



# Statement of Commonality for Statements of Common Ground

Rev. 2, Deadline 4



# 1 INTRODUCTION

- 1.1 This document has been prepared in respect of an application for the proposed Thurrock Flexible Generation Plant made by Thurrock Power Ltd (“the Applicant”) to the Secretary of State for Business, Energy and Industrial Strategy for a Development Consent Order (“DCO”) under section 37 of the Planning Act 2008.
- 1.2 The purpose of this document is to summarise the status and progress of all Statements of Common Ground (SoCGs) and to provide a Statement of Commonality, i.e. matters that are common to more than one SoCG.
- 1.3 Overleaf, Table 2.1 summarises the SoCG status and Section 3 provides more detail of the current position on SoCGs that are not yet finalised. In the following section, Table 4.1 shows matters that are common to several interested parties.
- 1.4 Where SoCGs are referred to in Table 2.1 as “pending” it is because the parties are currently focussing on alternative means of resolving any outstanding issues, such as entry into commercial agreements. At this time it is thought more beneficial to focus on those alternative means of resolution with a view to agreeing SoCGs once other matters have been advanced.

## 2 SOCG STATUS OVERVIEW

Table 2.1: SoCG status overview

Interested Party	Deadline 2 23 March 2021	Deadline 3 12 April 2021	Deadline 4 17 May 2021	Deadline 5 14 June 2021	Deadline 7 9 August 2021
Anglian Water	Final and signed	Final and signed	Final and signed		
Cogent Land	Not required	Not required	Not required		
Environment Agency	Under discussion	Under discussion	Under discussion		
Gravesham Borough Council	Pending	Pending	Pending		
Highways England	Pending	Pending	Pending		
Historic England	Under discussion	Under discussion	Under discussion		
Marine Management Organisation	Under discussion	Under discussion	Under discussion		
Maritime and Coastguard Agency	Final and signed	Final and signed	Final and signed		
National Grid (Electricity Transmission)	Final and signed	Final and signed	Final and signed		
National Grid (Asset Protection)	Pending	Pending	Pending		
Natural England	Under discussion	Under discussion	Under discussion		
Network Rail	Pending	Pending	Under discussion		
Port of London Authority	Under discussion	Under discussion	Under discussion		
Port of Tilbury London Limited	Pending	Pending	Pending		
Public Health England	Final and signed	Final and signed	Final and signed		
Royal Mail	Under discussion	Under discussion	Final and signed		
RWE	Pending	Under discussion	Under discussion		
Thurrock Council	Under discussion	Under discussion	Under discussion		

## 3 SOCG PROGRESS SUMMARY

### Position at Deadline 4

- 3.1 This section provides a summary of the current position on individual SoCGs between the Applicant and each party at Deadline 4 (17 May 2021). Individual SoCGs submitted to the ExA should be referred to for the full detail on specific matters.

### Anglian Water

- 3.2 SoCG finalised and submitted at Deadline 2.

### Cogent Land LLP

- 3.3 The Applicant understands that Cogent has informed the ExA that it is formally withdrawing concerns raised in the Relevant Representation of 14th August 2020. As a result, the Applicant is of the view that an SoCG with Cogent is no longer required.

### Environment Agency

- 3.4 Updated draft SoCG submitted at Deadline 3. Discussions are ongoing and it is anticipated that a further updated draft SoCG will be submitted at Deadline 5.

### Gravesham Borough Council

- 3.5 First draft SoCG has been prepared by the Applicant and expected to be submitted at Deadline 5.

### Highways England and Lower Thames Crossing

- 3.6 Highways England has requested that there be a combined SoCG with Lower Thames Crossing ('LTC'). SoCG not yet progressed, pending the outcome of ongoing legal discussions relating to an Interface Agreement between the Applicant and LTC. Protective Provisions are under negotiation with the Applicant and are being progressed alongside the Interface Agreement.

### Historic England

- 3.7 The Outline Marine and Intertidal Written Scheme of Investigation is now agreed. Updated draft SoCG reflecting that agreement is submitted at Deadline 4. There is only one point remaining under discussion: data from LTC's investigation of the gas pipeline route.

