



PORT OF  
**TILBURY**  
LONDON

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Tracey Williams  
Case Manager  
The Planning Inspectorate  
National Infrastructure  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

2 March 2021

Our Ref: PoTLL/TFGP/EX/5

Dear Ms Williams,

## **Planning Act 2008**

### **Application for the Thurrock Flexible Generation Plant Development Consent Order**

#### **PoTLL Submission for Deadline 1: Notification of Intention to Speak at ISHs and CAHs and Suggested Locations for ASIs**

1. Further to the Examining Authority's ('ExA') Rule 8 Letter of 16 February 2021, this letter constitutes the Port of Tilbury London Limited's ('PoTLL') submission for Deadline 1 of the Examination timetable.

#### Hearings

2. Whilst PoTLL continues to hold and engage in discussions with the Applicant in respect of its concerns with the Thurrock Flexible Generation Plant ('the Project') proposals, issues still remain outstanding between the parties.
3. As such, PoTLL intends to continue to participate in the Examination into the Project until these issues have been resolved or a final position reached on any outstanding issues.
4. In light of this, I can confirm that PoTLL does wish to participate in any Issue Specific Hearings that are timetabled by the ExA to deal principally with the following matters raised in PoTLL's Relevant Representation:
  - DCO drafting – Protective Provisions and PoTLL consent/consultation to DCO powers; Requirements; and PoTLL involvement in the development of documents secured through the Requirements;
  - use of Tilbury2 for terrestrial access;
  - navigational and operational issues arising from use of the causeway affecting Tilbury2 and any future port development; and
  - ensuring that development of the proposed Tilbury Link Road is not prevented.



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5. PoTLL also continues to object to the proposed compulsory acquisition of rights over plots 01/01 to 01/04. As such, it requests that Compulsory Acquisition Hearings are scheduled as part of the Examination and confirms that it would wish to speak at such hearings.

#### Site Inspection

6. In order to fully understand the impact of the Project in the context of the operation of Tilbury2, PoTLL requests that a site inspection takes place:
  - on Substation Road in the centre of Tilbury2; and
  - on the Tilbury2 CMAT jetty which is located closest to the location of the proposed causeway.
7. Both of these locations are located beyond the 'gateline' of Tilbury2. As such, for security and operational reasons, it would not be possible for visits to these locations to be unaccompanied.
8. As such, we would suggest an Accompanied Site Inspection to these locations. Subject to this being permissible in the context of Covid Regulations and Guidance, once a date is confirmed for this visit and to enable an appropriate risk assessment and appropriate Covid-secure and health and safety arrangements to be properly put in place, PoTLL would require, at least a full working week before the visit:
  - the names and number of those attending;
  - confirmation that those parties attending will bring photographic ID with them;
  - that those attending have appropriate footwear for access to a working Port; or where such parties do not own such footwear, their shoe sizes; and
  - the number of those attending who have access to a high visibility jacket (such that those who do not can be provided with one on the visit).
9. Alternatively, or if Covid Regulations prevent an Accompanied Site Inspection, PoTLL can confirm that it has access to an Unmanned Aerial Vehicle ('UAV') drone that would be able to undertake a 'virtual' visit to these locations. In the interests of assisting the Examination, PoTLL would also be willing to allow this drone to be used for other locations proposed by the Applicant and Interested Parties, if an Accompanied Site Inspection is not possible and if it would assist the ExA and the Examination.
10. PoTLL is aware that the approach of using a drone in place of an Accompanied Site Inspection has recently been suggested on the South Humber Bank Energy Centre by the Applicant for that project and that this has required procedural decisions by the ExA for that project in respect of requiring further information in respect of flight paths, locations and times that drone footage would be taken, as well as raising various legal matters such as data protection.
11. I can confirm that PoTLL would be happy to discuss any of these matters with the Planning Inspectorate case officer team and the Applicant, and provide any such further information required, once the ExA has decided whether the use of a drone is required, particularly in the context of the ever-evolving Covid situation or as a precautionary fall back position.

12. If you have any questions on any of these matters, please do not hesitate to contact our legal advisers: [robbie.owen@pinsentmasons.com](mailto:robbie.owen@pinsentmasons.com) and [matthew.fox@pinsentmasons.com](mailto:matthew.fox@pinsentmasons.com).

Yours sincerely,



PETER WARD  
COMMERCIAL DIRECTOR  
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