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To the Applicant, Interested Parties,
Statutory Parties and Other Persons
invited to the Preliminary Meeting

Your Ref:

Our Ref: EN010092

Date: Monday 2 November 2020

Dear Sir/Madam,

The Planning Act 2008 – Section 89 and The Infrastructure Planning (Examination Procedure) Rules 2010 - Rules 6, 9 and 17

Application by Thurrock Power Limited for an Order Granting Development Consent for the Thurrock Flexible Generation Plant Project

Procedural Decisions following Preliminary meeting (Part 1) Postponement of Preliminary Meeting (Part 2) – Wednesday 4 November 2020

I am writing to advise you that, having considered the various written submissions made at Procedural Deadline A, the oral submissions made at the Preliminary Meeting (Part 1) and the further written submissions received on or before Procedural Deadline B, I consider it is necessary for the Environmental Statement to contain further information. I have therefore taken the procedural decision to postpone Part 2 of the Preliminary Meeting until **Tuesday 16 February 2021** to allow the information to be prepared, submitted, consulted upon and for Interested Parties (IPs) to be given an opportunity to comment. The reasons for my conclusion, the information required as well as the steps the Applicant is required to take prior to the resumption of Preliminary Meeting Part 2 are set out in **Annex A** below.

Annex B sets out the other procedural decisions I have taken. Please read these carefully as they contain additional Procedural Deadlines which may affect you.

In light of the above, I have also included a revised draft Examination Timetable which can be found at **Annex C**. Please note that there is an opportunity to comment on this revised timetable at Procedural Deadline D.

I understand that you may be disappointed by this delay but I would like to assure you that, as noted at the opening of the Preliminary Meeting (Part 1), I aim to run an efficient and effective Examination and will make best use of the time within the maximum period of 6 months from the close of the resumed Preliminary Meeting. With this in mind, I would encourage the Applicant and all IPs to use the extended adjournment to narrow down the remaining issues, attempt to reach agreement on

the matters raised by IPs in their Relevant Representations and progress Statements of Common Ground as much as possible.

Potential Change Requests

In light of the Applicant's indication at the Preliminary Meeting (Part 1) of their intention to submit a number of change requests, I would also take this opportunity to draw your attention to the Planning Inspectorate's Advice Note 16 which provides information on the key steps, the information required and the role of the ExA in dealing with such requests as well as timing implications, including where the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 are engaged. The Applicant should ensure that the ExA is kept updated as to any issues arising and any Procedural Decisions that may need to be made as a result of any proposed changes.

Finally, I would like to take this opportunity to thank you all for your contributions to date. I very much look forward to examining the application in due course, following the resumption and close of the Preliminary Meeting.

Yours faithfully

Rory Cridland

Rory Cridland
Examining Authority

Annex A	The ExA's Statement of Reasons
Annex B	Procedural Decisions
Annex C	Revised Draft Examination Timetable

ANNEX A – EXA’S STATEMENT OF REASONS

1. Reasons and information required

The Planning Act 2008 (PA2008) encourages applicants to frontload project development and, in doing so, it requires them to comprehensively prepare their applications. Furthermore, the Environmental Impact Assessment process is intended to, amongst other things, help decision makers come to a reasoned conclusion on the significant effects of the Proposed Development on the environment.

The Application was accepted for Examination on 24 June 2020. However, a number of matters were identified by Interested Parties (IPs), resulting in a request to suspend the Examination or delay its start pending the receipt of further information. These matters were discussed at the Preliminary Meeting (Part 1) where the Applicant and all IPs were provided with an opportunity to comment and make representations. All comments and representations received have been taken into account.

I agree with the Applicant that a request by IPs for information does not automatically mean that this information should have been included in the Environmental Statement (ES). Likewise, I am mindful that it will often be the case that minor omissions will be identified during the course of an examination which may require an applicant to provide additional information or clarification. However, where the omissions are significant or of such a number that they have a major bearing on how the application is examined (as in this case), I consider the submission of further information is necessary in order to come to a reasoned conclusion on the likely significant effects.

