



Preliminary Meeting Note

Application: Thurrock Flexible Generation Plant
Reference: EN010092
Time and date: 2.00pm on Tuesday 20 October 2020
Venue: Virtual meeting

This meeting note is not a full transcript of the Preliminary Meeting Part 1. It is a summary of the key points discussed. Full digital recordings of the Meeting are available on the project page of the Planning Inspectorate's National Infrastructure website:

[Recording of Thurrock Flexible Generation Plant Preliminary Meeting part 1 Tuesday 20 October 2020](#)

1. Welcome and Introduction (00.00 – 0:09:15)

Rory Cridland welcomed those present and introduced himself as the single Examining Authority (ExA) to examine the proposed Thurrock Flexible Generation Plant project application.

The ExA explained the appointment was made by delegation from the Secretary of State (SoS) for the Department of Business, Energy and Industrial Strategy (BEIS) on [24 June 2020](#).

The ExA explained that the ExA would be examining the application made by Thurrock Power Ltd ('the Applicant') before making a recommendation to the Secretary of State who will decide whether an Order granting Development Consent for the proposed project, which is a Nationally Significant Infrastructure Project (NSIP), should be made.

The ExA introduced members of the Planning Inspectorate case team who were present.

The ExA explained the purpose of the Preliminary Meeting (PM) was to make procedural arrangements for the Examination, and that no evidence would be heard about the project or its merits.

The ExA confirmed that all documents and submissions received and accepted during the Examination will be published on the project-specific page of the National Infrastructure Planning website.

The ExA explained that a full digital recording of the PM would be made available on the project page of the Planning Inspectorate's National Infrastructure website.

The ExA explained the Planning Inspectorate's duties under General Data Protection Regulation (GDPR).

Further information relating to the GDPR can be found in the Planning Inspectorate's [Privacy Note](#).

The ExA highlighted two changes to the [agenda](#) published with the [Rule 6 letter](#):

- An additional item between agenda items numbers three and four to enable the Applicant to provide an update on possible changes to the application as mentioned in their Procedural Deadline A (PDA) submission [PDA-006].
- An additional point to item eight to allow for a discussion on the request by Port of Tilbury London Limited (PoTLL) (an Interested Party) to delay the start of the Examination.

The ExA then asked attending participants to introduce themselves.

2. ExA's remarks about virtual PM process. (0:09:15 – 0:17:26)

The ExA referred all parties to the further information in the [Rule 6 letter](#) and summarised the key points. This sets out the introduction to the Preliminary Meeting process in more detail.

The ExA highlighted the ability for all Interested Parties (IPs) to make comments in writing after this part of the meeting by making submissions in the usual way to the project email address by Procedural Deadline B (PDB) on 30 October 2020.

The ExA explained that the PM is being held in two parts, separated by a period of adjournment. PM part 2 is scheduled to take place on 4 November 2020. The ExA explained he intends to use PM part 1 as an information gathering exercise and he is not anticipating making any procedural decisions during PM part 1. This was to allow for consideration of all submissions made by PDB. The ExA noted that the Examination will only commence after the PM closes.

3. ExA's remarks about Examination Process (0:17:26 – 0:20:01)

The ExA briefly explained the examination process under the Planning Act 2008 (PA2008). He referred to the more detailed information set out at Annex B to the [Rule 6 letter](#) and encouraged participants to read it.

Further info can be found in the [Advice Note 8.4](#).

The ExA requested that both the Applicant and IPs submit suggested locations for both accompanied and unaccompanied site inspections by Deadline 1

3a. Applicant's update (0:20:01 – 0:31:12)

The ExA requested an update from Mr Boswall on behalf of the Applicant, in relation to matters referred to in the Applicant's PDA submission [PDA-006]. Mr Boswall provided an update on the navigational risk assessment and summarised three potential changes relating to:

- RWE Generation UK Plc's addition submission [AS-006] in relation to ecological mitigation land, part of plot 1/20.
- Possible removal of saltmarsh creation.
- possible additional option for the gas pipeline route outside the red line boundary (Order Limits).

4. Initial Assessment of Principal Issues (0:31:12 – 0:37:41)

The ExA explained the purpose of the Initial Assessment of Principal Issues (section 88 of the PA2008), which can be found in [Annex D](#) of the [Rule 6 letter](#) of 21 September 2020 and asked for any observations on them.

