Officer Emma Cottam – EIA and Land Rights Advisor Lucy Hicks – EIA and Land Rights Advisor Michael Breslaw – EIA and Land Rights Advisor <b>The Applicant</b> Matthew Trigg - (Development Planning Manager) Carol Cooper - (Lead Environmental Manager) Helen Burley - (Consents Specialist) Severine Poncelet - (Project Manager) Paul Maile - (Eversheds)
<b>Meeting objectives</b>	Project update meeting
<b>Circulation</b>	All attendees

## Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

## Project update

The Applicant clarified that the generating station would comprise three Combined Cycle Gas Turbines, one Open-Cycle Gas Turbine and a battery storage unit. The Applicant is currently negotiating an agreement with Tilbury2 regarding access to RWE's site. If a private agreement could not be achieved, RWE would seek for Protective Provisions to be included in the Tilbury2 Development Consent Order to secure access to the site and appropriate protection for the Tilbury Energy Centre Project.

The Applicant intends to use the existing water cooling outlet from Tilbury B but clarified that it will need to negotiate access under the jetty owned by the Port of Tilbury to construct a new inlet.

The Applicant confirmed that it will undertake a Combined Heat and Power assessment.

The Applicant proposes to access the site via Fort Road, using a route which was noted to overlap with the red line boundary for Tilbury2. The provisional red line boundary for the project is likely to be reduced as the Applicant expects the road network around the site to change if Tilbury2 is consented and constructed. It was further clarified that the red line boundaries from Tilbury Energy Centre and Tilbury2 would overlap around the jetty. The possibility of delivering construction materials/plant via water is being explored.

The Applicant confirmed that it is a registered Interested Party in the Tilbury2 examination.

The Applicant confirmed that its two gas pipeline options intersect the red line boundary for Highways England's Lower Thames Crossing project and that it is discussion with Highways England regarding this. It was confirmed that the application would contain only one gas pipeline option and that the preferred option, at present, is the southern route. The Applicant was advised to cover the discounted gas pipeline corridor option in the alternatives chapter of the Environmental Statement (ES). It was explained that the northern route would cross through agricultural land and the southern route would cross historic tip sites. Both pipeline route corridor options would cross through green belt land.

The Applicant confirmed that the area of land used by Tilbury B as an ash field (the eastern part of the red line boundary) is operational land.

It was confirmed that the Applicant was discussing a Planning Performance Agreement with Thurrock Council (the host local authority).

## **Environmental Impact Assessment (EIA)**

The Scoping Report is likely to be submitted to the Inspectorate early to mid-March 2018; the Applicant will keep the Inspectorate informed in this regard. The Applicant was advised to review [Advice note seven: EIA: Process, Preliminary Environmental Information](#) and to be clear in the Scoping Report what it is proposing to scope out of consideration in the ES. Requests to scope out particular aspects/matters should be supported by information which addresses the nine questions set out in Advice Note seven.

The Applicant will endeavour to keep the report under 50mb as bigger sized files could cause problems for the consultees. The Inspectorate stated that it needed two hard copies of the Scoping Report and that the electronic copy needed to be identical to the hard copies submitted. It was agreed that the Inspectorate would conduct a site visit during the 42-day Scoping period.

The Applicant confirmed that it would use the Rochdale Envelope approach in carrying out its EIA. Development parameters, including stack heights, would be defined and used to inform the assessment of likely significant effects. These parameters would be secured in the draft Development Consent Order. The Inspectorate advised the Applicant to ensure the likely worst case scenario is assessed. It should be clear whether the various proposed structures (e.g. the stacks) would be located within lateral limits of deviation or have fixed locations within the red line boundary.

## **Cumulative effects assessment**

The Applicant confirmed that the Scoping Report would reference potential cumulative effects from the Tilbury Energy Centre, Tilbury2 and the Lower Thames Crossing. It was not considered by the Applicant that the proposed London Resort, which would be located on the Swanscombe Peninsula on the south bank of the Thames, would result in cumulative effects with RWE's Proposed Development. The views of consultees would be sought on this matter. The Inspectorate advised that the Applicant's approach to cumulative assessment should accord with that set out in its [Advice note seventeen: Cumulative effects assessment](#).

## **Development Consent Order (DCO)**

The Applicant was advised to use the Explanatory Memorandum (EM) to justify all of the draft provisions included in the draft DCO. A well-developed and well-maintained EM can potentially reduce the number of examination questions an Examining Authority may need to ask about the draft provisions comprising the draft DCO. The Applicant informed the Inspectorate that it intended to include an Article allowing the Applicant seven years to implement the Authorised Development. The Inspectorate informed the Applicant that it needed to justify this approach in the EM, citing any relevant precedents. It was confirmed that the draft DCO would contain a draft Deemed Marine License.

## **Stakeholder engagement**

The Applicant confirmed that it had established good working relationships with all key stakeholders.

The Applicant intends to commence non-statutory consultation in the week beginning 26 February 2018. That consultation will last for four weeks. The Inspectorate advised that carrying out non-statutory consultation at the same time as the Inspectorate is undertaking its scoping consultation can cause confusion for consultees. As such, the Applicant should be very clear about the purpose of its non-statutory consultation as being separate to the Inspectorate's scoping consultation process. It will be important that responses to the scoping consultation are directed to the Inspectorate.

The Applicant confirmed that it had conducted a non-statutory consultation on the draft Statement of Community Consultation (SoCC). The Inspectorate stated that it could review the SoCC if requested to do so by the Applicant.

Statutory consultation is currently scheduled to commence in September 2018.

## **Compulsory Acquisition**

The Applicant retains ownership of most of the land required for the principal works. Compulsory Acquisition powers will need to be included in the draft DCO for the gas pipeline corridor and site access. There is no Crown land or special category land affected by the project. There is an area of common land located to the north of the site.

## **Draft documents review**

The Applicant was encouraged to produce a Guide to the Application and a Statement of Commonality for submission with the application, in line with the latest additions to the Inspectorate's suite of [good practice documents](#).

It was confirmed that the Inspectorate can review the draft Habitats Regulations Assessment report and the ES introductory chapters covering the project description. The Inspectorate advised against conducting the draft documents review at the same time as the statutory consultation as this wouldn't show how the Applicant had taken into account any changes suggested by the consultees. The Inspectorate also advised against draft documents being provided for review incrementally as the inability to cross-reference between various documents could hinder the Inspectorate's review process. However it was confirmed that more than one draft DCO could be submitted for review at key stages of the Pre-application drafting process.

## **AOB**

The Applicant confirmed that it was aware of the General Data Protection Regulations coming into effect in May 2018.

## **Specific decisions/ follow-up required?**

- Applicant to confirm exact submission date for scoping request.
- Applicant and the Inspectorate to arrange site visit to inform the Scoping Opinion.
- Applicant and the Inspectorate to consider scheduling a post-Scoping project update meeting.