Furthermore, one of the primary purposes of the Examination process is to resolve issues that arise from the ES as opposed to providing a mechanism for resolving numerous omissions and inadequacies. Indeed, the frontloading of project development in the PA2008 is, in part, intended to avoid such issues acting as an impediment to the examination of applications in the statutory timescales.

In the present case, while I am mindful of the steps the Applicant has already taken in an attempt to address some of the inadequacies and omissions of the ES (including the preparation of a Navigational Risk Assessment for submission into the Examination), I do not consider these are sufficient to address the matters identified below. Furthermore, those omissions and inadequacies have the potential to put other IPs at a considerable disadvantage in not having had early sight of, or an adequate opportunity to comment on, the potential impacts of the Proposed Development and the Applicant’s assessment of likely significant effects.

The Applicant is therefore requested to provide the further information listed below and publicise it in accordance with the details set out in section 2. Where any of the matters influence the assessments or conclusions in the ES, the ES (and any related documents where relevant) should be updated to reflect these changes.

Shipping and navigation

The application does not contain an assessment of the likely significant effects to and from shipping and navigation. While I acknowledge that the Scoping Opinion issued by the Secretary of State in September 2018 (“Scoping Opinion”) included elements which are no longer included in the application, the proposal as submitted nevertheless includes the erection and permanent retention of a causeway in the River

Thames. This has the potential to result in significant effects on shipping and navigation.

Even though the application documents [APP-130] explain that the causeway and beached vessel would be located outside and at a safe distance from the navigation channel, it remains the case that the vessels used in the delivery of the materials will first need to navigate the river to reach this point. This will potentially cause impacts in terms of other marine users, water quality, hydrodynamics and transporting Invasive Non-Native Species.

In view of the concerns already identified at this early stage, I consider the impact of the proposal on shipping and navigation has the potential to be the subject of considerable discussion during the Examination and may have a major bearing on how the application is examined. Consequently, in order to adequately understand the impacts and effects of the Proposed Development on the environment, I consider the ES requires an assessment of likely significant effects to and from shipping and navigation.

Saltmarsh creation

Saltmarsh creation is proposed as part of the application as mitigation for the loss of mud flat habitat required for the proposed causeway. However, as noted by a number of IPs, the impact of saltmarsh creation, maintenance and monitoring has not been assessed. In order to adequately examine the ES, and for similar reasons to those set out above, I consider further information is required to assess the likely significant effects of the proposed saltmarsh creation.

I do, however, note that the Applicant has indicated that they intend to make a change request, the effect of which would be to remove this element of the Proposed Development from the application. In the event that this change request is pursued, the Applicant should provide updates to the application (including the Habitats Regulations Assessment (HRA) Report) where this change request may influence the assessment of significant effects.

Impact of the causeway and its maintenance beyond the lifetime of the Proposed Development

The application proposes to retain the causeway permanently, the impact of which is not fully assessed within the ES and the decision to do so not fully discussed. In order to adequately examine the application and the potential significant effects of the Proposed Development, I consider further information should be provided on how the decision was reached to retain the causeway and the control mechanisms proposed/in place to ensure that any subsequent use of the causeway will not cause likely significant effects on the environment beyond the lifetime of the Proposed Development.

Update of the HRA Report

The HRA Report submitted with the application should be updated to include an assessment of effects on Marine Conservation Zones (MCZs) and sites functionally linked to the European sites assessed (with specific reference to Mucking Flats and Marshes SSSI, onshore grassland and grazing land and Swanscombe MCZ). The HRA matrices provided in Appendix B of the HRA Report also require updating so that the

impacts and footnotes reflect what is discussed in section 6 of the HRA Report. The matrices also do not list the correct qualifying features for the Thames Estuary and Marshes Ramsar, Benfleet and Southend Marshes Special Protection Area (SPA) and Benfleet and Southend Marshes Ramsar and should be updated to reflect the qualifying features listed on the Joint Nature Conservation Committee (JNCC) and Natural England (NE) websites. These updated matrices should also be provided in word format to the Planning Inspectorate. This information is necessary in order to undertake an assessment in line with The Conservation of Habitats and Species Regulations (2017).