### Marine Management Organisation

- 3.8 There have been further discussions with the MMO and work is ongoing to finalise the drafting of the deemed marine licence. It is expected that an updated SoCG can be submitted at Deadline 5 once the MMO has reviewed the dDCO/DML updates at Deadline 4.

### Maritime and Coastguard Agency

- 3.9 SoCG finalised and submitted at Deadline 2.

### National Grid

- 3.10 It should be noted that the Applicant has already submitted a finalised SoCG with National Grid relating to project need and grid connection capacity in its application documents (APP-148).

- 3.11 A further SoCG with National Grid Asset Protection is not yet progressed. Discussions are ongoing regarding an Asset Protection Agreement and Protective Provisions. The Applicant anticipates that, if the Agreement is finalised, only a very short SoCG will be necessary.

### **Natural England**

- 3.12 Draft SoCGs were provided to Natural England ('NE') on 3rd February 2021 and 10 May 2021. NE has now provided comments, with a number of points agreed, and a draft SoCG is submitted at Deadline 4.

### **Network Rail**

- 3.13 Most points are agreed. The Applicant has prepared a first draft SoCG and anticipates that this will be submitted at Deadline 5. Discussions are continuing regarding an Asset Protection Agreement and the Station Road access junction.

### **Port of London Authority**

- 3.14 Discussions are ongoing. All of the DCO drafting points are now agreed in principle and the PLA will review the dDCO submitted at D4 to inform progression of the SoCG.

### **Port of Tilbury London Limited**

- 3.15 SoCG not yet progressed. Discussions are continuing regarding commercial agreements and Protective Provisions.

### **Public Health England**

- 3.16 All matters are agreed. Public Health England ("PHE") has stated that it does not usually sign an SoCG document but prefers to provide comments in the form of a letter. PHE provided such a letter to the Applicant on 22<sup>nd</sup> March 2021, which evidences the agreed position between the parties, and this was submitted at Deadline 2 in place of a finalised SOCG.

### **Royal Mail**

- 3.17 All points agreed and finalised SoCG is submitted at Deadline 4.

### **RWE**

- 3.18 The Applicant provided a draft SoCG to RWE on 6th April 2021, along with proposed revisions to RWE's draft Protective Provisions. Discussions are continuing regarding commercial agreements and a draft SoCG will be submitted at a future deadline.

### **Thurrock Council**

- 3.19 A number of matters were agreed in the draft SoCG submitted at Deadline 2. An updated SoCG detailing further agreements reached on heritage matters was submitted at Deadline 3. The Conceptual Drainage Strategy and the relevant DCO requirement for drainage are agreed at Deadline 4. The Applicant is awaiting Thurrock Council's further comments on the other matters of DCO drafting listed as under discussion. There is one matter not agreed, the intrusive archaeological investigation undertaken prior to acceptance of the application for examination.
- 3.20 Updated SoCG submitted at Deadline 4.

## 4 STATEMENT OF COMMONALITY

4.1 The following table sets out matters that are common to SoCGs that have been drafted or that may be included in SoCGs that are pending or under discussion. It is subject to change as SoCG discussions are progressed.

**Table 4.1: Statement of Commonality**

Interested Party	Draft DCO	Protective provisions	Traffic and access	Causeway and marine environment	Common land and PRowS	Landscape and visual	Heritage and archaeology	Onshore ecology	HRA	Flood risk and drainage	Noise and vibration	Air quality	Ground conditions	Health	Climate change	Accidents and disasters
Anglian Water	X	X														
Environment Agency		X		X					X	X		X	X			
Gravesham Borough Council						X	X				X	X				
Highways England		X	X													
Historic England					X	X	X									
MCA				X												
MMO	X			X			X		X							
National Grid		X														
Natural England	X			X	X			X	X							
Network Rail		X	X													
Port of London Authority	X	X		X												
Port of Tilbury London Limited	X	X	X	X												
Public Health England	X				X							X		X		X
Royal Mail		X	X													
RWE		X	X													
Thurrock Council	X		X		X	X	X	X		X	X	X	X	X	X	