Mr Owen on behalf of PoTLL requested the ExA consider the addition of two matters:

- The impact of the scheme on navigation and shipping in the broader area; and
- The impact on the safe, efficient and economic functioning of Port of Tilbury, particularly access to Tilbury 2.

Mr Owen confirmed these issues are wider than solely compulsory acquisition and relate to both public highways and private roads.

The ExA agreed to give this matter further consideration during the adjournment.

5. Procedural decisions taken by the ExA (0:37:41 – 0:42:18)

The ExA introduced [Annex E](#) to the [Rule 6 letter](#) which sets out the procedural decisions already taken in relation the Examination. The ExA highlighted the procedural decision to accept two additional documents into the Examination since the publication of the [Rule 6 letter](#):

- The Applicant's cumulative effects assessment addendum [AS-007].
- The Applicant's written response to PoTLL's PDA submission [AS-008].

The ExA noted a request to speak on the point of Statements of Common Ground (SOCG). Mr Boswall on behalf of the Applicant queried the value of the requested SOCG's for Basildon Borough Council, Transport for London, Royal Mail Group and Essex County Council.

The ExA agreed to give this matter further consideration during the adjournment.

6. Draft Examination Timetable (0:42:18 – 0:44:30)

The ExA introduced [Annex C](#) to the [Rule 6 letter](#) which sets out the draft Examination Timetable. He drew attention to items 8, 9, 16, 17 and 20.

The ExA noted requests, already received in writing to amend the draft Examination Timetable contained in [Annex C](#) of [Rule 6 letter](#) and also welcomed further suggestions from the parties in attendance. No additional comments were made during the meeting.

All comments received will be duly noted by the ExA and considerations will be reflected in the Rule 8 Letter in due course.

7. Dates and Format for Open Floor Hearing, Compulsory Acquisition Hearing, Issue Specific Hearing and for Accompanied Site Inspections, if required (0:44:30 – 0:45:38)

The ExA noted that the ExA's starting point was a fully virtual Examination process and the Examination Timetable assumes this.

The ExA acknowledged the request already received for a Compulsory Acquisition Hearing (CAH) and also an Issue Specific Hearing (ISH) on transport and traffic. The ExA indicated there will likely be a CAH, and the request for ISH on transport and traffic will be given due consideration.

The ExA sought comments on the arrangements for the above events. No further comments were given.

Further information relating to hearings and site inspections can be found in our [Advice Note 8.5](#)

8. Any remaining questions or submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in writing by Procedural Deadline A. (0:45:38 – 1:25:00)

The ExA reminded any listeners that all submissions raised at PDA have been published on the Planning Inspectorate's National Infrastructure website. The ExA reminded any listeners that they are able to make further comment on the matters discussed at PM Part 1 by sending any written submissions to the case team before PDB on 30 October 2020. This includes the submission of any concerns or requests to change the proposed Examination Timetable. The ExA confirmed no procedural decisions would be made until PDB has passed.

Mr Owen, representing PoTLL, expanded on the information in [paragraph 19](#) of their PDA submission [PDA-004], PoTLL's perceived inadequacies of the Environmental Statement (ES) and their request to delay the start of the Examination on this basis.

Mr Owen expanded on PoTLL's concerns about the scoping opinion of the project and the Applicant's letter dated 16 October 2020 [AS-008]. Mr Owen confirmed they will be submitting these in writing in advance of PDB. Mr Boswall responded on behalf of the Applicant, stating that they viewed the ES to be adequate and that the Examination shouldn't be delayed on that basis. Both parties agreed to make further comment before PDB.

The ExA asked if there were any further comments on this item from participants.

No further comments were made by any of the parties in attendance.

9. Any other matters (to be amended) 1:25:00 – 1:26:11

The ExA invited participants to raise any other matters before the PM was adjourned.

The ExA reminded parties that any written comments on the matters discussed today should be sent in writing by PDB – midday on 30 October 2020.

The ExA thanked all attendees and viewers for their patience and participation and adjourned the PM Part 1 at 3:25pm

The PM was adjourned until 4 November 2020 at 10.00am.

A procedural decision was made on 2 November 2020 which involved the postponement of the PM part 2. Details can be found in the [Examining Authority's letter of Monday 2 November](#).