Flood risk

Although consideration of flooding in the ES has addressed many of the matters previously identified at acceptance stage, it does not consider the more radical climate change projections for the H+ scenario or provide an assessment of flood risk post development following proposed land-raising mitigation. The National Policy Statement for Energy (EN-1, paragraph 4.8.9) requires the H+ scenario to be assessed where a development has safety critical elements, such as fossil fuel power stations. Additionally, land raising alters flood characteristics and may increase flooding elsewhere (including off-site) and such effects need to be understood. I consider further information on these matters is essential in order to enable a full assessment of flood risk (including off-site), to understand the likely significant effects of the Proposed Development in terms of flood risk and whether the mitigation proposed is adequate in the event of a worst-case scenario taking account of climate change projections.

Cultural heritage

The application site lies within a highly sensitive area for the historic environment. I note the advice of Historic England (HE) and agree that the application has been submitted without a fully detailed assessment of the historic environment; specific concerns are raised about baseline characterisation and the lack of surveys undertaken. As such, in order to adequately understand the likely significant effects of the Proposed Development on the historic environment, I consider that further field surveys are required to fully characterise the baseline. The baseline should include the setting of heritage assets and below ground archaeological deposits, including their extent and significance, and following this, the assessment of significant effects should be updated to assess against the new baseline conditions.

2. Process to be followed in relation to the submission of the further information identified above

On or before **Procedural Deadline C (Monday 14 December 2020)** the ExA requests that the Applicant:

- a. Provide the ExA with the further information set out above together with details of any consultation undertaken, responses received and how they have been taken into account;
- b. Publish a notice in accordance with paragraph h below which sets out the following information –

- (i) the name and address of the Applicant;
 - (ii) that the Applicant has made an application to the Secretary of State for an order granting development consent for EIA development;
 - (iii) that the Secretary of State has accepted the application and the reference number of the application;
 - (iv) that the ExA has requested the further information set out in Annex A above and that Part 2 of the Preliminary Meeting has been postponed until **16 February 2021** to enable the further information to be provided and publicised;
 - (v) a summary of the main proposals, specifying the location of the proposed development;
 - (vi) that the environmental statement and the further information and any other information are available for inspection free of charge on a website maintained by or on behalf of the Secretary of State;
 - (vii) the address of the website where the environmental statement and the further information and any other information may be inspected;
 - (viii) the place on the website where the environmental statement and the further information and any other information may be inspected;
 - (ix) a telephone number which can be used to contact the Applicant for enquiries in relation to the environmental statement and the further information and any other information;
 - (x) that the documents will be available for inspection until at least Procedural Deadline D (**Monday 25 January 2021**).
 - (xi) whether a charge will be made for copies of any of those documents and the amount of any charge;
 - (xii) details of how to respond to the publicity; and
 - (xiii) a deadline for receipt of responses (being Procedural Deadline D (**Monday 25 January 2021**)).
- c. Display the notice at, or as close as reasonably practicable to, the site of the proposed development at a place accessible to the public;
- d. Provide a copy of the notice for publication on the project page of the Planning Inspectorate's National Infrastructure website.
- e. Serve on any person of whom the Applicant has been notified under regulation 11(1)(c) of the Planning Infrastructure (Environmental Information Assessment) Regulations 2017 a notice containing the information specified in paragraph b above.
- f. Send to the consultation bodies the further information and a notice setting out the information specified in paragraph b(i) to (v) above ; and inform those bodies
- (i) how and to whom they may make representations;
 - (ii) of the deadline for making representations.

On or before Procedural Deadline D the Applicant must:

- g. Certify to the ExA that the Applicant has complied with the requirements of paragraphs a-f above.

General

- h. The notice referred to in paragraph b above should be published for a minimum of 2 weeks in one or more local newspapers circulating in the vicinity in which the proposed development is situated; once in a national newspaper; and once in the London Gazette.

Annex B – Procedural Decisions

Having considered the written comments made at Procedural Deadline A, the oral submissions made at the Preliminary Meeting (Part 1) and the further written comments made on or before Procedural Deadline B, I have also made the following Procedural Decisions:

1. Statements of Common Ground (SoCG)

The Applicant indicated at the Preliminary Meeting (Part 1) and in written comments at Procedural Deadline B that they do not consider it will assist the Examination for them to agree SoCG with a number of IPs.

