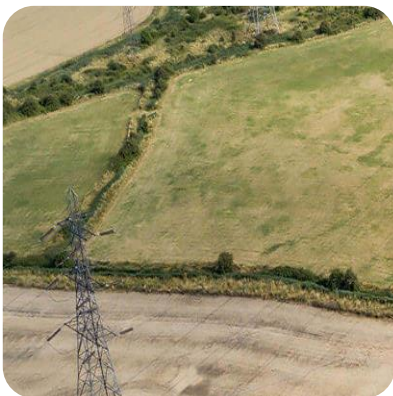




Statement of Commonality for Statements of Common Ground

Rev. 3, Deadline 5



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	Final and signed	
Cogent Land	Not required	Not required	Not required	Not required	
Environment Agency	Under discussion	Under discussion	Under discussion	Under discussion	
Gravesham Borough Council	Pending	Pending	Pending	Pending	
Highways England	Pending	Pending	Pending	Under discussion	
Historic England	Under discussion	Under discussion	Under discussion	Under discussion	
Marine Management Organisation	Under discussion	Under discussion	Under discussion	Under discussion	
Maritime and Coastguard Agency	Final and signed	Final and signed	Final and signed	Final and signed	
National Grid (Electricity Transmission)	Final and signed	Final and signed	Final and signed	Final and signed	
National Grid (Asset Protection)	Pending	Pending	Pending	Pending	
Natural England	Under discussion	Under discussion	Under discussion	Under discussion	
Network Rail	Pending	Pending	Under discussion	Pending	
Port of London Authority	Under discussion	Under discussion	Under discussion	Finalised awaiting signature	
Port of Tilbury London Limited	Pending	Pending	Pending	Pending	
Public Health England	Final and signed	Final and signed	Final and signed	Final and signed	
Royal Mail	Under discussion	Under discussion	Final and signed	Final and signed	
RWE	Pending	Under discussion	Under discussion	Under discussion	
Thurrock Council	Under discussion	Under discussion	Under discussion	Under discussion	

3 SOC G PROGRESS SUMMARY

Position at Deadline 5

- 3.1 This section provides a summary of the current position on individual SoCGs between the Applicant and each party at Deadline 5 (14 June 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 was submitted at Deadline 3. Discussions are ongoing and the Applicant is awaiting the EA's further comments on Protective Provisions. It is anticipated that a further SoCG will be submitted at Deadline 6.

Gravesham Borough Council

- 3.5 The Applicant is in ongoing discussions with Gravesham Borough Council. It is anticipated that a draft SoCG will be submitted at Deadline 6.

Highways England and Lower Thames Crossing

- 3.6 Highways England has requested that there be a combined SoCG with Lower Thames Crossing ('LTC'). An initial draft SoCG has been submitted but this will not be finalised until the outcome of ongoing legal discussions relating the Interface Agreement between the Applicant and LTC is known. Protective Provisions remain under discussion but cannot be agreed until the Interface Agreement is progressed.

Historic England

- 3.7 Updated draft SoCG was submitted at Deadline 4. The Applicant is in ongoing discussion with Historic England. It is anticipated that a further updated SoCG will be submitted at Deadline 6.

Marine Management Organisation

- 3.8 The Applicant is awaiting further comments on the draft SOCG. It is anticipated that an updated draft SoCG will be submitted at Deadline 6.

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 majority of points are now agreed and there are only a small number of matters outstanding. It is expected that the Asset Protection Agreement and Protective Provisions will be finalised shortly, at which point it is intended that a short SoCG outlining the position between the parties will be submitted. It is anticipated that this will be ready for Deadline 6.

Natural England

- 3.12 First draft SoCG was submitted at Deadline 4. The Applicant has contacted NE to continue discussions and comments have been received from NE on 14 June 2021. It is anticipated that an updated SoCG will be submitted at Deadline 6.

Network Rail

- 3.13 The parties have now reached agreement in principle on the majority of issues and are working to finalise the Protective Provisions and most points are agreed. The Applicant has prepared a first draft SoCG and Asset Protection Agreement. It is anticipated that this work will be concluded shortly, at which point a short SoCG will be submitted, setting out the points of agreement reached. It is anticipated that this will be submitted at Deadline 6.

Port of London Authority

- 3.14 All points are agreed and the finalised SoCG is awaiting sign-off. An unsigned final SoCG is submitted at Deadline 5 and it is anticipated that the signed SoCG will be submitted at Deadline 6.

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 22nd 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 The Applicant is in ongoing contact with Thurrock Council regarding the only remaining points under discussion, the drafting of highways provisions and protective provisions in the DCO and an employment and skills requirement. An updated draft SoCG is submitted at Deadline 5 and it is anticipated that a final SoCG will be submitted at Deadline 6.

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	X	