As indicated in my Rule 6 letter, the aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. They help provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. As such, they are useful in a number of ways.

Having given further consideration to the requests for SoCG set out in my Rule 6 letter, I have decided that SoCG with the following IPs need not be submitted at Deadline 2:

Basildon Borough Council
Transport for London
Royal Mail Group
Essex County Council

However, in view of the issues raised by the application and the matters raised in the relevant representations, I do not agree that SoCG with Public Health England and the Maritime and Coastguard Agency would be of limited benefit. Accordingly, these should be pursued.

I also note the comments from the Port of London Authority (PLA) on the additional topics they suggest should be included in the SoCG requested in Annex E, Paragraph P of my Rule 6 letter. I agree that these additional matters would be of assistance and as such request that the SoCG between the Applicant and the PLA cover the following topics in addition to those previously set out in Annex E of my Rule 6 letter:

- The effect on the marine environment including marine habitats, species and nationally designated sites;
- The effect on European sites and features relevant to Habitat Regulations Assessment; assessment, methodology and conclusions;
- Sediment analysis and dredging disposal (including matters related to timing);
- Cumulative and in-combination effects;
- The adequacy of the outline Saltmarsh Enhancement and Management Plan and outline Ecological Mitigation Plan (if this is retained in the proposals);
- The Deemed Marine Licence (Schedule 8 of the dDCO); and
- Adequacy and means of securing mitigation.

2. Request for impacts to shipping and navigation to be considered as separate principal issues

I have considered the request by PoTLL and the PLA for the impacts on shipping and navigation to be considered as separate principal issues. As set out in Annex E of my Rule 6 letter (and at the Preliminary Meeting Part 1), my initial assessment of principal issues is not a comprehensive or exclusive list of all relevant matters; regard will be had to all relevant matters in reaching a recommendation after the Examination is concluded.

However, it is clear from the comments received to date that these topics have the potential to become a matter of considerable discussion during the Examination. Consequently, I agree that dealing with them as separate principal issues would be beneficial.

3. Other matters

Issue Specific Hearings

As indicated in the Preliminary Meeting Part 1, requests for Issue Specific Hearings are noted. Provision is made in the revised draft Examination Timetable (**See Annex C**) for the notification of any hearings and consideration will be given to what Issue Specific Hearings are to be held in due course.

Assessment of impacts on the land use and operation of PoTLL

The application includes a request for powers for the Compulsory Acquisition of rights over existing access roads located within the Port of Tilbury. I note that the ES submitted with the application does not contain an assessment of the impacts on PoTLL resulting from the use of these roads and acknowledge the various concerns raised by PoTLL in this respect. However, even though I accept that these matters are likely to be the subject of further discussion during the Examination, I do not agree with PoTLL that further assessments are necessary in order for these matters to be meaningfully explored.

Nevertheless, in order to make best use of the time available during the Examination, I would strongly encourage the Applicant and PoTLL to continue discussions with a view to agreeing terms that are acceptable to both parties.

Annex C – Revised Draft Examination Timetable

Set out below is the Revised Draft Examination Timetable. This replaces the Draft Examination Timetable set out in Annex C of my Rule 6 letter dated 21 September 2020 (“the Rule 6 letter”). As ExA, I am under a duty to complete the Examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

The Examination of the application primarily takes the form of the consideration of written submissions. I will also consider any oral representations made at Hearings.

	Matters	Due Dates
Items 1-4	Items 1-4 of the draft Examination Timetable published in Annex C of the Rule 6 letter have already occurred. They are not repeated here.	N/A
5.	<p>Procedural Deadline C</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> The further information set out in Annex A above together with details of any consultation undertaken, responses received and how they have been taken into account; Copy of notice set out in Annex B above for publication on the NI project page; 	Monday 14 December 2020
6.	<p>Procedural Deadline D</p> <p>Deadline for receipt by ExA of:</p> <ul style="list-style-type: none"> Comments on the further information received at Procedural Deadline C; Written submissions, if required, from the Applicant and any Interested Party or Affected Persons on any changes that are considered necessary to the draft Examination Timetable; Requests to be heard orally at the Preliminary Meeting (Part 2), points you wish to make, and why these need to be made orally rather than in writing. Applicant’s certification of compliance with the requirements of Annex A above. 	Monday 25 January 2021
7.	Preliminary Meeting (Part 2)	Tuesday 16 February 2021 at 10:00am

8.	<p>Issue by the ExA of:</p> <ul style="list-style-type: none"> • Examination Timetable; • The ExA's Written Questions (ExQ1). 	<p>As soon as practicable after the close of the Preliminary Meeting</p>
9.	<p>Deadline 1</p> <p>Deadline for the receipt by ExA of:</p> <ul style="list-style-type: none"> • Notification of wish to speak at any Issue Specific Hearing(s) (ISHs) (if held); • Notification of wish to speak at any Compulsory Acquisition Hearing(s) (CAHs) (if held); • Notification of wish to speak at an Open Floor Hearing (OFH) (if held); • Submission by the Applicant, IPs and APs of suggested locations for the ExA to include in any Unaccompanied Site Inspections (USIs) or Accompanied Site Inspections (ASIs), including the reason for nomination and issues to be observed, information about whether the location can be accessed using public rights of way or what access arrangements (if any) would need to be made, and the likely time requirement for the visit to that location¹; • Notification by Statutory Parties and certain Local Authorities who wish to be considered as an Interested Party; • Comments on any Additional Submissions accepted by the ExA; • Notification of wish to have future correspondence electronically; • Any other information requested by the ExA for submission at Deadline 1. 	<p>Tuesday 2 March November 2021</p>
10.	<p>Deadline 2</p> <p>Deadline for receipt by the ExA of:</p>	<p>Tuesday 23 March 2021</p>

¹ Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the use of technology) will be explored, and all participants will be notified.

	<ul style="list-style-type: none"> • Responses to ExQ1; • Local Impact Reports (LIRs) from Local Authorities (see Annex B of the Rule 6 Letter); • Written Representations (WRs) including summaries of all WRs exceeding 1500 words (see Annex B of the Rule 6 Letter); • Comments on Relevant Representations (see Annex B of the Rule 6 Letter); • Statements of Common Ground (SoCG) requested by the ExA (see Annex B and E of the Rule 6 Letter); • Statement of Commonality of SoCG; • The Compulsory Acquisition (CA) Schedule; • Any other information requested by the ExA for submission at Deadline 2. 	
11.	Time reserved for issue by the Examining Authority (ExA) of <ul style="list-style-type: none"> • Any notification of hearings 	Monday 29 March 2021
12.	Deadline 3 Deadline for receipt by the ExA of: <ul style="list-style-type: none"> • Comments on WRs; • Responses to comments on RRs; • Comments on responses to ExQ1; • Comments on LIRs; • Comments on other submissions for Deadline 2; • The Applicant's draft ASI arrangements and itinerary (if required); • Progressed SOCG and updated Statement of Commonality of SOCG; • An updated Guide to the Application; • An updated version of the draft Development Consent Order (dDCO) in clean and tracked versions; • Schedule of changes to the dDCO; • An updated CA Schedule in clean and tracked versions; 	Monday 12 April 2021

	<ul style="list-style-type: none"> Any other information requested by the ExA for submission at Deadline 3. 	
13. Hearings	<p>Dates reserved to hold any:</p> <ul style="list-style-type: none"> ISHs (if required); CAHs (if required); OFHs (if required). 	<p>w/c 26 April 2021 and/or w/c 3 May 2021</p>
14. Deadline 4	<p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> Comments on responses submitted for Deadline 3; Written summaries of oral submissions made at any Hearings held during the weeks commencing 11 January 2021 and/or 18 January 2021; Comments on the Applicant's draft ASI arrangements and itinerary²; Any post-Hearing notes requested at the Hearings; An updated Guide to the Application; An updated version of the dDCO in clean, tracked and word versions; An updated Schedule of changes to the dDCO; An updated Compulsory Acquisition Schedule in clean and tracked versions; Progressed SoCG and updated Statement of Commonality of SOCG; Any other information requested by the ExA for submission at Deadline 4. 	<p>Monday 17 May 2021</p>
15. Publication by the ExA of:	<ul style="list-style-type: none"> Further Written Questions (ExQ2) (if required). 	<p>Tuesday 1 June 2021</p>
16. Time reserved for issue by the Examining Authority (ExA)	<ul style="list-style-type: none"> Any notification of Hearings and ASI. 	<p>Monday 7 June 2021</p>

² Please note: an ASI can only go ahead if Government guidance on COVID-19 at that time permits. In the event it cannot be undertaken as a physical visit, alternative approaches (including the use of technology) will be explored, and all participants will be notified.

<p>17.</p>	<p>Deadline 5</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to ExQ2; • Comments on submissions for Deadline 4; • Any information requested by the ExA under Rule 17 of the Examination Rules to assist with the preparation of Hearings scheduled for weeks commencing 15 and 22 March 2021; • Progressed SOCG and updated Statement of Commonality of SOCG; • An updated Guide to the Application; • Updated Book of Reference (if required); • Updated Statement of Reasons (if required); • Draft s106 Agreement(s) (if required); • An updated version of the dDCO in clean, tracked and word versions; • An updated Schedule of changes to the dDCO; • Any other information requested by the ExA for submission at Deadline 5. 	<p>Monday 14 June 2021</p>
<p>18.</p>	<p>Hearings and Accompanied Site Inspection(s)</p> <p>Dates reserved for any:</p> <ul style="list-style-type: none"> • Further ISHs (if required); • Further OFHs (if required); • Further CAHs (if required); • Accompanied Site Inspection(s) (if required). 	<p>w/c 5 July 2021 and/or w/c 12 July 2021</p>
<p>19.</p>	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • The Report on the Implications for European Sites (RIES) (if required); • Any requests for information under Rule 17 of the Examination Rules (if required); • The ExA's proposed schedule of changes to the dDCO (if required). 	<p>Monday 19 July 2021</p>
<p>20.</p>	<p>Deadline 6</p>	<p>Tuesday 27 July 2021</p>

	<p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on submissions for Deadline 5; • Written summaries of oral submissions made at any Hearings held during the weeks commencing 15 and 22 March 2021; • Any post-Hearing notes requested at the previous Hearings; • Any other information requested by the ExA for submission at Deadline 6. 	
21.	Date reserved for any further hearings (if required)	Week commencing 26 July 2021
22.	<p>Deadline 7</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on responses submitted for Deadline 6; • Comments on the RIES (if required); • Comments on the ExA's proposed schedule of changes to the dDCO (if required); • Final SoCG and finalised Statement of Commonality; • Final Compulsory Acquisition Schedule in clean and tracked versions; • Final Guide to the Application; • A final Schedule of changes to the dDCO; • Final dDCO to be submitted by the Applicant in the Statutory Instrument (SI) template with the SI template validation report; • Resubmission of final version of updated application documents; • Final updated version of the Book of Reference; • Any final, duly executed, section 106 agreement(s); • Any other information requested by the ExA for submission at Deadline 7. 	Monday 9 August 2021
23.	<p>Deadline 8</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by the ExA after Deadline 7 (if required), under 	Friday 13 August 2021

	Rule 17 of the Examination Rules.	
24.	<p>Close of Examination</p> <p>The ExA is under a duty to complete the Examination of the application by the end of the period of 6 months.</p>	<p>Monday 16 August 2021</p>

Submission times for deadlines

The time for submission of documents at any deadline in the timetable is, **unless otherwise stated**, 23:59 hours on the relevant deadline date.

Publication dates

All information received will be published on the project webpage on the National Infrastructure Planning website (see link below) as soon as practicable after the deadlines for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the 'Documents' tab on the project webpage. Each document will be given a unique reference. These references will be used by the ExA during the Examination:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/thurrock-flexible-generation-plant/?ipcsection=docs>

Report on the Implications for European Sites (RIES)

The Applicant has provided a Habitats Regulations Assessment (HRA) with the application (Examination Library reference [[APP-040](#)]). In light of this the ExA may decide to issue a RIES during the Examination.

The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of The Conservation of Habitats and Species Regulations 2017 (as amended).